Jackson Named Most Trusted Municipal Bond Adviser of the Year – Alabama

J. Theodore Jackson has been named "Most Trusted Municipal Bond Adviser of the Year – Alabama" by Acquisition International. Winners are determined through "a comprehensive analysis of the industry and a complete run through of the best of the best in terms of industry experts." Results are based on votes received from industry leaders and extensive in-house research, and awards are given solely on merit with the goal of recognizing outstanding industry leaders in their respective fields.

Rushton Stakely has almost 70 years experience in the fields of public/corporate finance and securities. In the area of public finance, we have acted as bond counsel, warrant counsel, issuer counsel, company counsel, tax counsel and underwriter counsel. In our work as bond counsel, our lawyers have been engaged to review and render opinions upon bond and warrant financings for the State of Alabama, county and municipal bodies throughout the State of Alabama, and various authorities, boards and commissions having authority to issue indebtedness.

Rushton Stakely has been a respected leader in the legal community for over 120 years, and our firm has been recognized repeatedly for outstanding performance. Our public finance lawyers are nationally recognized for their opinions regarding the validity and tax-exempt nature of indebtedness and other opinions in advance of the issuance of debt. We are thrilled that one of our lawyers has been recognized with this prestigious international award.

Defense Verdict in Favor of ER Physician

After a trial which lasted almost two weeks, a south Alabama ER physician won a defense verdict in a wrongful death action. The plaintiffs, parents of a 17-year-old boy, alleged that the ER physician failed to order appropriate tests during an ER visit in which their son presented with complaints of severe chest pain radiating to the back of his neck. Eleven days later, their son died from a ruptured aortic dissection. The plaintiffs presented testimony from five expert witnesses, including a former state medical examiner who performed the autopsy on their son, in support of their claims that the aortic dissection existed at the time of the ER visit in question and should have been diagnosed. The defense countered with evidence that the ER physician appropriately evaluated the plaintiffs' son, ordered appropriate tests, and ruled out this condition at the time of the ER visit. Following brief deliberations, the jury returned a unanimous verdict in favor of the ER physician and a co-defendant hospital against which the only claim was that the physician was its agent. The ER physician was represented by Rushton Stakely lawyers, **Thomas H. Keene** and **Patrick M. Shegon**.

Eighteen Rushton Stakely

Attorneys Named Best Lawyers FOR 2014

Rushton Stakely is pleased to announce that eighteen of our attorneys were chosen for the 2014 edition of *The Best Lawyers in America*®. The selected lawyers are: **Dennis R. Bailey**, Communications Law, Bet-the-Company Litigation, Commercial Litigation, Litigation – Banking & Finance, Litigation – Intellectual Property, Litigation – Labor & Employment, Litigation – Real Estate, and Product Liability Litigation – Defendants; **Jeffrey W. Blitz**, Real Estate Law; **L. Peyton Chapman**, Medical Malpractice Law – Defendants; **Ronald G. Davenport**, Personal Injury Litigation – Defendants; **William I. Eskridge**, Real Estate Law; **James W. Garrett, Jr.**, Personal Injury – Defendants, Mediation, and Insurance Law; **Richard B. Garrett**, Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants; **William S. Haynes**, Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants; **J. Theodore Jackson, Jr.**, Litigation & Controversy – Tax, Tax Law, Trusts & Estates; **Paul M. James, Jr.**, Personal Injury Litigation – Defendants; **Thomas H. Keene**, Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants; **Daniel L. Lindsey**, Tax Law and Trusts & Estates; **Patrick M. Shegon**, Medical Malpractice Law – Defendants; **Christopher S. Simmons**, Litigation & Controversy – Tax, Employee Benefits (ERISA) Law, Public Finance Law, Tax Law, and Trusts & Estates; **Frank J. Stakely**, Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants; **Fred W. Tyson**, Medical Malpractice Law – Defendants and Personal Injury Litigation – Defendants; **Robert C. Ward, Jr.**, Mediation and Insurance Law; and **Helen Crump Wells**, Tax Law and Trusts & Estates.

For 30 years, Best Lawyers has been regarded as the definitive guide to legal excellence in the United States. Inclusion in the Best Lawyers list is based on a rigorous national survey

of almost 50,000 leading U. S. attorneys, and Corporate Counsel magazine has called Best Lawyers “the most respected referral list of attorneys in practice.” We are proud that eighteen of our attorneys were recognized with this distinguished honor.

Stakely Named as “Lawyer of the Year” for 2014

Rushton, Stakely, Johnston & Garrett, P.A. is pleased to announce that Frank J. Stakely has been honored by Best Lawyers in America as “Lawyer of the Year” for 2014 in Personal Injury Litigation – Defendants. Only a single lawyer in each practice area in each community is selected for this prestigious honor.

Best Lawyers is the oldest and most respected peer review publication within the legal industry. Inclusion in the Best Lawyers list is based on exhaustive peer reviews of thousands of leading attorneys throughout the United States. The “Lawyers of the Year” were selected because they received particularly high ratings from their peers, having earned a high level of respect for their abilities, professionalism, and integrity in the legal field.

J C Love, III Joins Rushton Stakely

Rushton, Stakely, Johnston & Garrett, P.A. is pleased to announce that J C Love, III has joined the firm as an associate. Mr. Love has significant experience in all facets of civil and commercial litigation, with his primary focus on defending physicians and hospitals in medical malpractice matters. He has assisted clients with complex legal matters ranging from premises liability, products liability, corporate law, and estate and probate matters. Mr. Love graduated cum laude from Morehouse College, and he received his law degree from Boston College Law School. Prior to joining Rushton Stakely, he practiced with Williams & Associates, P.C. in Decatur, Georgia.

Chapman and Garrett Achieve Defense Judgment at Trial in Favor of Hospital

Rushton Stakely shareholders L. Peyton Chapman, III and R. Brett Garrett obtained a judgment as a matter of law in favor of a local hospital on the third day of a jury trial in Montgomery County, Alabama. The plaintiff in the case alleged that he fell during his recovery from C1-2 cervical fusion surgery, and that the injury sustained in the fall required him to undergo an additional surgical procedure. The plaintiff further alleged that the hospital was responsible for the fall based on the positioning of the patient by a physical

therapist. The trial court granted the hospital’s motion for judgment as a matter of law at the end of all evidence, finding that the plaintiff had failed to meet his burden of proof.

Offensive and Defensive Summary Judgment in Favor of RSJG Client/Insurer Affirmed on Appeal

In a case involving the non-payment of insurance premiums under an assigned risk worker’s compensation policy, Evans Bailey and Ron Davenport successfully argued for an offensive and defensive summary judgment in favor of their client, a national insurance company. The trial court found that the insurer was not only entitled to the premiums that had not been paid, but also that the defendant’s counterclaims alleging fraud and various other torts against the insurer and its alleged agent were not viable. The Alabama Court of Civil Appeals affirmed the trial court’s decision on appeal without an opinion on June 14, 2013.

Tyson and Stakely Win Verdict

in Pediatric Medical Malpractice Case

Fred Tyson and Frank Stakely obtained a defense verdict in a pediatric medical malpractice case. The plaintiff was a ten year old female at the time of trial and the suit was brought on her behalf by her parents alleging a failure to timely diagnose developmental dysplasia of the hips. The plaintiffs alleged that as a result of the delay in diagnosis, the child was forced to undergo unnecessary and complicated surgery and that her future prognosis was made worse by the alleged delayed diagnosis. The case was brought against an individual pediatrician and the pediatric group. Several members of the group examined the child during the timeframe in which the plaintiffs contended that the diagnosis should have been made. The case was defended both on the standard of care and on the issue of causation. Following a week-long trial, the jury deliberated for approximately 45 minutes before returning their verdict in favor of both the pediatrician and the pediatric group.

Rushton Stakely Attorneys Recognized as Super Lawyers

Rushton, Stakely, Johnston and Garrett, P.A. is pleased to announce that seven of its lawyers have been selected for inclusion in the 2013 edition of the Alabama Super Lawyers publication. The lawyers selected include: Jeffrey W. Blitz (Real Estate); Ronald G. Davenport (Civil Litigation Defense); R. Austin Huffaker, Jr. (Civil Litigation Defense); Robert C.

Ward, Jr. (Civil Litigation Defense); Thomas H. Keene (Personal Injury Defense: Medical Malpractice); T. Grant Sexton, Jr. (Rising Star – Personal Injury Defense: Medical Malpractice); Fred W. Tyson (Personal Injury Defense: Medical Malpractice). Lawyers are nominated by their peers and selected for inclusion in Super Lawyers after a rigorous evaluation of their background, experience and achievements in the legal field. The purpose of the selection process is to identify a diverse and comprehensive listing of attorneys within the State who have attained the highest level of professional achievement. This honor is awarded to only the top five percent of lawyers in the State.

Jackson Named 'Energy Law – Lawyer of the Year in Alabama'

J. Theodore Jackson has been named 'Energy Law – Lawyer of the Year in Alabama' as a part of the *Corporate INTL Global Awards 2013*. The annual awards recognize lawyers who have "demonstrated excellence in providing legal advice and client service over the last 12 months." To select winners, a panel of experts carefully research and analyze industry leaders who stand out as consistently showing the best practice and innovation in their fields.

Rushton Stakely has been a respected leader in the legal community for over 120 years, and our firm has been recognized repeatedly for outstanding performance. We are thrilled to be recognized again with this prestigious Global Award.

Rushton Stakely has almost 70 years experience in utility and

energy law, and the Firm has become a leading authority in this field. Our attorneys handle a broad range of transactions for both utilities and businesses in the electric, gas, water, telecommunications, and sewer service industries. J. Theodore Jackson, Jr., the lead attorney in this department, has been with the firm since 1970 and has substantial experience in the areas of utility law, taxation, corporate law, the law of natural resources, and administrative law. Mr. Jackson is AV peer review rated by *Martindale Hubbell*, and he has been listed in *Best Lawyers in America*, Top Lawyer by *Corporate Counsel Magazine*, and *Montgomery Best Lawyers Trust and Estates Lawyer of the Year 2012*. He has also served as the Alabama coordinator for the Electric Cooperative Bar Association since its inception, and he serves as the president of the National Association of Electricity Generation and Transmission Attorneys.