

Kevin D. Abernethy

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PRACTICE AREAS

Corporate | Government Relations | Bonds & Tax Incentives | Litigation | Investigations & Special Projects

Kevin Abernethy is a corporate, government affairs, and business litigation attorney at Miller & Martin. He is a problem solver who brings deep expertise to issues that intersect government relations, regulatory policy, and litigation strategy. His goal is to prevent and, if required, resolve issues creating a legal, business, or political challenge.

Kevin previously served as the UGA Vice President for Government Relations and the Chief of the Civil Division in the U.S. Attorney's Office for the Middle District of Georgia. At UGA, Kevin worked closely with Georgia's Constitutional, statewide elected, officers and solved special projects. While in the U.S. Attorney's Office, Kevin litigated federal cases, gained insight into enforcement actions, and worked with individuals and corporations subject to federal investigations. He has experience with investigations involving hospitals, construction, and higher education. Kevin has also served as a corporate general counsel with work focused on the commercial generation of electricity.

Kevin is the past Chairman of Georgia's Ethics Commission, where he presided over dozens of administrative hearings; has served as Deputy Legislative Counsel in Georgia's Lt. Governor's Office and served as student body president at the University of Georgia.

EDUCATION

- J.D., Georgia State University College of Law, 2005
- B.A., Political Science, University of Georgia, 1999
    - President of the Student Government Association (1997-1998)

BAR ADMISSIONS

- Georgia
- Tennessee

ACCOLADES

- Selected as a Fulton County Daily Report Distinguished Leader (2023)
- Named an Atlanta Magazine Rising Star Super Lawyer
- Fulton County Daily Report 40 Under 40 Georgia Rising Legal Star
- University of Georgia 40 Under 40 Outstanding Alumni

COMMUNITY

- Serves on the Purification Heritage Center board of directors (governing preservation of Georgia's oldest Catholic church)
- Served on the University of Georgia Vice President for Student Affairs Advisory Board (2014-2022)
- Served on the University of Georgia Alumni Association Board of Directors (2020-2022)
- Served on the University of Georgia School of Public Policy and International Affairs Alumni Board of Directors (2020-2022)
- Appointed by the Georgia State Senate Committee on Assignments to serve on Georgia's State Ethics Commission (2010-2014)
- Appointed by Georgia Governor Sonny Perdue to serve on the Georgia Superior Court Pension Board (2010-2013)

EXPERIENCE

Significant Transactions/Representative Trials

- *Eckhardt v. United States of America*, CAFN: 5:19-cv-00266-TES (M.D. Ga. 2023), defense verdict won after two-week wrongful death bench trial where the widow of a Vietnam veteran sued the Veterans Administration for $50M.
- *Chaverra v. United States*, CAFN: 4:19-cv-81-CDL (M.D. Ga. 2021), successfully resolved prisoner wrongful death claim in clear liability case.
- *Air Force Officer v. Austin*, CAFN: 5:22-cv-00009-TES (M.D. Ga. 2024), defended the USAF requirement that all service members receive a COVID-19 vaccine against First Amendment religious freedom objections.
- *Bender v. Mark T. Esper*, as Secretary of the Department of Defense, CAFN: 5:19-cv-00355-TES (M.D. Ga. 2020), successfully defended civil rights and retaliation claim with favorable rulings upheld by the Eleventh Circuit, *see*, *Bender v. Esper*, USCA No. 21-12103 (11th Cir. 2022) (not for publication).
- *Tello v. United States of America,* 655 F. Supp. 3d 1340 (M.D. Ga. 2023), summary judgment granted in $750,000 personal injury case.

Recent Articles/Speeches

- Summary judgment entered in $750,000 personal injury case: *Tello v. United States*, 655 F. Supp. 3d 1340 (2023) (https://www.law360.com/articles/1570665/ga-judge-tosses-samaritan-s-suit-over-usps-vehicle-injury)
- USAO-MDGA press release on being named civil chief: (https://www.justice.gov/usao-mdga/pr/new-leadership-team-announced-us-attorney-s-office-middle-district-georgia)
- Fulton County Daily Report Distinguished Leader: (https://www.law.com/dailyreportonline/2023/06/19/distinguished-leaders-kevin-abernethy/?slreturn=20241217170558)
- UGA VP for Government Relations: (https://news.uga.edu/new-vice-president-for-government-relations-announced/)
- UGA Alumni Board of Directors: (https://alumni.uga.edu/2022/02/01/checking-in-with-alumni-board-member-kevin-abernethy/)
- UGA SPIA Alumni Board of Director: (https://spia.uga.edu/meet-the-board-kevin-abernethy-ab-99/)