



MICHELLE A. LIGUORI

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OVERVIEW

Michelle Liguori is an appellate and trial court litigator in the Raleigh office of Ellis & Winters. She focuses her practice on appeals, class actions, and section 1983 litigation.

Michelle's appellate practice has spanned the broad array of subject matters litigated by Ellis & Winters, including complex commercial disputes, class actions, medical malpractice, land use, and estate litigation. In addition to handling cases on appeal, Michelle advises on matters of appellate strategy while cases are proceeding in trial court. Michelle also represents criminal defendants as appointed counsel in the North Carolina appellate courts and the Fourth Circuit.

Before joining Ellis & Winters, Michelle spent three years helping federal judges decide appeals as a staff attorney and law clerk at the United States Court of Appeals for the Eleventh Circuit. She later worked for the Solicitor General's Office at the North Carolina Department of Justice, handling civil and criminal appeals in the state and federal appellate courts.

Michelle's trial court practice focuses on class actions, other complex commercial disputes, and section 1983 litigation. She also has handled estate litigation, involving will contests, trust disputes, and fiduciary claims. Michelle is a founding member of Best in Class, Ellis & Winters's class action blog, and she regularly writes and edits articles for the blog.

Michelle is actively involved in the legal community, both locally and nationally. She is on the North Carolina Bar Association's Appellate Section Council, serves as Appellate Subcommittee Chair for the American Bar Association's Class Actions and Derivative Suits Committee, and is on the Bar Candidate Interview Committee for the Wake County Bar Association.

In addition to her law practice, Michelle is an adjunct professor at Duke Law School, where she has taught legal and scholarly writing. She also is a member of the Board of Directors of the Harvard Club of the Research Triangle.

CREDENTIALS

EDUCATION

- ▶ J.D., Harvard Law School, 2012
 - ▶ Honors: *cum laude*
- ▶ B.A., Amherst College, 2006

COURT ADMISSIONS

- ▶ North Carolina
- ▶ New York
- ▶ Eastern District of North Carolina
- ▶ Middle District of North Carolina
- ▶ Western District of North Carolina
- ▶ United States Court of Appeals for the Fourth Circuit
- ▶ United States Court of Appeals for the Eleventh Circuit
- ▶ United States Supreme Court

PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS

- ▶ North Carolina Bar Association, Appellate Practice Sections, CLE Chair
 - ▶ Wake County Bar Association, Bar Candidate Interview Committee
 - ▶ American Bar Association, Litigation Section, Class Actions and Derivative Suits Committee
 - ▶ Defense Research Institute, Appellate Advocacy Committee
 - ▶ Federal Bar Association
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EXPERIENCE

APPEALS

- ▶ Briefed and argued criminal appeal in North Carolina Court of Appeals involving motion to suppress and petition for certiorari review of civil judgment; obtained vacatur of civil judgment.
- ▶ Successfully briefed and argued criminal appeal in North Carolina Court of Appeals involving constitutional challenges to state stalking statute.
- ▶ Briefed appeals before the North Carolina Court of Appeals and petitions before the North Carolina Supreme Court and U.S. Supreme Court on motion to compel arbitration in putative class action.
- ▶ Briefed appeals before the North Carolina Court of Appeals and North Carolina Supreme Court involving issues of first impression in the application of statutes governing debt buyer collections activity.
- ▶ Briefed appeals in the North Carolina Court of Appeals and North Carolina Supreme Court in appeals raising matters of first impression under the North Carolina Trust Code.
- ▶ Briefed appeal and petition for discretionary review in North Carolina Supreme Court in appeal involving application of Rule 45(d1) of the North Carolina Rules of Civil Procedure.
- ▶ Wrote prevailing Fourth Circuit brief defending against section 1983 claims and constitutional challenges to a state occupational licensing statute.
- ▶ Advised on appellate strategy in Fourth Circuit appeals involving North Carolina parole procedures for juvenile offenders and section 1983 action involving vacated convictions.

CLASS ACTIONS

- ▶ Represented landlord against putative class action involving recovery of litigation costs for eviction actions.
- ▶ Represent debt buyer in putative class action involving statutory requirements for collections activity.
- ▶ Represent assisted living facility in class action involving breach of contract claims.
- ▶ Represent employer in putative class and California Private Attorney General Act action.
- ▶ Advise universities on potential class-action ramifications of decision-making related to COVID-19.

OTHER CASES

- ▶ Represent minority member of limited liability company in dispute with majority member. Obtained temporary restraining order, preliminary injunction, and defeated motion to dismiss.
 - ▶ Successfully briefed and argued issue of first impression in North Carolina Business Court related to enforcement of LLC member's information rights.
 - ▶ Represented defendant against allegations of theft of trade secrets, fraud, and related claims. Successfully briefed and argued opposition to third-party defendants' motions to dismiss and for judgment on the pleadings.
 - ▶ Successfully petitioned for release of third party's property being held for criminal trial, under North Carolina General Statute section 15-11.1(a).
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PRESENTATIONS/PUBLICATIONS

- ▶ [Effective and Equitable Drug Prosecutions: Comparative Perspectives](#), Moderator, Harvard Club of the Research Triangle, 2021
 - ▶ [Cross-Appeals: What, Why, When, and How in North Carolina's Federal and State Appellate Courts](#), NCBA Appellate Practice Section CLE, 2021
 - ▶ [Class-Action Incentive Awards Under Siege?](#), *The Voice*, DRI, 2021
 - ▶ [Class Actions 101, and Some Tips for China](#), Lexology, 2020
 - ▶ [A New Emergency Law Model for Egypt](#), American University Washington College of Law, Human Rights Brief, 2012
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AWARDS/RECOGNITION

- ▶ Best Lawyers in America, "Ones to Watch," Appellate Practice, 2021-2022
- ▶ North Carolina *Super Lawyers* Magazine, Appellate, *Rising Stars*, 2022
- ▶ *Business North Carolina*, Legal Elite, Appellate, 2022

UPDATES

NEWS POSTS

- ▶ [Michelle Liguori Selected as ABA National Class Actions Faculty](#)
- ▶ [Ellis & Winters Attorneys Recognized as 2022 Super Lawyers®](#)
- ▶ [Luke Farley, Ginger Hunsucker, and Michelle Liguori Elected to Firm Partnership](#)
- ▶ [Business North Carolina Announces 2022 Legal Elite Rankings](#)
- ▶ [Michelle Liguori Appointed to Fourth Circuit's CJA Panel](#)

BEST IN CLASS POSTS

- ▶ [D.C. Circuit Un-rings Dismissal Bell on Shutdown-Era Class Actions Seeking Tuition Refunds, but Signals Tough Examinations Ahead](#)
- ▶ [Issue-Class Certification—A Tool in the Class-Action Defense Toolbox?](#)
- ▶ [Class-Action Incentive Awards Under Siege?](#)
- ▶ [Class Actions 101, and Some Tips for China](#)