



Carl H. Anderson, Jr.

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Carl H. Anderson, Jr. is a partner with Hawkins Parnell Thackston & Young who has successfully defended and favorably prosecuted cases involving claims ranging from several Thousand to several Billion Dollars. He concentrates his practice on business torts, including Fair Debt Collection Practice Act (FDCPA) and Fair Credit Reporting Act cases, commercial and contractual disputes and equitable relief. He also has a wealth of knowledge and experience handling fiduciary, real estate, intellectual property, professional negligence, and product liability litigation.

Carl prides himself on being detail-oriented, and his peers often consult with him on difficult procedural issues. He is extremely attentive to each and every one of his clients which is evidenced by their loyalty. Carl's honesty and integrity is revered by fellow colleagues, opposing counsel, and judges.

Languages

- German (Fluent)
- Japanese (Limited Proficiency)
- Spanish (Limited Proficiency)
- Swedish (Limited Proficiency)

PROFESSIONAL EXPERIENCE

Carolina Casualty Insurance Company et al. v. Heery International, Inc. et al., United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:04-CV-03537-GET

Nature: A negligent misrepresentation and professional negligence action in which the Firm represented Defendants that served as a program manager for approximately \$400 Million construction program for the DeKalb County Board of Education.

In re: Estate of Natividad Jimenez Del Rey, Deceased, Fulton County Probate Court, State of Georgia, Estate No. 185213, and Rosario Diego Jimenez v. Maria Luisa del Gregoria et al., Fulton County Superior Court, State of Georgia, Civil Action File No. 2003-CV-69541

Nature: A probate case and a breach of fiduciary duty and fraud case in which the Firm represented the Spanish executors against claims from certain heirs that other heirs absconded with \$700 Million in deceased assets.

Rollolazo v. Naughton, United States Bankruptcy Court for the Northern District of Georgia, Bankruptcy Case No. 02-94506, Adversary No. 02-09300

Nature: A Fair Debt Collection Practice Act (FDCPA) and legal malpractice case arising from an alleged wrongful foreclosure in which the Firm successfully resolved matter in client's favor following mediation and successfully defended against an appeal by the sole non-settling party.

General Electric Capital Corporation v. Edward A. Crosta, United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:03-CV-02003-TWT

Nature: A negligent misrepresentation case

PRACTICE AREAS

Construction Litigation
Professional Negligence
Business Litigation
Product Liability
Municipal Liability
Legal Malpractice

EDUCATION

J.D., Mercer University
(1987)

- Participant, Philip C. Jessup International Law Moot Court Competition
- Recipient of the Order of the Barristers

B.A., History, Davidson College (1984)

- Participant, Junior Year Abroad program, Phillips Universität, Marburg an der Lahn, Germany
- *Delta Phi Alpha*, the National German Honor Society

BAR ADMISSIONS

State Bar of Georgia (1987)

COURTS

Superior Court of Georgia
Georgia Court of Appeals
Supreme Court of Georgia
United States Supreme Court

United States Court of Appeals, 11th Circuit
United States Court of Appeals, 6th Circuit

United States District Court for the Northern District of Georgia

United States District Court for the Middle District of Georgia

United States District Court for the Western District of Michigan

Carl H. Anderson, Jr. (Cont.)

Result: Obtained summary judgment for client.

First Tennessee Nat'l Corp. v. Horizon Bank and Horizon Bancorp., Inc., United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:04-CV-0195-WBH

Nature: Lanham Act case

Result: Successfully resolved matter in client's favor through settlement of the claim.

Burton v. AT&T Broadband of Georgia, Fulton County State Court, Civil Action File No.: 01-VS-026415B, and *Starwood v. AT&T Broadband of Georgia*, Fulton County State Court, Civil Action File No.: 03-VS049832-F

Nature: A malicious prosecution case civil rights claim brought under Section 1983 concerning a cable theft sting operation

Result: Successfully resolved the matter through mediation.

SunTrust Banks, Inc. v. Wachovia Corporation, United States District Court for the Northern District of Georgia, Atlanta Division, Civil Action File No. 1:01-CV-1309-CC

Nature: Served as local counsel in Georgia in the battle for the right to merge with Wachovia Corporation

Result: The case involved several Billion Dollars.

Trinity Outdoors, LLC v. Forsyth County, Georgia, United States District Court for the Northern District of Georgia, Gainesville Division, Civil Action File No. 2:01-CV-00172-WCO

Nature: A First Amendment civil rights claim brought under Section 1983 concerning a local sign ordinance

Result: Successfully resolved through mediation.

Daniel A. Metzler v. Catheren Woolard a/k/a Cathy Woolard, Helen B. Loyless, individually and as an official and/or member of the Wildwood Urban Forest Group, an unincorporated association, Steven Rowell, individually and as an official and/or member of the Wildwood Urban Forest Group, an unincorporated association, Rochelle Routman, individually and as an official and/or member of the Wildwood Urban Forest Group, an unincorporated association, and the Wildwood Urban Forest Group, an unincorporated association, DeKalb County Superior Court, Georgia, Civil Action File No. 99-13577-6

Nature: A suit to prevent neighborhood activists from blocking development that resulted in favorable sale of property to the Georgia Nature Conservancy at client's asking price and preserving property as a park.

Wright v. Stanford, Fulton County Superior Court, Georgia, Civil Action File No. 2000 CV 30289

Nature: A legal malpractice case, in which the Firm represented the Defendant/Counterclaimant

Result: Obtained summary judgment in the case-in-chief and on the counterclaim.

Spark Technologies, Inc., v. Biltmore Technologies, Inc., a Georgia corporation, Stephen Leighty, Janice Leighty, Michael Cox, Kimberly Shepherd and Andrew Morse, and *Biltmore Technologies, Inc.*, a Georgia corporation, Stephen Leighty, Janice Leighty, Michael Cox, Kimberly Shepherd and Andrew Morse v. *Spark Technologies, Inc.*, a Georgia corporation, Poornima G. Kaddi and Senthil K. Angamuthu, Gwinnett County Superior Court, Georgia, Civil Action File No. 01-A-10354-3

Nature: Represented the Defendants

Result: Successfully sought to rescind a merger and blocked injunction that Plaintiff sought.

Walter Eugene King et al. v. Coweta County, Georgia, United States District Court for the Northern District of Georgia, Newnan Division, Civil Action File No. 3 98 CV 069 JTC

Nature: Section 1983 and state law claims.

Result: Successfully obtained Summary Judgment for Defense.

AAA Venetian Blind Sales, Inc. v. Coronet Industries, Inc., United States District Court for the Western District of Michigan, Southern Division, Civil Action File No. 1-93-CV-803

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Nature: A substantial group boycott action brought under Section 1 of the Sherman Antitrust Act and Section 4 of the Clayton Antitrust Act

Result: Prevailed on Summary Judgment for Defense.

Ramos v. Coronet Industries, Inc. et al., Solano County Superior Court, California, Civil Action No. L003209

Nature: A products liability action in which the Plaintiffs asserted an environmental toxic tort claim based on an alleged defect in Defendant's carpeting product

Result: Successful in obtaining not only Summary Judgment against the Plaintiffs, but also an unusual award of costs in excess of \$23,000.

East Tennessee Natural Gas Co. v. 1.26 Acres of Land et al., United States District Court for the Northern District of Georgia, Rome Division, Civil Action No. 4:95-CV-0053-HLM

Nature: An eminent domain action under the Federal Natural Gas Act in which the Defense succeeded in obtaining, on behalf of two small landowner-condemnees, an unusual stay of the condemnation action pending disposition of a related proceeding before the Federal Energy Regulatory Commission (FERC) regarding the condemnor's authority to proceed with its proposed pipeline project.

Results: Prevailed in the FERC proceeding and obtained a dismissal of the condemnation action conditioned on the condemnor's payment to our clients of more than \$43,000 in attorneys' fees and litigation expenses plus the additional fees of more than \$15,000 that were incurred in obtaining the fee award.

In the Matter of Kroger #299, Office of State Administrative Hearings, Georgia, Docket Number OSAH-DHR-WIC-97-04

Nature: Alleged violations of the WIC program.

Result: Obtained a dismissal of sanctions imposed on our client, Kroger #299.

PROFESSIONAL AFFILIATIONS

- State Bar of Georgia
- American Bar Association
- Atlanta Bar Association
- Defense Research Institute (DRI)
 - Member, Commercial Litigation Section Committee
- Stonewall Bar Association

TRIALS

- AAA Venetian Blind Sales, Inc. v. Coronet Industries, Inc.
 - East Tennessee Natural Gas Co. v. 1.26 Acres of Land, et al.
 - First Tennessee National Corp. v. Horizon Bank and Horizon Bancorp., Inc.
 - General Electric Capital Corporation v. Edward A. Crosta
 - In the Matter of Kroger #299
 - Ramos v. Coronet Industries, Inc., et al.
 - Rollolazo v. Naughton
 - Trinity Outdoors, LLC v. Forsyth County
 - Walter Eugene King, et al v. Coweta County, GA
 - Wright v. Stanford
 - Maid of the Mist Corporation et al. v. Alcatraz Media, Inc., et al.
 - Carolina Casualty Insurance Company et al. v. Heery International, Inc. et al.
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- Daniel A. Metzler v. Catheren Woolard a/k/a Cathy Woolard, et al.
- SunTrust Banks, Inc. v. Wachovia Corporation
- Harbin v. Payne
- Spark Technologies, Inc. v. Biltmore Technologies, Inc. et al.
- Safeco Title Insurance Company v. Citizens and Southern National Bank et al.

NEWS

- Eleventh Circuit Affirms Preliminary Injunction for HPTY Client in Lanham Act False Advertising Case
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