

Stephen E. Hudson

Partner

1100 Peachtree Street NE
Suite 2800 , Atlanta , GA USA 30309
t 404.815.6356 | f 404.541.3248
shudson@kilpatricktownsend.com

Services

Business & Finance
Complex Commercial Litigation
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Securities Litigation



Steve Hudson is Chair of the firm's Litigation Department. Mr. Hudson concentrates his practice in the areas of securities, franchise, and complex commercial litigation. His securities litigation experience includes participation in the defense of class actions in New York, Kentucky, Georgia, Florida, South Carolina, Tennessee, and Alabama.

He has extensive experience with internal corporate investigations and representing special committees of publicly traded companies, including representing a special committees of a Workers Compensation insurance carrier in investigating potential claims against a former CEO, representing a bankruptcy examiner in identifying and evaluating potential claims against third parties arising out a failed LBO, and representing a special committee in deciding whether to terminate a consulting contract between a corporation and its retired founder.

During law school, Mr. Hudson received six American Jurisprudence Awards and was ranked second in a class of 244.

Mr. Hudson was recognized in *The Best Lawyers in America*[®] in 2019 and the six years immediately preceding for Commercial Litigation, Banking and Finance Litigation, and Securities Litigation Law. He was also recognized as a 2019 "Atlanta Lawyer of the Year" in the area of Banking and Finance Litigation by *The Best Lawyers in America*[®]. Mr. Hudson was recognized in 2019 and the six years immediately preceding as a Georgia "Super Lawyer" in the area of Business Litigation by *Super Lawyers* magazine. He was named to *Georgia Trend's* 2015 "Legal Elite" list for General Practice/Trial Law. Mr. Hudson is AV[®] rated by Martindale-Hubbell.

*CV, BV, and AV are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedure's standards and policies.

Experience

The firm served as lead counsel on behalf of an outdoor advertising company in litigation brought by a shareholder who had sold his business to the company in exchange for cash and company stock. He later filed a claim seeking damages under the federal and state securities laws and under a common law theory, claiming that the company had misled him about its current condition and its prospects when it had acquired his company. We moved to compel arbitration of the shareholder's claims pursuant to an arbitration provision in the operating agreement that the shareholder signed. That motion was granted, and the parties participated in a week long arbitration before a three person arbitration panel in Boston. The arbitration panel rejected all of the shareholder's claims and awarded the company some of its expenses in defending against the claims. The court later confirmed the arbitration award.

The firm served as lead counsel for a Georgia-based software developer in a factually complex theft of trade secrets case involving the copying and misappropriation of source code files relating to the e-mail attachment viewing technology used in handheld devices. Suit was filed on behalf of software developer in October 2003, alleging claims against competitors, and former executives of competitor for misappropriation of trade secrets, breach of contract, and other claims. Defendants' motion to dismiss was defeated, and developer successfully moved to compel production of defendants' source code pertaining to the technology in question, and defeated defendants' omnibus motions for summary judgment and *Daubert* motions. The case settled for a confidential amount shortly before a three-week trial was scheduled to begin.

Represented an independent committee of the board of directors of a large private company, that was formed to investigate and to decide what to do in response to a comprehensive, detailed demand by a group of minority shareholders. Representing the independent committee, the firm conducted an investigation and assisted in the preparation of a lengthy report, which was presented to and adopted by the board of directors.

Represented PFM Capital Management, Inc. and its principals in a lawsuit filed in Georgia state court by a dissatisfied advisee who claimed that she had lost nearly \$1 million in investments because of the defendants' alleged negligence and breach of fiduciary duties in failing to sell a large block of stock. We were successful in having the trial court dismiss the entire case on the grounds that the applicable statutes of limitations had already run before the complaint was filed. On appeal, most of the dismissal was affirmed. Thereafter, the case settled for a nominal amount. *Hamburger v. PFM Capital Mgmt., Inc., et al.*, 286 Ga. App. 382, 649 S.E.2d 779 (2007).

Represented a health care related company in litigation with a former marketing and sales consultant, who was

also a minority shareholder. The terminated employee refused to stop their marketing efforts, developed web sites and continued to use the company's trademark and logo. The company sued for trademark infringement and for violation of the federal Anticybersquatting Consumer Protection Act. The consultant counterclaimed for commissions and for breach of contract. The firm discovered that the consultant had intercepted an unknown number of e-mails between the company and its outside counsel, and moved for sanctions. The district court struck the consultant's answer and counterclaim and entered a default judgment. The district court also awarded the company all of its attorneys' fees. The Eleventh Circuit affirmed the ruling in a published opinion.

Represented a health care services company in wide-ranging disputes and litigation with a minority member who asserted a variety of breach of fiduciary duty claims against the company and the majority members. Our client asserted a counterclaim against the plaintiff in the Georgia case for indemnification based on the minority member joining with a third party to sue the company.

Represented the creditors' committee and then plan trustee for Vesta Insurance Group Inc. in connection with its liquidation. The firm assisted with reaching a complex multimillion dollar claim settlement with the Texas Insurance Commissioner. The plan trustee obtained a multimillion dollar settlement of a lawsuit handled by the firm against former officers for breach of fiduciary duties. *In re Vesta Insurance Group, Inc.*, Case No. 06-02517 (Bankr. N.D. Ala. filed July 18, 2006).

Education

University of South Carolina, J.D. (1984) *Order of the Coif*

Bob Jones University *cum laude*

Admissions

Georgia (1985)

Clerkships

U.S. Court of Appeals for the Fourth Circuit - Robert F. Chapman

Professional & Community Activities

State Bar of Georgia, Member

State Bar of South Carolina, Member

South Carolina Law Review, Associate Editor-in-Chief

Insights



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Kilpatrick Townsend Achieves Recognition for 2019 Georgia Super Lawyers

February 28, 2019

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Best Lawyers in America® Names Kilpatrick Townsend Attorneys 2019 Lawyers of the Year

August 21, 2018

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Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2019

August 20, 2018

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Kilpatrick Townsend Closes \$207 Million Acquisition for AT&T

March 19, 2018

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February 28, 2018

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Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018

August 15, 2017

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Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers

February 28, 2017

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Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017

August 16, 2016

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Kilpatrick Townsend's Media Report July 29 - August 4, 2016

August 5, 2016



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Kilpatrick Townsend's Media Report June 3-9, 2016

June 10, 2016

[In The News](#)

Kilpatrick Townsend's Media Report December 3-10, 2015

December 11, 2015

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Kilpatrick Townsend Attorneys Named 2015 "Legal Elite"

December 7, 2015

[In The News](#)

Kilpatrick Townsend's Media Report November 6-19, 2015

November 20, 2015

[In The News](#)

Kilpatrick Townsend's Media Report October 30 - November 5, 2015

November 6, 2015

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Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2016

August 19, 2015

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Kilpatrick Townsend's Media Report August 7-13, 2015

August 14, 2015

[In The News](#)

Kilpatrick Townsend's Media Report July 31-August 6, 2015

August 7, 2015

[In The News](#)

Kilpatrick Townsend's Media Report July 10-16, 2015

July 17, 2015



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Kilpatrick Townsend's Media Report June 5-11, 2015

June 12, 2015

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Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers

February 26, 2015