



## Austin J. Hemmer

Partner | Atlanta

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### Areas of Practice

Litigation / Trial Practice | Securities Litigation | Corporate Governance | Securities Enforcement | Class Action Litigation | Technology | Cybersecurity and Data Privacy | Insurance Law

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Austin Hemmer is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP.

Austin has a broad practice representing businesses and individuals in complex commercial and class action litigation, including in the areas of business and shareholder disputes, securities litigation, and trade secret misappropriation. Austin also has significant experience representing a variety of corporate clients as well as individuals in internal and government investigations. Prior to joining the Firm, Austin was a litigation associate at Rogers & Hardin in Atlanta and Milbank LLP in Los Angeles where he represented businesses and individuals in complex commercial litigation and government and internal investigations.

Austin received his J.D. from Emory University School of Law, where he was a member of the Moot Court Society. He also holds an undergraduate degree from Emory University.

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### Experience

- Representation of companies and individuals in class action litigation in areas such as securities fraud, data breach, and consumer claims.
- Representation of shareholders and owners of closely held businesses in complex litigation and disputes involving claims such as shareholder oppression, fraud, breach of fiduciary duty, and breach of contract.

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- Representation of companies, independent directors, board committees, and individuals in corporate and government investigations in matters ranging from allegations of insider trading to charges of employment discrimination.
- Representation of companies and individuals in shareholder derivative litigation, as well as experience representing mutual fund advisers in “excessive fee” litigation brought under Section 36(b) of the Investment Company Act of 1940.
- Representation of businesses in litigation and investigations involving trade secret misappropriation in industries ranging from construction to marketing and creative services. This includes obtaining an appellate decision on a matter of first impression holding that the State of Georgia is not immune from claims of trade secret misappropriation.
- Experience representing software manufacturers in implementation and software disputes and litigation, including representation of a major ERP software manufacturer in a complex licensing and distribution contract dispute wherein partial summary judgment in our client’s favor was obtained by presenting a novel legal argument that significantly reduced the potential damages and resulted in a favorable settlement.
- Experience representing an international insurance producer in litigation involving claims of breach of fiduciary duty, fraud, and violations of Georgia RICO.

## **Admissions**

Georgia

California

United States District Court Northern District of Georgia

United States District Court Middle District of Georgia

United States Court of Appeals for the Eleventh Circuit

## **Memberships**

Emory University School of Law Cooper Inn of Court, Barrister

Atlanta Bar Association

## **Recognitions**

Rising Star in Business Litigation – Georgia Super Lawyers (2022)

Best Lawyers: Ones to Watch® in America, Commercial Litigation; Mass Tort Litigation/Class Actions – Defendants (2024, 2026); Criminal Defense: White Collar (2026)

## **Publications**

**Forum Selection Clauses: *A Little Time and Thought Now Could Save You a Lot of Time and Headaches Later***