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## The need for speed



By **DIANA SMITH**, Staff Writer  
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“Run with endurance the race that God has set before you.”

That biblical citation is a motto that Asheville litigator Harold Seagle lives by.

It’s also the sticker affixed to the hood of his Porsche 911SC, the car that just sped him to victory for the third year in a row at the Targa Newfoundland endurance road race.

Known by enthusiasts as the “Iron Man of Motorsports Competition,” Targa is a week-long rally that draws participants to Canada from as far away as England, Ireland, Australia and New Zealand.

Zooming at speeds up to 130 mph, Seagle, accompanied by navigator Stan Pendergraft of Charlotte, drove a 2,200-kilometer course along Newfoundland’s lush countryside and ocean landscape.

Asheville attorney Harold Seagle and Stan Pendergraft race to victory at the Newfoundland Traga road rally.

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Photo provided by Harold Seagle

## Jury awards \$27.5M to couple hit by drunk driver

By **GUY LORANGER**, Staff Writer  
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Reflecting the public’s growing hostility towards drunk driving, a Richmond County jury has awarded \$27.5 million to a couple who was hit head on by an intoxicated driver in 2005.

The couple’s severe injuries and the defendant’s relatively light crim-

inal punishment likely factored into the Oct. 30 verdict, said the plaintiff’s attorney, Richard G. Buckner of Rockingham.

The verdict included a \$20 million punitive damages award that is believed to be one of the largest in state history against an individual in a drunk-driving negligence suit.

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‘What we’re seeing in this state is that the general public doesn’t like drunk drivers.’

Richard G. Buckner

## Lawyers react to ethics opinion on fee divisions

By **GUY LORANGER**, Staff Writer  
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Lawyers from personal injury firms have expressed concern about a recently adopted State Bar ethics opinion that prohibits certain departure clauses from being used in employment agreements.

The clauses, commonly used

by contingency fee-based firms, often require departing lawyers to pay the firms a percentage of any contingency fee that they receive from clients who follow them to new firms or to reimburse the firms for costs advanced on the clients’ behalf.

Under 2008 Formal Ethics

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"There seems to be a breaking point, where you think 'I just want this to be over'..."

Surviving that is part of the endurance test. To survive all of that stress — mechanical, physical and emotional — is a lot like a trial. Trials get like that."



Photos provided by Harold Seagle

## SPEED

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Burning rubber on rocky coastlines might sound terrifying to some.

But for the 61-year-old attorney, it brings an unparalleled inner peace.

### THE NEED FOR SPEED

Seagle, a complex civil and environmental litigator, trades his racing suit for a business one every Monday through Friday.

Past work has included teaming up on lawsuits with the Masry & Vititoe firm in California, the high-profile group whose work on chemical-exposure cases inspired the film "Erin Brockovich" in 2000. He is also a past president of the Fifth Judicial District Bar.

While he enjoys the profession, Seagle, like many attorneys, knows how tough it can be on the spirit.

That's why he loves fast machines. "I could never play golf," he said. "When you stand on a golf course for awhile, it's a beautiful place, and I enjoy

the surroundings and the people. But there's so much dead time.

"By the time I'd finish 18 holes, I'd have a list of things I'd need to do. 'I need to call this judge; I wonder if I filed this complaint on time; I need to run back and check the files; I know I've got this call coming in.'

"By the time I finish this supposedly relaxing game of golf, I'm totally stressed."

Contrast that with racing — where speed is prized and accidents common — and there's no room for dead time, Seagle said.

"When you're at Daytona going 160 [mph], you can't do that. You can't think about anything else."

Raleigh attorney Wade Smith, who owns a Porsche 911, has talked cars with Seagle for years.

He's also followed Seagle's racing history, which began with motorcycles, with his mouth agape.

"This is one of the most daring people I know," Smith said. "He rides motorcycles at speeds I can't imagine. I've seen photos of him leaned way over with his knee a quarter of an inch from the pavement running 140 [mph]."

That's the picture of bliss in Seagle's mind — and a welcome break from the rigors of the day-to-day grind.

"I could actually sit in the pits and sleep between races. It's that relaxing for me," he said.

That makes complete sense to Smith, who flew a stunt plane with a fellow attorney a few weeks ago.

"You'll find women and men in the legal profession who are very creative in their hobbies," he said. "In fact, it may be necessary for us to have hobbies like this in order to keep our sanity."

### RACE TO THE FINISH LINE ... OR THE VERDICT

Aside from the adrenaline rush and release that comes from racing, Seagle also finds it a natural fit with his work as an attorney.

Indeed, there's symmetry between preparing for a race like Targa and preparing for trial, he said.

"It's the same thing. To go into a race takes a lot of preparation, a lot of resolve and when you finally get to it, it takes a lot of focus and discipline. All those are things you learn as a litigator," Seagle told *North Carolina Lawyers Weekly*.

Fittingly, he picked up both talents — for trial work and for racing — while in law school at the University of North Carolina.

After graduation, Seagle incorporated his hobby into the early years of his law practice, where he represented motorcycle dealerships and members of the racing industry.

"It seemed a natural path from being a lawyer to organized racing," he said. "With my law practice, I couldn't race as much as some. But I tried to do three or four races per year.

"I felt comfortable doing it, and it satisfies a lawyer's competitive nature."

Targa puts that thirst for success to the test.

Getting ready for an endurance race takes more than just making the 4,300-mile journey safely to Newfoundland with a Porsche in tow, said Pendergraft, the car's navigator.

It's all of the other logistics — coordinating parts, crew and supplies — that present the first challenge.

"Then, once you get there, it's more like a trial," Seagle said. "When the week begins, you've got someone there that you've got to get along with — your navigator."

In that role, Pendergraft was charged with monitoring the course guide and directing Seagle when sharp turns were fast approaching.

Because the race took place on Newfoundland's winding public roads, communication between the two was essential for safety and success.

"All drivers and navigators have their own language," said Pendergraft, who is co-owner Exclusive Motors in Charlotte. "You have to practice with that."

It's the same type of balance that must be struck between an attorney and the jurors at trial, Seagle said.

"If you can't paint [the case] well, the [jury] can't see it. They can't understand," Seagle said. "Racing is a physical manifestation of that. If I can't see where to go, the cost of a mistake could be severe."

But nobody thinks about that at the beginning of the race, when everything is polished and fresh at the starting line, Seagle and Pendergraft said.

Three days into the race, the forecast is typically bleaker, they added.

"There seems to be a breaking point, where you think 'I just want this to be over,'" Seagle said. "You start doing that when you get tired and stressed."

"Surviving that is part of the endurance test. To survive all of that stress — mechanical, physical and emotional — is a lot like a trial. Trials get like that."

Still, not always does the race — or the trial — go according to plan.

And that's OK with Seagle. An occasional loss makes victory taste even sweeter, whether it's on the racetrack or in the courtroom.

"The beauty of racing is that it's almost musical, like a mechanical ballet," Seagle said. "It's smooth, it's graceful. It's a dance and there's rhythm and balance when you get into that zone."

"It feels like that in a trial when everything's going your way."



Top left: When he's off the race track, Harold Seagle practices complex civil and environmental litigation in Asheville.

Top right: Harold Seagle has driven this Porsche 911 SC to victory in Newfoundland for three years in a row.

Bottom left: Harold Seagle and Stan Pendergraft navigate the Targa race course.