



WEBSTER HENRY

ALABAMA | MISSISSIPPI | FLORIDA

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# WEBSTER HENRY

## **Firm History and Overview**

Webster Henry is committed to providing excellent, personalized legal counsel that is focused on serving its clients' needs with flexibility, devotion to detail, and the highest standards of personal and professional ethics. The firm is committed to representing its clients with integrity, professional excellence, and bold thinking.

Webster, Henry, Bradwell, Cohan, Speagle & DeShazo, P.C. was established as Webster & Henry, P.C., on January 1, 2001, by its original shareholders, William H. Webster and D. Mitchell Henry in Montgomery, Alabama. Today, the firm is rated AV by Martindale-Hubbell and has a total of twenty-six attorneys, who bring with them more than three hundred years of combined legal experience in the public and private sectors. Our attorneys have tried hundreds of cases to juries in both state and federal courts.

The firm maintains offices throughout Alabama, in Montgomery, Birmingham, Auburn, Mobile, as well as Destin, FL, and Jackson, MS, within easy reach of any location in Alabama and ready accessibility to the Southeast. With licensure in multiple states, the firm's members routinely serve clients in Alabama, Georgia, Florida, and Mississippi.

## [PRACTICE AREAS]

- **Insurance Defense**

Members of the firm represent the interests of insurers and corporate clients in both first-party and third-party litigation. We are experienced in handling and trying a wide range of cases, including wrongful death, automobile accidents, premises liability, business torts, complex coverage questions, subornation issues and declaratory judgment actions. Whether aggressively defending the case at trial or negotiating a reasonable settlement, we dedicate ourselves not only to minimizing exposure but also to guiding policy decisions that help avoid future litigation. The firm handles cases in the states of Alabama, Georgia, Florida, and Mississippi.

- **Transportation Law**

The firm represent insurance companies, insured drivers, general transportation companies, manufacturers, over-the-road carriers and trucking companies in all types of litigation stemming from automobile accidents. The firm has extensive experience defending all types of automobile and trucking cases, including the defense of the defendant driver, defense of the commercial carrier, defending uninsured/underinsured motorist claims, subrogation issues, bad faith claims, complex coverage questions, negligent hiring/training/supervision claims, and declaratory judgment actions. Additionally, the firm understands the complex legal issues associated with these types of cases, including medical causation, biomechanics, toxicology, and engineering analysis. The firm has specialized in motor vehicle accidents since its establishment in 2001 and has successfully defended clients in all counties of the State.

- **Construction**

The firm has experience in successfully defending developers, general contractors, subcontractors, and other professionals in alleged construction defect cases. Residential construction cases have ranged from single homeowners to entire subdivisions. Commercial construction cases that the firm has successfully defended include multi-unit housing, condominiums, large hotels, and multi-purpose commercial structures. The firm also has extensive experience in defending construction-related accidents and resulting personal injuries. The defense of these types of cases involves not only causation and damages, but also the often complex contractual relationships between contractors and the pursuit of indemnity claims against others. With offices throughout the State of Alabama, the firm's lawyers have experience with construction litigation in all areas of the state. The firm's goal is to place its clients in a winning position through research, investigation, and thorough review of the facts relating to each unique case. The firm's litigation philosophy emphasizes early identification of issues and a commitment to protecting and advocating for its client's interests.

## [PRACTICE AREAS]

- **Workers' Compensation**

The firm concentrates a large portion of its practice not only in directing the defense of workers' compensation but also in defending employers accused of retaliatory discharge. The firm's members' experience in this area makes workers' compensation and associated litigation a vital part of the firm's practice. The firm places emphasis not only on aggressively defending often spurious or exaggerated claims, but also on objectively evaluating the chances of success, so that sound business decisions can be made about whether to settle the case or proceed to trial. Additionally, members of the firm have extensive experience in litigating complex workers' compensation audit cases.

- **Governmental Law**

The firm has extensive experience defending governments, both at the county and municipal levels, and other entities and businesses in employment-related issues throughout Alabama. The firm's lawyers have had the opportunity to orally argue cases on behalf of employers and municipal governments before the 11th Circuit Court of Appeals of the United States and have handled numerous cases involving discrimination claims and employment contracts, as well as the related issues of immunity.

- **Alternative Dispute Resolution**

The firm offers an array of options in the expanding field of alternative dispute resolution. Will Webster and Kim DeShazo are registered mediators who have been called upon by peers in both the defense and plaintiffs' bar to serve as mediators. Other attorneys in the firm have likewise served as mediators and arbitrators. Additionally, the firm has extensive experience in litigating issues of arbitrability and the validity of arbitration agreements at both the trial and appellate levels. Lawyers within the firm also have been retained as arbiters in various matters to determine the outcome of litigation. The firm's attorneys are experienced in handling their client's interests in mediation and arbitration proceedings.

- **Appellate Practice**

The firm enjoys a wealth of experience in the complex litigation and appellate arenas. The attorneys of Webster Henry have coordinated the defense of numerous multi-party cases, class actions, multi-forum litigation, and adversary proceedings in bankruptcy court. In addition, they have directed appeals in more than fifty cases since 1995. The firm handles not only simple appeals, but all aspects of appellate practice, including mandamus and certiorari petitions, amicus briefs, rehearing applications and oral arguments. Firm members are often sought to handle the appellate aspects of cases that were litigated at the trial level by attorneys at other firms. The partners are licensed to practice before all of Alabama's state and federal courts, the United States Court of Appeals for the Eleventh Circuit and the United States Supreme Court.

## [PRACTICE AREAS]

- **Estate Planning**

The firm's estate planning practice includes planning for the distribution of an individual's property at his or her death, beneficiary disputes, trust administration, and estate administration. The firm also has a wealth of experience in estate planning matters involving estates containing large amounts of land and other agricultural property. Over the years, the firm has prepared a wide variety of wills, trusts, and related estate planning documents for its many clients.

- **Banking**

The firm concentrates a portion of its practice on helping its clients with litigation and transactions relating to all types of bankruptcy, insolvency, and banking issues. The firm's member's experience allows them to understand the financial industry, and effectively work with clients in matters ranging from debtor/creditor relationships, loan workouts, collections and repossessions, foreclosures, representation in Chapters 7, 13 and 11 bankruptcy cases, agricultural liens, and drafting of financing documents. They handle matters for their clients throughout the states of Alabama and Georgia.

- **Agricultural Law**

The firm has numerous attorneys with an agricultural background who are able to offer legal insight into a range of issues including environmental and governmental regulation, legislation, compliance, litigation involving agricultural products, services, and contracts, and other legal issues that impact Alabama's agricultural sector.

- **Commercial/Business Litigation**

Companies often face complex disputes with other businesses, government entities, or groups of individuals, which require an understanding of both the business issue and the industry of the client. The firm's Business Litigation practice specializes in handling these complex disputes, representing leaders in diverse industry sectors with their most important litigation matters. The Firm's ultimate goal is to advance our clients' interests. We understand that a client's business plan, balance sheet, and competitive profile are critical elements for successfully positioning litigation matters from the outset. We are committed to developing solutions to help our clients solve their toughest problems, and we approach each new challenge as an urgent business matter to be resolved expeditiously and cost-effectively. Our clients' bottom lines and their business objectives remain front and center when Webster Henry's business litigation attorneys are called upon to represent the interests of our business clientele.

## [PRACTICE AREAS]

- **Education**

As general counsel for the Alabama Conference of Educators (ACOE), William H. Webster provides legal counsel to the parent organization and to member educators on a variety of matters. He has helped countless teachers — whether guiding them through personal legal matters involving probate and estate work, or defending against allegations brought under the Students First Act. He also serves as counsel for LEAD Academy, and through his successful appellate work before the Alabama Supreme Court, helped pave the way for their fall 2019 opening as the first charter school in the Montgomery area.

- **Extracontractual Litigation**

First party bad faith and fraud cases against insurance companies for extracontractual damages are unique in both law and fact. The lawyers at Webster Henry have years of experience defending insurance companies from such cases, expertly preparing witnesses for deposition and trial and vigorously attacking claims for extracontractual damages.

- **Professional Liability**

The Professional liability section of Webster Henry includes lawyers practicing in Alabama, Florida and Mississippi with extensive experience in the defense of all kinds of professionals, including: attorneys, health care providers, architects, engineers, dentists, accountants, directors and officers, real estate brokers and agents, insurance brokers and financial planners. Our attorneys understand the unique challenges and issues that arise in professional malpractice claims. Webster Henry's attorneys fully recognize the importance of protecting our clients' ongoing practice and professional reputation. At Webster Henry, our attorneys truly are Professionals Representing Professionals.

- **Real Estate Litigation**

Webster Henry has successfully represented property owners, developers and contractors in defense of their property rights. We have achieved beneficial results for our clients in areas of condemnations, land use and development, contract disputes, eminent domain, quiet title and ownership litigation and liens. When you are looking for attorneys to litigate or negotiate on your behalf regarding your most valuable assets, our attorneys have the experience and attention to detail that is paramount in this area.



*Shareholder*

## Montgomery

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## Education

- J.D., University of Alabama School of Law
- B.S., University of Alabama

## Bar Admissions

- State of Alabama
- Alabama Supreme Court
- United States Eleventh Circuit Court of Appeals
- United States Supreme Court

## WILLIAM H. WEBSTER

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William H. Webster, rated AV Preeminent (5.0/5.0) by Martindale-Hubbell, joined with Mitchell Henry in January 2001 to found the firm of Webster and Henry. Now practicing in the expanded Webster Henry, Mr. Webster continues to focus on insurance defense, education law, workers' compensation, arbitration, complex litigation, FMLA and employment law, business and non-profit formation, contract drafting and negotiation, probate practice, and appellate law.

Mr. Webster is a graduate of the University of Alabama, having attained a B.A., summa cum laude, in 1989 and a Juris Doctorate in 1992. A member of Phi Beta Kappa and a Hugo Black Scholar, Mr. Webster served on the editorial board of the Alabama Law Review and on the school's award-winning trial advocacy team. Afterward, Mr. Webster served as law clerk to The Honorable Eric G. Bruggink of the United States Court of Federal Claims and as staff attorney to the Presiding Judge of the Alabama Court of Civil Appeals before joining the firm of Rushton, Stakely, Johnston & Garrett, P.A. He is former chairman of the Appellate Practice Section of the Alabama Bar Association and is a registered Mediator and Appellate Mediator with the Alabama Center for Dispute Resolution. A frequent speaker and presider for legal education seminars, Mr. Webster has addressed such topics as appellate advocacy, ethics, and workers' compensation. He has written amicus briefs on behalf of such organizations as the Alabama Defense Lawyers Association and has served as a Mentor to law students at Faulkner University's Jones School of Law.

Mr. Webster is a deacon and Bible class teacher at Landmark Church of Christ in Montgomery and lives in Prattville, Alabama, with his wife, Kim, and their children, Grayson, Kailey, Britton, and Caroline.

## Practice Areas

- Workers' Compensation
- Appellate Practice
- Estate Planning
- Alternative Dispute Resolution
- Education



## D. MITCHELL HENRY

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D. Mitchell Henry has achieved an AV attorney rating as evaluated by Martindale-Hubbell. He is a 1988 and 1990 graduate of Auburn University with a Bachelor of Arts, summa cum laude, and Master of Arts, summa cum laude in communications, and a 1993 graduate, cum laude, of the University of Alabama School of Law. While at the School of Law, he was selected to be a member of the school's award-winning trial advocacy team. He served on the Law School Student Senate during each of his three years in law school and received the Dean Thomas W. Christopher Award for service to his fellow students and the law school. During 1992 and 1993, Tuscaloosa County Circuit Court Judge Thomas Steven Wilson selected Mr. Henry to serve as his law clerk.

Upon graduation in 1993, Mr. Henry joined and later became a partner in the firm of Rushton, Stakely, Johnston & Garrett, P.A. Mr. Henry continues to concentrate in civil litigation, insurance, wrongful death, products liability, trucking defense, construction litigation, agricultural law, and trial practice. A veteran of numerous trials, Mr. Henry has conducted continuing legal education seminars on litigation and trial advocacy skills for the Alabama Bar Institute, the National Business Institute, and for other groups.

Mr. Henry lives on his family farm in Hope Hull, Alabama, with his wife, Cindy, and three children, Mitchell, Lauren Ann, and Ashby Grace.

### Practice Areas

- Coverage
- Agricultural Law
- Alternative Dispute Resolution
- Commercial/Business Litigation
- Insurance Defense
- Estate Planning
- Banking
- Construction



### *Of Counsel*

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### Education

- J.D., University of Alabama School of Law
- M.A., Auburn University
- B.A., Auburn University

### Professional Memberships

- State Bar of Alabama
- Alabama Defense Lawyers Association
- Montgomery County Bar Association
- Hugh Maddox Inn of Courts





## JOHN R. BRADWELL

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John R. Bradwell is a 1985 graduate of Auburn University and a 1988 graduate of the University of Alabama School of Law. While attending law school, Mr. Bradwell was a Presidential Scholarship recipient, the Law Review Articles Editor for the Journal of the Legal Profession, a member of the John A. Campbell Moot Court Board, and a member of the Bench and Bar Legal Honor Society.

Mr. Bradwell has a diverse practice in the areas of workers' compensation and retaliatory discharge, commercial litigation, construction litigation, and personal injury. Mr. Bradwell also has an active arbitration practice and has arbitrated dozens of cases through the American Arbitration Association. Mr. Bradwell also has an active appellate practice and has been counsel of record in twenty-six reported decisions before the Supreme Court of Alabama, the Alabama Court of Civil Appeals, and in federal court. Mr. Bradwell has handled hundreds of workers' compensation cases across the state of Alabama.

Mr. Bradwell also has an active arbitration practice. Mr. Bradwell has arbitrated dozens of cases before the American Arbitration Association and in private arbitrations. Mr. Bradwell was counsel of record in many of the cases before the Alabama Supreme Court which established that binding arbitration agreements are enforceable in the state of Alabama.

### Practice Areas

- Alternative Dispute Resolution
- Commercial/Business Litigation
- Construction
- Workers' Compensation
- Transportation Law
- Appellate Practice

### *Shareholder*

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### Education

- J.D., University of Alabama School of Law
- B.S., Auburn University

### Bar Admissions

- State of Alabama
- United States District Courts in the State of Alabama (N.D., M.D., S.D.)
- United States Eleventh Circuit Court of Appeals
- United States Supreme Court

### Professional Organizations

- Alabama State Bar
- Montgomery County Bar Association
- Alabama Defense Lawyers Association

# MICHAEL J. COHAN

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Michael J. Cohan is a 1986 graduate of The Citadel, The Military College of South Carolina, where he obtained a B.S. in Business Administration. Thereafter, he worked as a claims and marketing representative for a professional liability insurer in Birmingham, Alabama. Mr. Cohan graduated from Cumberland School of Law, obtaining his J.D. degree in 1993, and has since practiced throughout Alabama and Georgia.

Mr. Cohan represents individuals, governmental entities, corporations, insurance companies and their insureds, in a variety of legal interests, including employment issues, workers' compensation, retaliatory discharge, personal injury, contract litigation, products liability, bad faith and fraud. His practice includes state and federal courts in Alabama and Georgia. He is a member of the American Bar Association, Alabama State Bar, State Bar of Georgia and Montgomery County Bar Association and various related professional organizations, including the Montgomery Claims Association (Past President), Alabama Workers' Compensation Organization, Workers' Compensation Association of Alabama, Defense Research Institute, Housing and Development Law Institute and Alabama Defense Lawyers Association.

In addition, Mr. Cohan serves as a regular youth Sunday-School teacher with First United Methodist Church, is on the Montgomery YMCA Boys Work Committee, is a graduate of Leadership Montgomery and is a veteran, having served eleven years in the United States Army (Reserves), JAG Corps. Mr. Cohan is married to Shelby Seale Cohan and they have two children, Adams and Sara Pierce.

## Practice Areas

- Workers' Compensation
- Construction
- Governmental Law
- Insurance Defense
- Estate Planning

## Speaking Engagements

- "Social Media in Litigation," Alabama Workers' Compensation Organization Spring Seminar in Birmingham, Alabama (May 2015)
- "Death Benefits and Same Sex Marriage," Alabama Workers' Compensation Organization Spring Seminar in Birmingham, Alabama (May 2016)



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## Education

- J.D., Samford University, Cumberland School of Law
- B.S., The Citadel, The Military College of South Carolina

## Bar Admissions

- State of Alabama
- State of Georgia

## Professional Organizations

- Montgomery County Bar Association
- Alabama State Bar (Secretary/Treasurer)
- State Bar of Georgia
- Montgomery Claims Association
- Alabama Workers' Compensation Association
- Workers' Compensation Association of Alabama
- The Defense Research Institute
- Housing and Development Law Institute
- Alabama Defense Lawyers Association



## SCOTT M. SPEAGLE

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Scott M. Speagle represents businesses, professionals, and individuals in all varieties of commercial matters, including construction and contractual disputes and litigation. Mr. Speagle represents various insurance companies in first party and coverage matters. Mr. Speagle serves as General Counsel for the Alabama Municipal Insurance Corporation. Mr. Speagle has served as lead counsel in cases for both jury and non-jury trials in all Alabama Federal District Courts and Bankruptcy Courts, the United States District Court for the District of Columbia, and other federal courts in Georgia and Mississippi. Mr. Speagle has likewise served as lead counsel in various circuit courts and district courts throughout the state of Alabama, as well as before the Alabama Department of Insurance, the Alabama Building Commission, the Alabama Department of Revenue, and the Alabama Department of Industrial Relations. Mr. Speagle has served as lead counsel in arbitrations before the American Arbitration Association and FINRA. Mr. Speagle has also represented clients in Mississippi and Georgia state courts. Mr. Speagle was selected as an Alabama Super Lawyers Rising Star in Business Litigation in 2010, 2012, and again for 2013.

Mr. Speagle graduated cum laude from the Cumberland School of Law at Samford University, where he served on the Cumberland Law Review and attended on a full academic scholarship. Prior to attending law school, Mr. Speagle taught 9th grade Physical Science and coached football, basketball, and baseball at Bottenfield Jr. High School in Adamsville, Alabama.

Mr. Speagle is married to Gina Maise Speagle and they have three children: Sydney, Grant, and Sawyer. Mr. Speagle is a member of Trinity Presbyterian Church (PCA) where he serves as a Deacon and Sunday School teacher.

### Practice Areas

- Commercial/Business Litigation
- Insurance Defense
- Real Estate Litigation
- Banking
- Coverage
- Appellate Practice
- Governmental Law
- Construction
- Extracontractual Litigation

### *Managing Shareholder*

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### Education

- J.D., Samford University, Cumberland School of Law
- M.S., University of Alabama at Birmingham
- B.S., Birmingham-Southern College

### Bar Admissions

- State of Alabama
- United States Bankruptcy Court
- United States District Courts (N.D., M.D., & S.D. of Alabama; Washington, D.C.)

### Professional Organizations

- Alabama State Bar
- Alabama Defense Lawyers Association
- Montgomery Bar Association

# KIMBERLY S. DESHAZO

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Kimberly S. DeShazo has achieved an AV rating as evaluated by Martindale-Hubbell. Kim graduated magna cum laude from Birmingham-Southern College with a Bachelor of Science in International Business in 2001. A recipient of the D.R. Bounds, Jr., Memorial Scholarship, Mrs. DeShazo earned her Juris Doctorate from the University of Alabama School of Law in 2004.

Kim began her practice at Webster Henry in August 2004. The primary focus of Kim's practice is civil litigation and insurance litigation. She is registered on the Alabama State Court Mediator Roster and has an active mediation practice. She also assists clients with estate planning. She is licensed to practice in Alabama, Mississippi, and Florida.

In addition, Kim teaches Sunday school and is an active member of First Baptist Church Trussville. She also serves on the Trussville City Schools Board of Education and the Board of Directors of Pathways Professional Counseling. She is an active member of the Alabama Defense Lawyers Association. Kim resides in Trussville with her husband, John, and children Sally, Jed, and Ben.

## Practice Areas

- Commercial/Business Litigation
- Transportation Law
- Estate Planning
- Banking
- Government Law
- Insurance Defense
- Alternative Dispute Resolution



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## Education

- J.D., University of Alabama School of Law
- B.S., Birmingham-Southern College

## Bar Admissions

- State of Alabama
- State of Florida
- State of Mississippi
- United States District Courts (N.D. of Alabama)



## FRANK "CHIP" E. BANKSTON, JR.

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Frank E. "Chip" Bankston, Jr. is a 1988 graduate of Auburn University and a 1993 graduate of The University of Alabama School of Law. His principal areas of practice are banking and commercial law, insurance defense, creditors' rights, local government law, land use, and premises liability. He is admitted to practice before the United States District Courts for the Northern, Middle and Southern Districts of Alabama and the United States Court of Appeals for the Eleventh Circuit. Mr. Bankston is a member of The Defense Research Institute (DRI), Alabama Defense Lawyers' Association (ADLA), Commercial Law League of America (CLLA), the Montgomery County Bar Association, and the Alabama State Bar.

Mr. Bankston resides in Montgomery with his wife, Michele, and their son, Forrest.

### Practice Areas

- Insurance Defense
- Agricultural Law
- Construction
- Real Estate Litigation
- Commercial/Business Litigation
- Transportation Law
- Banking

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### Education

- J.D., University of Alabama School of Law
- B.S., Auburn University

### Bar Admissions

- State of Alabama
- United States District Courts (N.D., M.D., S.D. of Alabama)
- United States Eleventh Circuit Court of Appeals

### Professional Organizations

- The Defense Research Institute
- Alabama Defense Lawyers Association
- Commercial Law League of America
- Montgomery County Bar Association
- Alabama State Bar



# T. SAMUEL DUCK

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T. Samuel Duck was admitted to the Alabama Bar in 1988. Before law school, he received his undergraduate degree in Business from the University of Alabama-Birmingham. Mr. Duck received his law degree in 1988 from the Cumberland School of Law at Samford University. After law school, he clerked for United States Magistrate Judge Charles Coody in Montgomery, Alabama.

For twenty five years, the primary focus of Mr. Duck's practice has been civil defense litigation. His practice areas include construction litigation; corporate counseling; workers' compensation; wrongful death; personal injury; premises liability; discrimination; FMLA claims; sexual harassment; bad faith; arson; insurance coverage; trucking accidents and FMCSR compliance; contract drafting and negotiation; probate; and fire claims litigation. Mr. Duck also practices in the area of complex litigation, highlighted by his involvement in Multi District Litigation resulting in class action certification and class settlement involving defective Chinese drywall. Other cases have involved the enforcement of arbitration clauses and extended arbitrations. These cases have resulted in success for clients in Federal and State courts from the trial level in virtually all parts of Alabama, to appeals before the Alabama Supreme Court and the United States Court of Appeals for the Eleventh Circuit.

## Practice Areas

- Workers' Compensation
- Transportation Law
- Construction
- Appellate Practice
- Estate Planning
- Coverage
- Insurance Defense



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### Birmingham

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## Education

- J.D., Samford University, Cumberland School of Law
- B.S., University of Alabama at Birmingham

## Bar Admissions

- State of Alabama
- United States District Courts (N.D., M.D., S.D. of Alabama)
- United States Eleventh Circuit Court of Appeals



## MICHEAL S. JACKSON

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Micheal S. Jackson attended Auburn University from which he graduated in 1976 with a B.A. in Journalism. After graduating from Auburn, Mike attended Cumberland School of Law, Samford University and obtained a Juris Doctorate in 1979, magna cum laude. While at Cumberland, Mike attained membership in the Cumberland Law Review (Associate Editor), the Moot Court Board (Associate Justice), Curia Honoris, and Phi Kappa Phi. Immediately after completing law school, Mike clerked for the late Hon. James Bloodworth, Associate Justice of the Alabama Supreme Court, from 1979 to 1980. Mike then clerked for Hon. Robert Propst, United States District Court Judge for the Northern District of Alabama from 1980 to 1981. Mike began private practice in 1981 where his emphasis has been on civil litigation.

His practice has included a wide variety of matters such as products liability, employment practices liability, medical malpractice, nursing home malpractice, workers compensation, construction, commercial litigation, first party insurance cases, premises liability, will contests and other civil litigation. Additionally, Mike has represented various agencies for the State of Alabama in civil litigation and legislative drafting for trade associations. Mike's practice also includes transactional and probate work including business formation, wills, estates and trusts and he has experience representing clients before the Alabama Public Service Commission, primarily in telecommunications. In addition to his trial practice, Mike has had an active appellate practice before the Alabama appellate courts and the United States Circuit Court of Appeals for the Eleventh Circuit. Mike is AV rated by Martindale-Hubbell, which is the highest ranking provided by that organization, based upon peer review by other lawyers and judges.

### Practice Areas

- Commercial/Business Litigation
- Real Estate Litigation
- Estate Planning
- Workers' Compensation
- Appellate Practice
- Transportation Law
- Coverage
- Insurance Defense
- Extracontractual Litigation
- Construction

Shareholder

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### Education

- J.D., Samford University, Cumberland School of Law
- B.A., Auburn University

### Bar Admissions

- State of Alabama
- United States District Courts of Alabama
- United States Eleventh Circuit Court of Appeals

### Professional Organizations

- Montgomery County Bar Association (Former Director and President)
- Alabama State Bar (Former State Law Day Chairman)
- American Bar Association
- Alabama Defense Lawyers Association
- Alabama Trial Lawyers Association



# P. VAUGHAN RUSSELL, JR.

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P. Vaughan Russell, Jr. graduated from the University of Alabama in 2000, with a Bachelor of Arts Degree focused on Political Science and English. Mr. Russell received his law degree in 2003 from the University Of Alabama School of Law.

The primary focus of Mr. Russell's practice is workers' compensation defense and related employment law; he has defended employers throughout the State of Alabama. Mr. Russell also has extensive experience in the areas of personal injury, premises liability, products liability, construction litigation, transportation litigation, insurance coverage, land disputes, wrongful death, and collections matters. Mr. Russell practices in all Courts in the State of Alabama, both state and federal.

He resides in Birmingham with his wife, Peyton, and their two daughters, Mary Glynn and Ann Foxworth.

## Practice Areas

- Workers' Compensation
- Transportation Law
- Estate Planning



## Shareholder

### Birmingham

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## Education

- J.D., University of Alabama School of Law
- B.S., University of Alabama

## Bar Admissions

- State of Alabama

## Professional Memberships

- Defense Research Institute
- Birmingham Bar Association, Young Lawyer
- Alabama Defense Lawyers Association
- Alabama Workers' Compensation Organization
- Alabama Self-Insurers Association



## S. SCOTT SASSER

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S. Scott Sasser began his practice at Webster Henry in September 2012 after working for several years at another civil defense litigation firm. Mr. Sasser represents and defends companies, insurers and individuals in a wide variety of litigation matters, including personal injury claims, premises liability claims, and workers' compensation claims.

Mr. Sasser received his Bachelor of Science degree in Finance, cum laude, from the University of Alabama, where he was named an "Outstanding Senior in Finance." He earned his J.D. from Cumberland School of Law at Samford University. Mr. Sasser is admitted to practice before all state courts in Alabama, as well as the United States District Court for the Middle District of Alabama.

He resides in Auburn with his wife, Annon, and children, Bryant and Mollyann.

### Practice Areas

- Insurance Defense
- Estate Planning
- Construction
- Transportation Law
- Coverage
- Commercial/Business Litigation

### *Shareholder*

### Auburn

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### Education

- J.D., Samford University, Cumberland School of Law
- B.S., University of Alabama

### Bar Admissions

- State of Alabama
- United States District Court (N.D., M.D. & S.D. Alabama)

### Professional Memberships

- Alabama State Bar (Executive Committee for the Young Lawyers Section)
- Alabama Defense Lawyers Association

# TAMERA K. ERSKINE

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Tamera K. Erskine was admitted to the Alabama State Bar in 1989. Originally from West Virginia, Tamera attended the University of Richmond where she was a member of the English honorary society and Chairman of the Advisory Board. She received her Bachelor of Arts degree in 1985 in English as well as Speech Communications. In May, 1988, Tamera received her J.D. degree from the Cumberland School of Law at Samford University. While at Cumberland, she was named to the Dean's List and was President of Women in Law. In June, 1990, she was selected to attend the National Criminal Defense College at Mercer Law School.

Prior to joining Webster Henry, Tamera practiced in the areas of civil and criminal defense litigation and has extensive experience in all areas of appellate practice. She is a member of the bar of the United States Supreme Court and the United States Court of Appeals for the Eleventh Circuit, as well as the U.S. District Courts for the Northern, Middle and Southern Districts of Alabama.

Tamera's practice includes representing individuals and businesses in the areas of general insurance defense, construction litigation, pest control litigation, attorney malpractice, workers' compensation, industrial accidents, real estate litigation and products liability litigation.

## Practice Areas

- Professional Liability
- Commercial/Business Litigation
- Insurance Defense
- Appellate Practice
- Construction
- Real Estate Litigation



## Shareholder

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## Education

- J.D., Samford University, Cumberland School of Law
- B.A., University of Richmond

## Bar Admissions

- State of Alabama
- United States District Court (N.D., M.D., & S.D.)
- United States Court of Appeals for the 11th Circuit
- United States Supreme Court

## Professional Memberships

- Alabama State Bar
- Alabama Defense Lawyers Association



## JOHN C. DESHAZO

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John was born in Dothan, Alabama and grew up in Headland, Alabama. John graduated from Auburn University with a degree in Poultry Science in 2000 and went on to earn his Juris Doctor from the University of Alabama School of Law in 2004. John began his legal career working for an insurance defense firm in Montgomery. In 2007, John joined Laney & Foster and was made a Shareholder in the firm in 2011. John joined Webster Henry in January 2019.

John has tried numerous cases to a verdict and has also defended clients in arbitration hearings before the American Arbitration Association. John has also represented architects and engineers in claims before the Alabama Board of Architects and the Alabama Board of Licensure for Professional Engineers and Land Surveyors. In 2015, John became a Registered Mediator in the State of Alabama. John has received the AV Preeminent rating from Martindale-Hubbell which is a peer review from fellow attorneys and judges indicating the highest level of professional excellence. John also serves on the Board of Directors for the Alabama Center for Architecture. John is a frequent speaker on professional liability, construction litigation and environmental law issues that affect his clients and often assists his clients by reviewing and negotiating contracts on their behalf.

John lives in Birmingham with his wife, Kim, and their three children, Sally, Jed, and Ben.

### Practice Areas

- Professional Liability
- Insurance Defense
- Coverage
- Agricultural Law
- Construction
- Alternative Dispute Resolution

### Speeches and Publications

- Minimizing Professional Liability Exposure
- If You Don't Want to Cry Over Spilt Milk, Put a Lid on It: Three Important Contract Tools for Design Professionals
- Adopting Strategies to Minimize Professional Liability Risk
- Negotiating Damages in Construction Disputes
- Ethics for Construction Attorneys
- Best Practices in Responding to Subpoenas for Client Records

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### Education

- J.D., University of Alabama School of Law
- B.S., Auburn University

### Bar Admissions

- State of Alabama
- State of Florida
- State of Mississippi
- United States District Courts (Ala. & Miss.)

### Professional Memberships

- Alabama State Bar (Construction Law Section)
- Alabama Defense Lawyers Association
- Defense Research Institute
- American Bar Association
- ABA Forum on the Construction Industry
- Birmingham Bar Association

# PHILIP G. PIGGOTT

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Phillip G. Piggott's practice is devoted to civil litigation including health care, professional liability, civil rights, employment and premises liability. Phil is admitted to practice in all state and federal courts in Alabama, as well as the Eleventh Circuit Court of Appeals and the United States Supreme Court. Phil has tried multiple jury matters in state and federal courts across the state of Alabama and has argued on multiple occasions in front of the 11th Circuit Court of Appeals.

Phil was named in the 27<sup>th</sup> Edition of *The Best Lawyers in America*.

## Practice Areas

- Professional Liability
- Insurance Defense
- Employment Law
- Commercial/Business Litigation



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## Education

- J.D., Samford University, Cumberland School of Law
- B.A., Rhodes College

## Bar Admissions

- State of Alabama
- United States District Courts of Alabama

## Professional Organizations

- Alabama State Bar



*Shareholder*

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## Education

- J.D., University of Alabama School of Law
- B.S., University of Alabama

## Bar Admissions

- State of Alabama
- State of Tennessee
- State of Pennsylvania
- United States District Courts of Alabama

## Professional Memberships

- Alabama State Bar
- Tennessee State Bar
- Pennsylvania State Bar

# JEANNIE BUGG WALSTON

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Jeannie Bugg Walston is a partner whose practice is devoted to civil defense litigation, including defending Federal Black Lung claims, workers' compensation litigation and defending mass toxic torts and general civil matters at both trial and appellate levels. She has wide experience in representing mining and mineral companies with various issues, including mineral rights, contractual issues and environmental and toxic tort issues. Jeannie also has significant experience in handling Federal Black Lung claims at all levels. She graduated from the University of Alabama in 1989 and its School of Law in 1992.

Jeannie was named in the 27<sup>th</sup> Edition of *The Best Lawyers in America*.

## Practice Areas

- Workers' Compensation
- Insurance Defense
- Commercial/Business Litigation
- Federal Black Lung



# J. SCOTT DICKENS

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Scott Dickens has a practice that is devoted to commercial litigation with an emphasis in construction disputes. For more than 25 years, Scott has represented sureties, developers, general contractors, subcontractors, and design professionals. In addition to representing clients in civil actions and arbitrations, Scott helps clients negotiate and resolve claims and disputes to avoid the costs of protracted litigation. An AV rated attorney who has been recognized by Best Lawyers in the area of Construction Litigation, Scott is focused on details and has a skill set and experience that is both broad and diverse. He is proud of Webster Henry's professional team of lawyers who exhibit the same strong work ethic and commitment to clients and the results they have been able to achieve for those clients.

## Practice Areas

- Construction Litigation
- Professional Liability
- Contract Review and Negotiation
- Alternative Dispute Resolution



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## Education

- J.D., Samford University, Cumberland School of Law
- B.S., Auburn University

## Bar Admissions

- State of Alabama
- United States District Courts of Alabama
- 11<sup>th</sup> Circuit Court of Appeals
- United States Court of Federal Claims

## Professional Memberships

- Alabama State Bar





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## Education

- J.D., University of Denver  
School of Law
- B.A., Birmingham-Southern  
College

## Bar Admissions

- State of Alabama
- State of Mississippi
- United States District Courts  
of Alabama
- United States District Courts  
of Mississippi
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## Professional Memberships

- Alabama State Bar
- Mississippi State Bar

## P. ANDREW LAIRD, JR.

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Andy Laird is a Shareholder whose diverse practice includes the areas of product liability, mining/blasting/subsidence liability, workers' compensation, commercial disputes, federal black lung, and construction defects. Andy has also effectively handled mineral right disputes, environmental and toxic tort claims, and employment matters. He attended undergraduate at Birmingham-Southern College and law school at the University of Denver Sturm College of Law. Andy is licensed to practice in all state and federal courts in Alabama and Mississippi.

## Practice Areas

- Insurance Defense
- Workers' Compensation
- Federal Black Lung
- Commercial/Business Litigation

# JEREMY W. RICHTER

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Jeremy W. Richter graduated cum laude from Tennessee Temple University with a Bachelor of Science in Secondary Education in 2004. He then moved to Birmingham to teach and coach at Tabernacle Christian School. Concurrent with his employment there, he earned a Master of Art degree in History at the University of Alabama at Birmingham in 2007.

In 2012, Jeremy earned his Juris Doctor from Samford University's Cumberland School of Law, where he received the Spirit of Service Award and was the Scholar of Merit for Special Topics in Environmental Law. Jeremy began his practice at Webster Henry in October 2012.

Jeremy resides in Gardendale with his wife Anna and children Jack and Caroline. He serves as a deacon at Gardendale First Baptist Church.

## Practice Areas

- Insurance Defense
- Transportation Law
- Construction
- Governmental Law

## Publications

- "Aligning Your Tactics with Your Client's Objectives," *Attorney at Work* (July 31, 2017).
- "Identifying Improper Requests for Admission," Vol. 33 *Alabama Defense Lawyers Association Journal* (Spring 2017).
- "Track These Performance Metrics to Improve Client Relations," *Attorney at Work* (May 2, 2017).
- "The Admissibility of Post-Accident Drug and Alcohol Screens," *Alabama Defense Lawyers Association Journal* (Fall 2016).
- "Considering the Scaly Side of 'Beyond Compliance,'" 5 *Claims Management* 9 (Sept. 2016).
- "Driving While Exposed: The Applicability of the HIPAA Privacy Rule to DOT Medical Examination Records," 5 *Claims Management* 3 (March 2016).
- "Parsing *Pell* to Provide Context: What Constitutes an Unusual Obstacle or Obstruction?" Vol. 31 *Alabama Defense Lawyers Association Journal* (Fall 2015).



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## Education

- J.D., Samford University, Cumberland School of Law
- M.A., University of Alabama at Birmingham
- B.S., Tennessee Temple University

## Bar Admissions

- State of Alabama
- United States District Court (N.D. & M.D. Ala.)
- United States Bankruptcy Court (N.D. & M.D. Ala.)

## Professional Memberships

- Alabama State Bar
- Alabama Defense Lawyers Association
- Alabama Trucking Association
- Defense Research Institute
- Claims and Litigation Management Alliance



## F. JACKSON “JACK” ROGERS

---

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### Education

- J.D., Faulkner University,  
Jones School of Law
- B.S./B.A, Auburn University  
of Montgomery

### Bar Admissions

- State of Alabama

### Professional Memberships

- Alabama State Bar
- Alabama Workers'  
Compensation Association
- Lowndes County Bar  
Association
- Montgomery Claims  
Association

F. Jackson (“Jack”) Rogers is a 1992 graduate of Auburn University of Montgomery where he obtained his B.S. in Business Administration. Thereafter, he worked as a claims adjuster in the field of workers compensation for a Third-Party Workers Compensation Administrator in Montgomery, Alabama. Mr. Rogers graduated cum laude from Jones School of Law obtaining his J.D. Degree in 1998. During his studies at Jones School of Law, Mr. Rogers was a member of Jones Law Review. After graduation, Mr. Rogers served as a law clerk for Justice Mark Kennedy and for Justice John England on the Alabama Supreme Court. Since completing his clerkship, Mr. Rogers has practiced throughout the State of Alabama.

Mr. Rogers has represented individuals, corporations and governmental entities throughout the State of Alabama in areas such as workers compensation, retaliatory discharge, personal injury, products liability, and automobile accidents. He is registered on the Alabama State Court Mediator Roster and has an active mediation practice. Also, Mr. Rogers serves as the Assistant District Attorney for the Second Judicial Circuit for the State of Alabama. Mr. Rogers is a member of the Alabama State Bar and the Second Judicial Circuit Bar Association. He also serves as the President of the Montgomery Claims Association and is a member of the Alabama Workers Compensation Organization.

Mr. Rogers is a member of Saint Paul Episcopal Church in Lowndesboro, Alabama and lives on the family farm in Lowndes County, Alabama. He is the father of four children, Annabel, Jackson, John Ashley, and Fields.

### Practice Areas

- Workers’ Compensation
- Alternative Dispute Litigation
- Agricultural Law
- Transportation Law

# JOHN M. “SKIP” LANEY

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Mr. Laney was born in Tuscaloosa, Alabama. Prior to joining Webster Henry in January 2019, he was one of the founding shareholders of Laney & Foster, P.C. He has practiced law over 40 years and has received a Martindale-Hubbell AV® Preeminent™ Peer-Review Rating.

His practice is dedicated to Professional Liability Defense, Architect & Engineer Liability, Insurance Defense, Accountant Liability, Products Liability and Construction Litigation. Over the years, he has handled over 1,500 cases to a conclusion including trying over 150 cases to a jury verdict. He is admitted to practice in Alabama and Florida.

Mr. Laney is frequently recognized as one of the Top Attorneys In Alabama as published in Business Alabama and by Super Lawyers. He is admitted to practice in Alabama and Florida.

## Practice Areas

- Professional Liability Defense
- Construction
- Insurance Defense
- Coverage



## *Of Counsel*

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## Education

- J.D., Samford University, Cumberland School of Law
- B.A., University of Alabama

## Bar Admissions

- State of Alabama
- State of Florida
- United States Court of Claims
- United States District Courts (Ala. & Fla.)
- Certified Construction Dispute Arbitrator by the American Arbitration Association (AAA)
- Certified Mediator by the AAA Advisory Counsel for Alabama

## Professional Memberships

- Alabama State Bar
- Alabama Defense Lawyers Association
- Florida Defense Lawyers Association
- American Bar Association
- International Association of Defense Counsel
- Birmingham Bar Association



## MARTIN “BART” D. SMITH

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Martin D. “Bart” Smith graduated from Auburn University with a Bachelor of Science, *cum laude*, in 2008 and a Master of Science in 2009. He completed his Juris Doctor, *magna cum laude*, at The University of Alabama School of Law in 2016. While at Alabama, Bart participated in a number of student organizations, including the Alabama Law Review, Bench and Bar Legal Honor Society, and the Christian Legal Society. He also earned the Order of Samaritan and Dean’s Community Service Award.

Born and raised in Montgomery, Alabama, Bart is a proud member of the Alabama Air National Guard’s 187TH Fighter Wing. After enlisting in 2005, he worked for six years as an aircraft mechanic before commissioning as an officer in 2011. He now continues to serve as a “Red Tail” F-16 fighter pilot in the famous 100TH Fighter Squadron, and has flown sorties around the world, including more than eighty (80) combat missions in Afghanistan.

Bart resides in Montgomery with his wife Rachel Smith, and their two children Martha and James, where they attend First United Methodist Church in Old Cloverdale.

### Practice Areas

- Agricultural Law

### *Of Counsel*

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### Education

- J.D., University of Alabama School of Law
- M.S., Auburn University
- B.S., Auburn University

### Bar Admissions

- State of Alabama

### Professional Memberships

- Alabama State Bar
- Alabama Defense Lawyers Association



# DAVID S. TERRY

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David was born in Homewood, AL and grew up in Sylacauga, AL. He graduated from the University of Alabama magna cum laude with honors in 2013 with a degree in commerce and business administration, double majoring in finance and economics. David earned his law degree from the University of Alabama in 2016.

After beginning his career at Laney & Foster as an associate in 2016, David joined Webster Henry in January 2019. He is admitted to practice in Alabama.

## Practice Areas

- Banking
- Professional Liability
- Insurance Defense



*Associate*

## Birmingham

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## Education

- J.D., University of Alabama School of Law
- B.A., University of Alabama

## Bar Admissions

- State of Alabama

## Professional Memberships

- Alabama State Bar
- American Bar Association (Construction Law Section)



## CAITLIN “CATIE” MALONE

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Caitlin “Catie” Malone graduated from Huntingdon College with a Bachelor of Arts, cum laude, in Political Science and Communication Studies in 2010 and from the University of Alabama with a Master of Arts in Communication Studies in 2013. While at the Capstone, Catie taught courses in Public Speaking, Critical Decision Making, and Introduction to Human Communication at Alabama and at Shelton State Community College. She completed her Juris Doctor at The University of Alabama in 2017.

In law school, Catie served as a Student Bar Association senator; member of the Blackburn Institute, the Black Law Students Association, and the Bench and Bar Legal Honor Society; and won Best Brief at the regional Frederick Douglass Moot Court Competition.

Catie resides in Montgomery where she is involved with the Child Protect Junior Executive Board.

### Practice Areas

- Insurance Defense
- Banking
- Transportation Law

*Associate*

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### Education

- J.D., University of Alabama School of Law
- M.A., University of Alabama
- B.A., Huntingdon College

### Bar Admissions

- State of Alabama
- United States District Court (N.D., M.D., & S.D. Ala.)

### Professional Memberships

- Alabama State Bar
- Alabama Defense Lawyers Association



# NICHOLAS HOISINGTON

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After beginning his career at Laney & Foster as an Associate in 2018, Nicholas joined Webster Henry in January 2019. His practice focuses on defending insurers, sureties, and design professionals. Nicholas also defends companies from a variety of employment-related claims, including workers' compensation, retaliatory discharge, and federal black lung.

Nicholas was born in Lawrenceville, Georgia, but grew up in several cities throughout the Midwest. He graduated from Auburn University *summa cum laude* in 2015 with a B.A. in History. While in college, he received the Robert Rea and Gordon Bond Award twice for outstanding achievement in the study of History. Nicholas earned his Juris Doctor from The University of Alabama School of Law in 2018. While in law school, Nicholas received the Dean's Scholar Award, served as an editor for the Journal of Law & Psychology, and spent two semesters working in the Elder Law Clinic.

Nicholas lives in Birmingham with his wife, Madeline; their son, Lucas; and their two dogs, Chloe and Arlo.

## Practice Areas

- Professional Liability
- Construction Litigation
- Surety and Probate Litigation
- Workers' Compensation
- Transportation Law
- Federal Black Lung



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## Education

- J.D., University of Alabama School of Law
- B.A., Auburn University

## Bar Admissions

- State of Alabama

## Professional Memberships

- Alabama State Bar



# JAMES D. “DAN” COWELL

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James D. “Dan” Cowell is a 2003 graduate of Auburn University, where he obtained a B.S. in Business Administration. During his time at Auburn, Mr. Cowell worked as a runner for Webster Henry. Upon graduation, he went to work managing homeowners’ associations and condominium associations in Destin, Florida and then went to work as a loan officer for The Peoples Bank and Trust Company in Prattville, Alabama.

Mr. Cowell completed his Juris Doctor at Jones School of Law in 2011 and, upon graduation, spent the next eight years working as an Assistant District Attorney for the District Attorney for the 19th Judicial Circuit. The 19th Judicial Circuit is made up of Autauga, Elmore and Chilton counties and he spent significant time working in each one of those counties. During his time at the DA’s office Mr. Cowell tried many cases. Mr. Cowell has tried everything from a speeding ticket to murder.

Mr. Cowell resides in Montgomery with his wife Leslie and their three children. They are active members of Landmark Church of Christ.

### Practice Areas

- Municipal Law
- Transportation Law

*Associate*

## Montgomery

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## Education

- J.D. Faulkner University, Jones School of law
- B.S., Auburn University

## Bar Admissions

- State of Alabama

## Professional Memberships

- Alabama State Bar

# GREYSON K. BREAL

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Greyson was born and raised in Mobile, AL. He graduated from Auburn University in 2016 with a B.S.B.A. in International Business. Greyson earned his Juris Doctor, *cum laude*, from Mississippi College School of Law in 2020. While in law school, Greyson served on the Mississippi College Law Review.

Greyson began his practice at Webster Henry in May 2021, and his practice focuses on representing the interests of insurers and corporate clients in both first-party and third-party litigation.

Greyson lives in Birmingham. He is admitted to practice in Alabama and Mississippi.

## Practice Areas

- Insurance Defense
- Transportation Law
- Workers' Compensation

## Publications

- "Race Review In A Nation Seeking Equality," *Mississippi College Law Review*: Vol. 38 : Iss. 3 , Article 4.



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## Education

- J.D., Mississippi College School of Law
- B.S.B.A., Auburn University

## Bar Admissions

- State of Alabama
- State of Mississippi
- United States District Courts of Mississippi
- United States Court of Appeals for the Fifth Circuit

## Professional Memberships

- Alabama State Bar
- Mississippi State Bar



## DANIEL CHISM

---

Daniel is from Winfield, Alabama. He graduated from the University of Alabama in 2018 with a B.A. in History and minors in Political Science and Psychology. Daniel earned his Juris Doctor from the University of Alabama School of Law with an additional certification in Government Affairs. While in law school, Daniel was an active member of the federalist society as well as serving in the student bar association as the American Bar Association Representative. Daniel was also privileged to work with judges on both the state and federal level as well as the Department of Justice, where he was recognized for outstanding service.

Daniel began his practice at Webster Henry in September of 2021 and focuses his practice on vigorously advocating the interests of his clients in both first-party and third-party litigation.

Daniel lives in Gardendale with his wife, Devon and German Shepherd, Zeus. He is admitted to practice in Alabama

### Practice Areas

- Insurance Defense
- Transportation Law

*Associate*

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### Education

- J.D., University of Alabama School of Law
- B.A., University of Alabama

### Bar Admissions

- State of Alabama

### Professional Memberships

- Alabama State Bar



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<p>AUBURN</p> <p>822 N. Dean Road Suite 300 Auburn, AL 36830 Phone: (334) 887-0111 Fax: (334) 887-0983</p>	<p>MOBILE</p> <p>61 St. Joseph Street Suite 1500 Mobile, Alabama 36602 Phone: (251) 259-5415</p>
<p>DESTIN</p> <p>495 Grand Blvd Suite 206 Miramar Beach, FL 352550 Phone: (850) 250-5066</p>	<p>JACKSON</p> <p>232 Market Street Suite 232 Flowood, MS 39232 Phone: (601) 600-8121</p>

No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.