

HALL BOOTH SMITH, P.C.



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Partner

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[BIOGRAPHY](#) | [EXPERIENCE](#) | [CREDENTIALS](#) | [MEMBERSHIPS](#) | [RECOGNITION](#) | [PUBLICATIONS](#) | [IN THE PRESS](#)

Biography

C. Michael Johnson is an AV Preeminent® Peer Review Rated™ trial lawyer. For over 40 years, Mike has developed a national practice involving complex insurance litigation and has represented clients involving their insurance coverage disputes in over 26 states. He frequently litigates in the state and federal courts and has successfully taken cases before the United States Courts of Appeals for the Second Circuit, Fourth Circuit, Fifth Circuit, Eighth Circuit, Ninth Circuit, and Eleventh Circuit.

Mike graduated from North Carolina State University with two Bachelors of Science and attended law school at the University of North Carolina. He began his practice in Seattle, Washington, and moved to Georgia in 1984.

He is a past Chair of the Insurance Coverage Section of the Federation of Defense and Corporate Counsel, and he has been a Fellow in the American College of Coverage and Extracontractual Counsel from its inception.

Services

[Construction](#)

[Insurance Coverage](#)

Experience

First-Party Coverage

Mike has litigated and counseled clients concerning construction, building and inland marine property losses, building / structure / roof collapses, building / structure / foundation earth and soil subsidence cases, a wide variety of fire and explosion cases, and all manner of property loss from flood, earthquake, wind/rainstorm, and hurricane. These cases commonly involve complex business interruption and extra expense coverage issues. Policies commonly involved are Commercial Property “All Risk” Primary/Excess Policies, Commercial Inland Marine and Builders Risk Policies, Manuscript Property Coverage Policies, Marine Hull Policies, and Fine Arts Policies.

Case Examples:

- Collapse Cases: One of the largest underground building commercial structures in the country located in Virginia; underground transportation tunnel in Los Angeles, 120-foot-tall Super-Gantry crane in Louisiana; hail collapse of glass roof of one of the country’s largest hydroponic greenhouse in Nebraska; hotel in Key West.
- Defective Construction: Damage to commercial construction projects during construction by fire, explosion, and water intrusion through roofs, walls and window systems in Alabama, Georgia, Florida, Nevada and North Carolina.
- Storm Damage: Catastrophic damage to hotels, shopping centers, marinas and ports by hurricanes and tidal surges in multiple states along the East Coast and Gulf; flood loss to industrial buildings along the Mississippi; timber and agricultural losses in multiple states.
- Fire/Explosion: To hotels, shopping centers, automobile dealerships, sawmills; power plants, chemical plants and industrial manufacturing facilities in various states.
- Fine Arts: Theft of Picasso painting from international gallery; Damage to Stradivarius Violin; Damage to rare paintings in Art Gallery in California; Damage to Museum art traveling to Europe.

Liability Coverage

Mike represents primary, excess, and umbrella insurers as well as municipality risk pool groups. He provides guidance in drafting manuscript policies, rescinding policies for fraud or misrepresentation, issuing reservation of rights on complex coverage cases, successfully bringing declaratory judgment actions on a vast array of coverage defenses, enforcing other insurance rights, defending bad faith actions against insurers, and, where appropriate, prosecuting subrogation.

Policies commonly involved include OCIP/CCIP Project Policies, Commercial General Liability Primary, Excess and Umbrella Policies, Occurrence and Claims Made Environmental Insurance Liability Policies, Professional Services E&O Policies, D&O Policies, Warehouse Legal Liability Policies, Motor Truck, Commercial Marine Liability Primary and Bumbershoot Policies, P&I Marine Liability Policies, Marine Terminal Operators Liability Policies, and municipality risk pool coverage agreements.

Case Examples:

- Construction Liability: Negligence of contractors, subcontractors, engineers and architects in construction projects (either under insured coverage or OCIP/CCIP programs) in Alabama, Alaska, Arizona, California, Connecticut, Florida, Georgia, Hawaii, Illinois, Nevada, New York, and Texas; owner and GC liability for multiple homicides by construction workers in Louisiana; defective construction of hospital in Hawaii; defective installation of pipe system under Mississippi river; defective installation of self-monitoring power transmission lines in northeast states; property damage, deaths and bodily injuries from power plant explosion in Connecticut.
- Environmental: Pollution liability from pipeline releases in Georgia and Alabama; chemical plant explosions in Georgia; liability for asbestos, Chinese drywall, perchloroethylene, battery waste and other hazardous waste in Alabama, Florida, and Georgia.
- Industrial Accidents: Death and serious bodily injury

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throughout Southeast from industrial operations, manufacturing, smelting plants, excavations, loads falling during hoisting operations, fires and explosions on oil drilling platforms in Gulf.

- Maritime: Maritime injuries to Longshore workers at ports in Florida, Georgia, North Carolina and Texas, Jones Act Seamen and passenger injuries on commercial and private vessels on the high seas, Atlantic, Gulf, state territorial waters of Alabama, Florida, South Carolina; ship damage to bridge to Fripp Island, and ships damaging docks and seawalls in multiple states.
 - Risk Pools: For the state of Georgia School Board Association Risk Pool, provided coverage guidance, drafted and issued reservation of rights, provided recommendations for modification of the terms of the risk pool coverage agreement, litigated against insurers when disputes arose as to the defense and/or indemnity obligations of the risk pool vs. insurers in situations where coverage overlapped for all or part of the same liability risk.
 - Other: Professional liability of engineers in multiple states, train collision in Oregon; liability for libel, slander and trademark infringement; liability for rape, assaults and shootings in hotels, bars, parking lots and apartment buildings in multiple states; liability of directors and officers in private and non-profit enterprises and banks.
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Transportation

Michael represents clients in insurance litigation and liability defense involving freight forwarder liability, domestic intrastate and interstate motor truck carrier liability, ocean cargo liability, international air cargo liability and warehouse legal liability under Motor Truck Liability and Cargo Policies, Ocean Carrier and Air Carrier Cargo Policies, Transportation Risk Policies, and Warehouse Legal Liability Policies.

Case Examples:

- Collision Injuries: Death and other serious bodily injury due to automobile and motor carrier accidents in many states.

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- In Transit: Damage to air, motor truck, and ocean cargo during loading, transit, and storage for international and domestic shipments involving through bills of lading; damage to main frame computer system in air transit to Amsterdam; loss to electrical turbine during transit in Texas; loss of mining equipment and cargo during ocean transit to South America.
 - Warehousing: Contamination of goods in refrigerated warehouse storage in multiple states; theft of warehoused goods in multiple states; damage to goods and over and under liability of warehousing entities in multiple states.
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Credentials

Admitted

State Courts:

- Georgia
 - Supreme Court
- North Carolina

U.S. District Courts:

- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Middle District of Georgia
- U.S. Court of Federal Claims

U.S. Courts of Appeals:

- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Eleventh Circuit

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Education

- J.D., University of North Carolina
- B.S., Economics, North Carolina State University

Memberships

- American Bar Association
- American College of Coverage Counsel: Fellow
- Atlanta Bar Association
- Federation of Defense and Corporate Counsel, Insurance Coverage Section: Chair (former)

Recognition

- [AV Preeminent® Peer Review Rated™](#), Martindale-Hubbell
- [The Best Lawyers in America®](#), Insurance Law; Best Lawyers®; 2023-2024
- [Georgia Super Lawyer](#), Super Lawyers®; 2005-2024
- Fellow, ACCEC

Publications

- [Business Interruption - COVID-19 Pandemic](#)
HBS Coronavirus Litigation Blog; March 23, 2020

In the Press

HBS Partners

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Selected to **2024 Georgia** **Super Lawyers** **List**

February 8, 2024

HBS is proud to announce that Atlanta Partners John E. Hall, Jr. and Rush S. Smith, Jr. along with Alpharetta Partner C. Michael Johnson have been recognized on the 2024 Georgia Super Lawyers list by Super Lawyers.

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55 Hall Booth **Smith Lawyers** **Recognized as** **2024 Best** **Lawyers®** **Award** **Recipients**

August 21, 2023

We're pleased to announce that 55 lawyers have been included in the 2024 edition of The Best Lawyers in America®.

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4 Georgia HBS Attorneys Honored in the 2023 Super Lawyers Magazine

February 9, 2023

GEORGIA - February 9, 2023

- We are excited to congratulate John E. Hall, Jr., Rush S. Smith, Jr., C. Michael Johnson, and James B. Durham as they have been recognized for their outstanding legal service and selected to the 2023 Georgia Super Lawyers list once again. John E. Hall, Jr. John Hall was honored

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Hall Booth Smith Attorneys Honored by The Best Lawyers In America 2023

August 18, 2022

47 lawyers from the firm have

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been honored in the 2023 edition of The Best Lawyers in America.

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[Hall Booth Attorneys Selected as Super Lawyers in the 2022 Georgia Super Lawyers Magazine](#)

February 14, 2022

In the 2022 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as six of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., C. Michael Johnson, Thomas Mazziotti, Rush S. Smith, Jr. of the

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[Six Hall Booth Attorneys Selected as](#)

Super Lawyers in the 2021 Georgia Super Lawyers Magazine

February 16, 2021

In the 2021 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as eight of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., C. Michael Johnson, Thomas Mazziotti, Rush S. Smith, Jr. of the

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Cyber Liability Insurance Coverage During Covid-19 Pandemic

May 7, 2020

Written by: Asya-Lorrene Morgan, Esq. and C. Michael Johnson, Esq. Overnight, COVID-19 created a need for a large teleworking

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population, which has left businesses more vulnerable to phishing schemes and other malicious cyber activity. The recent increase in remote desktop protocols (“RPDs”) has created a 127% increase in exposure endpoints. Failure to reassess cyber threats

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HBS Attorneys Recognized as 2020 Georgia Super Lawyers

February 17, 2020

In the 2020 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as eight of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., Michael Hannan, C. Michael Johnson, Thomas Mazziotti, Rush S. Smith, Jr.

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Insurer's Ability to

Dispute **Coverage May** **be Waived by** **Filing** **Insured's** **Answer Before** **Giving Notice** **of Reservation** **of Rights**

September 17, 2019

Written by: C. Michael Johnson, Esq. and Patrick Fitzgerald, Esq. In *ACCC Ins. Co. of Ga. v. Walker*, 2019 WL 4198535 (Ga. Ct. App. Sept. 5, 2019), ACCC Insurance Company of Georgia (“ACCC”) took the rather extra-ordinary step of filing its declaratory judgment action (“DJ”) to determine coverage for an automobile collision on the same

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10TH CIRCUIT **CONTINUES** **THE EROSION** **OF CGL**

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BUSINESS **RISK** **EXCLUSIONS**

February 5, 2019

Written by: C. Michael Johnson, Esq. The 10th Circuit, just added its authority to a judicial trend of very narrowly construing key business risk exclusions in the CGL Policy: Exclusions j (5) & (6). MTI, Inc., v. Employers Ins. Co. Of Wausau, 2019 WL 321423 (10th Cir. 1/25/19). As part of a renovation effort, MTI

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Hall Booth **Smith Begins** **Blog to** **Explore** **Insurance** **Coverage** **Issues**

June 18, 2018

ATLANTA – Hall Booth Smith, P.C. is starting a National Insurance Coverage blog that will explore timely issues and precedent setting cases in

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property, casualty and specialty coverage. The blog will be written by the firm's team of attorneys who have deep expertise representing insurers and insureds at both the state and federal level in

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Mike Johnson **Joins Hall** **Booth Smith** **as Partner**

December 28, 2017

ATLANTA – Hall Booth Smith, P.C. is pleased to announce that C. Michael “Mike” Johnson has joined the firm as Partner in the Atlanta office, bringing over three decades of commercial insurance litigation experience counseling clients on commercially insured risks and litigating coverage disputes in the state and federal courts across the country. He has a deep

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