



# Christopher B. Freeman

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## Overview

Chris Freeman concentrates his law practice in complex litigation, including a broad range of cases at both the trial and appellate level involving insurance coverage, commercial disputes and business torts, and media and entertainment law. He is a contributor to the firm's *PropertyCasualtyFocus* blog, which covers legal developments in the property-casualty industry.

Chris is experienced in counseling and representing clients in all aspects of litigation, from mediation and arbitration to trial and appellate proceedings in both state and federal courts. He regularly counsels his insurance clients on coverage issues and assists with policy drafting. Chris has obtained several notable decisions at both the trial and appellate level for his insurance clients in cases involving allegations of waiver/estoppel, statutory bad faith, and assault. Chris has also authored amicus briefs on behalf of insurance-related industry groups in matters relating to Georgia insurance law.

Chris was selected to the Georgia Rising Stars list by *Super Lawyers Magazine* in 2010, 2011, 2014–2019, and is AV rated by Martindale-Hubbell. He is a proud graduate of the University of Virginia, where he obtained a Bachelor of Arts degree with high distinction in English, and Vanderbilt University Law School, where he was awarded the prestigious John W. Wade Scholarship. He is also a graduate of the Westminster Schools in Atlanta.

# Experience

## Insurance Litigation

- *Wellons, Inc. v. Lexington Ins. Co.*, 931 F. Supp. 2d 1228 (N.D. Ga. 2013), *aff'd*, 566 F. App'x 813 (11th Cir. 2014) (trial and appellate counsel for insurer in action under CGL and excess policies of claim for indemnity for judgment as a result of carrier's alleged failure to provide adequate notice of reservation of rights in defense of underlying litigation; obtained summary judgment that was upheld on appeal).
- *Langdale Ins. Co. v. Nat'l Union Fire Ins. Co. of Pittsburgh*, 110 F. Supp. 3d 1285 (N.D. Ga. 2014), *aff'd*, 609 F. App'x 578 (11th Cir. 2015) (trial and appellate counsel for directors and officers liability insurer in suit for coverage by closely held entity seeking \$10 million in defense costs as well as penalties for bad faith for suit by minority shareholders for fraud in the sale of securities; obtained summary judgment that was upheld on appeal).
- Obtained summary judgment on behalf of insurer in matter of first impression under Georgia law in which coverage was denied on the basis of a firearms and weapons exclusion.
- Represented national title insurance underwriter in administrative enforcement action by state department of insurance seeking potential license revocation, recoupment of alleged underpaid premium taxes, and imposition of multimillion-dollar fines and penalties regarding alleged unfair consumer trade practices in policy pricing.
- Defended suits in South Carolina and Georgia federal courts by banks for recovery under fidelity bonds for loan losses resulting from residential land development Ponzi scheme in North Carolina involving loan losses in excess of \$100 million, where banks sought to make closing attorney a covered employee under terms of the bonds.

## Appellate

- *Safety Indem. Co. v. Sto Corp.*, 802 S.E.2d 448 (Ga. Ct. App. 2017) (appellate counsel to insurance company in action alleging coverage by estoppel due to alleged failure to provide adequate notice of reservation of rights in defense of underlying action and statutory bad faith).
- *Hoover v. Maxum Indem. Co.*, 730 S.E.2d 413 (Ga. 2012) (authored amicus brief on behalf of insurance defense-oriented industry group in support of a motion for reconsideration).
- *Pitts v. City of Atlanta*, 735 S.E.2d 772 (Ga. 2012) (appellate counsel to construction joint venture in various suits arising out of accident during the construction of the new international terminal at Atlanta's Hartsfield-Jackson International Airport).
- *Giacomantonio v. Romagnoli*, 701 S.E.2d 510 (Ga. Ct. App. 2010) (trial and appellate counsel to two member/managers of a local restaurant chain in the defense of an action brought by the third member/manager alleging fraud, breach of contract, breach of fiduciary duties, and negligent misrepresentation arising out of corporate reorganization and subsequent involuntary withdrawal; obtained summary judgment that was upheld on appeal).

## Media Law

- Trial counsel to internationally known recording artist in suit alleging false light and invasion of privacy arising out of publication of images of plaintiffs' deceased relative's body in connection with reality television series.
- *Marquardt v. King*, No. 1:10-cv-03946, 2011 WL 5042054 (N.D. Ga. Aug. 10, 2011) (obtained summary judgment on behalf of world famous author and his publisher in suit for copyright infringement arising from claim made by author of prior published novel).
- *Lucas v. Cranshaw*, 659 S.E.2d 612 (Ga. Ct. App. 2008) (suit for libel and libel per se as a result of newspaper publication of two articles concerning developer's "clear cutting" of school board property; obtained summary judgment for newspaper; obtained summary judgment that was affirmed on appeal).
- *Hawkins v. Macon Telegraph Publ'g Co.* (Ga. Super. Ct. Oct. 2, 2013) (obtained dismissal with prejudice in newspaper libel action arising out of publication of article involving information obtained from arresting officers).
- *Columbus Ledger-Enquirer v. Muscogee Cty. Sch. Bd.* (Ga. Super. Ct.) (2008) (suit under Georgia Open Records Act to obtain demand letters submitted by attorneys for students allegedly sexually molested by high school teacher; order of court granted in favor of newspaper).

## Health Care Litigation

- *Kindred Nursing Ctrs. Ltd. P'ship v. Chrzanowski*, 791 S.E.2d 601 (Ga. Ct. App. 2016) (counsel to national health care conglomerate in action seeking to enforce an arbitration agreement).
- *Carr v. Kindred Healthcare Operating, Inc.*, 666 S.E.2d 401 (Ga. Ct. App. 2008) (obtained summary judgment for national health care conglomerate in action seeking to avoid the statute of limitations and statute of repose applicable to professional negligence actions).

## Product Liability

- *Barnes v. AstraZeneca Pharm. LP*, 253 F. Supp. 3d 1168 (N.D. Ga. May 23, 2017) (successfully obtained dismissal with prejudice for pharmaceutical company on the basis of failure to meet pleading standard).
- Counsel to *Fortune* 100 company in the defense of a product liability action alleging negligent manufacture and design of chairs used in local restaurants.
- Counsel to manufacturer of biomaterial in the defense of a product liability action alleging failure to warn and negligent manufacture and design of material used in the repair of a ventral hernia.

## Areas of Focus

Practices

Industries

- Litigation and Trials
  - Appellate & Trial Support
  - Real Property Litigation
  - Media, Entertainment, Music & Sports
  - Life, Annuity, and Retirement Litigation
- Property & Casualty Insurance

## Insights

05.13.2020

D&O Coverage for Coronavirus Claims

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02.21.2020

So, What Was Reserved? Potential Claims Handling Pitfalls Under a Reservation

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05.02.2019

A Lesson in Sticking to Your Guns: Court Reverses Course and Finds No Duty to Defend or Indemnify on a Motion for Reconsideration

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03.15.2019

No Offer, No Rejection, No Bad Faith: Georgia Supreme Court Limits Liability for an Insurer's Bad Faith

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03.12.2019

No Offer, No Rejection, No Bad Faith: Georgia Supreme Court Limits Liability for an Insurer's Bad Faith Refusal to Settle

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12.14.2018

When a Nightclub Is Forced to Say Goodnight: California Appellate Court Applies Broad Reading of "Lo

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12.04.2018

Negligent Bad Faith? Limiting Insurance Bad Faith to Its Roots

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06.16.2017

Shot Through the Heart, But the Excess Carrier Isn't to Blame: Georgia Federal Court Finds Policy's Broad Firearms Exclusion Bars Coverage

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04.07.2017

A Stitch in Time Saves ... An Insured From Incurring Non-Covered Defense Costs

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12.15.2016

District Of New Jersey Rewards Defendant's Candor, Finds No Waiver In Successive Motion to Dismiss

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06.30.2015

Eleventh Circuit Affirms Summary Judgment for Insurer Based on 'Other Capacity' Exclusion

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02.23.2015

Georgia Trial Court Limits the Protection of Georgia's Anti-SLAPP Statute

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12.18.2012

Financial Coverage Issues: Obtaining D&O Proceeds

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03.05.2012

From Level 3 to Genzyme: Evaluating Insurance Coverage for Disgorgement of Profits

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01.13.2012

Out of Houston? The Venue Argument in the Skilling Case

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07.01.2005

"Expert Witness Testimony in Georgia After 2005 Tort Reform,"

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News

01.03.2022

Biggest Georgia Cases to Watch in 2022

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12.17.2021

Biggest Georgia Decisions of 2021

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07.06.2021

Georgia's Biggest Appellate Rulings of 2021 So Far

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02.07.2019

Georgia Super Lawyers Honors Carlton Fields Attorneys on 2019 Lists

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02.08.2018

Care Center, Physician Found Not Liable in Death of Man Left With Denture Stuck in Throat

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02.01.2018

Jury Sides With Carlton Fields' Client Kindred Healthcare in \$13M Medical Malpractice Case

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## Recognition

- AV Rated by Martindale-Hubbell
- *The Best Lawyers in America*, Insurance Law (2023-2024)
- Georgia Rising Stars, *Super Lawyers Magazine* (2010–2011, 2014–2019)

## Professional & Community Involvement

- American Bar Association
- State Bar of Georgia
  - Member-at-Large, Executive Council of the Young Lawyers Division (2008–2009, 2009–2010)
  - Leadership Academy (2008)
- Georgia Defense Lawyers Association
- Georgia Grandparent/Relative Caregiver Project
- Georgia Production Partnership

- The Federalist Society, Atlanta Lawyers Chapter

## Speaking Engagements

- "Recent Cases and Developments in Bad Faith Law From Across the Country," Carlton Fields (May 28, 2020)
- "Free Press v. Fair Trial in the Skilling Case" and "What Every Reporter Needs to Know About Covering Criminal and Civil Trials," Reynolds National Center for Courts and Media Winter Regional Conference (January 26, 2011)

## Pro Bono

- *Morton v. Georgia Department of Agriculture*, Superior Court of Fulton County, Georgia (2009).
  - Suit to force the Georgia Department of Agriculture to enforce state law prohibiting the routine use of carbon monoxide gas chambers to euthanize companion animals by state licensed animal shelters. Obtained mandatory injunction requiring Department to enforce statutes, and after its continued failure to do so, obtained order holding Department and its commissioner in contempt.
- Worked with Atlanta Legal Aid to assist grandparent/relative caregivers with adoptions

## Credentials

### Education

- Vanderbilt University Law School (J.D., 2004)
- University of Virginia (B.A., with distinction, 2001)

### Bar Admissions

- Georgia

### Court Admissions

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

## Background

- Associate, Schiff Hardin, LLP, Atlanta, GA (2005–2008)
- Associate, Arnall Golden Gregory LLP (2004–2005)