



Adam Sanders

Shareholder

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Adam Sanders, shareholder in the Firm's Chattanooga office and member of the Business Litigation Group, concentrates his practice in commercial litigation.

Mr. Sanders has litigated cases in areas including eminent domain, zoning and land use, patent and trademark infringement, and other complex contract and commercial disputes. As part of a national eminent domain practice, Mr. Sanders represents investor-owned utility companies facing municipal condemnation threats in cases all over the country. He not only litigates complex right-to-take and valuation phases of condemnation, but also helps clients avoid condemnation in the first place through strategic political and public relations efforts, and proactive dialogue with potential condemners.

Prior to joining Baker Donelson, Mr. Sanders clerked for two years for The Honorable Curtis L. Collier, then Chief Judge for the U.S. District Court in the Eastern District of Tennessee. Mr. Sanders assisted the Court on cases running the gamut from fraud to the First Amendment, and employment discrimination to immigration. Mr. Sanders is the father of four daughters, and an elder at his church. He's a craft beer enthusiast, sporadic homebrewer, technology tinkerer, and casual jazz pianist.

Representative Matters

- Represented a large, privately owned water utility company in Montana in an eleven day "right-to-take" condemnation trial, and subsequent six day "valuation" trial. Obtained judgment of \$88.6 million plus attorney's fees – far above the condemner's proof at trial of a \$45 million value.
- Obtained verdict of \$7.25 million plus \$1.1 million interest on behalf of a privately owned wastewater utility company, in a two-week jury trial in Lexington, South Carolina. The condemner, a municipality, urged the jury to award the company less than \$1 million in compensation.
- Obtained a \$20.3 million verdict on behalf of a privately owned water utility company in a five-day jury trial, in which a municipality sought to take the water utility through eminent domain. The verdict was over 200 percent of the \$9.5 million valuation advocated by the municipality at trial.
- Obtained complete victory in three-week bench trial in South Carolina federal court in contractor dispute over interstate interchange construction. Court awarded the full sought damages of \$3.2 million, and fully denied counterclaims of over \$4 million.
- Obtained summary judgment on res judicata grounds in a \$4 million contract dispute.
- Won a successful trial verdict on behalf of a landowner in a dispute with a land trust over the terms of a conservation easement. The court adopted the landowner's interpretation of the easement, which allowed the development of a \$26 million assisted living facility to move forward, against the objections of the land trust.
- Represented a water company in a declaratory judgment action filed by the town of Hingham, Massachusetts, over the interpretation of a water system pricing formula. Obtained judgment resulting in system price of \$88.6 million, far above the town's \$50 million proof at trial. Successfully briefed and won two appeals filed by the town.
- Testified before the Illinois Legislature (House Public Utilities Committee) against proposed legislation that would require a referendum before a municipal utility system could be sold to an investor-owned public utility.

- Successfully obtained summary judgment against an agency of the City of Nashville for breach of a contractual first right of refusal, and successfully defended against the Agency's \$200,000 counterclaim.



Professional Honors & Activities

- Member – Georgia Bar Association
- Member – Chattanooga Bar Association
- Member – Tennessee Bar Association
- Named a *Best Lawyers in America*® "Ones to Watch" in Eminent Domain and Condemnation Law (2021)
- Listed in *Mid-South Super Lawyers* as a Rising Star in Eminent Domain (2018 – 2020)
- Recipient – Baker Donelson Chattanooga Pro Bono Attorney of the Year (2017)
- Recipient – Baker Donelson Chattanooga Rising Star Award (2015)
- Recipient – Tennessee Supreme Court Attorney for Justice Award (2014, 2017)
- Recipient – Baker Donelson Chattanooga Pro Bono Attorney of the Year (2014)



Publications

- Featured – "Sanders Finds Niche with Eminent Domain Defense Cases," *Hamilton County Herald* (May 2019)
- "Eminent Domain Attorney Sanders Briefs New Law, Parkway Fight," *Nooganomics. Local Economy & Free Markets* (May 2017)
- "Ignorance Isn't Bliss: Why You Must Make Sure Your Independent Contractors Aren't Infringing Copyrights," *Southern/alpha* (July 2014)
- "To Post or Not to Post? Best Practices for Facebook Product Pages," *Southern/Alpha* (May 2013)



Speaking Engagements

- Guest – "Podcast Episode 64 – Takeovers of Privately-Owned Utilities with Adam Sanders," *The Eminent Domain Podcast* (March 2021)
- "Utility Takeovers – A Case Study," NAWC Southeastern Chapter meeting (April 2019)
- "The History, Philosophy, Use, and Abuse of Eminent Domain," *Hamilton Flourishing* (April 2019)
- Testified before Illinois Legislature (House Public Utilities Committee) against proposed legislation that would require a referendum before a municipal utility system could be sold to an investor-owned public utility (March 2019)
- "Can I Protect This? From Monkey Selfies to Ice Bucket Challenge, an Intellectual Property Overview," Tennessee Paralegal Association (TPA) Annual Seminary (April 2015)
- "Home Depot, Nudies, and Your Legal Duties: 2014 in Privacy & Security," Information Systems Security Association (ISSA) - Chattanooga Chapter (December 2014)
- "From SOPA to Six Strikes: The Year (2012) in Copyright," Information Systems Security Association (ISSA) - Chattanooga Chapter (November 2012)
- "SOPA on the Ropes: A Collision of Law, Technology, and Populism," Chattanooga Infosec Professionals Group (March 2012)



Education

- Duke University School of Law, J.D., 2010, magna cum laude
 - Editorial Board, *Duke Law Journal*
 - Order of the Coif
 - Top 5% of Class
- Gordon-Conwell Theological Seminary, M.A. Theology, 2007, magna cum laude
- Wheaton College, B.A. English/Philosophy, 2004, cum laude



Admissions

- Georgia, 2011
- Tennessee, 2012