



# Elizabeth Sims Hedrick

Partner

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Liz is a litigator who focuses on the public utilities, real estate and health care sectors. She helps clients navigate regulatory hurdles and represents clients in business disputes, malpractice claims, landlord-tenant litigation and administrative law matters.

She focuses her real estate litigation practice on utilities and landlord-tenant disputes involving lease enforcement and collection of rents. Liz's utilities work is centered on water and sewer sectors, and she has helped clients handle rate cases, complaints, and other proceedings before the North Carolina Utilities Commission, drawing upon her years of experience in the industry before she entered law school.

In the lease context, Liz represents both commercial and residential landlords and tenants, and has successfully litigated cases through summary judgment, trial and appeal, including post-judgment collection and enforcement. She has also represented clients in construction disputes, condemnation cases and boundary disputes, among others.

Liz regularly represents health care clients in both civil and administrative litigation in the state and federal trial and appellate courts, in a variety of contexts, including medical malpractice defense, peer review, medical staff matters, Certificate of Need and other regulatory and business disputes.

## Services

- Environmental
- Energy Regulation & Compliance
- Health Law
- Real Estate
- Litigation
- Real Estate Litigation
- Construction
- Appellate Practice

## Client Resources

### **North Carolina Appellate Practice Blog**

Liz is a contributing author on this blog, which provides news, information and tips for practicing law in North Carolina's State and Federal Appellate Courts. [Visit the blog.](#)

## Before Fox Rothschild

Liz was a partner at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018. She was also an associate at a regional law firm in Raleigh.

## Beyond Fox Rothschild

Liz is active in the community, having served as President of the board of directors for Artsposure, Raleigh's nonprofit art and cultural events production studio. She is a former member of the executive leadership team of the American Heart Association's Triangle Go Red for Women and a member of its Circle of Red.

She is also a former President of the Eastern District of North Carolina Federal Bar Association. She also remains active in Triangle CREW, having served on its Board of Directors from 2020-23.

## Honors & Awards

- Named a Women in Business Honoree by the *Triangle Business Journal* (2024)
- Selected to the "Best Lawyers in America" list for Litigation - Health Care in Raleigh, NC by *Best Lawyers* (2018-2026)
- Selected to the "Super Lawyers" list for Business Litigation in North Carolina by *Super Lawyers* (2019-2026)
- Recognized in *Business North Carolina's* Legal Elite for Litigation (2016, 2019, 2022), Young Guns (2017-2019)
- Selected to the "Super Lawyers Rising Stars" list for Business Litigation in North Carolina by *Super Lawyers* (2017-2018)

## Bar Admissions

- North Carolina

## Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Western District of North Carolina

## Education

- University of North Carolina School of Law (J.D., *with honors*, 2008)
- University of North Carolina at Chapel Hill (B.A., *with highest honors*, 2002)
  - Journalism and Mass Communication with a concentration in Public Relations

## Memberships

- North Carolina Society of Healthcare Attorneys, Programming Committee
- Federal Bar Association, Vice Chair of national Health Law Section; EDNC, Past President
- American Health Lawyers Association
- North Carolina Association of Defense Attorneys
- American Bar Association

## Board of Directors

- Artsposure

# Representative Matters

## Utilities

- Represented utility in rate case before the North Carolina Utilities Commission

- Represented utility in contested hearing addressing concerns regarding utility's services before the Utilities Commission
- Represented utility in complaint proceeding brought by customer
- Helped utility obtain Certificate of Public Convenience and Necessity to provide new service
- Helped client navigate regulatory requirements governing its utility service after receipt of cease and desist notice from the Public Staff—North Carolina Utilities Commission
- Negotiated resolution between utility and customer stakeholders in disputed matter before the Utilities Commission

## Health Care

- Represented hospital in negligent credentialing claims brought by patients involving non-employee physician's privileges
- Represented hospital in medical malpractice claims involving employee caregivers
- Represented hospital in medical malpractice claim premised on apparent agency of non-employee physician
- Represented hospital in fair hearing process following termination of physician's privileges
- Represented hospitals in contract disputes with service providers
- Analyzed issues regarding prompt payment discounts for hospital to avoid anti-kickback law and false claims liability.
- Defended approval of CON for dialysis client in appeal by competitor before the Office of Administrative Hearings and the North Carolina Court of Appeals
- Represented Medicaid providers challenging recoupment of payments by N.C. Department of Health & Human Services, Division of Medical Assistance, including audits where State extrapolated the results
- Represented Medicaid behavioral health provider in appeal of decision by local management entity/managed care organization (LME/MCO) in appeal of decision by MCO terminating provider's contract to provide services in catchment area
- Defended approval of CON for new nursing home by three denied applicants before the Office of Administrative Hearings and on appeal to the North Carolina Court of Appeals
- Appealed State's denial of CON application by dialysis provider in competitive CON review before the Office of Administrative Hearings
- Defended approval of CON for ambulatory surgical center in administrative appeals by competing applicants before the Office of Administrative Hearings and on appeal to the North Carolina Court of Appeals
- Defended approval of CON for MRI provider in administrative appeals by competing applicants before the Office of Administrative Hearings and on appeal to the North Carolina Court of Appeals and the North Carolina Supreme Court
- Defended State's denial of Certificate of Need (CON) application by physician group for new diagnostic center for client who provides similar services in the service area
- Represented mobile MRI provider in appeal of State agency order to cease and desist providing services on military base in North Carolina without state agency approval

## Real Estate Litigation

- Litigated numerous claims for breach of retail lease agreements and personal guaranties on behalf of commercial landlords
- Assisted commercial and residential landlords through the eviction process, including summary ejection hearings, appeals to district court, and post-eviction issues regarding tenants' property left in premises
- Reviewed and analyzed lease agreements for both landlords and tenants
- Assisted commercial landlords with various issues such as prohibited uses by tenants, disputes regarding common areas, unauthorized assignments of leases by tenants, enforcement of tenant exclusivity provisions, nuisances created by tenants, and lien claims on leased premises
- Represented national retailer at trial challenging landlord's calculation of pass-through expenses provided for in lease
- Represented commercial landlord on appeal to North Carolina Court of Appeals challenging trial court's decision on landlord's breach of lease claim
- Represented commercial landlord on appeal to North Carolina Court of Appeals defending trial court's decision on landlord's breach of guaranty claim
- Represented commercial landlord in lease dispute with tenant where zoning code prohibited tenant's intended use of premises
- Assisted client with enforcement of judgment lien on properties that had been sold subject to judgment lien
- Analyzed issues regarding vested rights to continued use in light of zoning ordinance changes
- Represented general contractor in lien claim on shopping center
- Represented subcontractor in dispute over claim of lien on funds relating to construction of office building

- Represented landowners in condemnation proceedings
- Assisted landowner with claim for inverse condemnation where flooding was created by neighboring project
- Assisted client in obtaining temporary restraining order and preliminary injunction related to neighboring landowner's blocking of client's easement

## Publications

August 10, 2020

**Dealing With Defaults: Options and Solutions for Commercial Landlords During the Pandemic**

June 2, 2020

**North Carolina Limits Commercial and Residential Evictions and Other Lease Remedies**

May 5, 2020

**NC Enacts Liability Protections for Health Care Providers Responding to Pandemic**

## News

July 17, 2024

**Fox Rothschild Wins Vindication for NC State Health Plan in Dispute Over Award of \$300 Million Contract to Aetna**

March 23, 2024

**Women In Business Award Winners**

January 26, 2024

**Elizabeth Sims Hedrick Selected to Triangle Business Journal's Women in Business List**

January 1, 2022

**Legal Elite 2022**

August 20, 2020

**More Than 200 Fox Attorneys Selected to the List of "Best Lawyers in America"**

June 19, 2020

**Top 50 Construction Law Firms**

August 15, 2019

**176 Fox Attorneys Selected to the 2020 List of Best Lawyers in America**

June 4, 2019

**Top 50 Construction Law Firms**

April 5, 2019

**Area Attorneys Land On 2019 Legal Elite List**

## Events

February 8, 2019

**Federal District Court Practice CLE**

*Campbell Law School*

January 25, 2019  
**Med Mal Roundtable**  
*The Solution Center*

February 17, 2017  
**ABA Litigation Section Corporate Counsel CLE Seminar**  
*Orlando, FL*