

## Dan Boyce

### SHAREHOLDER

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Raleigh, NC 27612



### Practices

Agribusiness  
Tax Criminal Investigations  
Health Care  
Litigation  
Business & Commercial Disputes  
Criminal Defense & Investigations

### Education

University of North Carolina  
(1984, J.D.)

Wake Forest University  
(1981, B.A., *cum laude*)

### Admissions

State Bar: North Carolina

U.S. District Court: North Carolina  
(Eastern, Middle, Western)

U.S. Court of Appeals: Fourth  
Circuit

U.S. Supreme Court

R. Daniel "Dan" Boyce is a civil and criminal trial attorney with three decades of experience representing clients in a number of civil, criminal and regulatory matters across a broad spectrum of industries. He is Board Certified as a specialist in state and federal criminal law by the North Carolina State Board of Legal Specialization.

His civil trial practice includes:

- Representation of individuals and businesses before administrative, licensing, disciplinary and grievance boards including those handling medical, dental, nursing, legal, accounting, real estate, contractor, appraisal, law enforcement, and respiratory, massage and speech therapy
- Corporate, partnership and business disputes and fraud investigations, including unfair and deceptive trade practices
- Corporate internal investigations detecting employee malfeasance including embezzlement
- Class action lawsuits involving tax, federal contracts and constitutional issues
- Civil remedies available under state and federal law including the Federal Computer Fraud and Abuse Act
- Defense of employment claims under the FLSA/NCWHA/AWPA

- Defense of false claims actions brought by government entities
- Defense of sexual harassment/hostile work environment claims

His criminal defense trial practice includes:

- Federal grand jury investigations
- Bank, wire and mail fraud
- Health care fraud (including Medicare/Medicaid)
- Environmental issues
- Money laundering and tax matters
- Conflicts of interest
- Political corruption
- Law enforcement investigations

Dan has worked as a Federal Prosecutor (Assistant U.S. Attorney for Eastern District of North Carolina) where he earned numerous commendations and awards including the U.S. Department of Justice Special Achievement Award in recognition of Sustained Superior Performance of Duties. He received training at the FBI Academy in Quantico, VA on cybercrimes while serving in this position.

Dan was a licensed private investigator in North Carolina and gained experience conducting corporate internal investigations. He continues to provide legal services assisting companies in detecting fraud, embezzlement and other internal misconduct, responding to grand jury subpoenas and Federal investigators and corporate crisis management.

Additionally, he served as Special Counsel to the North Carolina House of Representatives Ethics Committee for Investigation of Unethical Conduct by a State Legislator and as Special Counsel to the U.S. Department of Agriculture in Administrative Proceedings involving the tobacco industry in four states. In 2000, he was the Republican candidate for North Carolina State Attorney General.

Dan is the past president of the Wake County Bar Association, Young Lawyers Division, and has been a board member for a range of local and state organizations, including the North Carolina State Bar, Criminal Section.

## Experience

- Represented individual and small business in multi-year defamation lawsuit, obtaining a multi-million dollar jury verdict
- Successfully represented provider of online legal documents in multi-year dispute with state agency, gaining the ability for client to operate in North Carolina
- Successfully defended former gubernatorial candidate in action brought by non-profit questioning ethics of candidate

- Represented Board in corporate internal investigation and advised Board Members on its fiduciary obligations and regulatory duties separate and apart from the Company
- Defended large family farming operation, including a packinghouse operation, related to claims of federal and state employment (labor law) violations
- Defended Companies that provide labors, including H2-A, to farming operations and other businesses in Eastern North Carolina related to claims of federal and state employment violations
- Defended software company in litigation brought in multiple venues by a competitor
- Defended two storage companies in False Claims Act action in federal District Court
- Represented shareholder in dispute related to breaches by other shareholders, ownership of intellectual property and corporate dissolution
- Represented law enforcement agency in Department of Justice inquiry and Federal Grand Jury Investigation
- Defended male employee in state action alleging sexual harassment and sexual assault in workplace
- Defended international law firm in claims of breach of contract and breach of fiduciary duty
- Successfully defended small business owner charged with embezzlement based on failure to remit withholding taxes
- Represented out of state company in successfully forcing open bid process for state contract
- Defended local car dealer in civil asset forfeiture action in the Southern District of New York
- Obtained Not Guilty in Federal District Court for armed services member charged with DUI
- Successful representations of numerous attorneys before NC State Bar and other licensing agencies in restoring or maintaining professional licenses
- Represented individual family members in multi-million dollar family business dispute in North Carolina Business Court
- Represented Company in action against temporary employee related to suspicion of unlawful computer fraud abuse
- Defended numerous licensed and accredited professionals before administrative and licensing boards

## Recognitions

- Fellow, Litigation Counsel of America
- Board Certified Specialist in State and Federal Criminal Law, North Carolina State Board of Legal Specialization
- Former Licensed Private Investigator, State of North Carolina
- Martindale-Hubbell AV Peer Rated for Highest Level of Professional Excellence
- Included in the North Carolina *Super Lawyers*® list since 2008 in the area of Civil Litigation: Defense

- Listed in *Best Lawyers in America* for Criminal Defense - General Practice and Criminal Defense - Non-White-Collar since 2007 and Criminal Defense- White-Collar and Civil Litigation Defense from 2007-22
- Assistant U.S. Attorney (1987-1994)

### **Community & Professional**

- Wake County Bar Association - including prior service on Board of Directors, Criminal Law Specialty Committee, and Young Lawyers Division President
- North Carolina Bar Association, Civil Litigation and Criminal Justice Section, and former Board of Directors
- Julia Ellen Crump Foundation - President
- Bald Head Island Club Board of Governors
- Tammy Lynn Center - Former Board of Directors

One of the things Dan enjoys most about his law practice is when he is asked by the media to provide legal analysis and commentary. A few examples:

#### **October 26, 2011**

Dan appeared on NBC's The Today Show in a report about the criminal trial against former Senator John Edwards: "Edwards attempts to dismiss charges against him."

#### **Nov 23, 2010**

Dan appeared on Raleigh's WRAL to discuss the former NC Gov. Mike Easley's plea on a campaign finance charge: "Former federal prosecutor reacts to Easley plea."

#### **October 15, 2007**

Dan appeared on Raleigh's WRAL to discuss a request for the state's help in a federal lawsuit filed by three former Duke lacrosse players: "Former Prosecutor on Nifong's Request for State Help."

### **News**

01.03.2023 | News from Maynard Nexsen

Thirteen Nexsen Pruet Attorneys Listed in 2023 Legal Elite of North Carolina

08.18.2022 | Firm News

**72 Nexsen Pruet Attorneys Named to 2023 Best Lawyers in America® List**

09.20.2019 | News from Maynard Nexsen

Dan Boyce Named Business Litigator of the Month by Attorney At Law

## Insights

01.13.2020

Commandment #9: Don't Expect Immediate Resolution - Investigations May Last For Years

11.18.2019

Commandment #8: Don't Lie - Tell the Truth (to Law Enforcement, the Media, AND YOUR OWN ATTORNEY!)

11.05.2019

Commandment #7: Don't Talk to the Media? Maybe, Maybe Not

09.19.2019

Commandment #6: Don't Talk to Law Enforcement- Maybe, Maybe Not

08.22.2019

Commandment #5: Don't Be Too Nonchalant- Take It Seriously

08.15.2019

Commandment #4: Don't Delay Employee Interviews- and Memorialize the Statements

08.09.2019

Commandment #3: Don't Delete - Collect Data

07.18.2019

Commandment #2: Don't Panic. Be Calm. And Don't Self-Medicate!

07.11.2019

Commandment #1: Don't Wait: Corporate Internal Investigations

06.21.2019

Ten Commandments on What NOT to do in a Governmental Investigation

06.10.2019

Bet-the-Farm Litigation

05.09.2019

Bet-the-Career: Tips for keeping executives from becoming collateral damage in high stakes litigation

04.18.2019

Bet-the-Company: Keys to Prosecuting and Defending High Stakes Litigation