

The Resource

March 2012 NCADA Member Highlight

Firmly Connected Thru Family – The Hornthals Expand Their Family and Their Tradition of Excellence in Practice

By – Ben Gallop

North Carolina has a long tradition of small to medium sized firms that have built their practice providing a defense to those in need. Many of these firms have close ties to one another through relationships that have developed over many years and generations. Two such firms are Hornthal, Riley, Ellis & Maland, LLP, which has three offices in northeastern North Carolina and Roberts & Stevens, P.A., which is based in Asheville. Despite their juxtaposition at opposite corners of the State, there have long been both professional and personal connections between the two firms. Both firms have family histories, and recently, their firm families have been connected by marriage.

L P. “Tony” Hornthal and Jack Stevens met in law school during the early 1960’s and over the years became close friends. They served together for many years on the board of directors of Lawyers Mutual, and Tony succeeded Jack as President of the North Carolina Bar Association in 1996. Tony cannot think of a “closer friend in the world” than Jack and sincerely appreciates Jack’s “adoption” of his youngest son when Lang Hornthal located his business, Appalachian Designs, to Asheville in the mid-1990’s. Tony and Jack and their wives, Harriett and Cissie, have spent many vacations together and have often traveled abroad with each other. Jack’s longtime partner, Jim Williams, notes that “Our mountain to the sea connection, created by Tony and Jack’s great friendship, has endured for generations.”

Tony and his namesake, Phillip, practice together in Elizabeth City and have a long history of defending insurance matters and other complex litigation. Tony joined the predecessor to Hornthal, Riley’s insurance defense practice in 1965 and has never looked back. Phil started his carrier with the law firm of Cranfill, Sumner, and Hartzog in Raleigh where he learned the ins and outs and fast pace of insurance defense work. In 1999, Phil moved home to Elizabeth City to settle down with his family and began working with Hornthal, Riley.



Jack and his son Wyatt practice together in Asheville. Coincidentally, Wyatt and Lang Hornthal were classmates together at UNC Chapel Hill, graduating together in 1991 and becoming even closer friends when Lang relocated to Asheville. While socializing with Wyatt and other members of the firm on a Friday afternoon in 2006, Lang met a recently hired associate, Ann-Patton Nelson. Nelson hailed from Alabama and was the daughter of a prominent lawyer, Pat Nelson of Jasper, Alabama. She joined Roberts & Stevens in 2006 after graduating magna cum laude from Mercer University Law School. According to Wyatt, he “did not set them up, but the next thing he knew, they were dating!” Ann-Patton Hornthal was soon married to

Lang, and Wyatt, of course, served as a groomsman in their wedding and is the godfather of their son, Ashe.

While presenting Tony with the North Carolina State Bar's highest service award, the John B. McMillan Distinguished Service Award, Ron Baker, the current Vice President of the State Bar and an exceptional defense attorney in his own right, stated that after many years of practice he has "found Tony to be one of the finest lawyers he has dealt with in all of North Carolina." Everett Thompson, a prominent Elizabeth City plaintiff's attorney, also holds Tony and Phil in high regard. Like Baker, Thompson has practiced with and against Tony his whole career. He says, "Tony is a lawyers' lawyer. He likes the law. He loves the law. He's a guy you can call up any time and get advice and direction from. He likes the give and take of the practice of law. Phillip's the same way. They are good folks to have down the street. Really add a lot to our bar." Following a recent oral-argument at the Court of Appeals, a lawyer in the audience commented to me about Tony's exceptional "old school" style argument. Tony accepted the compliment and reminded me that "old school" is all he knows. His first argument to an appellate court was to the North Carolina Supreme Court in September of 1964, in a criminal case on behalf of the Attorney General's Office shortly after his tenure as a law clerk for Supreme Court Justice William B. Rodman. He won that appeal. The opposing lawyer became his mentor and long time partner, Dewey Wells.

Phil and Ann-Patton have carried a tradition of excellence to the next generation while garnering significant case wins and accolades along the way. Phillip's practice encompasses a variety of civil litigation: construction; insurance defense; personal injury; condemnation; commercial; real estate; and contract disputes. He is a member of Christ Episcopal Church in Elizabeth City, where he has served on the Vestry and as its Senior Warden, teaches Sunday School and sponsors the Acolytes; and has served as both a member and President of the Elizabeth City Rotary Club, President of the Elizabeth City Boys and Girls Club; and as President of Arts of the Albemarle, for which he was Co-Chair of its successful \$3.2 million dollar fundraising campaign to renovate and build The Center – the current home of the Arts of the Albemarle located in the historical Lowry-Chesson Building in downtown Elizabeth City. Phil, his wife Kristy and their three children: L.P, Ellie, and James live within walking distance of Tony and Harriett. When not at the office together, the close proximity sometimes allows Tony to mentor Phil in the best ways to lose a game of tennis to one's father.

Wyatt works closely with Ann-Patton and has watched her practice grow dramatically in recent years. According to Wyatt, "Ann-Patton is one of the best appellate lawyers in Western North Carolina and one of the nicest people you would ever want to know." Ann-Patton fell in love with the area while spending her summers working at the Nantahala Outdoor Center during college and was eager to return and begin practicing law. Ann-Patton's practice consists of defending clients in a variety of complex litigation matters, including professional and medical malpractice, personal injury, products liability, business torts, and appeals. Her peers have honored her as a North Carolina Super Lawyer Rising Star in both 2011 and 2012 in the area of Civil Litigation Defense. Ann-Patton serves on the Board of Directors for Pisgah Legal Services and she and Lang are active members of Trinity Episcopal Church in Asheville.



With such an enthusiastic group of lawyers in the family, it should be no surprise that the joy of the practice of law permeates family gatherings. “When our family gets together, I never fail to take advantage of the opportunity to pick Tony or Phil’s brain about a case or talk shop,” says Ann-Patton, “I am so fortunate to be able to call them family and to follow in their footsteps.” Tony not only provides experience to these discussions, but greatly enjoys seeing Phil and Ann-Patton develop their practices. He says, “Its just such a hoot for me to be able to sit down and chew the fat about what they’re doing. It knocks me out to realize how smart both of them are, how well they understand their cases and the matters of real importance they are working on. To listen to them problem solving; that’s fun to do with lawyer to lawyer relationships, but getting to do it with your family is a special situation and occasionally gives rise to a real ‘Aha’ moment for me.”

Phil has learned a great deal from his father over the years, but most importantly he learned, that “there is never any substitute for being more prepared than the other side, and that how we treat people, whether it’s the other lawyer, the other party, the witness, judge, staff, court personnel, matters more than anything.” Tony also passed down to Phil some great advice from the late and great U.S. District Judge Franklin T. Dupree, Jr. about not taking litigation results too personally. As Judge Dupree once reminded Tony, “these are not our problems. They are our client’s problems.” This concept has helped both Tony and Phil separate the intense nature of litigation from their personal thoughts and has allowed them to successfully manage both wins and losses in litigation over the years.



The connection between the firms of Hornthal, Riley and Roberts & Stevens started with a friendship and professional connections. Those relationships have never wavered and have been strengthened by the close familial ties between the firms. The future holds a lot of potential for the members of these firm families, and there’s no doubt that Tony and Jack’s tradition of excellence service to clients and the bar will continue for years to come with Ann-Patton and Phil.

About the Author

Ben Gallop is a partner with the law firm of Hornthal, Riley, Ellis & Maland, LLP and practices law in the areas of local government, land use and zoning and civil litigation in the firm’s Nags Head, N.C. office. You can find more about Hornthal, Riley and Roberts & Stevens on their websites <https://www.hrem.com> and <https://www.roberts-stevens.com>.



Editor’s note: Ben Gallop is also a second generation NCADA member. His father, Marshall Gallop, practices with the Rocky Mount law firm of Battle Winslow Scott & Wiley.

Photo: Page 1 – Phil & Tony Hornthal; Page 2 – Tony & Ann-Patton; Page 3 – Wyatt Stevens, Ann-Patton Hornthal, Jack Stevens & Jim Williams.