

# HALL BOOTH SMITH, P.C.



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Partner

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

## Biography

David Ware earned his Juris Doctor from the University of Georgia where he excelled in national Moot Court competition, a precursor to his work as a trial lawyer. He earned a Bachelor of Arts in English from the University of West Georgia (formerly West Georgia College) and attended on academic and athletic scholarships. While there, he was elected to the Blue Key National Honor society and Phi Eta Sigma (the small school counterpart of Phi Beta Kappa), served as a student government leader, and was both a nationally ranked NCAA Division II track and field athlete (he set the school record for the high jump) and on the basketball team.

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David is admitted to practice in all Georgia state and federal courts along with the United States Supreme Court. During his multi-faceted, 40-year career, David has represented clients ranging from Fortune 500 companies, cities and counties, as well as high-profile professional athletes and other high net worth individuals in complex litigation matters and multimillion-dollar negotiations and transactions. He has extensive executive

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# HALL BOOTH SMITH, P.C.

management experience and has played an active and prominent role in numerous professional organizations, civic groups, and legal advisory panels. He also is an ordained minister.

Prior to Hall Booth Smith, David chose to work in public service for 11 years — 7 as the Fulton County Attorney, Georgia's largest county. In that role, he led a team of 25 staff attorneys and managed numerous outside counsel who provided legal advice to the Fulton County Board of Commissioners and 40 departments and agencies on a range of complex matters including labor and employment actions, catastrophic personal injury suits, wrongful death claims, government contract disputes, taxation controversies, zoning law interpretations, environmental issues, construction litigation, constitutional challenges, First Amendment questions, and Section 1983 cases. David's most noteworthy achievements included defeating a 2014 suit of first impression brought by a group of state legislators to prevent the County from raising property taxes; he successfully convinced a Federal District Court to end nine years of federal oversight of the County jail and represented the County in the protracted series of cases arising from the 2005 Atlanta courthouse shootings that killed four people. But his greatest asset is his ability to try cases of all complexities. David's trial skills have earned him numerous accolades.

David's litigation work in private practice for corporate clients, insurers, municipalities, and counties has covered matters ranging from alleged employment discrimination under Title VII and the ADA to general business disputes and complex personal injury litigation, as well as issues facing cities and counties. He is a former Magistrate Court judge who sat by designation in Superior and State Court. David is particularly adept at helping clients resolve complex disputes and provides clients with advice to avoid protracted litigation, but he is also a skilled trial attorney who has tried numerous cases to verdict.

He is also widely known for his pioneering work as a sports attorney, where David has advised and represented professional athletes in negotiations that resulted in record-setting salaries and lucrative rights agreements for his clients. Notably, David became the first African American to represent a Heisman Trophy winner when then Oklahoma State running back and eventual NFL Hall of

# HALL BOOTH SMITH, P.C.

Fame player, Barry Sanders, hired him and he successfully challenged the National Football League's prohibition against drafting college juniors. He has named Agent of the Year and has been featured in and interviewed by numerous national and local print and broadcast media outlets, including Sports Illustrated, The Wall Street Journal, The Sporting News, Jet Magazine, Black Enterprise Magazine, and Ebony, among others. Additionally, David has provided legal advice and counsel to entertainers and those involved in intellectual property endeavors, including serving as the legal advisor on the award winning movie, Sunday Morning Rapture.

David also has executive management experience: he was appointed to serve as the County Manager for Fulton County where he successfully balanced a billion dollar budget and saved the county \$24 million.

## Experience

David has a vast history of legal experience, including the following cases:

- Successfully defeated an unprecedented suit by state legislators against Fulton County to prevent the County from collecting \$680 million in taxes, which would have shut down County operations.
- Presented the legal arguments that ended the nine-year federal oversight of Fulton County's jail which had lasted 10 years and cost over \$1billion.
- Successfully challenged the National Football League's player eligibility rules on antitrust grounds, leading to the inclusion of college juniors in the NFL draft.
- Defeated multiple wrongful death and personal injury claims against the County stemming from the 2005 Atlanta courthouse shootings where four people were killed.

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- Established an 11th Circuit precedent regarding the ability of the County to fire an employee who criticized the Sheriff.
- Established Georgia precedent establishing immunity for

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police officers engaged in high-speed pursuits.

- Successfully represented a small municipality in one of the first environmental justice cases ever filed which lead to a \$24 million settlement.
- Successfully defended the County in a suit involving an inmate who was held almost two years past his release date.
- Devised legal strategies that led to summary judgment in many employment litigation matters and won numerous jury trials brought under Title VII and related employment discrimination laws.
- Successfully defended a Fortune 500 company in a multimillion-dollar racial discrimination suit.
- Won a rare federal bench trial in a Fair Housing case brought by a real estate developer related to a multimillion-dollar project.
- Successfully defended two sheriffs in federal employment cases.
- Served as counsel to a major insurer in numerous personal injury matters that ended in verdicts for the defendants.
- Negotiated the largest contract at the time for an NFL running back and was considered one of the top sports agents in the country.

## Credentials

### Admitted

State Courts:

- Georgia

U.S. Courts of Appeals:

- U.S. Court of Appeals for the Eleventh Circuit

U.S. Supreme Court

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## Education

- J.D., University of Georgia
- B.A., English, University of Georgia

## Memberships

- Gate City Bar Association: Member, President (Former)
- Leadership Atlanta: Class of 2012

## Recognition

- [\*The Best Lawyers in America®\*](#), Commercial Litigation; Best Lawyers®, 2020-2023
- [\*Distinguished Peer Rated Attorney\*](#), Martindale-Hubbell, 2023
- [\*AV Preeminent® Peer Review Rated™\*](#), Martindale-Hubbell, 2020-2022

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- Top 10 NFL Agents in America, The Sporting News, 2003
- Who's Who Among Black Americans, 1992
- 100 Most Influential Black Atlantans, Atlanta Tribune
- Alumnus of the Year, University of Georgia B.A.L.S.A. Chapter
- Sports Agent of the Year, B.E.S.L.A.
- Top 100, The National Black Lawyers

David has also been featured in Sports Illustrated, The Sporting News, USA Today, Black Enterprise Magazine, The Wall Street Journal, The Atlanta Tribune, Ebony Magazine, Jet Magazine, The National Law Journal, The Fulton County Daily Report, and The Sports Business Journal.

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## **Presentations**

- **Defending Local Governments: Tackling Section 1983 Claims with Employment Law Challenges**  
International Municipal Lawyers Association (IMLA) Mid-Year Seminar; April 19, 2024

## **Publications**

- [Modern Litigation: The Effect and Discoverability of Third-Party Litigation Funding \(Part 2 of 2\)](#)  
DRI - For the Defense, April 2021
- [Modern Litigation: The Effect and Discoverability of Third-Party Litigation Funding \(Part 1 of 2\)](#)  
DRI - For the Defense, March 2021

## **In the Press**

### **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

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America®.

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

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## [Hall Booth Smith Attorneys Honored by The Best Lawyers In America® 2022](#)

August 19, 2021

We're excited to announce that 25 HBS lawyers have

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been recognized in the 2022 edition of The Best Lawyers in America®.

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## **Hall Booth Smith Creates Batch Claims & Class Action Task Force**

September 23, 2020

ATLANTA – September 23, 2020 – Hall Booth Smith, P.C. has created a Batch Claims & Class Action Task Force to help clients put up a more strategic and effective defense amid a rise in collective redress litigation. The Batch Claims & Class Action Task Force is led by highly experienced attorneys who bring both

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## **Hall Booth Smith Attorneys Honored By The Best**



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## **Lawyers In America© 2021**

August 20, 2020

Hall Booth Smith, P.C. (HBS) is pleased to announce 24 lawyers from the firm were honored in the 2021 edition of The Best Lawyers in America© . This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS

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## **Hall Booth Smith Attorneys Honored By The Best Lawyers In America© 2020**

August 15, 2019

Hall Booth Smith, P.C. (HBS) is pleased to announce 24 lawyers from the firm were honored in the 2020 edition

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of The Best Lawyers in America© . This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS

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## Hall Booth Smith Names Seven New Partners

August 1, 2017

Hall Booth Smith, P.C. is pleased to announce that it has named seven new partners, bringing the firm-wide total to 93. “We are so pleased to welcome these talented professionals as partners,” said Alex Booth, managing partner of Hall Booth Smith. “Their expertise and dedication to clients at this time of expansion for our firm

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## HBS Welcomes R.

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## **David Ware as Of Counsel to the Atlanta Office**

March 22, 2016

HBS is pleased to welcome R. David Ware as Of Counsel to the Atlanta office. During his multi-faceted, 36-year career, Mr. Ware has represented clients ranging from Fortune 500 companies and large governmental entities to high-profile professional athletes and other high net worth individuals in complex litigation matters and multimillion-dollar negotiations and transactions. A proud son of

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