

James F. Bogan III



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Jay Bogan is a partner in the Litigation Practice Group. He has substantial experience in a broad range of business and other matters in federal and state courts, as well as in arbitrating and mediating legal disputes. He specializes in complex civil RICO and business tort litigation. He also chairs the firm's Technology Committee and has significant experience in the utilization of technology to streamline the litigation process and reduce litigation costs.

Mr. Bogan is a member of the firm's Supreme Court and Appellate Practice Group, having argued cases before the federal circuit courts of appeals and various state appellate courts, including the Georgia Supreme Court. He also leads a team of trial attorneys specializing in trade secret and restrictive covenant litigation. And he is considered the firm's leading expert in civil RICO litigation, having authored numerous articles on civil RICO and having tried and litigated cases through appeal that resulted in the creation of new law under the Georgia RICO Act.

A member of the State Bar of Georgia and the American Bar Association, Mr. Bogan chairs the American Bar Association's Business Torts and Civil RICO Committee (Section of Antitrust Law) and is the co-editor of *Business Torts & Unfair Competition (2d Edition)*, which was published by the Section of Antitrust Law in 2006. He has also authored chapters of the ABA Section of Antitrust Law treatise, *State Antitrust Practice and Statutes* (3d ed. 2004), as well as the ABA Section of Antitrust Law's handbook, *The Right Against Self-Incrimination in Civil Litigation* (2001).

Selected Experience

- Represents chemical company in multi-jurisdictional fraud and civil RICO cases filed in federal and state courts in Hawaii, Florida and Georgia, involving both individual and class action litigation. *See, e.g., Green Leaf Nursery v. DuPont*, 341 F.3d 1292 (11th Cir. 2003); *Kobatake v. DuPont*, 162 F.3d 619 (11th Cir. 1998); *Mazzoni Farms, Inc. v. DuPont*, 761 So.2d 306 (Fla. 2000); *DuPont v. Andraea Partners*, 197 F.R.D. 424 (D. Haw. 2000).
- Represented telecommunications company in antitrust litigation involving the Federal Telecommunications Act of 1996. *See Covad Communications Co. v. BellSouth Corp.*, 374 F.3d 1044 (11th Cir. 2004).
- Represents seller of office products in suit filed in Florida state court against major insurance broker and carriers, asserting claims under Florida state law (including price-fixing claims under the Florida Antitrust Act and civil RICO claims under Florida state law), relating to the investigation conducted of the insurance brokerage industry by the New York State Attorney General.
- Represented provider of cellular telephone services in consumer class action litigation brought under the federal Telephone Consumer Protection Act. *McGarry v. Cingular Wireless LLC*, 599 S.E.2d 34 (Ga. Ct. App. 2004).
- Represented individual clients (plaintiffs) in civil RICO case in Georgia trial court that resulted in the creation of significant new precedent under the Georgia RICO Act. *See, e.g., Dee v. Sweet*, 489 S.E.2d 823 (Ga. 1997).

Background

- J.D., University of Virginia School of Law, 1989.
B.A. English, University of Virginia, *High Distinction*, 1985.
- Chair, Business Torts & Civil RICO Committee, Section of Antitrust Law, American Bar Association.
- Chairman of Kilpatrick Stockton's Technology Committee.
- AV® rated by Martindale-Hubbell*