



Daniel B. Millman

Title: Counsel

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Dan Millman is Counsel in the Atlanta office. Dan regularly defends directors, officers, accountants, lawyers, financial advisors, and other professionals against professional negligence claims. Dan has significant experience representing employers in ADA, ADEA, FMLA, FLSA, and Title VII claims. He has also litigated insurance coverage, real estate, breach of contract, FDCPA, TCPA, and Voting Rights Act cases.

Dan has significant trial, motion practice and deposition experience. He has successfully advocated in state and federal district courts, appellate courts, and arbitration proceedings.

CAPABILITIES

Practice Areas

- Appellate Advocacy
- Business Litigation
- Employment Litigation
- Litigation & Appeals
- Professional Liability Litigation
- Real Estate

RECENT ASSIGNMENTS

- Shannon Sprinkle and Dan Millman secured summary judgment for their law firm client accused of malpractice arising out of disputes over a confirmed bankruptcy plan.
- Won a motion to dismiss for a client in a Federal Syndicated Conservation Easement class action filed against 30 different defendants including lawyers, accountants, appraisers, promoters, and engineers. Claims included RICO, malpractice, negligent misrepresentation, breach of fiduciary duty, and fraud. Our client was one of only six defendants who were dismissed by the 251 page order.
- Georgia Court of Appeals Affirms Summary Judgment Shooting Down Damages Claim (January 2023). Dan Millman and Joe Kingma prevailed for a Georgia municipality which had denied a liquor license. While Court of Appeals did not address whether the applicant was entitled to the license it agreed that damages for lost profits were not available.
- Shannon Sprinkle and Dan Millman defeated ADA claims against a recruiting firm and a staffing company in *Akins, v. Cella, Inc.*, 2022 WL 688847 (N.D. Ga. July 18, 2022) and *Levins v. Connect Staffing, Inc.*, 2022 WL 2187109 (N.D. Ga. May 31, 2022). In both cases, the court agreed that the employers' termination decisions were lawful and justified based on the employees' actions.

BAR ADMISSIONS

- Georgia
- Georgia Court of Appeals
- Supreme Court of Georgia
- U.S. Court of Appeals for the 11th Circuit
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Southern District of Georgia

RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

- Syndicated Conservation Easement Tax Court Update
8th Annual Accounting Risk Management Seminar, Atlanta, November 7, 2023
- Georgia Court of Appeals Holds that Non-Solicitation-of-Employees Restrictive Covenants Must Have Express Geographic Limitations *with Shannon M. Sprinkle* Stites & Harbison Client Alert, August 10, 2023
- Panel Ends Golf Club's Bid for Damages Over Liquor License
by Tom Lotshaw, *Law360.com*, January 26, 2023
- Louisville law firm announces big growth in Atlanta
by Jason Thomas, *Louisville Business First*, January 27, 2022
- Stites & Harbison Continues Expansion in Atlanta: Lands Commercial Litigation Team of 12 from Copeland, Stair, Kingma & Lovell LLP
Franklins, January 25, 2022
- 19 Attorneys Move to Stites & Harbison, Rapidly Growing Atlanta Team
by Jacob Polacheck, *Daily Report*, January 25, 2022
- Stites & Harbison Adds 19 To Atlanta Team From 2 Firms *with Jack Rodgers* *Law360*, January 24, 2022

MEMBERSHIPS

- State Bar of Georgia , Member; Appellate Practice Section, Secretary

EDUCATION

Emory University School of Law J.D. *cum laude* 2013

- Externships - EEOC and DeKalb County District Attorney
- Emory Mock Trial Society
- Order of Emory Advocates
- Deans Awards - Comparative Anglo-American Tort Law and Advanced Criminal Trial Advocacy

University of Georgia B.A. *cum laude* 1997

MORE THAN STITES & HARBISON

Dan started practice at a boutique firm specializing in employment law. After that Dan spent five years in the financial services litigation group of an AmLaw 100 firm and two years at a mid-size regional firm where his practice focused on professional negligence, commercial litigation, municipal litigation, and employment disputes.

After Dan graduated from the University of Georgia, he worked as an actor. Dan appeared in productions of *Macbeth*, *King Lear*, *Twelfth Night*, *A Midsummer Night's Dream*, *Much Ado About Nothing*, *Romeo & Juliet*, and *Merry Wives of Windsor* throughout the Southeast.

From there, Dan transitioned into full-time work in the hospitality industry. He was a sommelier for two of Atlanta's leading restaurant groups and a private club.

ACCOLADES

- *Best Lawyers in America*®, Ones To Watch, Commercial Litigation (2021-25)