

Michael Wolak, III

Counsel

Atlanta

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Mike delivers strategic litigation counsel to international clients and handles high-stakes trade secret, intellectual property, and commercial disputes. He has extensive experience representing Asian companies in U.S. courts and international arbitration forums.

OVERVIEW

Mike represents domestic and international clients across a wide spectrum of industries in business and intellectual property litigation. His practice is predominantly international, with a strong emphasis on representing and advising Chinese and other Asian companies and their U.S. subsidiaries. Mike has extensive experience counseling clients and litigating a full range of sophisticated commercial disputes and business torts in state and federal courts throughout the U.S. and in domestic and international arbitral forums, including the International Chamber of Commerce.

Mike's litigation experience includes complex contractual disputes, restrictive covenants, trade secrets, director and officer liability, shareholder derivative litigation, fiduciary duty claims, partnership and joint venture disputes, product liability, life sciences, unfair business practices, fraud, and disputes involving complex business and financial transactions. He also regularly counsels European and Asian companies, helping them navigate regulatory, compliance, and other issues as they expand and protect their business interests in the U.S.

Mike has significant trial and appellate experience, including in the Georgia Supreme Court and Eleventh Circuit Court of Appeals. He has broad experience in consumer class action litigation, internal corporate investigations, FTC investigations, e-discovery oversight, and litigation under the Uniform Partnership Act, Fair Credit Reporting Act, and False Claims Act.

REPRESENTATIVE MATTERS

- Representing a Taiwanese corporation and its U.S. subsidiary in federal copyright infringement and trademark infringement matters.
- Representing a Chinese e-cigarette manufacturer in product liability litigation.
- Representing a Chinese distributor in e-commerce litigation.
- Representing and advising a Dutch manufacturer of proprietary parking systems technology on commercial, regulatory, compliance, and intellectual property matters in the U.S.
- Defended a Chinese manufacturer and its U.S. subsidiary and second-chaired a federal jury trial involving

claims of trade secret misappropriation and alleged damages of more than \$100 million.

- Defended a Chinese corporation and its U.S. subsidiary against claims for fraud and breach of contract involving renewable energy projects.
- Represented a Chinese manufacturer and recovered damages for breach of contract and defended against counterclaims.
- Represented a Hong Kong corporation and compelled arbitration in Hong Kong in a suit seeking nearly \$1 billion in damages.
- Defended a national highway and bridge construction company in litigation under the False Claims Act.
- Defended a multimillion-dollar trademark/trade dress litigation on behalf of a national pet pharmaceutical company.
- Defended a multinational biotechnology company against claims for breach of contract and trade secret misappropriation involving transactions with entities in Egypt and obtained dismissal with prejudice of all claims.
- Briefed and secured a verdict on behalf of the client in the Georgia Supreme Court concerning industry-wide issues of first impression in financial services litigation.
- Defended a Japanese manufacturer in nationwide litigation of product liability claims involving its off-road side-by-side vehicle, including the resolution of more than 160 cases pending in Georgia.
- Represented a major global logistics company in a multimillion-dollar tax appraisal trial and obtained a jury verdict and an award of attorney fees and litigation expenses.
- Defended two former officers and directors of a multinational industrial company in a shareholder derivative action seeking more than \$160 million for alleged breach of fiduciary duties.
- Represented a major credit reporting agency in a putative class action seeking up to \$3 billion in statutory damages. Obtained summary judgment in the Eleventh Circuit Court of Appeals in one of the first applications of *Safeco Ins. Co. of America. v. Burr* in a Fair Credit Reporting Act case.
- Represented a regional airline carrier in this bet-the-company case and obtained Eleventh Circuit affirmance of a preliminary injunction to halt a contract termination.
- Defended a global chemical company against several fraud and corporate veil claims.
- Represented a global textile and chemical company in a time-sensitive white collar investigation involving potential claims under the False Claims Act.
- Defended a Swedish manufacturer of complex medical imaging equipment in complex commercial litigation before the American Arbitration Association and International Chamber of Commerce.
- Defended a major entertainment company in highly publicized whistleblower litigation.
- Defended a multinational logistics company against claims of breach of contract and breach of fiduciary duties involving stock options and stock valuation.

TOP AREAS OF FOCUS

- Class Action
- False Claims Act + Other Whistleblower Actions
- Health Care + Life Sciences
- Health Care + Life Sciences Intellectual Property
- International Arbitration
- Litigation + Trial

ALL AREAS OF FOCUS

- Artificial Intelligence
- Business Litigation

- Class Action
- False Claims Act + Other Whistleblower Actions
- Fraud + Abuse Litigation + Investigations
- Health Care + Life Sciences
- Health Care + Life Sciences Intellectual Property
- Intellectual Property
- International
- International Arbitration
- Litigation + Trial
- Noncompete + Trade Secrets
- Patent Litigation
- Product Liability
- Trademark + Copyright
- eDiscovery + Data Management

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Leadership Cobb (2016)
- Defense Research Institute
- Member, Atlanta Bar Association Litigation and Product Liability Sections
- Member, Cobb County Bar Association Business Law and Litigation Section
- Former barrister, Lamar American Inn of Court
- Former faculty member and lecturer, National Business Institute
- Former instructor, NITA/Emory University Trial Techniques Workshops (2006-2011)

EDUCATION AND CERTIFICATIONS

EDUCATION

- Syracuse University College of Law, J.D., *cum laude*, 2001
- St. John Fisher College, B.A., 1997

BAR ADMISSIONS

- Georgia

COURT ADMISSIONS

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Georgia
- U.S. District Court, Northern District of Georgia
- Supreme Court of Georgia
- Court of Appeals of Georgia

PUBLICATIONS

- Co-author, “COVID-19 and Director Liability: Discharging Fiduciary Duties While Navigating the Financial Distress and Business Uncertainty Caused by the Pandemic,” Locke Lord QuickStudy, April 30, 2020.
- Co-author, “Protecting Trade Secrets While Employees Work From Home During the COVID-19 Pandemic: Proactive Measures and Considerations for U.S. Companies,” Locke Lord QuickStudy, April 21, 2020.