



Adam Sanders

Shareholder

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Adam Sanders, shareholder in the Firm's Chattanooga office, litigates complex commercial cases with a special focus on utilities-related work, including defending investor-owned utility companies in eminent domain actions.

Adam Sanders is a shareholder with the law firm Baker Donelson. He has defended investor-owned water and wastewater utilities around the country from eminent domain takeover attempts by local governments, from California to Massachusetts and many states in between. This work involves fighting a municipality's right to take an investor-owned system in the first place, as well as valuing that system should the case proceed to trial on the question of just compensation. He and his colleagues also represent investor-owned utilities in class action consumer cases, labor and employment matters, mergers and acquisitions, legislation drafting and advising, PFAS compliance and litigation strategy, and rate cases and other regulatory filings.

Outside of the utility space, Adam represents companies from many different industries in complex commercial lawsuits, including cases regarding zoning and land use, patent and trademark infringement, and contracts and partnership disputes. He also represents developers, realtors, and similar professionals in advancing their projects and overcoming obstacles involving land use, utility access, and environmental issues, whether involving litigation or not.

Adam is outside counsel for an industrial development board in Tennessee.

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, nearly double the condemnor'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 condemnor, 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 Indiana, in which a municipality sought to take the water utility through eminent domain. This 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.
- 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.
- Represented a large, privately owned water utility company in a two-week jury trial in Illinois, in which the client's claim for damages was more than \$180 million. On day seven of the trial, the case settled with the government (condemnor) agreeing to abandon the takeover attempt.



Professional Honors & Activities

- Member – Georgia Bar Association
- Member – Chattanooga Bar Association
- Member – Tennessee Bar Association
- Listed in *Best Lawyers: Ones to Watch® in America* for Eminent Domain and Condemnation Law (2021 – 2024)
- Listed as a Mid-South Rising Star in Eminent Domain (2018 – 2021)
- 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

- "Navigating PFAS Risk and its Persistent Impact on Emerging Laws and Liability," *American Bar Association* (July 2024)
- "The Challenges of PFAS Contamination: Navigating the Current State of Water and Wastewater," *Wastewater Visibility News* (September 2023)
- 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

- Speaker – "PFAS Litigation and Regulation Update," NARUC Annual Meeting & Education Conference (November 2023)
- Panelist – "You Are What You...Drink," 2023 NAWC Water Summit (September 2023)
- 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*
 - Graduated in top five percent 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