

## J. Henry Walker IV

### Chair and Chief Executive Officer

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#### Services

Class Action Defense  
Complex Commercial Litigation  
Cybersecurity, Privacy & Data  
Governance  
Litigation  
Trade Secrets

#### Industries

Media & Entertainment  
Technology

Henry Walker serves as the Chair and Chief Executive Officer of Kilpatrick Townsend & Stockton LLP, an international law firm with over 600 lawyers in 20 offices. In this role, he oversees the strategic direction and growth of the firm. Mr. Walker leads the firm's Executive Committee working closely with them to define and execute the firm's strategic objectives. Prior to his election as the Chair, he served as the firm's Managing Partner. In 2019, the *Atlanta Business Chronicle* named Mr. Walker one of Atlanta's Most Admired CEOs.

Mr. Walker continues to handle select matters for clients as a partner on the Firm's Complex Commercial Litigation Team. He has spent more than 30 years litigating large complex cases for clients, focusing on technology and telecommunications matters. Based on his involvement in thousands of cases and previous in-house counsel experience, he has also provided extensive client counseling on the best ways to minimize risks and prevent litigation in business initiatives.

Mr. Walker has been first chair in numerous trials and arbitrations involving multimillion dollar business litigation, including claims for breach of contract, violations of regulations, fraud, and tortious interference. He has served as lead counsel in numerous successful efforts to defeat class certification, including major federal court litigation alleging hundreds of millions of dollars in damages. He has provided litigation-related advice on compliance with SEC regulations and other laws affecting publicly-traded corporations, including drafting board talking points and disclosure documents. He has also provided litigation risk analysis on multibillion dollar acquisitions.

Mr. Walker rejoined the firm—where he practiced as a partner until 1996—in 2007 after serving as Chief Litigation Counsel to BellSouth Corporation. Mr. Walker's mixture of in-house experience and outside counsel experience provides him with a strong understanding of the challenges facing clients and in-house counsel. At BellSouth, Mr. Walker managed a team of lawyers and paralegals responsible for a large and challenging litigation docket while taking frontline responsibility for numerous large litigation matters. He was one of the lead in-house counsel in numerous major antitrust matters, including two successful landmark United States Supreme Court cases (*Twombly* and *Trinko*). He received the BellSouth President's Award and the General Counsel's Award for Excellence.



Mr. Walker is very active in the business community and the State Bar of Georgia. He has served on the State Bar Board of Governors since 1995 and is a former President of the Younger Lawyers Division. He is a member of the Georgia Chamber of Commerce Board of Directors serving as a member and former Chair of the Georgia Chamber's Law and Judiciary Committee and is on the Executive Committee and Board of Directors of the Metro Atlanta Chamber of Commerce. Mr. Walker also served on the State of Georgia Judicial Nominating Commission which interviewed candidates and provided a "short list" to the Governor for judicial appointments. Among other recognitions, Mr. Walker was recognized in *The Best Lawyers in America*® for Commercial Litigation and Technology Law in 2023 and the ten years immediately preceding. He was also named a 2017 and 2023 "Atlanta Lawyer of the Year" in the area of Technology Law by *The Best Lawyers in America*®. Mr. Walker was named a Georgia "Super Lawyer" in 2023 and the eight years immediately preceding for Civil Litigation Defense by *Super Lawyers* magazine. He is listed in the 2022 edition of *Chambers USA: America's Leading Lawyers for Business* as an "Eminent Practitioner" in the area of General Commercial Litigation. In 2020, 2021, 2022 and 2023, Mr. Walker was selected by *Atlanta Magazine* as a member of its "Atlanta 500", a prestigious list highlighting the city's most powerful and influential leaders. He is AV® rated by Martindale-Hubbell.\*

## Experience

Served as lead trial counsel in multimillion dollar healthcare dispute, involving breach of contract, fraud and tortious interference. Case settled on successful basis after first week of jury trial.

Represented a national telecommunications company in a lawsuit involving allegations of failure to bill and remit to Georgia Counties a 911 charge imposed on subscribers to offset the cost of 911 services. The Counties alleged violations of the 911 Act as well as common-law theories of recovery, including breach of fiduciary duty, fraud, and negligence. The Georgia Supreme Court reversed the Court of Appeals and directed the trial court to grant company's motion to dismiss, finding that the 911 charge was a tax, that the statute did not give the Counties a private right of action, and that the Counties' common law claims failed as a matter of law. *BellSouth Telecommunications, LLC v. Cobb County*, 305 Ga. 144, 824 S.E.2d 233 (2019).

Represented a national telecommunications company in a putative class action lawsuit, in which plaintiffs alleged fraud over its allegedly defective telephone, Internet and television service. The plaintiffs claimed the data backbone of the service was systematically defective, causing Internet, telephone and television connectivity problems. The court said that the forum selection and arbitration clauses contained in its terms of service agreements bar the plaintiffs from bringing their nationwide class action in his court. The court of appeals affirmed the district courts decision in all respects in a published decision. *Hancock v. American Tel. and Tel. Co., Inc.*, 701 F.3d 1248 (2012).

Serving as lead counsel for a large telecommunication company, the firm won a motion to dismiss breach of contract and fraud claims based primarily on the filed rate doctrine. *Solar Star Sys., Inc. v. BellSouth Telecomms. Inc.*, No. 10–21105–CIV, 2012 WL 37387 (S.D. Fl. Jan. 6, 2012).

Served as lead counsel providing advice on privacy data breach matters, including data breaches involving



millions of credit card numbers and thousands of social security numbers. Provided advice on compliance with state data breach notification laws and federal law requirements.

Represented a national telecommunications company in a putative nationwide class action alleging improper "cramming" of services. Class certification was defeated.

Successfully represented an advertising and publishing company against claims ranging from fraudulent inducement to civil conspiracy. The Court granted our clients summary judgment motion on all claims and awarded our client significant damages plus attorney's fees, prejudgment interest and costs.

Represented a global telecommunications company in class action based on FCC ruling finding acquired telecommunications company collected improper access charges.

Serving as lead counsel for a large telecommunication company, the firm won a motion to dismiss claims alleging breach of rights of way agreement.

Served as lead counsel for large telecommunications company resolving performance disputes involving IT contracts with multiple vendors. Settled for multimillion payments and credits, plus release of future obligations.

Served as one of the in-house counsel for a large telecommunications company regarding significant antitrust case alleging conspiracy among Regional Bell Operating Companies (RBOC). The Supreme Court ultimately ruled in the RBOCs favor in a landmark case. *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007).

Served as one of the lead in-house counsel representing BellSouth in significant antitrust case, which raised issues under essential facilities doctrine and the intersection of antitrust law and the Federal Telecommunications Act of 1996. The United States Supreme Court ultimately decided the antitrust liability issues in a companion case in BellSouth's favor. *Verizon Commc'ns Inc. v. Law Offices of Curtis V. Trinko, LLP*, 540 US 398 (2004).

Represented large e-commerce software company in case involving implementation of multiple software programs. Claims alleged included fraud, breach of warranty, negligent misrepresentation, and state statutory claims.

## **Education**

Mercer University Walter F. George School of Law J.D. (1986) *cum laude*

University of Virginia B.A. (1983) American Government



## Admissions

Georgia

## Professional & Community Activities

Mercer University Law School, Board of Visitors (Past Chair)

Mercer University, Board of Trustees

Georgia Chamber of Commerce, Board of Governors and Board of Directors

Metro Atlanta Chamber of Commerce, Executive Committee and Board of Directors

Leadership Georgia – Class Member and Program Chair

State Bar of Georgia, Board of Governors (1995-Present), Former Chair of Indigent Defense Committee, and Member of Advisory Committee on Legislation

American Law Institute (ALI), Sustaining Member

The Society of International Business Fellows (SIBF), Member

State of Georgia Judicial Nominating Commission, Former Member

Association of Corporate Counsel (ACC), National Litigation Committee, Chair (2006-2007)

State Bar of Georgia, Younger Lawyers Division, President (1996-1997)

State Disciplinary Board Investigative Panel and Review Panel, Former Member

Atlanta Rotary Club

## Insights

### [News](#)

Kilpatrick Townsend Expands into Chicago, Phoenix with 14 Attorneys

March 8, 2023

### [News](#)

Kilpatrick Expands to Chicago, Phoenix with 14 Attorneys

March 8, 2023

### [News Releases](#)

Kilpatrick Townsend Launches New Offices

March 7, 2023

### [News Releases](#)



Kilpatrick Townsend's Henry Walker and Wab Kadaba Featured in Atlanta Magazine's "Atlanta 500"  
January 25, 2023

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135 Kilpatrick Townsend Attorneys Recognized in 2022 Super Lawyers  
December 15, 2022