



## Jeffrey R. Whitley

Counsel

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Jeff represents clients in complex commercial and business disputes. He has assisted a variety of business and entities in prosecuting or defending commercial claims, including breach of contract, employment litigation, unfair competition, fraud and landlord/tenant disputes involving lease defaults and rent collection.

Jeff has a particular focus on professional liability and fiduciary duty cases in the corporate, partnership and LLC context. His practice also addresses the unique aspects of the health care industry, allowing him to assist health care providers in cases involving specialized contract disputes, employment issues, billing and insurance disputes and medical negligence claims. Jeff also defends businesses in class action lawsuits. Through each of these types of cases, he has represented clients in North Carolina state and federal courts, the Court of Appeals and North Carolina's specialized Business Court.

### Services

- Litigation
- Health Law

### Representative Matters

#### Jeff's litigation work includes:

- Defending individuals and corporate entities against claims of breach of noncompetition and nonsolicitation agreements, tortious interference with contract and misappropriation of trade secrets.
- Defending hospitals in class action lawsuits related to patient billing in North Carolina federal court.
- Defending hospitals against malpractice, corporate negligence claims and negligent credentialing claims.
- Defending a hospital against alleged antitrust violation related to hospital privileges.
- Defending numerous legal entities in privacy-related litigation in North Carolina federal court.
- Defending a corporate shareholder in an action alleging breach of fiduciary duty in Business Court.
- Defending a mining company against employment-based claims under the Federal Mine Safety and Health Act.
- Defending a company against groundwater contamination claims.
- Representing an investment firm in prosecuting a derivative suit in North Carolina Business Court.
- Representing a hospital in multiple lawsuits relating to contractual and fiduciary disputes over a joint venture.

- Representing corporate employers in enforcing noncompetition, nonsolicitation and confidentiality provisions of employment contracts against former employees.
- Representing a company in the prosecution of multimillion-dollar lawsuit in Business Court involving a contract dispute and allegations of fraud and sham entities.
- Representing a partner in a partnership dispute relating to the misappropriation of partnership assets.
- Representing landlords in contract disputes and eviction of commercial tenants.

#### **Reported cases:**

- *Kohn, M.D. v. FirstHealth of the Carolinas Inc.*, 2014 WL 6805816 (N.C. Super.)
- *Kohn v. FirstHealth of the Carolinas, Inc.*, 242 N.C. App. 252, 775 S.E.2d 926, review denied 368 N.C. 357, 776 S.E.2d 855 (2015)
- *E. Brooks Wilkins Family Med., P.A. v. WakeMed*, 784 S.E.2d 178, 180 (N.C. Ct. App. 2016), review denied, 797 S.E.2d 18 (N.C. 2017)

### **Before Fox Rothschild**

Prior to joining Fox Rothschild, Jeff was an associate at Smith Moore Leatherwood LLP, which combined with Fox Rothschild in 2018.

While in law school, he participated in multiple oral advocacy competitions as a member of the moot court board and co-authored a congressional white paper on the legal barriers to the interstate practice of telemedicine. He was the recipient of the Florida Bright Futures scholarship and a Duke University merit scholarship.

Prior to attending law school, Jeff gained a variety of experience as a disability adjudicator, a community coordinator for a nonprofit organization and a professional musician.

### **Beyond Fox Rothschild**

Since 2016, Jeff has served as chair of the Legal Feeding Frenzy fundraising drive in support of the United Way.

### **Client Resources**

#### **It's Just Business Blog**

Jeff contributes to this blog, which provides analyses of North Carolina Business Court decisions. The goal of this blog is to arm businesses with the information they need to adjust their legal strategies as the case law evolves.

[View Blog](#)

### **Bar Admissions**

- North Carolina

### **Education**

- Duke University School of Law (J.D., 2013)
- Florida State University (B.A., 2002)
  - Psychology and Public Administration

### **Memberships**

- Wake County Bar Association
  - Co-Chair, Candidate Committee (2016-present)
- Federal Bar Association
  - Eastern District of N.C. Chapter, National Delegate

## Honors & Awards

- Leadership Raleigh, Greater Raleigh Chamber of Commerce (2016)
- Selected to the "Super Lawyers Rising Stars" list for Civil Litigation: Defense (2019-2021) and Business Litigation (2022-2023) in North Carolina by *Super Lawyers*
- Selected to the "Best Lawyers in America" list for Labor & Employment Litigation in Raleigh, NC by *Best Lawyers* (2024-2026)