

Daniel J. Prichard

Associate

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Dan is a commercial litigator who represents clients in energy, financial services, and other industries with their most difficult and high-stakes legal issues before trial courts, appellate courts, and state regulators.

OVERVIEW

Dan focuses his practice on complex business litigation, primarily in the energy and financial services industries, and the state regulation of utilities.

Dan's litigation and regulatory experience is broad. He advocates for clients before state regulators and in state and federal trial and appellate courts. That breadth of experience shapes how he approaches problems and finds solutions, with an eye toward the jurisdictional and procedural realities that regulated entities face.

Prior to private practice, Dan served as a criminal law attorney in the Army, representing the government during separation boards for active-duty officers and soldiers, leading internal investigations, and assisting with courts-martial. Dan began his military career as a signal officer, serving in a variety of leadership and management positions both in the United States and overseas.

REPRESENTATIVE MATTERS

Energy and Utilities

- Represented a major utility company in a successful preemption challenge to a general rate case order.
- Represented a major utility company in an intervention to an appeal of an administrative decision regarding interconnection of a solar facility pursuant to the Public Utility Regulatory Policies Act, culminating in dismissal of the appeal.
- Represented a major utility company in a contractual dispute over pipeline capacity, ultimately reaching a favorable settlement.
- Defended a major utility company in a federal court action alleging Sherman Act violations and a contractual dispute over an interconnection agreement.
- Assisted and counseled a major investor-owned electric utility in general rate case proceedings before the North Carolina Utility Commission.
- Assisted and counseled major investor-owned electric utility in general rate case proceedings before the Public

Service Commission of South Carolina.

Financial Services

- Represented a loan servicing company in a federal challenge to an enforcement action by the Oregon Department of Consumer and Business Services, Division of Financial Regulation.
- Defended one of the top four national banks in a putative fraud and breach of contract action, successfully obtaining summary judgment.
- Defended one of the top four national banks in a putative fraud action. Negotiated a favorable settlement after obtaining favorable decisions from the court.

Class Actions

- Defended one of the top four national banks in a series of class actions, including a class action within a bankruptcy case, relating to CARES Act mortgage forbearances.
- Defended a software company in a putative class action arising from a data breach.
- Defended a major health care and insurance company in a putative class action relating to the Telephone Consumer Protection Act. Negotiated a highly favorable settlement after obtaining a dismissal without prejudice.

Derivative Suits and Related Matters

- Represented a corporation in a suit against its former director for fraud. In defending against the former director's derivative counterclaims, assisted with establishment of a special litigation panel (approved by the court) which recommended dismissal of all derivative claims (which was also approved by the court). Dismissal of the derivative counterclaims enabled negotiation of a highly favorable settlement.
- Advised a corporation regarding bylaw amendment and other internal governance issues.

Other

- Represented a business executive in a dispute over the validity of an international arbitration provision, and a related appeal.
- Represented a real estate developer in a dispute over an easement spanning a local zoning board, commercial arbitration, a federal district court, and a federal appeals court.
- Advised a medical device manufacturer on Stark Law and Anti-Kickback Statute requirements.
- Negotiated a multimillion-dollar real estate transaction.

AWARDS

- *Best Lawyers in America®: Ones to Watch: Commercial Litigation (2026)*
- North Carolina Pro Bono Honor Society, 2022
- North Carolina Bar Association, Certificate of Achievement (superior commitment to pro bono legal service), 2014

TOP AREAS OF FOCUS

- Business Litigation

ALL AREAS OF FOCUS

- [Business Litigation](#)
- [Litigation + Trial](#)

PROFESSIONAL EXPERIENCE

- Law clerk, Hon. Graham C. Mullen, U.S. District Court, Western District of North Carolina, 2019
- Attorney, Office of the Staff Judge Advocate, 2017–2018

EDUCATION AND CERTIFICATIONS

EDUCATION

- Duke University School of Law, J.D., 2014
- The Citadel, The Military College of South Carolina, B.A., *magna cum laude*, 2011

BAR ADMISSIONS

- Georgia
- North Carolina
- South Carolina

COURT ADMISSIONS

- U.S. District Court, Western District of North Carolina

CLERKSHIPS

- Hon. Graham C. Mullen, U.S. District Court, Western District of North Carolina, 2019-2020