Georgia Powerhouse: Eversheds Sutherland

By Emily Sawicki

Law360 (August 21, 2023, 2:02 PM EDT) --On the precipice of the firm's 100th year operating in Georgia, Eversheds Sutherland attorneys spent the past year representing local clients in a 10-figure, multistate real estate transaction, inking a major airline partnership and successfully defending a major insurer against a proposed class of 100,000 policyholders, while ticking off other significant achievements.

The international firm's United States presence traces its roots back to Sutherland Asbill & Brennan LLP, founded in Atlanta in 1924. That firm combined with U.K.-based Eversheds in December 2016, bringing with it hundreds of U.S. attorneys in Washington, D.C., Chicago, New York and elsewhere in the U.S., including well over 100 lawyers in the firm's Atlanta headquarters and close to a century of experience representing clients in the Peach State.

Since then, the firm, which nabbed a spot among Law360's 2023 Georgia Powerhouses, has maintained its deep ties to the Atlanta community, according to the partner-in-charge of Eversheds Sutherland's Atlanta office, Kristina Kopf Thomas, who had joined Sutherland Asbill in November 2016.

"Very shortly after I joined, we became Eversheds Sutherland, which, through a combination, is the current global platform for the firm, and it has been great being part of that and having that many connections," Thomas said, noting the firm now maintains more than 70 offices around the world.

"I think that every office within the firm really strives to both participate in that global framework and also to have deep connections with the community and the state," Thomas continued, "and I think that the Georgia office is a really great example of how that can work and how you can be both deeply rooted in your local community, and participants in your local community, and also part of a larger global enterprise."

Power Moves for Key Players in Atlanta

Thomas led the team of Eversheds Sutherland partners who represented Atlanta-based real estate heavyweight MDH Partners in a $1.26 billion deal to sell 58 commercial properties in a portfolio that spanned 10 states, one of several major transactions the firm guided clients through in 2022.

Calling MDH "a joy to work with" and a "really forward-thinking example of a Georgia company," Thomas said the deal was a good example of teamwork across practice groups within the firm.
Last year, Eversheds Sutherland attorneys represented T-Mobile in a successful appeal before the Georgia Court of Appeals, in essence refunding approximately $11 million in sales tax to the international mobile phone company. With that success under their belt, Atlanta-based Eversheds Sutherland attorneys are going on to represent Comcast and Verizon in similar suits seeking tax exemptions from the state of Georgia, the firm said.

Additionally, local electricity giant Georgia Transmission Corp., advised by Eversheds Sutherland attorneys, secured around $925 million in financing last year, the firm detailed, through two loans and two amendments to revolving credit facilities.

The firm also represented another local utility company, Oglethorpe Power Corp., expand its alternative energy portfolio with the acquisition of two natural gas-fired turbines in Sandersville, Georgia.

Eversheds Sutherland attorneys represented another Georgia cornerstone company, Delta Air Lines, in its $60 million October 2022 partnership agreement with Joby Aviation Inc., the firm said, with Delta’s equity investments in Joby potentially reaching $200 million.

"The partnership is designed to deliver transformational, sustainable home-to-airport transportation service to Delta customers," according to the firm. "The premium service will utilize electric vertical takeoff and landing aircraft to transport customers from helipads and other locations to Delta airport terminals."

On the litigation front, Eversheds Sutherland represented State Farm against a proposed class of more than 100,000 customers who said they were not properly compensated for vehicles involved in collisions. In 2021, the attorneys were able to argue against class certification for the policyholders, and in 2022, they successfully argued to have the denial of the class certification upheld before the Eleventh Circuit. The case against State Farm was dismissed in October 2022.

Looking to the Future

2024 will mark the 100th year of Eversheds Sutherland's operations in Georgia, and both Thomas and the firm's co-CEO, Mark Wasserman, see challenges and opportunities for growth on the horizon.

Among more than a dozen lateral partners hired in the U.S. this year, two were in Atlanta, Wasserman said, and the firm has been "just as active" in recruiting this fall's associate class.

"If anything, we're in the market for more folks," Wasserman said. "It's been a good hiring year across the partner level and associate and counsel, and we see that continuing going forward."

The significance of maintaining a vibrant Georgia office was most recently highlighted for Thomas by a visit to the Port of Savannah, the second-busiest seaport on the East Coast of the United States.

"I recently had an opportunity to tour the Savannah port, and it's just mind-blowing to see the way the port operates to connect Georgia to the global economy and what flows through Savannah, that links Savannah to Atlanta, through Georgia, as part of the larger global economy," Thomas said.

"I think we as a firm have benefited from that really vibrant Georgia economy," she continued. "I think there's an analogy there to how our offices relate. We're very much part of our local community. We have deep roots in terms of community involvement, public service, pro bono work, working with Georgia clients.
And then we feed into a larger, global firm.

With Georgia heavyweights like Delta, The Coca-Cola Co., UPS and The Home Depot on its roster of clients, the international firm's largest U.S. foothold is in Atlanta, which Wasserman said the firm would "never take for granted."

"By any measure, it's both a global city and one of the top cities in the U.S., and so it's a place where we'll always have a very prominent place," Wasserman said.

Client-forward focus will continue to be top of mind for Wasserman while the global economy will likely continue a period of uncertainty.

"Coming out of the pandemic, pushing our folks to be closer to clients at all times, so that we're aware of their challenges and where we might be able to assist, is one of the biggest things we focused on over this past year," Wasserman said.

"The focus for this next year as well — or the remainder of this year into next year — is that piece around client contact," he added. "Making sure we understand the challenges facing our client industries, and making sure we're bringing to bear all we're doing for all of our clients in an appropriate way."

Thomas said questions about the role of evolving technology would also be key areas of focus for the next year.

"I think that data privacy and technology are things that affect all of us, no matter what practice you're in, and it's an area where things are moving fast. It's an area where we as a firm are really working on focusing and working on being able to work with our clients on cutting-edge issues," she said, noting the recent hire of privacy and technology expert Rachel Reid as a partner in the firm's Atlanta office.

Another area of increasing need, the firm's U.S.-based environmental practice, has a new head with lateral hire R. Todd Silliman, Thomas said, adding that both Silliman and Reid will help the firm "go forward and try to navigate everything that's coming."

**Community Ties**

Georgia-based nonprofit and pro bono support has been a firm tradition for decades, according to Thomas. Local organizations including the Georgia Innocence Project, Atlanta Volunteer Lawyer Foundation, Georgia Asylum and Immigration Network, and Pro Bono Partnership of Atlanta have counted Eversheds Sutherland as a supporter for the entire history of the respective organizations.

Atlanta Legal Aid, which, like Eversheds Sutherland, will soon mark 100 years operating in Georgia, has long counted the firm as a "consistent, strong supporter," Thomas said in an email to Law360. Last year, Eversheds Sutherland's senior pro bono counsel and 47-year firm veteran John H. Fleming served as president of that organization.

"We think that there is a direct link between the work that we do in our community with those provider organizations and how we think of ourselves as a firm," Thomas said.

--Additional reporting by Rosie Manins. Editing by Lakshna Mehta.

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