

Marcia M. Ernst

Partner | Atlanta

Marcia McCrory Ernst is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP.

She has substantial experience in commercial litigation at the trial and appellate court levels in both the state and federal court systems. Ms. Ernst has over 30 years of complex business and multi-party litigation experience, including fraud, business torts, contract disputes, trade secrets, debtor/creditor litigation, lender liability and other bank-related litigation and intellectual property claims, and data privacy and security law. Her practice also includes real estate development, eminent domain, construction and environmental litigation.

Ms. Ernst is knowledgeable of litigation and enforcement risk and exposure in the area of complicated and rapidly evolving cannabis and hemp law, and she provides business and regulatory advice to industry stakeholders who are navigating the cannabis and hemp market maze and its many rules, regulations and laws.

Ms. Ernst leverages her vast litigation experience, which was developed in breadth of subjects, to provide valuable perspective to cannabis and hemp litigation involving commercial contracts, real estate disputes, land use entitlement challenges, corporate disputes, and intellectual property claims.

Ms. Ernst is Rated AV Preeminent (highest available) by Martindale-Hubbell and she has been named by *Georgia Trend* magazine as one of Georgia's *Legal Elite* in the area of General Practice/Trial Law. She has also been listed as one of Georgia's Most Influential and Politically-Connected Attorneys by James Magazine. Ms. Ernst also serves as a Judge for the Municipal Court of Sandy Springs, Georgia.

Ms. Ernst is the author of an article regarding the enforcement of foreign money judgments in light of currency conversion problems, which was published in the *Emory Journal of International Dispute Resolution* in 1988. She is also the co-author of an article discussing corporate strategies for combating cybersmear, which was published in the *Intellectual Property Counselor* in 2003. Additionally, Ms. Ernst co-authored articles concerning recent developments in zoning and



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Areas of Practice

Litigation/Trial Practice
Zoning, Planning and Land Use
Sustainability Practice
Construction Law and Litigation
Environmental/Natural
Resource Law
Special Assessts
Government Affairs
Appellate Practice
Cannabis Law

Bar Admissions

Georgia

Recognitions

The Best Lawyers in America©,
Commercial Litigation, (2021)
Georgia Trend Magazine - Legal

land use law, which were published in the *Mercer Law Review* in Fall 2005, 2006, 2007, 2008 and 2009. Ms. Ernst authored several articles in *Trust The Leaders* magazine: “Eminent Domain: Private Property Rights v. Economic Development,” published in Spring 2006, and “A Greenprint for Sustainable Development,” published in Summer 2008. Additionally, Ms. Ernst authored an article entitled “Chinese Drywall Problems and Responses,” published in the September/October 2009 edition of *The Georgia Builder* magazine. Ms. Ernst is also a regular contributor to the SGR Litigation Blog.

Elite (2010-2012, 2014)

Ms. Ernst is an active member of the Home Builders Association of Georgia and serves on its Government Affairs Committee. She is also a member of the Legal Action Network for Development Strategies (LANDS), a national group of land use attorneys.

Ms. Ernst attended the University of Georgia, where she received a B.B.A. in Economics in 1984. She then received a J.D. in 1987 from the University of Georgia School of Law, where she was a member of the *Georgia Journal of International and Comparative Law*. Ms. Ernst is a member of the Georgia Bar and the General Practice and Trial Law and the Privacy and Technology Law Sections.

Ms. Ernst served as a member of the Advisory Committee for Youth Leadership Sandy Springs, a program designed to develop student leadership skills, and was a member of the Leadership Sandy Springs Class of 2000. Ms. Ernst also served as a member of the National Harm Reduction and Prevention Committee of Phi Mu Fraternity.