

# Fisher Broyles

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**Practice Areas:** Commercial Litigation; Condemnation/Eminent Domain; First Amendment; Government; Health and Pharmacy Law; Insurance; Litigation – Appellate; Litigation – Civil Pretrial and Trial Services; Litigation & Risk Management; Mediation; Political Law & Litigation; Professional & Management Liability; Real Estate; White Collar Litigation & Investigations

**Bar Admissions:** Georgia; South Carolina; All Federal District Courts in Georgia and South Carolina; U.S. Court of Appeals, 5th Circuit; U.S. Court of Appeals, 11th Circuit; U.S. Supreme Court

**Education:** University of Georgia School of Law; J.D., Cum Laude, 2000; University of Georgia, B.S., Political Science, Cum Laude, With Honors 1997

**Experience:** HunterMaclean

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Bates Lovett is an experienced trial attorney who dedicates the majority of his practice to defending companies, both local and national, in lawsuits filed in Georgia and South Carolina.

For the last 16 years of his career, Bates' practice has centered around civil litigation, concentrating on business litigation matters. Specifically, Bates' practice areas include complex commercial matters, real estate and environmental disputes including condemnation/eminent domain work, business disputes, toxic torts, wrongful death and personal injury claims, and government litigation. He also spends considerable time representing investors with their complex commercial property tax issues. Mainly, that practice centers around property tax appeals for multifamily housing including market rent, Low Income Housing Tax Credits ("LIHTC"), USDA and HUD funding.

Bates also serves as the appointed City Attorney for the City of Savannah. In that role, Bates provides legal advice and services to the Mayor and Aldermen of Savannah, the City Manager, and city staff to ensure that policies, recommendations and administrative procedures undertaken are legally sound. He supervises all litigation as well as the drafting of all ordinances and the preparation of legal documents, reviews and consults on city services and contracts, and provides legal advice and counseling to Savannah's City Council, the City Manager, and city staff.

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Before transitioning to civil litigation, Bates started his legal career as an assistant district attorney where he tried over 50 cases to jury verdict. He was an ADA for the Cobb County Crimes Against Women and Children Unit. There, he prosecuted felony cases in which the victim was a woman or child, such as murder, rape, child molestation, cruelty to children, and aggravated stalking. Bates was also an assistant district attorney in Rockdale County where he was the Domestic Violence Prosecutor.

Bates earned his B.A. in Political Science from the University of Georgia, cum laude. He then earned his J.D. from the University of Georgia School of Law, cum laude, where he was a recipient of the Bryant T. Castellano academic scholarship. While in law school, Bates was a member of the Moot Court Team and served on the editorial board of the Georgia Journal of International and Comparative Law. He is happily married and has two boys.

### Reported Cases

- *The Recorder's Court of Chatham County, et al. v. The Mayor and Aldermen of the City of Savannah* #A17A0598 (Georgia Court of Appeals, May 22, 2017) (won Motion to Dismiss Appeal)
- *Media General Operations, Inc. v. St. Lawrence, et al*, Georgia Court of Appeals Case #A16A0280 (June 15, 2016)
- *Darling Int'l, Inc. v. Carter*, 294 Ga. 455, 754 S.E.2d 347 (2014)
- *Washington v. McKibbon Hotel Group, Inc.*, 284 Ga. 262, 664 S.E.2d 201 (2008)
- *Dameron v. State*, 267 Ga. App. 671, 601 S.E.2d 137 (2004)

### Recognition

- Martindale-Hubbell: AV Rated
- Southern District Advisory Council for Federal Judiciary (Special Invitee 2011 – 2013, Member 2014 – 2015)
- Fellow, Litigation Counsel of America
- Best Lawyers in America: Product Liability Litigation, 2013 – 2019
- GenerationNEXT: Savannah's Rising Stars of Business, 2011
- Georgia Super Lawyers Rising Star; 2007, 2009-2011, and 2014
- Georgia Super Lawyer: 2017-2018
- Member, Trial Law Institute
- Member, Diversity Law Institute

### Representative Engagements

- Obtained \$3,000,000.00 eminent domain settlement award for corporate client. Condemning authority had originally valued taking at only \$1.1 million for the entire condemnation.
- Secured judgment for national mortgage provider against Fortune 500 company. Judgment included court order of payment of my client's legal fees by losing party.
- Won largest known quiet title action (lawsuit which establishes property ownership) in Georgia history based upon number of identified parties with adverse interest in land.

- Tried over 50 jury trials and an additional 35 bench trials.
- Secured voluntary dismissal of client in \$30 million title claim.
- Obtained complete dismissal of \$24 million arbitration claim on behalf of lender/investor.
- Succeeded in motion to dismiss based upon lack of personal jurisdiction in multi-million dollar failed real estate development deal. After win, client was not timely sued in proper jurisdiction thus avoided all liability in matter. Client's <sup>(L)</sup><sub>(SEP)</sub>partners (allegedly) paid in excess of \$1 million in fees and settlement.
- Won court-ordered reversal of county's property tax demand after client accidentally missed deadline for seeking exemption. Court then ordered \$0 in property taxes for three years for international shipping company. Decision saved company in excess of \$250,000.
- Prevailed in quiet title action for family-run hotel group by purchasing right of redemption for tax sale two and three positions up the chain of title. See *Washington v. McKibbon Hotel Group, Inc.*, in Reported Cases section.
- Won motion to strike answer on behalf of telecommunications company. Default judgment entered for client.
- Settled for physician practice, without any admission of liability by physician, a Medicare/Peachcare investigation and lawsuit for 7.2% of original demand of Government.
- Won 23 motions for summary judgment on behalf of Fortune 500 companies in toxic tort matters.
- Won 17 motions for summary judgment on behalf of multiple REITs in various types of landlord/tenant disputes.

### Presentations & Teaching Experience

- Ethical and Professional Concerns with the Use of Social Media
- Products Liability Caselaw Update for 2012
- Presented at the 20th Annual Product Liability CLE in Atlanta, Georgia on March 2, 2012

### Publications

- The Rise of the 'Patent Troll', published on November 1, 2012, in *E-Commerce Law & Policy*
- Workplace Social Media Rules Are in Transition, published on October 4, 2012, in *Business in Savannah*
- Days Numbered for 'Patent Trolls', published on August 22, 2012, in *Business in Savannah*
- E-Commerce Growth, Mobiles Push Consumer Legislation, published on February 22, 2012, in *Business in Savannah*
- Retroactive Changes Affect Lobbyist, Ethics Legislation, published on May 11, 2011, in *Business in Savannah*
- New Ethics Legislation Broadens Lobbyist Definition, published on February 2, 2011, in *Business in Savannah*

