

CURRICULUM VITAE
of
IRWIN W. STOLZ, JR

- PERSONAL:*** Born November 9, 1929 – Emory University Hospital, Georgia
- PREPARATORY EDUCATION:*** Attended public schools of Columbia and Charleston, South Carolina; Graduated High School of Charleston, 1947.
- COLLEGE EDUCATION:*** Attended Washington & Lee University, Lexington, Virginia; University of Georgia, Athens, Georgia; and Emory University, Atlanta, Georgia; Graduated with A.B. and LL.B. degrees from Emory University, 1958, Member Phi Delia Phi Legal Fraternity. Admitted to the Bar, 1958, Georgia
- MILITARY SERVICE:*** 1952-1955: First Lieutenant, United States Army Reserve, 82nd Airborne Division.
- PROFESSIONAL BACKGROUND:*** LaFayette, Georgia, 1958-1972: Attorney for Walker County, Georgia 1965-1972; Attorney for City of Chickamauga, Georgia Organizer/Director Walker County Bank; Attorney for Walker County Industrial Development Authority; Attorney for Lafayette Industrial Development Authority, Attorney for Walker County Bank; Attorney for Bank of Chickamauga.
- Represented: Glens Falls Insurance Company; Fireman's Fund Insurance Company; Continental Insurance Company; The Travelers Insurance Company; Georgia Farm Bureau Mutual Insurance Company; Maryland Casualty Company; Lumberman's Mutual Insurance Company; St. Paul Insurance Company; The Home Indemnity Company.
- Summary of Practice in LaFayette, Georgia: From 1958-1972, Irwin was a general practitioner in the truest sense of the term. He represented both plaintiffs and defendants in tort litigation, chartered corporations; had a domestic relations practice, participated in bond financing for industrial development, organized and chartered a state bank, represented that bank and another bank.
- Community Involvement: LaFayette, Georgia: President, LaFayette Lions Club; First Methodist Church, Board of Stewards and Chairman of Board of Trustees.
- Judge, Georgia Court of Appeals, 1972-1977: Authored approximately 750 published. Court opinions among which are:

- (1) Travis Meat and Seafood Co., Inc. v. Ashworth, 127 Ga. App. 284 (1972), regarded as a leading case in Georgia on discovery and the use of discovery evidence;
- (2) Ford Motor Company v. Handley, 128 Ga. App. 307, 128 Ga. App. 311 (1973), product liability, evidence issues;
- (3) Giordano v. Stubbs, 129 Ga. App. 283, 292 (dissent) (1973), reversed, 231 Ga. 601 (1974), 131 Ga. App. 244 (1974), dissent became the rule in Georgia on certain aspects of appellate procedure;
- (4) Locklear v. Morgan, 129 Ga. App. 763 (1973), opinion restated the bounds for proper oral argument to the jury in tort cases;
- (5) Gould v. The State, 131 Ga. App. 811 (1974), first impression, constitutionality of jury composition, established rule that jury pools must be composed of a truly representative cross-section of the community;
- (6) Warner v. Arnold, 133 Ga. 174 (1974), first impression, apartment owners' duties to keep premises safe from third party intruders;
- (7) State v. Houston, 134 Ga. App. 36 (1975), state's affirmative duty to provide counsel at preliminary hearing, reversed, Ga. 721, rule since adopted and implemented;
- (8) Wilhite v. Mays, 140 Ga. App. 816 (1976), first impression, Doctrine of Caveat Emptor does not apply to sale of improved real estate;

Atlanta, Georgia, 1977-2002:

- (1) Of Counsel, Swift, Currie, McGhee & Hiers, 1977-1979;
- (2) Partner, Stolz & Shulman, 1979-1983;
- (3) Partner, Gambrell & Stolz, 1983-1985;
- (4) Partner, Gambrell, Clarke, Anderson & Stolz, 1985-1993, Gambrell & Stolz, 1993-2002

Athens, Georgia, 2002 to date:

- (1) Partner, Winburn, Lewis, Barrow & Stolz, P.C.; John Barrow – Withdrew upon election to Congress in 2004; Gene Mac Winburn – Deceased, 2006.
- (2) Winburn, Lewis and Stolz, 2006-2009.
- (3) Lewis, Stolz, Hurt, Frierson & Grayson, 2009-2011.
- (4) Hurt, Stolz & Cromwell, LLC, 2010-2013.
- (5) Hurt Stolz, P.C., 2013-Present.

Since resigning from the Court of Appeals, Irwin has had a general practice in all courts. Since 1985, the emphasis has been on civil litigation, trial and appellate, generally representing plaintiffs.

Representative cases reported in appellate reports:

- (1) Ford Motor Company v. Stubblefield, 171 Ga. App. 331 (1984), product liability, evidence, standard of care, punitive damages, largest verdict that has been totally sustained on appeal in Georgia;
- (2) Pollito v. Holland, 258 Ga. 54 (1988), construction of "tort reform" statute relating to collateral source rule;
- (3) A. L. Williams v. Faircloth, 194 Ga. App. 324 (1989), and 259 Ga. 767 (1989), the enforceability of an overbroad restrictive covenant with injunction and forfeiture provisions related thereto;
- (4) Cutts v. Fulton/DeKalb Hospital Authority, 192 Ga. App. 517 (1989), the liability of physicians for malpractice at a charitable hospital;
- (5) Bohannon v. Allstate Insurance Company, 258 Ga. 131 (1988), class action, liability of insurer for wrongful subrogation in violation of statute;
- (6) Pound v. Medney, 176 Ga. App. 756 (1985), medical malpractice, evidence;
- (7) Brown Realty Associates, Inc. v. Thomas, 193 Ga. App. 847 (1989), real estate fraud, violation of the Fair Business Practice Act of 1975, violation of Georgia Racketeer Influenced and Corrupt Organization Act;
- (8) Atlanta Ob/Gyn v. Coleman, 194 Ga. App. 508, affirmed, 260 Ga. 569, (decided Nov. 29, 1990), proximate cause of ultimate injury in medical malpractice case; remoteness a jury question;
- (9) Jackson & Coker, Inc. v. Hart & Lindsey, and Jackson & Coker, Inc. v. Kepley, constitutionality of the restrictive covenant act (O.C.G.A. §13-8-2.1), in both cases the trial courts held that the act is unconstitutional; the Supreme Court affirmed the trial courts;
- (10) Norfolk & Southern R. Co. v. Mills, 242 Ga. App. 324 (2000), substantial similarity of R.R. crossing warning devices;
- (11) Barnes v. City of Atlanta, 276 Ga. 449, 578 S.E.2d 110 (2003); 281 Ga. 256, 637 S.E.2d 4 (2006);

Current actively involved in the trial and appellate practice in the courts of several states as well as United States courts, trial and appellate.

**PROFESSIONAL
ACTIVITIES:**

- (1) President, Lookout Mountain Circuit Bar Association, 1963-1964.
- (2) State Bar of Georgia:
 - (a) Board of Governors, 1965-1972;
 - (b) Chairman, Committee on Judicial Procedure and Administration, 1968-1969;
 - (c) President-Elect, State Bar of Georgia, 1969-1970;

- (d) President, State Bar of Georgia, 1970-1971;
- (e) Chairman, Trustees Institute for Continuing Legal Education in Georgia, 1969-1970, 1971-1972;
- (f) Executive Committee, State Bar of Georgia, 1969-1972;
- (g) Co-Chairman, Committee to Simplify and Make More Responsive Georgia Disciplinary Procedures, 1989-1990;
- (h) Member of numerous Bar committees and participant in numerous continuing legal education seminars;
- (i) Vice-President, Georgia Trial Lawyers Association, 1988-1990;
- (j) Member, Committee on Professionalism, which has developed and implemented mandatory mentoring in Georgia (2005)
- (k) Member, Committee on Continuing Lawyer Competency (Transition into Law Practice Program). Created and implemented the nations first mandatory mentoring program for all newly admitted lawyers.

*OTHER RELATED
PROFESSIONAL
ACTIVITIES:*

Fellow, American Bar Foundation; Director, Law in American Society Foundation (1971-1977); Director, American Judicature Society (1977-1981); Member, Governor's Commission on Appellate Judicial Selection (1971-1972); Member, Governor's Commission on Judicial Processes (1971-1972); Member, State Crime Commission (1971-1972, 1975-1976); Member, Governor's Judicial Processes Review Commission (1984-1985); Interest Arbitrator (appointed by Governor), Metropolitan Atlanta Rapid Transit Authority (1989); Member, Atlanta Bar Association; Western Circuit Bar Association, Lawyers Club of Atlanta, State Bar of Georgia; Georgia Trial Lawyers Association; American Bar Association; American Trial Lawyers Association; Fellow, International Society of Barristers; Georgia Bar Foundation; American Bar Foundation; Recipient, Georgia General Practice and Trial Sections Tradition of Excellence Award (1995).

*COMMUNITY
ACTIVITIES:*

Atlanta, Georgia, 1972 to present: Board of Stewards, St. John Methodist Church, 1973-1977; Board of Directors, Downtown Y.M.C.A., Chairman, 1978-1980; Board of Directors, Metropolitan Atlanta Y.M.C.A., 1980-1986; Director, Atlanta Track Club, 1978-1979, President, Pace Masters Swim Team, 1989 to present; named Male Master Swimmer of the Year (2000) in Georgia. Named Male Athlete of the 2001 Georgia Games (all sports, all ages).

Irwin has been an active masters competitive swimmer since 1987. He currently holds or has held over seventy Georgia Masters swimming records and has completed in the FINA World Masters Championship in Germany (2000), New Zealand (2002), Italy (2004), and Montreal, Canada in which he won World

Championships in the 200, 400 and 800 meter freestyles in his age group. He has competed in many US Masters National Championships over the years and has won nineteen individual national championships.

In 2004, he was ranked in the top ten in the world in five events and became the U.S. Masters “All American” for the 1500-meter freestyle in his age group. In 2009 Irwin won additional championships and ranked in the top 10 in the world in ten events. He was also a Masters All-American in the 400, 800 and 1500meter freestyle (LCM) and 1500-meter freestyle (SCM). He has been named a Masters All American 15 times in those and other events. In 2014 he had the fastest time in the world in the 400 and 1500-meter freestyles (short course meters).

Irwin is married to the former Mary Bell Harrison of Savannah, Georgia. They have four children and eight grandchildren.