

Michael W. Tyler

Partner

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Services

Franchising
Environment & Product Regulation
Litigation
Complex Commercial Litigation
Eminent Domain & Condemnation
Law
Product Liability



Michael Tyler focuses his practice on commercial litigation, franchise litigation, products liability and land use litigation. He has extensive experience representing significant corporate clients in a wide variety of cases in federal and state courts both at the trial and appellate level.

Mr. Tyler has represented companies in a broad range of business litigation matters, including contractual disputes and business torts. He has represented both national and regional franchisors in prosecuting and defending claims involving franchisees. He has also successfully represented numerous companies in land use matters involving substantial condemnation and zoning claims. Additionally, he has defended national and international companies in products liability cases.

Mr. Tyler was named to *Georgia Trend's* "Legal Elite" list and "Who's Who in Atlanta" by the *Atlanta Business Chronicle*. He is the recipient of the Gate City Bar Association's Outstanding Lawyer Award and was inducted into the Gate City Bar Hall of Fame. Mr. Tyler is a recipient of the 13th Annual Justice Robert Benham Award for Community Service presented by the State Bar of Georgia and Chief Judge's Commission on Professionalism. He was recognized in *The Best Lawyers in America*[®] for Commercial Litigation in 2021 and the eight years immediately preceding. Mr. Tyler was recognized in 2020 and the seven years immediately preceding as a Georgia "Super Lawyer" in the area of Business Litigation by *Super Lawyers* magazine. He 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

Served as lead counsel for an athletic training facility franchisor and approximately 14 of its current and former officers and directors in a suit brought by several former franchisees for fraud and breach of the franchise agreements. The plaintiffs alleged millions in damages. The client's insurance carrier initially resisted providing coverage, arguing that the equivalent of five separate deductibles must be paid before any obligation to fund defense costs arose. The insurance carrier also claimed that other provisions in the policy precluded coverage. We convinced the insurance carrier to apply a single deductible, saving our clients hundreds of thousands of dollars, and to advance attorneys' fees to defend the suit. We successfully reached a settlement agreement favorable to our client pursuant to a mediation following extensive discovery and the filing of dispositive motions.

Served as lead counsel for a *Fortune* 100 global telecommunications company in numerous state and federal land use cases pertaining to telecommunications infrastructure.

Served as defense counsel for a national building and construction products manufacturer in landmark asbestos property damage litigation.

Served as lead defense counsel for an international automotive manufacturer in products liability litigation.

Served as defense counsel for a global telecommunications company in seminal Georgia cell phone health effects litigation.

Represented one of the world's largest chains of office supply stores when Georgia Department of Transportation filed an eminent domain action to acquire property needed for a new bridge project near one of their offices. This action ultimately became the largest condemnation case in Georgia DOT history. Among the named condemnees was our client, which at the time operated its highest-grossing store in metro Atlanta. The condemnation effectively eliminated access to our client's store. Our client took the position that the condemnation forced it to close its most profitable store in Atlanta and to open a replacement store in a less favorable location. The Georgia DOT countered that our client would likely recoup most of its lost sales at other stores. Following extensive discovery, mediation, and pretrial hearings the parties reached a settlement. Consent judgment was entered in favor of our client.

Served as lead counsel for the City of Atlanta in an airport equipment storage fee dispute with a contractor that included significant contractual and constitutional claims. The matter was settled favorably for the City of Atlanta after extensive discovery and summary judgment rulings favorable to the City.



Education

Harvard Law School J.D. (1981)

Harvard University M.P.A. (1981)

B.A. (1977) *summa cum laude*, Phi Beta Kappa

Clerkships

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Professional & Community Activities

American Bar Association Forum on Franchising

State Bar of Georgia, Franchise and Distribution Law Section

State Bar of Georgia, Franchise Section, Member-at-Large

Southeast Franchise Forum

Metropolitan Atlanta Rapid Transit Authority, Former Board Chairman

Atlanta Zoning Review Board, Former Vice-Chairman

Georgia Regional Transportation Authority, Former Board Member

The Piedmont Park Conservancy, Board Vice-Chairman

Providence Manor Development Corp., Board President

The Lawyers' Committee for Civil Rights Under Law, Board Member and Former Vice-Chairman

The National Black Arts Festival, Former Board Vice-Chairman

The Children's School, Former Board Vice-Chairman

The Atlanta Urban League, Former Board Member

State Bar of Georgia Disciplinary Board, Former Member

The Gate City Bar Association, Former Vice-President

Covenant House Georgia, Board Member

Insights

News Releases

Kilpatrick Townsend Attorneys Achieve 41 Individual Rankings on the 2019–2020 *International Who's Who of Business Lawyers*

November 12, 2020



[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

[Events](#)

Gate City Bar & National Bar Association Symposium Commemorating 50th Anniversary of Dr. Martin Luther King's Death
April 13, 2018

[News Releases](#)

Forty-Four Kilpatrick Townsend Attorneys Named to 2017 - 2018 International Who's Who of Business Lawyers
March 19, 2018

[News Releases](#)

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

[In The News](#)

Michael Tyler Recalls Expulsion From High School for Organizing MLK Memorial



February 7, 2018

[News Releases](#)

Kilpatrick Townsend Attorneys Named to 2017 International Who's Who of Franchise Lawyers
December 7, 2017

[News Releases](#)

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

[News Releases](#)

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

[In The News](#)

KT is...Trending, November 5-11, 2016
November 11, 2016

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

[In The News](#)

Kilpatrick Townsend's Media Report May 6-12, 2016
May 13, 2016

[In The News](#)

Kilpatrick Townsend's Media Report September 11-24, 2015
September 25, 2015

[In The News](#)

Kilpatrick Townsend's Media Report August 28-September 3, 2015
September 4, 2015

[News Releases](#)



Kilpatrick Townsend Earns Record-Breaking Recognition in Annual Best Lawyers in America 2016
August 19, 2015

[In The News](#)

Kilpatrick Townsend's Media Report June 19-25, 2015
June 26, 2015

[News Releases](#)

Kilpatrick Townsend Once Again Achieves Recognition for 2015 Georgia Super Lawyers
February 26, 2015