



One Atlantic Center
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Suite 3900
Atlanta, GA 30309

Education

University of Georgia
School of Law, J.D., 1987,
magna cum laude
University of Georgia, A.B.,
1982, *magna cum laude*

Admissions

State Bar of Georgia
U.S. Supreme Court
U.S. Court of Appeals for
the Fifth Circuit
U.S. Court of Appeals for
the Eleventh Circuit
U.S. Court of Appeals for
the Federal Circuit
U.S. District Court for the
Middle District of Georgia
U.S. District Court for the
Northern District of Georgia
U.S. District Court for the
Western District of Michigan
Supreme Court of Georgia
Georgia Court of Appeals

Michael B. Terry, Partner

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Mike Terry handles complex commercial and appellate matters, as well as class actions. Over the past 20 years, his practice has focused heavily on appellate litigation, particularly in the areas of class actions and punitive damages. He is a Fellow of the American Academy of Appellate Lawyers, an organization founded to advance the highest standards and practices of appellate advocacy and to recognize outstanding appellate lawyers. Mike has published three books and numerous articles on appellate practice.

Mike was recognized as *the* Lawyer of the Year for Georgia (2021) by American Lawyer Media and by the *Fulton County Daily Report*. Mike has been recognized as a Georgia “Lawyer of the Year” by *Best Lawyers* five times, most recently in 2021, in three subject matter areas (Appellate Litigation, Antitrust Litigation, and Banking Litigation). He has been a Top 100 Georgia “Super Lawyer” for the last 15 years.

Mike argued and achieved a 7-0 victory before the Georgia Supreme Court in a landmark challenge to the constitutionality of the state’s caps on pain and suffering damages in medical malpractice cases. In 2020, Mike argued and achieved a victory before the Georgia Supreme Court in a \$46 million dollar medical malpractice case. In 2018, Mike argued and obtained a unanimous victory before the Georgia Supreme Court for a class of 12,000 teachers alleging improper elimination of retirement plan contributions from the school district. In 2016, Mike argued and achieved a 7-0 reversal of the denial of class certification for a class of 800,000 consumers alleging they had been charged usurious fees by their Bank. In 2015, Mike was selected by the Council of State Court Judges of Georgia to represent that body in a successful Georgia Supreme Court challenge to actions taken by Georgia Judicial Qualifications Commission. Mike received the inaugural “Guardian of Justice” Award from the Council of State Court Judges in 2017.

Mike served as President of the Atlanta Bar Association in 2010-2011, where he set a focus on judicial funding and services for lawyers in transition. In 2019, Mike received the Charles Watkins Award for lifetime service to the Bar, the highest award given by the Atlanta Bar Association. Mike also served as President of the charitable Atlanta Bar Foundation in 2018-2019. Mike is currently on the Board of Directors of the Atlanta Bar Association, the Board of Governors of the State Bar of Georgia, and the House of Delegates of the American Bar Association.

Mike is a frequent lecturer and author on business litigation topics including class actions, punitive damages and appellate issues. He is also often asked to moderate debates and panel discussions involving judges.

Representative Work

- Co-counsel for successful plaintiffs in a breach of fiduciary duty case which resulted in a \$454 million jury verdict that was affirmed on appeal.
- Appellate counsel for defense that successfully reversed a \$457 million judgment against one of the world’s largest forest product companies, Weyerhaeuser Co.
- Appellate counsel for plaintiffs in *Bogle v. McClure*, which affirmed an award of \$16.6 million to seven employment discrimination plaintiffs.
- Appellate counsel for defense in obtaining reversal of an intermediate appellate

decision certifying a class action to pursue a \$110 million claim under the federal Telephone Consumer Protection Act.

- Obtained dismissal of four putative class actions against not-for-profit hospitals challenging the hospitals' pricing policies, and appeared as lead appellate counsel for the hospitals in having those cases affirmed on appeal.
- Appellate counsel on behalf of a major peanut processor in obtaining a new trial following a \$20 million jury verdict.
- Appellate counsel for a class of policyholders in upholding class certification of a case involving credit life insurance.
- Retained to submit amicus curiae briefs (and at times to present oral argument on behalf of amicus) on behalf of the Democratic Party of Georgia, the ACLU of Georgia, the Medical Association of Georgia, the Hospital Authority of Clarke County, and the Georgia Canoe Association.

Professional Activities

Immediate Past President and Executive Committee Member, Atlanta Bar Association; Past Chair, Litigation Section; Past Chair, Continuing Legal Education Board of Directors; Past Chair, Judicial Campaign Conduct Committee
Member, Board of Governors, State Bar of Georgia
Sustaining Member, Lawyers Foundation of Georgia
Member, Georgia Trial Lawyers Association
Member, American Association for Justice
Member, Lawyers Club of Atlanta
Member, American Constitution Society
Member, Executive Committee and Chair, Program Committee, Lumpkin Inn, American Inns of Court
Chair, Standing Committee on the Unauthorized Practice of Law, Supreme Court of Georgia, also Member, Emergency Management Committee
Former president, Druid Hills Civic Association
Board of Directors, Atlanta Youth Soccer Association

Honors & Awards

Fellow, American Academy of Appellate Lawyers
Leading Business Lawyer, Chambers USA
Best Lawyers in America
Top 100 Georgia Super Lawyer, Atlanta Magazine
Georgia Local Litigation Star, Benchmark Plaintiff
Case of the Year award, Georgia Association of Criminal Defense Lawyers Newsletter