

Robbins Firm Recruits Two Government Lawyers

Robbins Ross Alloy Belinfante Littlefield has recruited two lawyers from state government for its growing regulatory and administrative law practice.

Vincent Russo resigned as general counsel and assistant securities commissioner for the Georgia Secretary of State's office to join the firm as counsel on Sept. 1. The litigation also recruited **Craig Kunkes**, an attorney from the Georgia Governor's Office of Consumer Protection.

Kunkes joined on Sept. 1 as an associate, giving the Robbins firm 11 lawyers. **Richard Robbins** started the firm five years ago when he left Sutherland, Asbill & Brennan.

Robbins said the practice is still mostly business litigation—his area—but the firm has added regulatory and administrative cases involving government since he recruited **Josh Belinfante** in 2009. Belinfante was executive counsel for Gov. Sonny Perdue. He has stayed involved in state government, serving as vice chairman of Georgia's ethics commission from 2010 to 2011.

Belinfante said the firm recruited Russo and Kunkes because work in the government arena has increased, particularly for lawyers with experience in state government. There are far more lawyers who handle federal regulatory work, he explained.

Belinfante has known Russo, 33, since he became general counsel for the Secretary of State's office in 2008, under Karen Handel. An Emory University law graduate, Russo was a business litigator at Weinstock & Scavo when Handel tapped him for the post at 28. "I was lucky that Karen was willing to give me a shot," he said. Russo continued as GC under Brian Kemp and added the assistant securities commissioner role in 2011.

The Secretary of State's office is conducting a search for a new GC, a spokesman said.

Another Robbins partner, **Jason Alloy**, recruited Kunkes, 29. The two are tennis partners, Robbins said—and just won the T2Tennis city championship last week.

Robbins said he likes recruiting younger lawyers from government, even if they lack a book of business. "People get a great deal of substantive knowledge and experience at an early age, which we've found helpful. We don't have time to train them," he said.

"I like bringing in people starting out in their careers and watching them grow and develop," he added.

Russo said both the lawyers and the mix of business litigation and regulatory matters sold him on the Robbins firm, which is located at 999 Peachtree Street.

"I have the leeway to develop my own practice, my own clients and business relationships. I can leverage the relationships I've developed over the years," Russo said, adding that he brought in his first client last week. (He declined to name the client, saying only that the matter is a business dispute.)

At the Secretary of State's office, Russo crafted an innovative response to the financial crisis with the Invest Georgia Exemption, which allows Georgia companies to raise up to \$1 million through online crowdfunding.

Because credit markets dried up after the financial crisis, small businesses needed to find other ways to raise money, Russo explained. "Their ability to get a bank loan was just not there."

The regulatory exemption, effective in December 2011, permits Georgia companies to sell up to \$1 million in equity per year to Georgia residents. Companies need file only a one-page notice with the state that they are making a public offering, instead of a complete offering statement.

Georgia is one of the first states to allow online crowdfunding, Russo said. The federal JOBS Act of 2012 includes a law permitting crowdfunding, but the Securities and Exchange Commission has not yet completed its rulemaking to allow securities to be offered to the public.

Certain safeguards are built into the Invest Georgia Exemption to protect investors. The relatively modest \$1 million cap limits investors' exposure if the company fails, Russo said, and the money raised must be deposited in a Georgia bank. That way, the office knows where the money went if it needs to make a recovery. "It's easier to recoup if it's in state and not in Venezuela," Russo observed.

Non-accredited investors—those with annual incomes under \$200,000—can invest only up to \$10,000 per year. Accredited investors can invest as much as they like. Russo said they are allowed to participate so companies can raise capital more quickly, rather than piece together lots of \$10,000 investments.

In addition to securities cases and business disputes, Russo plans to represent local governments in voter regulation cases, drawing on his election law experience. The Robbins firm is already handling some of these cases, Belinfante said, and he foresees more.

Belinfante expects that Kunkes will take on consumer litigation, adding that the firm has handled several cases against the Governor's Office of Consumer Protection. "It's an area where the statutes are really broad and the office has gotten really aggressive in the past few years enforcing what it sees as its mandate," he said.