James and Stakely Obtain Summary Judgment for Regional Grocery Store Chain

Paul James and Charlie Stakely recently represented Winn Dixie Store and two cleaning services in a slip and fall case in central Alabama. The Plaintiff slipped and fell and sustained over $40,000 in medical expenses and claimed that a rug which had been upturned by a cleaning employee caused the fall and the subsequent medical treatment.

Mr. James and Mr. Stakely obtained Summary Judgment, arguing that the rug's upturned condition constituted an open and obvious hazard which the Plaintiff knew or should have known about immediately prior to the fall. With the assistance of video evidence, James and Stakely were able to obtain Summary Judgment for not only Winn Dixie, but the cleaning services as well.

Benton Hughes Joins Rushton Stakely Law Firm

Rushton Stakely is proud to announce that Benton Hughes has joined the firm as an Associate in the Montgomery office.

Mr. Hughes joined the firm in September 2021. His practice with Rushton Stakely focuses primarily on commercial real estate and includes the representation of developers and lenders in a variety of commercial transactions.

Mr. Hughes received his Bachelor of Arts degree, magna cum laude, from the University of Alabama in 2018. He received his Juris Doctorate from the University of Alabama School of Law in 2021. While in law school, Mr. Hughes served as the Editor-in-Chief of the Law & Psychology Review, was a member of the John A. Campbell Moot Court Board, competed on the Labor and Employment Moot Court Team, and was elected to the Bench and Bar Honor Society.

Jay Douglass Joins Rushton Stakely Law Firm

Rushton Stakely is proud to announce that Jay Douglass has joined the firm as an Associate in the Montgomery office.

Mr. Douglass joined the firm in September 2021. His practice is devoted to civil litigation.

Mr. Douglass received his Bachelor of Arts degree, *cum laude*, from Sewanee: The University of The South in 2018. While attending Sewanee, Mr. Douglass was a four-year letterman on the Sewanee football team. He received his Juris Doctorate from Cumberland School of Law in 2021. While in law school, Mr. Douglass was a member of the Cumberland National Trial Team, served as a member of the Trial Advocacy Board, won the 2019 Parham Williams Trial Competition, and received the CALI Excellence Award in Constitutional Law and in Professional Responsibility. He also served as Co-Director of The Herbert W. Peterson National Trial Team Competition.

Best Lawyers® Names Bailey, Hargrove, Lindsey, Tyson, and Wells Lawyer of the Year

Rushton Stakely is pleased to announce that shareholders, **Dennis R. Bailey**, **Alan T. Hargrove**, **Daniel L. Lindsey, Fred W. Tyson,** and **Helen C. Wells** have been selected as "Lawyers of the Year" in the 2022 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. Bailey has been honored for his work in Product Liability Litigation- Defendants in Montgomery, Alabama. After serving as a federal law clerk in the Middle District of Alabama for one year, Mr. Bailey began practicing law with the firm in 1980 and has been a shareholder since 1983. Building upon a strong background of product liability and insurance defense, Mr. Bailey's practice has evolved into handling a variety of complex litigation directly for clients who are either self-insured or have control over the selection of defense counsel. Mr. Bailey works closely with corporate counsel and is therefore familiar with corporate litigation guidelines, reporting, and budgeting requirements. He has managed and argued complex litigation for corporate manufacturing, insurance, and financial services clients as pro hac vice counsel in federal or state cases in Arizona, Arkansas, Tennessee, Mississippi, Louisiana, Texas, Florida, North Carolina, South Carolina, Oklahoma, Pennsylvania, Kentucky, and California. He has also represented clients in

construction arbitration proceedings and has served as an arbitrator. A former newspaper reporter, cartoonist and magazine editor, Mr. Bailey has been involved in media law since 1980, particularly matters involving First Amendment rights and open government. He has served for years as general counsel for the Alabama Press Association and other media clients, and now supervises a statewide media hotline.

Mr. Hargrove has been honored for his work in Insurance Law in Montgomery, Alabama. He joined the firm in 1999 and became a shareholder in 2005. He is a member of the litigation department, and he currently serves on the firm's management committee. He has a broad civil defense practice that includes complex and commercial litigation, construction law, product liability, state and federal employment claims, and professional liability. Recently, a significant percentage of his practice has focused on the representation of major pharmaceutical and medical device manufacturers. Mr. Hargrove has also defended employers in discrimination, retaliatory discharge, and whistleblower claims.

Mr. Lindsey has been honored for his work in Tax Law in Montgomery, Alabama. He joined the firm in 1995 and became a shareholder in 2001. He practices in federal and state taxation, general corporate and business law, in addition to estate planning and probate. Before entering law school, he practiced as a certified public accountant for three years. He graduated from the University of Alabama School of Law in 1994 where he was a member of the National Moot Court Team and the John A. Campbell Moot Court Board. Mr. Lindsey received his L.L.M. in Taxation from New York University School of Law in 1995.

Mr. Tyson has been honored for his work in Medical Malpractice Law– Defendants in Montgomery, Alabama. He joined the firm in 1982 and has over thirty years of experience litigating a wide range of civil cases throughout the state. His practice is primarily devoted to the defense of physicians, hospitals,

nurses and other healthcare professionals in medical malpractice cases. He also handles other complex litigation matters such as legal and other professional liability cases.

Mrs. Wells has been honored for her work in Trust and Estates in Montgomery, Alabama. She has a background of years in trust administration, banking, and bank holding company legal administration gives Mrs. Wells a wide range of experience in corporate mergers and other transactions, securities issuance and disclosure, bank regulatory matters, corporate governance, and estate planning and trust and estate administration. Mrs. Wells' practice includes corporate, partnership, and personal financing and real estate transactions, taxation, entity formations, corporate transactions including purchases, mergers and reorganizations, and corporate buy-sell agreements, and other business succession planning. Her probate and estate planning practice has included innovative tax and personal planning for complex estates involving closely-held businesses, generation-skipping tax problems, minimization of estate and gift taxes by various techniques, securing IRS private letter rulings, and numerous other issues. She has been a shareholder of the firm since 1992.

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.

Eighteen Rushton Stakely Attorneys Named Best Lawyers 2022

Rushton Stakely is pleased to announce that eighteen of our attorneys were chosen for the 2022 edition of *The Best Lawyers in America©.* The selected lawyers are: **Dennis R. Bailey**, Bet-the-Company Litigation, Commercial Litigation, Communications Law, Litigation – Banking and Finance, Litigation – Intellectual Property, Litigation – Labor and Employment, Litigation – Real Estate, 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**, Medical Malpractice Law – Defendants; **William I. Eskridge**, Real Estate Law; **R. Brett Garrett**, Insurance Law; **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; **Thomas H. Keene**, Medical Malpractice Law – Defendants, and Personal Injury Litigation – Defendants; **Daniel L. Lindsey**, **Jr.**, Tax Law, and Trusts and Estates; **T. Grant Sexton, Jr.,** Insurance Law and Medical Malpractice Law – Defendants; **Patrick M. Shegon**, Medical Malpractice Law – Defendants; **Christopher S. Simmons**, Employee Benefits (ERISA) Law, Litigation and Controversy – Tax, Public Finance Law, Tax Law, and Trusts and 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; **Helen Crump Wells**, Tax Law, and Trusts and Estates; **Ben C. Wilson**, Litigation – Health Care, Litigation – Labor and Employment, and Medical Malpractice Law –

Defendants.

Rushton Stakely is also pleased to recognize **Theresa J. Friedman** on her inclusion of *The Best Lawyers in America*: *Ones to Watch 2022 Edition* for Environmental Law and Real Estate Law.

For over 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 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 sixteen of our attorneys were recognized with this distinguished honor.

Rushton Stakely Welcomes the Firm's Second-Half Summer Associates

Rushton Stakely welcomes Taimoor Arshad, Haleigh Chambliss, Emma Colson, and John Hemmings to the firm's second-half Summer Associate Program, which runs from June 28th through August 8th. Summer Associates at Rushton Stakely perform legal research, draft memoranda and briefs, and attend depositions, hearings, trials and mediations.



Taimoor Arshad

Taimoor Arshad, from Montgomery, Alabama, has completed his first year at The University of Alabama School of Law. He serves as Senator of the Student Bar Association and is a member of the American Constitution Society, National Lawyers Guild, and Public Interest Student Board. He graduated *summa cum laude* from The University of Alabama in 2020 with a Bachelor of Science in Biology.



Haleigh Hurt Chambliss

Haleigh Chambliss, from Halls, Tennessee, has completed her first year at Cumberland School of Law, Samford University. She is a member of the Cumberland Public Interest Society; Center for Children, Law, and Ethics: Human Trafficking Team; the Alabama Student Bar Association; and Women in Law. She graduated *cum laude* from University of Mississippi in 2019

with a Bachelor of Science in Marketing Communications.



Emma Colson

Emma Colson, from Montgomery, Alabama, has completed her first year at Tulane University Law School. She is a member of OUTLaw and Tulane Women in Law. She graduated from The University of Alabama in 2019 with a Bachelor of Arts in African American Studies and Theatre, Minor in Women's Studies. She has served as a volunteer for Five Horizons Health Services, Women and Gender Resource Center, Druid City Pride, and Human Rights Campaign.



John D. Hemmings, III

John Hemmings, from Montgomery, Alabama, has completed his first year at The University of Alabama School of Law. He is a

member of the Federalist Society and the Law and Economics Society. He graduated *summa cum laude* from The University of Alabama in 2020 with a Bachelor of Arts in Political Science. He is interested in governmental affairs, speech and debate, sports, and travel.

Rushton Stakely Welcomes the Firm's First-half Summer Associates

Rushton Stakely welcomes Ginny Bradley, Patrick Cumpton and Riley Kate Lancaster to the firm's first-half Summer Associate Program, which runs from May 10 to June 18. Summer Associates at Rushton Stakely perform legal research, draft memoranda and briefs, and also, attend depositions, hearings, trials and mediations.



Virginia "Ginny" Bradley

Ginny Bradley, from Jackson, Alabama, has completed her second year at the University of Alabama School of Law. She serves

as Junior Editor for the *Alabama Civil Rights and Civil Liberties Law Review*. She graduated *Summa Cum Laude* from Troy University in 2019 with a Bachelor of Science in Communication Arts. Ginny enjoys crafting and playing tennis in her spare time.



Patrick M. Cumpton

Patrick Cumpton, from Mobile, Alabama, has completed his second year at the University of North Carolina School of Law. Patrick is a graduate of Auburn University where he received a Bachelor of Arts in Political Science, and was a member of the Golden Key International Honor Society. As a law student, he has previously interned for the Honorable Lance M. Africk in the U.S. District Court for the Eastern District of Louisiana and the Honorable Edmond G. Naman in the 13th Judicial Circuit Court of Alabama. Patrick's interests outside of the law include traveling, cooking, and playing basketball.



Riley Katherine “Riley Kate” Lancaster

Riley Kate Lancaster, from Tuscaloosa, Alabama, has completed her first year at Samford University’s Cumberland School of Law. At Cumberland, Riley Kate has been named a Merit Scholar, named to the Dean’s List, and also, received the Academic Excellence Award. She received an undergraduate degree from the University of Alabama, graduating *Magna Cum Laude*. Riley Kate is conversant in French and enjoys a number of hobbies including piano, dance, horseback riding and marksmanship.

Virtual Book Drive Benefiting Reach Out and Read and Partners in Pediatrics

In March 2021, Rushton Stakely partnered with Reach Out and Read-Alabama, their primary mission is to promote early literacy by collaborating with pediatricians to provide books to patients. Studies have shown that by increasing awareness of reading at an early age, pediatricians can help foster early reading and school readiness. To help support Reach Out and Read in this important mission, we hosted a virtual book

drive to donate books to Partners in Pediatrics of Montgomery. These books will be distributed to patients as a part of their educational campaign about early literacy. We were honored to host the virtual book drive benefiting the Reach Out and Read-Alabama program at Partners in Pediatrics and want to thank our awesome staff for their generous donations and hard work throughout our virtual book drive! We set a goal to raise $2,000 and are ecstatic to say we exceeded our goal, allowing for the donation of over 500 books. This week (April 13th), a few of our staff members had a chance to visit Partners in Pediatrics and meet Dr. Blakeney. We helped place labels inside books that were donated from our campaign. It was rewarding to see the books we donated, to meet Dr. Blakeney and her staff, and to thank them for their endless efforts to help improve the literacy of children in our community. Thank you Reach Out and Read and Partners in Pediatrics for all your hard work!

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Dennis Bailey, Charlie Stakely Obtain Tax Refunds for Pharmaceutical Company

Dennis Bailey and Charlie Stakely successfully obtained significant revenue tax refunds for a prominent pharmaceutical company. The company is headquartered outside the jurisdictional boundaries of an Alabama city but had been paying the full revenue tax rate applicable to companies located within city limits. Dennis Bailey and Charlie Stakely brought this information to city officials and, after making

the requisite showings and arguments, obtained refunds for revenue taxes erroneously paid dating back two years and totaling over $150,000 for the company.

Governor Ivey Issues New Safer at Home Order

On March 4, 2021, Governor Ivey issued her twenty-third supplemental proclamation extending the Safer at Home Order. For the most part, this Order mirrors her previous orders. While the mask mandate in Alabama has been extended through April 9th, a few other restrictions have been loosened. Here is a summary of the modifications:

- Individuals in hospitals and residents of nursing homes will now be able to have two (rather than one) caregivers or visitors at a time.
- Outdoor programs can resume in Senior Citizen Centers.
- Summer camps may also resume this summer, as long as campers maintain social distancing and follow sanitation guidelines.
- Restaurants, bars, and breweries are no longer required to limit parties to 8 people per table. The establishments must have either partitions between tables or 6 feet between each table.

Governor Ivey explained that Alabama has now surpassed 10,000 deaths since the first COVID case was diagnosed in Alabama in March 2020. As of March 4, 2021, one million Alabamians have been vaccinated. The seven-day average of new cases in Alabama is now 778. This is down 82% since its height on January 10th.

Governor Ivey stated that she would not extend the mask

ordinance after it expires on April 9th. After its expiration, individuals will have the personal responsibility to continue wearing a face covering.

This Order is set to expire on April 9, 2021 at 5:00 pm.