Dumas and Arshad Secure Appellate Victory for In-State Financial Institution

On October 31, 2025, Royal C. Dumas and Taimoor Arshad obtained a unanimous affirmance by the Supreme Court of Alabama. In an Order, the Supreme Court of Alabama voted 7–0, with two Justices recused, to affirm without opinion the dismissal of Plaintiffs' case and in favor of the in-state bank.

In a prior lawsuit, Plaintiffs made numerous claims grounded in fraud, breach of contract, and wantonness regarding a proposed loan to be issued by the in-state financial institution. Ultimately, a summary judgment in the bank's favor was affirmed by the Supreme Court of Alabama in 2024. Just before the Supreme Court of Alabama affirmed that summary judgment, Plaintiffs attempted a second bite at the apple, bringing the same claims in a new lawsuit. Consequently, the trial court dismissed that lawsuit on various grounds, including res judicata, which the Supreme Court of Alabama affirmed on appeal without opinion.

Bailey and Dumas Win Arbitration

Royal Dumas and Evans Bailey recently prevailed in a construction arbitration involving the remodeling of a historic building in Anniston. The owner claimed Dumas and Bailey's client overcharged for work. The arbitrator

disagreed and awarded their client over $600,000 plus attorney’s fees.

Freeman Achieves Favorable Verdict in Jury Trial

This lawsuit arose out of a motor vehicle accident in Mobile, Alabama. The plaintiff suffered head and neck injuries and received continued treatment for a traumatic brain injury after being rear-ended by a vehicle traveling approximately 45 mph. The case proceeded to a jury trial with the tortfeasor and the underinsured carrier named as defendants.

At trial, the plaintiff presented multiple lay witnesses as well as expert testimony, including an orthopedic surgeon and psychiatrist, to support her claims of a serious neck injury, traumatic brain injury, and associated symptoms. The plaintiff asserted that these injuries would require lifelong treatment and significantly impact her quality of life. While the defendants did not concede liability, the focus of defendant’s case was to dispute the cause and/or extent of the claimed injuries, and particularly the traumatic brain injury claimed by the plaintiff.

At the end of the trial, the plaintiff requested a jury award of $1.2 million. In contrast, the defendants suggested a significantly lower award of $15,000 or $20,000 based on the actual medical evidence and testimony presented during the week-long trial. The jury ultimately returned a verdict for the plaintiff in the amount of $15,000 – a figure well within the tortfeasor’s liability limits. This outcome represents a substantial success for the defense.

Evans Bailey Talks Media Law with Crimson White

The student newspaper at the University of Alabama, the Crimson White, invited Evans Bailey to speak at their orientation on August 18, 2025. The Crimson White was first published in 1894 and is a student-run, editorially independent newspaper. In 2019, it won the Associated Collegiate Press' Peacemaker Award – the highest award in collegiate journalism. Mr. Bailey discussed defamation law in Alabama and government transparency with its editorial and news staff.

Evans Bailey Named APA General Counsel

Evans Bailey has been named general counsel of the Alabama Press Association (the "APA") effective January 1, 2025. The APA is one of the oldest, if not the oldest, non-profit trade associations in Alabama. It has sought to further the common interests of Alabama newspapers since the late 1800s. As general counsel, one of Evans' many roles includes operating the APA's legal hotline where members can ask questions and receive opinions regarding open records, open meetings, advertisements, retraction requests, and similar matters. Evans is preceded in the General Counsel role by his father, former Rushton Stakely partner Dennis Bailey, who served as

APA general counsel for more than 20 years.

Three Rushton Stakely Lawyers Recognized by Best Lawyers as Lawyers of the Year

Rushton Stakely is pleased to announce that shareholders, **Daniel L. Lindsey, Jr.**, **T. Grant Sexton, Jr.,** and **Christopher S. Simmons** have been selected as "Lawyers of the Year" in the 2026 Edition of *The Best Lawyers in America*®, a guide that is highly respected in the legal community. Lawyers are selected based on extensive reviews by their peers, and only one lawyer in a specific practice field and location is selected annually for this publication.

Mr. Lindsey is being recognized as a Lawyer of the Year for his work in Tax Law in Montgomery, Alabama. Mr. Lindsey joined the firm in 1995 and became a shareholder in 2001. He practices in federal and state taxation, general corporate and business law, and estate planning. His practice encompasses a broad range of legal services, including real estate development and financing, tax credit transactions, estate planning, and corporate structuring. Mr. Lindsey also handles matters involving contract negotiation, probate administration, and general counsel services for organizations and professional groups. Mr. Lindsey has been recognized by *Best Lawyers in America*® since 2009.

Mr. Sexton is being honored for his work in Insurance Law in Montgomery, Alabama. Mr. Sexton joined the firm in 2006 and became a shareholder in 2014. He is an experienced trial lawyer who has dedicated his career to defending individuals

and companies in courtrooms across Alabama. He has significant experience trying complex, high-stakes litigation in both state and federal courts, as well as administrative proceedings before professional licensing boards. He has handled a wide range of litigation matters, focusing on medical malpractice and wrongful death claims. Mr. Sexton has secured numerous defense verdicts for physicians, hospitals, and healthcare professionals in cases involving serious allegations, including misdiagnosis, surgical errors, and patient injury or death. His record of success has earned him repeated recognition by organizations such as *Best Lawyers in America*® and *Super Lawyers*®.

Mr. Simmons is being honored for his work in Litigation and Controversy – Tax in Montgomery, Alabama. Mr. Simmons has been with the firm since 1993 and became a shareholder in 1998. His practice focuses on state and federal taxation, corporate and business law, securities, municipal finance, employee benefits, and estate planning. He has represented corporations, public entities, and individuals in complex transactions, including mergers and acquisitions, tax-exempt financing, and joint ventures. Mr. Simmons routinely advises clients on tax and securities matters. He also provides strategic counsel to hospitals and healthcare providers on financing, compliance, and organizational matters. In addition to his legal practice, Mr. Simmons has served on the Alabama Law Institute's committee for public retirement systems and is an active member of several professional legal associations. Mr. Simmons has been recognized by *Best Lawyers in America*® since 2001, and this is his second term being honored as a Lawyer of the Year.

For 130 years, Rushton Stakely has provided the highest levels of legal service throughout the United States. Founded in 1890, the firm is now composed of over 30 experienced lawyers practicing in a broad spectrum of legal fields. From the courtroom to the board room, our lawyers will advocate for

you.

Twenty-Three Rushton Stakely Lawyers Recognized in 2026 Best Lawyers in America

Rushton Stakely is pleased to announce that twenty-one of our attorneys have been selected for the 2026 edition of *The Best Lawyers in America©.* For over fifteen years, more than half of the Rushton Stakely attorneys have been recognized in the annual publication, with at least one attorney being named Lawyer of the Year in his or her respective practice area(s) since 2011. This recognition spans across numerous practice areas, with our attorneys gaining recognition in eighteen areas of law for 2026. The selected lawyers include: **J. Evans Bailey**, Commercial Litigation, Insurance Law, and Product Liability Litigation – Defendants; **Jeffrey W. Blitz**, Real Estate Law; **L. Peyton Chapman III**, Mass Tort Litigation/Class Actions – Defendants, and Medical Malpractice Law – Defendants; **Stephen P. Dees**, Healthcare Law and Medical Malpractice Law – Defendants; **James R. Dickens, Jr.**, Commercial Transactions/UCC Law; Real Estate Law; **J. Scott Dickens,** Litigation – Construction; **Royal C. Dumas,** Insurance Law and Product Liability Litigation – Defendants; **William I. Eskridge**, Real Estate Law; **R. Brett Garrett**, Insurance Law, Litigation – Insurance, and Product Liability Litigation – Defendants; **Alan T. Hargrove**, **Jr**., Insurance Law, and Litigation – Insurance; **William S**. **Haynes**, Medical Malpractice Law – Defendants, and Personal Injury Litigation – Defendants; **Amanda C. Hines**, Insurance Law and Medical Malpractice Law – Defendants; **Paul M. James, Jr**., Personal

Injury Litigation – Defendants; **Thomas H. Keene**, Medical Malpractice Law – Defendants, and Personal Injury Litigation – Defendants; **P. Andrew Laird**, Workers' Compensation Law – Employers, **Daniel L. Lindsey**, **Jr**., Tax Law, and Trusts and Estates; **Philip G. Piggott,** Commercial Litigation and Personal Injury Litigation – Defendants; **T. Grant Sexton, Jr.,** Insurance Law, Medical Malpractice Law – Defendants, and Product Liability Litigation – Defendants; **Patrick M. Shegon**, Medical Malpractice Law – Defendants; **Christopher S. Simmons**, Employee Benefits (ERISA) Law, Litigation and Controversy – Tax, Public Finance Law, Tax Law; **Ben C. Wilson**, Litigation – Health Care, Litigation – Labor and Employment, and Medical Malpractice Law – Defendants. Additionally, the following attorneys have been recognized as "Ones to Watch" in their areas of law: **Chase S. Eley**, Workers' Compensation Law and **Brock Hendon**, Tax Law and Trusts and Estates. .

James and McEntyre Secure Appellate Win for Out-of-State Financial Institution

Paul M. James, Jr. and Katie Marie McEntyre received a unanimous verdict from the Alabama Supreme Court on the issue of specific personal jurisdiction involving a California-based financial institution. Specifically, the Plaintiff sued the out-of-state bank claiming that his unilateral wiring of money to that institution and the bank's "advertisements on the internet" subjected them to specific jurisdiction here in Alabama. The Plaintiff filed suit in Jefferson County Circuit Court after the company to whom he wired $60,000 absconded with the money and closed their account.

In a unanimous opinion, the Alabama Supreme Court granted James and McEntyre's client's request for a Writ of Mandamus and ordered the Trial Court to dismiss the case with prejudice. The Court's Opinion adopted all arguments raised by the defense and reiterated the strong legal principle regarding specific jurisdiction over an out-of-state Defendant with limited contacts with the State of Alabama.

James Obtains Dismissal of Lawsuit Against Large Multi-County Pest Control Operator

Paul James recently obtained the dismissal of a lawsuit against a large multi-county pest control operator in North Alabama. The Plaintiff filed claims of fraud, misrepresentation & suppression, along with breach of contract, breach of fiduciary duty, and negligent/wanton conduct. The Plaintiff's claims arose out of the preparation of a Wood Infestation Inspection Report ("WIIR") along with allegations of improper treatment. However, the Trial Court agreed with James' arguments that the Plaintiff's Complaint and facts did not establish a breach of the standard of care for the applicable pest control operator and that the Plaintiff had suffered no damage as a result of what they argued were gross & deficient treatments and inspections of their client's home.

Bailey Helps Secure Win in Appeal Involving Gas Tax Distribution

On January 10, 2025, the Alabama Supreme Court affirmed a Russell County Circuit Court's decision that Russell County must continue paying Phenix City and the Town of Hurstboro a portion of the County's gas tax revenue pursuant to a local act passed by the Legislature in 1969. Partner Evans Bailey represented Phenix City and Hurstboro at the appellate stage with Jim McKoon and Chan Gamble securing the result in the trial court. The Supreme Court's slip opinion in *Russell County et al. v. City of Phenix City and Town of Hurtsboro*, SC-2024-0045 can be found here