

## **Representative litigation:**

### **(1) Defense of the company (representative matters, chronologically)**

Canal Industries, Inc. v. Childs, 823 F.2d 460 (M.D.Ga. 1987) – obtained appellate reversal of summary judgment adverse to the company.

Lawyers Title Insurance Corporation v. William T. Youngblood, 923 F.2d 161 (S.D.Ala.1991) - successfully assumed representation of the company at the appellate level to obtain both reversal of substantial judgment for bad faith denial of coverage and entry of judgment in favor of company absolving it of liability.

Capitol Materials, Inc. v. Homeside Lending, Inc., Appeal No.: S03A0814, Supreme Court of Georgia (2003) – submitted amicus brief on behalf of numerous title insurers, including Fidelity National Title Insurance Company, to urge Supreme Court of Georgia’s continued adherence to established law of equitable subrogation.

CSRA Wounded Warrior Care Project, Inc., Paine College, Augusta State University Foundation, Inc., and Kace Investments, L.P. v. Lawyers Title Insurance Corporation, Superior Court of Richmond County, Georgia (2004) – assumed defense of the company against direct action by the owner/insured under \$2.7 Million policy for alleged claims of breach of contract, fraud, negligence, and statutory liability, among other claims.

Peachtree/Stratford, LP v. Grove Street Partners, LLC, et al., Superior Court of Fulton County, Georgia (2005) – evaluated coverage and represented insurer under \$10 Million policy.

The Weitz Company, LLC v. Coastal Community Retirement Corporation, Brunswick and Glynn County Development Authority, PNB Paribas, The Bank of Scotland, and J. P. Morgan Trust Company, N.A., United States District Court (S.D.Ga. 2008) – successfully represented the company in overseeing counsel’s defense of lender/insureds against suit to impose construction lien on major development under \$100+ Million policy; successfully orchestrated negotiated settlement for minimal exposure to company.

### **(2) Defense of owners and lenders as insured (representative matters, chronologically)**

Evans v. Fulton National Mortgage Corporation, et al., 168 Ga. App. 600, 309 S.E.2d 884 (1983) – motion to dismiss for insured; affirmed on appeal regarding lien attachment under Writ of Fi Fa.

Clower and Clower v. Mableton Lodge, #1314 Loyal Order of Moose, Inc., Superior Court of Cobb County, Georgia (1988) – jury verdict for insured owner in boundary line dispute.

Phelps, et. al. v. Huff, 214 Ga. App. 398, 448 S.E.2d 64 (1994) – jury verdict in favor of insured owner in boundary line dispute; affirmed on appeal.

Shipston Associates v. Esselte Pendaflex Corporation, 74 F.3d 1126 (N. D. Ga. 1996) - assumed representation of company at appellate level; summary judgment affirmed in part reversed in part.

Ellinas and Ellinas v. Dowda and Lee, Superior Court of Douglas County, Georgia (1999) – obtained jury verdict to relocate county land lot line and confirm insureds’ title; settled.

Fulton Supply Company, et. al. v. Urban Housing Management, Inc., et al., Superior Court of Fulton County, Georgia (2000) – led defense team in action involving multiple insurers of condominium development and obtained summary judgment for insured owner/developer.

VOITH, Inc., f/k/a Sulzer Escher Wyss, Inc. vs. Siegfried, Inc., Superior Court of Cobb County, Georgia (2005) – jury verdict for insured in action challenging title to plant entrance; appeal dismissed.

Genworth Financial Services, f/k/a GE Mortgage Services, LLC v. Lawyers Title Insurance Corporation, United States District Court, Northern District, Atlanta, Division (2005) – obtained summary judgment in favor of company in complex multi-million dollar closing protection letter dispute involving multiple closings and allegation of agent fraud.

Thomas Griffin v. Lawyers Title Insurance Corporation, Superior Court of Fulton County, Georgia (2007) – represented company through jury trial and successful appeal confirming that company liability depends upon actual monetary loss to the insured.