

# ROBBINS

Litigation and Regulatory Law

**Josh Belinfante** previously served as the Executive Counsel to Governor Sonny Perdue. He has also served as the Legal Counsel to the Georgia House of Representatives Committee on the Judiciary (2006), and as the campaign counsel and policy advisor to Perdue for Senate (2013-2014), United States Senator David Perdue's campaign.

Josh has also worked with various interest groups and clients since leaving the Governor's Office in 2009. He has developed particular expertise in the areas of health care and gaming, and he has written language that has become law in almost every legislative session since 2006.

Throughout his time at the State Capitol, Josh has not avoided lengthy and complex legislation. In fact, he prefers it. He has played significant roles in rewriting Georgia's laws governing gaming, certificates of need, non-compete agreements, Medicaid appeals, and eminent domain.

Josh has also drafted amendments to existing law that have altered the Administrative Procedure Act, the Civil Practice Act, the Pharmacy Practice Act, the Criminal Code, laws governing professions, the Medical Practice Act, and others.

Finally, Josh's experience as one of Georgia's most experienced litigators on issues of statutory construction, government law, and procurement. Knowing how Georgia's courts will likely interpret statutory language is critical to his experience as a drafter, and he has successfully defended challenged laws and defeated others. He has also advised clients seeking to do business with the state on the front end: working with agencies to be sure that proposed procurements allow clients to compete fairly and successfully.

Josh is an active member of the Federalist Society, the Lumpkin Inn of Court, the Georgia Republican Party Foundation, and various campaigns.

## Education

- JD, cum laude, University of Georgia School of Law, 2003
- B.A., cum laude, University of Pennsylvania, 1999

## Clerkship

- The Honorable Judge J.L. Edmondson, United States Court of Appeals for the Eleventh Circuit



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Belinfante

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# Bar Memberships

- Georgia

# Representative Cases

- *City of Atlanta v. Mays*, 301 Ga. 367 (2017) (unanimously affirming trial court's invalidation of numerous Atlanta annexations);
- *City of Dunwoody v. Discovery Practice Management, Inc.*, 338 Ga. App. 135 (2016) (affirming superior court's decision to reverse municipal zoning board of appeals after concluding that the board exceeded its authority);
- *Georgia Dept. of Behavioral Health and Developmental Disabilities v. United Cerebral Palsy of Georgia*, 298 Ga. 779 (2016) (unanimously reversing Court of Appeals decision and reinstating Superior Court's order dismissing putative class action of Medicaid providers and beneficiaries seeking hundreds of millions of dollars based on theories involving constitutional law, federal Medicaid regulations, and state law);
- *Gebrekidan v. City of Clarkston*, 298 Ga. 651 (2016) (unanimously reversing Superior Court order that would have allowed the City of Clarkston to ban coin operated amusement machines from establishments with retail alcohol licenses) (representing Amicus Georgia Amusement and Music Operators' Association).
- *All Star, Inc. v. Georgia Atlanta Amusements*, 332 Ga. App. 1 (2015) (reversing superior court decision that 2013 legislation invalidated contracts in gaming industry).
- *Hausmann v. Ferdinand*, Georgia Court of Appeals (2015) (affirming summary judgment that Fulton County Commissioner could proceed against Tax Commissioner on retaliation claims) (unpublished).
- *LabMD v. Savera*, 331 Ga. App. 463 (2015) (finding trial court abused its discretion when it awarded attorneys' fees without setting off amounts paid by insurance and prior settlement) (did not serve as trial counsel).
- *United States v. Georgia*, Northern District of Georgia; challenge to Georgia's behavioral health delivery system, settled on favorable terms to Georgia
- *In re: Physician*, Georgia Composite Medical Board; physician threatened with suspension of license and \$10,000 fine, settled for private reprimand and \$2,500
- *In re: Judge*, Judicial Qualification Commission; judge threatened with never being permitted to serve in a judicial capacity again, case dismissed
- *Palmyra Park Hosp. Inc., v. Phoebe Sumter Medical Center*, 310 Ga.App. 487, 714 S.E.2d 71 (2011) (reversing trial court's denial of Certificate of Need under new law)
- *Gwinnett County School District v. Cox*, 289 Ga. 265, 710 S.E.2d 773 (2011) (striking Georgia's charter school law) (brief for Amicus, Georgia Chamber of Commerce)
- *Fulton-DeKalb Hospital Authority v. Reliance Trust Co.*, 270 Ga.App. 822, 608 S.E.2d 272 (2004) (upholding summary judgment and rejecting new cause of action against healthcare professionals)

## Selected Publications and Presentations

- *State Regulation of Healthcare*, Conservative Policy Leadership Institute (2011, 2012, 2016, 2017)
- *Ethics & Political Leadership*, Republican Leadership for Georgia, (annually since 2010)
- *The Future of Georgia Medicaid*, Young Professionals in Healthcare (2012)
- *Mandatory Medical Malpractice Review Panels*, Heritage Foundation & Georgia Public Policy Foundation (2011)
- *The Law of Ethics*, Georgia Senate Majority Caucus (2011)
- *United States v. Georgia: Legislative Responsibilities*, Biennial Institute, November 2010
- “*The Shield Remains: The Peer Review Privilege in Georgia*,” The Georgia Bar Journal, January 2006
- “*To Dismiss or Not to Dismiss, Partial Motions to Dismiss*,” The Federal Lawyer, Winter 2006.
- “*Campaign Finance After McConnell*,” Republican National Lawyers Association Newsletter, Winter 2003.

## Government Service

- Member, Federal Judicial Advisory Committee
- Special Assistant Attorney General:
  - *Georgia Advocacy Office v. Georgia* (private challenge to Georgia’s special education system) (2017 – ongoing);
  - *United States v. Georgia* (government challenge to Georgia’s special education system) (2016 – ongoing);
  - *United Cerebral Policy, et al. v. State of Georgia* (putative class action involving Georgia Medicaid program) (2014 – ongoing);
  - *State of Florida v. Sibelius* (challenge to PPACA) (2010-2012);
  - *United States v. Georgia* (challenge to Georgia’s behavioral health delivery system) (2009 – ongoing);
- Commissioner, Sandy Springs Charter Review Commission (2011)
  - Board Member, Medical College of Georgia Health System, Chairman of Audit Committee (2010-2011)
  - Vice Chairman, Georgia Campaign Finance and Transparency Commission (2010-2011)
  - Executive Counsel to Governor Sonny Perdue (2007-2009)
  - Legal Counsel, Georgia House of Representatives Committee on the Judiciary (2006)
  - Law Clerk, Chief Judge J.L. Edmondson, United States Court of Appeals for the Eleventh Circuit (2004-2005).

## Memberships

- Conservative Policy Leadership Institute, Chairman
- Georgia Chamber of Commerce, Law & Judiciary Committee
- Pace Academy Alumni Association, Past-President

- The Federalist Society, Member of the Board of the Atlanta Chapter
- To Remember, an organization dedicated to ending Alzheimer's Disease