

## Wayne S. Tartline

Partner

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Office Location: Atlanta



Wayne S. Tartline is a partner at the firm. He has been a litigator in the Atlanta area since 1999, litigating hundreds of highly contested cases. Mr. Tartline has expansive litigation experience encompassing matters in all of Georgia's courts, in Federal Courts and in the State of Florida.

Mr. Tartline's practice is currently devoted to complex litigation, which includes defense of tort claims (motor vehicle, UM, premises, etc.), business litigation, defense of commercial liability disputes, legal malpractice and professional liability defense, commercial development/construction/erosion litigation, and intellectual property infringement and trade secrets litigation.

### Professional or Trade Affiliations

- Georgia Tech Bar Association
- Tort and Insurance Law Section

### Publications

- Intellectually Perplexing – Insurance Coverage Issues for Trademark, Copyright, and Advertising Injury Claims, 2013

### Representative Experience

- Obtained summary judgment for defense (upheld on appeal) in trademark dispute filed in U.S. Federal Court, Northern District of Georgia, alleging "Grouchy's" Deli infringed upon prior user's mark "Groucho's." *Groucho's Franchise Systems, LLC v. Grouchy's Deli, Inc.*, 683 Fed. Appx. 826 (2017).
- Obtained reversal of trial court ruling by Georgia Supreme Court excluding defense expert as to causation and limiting defense of apportionment. Supreme Court ruling also upheld constitutionality of Georgia's apportionment statute despite due process challenge. *Johnson Street Properties, LLC v. Clure*,

### Practice Areas:

- Litigation/Tort Defense
- Intellectual Property
- Legal Malpractice
- Professional Liability Defense
- Transportation
- Construction Contracts and Disputes
- Construction Defects

### Admitted to Practice:

- State Bar of Georgia, 1999
- U.S. District Court Northern District of Georgia, 1999
- U.S. Court of Appeals for the Eleventh Circuit, 2003
- State Bar of Florida, 2002
- U.S. District Court Middle District of Georgia, 2010
- United States Patent Trademark Office, 2008

302 Ga. 51 (2017).

- Obtained seven figure settlement in favor of commercial lender prior to trial of fraudulent conveyance action where debtor had gifted stock to wife in order to avoid debt. (2013)
- Appeal of trial court order resulted in dismissal of case against local homeowners whose deck had collapsed and resulted in serious injuries to invited guests. *Thompson v. Oursler*, 318 Ga. App. 377 (2012).
- Negotiated favorable settlement for golf cart dealer of Eastman, Georgia who had been sued for trademark infringement for using the "Beast" mark in connection with the marketing of off-road golf carts. The evidence developed led to a very favorable settlement for the Defendant allowing it to continue sales of its latest product, the "Beast Buggy," as well as receive a substantial cash payment from the Plaintiff. *Golf Cart World, Inc. v. Mike's Golf Carts, LLC*; U.S. Dist. Ct., Middle Dist. Georgia; Case No.: 5:09-CV-386 (2011).
- Obtained summary judgment and dismissal of trademark infringement, unfair competition, and civil conspiracy claims against regional producer of corn meal, rice, grits, beans, and southern baking mixes. *Brown Bark II, L.P. v. Dixie Mills, LLC*, 732 F. Supp. 2d 1353 (N.D. Ga. 2010).
- Appeal of Fulton County trial court resulted in reversal in favor of general contractor and finding that arbitration clause was voidable at the pleasure of contractor, *Harris v. Albany Lime & Cement Co.*, 291 Ga. App. 47 (2008).
- Obtained dismissal of legal malpractice claim at trial filed against divorce lawyer by former client by exploiting time limitations codified in O.C.G.A. Section 9-11-9.1. *Landau v. Davis Law Group, P.C.*, 269 Ga. App. 904 (2004).

#### **Education:**

- Georgia State University School of Law, J.D., 1999
- Georgia Tech, Bachelor of Industrial Engineering, 1994

#### **Community Involvement**

- Founding Member , Georgia Innocence Project