Matt Bailey

Partner

Atlanta

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Matt is a business litigation partner whose practice spans commercial real estate, class action defense, noncompete enforcement, and regulatory proceedings and appeals for clients ranging from national retailers and restaurant chains, to renewable energy companies and data center landlords.

OVERVIEW

Matt helps clients navigate high-stakes disputes with a focus on strategy, efficiency, and business objectives. His clients include national retailers, restaurant chains, renewable energy companies, mining operations, and data center landlords, among others. Matt has litigated commercial real estate and business disputes in courts and arbitration forums across multiple states, including Georgia, Michigan, Florida, Arizona, Tennessee, New Jersey, Virginia, and others.

Matt's experience spans both sides of the docket. On the defense side, he has resolved complex multiclaimant lease disputes, class action environmental litigation, and wrongful death lawsuits. On the plaintiff side, Matt has represented commercial landlords, pursued noncompete violations, and handled post-judgment asset recovery against debtors who fraudulently conveyed assets to third parties. His cases have resolved through dismissals with prejudice, favorable arbitration awards, and settlements — including a settlement compelling lease renewal on client-favorable terms.

Matt has also represented state-regulated utilities from administrative proceedings through appellate argument, including securing affirmance at the state supreme court level.

Matt's practice is shaped by his clerkship with the Honorable Michael F. Urbanski, chief judge of the U.S. District Court for the Western District of Virginia, where he worked on a broad spectrum of civil and criminal cases. That experience informs his approach to motion practice and judicial strategy across both federal and state court litigation.

REPRESENTATIVE MATTERS

Real Estate Litigation

- Represented a national restaurant chain in Michigan state court litigation challenging the grant of a special land use permit, obtaining dismissal with prejudice of all claims.
- Negotiated a favorable settlement and dismissal of a Florida state court action brought by a landlord alleging

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overburdening of access areas in a commercial shopping center.

- First-chaired commercial eviction (dispossessory) actions in Georgia, Tennessee, New Jersey, and other jurisdictions, obtaining possession of premises and monetary judgments against defaulting tenants.
- Defended a commercial data center landlord in complex state court litigation brought by multiple claimants alleging overlapping lease violations, resolving the matter through favorable settlements with all claimants.
- Represented a corporate tenant in Arizona state court litigation alleging wrongful nonrenewal of a commercial lease, securing a settlement compelling lease renewal on favorable terms.

Commercial Disputes

- Defended a corporation served with an overbroad third-party subpoena in Georgia state court and persuaded the serving party to withdraw the subpoena.
- Represented a renewable energy company in an arbitration with a construction contractor, obtaining a favorable arbitration award that was later affirmed in a judicial challenge.
- Pursued post-judgment collection efforts against a judgment debtor that had hidden and fraudulently conveyed assets to third parties, securing recovery for the client.
- Represented a mining company as plaintiff in a state business court action alleging violations of a noncompetition agreement and secured a favorable settlement.

State Administrative Appeals

- Represented a state-regulated utility in an appeal of a rate-setting action before the public service commission, securing dismissal with prejudice of the appeal for lack of subject matter jurisdiction.
- Defended a state-regulated utility in a statutory dispute concerning allocation of service territory, obtaining a favorable ruling in the trial court and affirmances in both the court of appeal (after oral argument) and the state supreme court.

Other Litigation

- Oversaw the defense of a national manufacturing corporation in a wrongful death lawsuit arising from an employee-caused car collision involving alleged intoxication, securing a favorable settlement and dismissal shortly before trial.
- Represented a defendant manufacturer in complex class action litigation alleging environmental PFAS contamination and secured a favorable settlement with the class representative.

TOP AREAS OF FOCUS

- Business Litigation
- Environmental Litigation + Enforcement Defense
- Government + Regulatory Litigation
- Litigation + Trial
- Real Estate Litigation

EDUCATION AND CERTIFICATIONS

EDUCATION

- Emory University School of Law, J.D., *Order of the Coif, highest honors*, 2016, executive managing editor,

Emory Law Journal

- University of Georgia, B.A., 2011

BAR ADMISSIONS

- Georgia

CLERKSHIPS

- Hon. Michael F. Urbanski, U.S. District Court, Western District of Virginia, 2016-2017

PUBLICATIONS

- Co-author, "Sorting Out Access Easement Rights In Shopping Centers," *Law360*, September 29, 2022.
- Co-author, "Will My Law Firm Succeed in the Long Term?," *Daily Report*, September 6, 2022.
- Co-author, "Georgia Court of Appeals Issues a Decision in *Southern States Chemical, Inc. v. Tampa Tank & Welding*," *Troutman Sanders*, December 20, 2019.

MEDIA COMMENTARY

- Quoted, "Ga. Appellate Court Weighs Which Utility Companies May Service Electric Vehicle Charging Stations ," *Daily Report*, October 20, 2023.
- Quoted, "Appeals Court Ruling Could Have Major Impact on Construction Warranties," *Bisnow*, December 17, 2019.