



## CHRISTIAN BROMLEY

**Partner**

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## BIOGRAPHY

Christian co-leads the firm's Toxic Tort Practice. He represents clients in complex commercial disputes and mass tort litigation ranging from consumer claims, product liability, and environmental contamination to a variety of insurance and financial transactions. With bi-coastal residency in the firm's Atlanta and Los Angeles offices, Christian regularly represents clients before courts and arbitral tribunals in California, Florida, Georgia, and throughout other venues nationwide.

### TOXIC TORT, PFAS, STATE GOVERNMENT LITIGATION

Christian has dedicated a specific portion of his practice to toxic and environmental tort litigation, and product liability disputes, including complex mass torts, environmental consumer class actions, groundwater contamination disputes, and wastewater treatment litigation.

Christian's experience spans successful mandamus claims interpreting state environmental rules, suits against government entities and municipalities, and state attorney general investigations. Christian has regularly defended and advised clients in manufacturing and contamination litigation involving PFCs (perfluorochemicals) and PFAS substances (per- and polyfluoroalkyl) since 2016. He has handled various aspects of these disputes, whether jurisdictional challenges in state and federal courts, evidentiary hearings on nuanced preemption and zoning issues, or managing years of complicated fact and expert discovery on complicated scientific questions.

## COMPLEX COMMERCIAL LITIGATION

Christian advises regional and multi-national corporate clients through all stages of complex commercial litigation with particular experience handling nuanced jurisdictional disputes, cross-board challenges, and complicated discovery matters with numerous interested parties, international entities, and state and federal agencies.

Christian has successfully tried complex commercial contract and tort claims in state courts and in arbitration before the International Centre for Dispute Resolution, as well as multi-day evidentiary hearings and witness examinations.

Christian is also well versed in litigation for banking and financial institution clients involving consumer claims, digital currencies, challenges to servicing relationships for commercial, residential, and student loans, shareholder disputes and receiverships with the Federal Deposit Insurance Corporation (FDIC) and the Federal Reserve, enforcement of various lending agreements, and alleged violations of consumer laws (the Truth in Lending Act (TILA); the Fair Credit Reporting Act (FCRA); the Real Estate Settlement Procedures Act (RESPA); the Fair Debt Collection Practices Act (FDCPA); and the Electronic Funds Transfer Act (EFTA)).

## STATE & FEDERAL APPEALS

Christian routinely brings and defends appeals on behalf of corporate clients in state and federal courts in California, Florida, and Georgia. These appeals have involved diverse legal issues, such as challenging personal jurisdiction over out-of-state and international entities in California, developing parameters for the interpretation of Georgia insurance contracts, and establishing precedent for the standing of financial services entities to bring foreclosure litigation in Florida.

Christian has also represented the Georgia Chamber of Commerce as an *amicus curiae* in many proceedings before the Georgia Supreme Court, the Georgia Court of Appeals, and the United States Court of Appeals for the Eleventh Circuit in matters involving tort reform, the interpretation of Georgia's Civil Practice Act, and jurisdiction over out-of-state corporations registered to do business in Georgia.

## PRO-BONO INITIATIVES

Christian has been committed to pro-bono work since joining the firm as a summer associate. He has participated in a number of high-profile pro-bono matters and committed well over 1,000 hours to this work in recent years. These matters include an on-going capital post-conviction proceeding in Louisiana, prominent Voting Rights Act litigation for multiple state and federal elections in 2016, 2018, and 2020, and state and federal constitutional challenges to legislation impacting same-sex couples and families on behalf of Lambda Legal.

The pro-bono litigation teams on which Christian has served in these matters have received awards for their service from both the Lawyers Committee for Civil Rights and the Stonewall Bar Association of Georgia.

## CIVIC INVOLVEMENT & HONORS

- *The Best Lawyers in America*®: Ones to Watch (2021-2024)
- Atlanta Bar Association:
  - Member-at-Large, Litigation Section (2023-2024)
  - Judicial Selection and Tenure Committee (2023-2024)
  - Community Service Committee, Litigation Section (2021-2022)
- Leadership Council for Legal Diversity
  - Coaching Circle Co-Chair (2023)
  - Pathfinder (2020)
- Human Rights Campaign, Federal Club (2016-Present)
- Civic Associations
  - 1421 Peachtree (2021-present)
  - Ansley Park (2021-present)
  - Lake Burton (2021-present)
- Emory University School of Law
  - *Emory Law Journal*, Managing Editor (2014-2015)
  - Dean's Award, Intellectual Property (Fall 2013)

- Dean's Award, Legal Writing, Research and Advocacy Program (Fall 2012)
- Rollins College
  - Valedictorian, Class of 2012
- General Charles McCormick Reeve Award (2012)
- Brendan O'Sullivan Memorial Award (2012)

## PROFESSIONAL AFFILIATIONS

- American Bar Association
- State Bar of California
- State Bar of Georgia
- The Florida Bar
- Atlanta Bar Association

## COMMITTEE CONTENT

- Recruiting Committee (2021- current)
- Global Associate Council (2021-2023)
- Los Angeles Branding Committee (2020- current)

## ADMISSIONS

- California
- Florida
- Georgia
- U.S. District Court for the Central, Eastern, Northern and Southern District of California
- U.S. District Court for the Middle, Northern and Southern District of Florida

U.S. District Court for the Middle, Northern and Southern District of Georgia

Supreme Court of California, Florida and Georgia

## **EDUCATION**

- Emory University, J.D., with honors, 2015
- Rollins College, B.A., summa cum laude, 2012

## **RELATED PRACTICE AREAS**

- Class Actions & Mass Torts
- Mass Torts & Product Liability
- Financial Services
- Consumer Fraud
- Insurance (Class Actions)
- Pharmaceutical & Medical Devices (Class Actions)
- Litigation & Dispute Resolution
- Consumer Finance Disputes
- Banking & Finance Disputes
- Class Actions
- Business & Commercial Disputes
- Enforcement
- Litigation
- Regulation
- PFAS Team
- Appellate
- Toxic Tort

## **EXPERIENCE**

### **COMPLEX & CLASS ACTION LITIGATION:**

- Represented multiple wearable technology companies in California over breach of contract and breach of fiduciary duty claims against competitor resulting in a jury verdict of over \$24 million.
- Secured dismissal of national waste management provider in proposed Georgia class action asserting breach of contract, unjust enrichment, and related claims associated with alleged

failure to provide contracted services.

- Obtained multi-million dollar judgment for Canada-based technology company following trial of company's claims before an International Centre for Dispute Resolution tribunal and confirmation before the United States District Court for the Northern District of Georgia.
- Defended automotive services company in proposed class action in Florida litigation asserting Florida Telephone Solicitation Act claims.
- Obtained judgment for multinational financial services company related to multi-million dollar defaulted loan obligations secured by a Gulfstream business jet aircraft.
- Resolved breach of contract claims between national payment services provider and multiple financial institutions in California litigation.
- Secured dismissal of Japan-based manufacturer from California litigation regarding multi-million dollar dispute over patent rights and patent ownership in the U.S. market.
- Served as national outside managing counsel for national healthcare information management company's processing of and appearances for subpoenas.
- Represented national insurance company in multiple cases alleging bad faith failure to settle underlying claims in Georgia.

#### MASS TORT & STATE GOVERNMENT:

- Defended major industry manufacturer against claims by multiple municipal water supply providers seeking hundreds of millions of dollars in damages related to alleged use of per- and polyfluorinated substances (PFAS) in Georgia and Alabama.
- Defended major industry manufacturer in proposed class action alleging damage related to use of per- and polyfluorinated substances (PFAS) in Georgia.
- Obtained judgment for organic recovery and biofuel company finding certain municipal ordinances to be preempted by the Georgia Soil Amendments Act and in violation of the Georgia Open Meetings Act.
- Represented multiple clients in response to Georgia State Attorney General's Office investigations regarding customer billing practices and other issues.

#### STATE & FEDERAL APPEALS:

- Prosecuted and defended nearly 40 appeals on behalf of financial services institutions and loan servicers before the Georgia Court of Appeals and all of Florida's District Courts of Appeal.

- Secured affirmance of summary judgment on all claims against national insurance company before the United States Court of Appeals for the Eleventh Circuit defeating dispute over multi-million dollar life insurance policy.
- Represented UK-based technology company in petition to California appellate court regarding personal jurisdiction challenge to complaint for damages against company.
- Represented the Georgia Chamber of Commerce as an *amicus curiae* in various proceedings before the Georgia Supreme Court, the Georgia Court of Appeals and the United States Court of Appeals for the Eleventh Circuit involving tort reform issues.

## PRO-BONO REPRESENTATION:

- *Christopher Inniss, et al. v. Deborah Aderhold, et al.*, 1:14-CV-01180-WSD (pro-bono co-counsel to Lambda Legal in challenge to Georgia same-sex marriage ban)
- *Donald J. Trump v. Brad Raffensperger*, No. 2020CV343255 (pro-bono counsel to Georgia NAACP and others)
- *Georgia NAACP, et al. v. State of Georgia, et al.*, No. 1:17cv01427-TCB-WSD-BBM (pro-bono counsel to Georgia NAACP and others)
- *Georgia NAACP, et al. v. Hancock County Board of Elections and Registration, et al.*, No. 5:15-cv-414-CAR (pro-bono counsel to Georgia NAACP and others)
- *State of Louisiana ex rel. Jimmie C. Duncan v. Tim Hooper*, No. 94-F0042 (capital post-conviction pro-bono counsel with The Innocence Project and Mwalimu Center for Justice)

## RESOURCES

### PUBLICATIONS

- "Defining Finality: What Constitutes a Final Arbitration Award," *ABA Alternative Dispute Resolution Committee*, June 2018
- "Dismissing Provenance: the Use of Procedural Defenses to Bar Claims in Nazi-Looted Art and Securitized Mortgage Litigation," 7 *P.R. Bus. L. J.* 218 (2016)
- "Inconsistent as to One, Inconsistent as to All: Sometimes It's Too Late to Arbitrate," co-authored with Adwoa Ghartey-Tagoe Seymour, *ABA Section of Litigation ADR Newsletter*, June 2016

- "Supremacy and Superiority: the Constitution's Effect on State Lien Priority Statutes," 44 *Real Estate Law Journal* 442 (2016)
- "Outside Equal Protection: The Evolution of State Laws as Precedent for Lifting Georgia's Same-Sex Marriage Ban," 13 *Dartmouth Law Journal* 57 (2015)
- "Encouraging Cooperation: Harmonizing the Battle of Association and Mortgagee Lien Priority in America's Common Interest Communities," 43 *Real Estate Law Journal* 255 (2014)

## SPEAKING ENGAGEMENTS

- Speaker, "PFAS: Regulation, Reporting, and Litigation Trends," Atlanta In-House CLE, March 2024
- Panelist, "Collaborative Exonerations in Red States," American Bar Association, Criminal Justice Section Annual Fall Institute, November 2023
- Moderator, "Litigators Serving the Profession, Practice, and Public Series | Business Development for Litigators," Atlanta Bar Association, October 2023

## RELATED INSIGHTS

Blog Post

Dec 13, 2023

### **PFAS Update: Litigation Trends - Motions to Dismiss**

News

Nov 10, 2023

### **BCLP names global group to partnership**

Insights

Oct 18, 2023

### **Georgia appellate court signals adoption of federal precedent for state pattern jury instructions**

The Georgia Court of Appeals recently considered a challenge to Georgia's preponderance-of-the-evidence pattern jury instruction, which is based upon a repealed version of Georgia's prior evidence code. Reading from the preamble to the current version of the code, the court found it "must look to federal caselaw in determining Georgia's legal definition of this evidentiary standard." Following this decision, Georgia litigants should consider replacing the preponderance-of-the-evidence pattern jury instruction with a definition aligned with federal precedent. Litigants should also consider whether to rely on other pattern instructions to the extent those instructions are still based upon the repealed evidence code and inconsistent with federal precedent.

Blog Post

Oct 10, 2023



## **PFAS litigation update: The risks of consumer product marketing claims**

As general awareness of per- and polyfluoroalkyl substances ("PFAS") has continued to rise in recent years, courts have experienced an increase in civil lawsuits alleging false and misleading advertising in corporate marketing statements for consumer products. Most of the lawsuits filed in 2021 and 2022 focused primarily on four categories of products: Food and Food Packaging; Cosmetics; Clothing and Textiles; and Personal Care Products. The question that many businesses are facing is what claims can create a risk of litigation if PFAS may be present in their products. To answer that question we examined the applicable lawsuits and compiled a summary of the marketing statements and advertisements identified by plaintiffs as allegedly false or misleading. We then compared these marketing statements across all industries, as well as within the four specific industries listed above, to identify emer...

Insights

Aug 18, 2023

### **Georgia Supreme Court takes aim at premises liability & apportionment**

Awards

Aug 17, 2023

### **The Best Lawyers in America® 2024**

News

Jul 19, 2023

### **Christian Bromley appointed to Atlanta Bar Association Litigation Section Board of Directors**

News

Jun 08, 2023

### **BCLP Litigation team wins jury trial for McLearn**

Blog Post

Jun 08, 2023

### **PFAS Update: Litigation trends in PFAS consumer product litigation from 2021 to 2022**