

## George L. Murphy Jr.

### Partner

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### Services

Class Action Defense  
Complex Commercial Litigation  
Litigation  
Patent Litigation  
Patents  
Product Liability

### Industries

Financial Services  
Health & Life Sciences

George Murphy focuses his practice on complex federal court litigation involving commercial litigation, patent disputes, product liability, and cases involving the acquisition or disposition of large companies. Mr. Murphy has successfully represented numerous public and private companies in all phases of civil trial and appellate practice in state and federal courts across the United States, as well as before arbitration tribunals. Mr. Murphy has been particularly effective in leading teams of attorneys in large complex patent and commercial cases as counsel for *Fortune* 500 companies.

Mr. Murphy is also knowledgeable in the areas of alternative fee agreements and early case assessment and has been featured on several occasions as a speaker or panelist on these topics. Over the years he has held a number of significant firm management positions, including responsibility for the firm's Litigation department and as leader of the firm's Complex Commercial Litigation team.

Mr. Murphy has been named a Georgia "Super Lawyer" in Business Litigation and Intellectual Property Litigation by *Super Lawyers* magazine for several years, most recently in 2019 and 2020 for Intellectual Property Litigation. He has also been recognized in the 2012 edition of *The Best Lawyers in America*<sup>®</sup> for Patent Litigation and in 2019 and the six years immediately preceding, he was recognized for Commercial Litigation, Intellectual Property Litigation, and Patent Litigation and in 2020, he was recognized for Commercial Litigation, Intellectual Property Litigation, Patent Litigation, and Mass Tort Litigation/Class Actions - Defendants. Mr. Murphy is listed in the 2017 and the eight years immediately preceding editions of *Chambers USA: America's Leading Lawyers for Business* for General Commercial Litigation. He has been recognized as a 2015 "Legal Elite" for General Practice/Trial Law by *Georgia Trend* magazine. Mr. Murphy is also recognized as one of the top



business litigators in the nation by a 2009 Corporate Counsel Edition of *Super Lawyers* magazine. He is AV<sup>®</sup> 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**

Represented the underwriter in a \$27.1 million public offering undertaken in connection with a second step mutual holding company reorganization.

The firm served as lead counsel in representation of AT&T Mobility in connection with multimillion dollar post-closing adjustment related to sale of divisional business unit. The case was settled through arbitration.

The firm served as lead counsel in representation of seller of cruise line. Recovered substantial arbitration award in purchase price adjustment proceeding initiated by buyer.

Represented an Ohio-based financial institution on a wide variety of corporate and securities matters, beginning with the company's 1992 IPO and including subsequent public company reporting obligations, merger transaction, equity compensation plans and other executive compensation agreements. The firm's representation also included negotiating with dissident stockholders, handling the issuance of trust preferred securities and other corporate and regulatory matters.

Represented Greater Atlantic Financial Corp. in its \$1.1 million acquisition of Dominion Savings Bank, FSB, Front Royal, VA.

The firm served as lead counsel on behalf of Viad Corp., seller of large aircraft fuel services company, and recovered substantial award in purchase price adjustment proceeding initiated by buyer.

Successfully coordinated interstate seizure of infringing products for Viad Corp., a consumer products company, in a multimillion dollar trademark infringement case.

Successfully represented major investors in New York based entertainment company to break board deadlock and ultimately obtain control to compel the sale of the company.

Represented issuer, Greater Atlantic Financial Corp., in \$9.6 million rights offering of convertible trust preferred securities.

Successfully defended E. I. du Pont de Nemours and Company in a toxic tort action claiming wrongful death

allegedly caused by exposure to trace benzene.

Represented E. I. du Pont de Nemours and Company in a wrongful death action claiming that a young child died in a house fire allegedly caused by an automobile's speed control deactivation device that was subject to one of the largest automotive recalls in the history of the United States. DuPont was named as a defendant because it produced a component part that was used in the speed control deactivation device. After moving for summary judgment based on the lack of credible causation evidence or expert testimony, plaintiffs agreed to dismiss their claims against DuPont for very little consideration.

Successfully defended paperboard container manufacturer in a wrongful termination action brought by a timber supplier who was seeking to recover the lost profits that it allegedly sustained after our client terminated the parties' contract. The timber supplier relied on allegations of promissory estoppel and oral contract to claim that our client should have continued purchasing pulpwood from the supplier, despite the termination, until such time that the supplier disposed of its remaining inventory. During discovery, the timber supplier provided deposition testimony acknowledging that no enforceable promises were ever made that could support a claim for breach of oral contract or promissory estoppel. Accordingly, we moved for summary judgment on all claims asserted by the timber supplier, and following oral argument, the court granted our client's motion. The supplier appealed the trial court's ruling to the Court of Appeals, and after the parties had fully briefed the issues, the Court of Appeals issued an opinion affirming the trial court's decision.

Successfully represented E. I. du Pont de Nemours and Company and obtained significant monetary recovery from distributor following distributor's termination. *E.I. du Pont de Nemours and Co. v. Sierra Stone LLC*, Case No. 2006CV113367 (Super. Ct. Fulton County, Ga. filed Mar. 1, 2006); *Stoneworkz IP Holding Co., LLC v. Turnberry Stone, LLC*, Case No. 06-03366 (Dist. Ct. Dallas County, Tex. filed Apr. 6, 2006).

Represented the issuer in a \$15.9 million public offering undertaken in connection with the mutual-to-stock conversion and holding company formation by a mid-Atlantic savings institution.

Represented a Midwestern institution in connection with the exchange of trust preferred securities for cash and common securities.

Routinely participates in pro bono services with a focus on representing actions of tenants seeking the return of their security deposits from landlords who withheld them in violation of law. The work of these lawyers has recovered thousands of dollars for tenants, enabling them to move into other housing and move on with their lives.

Negotiated the voluntary dismissals, without payment, of hundreds of toxic tort - Silica lawsuits filed in multiple



jurisdictions following initial aggressive defensive motion practice.

Lead counsel representing GP Chemicals Equity LLC (GP) in an action alleging breach of contract, fraud, unjust enrichment, violations of the Lanham Act, and violations of Georgia's Fair Business Practices Act. We obtained summary judgment and the court entered judgment in GP's favor on all claims asserted against it. Affirmed on appeal. *Importers Service Corporation v. GP Chemicals Equity LLC*, in the U.S. District Court for the Northern District of Georgia, Civil Action File No. 1:07-cv-00745-JOF.

Represented Pioneer Hi-Bred International, Inc. in a patent infringement action filed by Genetic Technologies Limited ("GTG"). The plaintiff sued nine defendants in the United States District Court for the Western District of Wisconsin alleging patent infringement of its patent relating to methods of analysis of non-coding DNA sequences. Several large companies had previously been involved in litigation with GTG over this patent. As a result of licenses GTG negotiated with those defendants, GTG sought millions of dollars in past damages and future license fees from Pioneer. Because of intensive defensive efforts and factual investigation, we approached GTG regarding settlement. These discussions resulted in a favorable settlement of the matter, the terms of which are confidential. *Genetic Technologies Limited v. Beckman Coulter, Inc. et al.*, No. 3:10-cv-00069 (W.D. Wisc. filed Feb. 11, 2010).

Served as lead counsel for our client who was a victim of labor trafficking. The firm's client, Thembi Dlamini, was enticed to Atlanta from her native Swaziland, a country in Southern Africa, in 2005 to purportedly work in Atlanta for two weeks to cater a couple's son's upcoming wedding. When she arrived in Atlanta, her passport and return plane ticket were confiscated and she learned that everything she had been told was lies and that she was brought to Atlanta to be the slave of this couple. Ms. Dlamini was forced her to work 16 hours a day, taking care of the couple's grandchildren, cleaning their home and the homes of neighbors, and working in their construction business. She lived in these conditions for 20 months until she had enough and took the risk of telling neighbors and friends of her captors her true circumstances. The case culminated in a jury trial in April 2015, and our client obtained a verdict of \$365,000 in damages in what is believed to be one of the first civil lawsuits in Georgia for labor trafficking. *Dlamini v. Babb*, Case No. 1:13-cv-02699-WSD (N.D. Ga., filed Aug. 13, 2013).

## **Education**

University of Georgia, J.D. (1983) *cum laude*

Furman University, B.A. (1980) *magna cum laude*

## **Admissions**

Georgia (1983)



## **Court Admissions**

U.S. Court of Appeals for the Federal Circuit

U.S. Court of Appeals for the Eleventh Circuit

Supreme Court of Georgia

Georgia Court of Appeals

U.S. District Court Eastern District of Texas

U.S. District Court - Northern District of Georgia

U.S. District Court - Middle District of Georgia

U.S. District Court - Western District of Wisconsin

## **Professional & Community Activities**

Eleventh Circuit Historical Society, Georgia Vice President

Phi Beta Kappa, Member

Member of American Health Lawyers Association

Member of Georgia Hospital Association

## **Insights**

### [News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2021

August 20, 2020

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2020 Georgia Super Lawyers

March 6, 2020

### [News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in *The Best Lawyers in America*® 2020

August 15, 2019

### [News Releases](#)

Kilpatrick Townsend Achieves Recognition for 2019 Georgia Super Lawyers

February 28, 2019



### [In The News](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2019  
August 20, 2018

### [News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2018 Georgia Super Lawyers  
February 28, 2018

### [News Releases](#)

Record-Breaking Recognition for Kilpatrick Townsend in The Best Lawyers in America® 2018  
August 15, 2017

### [News Releases](#)

Kilpatrick Townsend Achieves Recognition From Chambers USA 2017  
May 30, 2017

### [News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2017 Georgia Super Lawyers  
February 28, 2017

### [News Releases](#)

Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2017  
August 16, 2016

### [News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2016  
May 31, 2016

### [In The News](#)

Kilpatrick Townsend's Media Report December 11-24, 2015  
December 24, 2015

### [News Releases](#)

Kilpatrick Townsend Attorneys Named 2015 "Legal Elite"  
December 7, 2015



### [In The News](#)

Kilpatrick Townsend's Media Report October 23-29, 2015

October 30, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report October 9-15, 2015

October 16, 2015

### [News Releases](#)

Kilpatrick Townsend Pro Bono Team Receives Inaugural Tapestri Legal Team of the Year Award

September 18, 2015

### [News Releases](#)

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

August 19, 2015

### [News Releases](#)

Kilpatrick Townsend Honored by American Lawyer Third Annual Global Legal Awards

July 20, 2015

### [News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition From Chambers USA 2015

May 22, 2015

### [In The News](#)

Kilpatrick Townsend's Media Report May 1-7, 2015

May 8, 2015

### [In The News](#)

Ellenwood Couple in Human Trafficking Case Ordered to Pay \$365K to Victim

May 7, 2015

### [News Releases](#)

Significant Verdict in One of First Civil Cases on Human Trafficking in Georgia

May 5, 2015



[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers

February 26, 2015