



Michael J. Breslin

Counsel

1100 Peachtree Street NE
Suite 2800 , Atlanta , GA USA 30309
t 404.685.6752 | f 404.541.4749
mbreslin@kilpatricktownsend.com

Services

Complex Commercial Litigation
Cybersecurity, Privacy & Data
Governance
Litigation
Trade Secrets

Industries

Blockchain Technology & Digital
Currency
Financial Services
Fintech
Technology

Michael Breslin focuses his practice on technology-based litigation, privacy and data security issues, counseling clients in the Fintech sector and class action defense. Mr. Breslin has direct experience with data privacy and security breach issues, litigation involving claims concerning trade secret misappropriation, confidential information and computer systems protection, consumer class action defense (particularly in the internet retailing area), software licensing and implementation, unfair and deceptive e-commerce practices, e-mail and digital media marketing, and restrictive covenant drafting and litigation. Mr. Breslin is a member of Kilpatrick Townsend's Class Action Team and co-chairs the firm's Fintech group. He has experience litigating and settling consumer class actions involving claims under the Fair Credit Reporting Act and other federal statutes. He is also skilled in electronic discovery and computer forensics evidence, and has represented some of the nation's largest online and technology-focused service providers and retailers, including *Fortune* 500 companies, in a variety of matters.

Mr. Breslin has been recognized as a Georgia "Rising Star" for General Litigation in 2019 and the eight years immediately preceding by *Super Lawyers* magazine.

Experience

Representing a global leader in information solutions in numerous individual and class actions arising out of consumer credit and credit rating disputes.

Represented clients, including temporary staffing agencies and a worldwide provider of consumer transaction technologies, in the defense of multiple class actions involving claims under the Fair Credit Reporting Act. Represented clients in obtaining approval of class action settlements and administering class settlement funds.

The firm served as lead counsel on behalf of a major physician staffing and placement firm in an action against



a competitor and former employee to recover trade secret computer data (including customer and client data) misappropriated from our clients secure database. The case ultimately settled, with the defendants agreeing to reimburse our client for its attorneys' fees and agreeing to injunctive relief protecting our clients data.

Represented Compuware Corporation, a storage and systems management software company, in litigation related to software licensing and implementation project.

Served as local counsel and lead trial counsel for Dash Crofts, of Seals & Crofts, a popular 1970s folk rock group, in a federal lawsuit raising claims for breach of contract, breach of fiduciary duty and punitive damages. Reduced the amount in controversy to approximately \$2 million by filing a successful motion for summary judgment. Tried the remaining issues to a jury, which returned a defense verdict on the claims for breach of contract and punitive damages claims and awarded zero dollars in damages on the fiduciary duty claim.

Represents an engineering and manufacturing firm accused of developing machinery using the confidential information and trade secrets of a supplier of the same type of machinery in breach of a distribution agreement and trade secret statutes. The matter involves AAA Arbitration in Chicago, Illinois, that is being administered by the International Centre for Dispute Resolution – AAA because the contract concerns international arbitration. The opposing party resisted arbitration and the firm first had to secure orders in federal courts in W.D. of Washington and N.D. of Illinois before arbitration of all disputes was compelled by the court in the N.D. of Illinois.

Achieved favorable settlement on behalf of client on its claims for breach of mortgage loan purchase agreement.

The firm served as lead counsel in litigation against our clients insurance broker and several major insurance carriers, including AIG, Travelers, Zurich and ACE, alleging that various agreements between the carriers and the broker providing for payment of so-called "back end" or "contingent" commissions violated Florida law. The lawsuit included claims for breach of fiduciary duty, RICO, antitrust conspiracy and other Florida state law claims. Disagreeing with rulings (later overturned by the Third Circuit) entered by a federal court in New Jersey rejecting federal antitrust and RICO claims alleged in a putative nationwide class action, the Florida trial court issued what was the first significant ruling upholding the state law causes of action that had been alleged. After three more years of vigorous litigation and discovery involving production by defendants of more than 18 million pages of documents and 38 depositions, the case settled on terms favorable to the client. *Office Depot, Inc. v. Marsh & McLennan Companies, Inc.*, 21 Mealey's Litig. Rep. Ins. Bad Faith 20; 2007 WL 3339228 (Fla. Cir. Ct., Palm Beach County Sept. 24, 2007).

Education



University of Georgia School of Law, J.D. (2005) *cum laude*

University of Georgia, B.B.A., Management of Information Systems (2002) *summa cum laude*

Admissions

Georgia (2005)

Court Admissions

Georgia Court of Appeals

Georgia Supreme Court

U.S. District Court for the Northern District of Georgia

Professional & Community Activities

State Bar of Georgia, Technology Section, Executive Committee, Member

Insights

[Perspectives](#)

Video | What's Hot in Financial Technology: Latest and Greatest Developments and Fintech Trends

June 6, 2019

[Perspectives](#)

5 Key Takeaways | What's Hot in Financial Technology: Latest and Greatest Developments and Fintech Trends

May 31, 2019

[News Releases](#)

Kilpatrick Townsend Achieves Recognition for 2019 Georgia Super Lawyers

February 28, 2019

[Alerts](#)

Video | CFPB Issues Proposed Revisions to No-Action Letter Policy

January 10, 2019

[Alerts](#)

CFPB Issues Proposed Revisions to No-Action Letter Policy and Proposes to Create a Product Sandbox

December 12, 2018



[Perspectives](#)

Considering Blockchain? Nine Items for In-House Counsel to Consider

April 10, 2018

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2018 Georgia Super Lawyers

February 28, 2018

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers

February 28, 2017

[News Releases](#)

Kilpatrick Townsend Launches KT Class Action Blog

January 19, 2017

[Alerts](#)

Supreme Court Rules that Bare Statutory Violation without Other Concrete Harm Cannot Provide Federal Court Standing

May 17, 2016

[In The News](#)

Kilpatrick Townsend's Media Report August 28-September 3, 2015

September 4, 2015

[In The News](#)

Kilpatrick Townsend's Media Report May 29 - June 4, 2015

June 5, 2015

[In The News](#)

Kilpatrick Townsend's Media Report May 22-28, 2015

May 29, 2015

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers

February 26, 2015