



## Robert B. Remar

Partner | Atlanta

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### Areas of Practice

Administrative Law & Regulatory Law | Class Action Litigation | Commercial Litigation | Constitutional Law | Consumer Litigation Defense Practice | Energy Law | Health Care | Labor and Employment Practice | Lawyers Professional Liability | Litigation/Trial Practice

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Robert B. Remar is a Partner in the Litigation Practice of Smith, Gambrell & Russell, LLP.

In his more than 50 years of practice, he has handled numerous complex, high-profile litigation matters and tried scores of cases to juries in state and federal courts. His practice focuses on complex commercial and business disputes, employment, administrative law, health care, class actions, and civil rights/constitutional law. He also acts a mediator. He is a Fellow of the American College of Trial Lawyers.

Mr. Remar is recognized by *The Best Lawyers in America®* as a leading lawyer in Georgia in the areas of Administrative/Regulatory Law, Bet-the-Company Litigation, Commercial Litigation, First Amendment Law, Litigation - Labor, and Employment, and Litigation - Regulatory Enforcement. He was selected as the 2018 Atlanta "Lawyer of the Year" in Administrative/Regulatory Law. He was also selected as the 2024 and 2015 Atlanta "Lawyer of the Year" in Administrative/Regulatory law and, in 2014, as Atlanta "Lawyer of the Year" in First Amendment law.

For 12 years, Mr. Remar was an Adjunct Professor teaching litigation at Georgia State University College of Law. For 13 years, his practice included serving as the Hearing Officer for the Georgia Public Service Commission. He served on the National Board of Directors of the American Civil Liberties Union for 38 years and is the past Vice-President and Treasurer. He also served as the President of the ACLU of Georgia.

### Experience

- Representation of SouthStar Energy Services, Georgia's largest natural gas marketer with operations in ten states, in all aspects of its business, including litigation and regulatory matters.

- Co-counsel in the defense of two federal class actions and four state court actions alleging contamination of municipal water supplies through the discharge of certain chemicals.
- Represented a joint county development authority in contentious bond validation litigation over the construction of an electric vehicle manufacturing facility.
- Represented Georgia's 38 Electrical Membership Cooperatives in contentious evidentiary proceedings before the Georgia Public Service Commission regarding rural broadband access.
- Co-counsel in the defense of class action multi-district litigation under the Fair Credit Reporting Act.
- Co-counsel in the defense of two consolidated class actions brought by financial institutions and consumers alleging damages for a data-security incident.
- Co-counsel in the defense of a class action data security breach action against a health care provider.
- Represented a major health insurance provider in defense of a bid protest over the award of the State Health Benefits contract.
- Represented a primary health insurance provider in administrative and judicial challenges to the award of a contract to provide Medicaid coverage to Georgia families.
- Part of the defense team that represented one of the country's largest manufacturers of building products in product liability claims.
- Defended a former director in a multi-party Delaware Chancery Court derivative action seeking over \$120 million for alleged breach of fiduciary duty.
- Represented two of three ownership groups in a multiweek trial over ownership of the Atlanta Hawks and Thrashers.
- Filed an amicus brief on behalf of the Municipal Association of Georgia, the Association of County Commissioners of Georgia, the Georgia Association of Water Professionals, and the Georgia Conservancy with the Special Master in an original jurisdiction proceeding in the United States Supreme Court between the states of Florida and Georgia involving equitable apportionment of water rights.
- Along with a team of attorneys, successfully represented then Georgia Attorney General Thurbert Baker in a suit brought by the Governor seeking to compel the Attorney General to dismiss an appeal pending in the United States Supreme Court.
- Successfully represented in-town Atlanta neighborhoods in the contentious Presidential Parkway litigation.
- Co-counsel in the successful defense of "yield spread premium" class actions against Bank of America and Chase Manhattan Mortgage Corporation.
- Co-lead counsel to the plaintiff class in the ground-breaking "prime rate" case *Kleiner v. First National Bank of Atlanta*.
- Represented the plaintiff class in a four-week §1983 "anti-slapp" jury trial, one of the first in the country to be tried.

- Represented a nationwide class of women and children recipients of federal supplemental food benefits and three members of Congress challenging the Reagan administration's "impoundment" of federal funds. The D.C. District Court issued an injunction directing the release of the funds.

## Admissions

Georgia,

Massachusetts, (inactive)

United States Supreme Court

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals for the Eleventh Circuit

United States Court of Appeals for the Second Circuit

United States District Court Northern District of Georgia

United States District Court Middle District of Georgia

United States District Court Southern District of Georgia

## Memberships

- Fellow, American College of Trial Lawyers
- State Bar of Georgia Special Committee on Post-Conviction Proceedings 1985- 2014 (Chair 1991- 2014)
- Board of Directors, Federal Defender Program, U.S. District Court, Northern District of Georgia 2002-2007 (Chair 2006-2007)
- Member, City of Atlanta Board of Ethics 2002-2005
- Special Assistant Attorney General, State of Georgia 1987-1997, 2003-2005
- Hearing Officer (Administrative Law Judge), Georgia Public Service Commission 1984-1997
- State Bar of Georgia Indigent Defense Committee 1999
- Member, Bar Council, U.S. District Court, Northern District of Georgia 1996-1999
- Chair, Access to Civil Justice Committee, American Bar Association Individual Rights and Responsibilities Section 1983-1997
- Member, State Bar of Georgia Advisory Committee On Legislation 1995-1996
- Adjunct Professor (Litigation), Georgia State University College of Law 1984-1996
- Board of Directors and President, Georgia Center for Law in The Public Interest 1992-1995 (now Greenlaw)
- President, American Civil Liberties Union of Georgia 1985-1987
- Board of Directors (Former Chair), and founding member Georgia Appellate Practice and Educational Resource Center, Inc. 1987
- Vice-President, and Treasurer, National Board of Directors, American Civil Liberties Union (2001-2024) National Board Member 1986-2024

- Georgia Consumer Advisory Board (By Appointment of the Governor) 1982-1983
- Chair, Individual Rights Section, State Bar of Georgia 1981-1983
- Georgia Energy Regulatory Reform Commission (By Appointment of the Governor) 1980-1982
- Board of Advisors, American Constitution Society, Atlanta Chapter
- Master of the Bench, Cooper Inn of Court, American Inns of Court
- American Bar Association
- Atlanta Bar Association
- Federal Bar Association
- Lawyers Club of Atlanta

## Recognitions

- Chambers USA, Litigation: General Commercial – Georgia (2004-2024)
- Best Lawyers® Atlanta "Lawyer of the Year" in Administrative/Regulatory Law (2024, 2018); Atlanta "Lawyer of the Year" in Administrative/Regulatory Law (2015); Atlanta "Lawyer of the Year" in First Amendment Law (2014)
- The Best Lawyers in America®, Atlanta, Administrative/Regulatory Law; Bet-the-Company Litigation; Commercial Litigation; First Amendment Law; Litigation – Labor and Employment; Litigation – Regulatory Enforcement (SEC, Telecom, Energy)
- Recipient of 2020 Ben F. Johnson Jr. Public Service Award presented by Georgia State University College of Law
- Recipient of ACLU of Georgia 2018 Lifetime Achievement Award
- Recipient of Justice Robert Benham Award for Community Service presented by the State Bar of Georgia, 2018
- Georgia Super Lawyers 2017: General Litigation, Business Litigation, and Administrative Law
- Fellow, American College of Trial Lawyers
- Benchmark Litigation: Listed as Local Litigation Star in Georgia
- Who's Who In America
- Who's Who In American Law