



K. Morgan Varner III

Title: Of Counsel

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K. Morgan Varner, III, practices transactional law and business dispute resolution of all types, representing both entrepreneurs and established companies. He has significant experience in construction law and is a member of the firm's Construction Service Group and an adjunct member of the Business and Complex Litigation Group and the Corporate Services Group. Mr. Varner also practices business succession and estate planning for the principals of his business clients.

CAPABILITIES

Practice Areas

- Appellate Advocacy
- Arbitration, Mediation & Alternative Dispute Resolution
- Business Litigation
- Charitable & Non-Profit Organizations
- Construction
- Corporate Finance & Securities Offerings
- Fabricated Structural Steel
- Financial Services Litigation
- Litigation & Appeals
- Mergers & Acquisitions

RECENT ASSIGNMENTS

- Successfully defended a corporate client in a dissenting shareholders' action by obtaining a new trial and ultimately having the original award of approximately \$2,000,000 reduced to \$500,000
- Negotiated a favorable IP Licensing Agreement between a small entrepreneurial client and 3-M Company
- Completed a complicated business succession and estate plan for high net worth individual clients which involved Buy-Sell Agreements and Trusts, along with more routine Wills and Powers of Attorney
- Successfully assisted several large industrial clients form a limited liability company to be used as a one-point-of-contact marketing and service provider entity

BAR ADMISSIONS

- Alabama
- Georgia
- Georgia Court of Appeals
- Supreme Court of Georgia
- U.S. Court of Appeals for the 11th Circuit
- U.S. Court of Appeals for the 5th Circuit
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Northern District of Georgia
- U.S. Supreme Court

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- Blocking Payment of Cashier's Checks and Related Remedies
Georgia Bar Journal, Vol. 3, No. 3, December 1997
- Partition of Real Property
Chapter 33, *Georgia Jurisprudence*, Lawyers Cooperative Publishing Company, 1995
- Commercial Construction Projects
Chapter 3 of *Construction Joint Ventures: Forms and Practice Guide*, John Wiley & Sons, Inc., 1992
- Negotiating the Design/Build Contract
paper presented at the 1992 Construction SuperConference

MEMBERSHIPS

- American Bar Association
- American Bar Association, Forum on Construction Law
- Atlanta Bar Association
- Associated General Contractors of America
- Associated Builders and Contractors of Georgia

COMMUNITY INVOLVEMENT

- Atlanta Symphony Orchestra, Appassionato Society Member
- High Museum, Roundtable Member
- United Way, The Alexis de Tocqueville Society Member

EDUCATION

Duke University Law School J.D., with honors 1966

Princeton University A.B. 1963

MORE THAN STITES & HARBISON

Following law school graduation in 1966, Morgan entered the U.S. Army Artillery pursuant to an R.O.T.C. commission. After serving as a battery commander and division artillery fire support coordinator, he was discharged in 1969 as a Captain. His first job as a lawyer was with Kilpatrick, Cody, Rogers, McClatchey & Regenstein (now Kilpatrick Stockton) in Atlanta. After three years, he left that firm and started a firm which became known as Varner & Stephens, and then Varner, Stephens, Humphries & White, which merged with Stites & Harbison in 1999.

Morgan's civic and community involvement has generally been focused on the arts and charities, including the Atlanta Symphony Orchestra, where he is a member of the Appassionato Society; the High Museum (Roundtable member); and the United Way (member of The Alexis de Tocqueville Society). He has also conducted Church School classes on various aspects of the development and beliefs of religious thought. Morgan sits on several Boards of Directors and is a member of the Duke Law School Board of Visitors.

Always active in sports, but now somewhat limited due to lack of cartilage in his knees, Morgan now enjoys hiking and bicycling more often than his old favorites of basketball, tennis and running. He remains an avid fan of all sports, particularly Duke basketball.

ACCOLADES

- *Martindale-Hubbell*[®] AV-Preeminent[®] Peer Review Rated