



## Patrick C. Fagan

Partner

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### Biography

Pat is a versatile business litigator, representing plaintiffs and defendants in complex disputes. He brings to litigation and arbitration the same preparation, discipline, and strategic focus that he honed as an Army officer in combat. Clients value Pat's hands-on approach, responsiveness, and focus on the details that drive results.

He has won multi-million-dollar jury verdicts representing plaintiffs and defendants. Since 2020, he has recovered over \$115 million for his clients, while successfully defending high-stakes cases by dismissal, summary judgment, and prevailing in arbitration. Federal judges from the Eleventh Circuit Court of Appeals and the Northern District of Georgia have appointed Pat to represent plaintiffs with complex claims. His peers have recognized him as a Georgia Super Lawyer and Rising Star.

Pat frequently litigates at the confluence of business and technical expertise, in areas such as corporate recoveries, construction, restrictive covenants, insurance coverage, and intellectual property. Pat prides himself on learning his clients' businesses across industries like automotive, construction, energy, finance, fintech, healthcare, real estate, staffing, technology, and wastewater.

Before joining the firm, Pat clerked for a federal district court judge. He graduated from the University of Virginia School of Law, where he served on the Virginia Law Review.

Before law school, Pat served as a Ranger-qualified Captain in the U.S. Army. He served two combat tours in Iraq, earning the Combat Action Badge and two Bronze Star medals. Pat's counterinsurgency work in Ramadi has been covered in *A Chance in Hell*, *A Soldier's Dream*, and *Ramadi Declassified*. Pat graduated from Georgetown University, which he attended on an Army ROTC scholarship. He is an Atlanta native and a graduate of The Lovett School.

## Representative Matters

- Won a \$11.1 million federal jury verdict for a healthcare technology company faced with the defendant's breach of a software contract. The eight-figure verdict was affirmed in the U.S. Court of Appeals.
- Secured multiple eight-figure settlements as lead counsel for a construction company faced with the owners' breaches of major construction contracts.
- Secured a federal preliminary injunction enforcing restrictive covenants on behalf of a payment processing client, protecting the business from a former employee who joined a rival startup. The U.S. Court of Appeals affirmed, opening its opinion with the line: "Breaking contracts has consequences."
- Secured a favorable settlement as lead counsel for a large company faced with a financial services company's breach of contract.
- Represented a high-net-worth client's trusts against a national bank involving mismanagement of investment accounts. Defeated the bank's motion for summary judgment and favorably resolved the case.
- Appointed by the U.S. District Court for the Northern District of Georgia to represent an indigent Army veteran in a medical malpractice case involving care at a VA hospital. After we deposed the government's physicians and its medical expert from Stanford University, the case settled favorably for our client.
- Appointed by the Eleventh Circuit Court of Appeals to represent an Army veteran on appeal, asserting unique constitutional challenges to veterans' disability benefit law.
- Successfully defended two electronics companies in a breach of contract jury trial, securing a net verdict of over \$1 million in their favor, despite being sued for millions by the plaintiff. Argued and won a directed verdict at trial against one of the world's largest law firms.
- Defended a family-owned business in an arbitration filed by a large, international company seeking to seize ownership and control of a joint venture LLC. Won at arbitration and secured a post-arbitration settlement with an eight-figure recovery for our client, the defendant.
- Defended a Fortune 50 company in an arbitration involving alternative energy sales. Despite the plaintiff's multimillion-dollar demand, the matter settled with a recovery for our client as the defendant.

- Won dismissal of a negligent misrepresentation claim in the Georgia Supreme Court, preserving the state's leading role in the national payment processing industry.
- Served as lead counsel for a wastewater technology company facing eight-figure construction defect claims. Obtained partial summary judgment and then resolved the case for less than the anticipated cost of trial.
- Served as lead counsel defending significant personal injury claims brought by a contractor injured during military-related training. Secured dismissal for our government-contractor client before discovery.
- Served as lead counsel defending a leading hospital from high-profile claims regarding organ donation. Secured dismissal of our client before discovery.
- 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.
- Won reversal of an insurance-related declaratory judgment on appeal to the Georgia Court of Appeals.
- Successfully resolved the breakup of a closely held corporation and related software ownership issues.

## **Professional Activities**

- State Bar of Georgia, Military/Veterans Law Section, Chair, 2019-2020
- Veteran Leadership Development Group, National Committee; Atlanta Chair, 2019-2025
- UVA Jefferson Scholars Foundation, Regional Committee
- Brookwood Hills Community Club, Board of Directors
- Peachtree Road United Methodist Church, Usher
- Leadership Buckhead, Class of 2018
- Fulton County Veterans Court, Mentor, 2014-2018
- LEAD Atlanta, Class of 2013
- Cooper Inn of Court
- American Bar Association, Member
- Atlanta Bar Association, Member

## **Honors & Awards**

- Georgia Super Lawyer, 2024 - 2026
- Georgia Rising Star, 2017 - 2021

# Credentials

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

## Thought Leadership

- Speaker, Commercial Indemnity Clauses: Another Road to Corporate Recoveries, Association of Corporate Counsel Georgia, April 2026
- Speaker, Securing Your Advantage: Pre-Litigation Strategies for Success, Atlanta Bar Association, October 2025
- Speaker, Who Gets the Check? Recovering Fees & Expenses in Affirmative Litigation, Association of Corporate Counsel, March 2025
- Speaker, Corporate Recoveries 101, Association of Corporate Counsel, December 2024
- Speaker, Corporate Recoveries 101, Association of Corporate Counsel, April 2024
- Speaker, Contracts in the Time of Coronavirus: Navigating Contract Uncertainty, Association of Corporate Counsel, March 2020