

## Mary Lillian Walker – Partner

For over 25 years, Ms. Walker has represented companies and individuals in many different areas of litigation including banking law, director and officer defense, business contract and tort matters, shareholder and securities litigation, and real estate litigation. Ms. Walker has tried cases and handled appeals in state and federal courts. Ms. Walker also has extensive experience with mediation and alternative dispute resolution. Regardless of the forum, Ms. Walker counsels clients on the best way to mitigate risk, control costs and achieve client goals.



Ms. Walker is sought after for her expertise on issues pertaining to the duties and responsibilities of corporate officers and directors. Recently she has defended suits brought by the FDIC against officers and directors of failed banks for breach of duties. A recent Georgia Bar Journal article identifying significant legal decisions on issues relating to the duties of corporate directors and officers named three decisions obtained by Ms. Walker.

Ms. Walker is also experienced in representing corporations, majority shareholders, and minority shareholders in disputes involving corporate management and control.

Ms. Walker was named an “Attorney to Watch” in 2014 by Attorney at Law Magazine. Ms. Walker is also rated AV®Preeminent by Martindale-Hubbell for Litigation, Commercial Law and Business Law. Ms. Walker is an affiliate member of the Georgia Community Bankers Association and the Georgia Bankers Association. She is also a member of the Atlanta Bar Association, American Bar Association, the Defense Research Institute, the Claims and Litigation Management Alliance and the Atlanta Lawyer's Club.

## Case History

### Representative cases include:

- *Anderson v. Daniel*, 314 Ga. App. 394, 724 S.E.2d 401(2012) – Named a significant decision of 2012 by the *Georgia Bar Journal*. Action was brought by shareholders who alleged misrepresentations and omissions by corporate officers in communications with shareholders.
- *FDIC v. Blackwell*, 2012 WL 3230490 (N.D. Ga. August 3, 2012) and *FDIC v. Whitley*, No. 12-cv-00170-WC0 (N.D. Ga. Dec. 10, 2012) - Named significant decisions of 2012 by the *Georgia Bar Journal*. Actions were brought by the FDIC against officers and directors of failed banks. Claims based on ordinary negligence were dismissed.
- Defended corporate officer and company in a suit alleging theft of computer data and trade secrets of competitor. The matter involved complex forensic analysis of over ten terabytes of electronic data. We utilized cost-effective searching techniques to determine that only 30 non-essential files were at issue, and the case then settled well within policy limits.
- Defended a bank for allegedly failing to provide benefits required by ERISA plan. Prevailed on summary judgment.
- Defended a bank that foreclosed on property that was serviced by a privately built sewer system. The contractor who built the sewer system sued, alleging that the original owner did not pay all sums it owed to the contractor. Prevailed on summary judgment.
- Defended bank that financed a subdivision that the developer failed to complete. The developer defaulted on the loan, and the bank foreclosed. An individual who had purchased a house and lot in the neighborhood then sued the bank for failing to enforce covenants, negligence and misrepresentation. Prevailed on summary judgment.
- Defended a bank for allegedly failing to fund a multi-million dollar loan commitment. Settled well within policy limits.
- Represented commercial tenant and tried large lease dispute case to verdict recovering 100% of damages sought. *AMDG, Inc. v. Holcim (US), Inc.*, Superior Court of Fulton County, Georgia.
- Defended a nonprofit board in a Will dispute where testator's generous bequest to the nonprofit was challenged by other potential takers under the Will. Successfully resolved in settlement.
- Defended a nonprofit board that was sued by neighbors for having property rezoned in order build low income senior apartments. Prevailed on summary judgment.
- Represented members of closely held corporations and LLCs in disputes regarding operation or control of the entity (See e.g. *Marsala v. Mayo*, 2007 WL 3245434 (E.D. La. 2007)).

- Defending and prosecuting claims for tortious interference with contracts and business relations (See e.g. BKBG Partnership v. Moseman, 282 Ga.App. 862, 644 S.E.2d 874 (2007); SBC, Inc. v. Matshshita Electric Corp., 806 F.Supp 950 (1992).

## Education

- Harvard University, A.B., *magna cum laude*
- University of Chicago, J.D.

## Bar and Court

- Georgia State Bar
- Georgia Supreme Court
- Georgia Court of Appeals
- Eleventh Circuit Court of Appeals
- United States District Court for the Northern District of Georgia

## Contact

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## Industry Recognition

