

D. Martin Warf

Partner

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Martin is a North Carolina Board Certified Appellate Practice Specialist who practices in the areas of business and consumer financial services litigation. He has represented diverse clients from a variety of industries, including healthcare, regulated utilities, local government, retail, banking, investment, and insurance.

Experience

The following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Experience

- Has represented national bank in managing collection cases against businesses and individuals
- Orchestrated bank's discovery in adversary proceeding, including document collection, production, and response in opposition to motion to compel
- Has defended commercial lender against suits by contractor over initial loan amounts on a HUD insured loan
- Has represented national franchisor against fraudulent conveyance action
- Has defended investment firm charged with broker-dealer violations in securities case involving tenants-in-common ownership in commercial property
- Has represent national mortgage servicers against plaintiffs in state, federal, and bankruptcy courts on claims of lender and servicer liability, including federal and state debt collection violations, TILA violations, etc.
- Has resolved disputes in areas such as products liability, employment, contracts, collections, personal injury, malpractice, construction, and corporate governance
- Advises clients on procedure, managing risk, alternative dispute resolutions, and the impact of regulations and case law

Education

Campbell University Norman Adrian Wiggins School of Law, JD, cum laude (2004)

- Order of Barristers
- Managing Editor, *Campbell Law Review*

University of North Carolina at Chapel Hill, BA, Psychology and Political Science (2000)

Admissions

North Carolina

U.S. Court of Appeals for the Fourth Circuit

U.S. District Court for the Eastern District of North Carolina

U.S. District Court for the Middle District of North Carolina

U.S. District Court for the Western District of North Carolina

Certifications

North Carolina Board Certified Appellate Practice Specialist

Clerkships

Law Clerk , The Honorable Richard A. Elmore , North Carolina Court of Appeals

Representative Matters

- *Evans v. Chalmers*, 703 F.3d 636 (4th Cir. 2012): served as second chair in defending seven supervisory City of Durham officials from personal civil liability arising out of the police investigation into sexual assault allegations against Duke lacrosse student-athletes. Developed and participated in strategy, research, writing, motions, arguments, and witness interviews while also coordinating similar efforts with counsel from other firms. Obtained dismissals at the district court level and Fourth Circuit Court of Appeals
- *Asheboro Paper & Packaging, Inc. v. Dickinson*, 599 F. Supp. 2d 664 (M.D.N.C. 2009): defended employee and new employer against allegations that employee and new employer violated a non-competition agreement. District Court found no liability on the grounds that the agreement was overbroad
- *Midsouth Golf, LLC v. Fairfield Harbourside Condo. Ass'n*, 187 N.C. App. 22, 652 S.E.2d 378 (2007): represented condominium associations against a developer who was attempting to raise dues while also limiting access to amenities. Achieved favorable ruling in superior court and defended the ruling on appeal
- Defended utility companies in catastrophic personal injury litigation and CERCLA superfund litigation
- Represented municipality in negligence suit over water & sewer supply
- Represented national wireless carrier's interests in dispute over rooftop lease with condominium association
- Represented hospital and provider in "portable tort" theory of personal jurisdiction
- Has advised national retailers and nonprofits on Americans with Disabilities Act compliance; defended other businesses in litigation over their level of ADA compliance
- Represented architects, lawyers, and other professionals in professional malpractice cases
- Defended insurer against inflated damages claims under a business interruption policy

Previous Professional Experience

- Former associate, Raleigh law firm (2006–2014)

Educational Activities

- Campbell University, Norman Adrian Wiggins School of Law
 - Member of national trial and appellate teams

Recognitions

The bar rules of some states require that the standards for an

(2004 - 2006)

Practice Areas

Appellate Practice & Legal Strategies

Commercial Litigation & Business Torts

Litigation

Industries

Real Estate

attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- [Business North Carolina Legal Elite](#), Appellate (2022-2025)
- [N.C. Pro Bono Honor Society](#), N.C. Pro Bono Resource Center (2019–2020)
- [North Carolina Super Lawyers' 'Rising Stars,'](#) Business Litigation (2013–2018)
- [The Best Lawyers in America®](#), Commercial Litigation (2025-2026)

Professional Activities

- North Carolina Bar Association
- Appellate Rules Committee

Community

- Raleigh Rotary Club Member

Articles & Speeches

Insights

[To Appeal or Not to Appeal? Ten Considerations Guiding Whether to Appeal from the Trial Court in North Carolina](#), *North Carolina State Bar Journal*- Co-Author (February 19, 2024)

Events/Speaking Engagements

[2025 Guardian ad Litem Appellate Advocacy Training](#)- Panelist (May 16, 2025)

Alerts

[Supreme Court Holds Forfeiture of Tax Sale Surplus Proceeds is a Governmental Taking](#), Additional Nelson Mullins Alerts (May 26, 2023)