BONDURANT
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Ben W. Thorpe

Partner

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Biography

Ben Thorpe represents plaintiffs and defendants in complex trial and appellate litigation and advises corporate clients on litigation and enforcement risk. He brings experience as a trusted advisor to executives and boards, delivering efficient, targeted legal solutions. His litigation practice includes class actions and multidistrict litigation, contract disputes, business torts, and statutory claims, with a particular focus on antitrust matters. Ben has represented parties and witnesses in high-profile antitrust cases across a range of industries.

Ben previously served as in-house counsel at The Home Depot, managing a litigation portfolio centered on corporate recoveries and handling compliance and investigation matters across the enterprise.

In addition to his commercial and appellate practice, Ben regularly represents clients in voting rights and other public interest matters.

Representative Matters

- Represented Fortune 50 retailer in antitrust action against Visa and MasterCard, challenging allegedly unlawful practices that inflated merchant fees for credit and debit card transactions.
- Represented Fortune 50 retailer in insurance coverage dispute, seeking recovery of costs related to

class action claims arising from a data breach.
- Currently defending an information technology company against class action claims brought in connection with a data breach.
- Currently representing a digital infrastructure company in a commercial dispute related to data center hosting services.
- Represented minority owner of privately held digital infrastructure company in corporate governance and ownership dispute, including at jury trial and on appeal before the Georgia Court of Appeals.
- Secured complete dismissal of class action brought against Fortune 500 financial technology company.
- Obtained dismissal of negligent misrepresentation claim asserted against Fortune 500 financial technology company.
- Successfully represented plaintiff in landmark premises liability and apportionment appeal before the Georgia Supreme Court. *Martin v. Six Flags Over Georgia II*, L.P., 301 Ga. 323 (2017).
- Represented plaintiffs in *Rucho v. Common Cause*, 139 S. Ct. 2484 (2019), a constitutional challenge to the partisan gerrymandering of North Carolina's congressional districts.
- Represented plaintiffs in *Common Cause v. Kemp*, 714 Fed. App'x 990 (11th Cir. 2018), a statutory and constitutional challenge to Georgia's voter purge statute.
- Successfully represented political party, candidate, and voter plaintiffs in challenges to rules promulgated by the Georgia State Election Board in advance of the 2024 election.
- Representing state political party as intervenor opposing challenges to election certification.

Professional Activities

- Atlanta Bar Association, Corporate Counsel Section, Board Member At-Large
- State Bar of Georgia, UPL District 5 Committee, Chair
- University of Georgia School of Law, Law School Alumni Council, Board Member
- Pace Academy, Alumni Scholar Award, Committee Chair
- Clarke-Carley Inn of Court, Barrister, 2021-2023

Credentials

Education

- University of Georgia, J.D., 2014, Magna Cum Laude
    - Order of the Coif
    - Executive Board, Georgia Law Review
    - National Moot Court Competition, Winner and Best Oralist
    - Talmadge Moot Court Competition, Winner and Best Oralist
    - Russell Moot Court Competition, Winner

- Georgia State University, B.A., 2010

Previous Experience

- In-house Counsel, The Home Depot
- Law Clerk, Judge Frank M. Hull, United States Court of Appeals for the Eleventh Circuit, 2014–2015

Admissions

- State Bar of Georgia
- Supreme Court of Georgia
- Georgia Court of Appeals
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Supreme Court
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Northern District of Georgia

Thought Leadership

- Panelist, State Bar of Georgia Class Action Law Section CLE
- Author, "Driving Value Through Corporate Recoveries" – *Association of Corporate Counsel, Georgia*

Honors & Awards

- Chambers USA, Antitrust, Georgia, 2026
- Legal 500 Atlanta City Elite, Commercial Disputes, 2026