

DAILY REPORT

PROFESSIONAL EXCELLENCE 2016



ELLIOTT LEVITAS

ANN WOOLNER | Special to the Daily Report

EMORY UNIVERSITY undergraduate Elliott Levitas chose law over medicine because lawyers can do more good on a wider scale than doctors can with one patient at a time. He studied jurisprudence during a Rhodes scholarship at Oxford and eventually finished law school at Emory.

Admitted to the bar in 1955, Levitas spent two years in the Air Force as a judge advocate general officer before joining Arnall Golden Gregory. He was sworn in at Fulton Superior Court one morning, and that afternoon persuaded the same judge to grant a temporary restraining order for an Arnall client. Levitas had a varied and busy practice. When the dairy industry sued to stop a client from selling “imitation cream,” Levitas and a company vice president dreamt up a name that satisfied both sides: “nondairy creamer.”

A DeKalb County Democratic state representative from 1965 through 1974 and a U.S. congressman from 1975 through 1980, he cultivated a reputation as a moderate who could get things done. But as a practicing lawyer wanting to do good on a large scale, Levitas’ big chance came 44 years after his bar admission.

Working in Atlanta and Washington for what is now Kilpatrick Townsend & Stockton, Levitas took

a call in 1999 from a man he’d befriended at Oxford, Alabamian Thaddeus G. Holt, who with Dennis Gingold in Washington was representing more than 300,000 Native Americans who believed the federal government owed them billions for gas, oil and other leases the Bureau of Indian Affairs (BIA) had been handling for them in trust since the 1880s. How much they were owed, no one knew, because the BIA had lost, ruined or destroyed so many records. Levitas signed on to the class action and retained Kilpatrick to help, and he soon was cross-examining then-Interior Secretary Bruce Babbitt. After three days, Levitas got this admission: “The fiduciary obligation of the United States is not being fulfilled.”

The case settled in 2011 for \$3.4 billion, including money to resolve land ownership issues, with individual payments ranging from \$1,000 to millions of dollars. Levitas, now 85, says, however poor, clients repeatedly told him the money helps, but “the fact that we have finally received some justice from our government means more.”