

JOHN L. WATKINS

SHAREHOLDER

Practice Areas

- Business Contracts
- Business Litigation and Dispute Resolution
- Insurance Coverage
- Intellectual Property
- International Law
- Product Liability and Related Issues

Education

- University of Georgia, J.D., summa cum laude (1982)
- Mercer University, B.A. (1979)

Bar and Court Admissions

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

Professional Affiliations

- Bleckley Inn of Court (Master)
- Atlanta Bar Association (Board of Directors, Construction Section)
- Lawyers Club of Atlanta
- Lumpkin Society, University of Georgia School of Law

John L. Watkins is a business litigation and business attorney. John's litigation practice currently focuses on complex litigation matters involving trade secrets and unfair competition (including cases involving confidential information, trade dress, false advertising, and computer-related claims), liability insurance coverage disputes (including insurance bad faith), corporate and LLC disputes (including shareholder and member disputes), product liability, and commercial contracts.

John practices in the state and federal courts in Georgia, and has also handled specific matters in many other states, including New York, California, and Florida. John also has considerable experience in arbitration, mediation and alternative dispute resolution, and is a registered mediator.

John also works on various business matters, including drafting, negotiating and reviewing supply contracts, confidentiality and non-disclosure agreements ("NDAs"), terms and conditions, and dispute resolution provisions. In handling business matters, John uses his experience to help clients minimize litigation risk.

John represents clients in many industries, but has particular experience in manufacturing and distribution, machinery and equipment, insurance, engineered wood products, pulp and paper, natural gas distribution, industrial construction, and mining.

In addition to domestic companies, John represents many international companies (or their U.S. subsidiaries), including German, Finnish, Swedish, Irish and Canadian companies. John represents the firm in the German American Chamber of Commerce, the British American Business Group, and is active in the international business community. John has been a featured speaker at seminars in Munich sponsored by the Munich and Upper Bavaria IHK (International Chamber of Commerce), and has also given seminars on product liability, risk management, trade secrets, and non-disclosure agreements sponsored by the German American Chamber of Commerce in Atlanta.

John was named one of Georgia's top attorneys in business litigation in Georgia Super Lawyers in 2008 and 2009, published by [Law and Politics](#), and [Atlanta Magazine](#). John has been rated "AV" by the Martindale-Hubbell Law Directory, its highest rating, for many years. John is rated 10.0 by [AVVO.com](#), its highest rating.

Prior to joining the firm, John was a partner of McKenna Long & Aldridge LLP, a large international firm, where he practiced for over twenty years. Prior to McKenna Long, John practiced at Hansell & Post, which is now the Atlanta office of Jones, Day.

John graduated first in his class at the University of Georgia School of Law in 1982, where he received an academic scholarship, was a member of the *Georgia Law Review* Editorial Board, and received numerous academic awards, including the Order of the Coif. While in law school, John also worked as a teaching assistant and research assistant in the School of Business. John received his undergraduate degree from Mercer University, where he was on the debate team and received a first round bid to the National Debate Tournament.

John's recent cases include:

- Brought unfair competition case (including Lanham Act, Georgia Deceptive Trade Practices Act, Georgia Trade Secrets Act, Federal Computer Fraud and Abuse Claim Act, Georgia Computer Systems Protection Act, and common law claims) on behalf of machinery distributor against competitor, resulting in settlement and Final Judgment and Consent Injunction against competitor.
- Brought claim on behalf of licensee of patent and other intellectual property rights against manufacturer resulting in settlement confirming and securing rights.
- Coordinated insurance recovery efforts on behalf of professional services firm on claims arising out of engineering and construction project;
- Defended claim against insurer under Florida's Coblenz doctrine and for bad faith brought as a class action; achieved mediated class settlement subsequently approved by District Court.
- Obtained summary judgment on behalf of policyholder in insurance coverage claim involving "additional insured" issues.



Contact

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- Litigated enforcement of arbitration provisions on behalf of marketers, obtaining enforcement of arbitration provisions in Florida state court, which was subsequently affirmed by District Court of Appeal.
- Obtained judgment in favor of policyholder on claim involving business risk coverage for apartment complex damaged in storm; judgment subsequently affirmed by Fourth Circuit Court of Appeals.
- Monitored cases being handled by defense counsel assigned by insurers both on behalf of insurers and policyholders.

Another focus of John's law practice is assisting "in bound" international companies in doing business in the United States. He was a featured speaker at seminars on U.S. product liability law and risk management in Munich, Germany, sponsored by the Munich and Upper Bavaria IHK (International Chamber of Commerce) in 2006 and 2007. He has also given seminars on product liability and risk management for the German American Chamber of Commerce in Atlanta. John has extensive experience in explaining the U.S. legal system to Europeans, and has also given private presentations in Europe on various aspects of the U.S. legal system.

John has worked with European and domestic manufacturers and distributors in assessing and attempting to minimize their litigation risks and product liability risks in the United States, including drafting and review of international equipment supply contracts, confidentiality agreements, and dispute resolution provisions. John's recent work in this area includes:

- Developing standard terms and conditions, including negotiating and drafting particular terms and conditions for sales between manufacturers and their largest customers.
- Negotiation and preparation of confidentiality (or non-disclosure) agreements for manufacturers and customers for contemplated and actual business transactions.
- Negotiation and drafting of equipment supply contracts for projects in the United States and Canada.

John is also a registered mediator with the Georgia Office of Dispute Resolution, and is available to act as a mediator for disputes within his areas of expertise. He has written and spoken extensively on mediation and arbitration.

John has a website regarding mediation, Watkins Mediation (www.watkinsmediation.com), which contains articles about the mediation process and issues in mediation. All of John's mediations are conducted by engaging John through Chorey, Taylor & Feil.

Presentations

- Speaker on Mediation in Construction Cases: Some Thoughts for the General Practitioner, ICLE Seminar on Construction Law for the General Practitioner, Atlanta, Georgia, September 28, 2007
- Organizer and featured speaker at seminar on U.S. Product Liability Issues and Risk Management, conducted in cooperation with the Munich and Upper Bavaria IHK (International Chamber of Commerce), Munich, Germany, October 2007. Panel participants included representatives of Aon and Dieffenbacher GmbH & Co.KG.
- Organizer and featured speaker at seminar on U.S. Product Liability Issues: What German Companies Need to Know, conducted in cooperation with the Munich and Upper Bavaria IHK (International Chamber of Commerce), Munich, Germany, October 2006. Panel participants included representatives of Daimler-Chrysler, A.G., Munich Re, and Dieffenbacher GmbH & Co.KG.
- Moderator, Professionalism in Alternative Dispute

Resolution, Atlanta Bar Association Construction Section CLE program, March 2006.

- Speaker, Basic Issues Concerning Dispute Resolution, Technology Association of Georgia, International Section, Atlanta, Georgia, May 2003.
- Speaker, The Assault on the Citadel: Judicial and Legislative Attacks on Arbitration Agreements in the United States, Center for International Legal Studies, Heidelberg, Germany, May 2003.
- Panelist, Discovery Abuse in Georgia, Georgia Institute for Continuing Legal Education, University of Georgia, Athens, Georgia, November 2002.
- Speaker, Current Perspectives on Alternative Dispute Resolution, McKenna, Long & Aldridge, LLP, 2001.

Publications

- Mediation in Construction Cases: Pros, Cons, and Some Thoughts for the General Practitioner, Institute for Continuing Legal Education Seminar Materials, September 28, 2007
- ADR: A Practitioner's View of a Changing Landscape, Metropolitan Corporate Counsel, August, 2006, p. 30 (interview)
- Co-Author and Editor, Basic Legal Considerations in Doing Business in the United States and the State of Georgia, German/English brochure, January 2006 (McKenna Long & Aldridge LLP)
- Controlling Risk Through Dispute Resolution Provisions, AWH Knows Construction Newsletter, January 1, 2005
- Mediation as a Means to Resolve Intellectual Property Disputes, Metropolitan Corporate Counsel, August 2004
- Litigation and Alternative Dispute Resolution in International Transactions in the United States, Management.de website, November 2003
- Open Questions Regarding Non-Party Discovery in Commercial Arbitration, Mealey's International Arbitration Report, July 2003.
- Current Perspectives on Alternative Dispute Resolution, Program Materials on Information Technology Litigation (December 10, 2002)
- Co-Author, Product Liability Tort Reform: The Case for Federal Action, 63 Neb. L. Rev. 389 (1984)
- Co-Author, "Communication with Absent Class Members: Why Free Speech Should Prevail," Program Materials for Ninth Annual Fall Meeting, Section of Litigation, American Bar Association (October 25-27, 1984)