

Charles “Chuck” M. Dalziel, Jr., Member

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Charles “Chuck” M. Dalziel, Jr. has thirty-eight years of litigation and arbitration experience. He has tried numerous cases as first chair in state and federal courts and before arbitration panels. Mr. Dalziel’s practice is broadly focused. He regularly appears as defense counsel in matters of unfair competition, misappropriation of trade secrets and breach of employment agreements. He also regularly defends catastrophic injury claims, most often involving tractor trailers and/or motor carrier claims. He has a substantial practice in the commercial litigation area regarding contractual disputes, partnership issues, shareholder disputes, and claims against officers and directors of corporations, as well as members of LLCs. He represents attorneys and accountants in business divorce cases. He defends claims of breach of fiduciary duty against key employees and financial advisors; and he is an accomplished insurance coverage lawyer.

While primarily a defense lawyer, Mr. Dalziel has often represented individual claimants or counterclaimants in arbitration before FINRA or AAA. This is usually in employment cases or shareholder disputes regarding revenue streams created by relationships the employee or shareholder managed. Mr. Dalziel has obtained several very significant awards on behalf of his clients, qualifying him for membership in the Multi-Million Dollar Advocates Forum. He has been AV rated by Martindale-Hubbell® for approximately thirty years. Recently, Mr. Dalziel was also recognized as one of America’s Top 100 Civil Defense Litigators for Georgia.

NOTABLE CLIENT HIGHLIGHTS

Some of Mr. Dalziel’s recent notable client highlights include:

- Successfully obtaining a multi-million dollar award for client and expungement: *Lance R. Beck v. SunTrust Robinson Humphrey, LLC*, FINRA Case No. 08-02482.

PRACTICE AREAS

Litigation

INDUSTRIES SERVED

Construction
Financial Services
Real Estate & Government

BAR & COURT ADMISSIONS

Georgia

EDUCATION

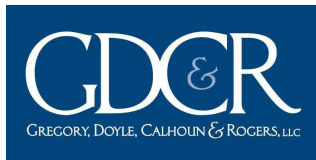
J.D., *Magna Cum Laude*,
University of Georgia School of
Law

- Honors, Order of the Coif
B.S., *Cum Laude*, Georgia
Southern College



Charles “Chuck” M. Dalziel, Jr. (Continued)

- Shielding his individual respondent in a raiding case from an award of over \$11 million against the employer who hired him, represented by other defense counsel; client was found liable only for \$1000.00: *RBC Dain Rauscher v. Stephens, Inc., et al.*, FINRA Case No. 04-015322.
- Successfully attacking a claimed termination for cause, obtaining a generous monetary settlement and U-5 expungements: *Scott Macolino and Roger Shaffer v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 2005 NASD Arb. LEXIS 2661, Case No. 04-03671.
- Obtaining a defense verdict for client in a securities arbitration customer complaint: *Marilyn Banks v. Morgan Stanley DW, Inc.*, 2005 NASD Arb. LEXIS2270, Case No. 04-06440.
- Obtaining a defense verdict in response to a \$6 million personal injury claim: *Deborah Claridge v. Billy Gerrell Grading*, Civil Action 02-CV-0952, Superior Court of Forsyth County.
- Obtaining a FINRA award for deferred compensation and unpaid bonus compensation, approximately \$1.2 million: *Raymond Kowalewski v. Wells Fargo Advisors, LLC*, FINRA Case No. 10-05020.
- Obtaining a preliminary injunction against a departing financial advisor: *Deutsche Bank Securities, Inc. v. Tony Rosecoe Pruitt*, USDC, N.D. Ga, No. 1:11-CV-04434-SCJ, and ultimately settling the case with the defendant leaving the industry.
- Obtaining a judgment that an umbrella policy’s workers compensation exclusion excluded coverage of claims arising from a major traffic accident involving a law firm associate and a paralegal who was gravely injured and airlifted to a hospital: *The Cincinnati Insurance Company v. Patricia W. Stanton*, USDC, N.D. Ga No. C85-3361A.
- Obtaining numerous denials of a preliminary injunction in a case seeking the enforcement of a non-solicitation agreement against a departing financial advisor:
 - *Merrill Lynch v. deLiniere*, 572 F.Supp. 246 (N.D.Ga. 1983);
 - *Merrill Lynch Pierce Fenner & Smith Incorporated v. Anthony Dye and Russell Roush*, Civil Action No. 2:02-CV-66-WCO, United States District Court for the Northern District of Georgia;
 - *Salomon Smith Barney, Inc. v. Morgan Stanley Dean Witter & Co., Don Delabunt, Bruce Sanders and Doug Crenshaw*, Civil Action 02-CV-52223, Superior Court of Fulton County;
 - *Smith Barney, a Division of CitiGroup Global Markets, Inc. v. Jeffrey Schultz and Morgan Keegan & Co., Inc.*, Civil Action No.: 07-CV-128948, Superior Court of Fulton County;



Charles “Chuck” M. Dalziel, Jr. (Continued)

- *Merrill Lynch, Pierce, Fenner & Smith Incorporated v. Karen L. Diamond and Daniel Dole*; Civil Action No.: 06CVS 05568, State of North Carolina, County of Durham.

PROFESSIONAL & COMMUNITY INVOLVEMENT

- Member, Lawyers Club of Atlanta
- Member, Cobb Bar Association
 - Business Law Section

RECOGNITIONS

- Recognized by Super Lawyers since 2010
 - Selected as a top-rated Intellectual Property Litigation Attorney
- Rated by Martindale-Hubbell® as an AV Preeminent® Attorney for thirty years
- Multi-Million Dollar Advocates Forum
- America’s Top 100 Civil Defense Lawyers

PUBLICATIONS & SPEAKING ENGAGEMENTS

- Speaker, ICLE in Georgia , Advice on Prevention of Malpractice Claims (multiple engagements)
- Chairman, ICLE in Georgia Seminar, Securities Arbitration
- Speaker, NASD Seminar, Claims of Unauthorized Trading
- Speaker, RIMS Atlanta Conference, Legal Trends in Employment Practices Liability
- Author, “Arbitrating Raiding and Unfair Competition Claims.” *PLI Securities Arbitration*. 1997 Vol. II. p. 429.
- Author, “Application of Standards in Restrictive Covenant and Unfair Competition Cases.” *PLI Securities Arbitration*. 2002 Vol. II. p. 27.
- Author, “Resonance with Arbitrators and Mediators.” *PLI Securities Arbitration*. 2007. p. 173.