



William W. Fagan III

Of Counsel

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Will Fagan counsels clients on mergers, acquisitions, and other complex commercial transactions, as well as serving in the role of de facto in-house counsel for business owners.

Mr. Fagan is a member of the Corporate Group in Baker Donelson's Atlanta office. His practice focuses on mergers and acquisitions, commercial contracts including technology agreements, regulatory compliance, corporate governance and securities, as well as general business counsel and providing legal management services to clients.

Relying on his extensive experience, Mr. Fagan also serves as a trusted advisor to business clients, providing personalized and strategic business advice on a variety of day-to-day legal issues, as well as consulting on internal investigations, complex corporate deals, and litigation and claims management.

In 2023, Mr. Fagan carried out a secondment assignment in the in-house legal department of a global solar energy operations and maintenance (O&M) provider and client of the Firm located in Chandler, Arizona. In this role, he focused on negotiating O&M agreements for solar utility power plants and large portfolios of commercial and industrial installations, as well as advising on insurance-related issues, managing incident response processes, and advising on pre-litigation disputes. In 2022, Mr. Fagan focused his practice on mergers and acquisitions and private placement securities offerings in the oil field services, solar energy, and mining and aggregate industries.

Prior to joining Baker Donelson, Mr. Fagan served as general counsel and corporate secretary for the largest privately held risk management and insurance agency in the Southeast. His extensive in-house experience also includes his work as senior corporate counsel and claims counsel for the second largest mutual medical professional liability insurer in the United States, where he advised executives and senior management on policy developments and regulatory issues and directed and provided legal counsel in complex business transactions, including the acquisition of another mutual insurance company. While in-house, he regularly drafted, reviewed, and negotiated complex commercial contracts, including employment agreements, leases, service provider agreements, and vendor contracts.

Mr. Fagan's private practice experience as a litigator includes defending matters involving securities and shareholder derivative class actions, as well as real estate finance, medical malpractice, and white-collar criminal matters.

Mr. Fagan served as a law clerk to Federal Judge Orinda D. Evans of the U.S. District Court for the Northern District of Georgia.

Representative Matters

- Developed the legal department for the largest privately held risk management and insurance brokerage firm in the Southeast, advising on all legal aspects of mergers/acquisitions, office expansions, commercial real estate issues, and regulatory matters.
- Served as internal claims counsel for a national medical professional liability insurance carrier.
- Obtained multiple full dismissals of licensing board investigations against physicians and other medical professionals.



Professional Honors & Activities

- Georgia State Senate "Cost of Doing Business in Georgia" Study Committee, Member (2019)
- State Bar of Georgia
 - Advisory Committee on Legislation (2019 – 2023)
 - Insurance Committee (2015 – present)
 - Young Lawyers Division
 - Executive Council (2013 – 2016)
 - Legislative Affairs Committee, Co-Chair (2014 – 2016)
 - Leadership Academy (Class of 2014)
- Association of Corporate Counsel, Georgia Chapter
 - Board of Directors (2016 – 2019)
- Named a "Pro Bono All-Star," *Georgia Bar Journal* (2015)



Community Activities

- Soaring Owls Foundation (SoFi), Volunteer Board Member – supporting Bolton Academy (Atlanta Public Schools)
- First Presbyterian Church of Atlanta
 - Elder
 - Member, Epiphany Initiative – a social entrepreneurship incubator



Publications

- "A Promising Future for Public-Private Partnerships in Georgia," *Fulton County Daily Report* (July 2015)
- "A Bridge To Somewhere: Public Private Partnerships and America's Infrastructure Dilemma," *CFMA Building Profits* (November/December 2014)
- "Chapter 20: Dismissals," Florida Civil Practice Before Trial, The Florida Bar Continuing Legal Education (2014)



Speaking Engagements

- "Public-Private Partnerships: The Future in Georgia," Construction Financial Management Association, Georgia Construction Finance Conference, Atlanta, Georgia (May 2015)
- Presenter – "Georgia Business Court: A Historical Overview and Pending Initiatives," 33rd Annual Business Law Institute, State Bar of Georgia, Institute of Continuing Legal Education (ICLE), Atlanta, Georgia (October 2014)
- Co-presenter – "Conducting Internal Investigations in the Shadow of 'Active' Law Enforcement," State Bar of Georgia ICLE (October 2014)
- "The New Georgia Uniform Electronic Transactions Act: Content & Implications," State Bar of Georgia ICLE (2009)



Education

- Washington & Lee University School of Law, J.D., 2006
- Duke University, B.A. in Economics and B.A. in History, 2003



Admissions

- Georgia, 2008
- Florida, 2007
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Northern District of Georgia

- Supreme Court of Georgia
- Georgia Court of Appeals