

HALL BOOTH SMITH, P.C.



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Partner

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Biography

Austin is a partner in the firm's Atlanta office. He focuses his practice on appellate and appellate-related matters in a variety of types of litigation. As part of this practice, Austin regularly represents businesses and individuals on appeal, in post-trial proceedings, and in pre-trial matters, including complex motions and issues.

Austin also teaches two courses as an adjunct professor at Georgia State University College of Law. He teaches Georgia Appellate Practice and Procedure in the spring and Georgia Practice and Procedure in the fall.

Before joining the firm, Austin served as a law clerk to the Honorable J. Randal Hall of United States District Court for the Southern District of Georgia. He graduated *summa cum laude* from Georgia State University College of Law, where he was a member of the Order of the Coif, was on the editorial board for the *Georgia State University Law Review*, and was a pupil of the Bleckley Inn of Court.

Services

[Agribusiness & Food](#)

[Appellate](#)

Experience

A selection of recent experiences is below:

- Represented national hospital system in Florida Court of Appeals in matter involving issue of first impression and secured reversal of \$1.2-million judgment entered against the hospital.
- Secured reversal of trial court's order striking answer of defendant as alleged spoliation sanction.
- Obtained dismissal of putative class action against healthcare provider in U.S. District Court for the Middle District of Georgia.
- Represented hospital in successful appeal involving issue of first impression related to Georgia's contemporaneous-affidavit rule.
- Obtained summary judgment for national food producer in U.S. District Court for the Middle District of Georgia in case involving claims based on alleged OSHA violations.
- Obtained dismissal of breach-of-contract and RICO allegations asserted against telecommunications company.
- Secured affirmance of summary judgment for national transportation company in the U.S. Court of Appeals for the Eleventh Circuit involving nuanced question of Georgia law.
- Obtained favorable settlement for senior-living business facing default judgment in Fair Labor Standards Act case after pursuing appeal.
- Successfully opposed request for \$18 million in pre-judgment interest in wrongful-death litigation.
- Appellate counsel to multiple healthcare providers and hospitals in ongoing post-trial matters.

Credentials

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Admitted

State Courts:

- Georgia
 - Court of Appeals, Supreme Court

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. District Court for the Southern District of Georgia

Appellate Courts:

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

Education

- J.D., *summa cum laude*, Georgia State University
- B.S.A., Agribusiness, University of Georgia

Memberships

- American Agricultural Law Association
- Defense Research Institute (DRI)
- Georgia Bar, Appellate Practice Section
- Georgia Defense Lawyers Association

Recognition

- [*Best Lawyers: Ones to Watch® in America*](#), Insurance Law, Best Lawyers®, 2024

Presentations

- **Recent Developments in AG Product Sellers' and Farmers' Rights in Contracting**
State Bar of Georgia's Agriculture Law CLE, March 24, 2023

In the Press

Fifteen HBS Attorneys Appointed to Partner

January 5, 2024

HBS introduces fifteen attorneys as newly appointed partners in recognition of their exceptional client service and outstanding leadership

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34 Hall Booth Smith Lawyers Named to 2024 Best Lawyers: Ones to Watch® in

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America

August 22, 2023

Hall Booth Smith is pleased to announce that 34 lawyers have been included in the 2024 edition of Best Lawyers: Ones to Watch® in America. The award recognizes associates and other lawyers who are earlier in their careers for their outstanding professional excellence in private practice in the United States.

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Daily Report: Austin Atkinson's Defense Challenges Georgia Statutory Scheme for Apportioning Damages

June 5, 2023

In a recent article from the Daily Report, Atlanta Associate Austin Atkinson's defense of a dental-

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malpractice case challenged Georgia's statutory scheme for apportioning damages. You can read the full article on the Law.Com website.

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Daily Report: **Austin** **Atkinson on** **Consumer** **Protection** **Statute Impact** **on Housing** **Accommodatio** **ns**

April 21, 2023

In a post from Daily Report, Atlanta Associate Austin Atkinson's defense of an apartment rental company is highlighted within a larger review of the consumer protection statute and its impact on housing accommodations in Georgia. You can read the full article on the Law.com website.

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HALL BOOTH SMITH, P.C.

Hall Booth Smith Adds New Associates in Atlanta, Memphis and Nashville

December 12, 2017

ATLANTA & MEMPHIS & NASHVILLE — Hall Booth Smith, P.C. has added four new associates to its offices in Atlanta, Memphis and Nashville, Tennessee, as the firm continues to grow its litigation practice across the Southeast. Austin Atkinson is an associate in the Atlanta office, specializing in aging services. Mr. Atkinson is a former clerk for

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