



Michael L. Eber
Partner

T: 404.420.4640
F: 404.230.0965

meber@rh-law.com

Assistant

Connie May
T: 404.954.7527
cmay@rh-law.com

Education

J.D., with high honors, Emory University School of Law, Order of the Coif; Editor in Chief, Emory Law Journal; Paul Bryan Prize in Constitutional Law; Mary Laura “Chee” Davis Award for Writing Excellence

B.G.S., with honors, Political Science, University of Kansas

Bar Admissions

- Georgia
- Court of Appeals of Georgia
- Supreme Court of Georgia
- United States District Court Northern District of Georgia
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Eleventh Circuit
- United States Supreme Court

Practices

- Appellate
- Civil Rights and Constitutional Law
- Class Actions
- Complex Business Litigation
- Securities Litigation
- Business Torts and RICO
- Contract Disputes
- Internal Investigations
- Shareholder Derivative Actions / Officer and Director Defense

OVERVIEW

Mike Eber is a partner at Rogers & Hardin whose practice focuses on complex civil litigation and appeals.

Recently, Mike argued and won two significant appeals in the U.S. Court of Appeals for the Fifth Circuit on behalf of business clients seeking to recover damages from the Deepwater Horizon oil spill. In the first case, Mike convinced the Fifth Circuit to vacate and remand the denial of a \$4 million claim. After a favorable ruling on remand, the case settled. In the second case, Mike successfully defended a nearly \$60 million judgment—one of the largest awards to date under the Deepwater Horizon Economic & Property Damages Settlement.

Before joining the firm, Mike served as a law clerk to Chief Judge Edward E. Carnes of the U.S. Court of Appeals for the Eleventh Circuit. Mike graduated with high honors from the Emory University School of Law, where he served as the Editor in Chief of the Emory Law Journal. He received Dean’s Awards in nine courses, as well as the Paul Bryan Prize in Constitutional Law and the Mary Laura “Chee” Davis Award for Writing Excellence. Before law school, Mike was the Director of Debate at Michigan State University. In 2004 and 2006, he coached the champions of the National Debate Tournament.

REPRESENTATIVE EXPERIENCE

Complex Business Disputes

- Represented a leading research university in defense of claims for breach of fiduciary duty and misappropriation of trade secrets
- Represented one of the largest community banks in the Southeast in a complex lender-liability dispute; briefed and won Daubert motion to exclude expert testimony underlying nearly all of the plaintiff’s \$40 million damages theory
- Briefed and argued post-trial motions on behalf of former condominium association directors following an adverse jury verdict in the Northern District of Florida
- Represented a medical diagnostic services provider in defense of claims alleging

misappropriation of trade secrets, breach of fiduciary duty, and breach of contract

Appellate Litigation

- Briefed, argued, and won a Fifth Circuit appeal for a Fortune 500 client that was awarded nearly \$60 million in damages due to the Deepwater Horizon oil spill
- Authored U.S. Supreme Court amicus brief in the “water wars” case on behalf of Georgia local government and conservation organizations
- Briefed, argued, and won a Fifth Circuit appeal from the denial of a \$4 million claim under the Deepwater Horizon Economic & Property Damages Settlement
- Briefed and won affirmance by the Georgia Court of Appeals of jury verdict in favor of financial advisor client
- Petitioned for certiorari to the Supreme Court of Georgia and obtained expedited ruling in client’s favor on issue of appellate procedure
- Represented major international law firm in the Eleventh Circuit and obtained affirmance of an attorneys’ fee award against the unsuccessful plaintiff
- Briefed and argued a Georgia Supreme Court appeal regarding constitutional and statutory challenges to a municipal annexation ordinance (case pending)
- Representing Fortune 1000 manufacturing company in Fifth Circuit appeal

Class Actions

- Representing bank in appellate litigation concerning enforceability of class action litigation waivers
- Represented mortgage company in defense of a putative class action alleging that “post-payment” interest was improperly collected from over 40,000 borrowers; obtained early settlement for a fraction of potential damages while motion to dismiss was pending
- Represented one of the country’s largest manufacturers of building and paper products in defense of products liability class actions

Government Contracts

- Successfully represented one of the nation’s largest health insurance administrators in response to a flurry of bid protests challenging the client’s multi-billion dollar government contract
- Represented local construction company in municipal contract dispute

Pro Bono

- Successfully defended Atlanta homeless shelter in negligence action

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Barrister, Lamar Inn of Court, Emory University School of Law (2012 - present)
- American Bar Association
- Atlanta Bar Association

SPEECHES AND PRESENTATIONS

- Winning vs. Losing: Litigation Antics as Opposed to Litigation Advocacy, Presentation at Ethics & Professionalism ICLE, March 2, 2018 (with Richard H. Sinkfield)
- Protecting Attorney-Client Privilege When Investigating Whistleblower Allegations, Presentation to the Georgia Chapter of the Association of Corporate Counsel, March 10, 2015

RECOGNITIONS

- 12 Rogers & Hardin Partners Recognized by Super Lawyers in 2019
- U.S. News - Best Lawyers® "Best Law Firms" Recognizes Rogers & Hardin
- Rogers & Hardin Recognized by The Daily Report as Litigation Team of the Year