



One Atlantic Center

1201 West Peachtree St. NW
Suite 3900
Atlanta, GA 30309

Education

University of Virginia School
of Law, J.D., 2010

- *Virginia Law Review*
- Virginia Law Veterans,
President

Georgetown University, B.A.,
Economics and History, 2002

Previous Experience

Law Clerk, Chief Judge W.
Keith Watkins, U.S. District
Court for the Middle District of
Alabama, 2010-11

Captain, U.S. Army, 2002-08

Admissions

State Bar of Georgia

Georgia Supreme Court

U.S. Court of Appeals for the
Eleventh Circuit

U.S. Court of Appeals for the
Third Circuit

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

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

Patrick C. Fagan, Partner

 404.881.4188  404.881.4111  fagan@bmelaw.com

Pat Fagan represents plaintiffs and defendants in complex business litigation in state and federal courts.

Pat focuses on disputes involving complex technology and contracts. He frequently litigates high-stakes construction disputes as well as restrictive covenant, compensation, and intellectual property matters. Pat prides himself in learning his clients' business, including fields like automotive technology, construction, energy, healthcare, payment processing, real estate, software, telecommunications, and wastewater.

Pat has won multiple multi-million dollar jury verdicts, doing so for both a plaintiff and a defendant. He has also won appeals in the Federal Courts of Appeals, the Georgia Supreme Court, and the Georgia Court of Appeals. Pat was named a "Rising Star" by Atlanta Magazine four times, indicating that Georgia lawyers ranked him as among the top 2.5% of attorneys under 40 in Georgia.

Before joining the firm, Pat served as a law clerk to a Federal District Court judge. Pat received his law degree from the University of Virginia, where he served on the Virginia Law Review. Pat received his undergraduate degree from Georgetown University, which he attended on an Army ROTC scholarship.

After college, Pat served as a Ranger-qualified Captain in the United States Army. He served two tours in Iraq and was awarded the Combat Action Badge and two Bronze Star Medals.

Pat is an Atlanta native. He lives in Brookwood Hills with his wife and their daughters.

Representative Work

Plaintiffs' Cases

Won an \$11.1 million federal jury verdict for a healthcare technology company faced with the defendant's breach of contract. Won affirmance of our eight-figure verdict in the U.S. Court of Appeals.

As lead counsel, achieved an eight-figure settlement for a pipeline contractor faced with the owner's breach of a construction contract. Before we filed suit, the owner refused to pay our client anything further.

Won a federal preliminary injunction enforcing restrictive covenants protecting our payment processing client's business from a former employee who jumped to an upstart competitor. Won affirmance of that preliminary injunction in the U.S. Court of Appeals.

Represented a high-net-worth client's trusts in a lawsuit against a large national bank regarding breach of contract and other duties owed in the management of investment accounts. After defeating the bank's summary judgment motion, the matter was resolved to the parties' mutual satisfaction.

Appointed by the Northern District of Georgia as lead pro bono counsel for an indigent Army veteran that suffered medical malpractice at the VA hospital. After we deposed the Government's treating physicians and medical expert, the Government settled with a favorable payment to our client.

Defendants' Cases

Successfully defended two electronics businesses in a breach of contract jury trial. Even though our clients were the defendants, we won a net verdict of over \$1 million against a plaintiff suing for millions. Argued and won a directed verdict against one of the world's largest law firms.

Defended a Fortune 50 company in an arbitration over alternative energy sales. After the plaintiff demanded millions, we achieved a settlement whereby our client – the defendant – recovered money.

Won dismissal in the Georgia Supreme Court of a negligent misrepresentation claim that threatened Georgia's leading role in the payment processing ecosystem.

Lead counsel defending a wastewater technology company against claims about alleged construction defects in a complex treatment system. Achieved partial summary judgment for our client, with our client's counter claims still to be tried.

Defended an international business against confidentiality, trade secret, inventorship, and other claims related to automotive technology in the Southern District of New York.

Defended against quiet-title claims regarding ownership of dozens of high-profile government properties.

On appeal to the Georgia Court of Appeals, won the complete reversal of a declaratory judgment entered against an insurer.

Successfully resolved the breakup of a closely held corporation and the ownership of software, without the need for litigation.

Pro Bono Work

Provide pro bono representation to veterans in a variety of cases and contexts.

Professional Activities

Chair, State Bar of Georgia Military/Veterans Law Section 2019-2020

Atlanta Chair and National Committee, Veteran Leadership Development Group (www.vldg.org)

Leadership Buckhead, Class of 2018

LEAD Atlanta, Class of 2013

Mentor, Fulton County Veterans Court, 2014-2018

Barrister, Lamar Inn of Court

Member, American Bar Association

Member, Atlanta Bar Association

Honors and Awards

Georgia Rising Star, *Atlanta* magazine, 2017-2020