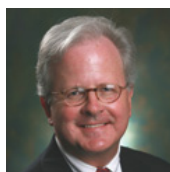


Charles L. Ruffin



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Charles Ruffin, shareholder in the Firm's Atlanta and Macon offices, has amassed over 30 years a wide array of litigation experience. He currently concentrates his practice in eminent domain and condemnation law, representing landowners and business operators of all sizes in eminent domain, condemnation and inverse condemnation matters. Mr. Ruffin's clients include a wide variety of national and international businesses from large multinational corporations to small individually owned businesses. Mr. Ruffin also represents nationally traded real estate investment trusts and other real estate investors. His clients include oil and gas interests, fast food franchisors and franchisees, hotel investors, commercial, shopping center and office developers, national drugstore chains, residential real estate developers, convenience store chains and a variety of individually owned enterprises, business operations, and properties. Mr. Ruffin maintains an active role in national and state eminent domain matters, serving as the Georgia representative in the national organization Owners Counsel of America and as the Founding Chairman of the Eminent Domain Section of the State Bar of Georgia. He is currently president-elect of the State Bar of Georgia.

In 2005, Mr. Ruffin testified on three occasions on behalf of landowner interests before a special Georgia Senate Committee considering revision of eminent domain laws following the U.S. Supreme Court decision in *Kelo v. City of New London*.

In recognition of his achievements in his chosen specialty, Mr. Ruffin has been selected as one of the *Best Lawyers in America*® in Eminent Domain and Condemnation Law since 2007. In addition, the Firm's Atlanta eminent domain and condemnation law practice, which is led by Mr. Ruffin, is ranked Tier 1 by the *U.S. News/Best Lawyers* ranking of practices in the United States.

Recent Representative Matters

- November 2012 – Tried a business loss and real estate condemnation case in west Georgia. After a nine-day trial obtained a jury verdict resulting in a recovery of 1.9 million dollars which represented a 100 percent increase over sums paid into court by the Georgia department of transportation (GDOT). The case involved a taking of property from and damage to a warehouse distribution company.
- August 2012 – Settled a case in Augusta, Georgia, for 2 million dollars which involved a real estate only taking of a lessor/nationally traded REIT's interest in a casual dining concept restaurant. Settlement was 100 percent higher than GDOT offer at mediation.
- July 2012 – Obtained jury award after jury trial for mineral bearing property located in central Georgia that was 54 times higher than the Georgia Department of Transportation pay-in to court resulting in a judgment after interest of a sum 80 times higher than the original payment to the Clerk of Court.
- June 2012 – Settled condemnation for taking of right of way for access road constructed for new automobile assembly plant in west Georgia. Settlement was for \$1.3 million dollars which is a 228 percent increase over GDOT pay-in to court.
- April 2012 – Negotiated cessation of intent to condemn northwest Georgia mountain property for upgrade of county emergency communication system. Success was based on a theory of prior dedication to a public use, that being a conservation easement.
- October 2011 – Settled an eminent domain matter on behalf of a fast food restaurant corporation

involving a metro Atlanta property. The location involved a corner interstate site in Clayton County. The Georgia Department of Transportation condemned the principal access to the site thus causing substantial damage to the value of the property. GDOT paid \$2.3 million pursuant to the consent judgment obtained to conclude the settlement. That sum represented a 200 percent increase over the original sum offered by GDOT.

- September 2011 – Settled a case involving mitigation and relocation costs for an Interstate 75 retail specialty and gasoline dispensary location. The settlement of \$1,427,500 represented an increase of 60 percent over the GDOT pay-in to the court. The relocation and mitigation costs salvaged a business valued at \$5.1 million.
- July 2011 – After jury trial involving a Metro Atlanta auto repair franchisee, judgment for \$1.15 million was entered for business loss award to client. Amount was 1,150,000 percent above the DOT business loss pay-in in the case.
- January 2011 – Successfully tried to jury verdict a business loss claim by a major fast food franchisee in Central Georgia resulting from a total taking of the franchised site. The judgment was 320 percent higher than sums originally paid into court by the Georgia DOT.
- October 2010 – Successfully defended in a jury trial an Atlanta based partnership that operates a 7,000 acre farming and quail hunting preserve in central Georgia against a private taking of land by an adjoining landowner.
- April 2010 – Settled a threatened condemnation of a largely abandoned shopping center in Valdosta, GA. The settlement involves cash of \$5.1 million with the client keeping eight acres of in line space. The city plans a new arts complex on the former shopping center site.
- November 2009 – Obtained settlement for owner of multiuse commercial property. Compensation represented 127 percent increase over sums paid into court by Georgia DOT.
- October 2009 – Assisted client in forming litigation team to oppose routing of major City/County bypass in metro Atlanta. Successfully persuaded local DOT to reroute project so as to avoid destruction of development value of 400 acre residential tract.
- September 2009 – On behalf of hotel franchisee, garnered \$1.7 million settlement with Georgia DOT and Georgia Tech Foundation for a business loss only recovery. Business loss involved a ground lease with only 11 years remaining; settlement was a 530 percent increase over the amount that GDOT and Georgia Tech originally offered.
- October 2008 – Negotiated a \$2.3 million settlement of a condemnation case with the Georgia DOT on behalf of a large convenience store operator; settlement represented a 125 percent increase over sums the DOT had deposited with the court.
- August 2008 – Secured a favorable jury verdict in a condemnation case in a northern metro Atlanta county in which the client, a petroleum realty investor, was awarded a sum 300 percent greater than that testified to by the experts for the Georgia DOT.
- July 2008 – Negotiated a \$2.550 million settlement for a nationally traded REIT in an eminent domain case involving damage to a property under lease as an auto dealership; settlement was a 252 percent increase over the sum originally paid into court by the Georgia DOT.
- June 2008 – Assisted petroleum distributor in obtaining DOT plan revision of site access thus preserving value of multipurpose interstate development site.
- June 2008 – Successfully negotiated settlement of total take of petroleum distribution property in metro Atlanta for large petroleum property investor; settlement precisely met client's goal for resolution of the matter.
- November 2007 – Negotiated a settlement for owners of a vacant tract of land who had a portion of their property condemned by the Georgia Department of Transportation; settlement was a 3,266 percent increase over what the Georgia DOT paid into court.
- April 2007 – Negotiated 340 percent real estate compensation increase over Georgia DOT initial offer for partial taking of interstate-oriented driving range/recreational facility.
- January 2007 – Jury verdict awarding 429 percent real estate compensation increase over Georgia DOT initial offer for partial taking of vacant agricultural tract; verdict later affirmed by the Georgia Court of Appeals and finalized by the Supreme Court of Georgia upon the unanimous denial of a writ of certiorari, resulting in total award exceeding \$1,000,000.
- 2006 – Assisted client in negotiating a cessation of potential condemnation of office development for

economic development purposes in connection with the expansion of a metro Atlanta Airport.

- November 2005 – Negotiated 153 percent real estate compensation increase over Georgia DOT initial offer for partial taking of national fast food chain restaurant.
- 2005 – Represented a developer in concluding a settlement affecting the construction of two proposed mixed use hotel/ condominium towers on 14th street in Atlanta exceeding clients settlement goals on both matters.
- 2005 – Concluded a settlement of a power transmission line taking that adversely affected the development potential of a large residential tract in North Georgia.
- September 2004 – Negotiated 181 percent combined real estate/business loss compensation increase over Georgia DOT initial offer for total taking of convenience food store with retail fuel sales tenant's business.
- May 2004 – Negotiated 743 percent business loss compensation increase over Georgia DOT initial offer for total taking of convenience food store with retail fuel sales tenant's business.

Publications & Speaking Engagements

- "Issues and Questions When a Franchise is Taken by Eminent Domain," co-author, ALI-ABA National Eminent Conference presentation, Miami Beach, Florida, November 2012
- "Overview of Private Property Development and Eminent Domain Law in Georgia," invited speaker by Mercer University and Georgia State officials, Mercer University, Atlanta, Georgia, October 17, 2011
- "How to Properly Prepare a case for Trial on Behalf of the Condemnee," Eminent Domain Section, State Bar of Georgia, November 2009
- "The Examination of Expected Experts in a Condemnation Case," American Law Institute – American Bar Association Conference on Eminent Domain and Land Valuation Litigation, San Francisco, California, January 2008
- "Update on Georgia Eminent Domain Law," Georgia Association of Convenience Stores Convention, Board of Directors, Ponte Vedra, Florida, June 2008, 2007, 2006, 2005, 2004, 2003
- "Update on Georgia Eminent Domain Law," National Business Institute, Savannah, Georgia, September 2006
- "Update on Georgia Eminent Domain Law," Lorman Educational Service, Macon, Georgia, July 2006
- "Business Loss Recovery in Compensable and Non-Compensable Jurisdictions," American Law Institute – American Bar Association – Eminent Domain and Land Valuation Course of Study, San Diego, California, January 2006
- "Kelo v. City of New London, Triumph or Tragedy," Real Property Law Section – State Bar of Georgia, Atlanta, Georgia, Fall 2005
- "Legal Issues for Georgia Civil Engineers," Atlanta, Georgia, February 2005
- "Taking an Eminent Domain Case to Trial," National Business Institute, Atlanta, Georgia, September 2004
- "Maximizing Awards in Condemnation Cases," 26th Annual Real Property Law Institute, Amelia Island Plantation, Florida, May 2004
- "A Plea for Rational Jurisprudence in the Law of Eminent Domain," Georgia Institute of Continuing Legal Education – Current Issues in Eminent Domain Law, Atlanta, Georgia, January, 2003
- "A Case Study in Inverse Condemnation," Eminent Domain Trial Practice – Georgia Institute of Continuing Legal Education, Atlanta, Georgia, January, 2002
- "Maximizing Awards in Condemnation Cases," Georgia Oilmen's Association, Amelia Island Plantation, Florida, January, 2000

Professional Honors & Activities

- Listed in *The Best Lawyers in America*® in the area of Eminent Domain and Condemnation Law since 2007
- AV® Preeminent™ Peer Review Rated by Martindale-Hubbell

- **Member – State Bar of Georgia** (President-elect, 2012; Treasurer, Founding Chairman, Eminent Domain Section; Chairman, Military Legal Assistance Program; Member, Board of Governors Executive Committee; Chair, Constitutional Law Section)
- **Member – American Bar Association** (Eminent Domain Committee, Real Estate Section)
- **Member – Atlanta Bar Association**
- **Member – Macon Bar Association**
- **Past President – Macon Bar Association**
- **Member – Emory Law School Council**
- **Member – Lawyers Club of Atlanta**
- **Trustee – Institute for Continuing Legal Education**
- **Chair – Eminent Domain Seminars, Institute of Continuing Legal Education, 2003 – 04**
- **Georgia Counsel – Owners Counsel of America**
- **President – Downtown Macon Rotary Club**
- **Member – Leadership USA**
- **Member – Leadership Georgia**
- **Fellow – American Bar Foundation**
- **Fellow – Georgia Bar Foundation**
- **Advisory Board – Institute for Local Government Legal Studies**
- **Board Member – Owners Counsel of America**

Admissions

- Georgia, 1981
- 11th Circuit Court of Appeals

Education

- Emory University School of Law, J.D., 1980
- Auburn University, B.S., 1977

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