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**SLATEN &  
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Slaten & O'Connor, P.C. is a full service law firm with a general civil practice heavy in litigation and strong commercial representation. In addition to its main office in Montgomery, the firm has offices in Birmingham, Alabama, Atlanta, Georgia, Greenville, South Carolina, Orlando, Florida and Jackson, Mississippi. The firm also enjoys affiliation with counsel in various jurisdictions throughout the United States.

The firm has several experienced first chair litigators who have had successful results litigating and handling arbitration in a variety of jurisdictions in several states. Our commitment is reflected in the continuous development of the scope and depth of our practice in order to respond to and anticipate the needs of our clients. The firm believes in working as a partner with the client to produce the best results in an efficient and cost effective manner. The firm offers a variety of billing strategies including flat fee, task based, value and traditional hourly billing or any combination thereof, which best serves the client. The firm's operating philosophy is to serve all the legal needs of our clients and to provide superior legal counsel to businesses and individuals while maintaining the highest professional and ethical standards.

We represent a wide array of national, regional, state and local clients ranging from publicly held corporations, banks and insurance companies to partnerships, privately held corporations and joint ventures. The firm serves its clients in the areas of administrative, health care, agriculture law, construction law, pest control law, corporate law, civil litigation, commercial liability, complex class action litigation, insurance, real estate litigation, title insurance, securities fraud, premises liability, mental health litigation, nursing home litigation, long term care litigation,

dram shop liability, financial services, estate planning, probate, worker's compensation, employment, and labor law (management).

Members of the firm are currently licensed in Alabama, Florida, Georgia, Mississippi, South Carolina, Tennessee, and Texas.

# **Areas of Practice**

## **ADMINISTRATIVE LAW**

The firm's members have represented professional and business clients in administrative proceedings before state and federal regulatory boards and agencies. Several members have served as general counsel for administrative agencies either in past positions as Assistant Attorney General or in private practice by contract with the agency. In those cases in which adverse administrative agency action is taken against our client, the firm takes aggressive action to obtain judicial review and reversal of unreasonable, arbitrary, or capricious agency action or agency action characterized by an abuse of discretion or by a clearly unwarranted exercise of discretion. When defending the agency or board we are just as zealous in our defense and commitment to uphold its decisions.

## **ALTERNATIVE DISPUTE RESOLUTION**

Three members of the firm have been trained as mediators. Several attorneys in the firm have mediated cases numbering into the hundreds from Maryland to Arizona. One of the firm members has gone through the arbitration training with the American Arbitration Association. Additionally, members of the firm have arbitrated cases in multiple jurisdictions. The firm stands ready to serve as a neutral or as an advocate to assist in resolution of disputes without going to trial.

## **ASSISTED LIVING**

The firm has extensive experience representing owners and operators of assisted living facilities both inside and outside Alabama. The regulatory climate in Alabama is very different from that found in other states. The Alabama Department of Public Health has determined to take harsh regulatory action against operators of assisted living facilities that do not comply with laws and regulations. Our firm has been successful in dealing with these situations on behalf of our clients through litigation where necessary or through skillful negotiation of regulatory solutions that are palatable to those who regulate and to those regulated. The firm has also defended claims against assisted living facilities such as premises liability claims and personal injury claims.

Attorneys from our firm have been featured as speakers at the annual conferences of the Assisted Living Association of Alabama. The firm is pleased to include the Association as one of its clients.

## **AUTOMOTIVE INDUSTRY**

The firm has extensive experience in assisting companies relocating, particularly from overseas to find, acquire, and develop industrial sites for production of materials supporting the automotive industry. Members of the firm have negotiated option agreements, contracts for the purchase of real property, and incentive agreements with federal, state and local governments. The firm has represented its clients before federal, state and local boards regarding permitting and licensing applications. Our attorneys assist our clients throughout the construction process, from negotiating project manager contracts and overseeing the bidding process to negotiating packages for general contractors and resolving change order and pay request disputes. We guide our clients through the state training and screening process. Our attorneys negotiate and draft supplier agreements. We handle all labor and employment matters efficiently. Our attorneys handle all general corporate work involved in establishing a new business in Alabama. The firm has also developed an unique concept in which the firm assists the local manager by preparing a project information book which, in a very concise manner, provides project managers with all legal, regulatory, and business documents condensed into one book. This concept has been instrumental in allowing companies who are under very tight deadlines to build or acquire a facility and have it fully operational for production on close schedules. This value added service insures that project managers are aware of all the legal, governmental, and regulatory requirements associated with opening an industrial facility in the State of Alabama. The result is that neither time nor money is wasted by the company. Through our experience with other automotive suppliers, we have tailored our services so that our top priority is make it possible for our client to begin production as soon as possible with the utmost regard for quality, safety, and cost effectiveness. At Slaten & O'Connor, we believe that, more than being attorneys who represent the interest of automotive suppliers, we are partners in their success and partners working to insure their success.

## **BUSINESS AND COMMERCIAL LITIGATION**

The firm engages fully and actively in business and commercial litigation at trial and appellate levels of both state and federal courts. Some of the many types of business and commercial litigation conducted are:

- Lender Liability
- Securities

- Contracts
- Fraud and RICO
- Consumer Loans and Deceptive Trade Practices
- Employer/Employee Matters, Including ERISA
- Bankruptcy
- Partnerships
- Probate Litigation

The firm represents institutional lenders and individuals in land acquisitions and sales, real estate financing, loan closings and related matters.

### **COMMERCIAL FORECLOSURE, BANKRUPTCY, AND CREDITOR'S RIGHTS**

In the firm's efforts to provide continuity and efficiency in the representation of clients in the financial services arena, our attorneys routinely represent clients in bankruptcy courts throughout the states in which we are licensed, to preserve and protect client creditor's rights and interests. Our firm's representation of clients in bankruptcy proceedings ranges from the routine collection of indebtedness and enforcement of remedies in defaulted creditor relationships, to litigation of complex legal issues that may be pursued both offensively and defensively, requiring thoughtful and informed analysis and well-formulated strategic planning in the protection of creditor rights. Commercial foreclosure, evictions and asset recovery have been integral to the firm's practice for many years.

### **DRAM SHOP LITIGATION**

The firm has developed a significant practice in dram shop litigation in recent years. Through its experienced attorneys in this specialty of litigation, the firm has implemented an approach in defending liquor liability claims. Members of the firm who practice in liquor liability defense take an aggressive approach toward investigating allegations. This approach assists our attorneys in presenting precise facts to the Court and applying the law accurately. Through our litigation experience within the firm, as well as years of defending liquor liability cases, we are able to provide not only an efficient defense, but a very knowledgeable and authoritative one as well. Slaten & O'Connor employs a working relationship between its clients and itself to provide the most thorough and well-rounded defense.

## **FINANCIAL SERVICES/MORTGAGE BANKING**

The firm's financial services practice area includes representation of banks, mortgage companies, savings and loans, finance companies, and various other institutional lenders which provide financial services to both consumers and businesses.

### **Regulatory —**

The firm has provided opinions and counseling services related to the following areas, Community Reinvestment Act, Equal Credit Opportunity Act, Fair Credit Reporting Act, Fair Debt Collection Practices Act, Fair Housing Act, Fair Lending, National Flood Insurance Program, Home Mortgage Disclosure Act, Real Estate Settlement Procedures Act, Right to Financial Privacy Act, Truth in Lending Act, Preparation of Fifty State Surveys on State Licences, Origination, and Servicing Laws, Unfair or Deceptive Consumer Credit Acts, Interpretation of Regulations From the Office of Thrift Supervision, Comptroller of the Currency, Federal Reserve, Federal Trade Commission, and National Credit Union Administration, as well as interpretation of regulations and announcements from HUD, VA, Fannie Mae, and Freddie Mac.

### **Corporate —**

The firm also assists the business aspects of financial services industry in the creation of brokers, wholesale lenders, correspondent lenders and the agreements between those entities and their corporate parents, as well as broker agreements, correspondent lending agreements, flow servicing, purchase and sale of servicing, purchase and sale of financial services entities, creation of CLO's, CBA's, now known as ABA's as well as personnel issues related to the financial services industry.

### **Litigation —**

The firm maintains offices throughout the southeast and many of our litigation partners are licensed and practice in multiple states. This serves our clients on a regional basis and ties in with the firm's Southern Litigation Solutions philosophy. The goal is to provide continuity, efficiency, and value to our clients in an area where our attorneys have expertise and familiarity with the local demographics.

The firm's litigation section has extensive experience in the following areas:

- Predatory Lending
- Predatory Servicing
- Lender Liability
- Repurchase and Indemnity
- Deceptive Trade Practices
- Mortgage Fraud (Borrower, Broker, Settlement Service Providers)
- Lender Loss Recovery (Construction Defects)
- TILA/RESPA/FCRA/FACTA
- Wrongful Foreclosure
- Letters of Credit
- Private Mortgage Insurance
- Title Insurance
- Credit Insurance
- Mechanic's/Materialman's Liens
- Escrow
- UCC Matters/Secured Transactions
- Lender/Servicer Katrina-related Litigation
- Yield Spread Premiums
- Pay-off Litigation
- Inspection fees
- Force-placed Insurance
- Loan Officer/Bank Fraud
- Fair Housing
- FDIC/RTC Investigations
- RTC Litigation
- Condemnations

### **HEALTH CARE/ENTRUSTED CARE**

An emerging practice area for our firm is one entitled Entrusted Care. Our firm has been blessed to have experienced attorneys who have a variety of practice experiences with many of the legal theories in these practice areas are substantially similar in the way cases are evaluated and litigated. The attorneys in the entrusted care practice area each have a primary practice program that they are responsible for and then act as co-counsel or assist counsel on the other practice program areas. The firm has determined that nursing homes, assisted living facilities, congregate care, hospitals, mental health facilities, group homes, apartment communities and

common area concept of home owners associations all have strikingly similar legal issues. The attorneys in the entrusted care practice area all are extremely experienced in one or more of these areas and therefore make them more valuable in that they can assist attorneys in the other areas with minimal learning curves.

Another section of the entrusted care relates to any individual who is allowed access to residences. This includes pest control operators, heating, cooling and plumbing companies (HVAC), building and remodeling contractors, security services, lawn maintenance companies, electrical contractors, real estate agents and home and health care services. The concept being that the company is responsible for the action of its employees related to the repair, maintenance or other professional services related to the home. In the same concept as mentioned above, having experienced attorneys in one or more of these areas assisting other attorneys who also have extensive experience in multiple lines, we have been able to determine many of the legal concepts and approach to handling the cases are very similar. Thus, the application of defenses in these areas can be made to provide the best possible defense with strong cost containment.

### **LABOR AND EMPLOYMENT PRACTICE**

Employees are often referred to as a company's greatest asset, and while most of the time that is true, they often can create the most potential liability for a company. Attorneys at Slaten & O'Connor work diligently with our clients to produce a work environment which allows all employees and the company itself to reach their full potential while protecting against any downside risks related to the actions of employees. Once engaged by the client to perform legal services, senior attorneys visit the work place in order to ensure that the policies, procedures, training and written materials that are produced by the firm truly fulfill the needs of that particular client. Too often people use the one size fits all mentality in preparation of labor and employment systems. Because our attorneys in labor and employment practice have worked in industrial settings, prior to becoming attorneys, we understand it both from the legal and practical perspectives. Once we have collected information and evaluated it with regard to the company's needs, we work to prepare a comprehensive labor and employment program for the company, including but not limited to employee handbooks and policy manuals, sexual harassment policies, affirmative action plans, and wage and hour policies. We also assist employers with preparation of employment agreements, non-competition and non-solicitation agreements, safety manuals, Family Medical Leave Act policies and procedures, employee benefit programs, and workplace safety, as well as implementation of drug testing policies and procedures, which are tailored to the

specific needs of the client. We also have extensive experience in management responses to potential unionization of union free workplaces to ensure that the company does not subject itself to a claim of unfair labor practice by the union. We also have extensive experience in defending unfair labor practice charges by the NLRB.

### **Litigation —**

The firm has defended employers in almost every type of potential claim filed by employees from a simple Worker's Compensation case to complex litigation in areas such as the Fair Labor Standards Act, as well as discrimination claims under the American Disabilities Act and Title VII claims of discrimination. Whether our clients are small businesses with only a few employees or large corporations with thousands employees, the attorneys of Slaten & O'Connor work hard to understand what your true needs are and prepare strategies which ensure the continued success of the client.

## **LITIGATION**

The handling of trials and trial related matters is an important part of the firm's practice. The firm recognizes, even with increasing specialization within the legal profession, the skills of trial attorneys — in negotiations and the trial of cases, and in utilizing other means of resolving disputes — are extremely important.

The firm is experienced in virtually every type of general civil litigation in both federal and state courts, and before administrative agencies. The firm also represents clients before state and federal regulatory bodies and advises business clients in a non-adversarial setting regarding certain litigation related matters such as employee-employer relations, creditors' rights and constitutional law issues.

## **MENTAL HEALTH AND DISABILITY LAW SECTION**

The Mental Health and Disability Law section of the law firm of Slaten & O'Connor is comprised of litigation attorneys who emphasize positive solutions to litigation and preventing lawsuits. Our clients include the Alabama Department of Mental Health and Mental Retardation, community service providers and consumers. The firm provides advice and training related to such issues as compliance and state and federal regulations, risk management, and preparing health care professionals for litigation. Because the legal problems faced by service

providers are unique and have attracted special attention from legislatures, courts, and the general public, Slaten & O'Connor will develop an aggressive, proactive risk management program that is individually designed for our client. This program will have a systematic process of identifying, evaluating and responding to potential lawsuits and actual risks. A senior attorney provides on-site training to management and health care professionals to successfully implement the program and assist in the development of appropriate legal defenses and strategies when a lawsuit is filed. At Slaten & O'Connor, we are committed to protecting the interests of our clients and working to enhance the quality and standard of care provided to consumers. We believe that having these goals as a visible focal point will minimize the risk of loss, achieve cost containment and economic protection for our clients who are service providers. Because we also represent consumers, our firm has developed a reputation for obtaining reasonable solutions to litigation and aggressively defending lawsuits when necessary. The senior litigation attorney in this section of the firm has over 25 years experience representing state and community service providers and consumers.

### **NURSING HOME LITIGATION**

\_\_\_\_\_The attorneys in the Nursing Home Litigation section of Slaten & O'Connor have focused their law practice on representing nurses, doctors, therapists, and other healthcare employees who provide care, treatment and supervision to nursing home residents. Our attorneys have the experience, skill and resources which are needed to defend nursing homes in complex lawsuits related to allegations of providing improper care.

As more and more persons are living in nursing homes there will be more and more residents who have negative medical outcomes related to their declining health which will, in many cases, result in litigation. Our attorneys are dedicated to protecting healthcare providers and nursing homes from unsubstantiated medical malpractice claims and false allegations of negligence.

The attorneys at Slaten & O'Connor practicing nursing home defense include individuals who are frequently asked to conduct training seminars concerning state and federal regulations, resident rights, and quality improvement programs. As a result, they know that licensure issues can become complex for nursing home administrators and the healthcare providers. In these circumstances, it is important to be represented by a law firm whose attorneys have extensive experience in these areas of administrative law.

## **PEST CONTROL LITIGATION**

Pest control has long been a main stay of the firm's litigation practice. Virtually all of the attorneys in the firm have handled some degree of pest control related matters. Four of the attorneys frequently speak at regional, state and national pest management related conferences. The firm has litigated cases in 30 states and Puerto Rico. The firm has had numerous defense verdicts in litigated matters. The firm has arbitrated cases in Alabama and several other states and has mediated countless others in over a dozen states. The firm has probably handled upwards of 500 pest control lawsuits. There is a member of the firm that is a licensed pest control operator. There is a member of the firm that is in the Phi Chi Omega (P.O.) professional pest fraternity. The firm is familiar with the regulators in the states it practices and has utilized all of the reputable experts around the nation.

The variety of cases that Slaten & O'Connor has handled in this area include chemical exposure, toxic mold, breach of contract, wood infestation report claims, E.I.F.S., and termite damage claims.

## **PRODUCT LIABILITY**

We have substantial experience in the defense of sophisticated product liability cases for all types of products, including automobiles, heavy trucks, consumer goods, chemicals, and industrial and agricultural products. The extent of our product liability experience is most evident in the courtroom, where our attorneys have a long track record of litigating high-profile product liability cases involving complex technical and scientific issues.

## **REAL ESTATE/CONSTRUCTION**

The firm has represented landowners, developers, lenders, and contractors in every phase of real estate development including, acquisitions, construction, financing, permanent financing, zoning and planning issues, environmental issues and permitting, negotiating and drafting construction contracts of every type, landlord-tenant issues, as well as representation before zoning boards, planning committees, city councils, county commission, state environmental boards, state construction licensure boards, and obtaining federal, state, and local incentives.

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## **REAL ESTATE LITIGATION**

The firm has extensive experience in a variety of real estate litigation matters, including representation of and for the title insurance industry. Members of the firm are experienced in handling numerous different types of real property disputes on behalf of owners/borrowers and lenders including quiet title actions, easements, claims for slander of title, instrument reformation, tax sale disputes, boundary line disputes, and title insurance coverage issues. The firm's significant experience in representing the financial services industry has proven to be a valuable asset in our representation of the title insurance industry and its insureds.

The firm also has extensive experience in other real estate related litigation such as the representation of real estate agents and brokers in matters involving claims of negligence, fraud, and other claims arising out of real estate purchase and sale transactions, real estate errors and omissions claims, claims against property managers, construction disputes, and others.

## **TORT LITIGATION**

The firm has substantial experience in the traditional classes of insurance defense litigation. The range of matters handled by our attorneys mirrors the ever-expanding changes in tort law and compensation systems. The firm is increasingly called upon to advise clients on risks involved in specific endeavors, alternate means of dispute resolution, and coordination of complex multi-party and multi-district actions. Members of the firm have served as counsel of record in such matters as:

- Products Liability
- Negligence
- Fraud and Misrepresentation
- Questions of Insurance Coverage
- Chemical Exposure
- Complex and Class Action Litigation
- Long Term Care
- Premises Liability
- Dental Malpractice
- Transportation Law
- Mental health
- Nursing Home
- Dram Shop/Liquor Liability
- Agriculture
- Construction Defect
- Violation of Fiduciary Duties
- Pest Control
- Worker's Compensation
- White Collar Criminal
- Manufactured Housing

Slaten & O'Connor has concentrated its litigation practice in a variety of niche areas. Slaten & O'Connor employs a partnership with its clients and insurance

carriers to develop the most effective way of handling litigation for its clients. Below are some of the niche areas we practice in currently.

### **TRANSPORTATION LAW**

A cornerstone of our firm's litigation practice is in the area of Transportation Law. We aggressively defend lawsuits in all state and federal courts in Alabama and other states. Our team of experienced litigators handle the defense of personal injury, bad faith, property and casualty claims. A part of our value added service is to conduct seminars and training sessions for adjusters. We offer risk management training and consulting to personnel in the trucking industry. Our philosophy is to move all lawsuits aggressively to resolutions. We explore all settlement options, including alternative dispute resolution. The firm works in conjunction with insurers and their insureds to efficiently and expeditiously resolve litigation issues.

# Members

**Clifton E. Slaten**, a founding partner of Slaten & O'Connor, was born in Cullman, Alabama on January 12, 1956. He was admitted to the Texas bar in 1987, the Alabama bar in 1990, the Tennessee bar in 2005, and the Georgia bar in 2008. He received his B.B.A. with honors from the University of Montevallo in 1978 and his J.D. from the University of Alabama in 1987. Cliff maintains memberships in the State Bar of Texas, the Alabama State Bar Association, the American Bar Association and the Alabama Defense Lawyers Association. Cliff concentrates his practice in financial services litigation, product liability, pest control litigation, mental health, construction defect, securities litigation and transportation litigation.

**Michael B. O'Connor**, a founding partner of Slaten & O'Connor, was born in Tuscaloosa, Alabama on December 6, 1960. He was admitted to the Alabama bar in 1989 and the Georgia bar in 2008. Mike received his B.S. and J.D. from the University of Alabama in 1983 and 1989 respectively. While still a law student, Mike was an instructor in Labor Law for the University of Alabama, College of Commerce and Business Administration. He is a member of the Alabama State Bar Association and the American Bar Association. Mike concentrates his practice in financial services, general business, economic development, commercial real estate and international law.

**Mindi C. Robinson**, a partner of Slaten & O'Connor, was born on May 25, 1964 in Gadsden, Alabama. She was admitted to the Alabama bar in 1996, the South Carolina bar in 2001, the Georgia bar in 2005, and the Tennessee bar in 2008. Mindi received her A.S. from the University of Alabama, Birmingham in 1985, her B.S. in 1992 and her J.D., magna cum laude, from the University of Alabama in 1996. She is a member of the Alabama State Bar Association, the South Carolina Bar Association, the Georgia Bar Association, the American Bar Association, the Montgomery County Bar Association, the Alabama Defense Lawyers Association and the Defense Research Institute. Her concentrations are complex and class action litigation, financial services litigation, construction defect and pest control litigation, toxic tort litigation, nursing malpractice and insurance coverage analysis.

**Edward C. Hixon**, a partner of Slaten & O'Connor, was born in Montgomery, Alabama on August 12, 1969 and admitted to the Alabama bar in 1994. He received a B.A. from Auburn University in 1991 and a J.D. from the Cumberland School of Law of Samford University in 1994. Eddie is a member of the Montgomery County Bar Association, the American Bar Associations, the Alabama State Bar Association and the Alabama Defense Lawyers Association. His concentrations are worker's

compensation and insurance defense.

**G. R. “Rick” Trawick** was born in Dothan, Alabama on September 29, 1950. He was admitted to the Alabama bar in 1976. Rick received a B.S. degree from Auburn University in 1972 and a J.D. from Cumberland School of Law of Samford University in 1976. He is licensed to practice law in the Supreme Court of the United States, Court of Appeals for the 11<sup>th</sup> and 5<sup>th</sup> Circuits, and the Northern, Middle and Southern District Courts in Alabama. He was an Assistant Attorney General for the State of Alabama, and Chief Counsel for the Alabama Department of Mental Health and Mental Retardation. He is a member of the Alabama State Bar Association and Montgomery County Bar Associations. His concentrations are disability law, employment law, nursing home litigation, premises liability and mental health litigation.

**Thomas Eric Ponder**, born on June 21, 1964 in Sylacauga, Alabama. He was admitted to the Alabama bar in 1990 and the Georgia bar in 1996. He received his B.A. from Auburn University in 1986 and his J.D. from Cumberland School of Law of Samford University in 1990. He is a member of the State Bar of Georgia, the Alabama State Bar Association, the American Bar Association, the Association for Trial Lawyers of America, the Georgia Trial Lawyers Association, the DeKalb County (GA) Bar Association and the Atlanta Bar Association. His concentrations are Personal Injury Litigation, Fraud and Bad Faith, Medical Malpractice, Business Litigation and Family Law.

**Jason J. Baird** was born in Tuscaloosa, Alabama on September 15, 1963. Jason received his B.S. from The University of Alabama in 1986 and his J.D. from The University of Alabama School of Law in 1992. After law school, Jason clerked for the Hon. Charles Thigpen, Alabama Court of Civil Appeals. Jason is a member of the Alabama State Bar Association and the Montgomery County Bar Association. Jason is licensed to practice before all Alabama state courts, the United States District Courts for the Northern and Middle Districts of Alabama, the United States Courts of Appeal for the Eighth and Eleventh Circuits and the United States Supreme Court. He concentrates his practice in insurance defense, general civil litigation, employment law, real estate litigation, insurance analysis and appellate practice.

**C. Elizabeth Littell**, was born on December 21, 1976 in Chattanooga, Tennessee. She was admitted to the Alabama bar in 2002. She received her Bachelor of Arts in Political Science from the University of Tennessee in 1999, and her J.D., from

Samford University's Cumberland School of Law in 2002. She is a member of the Alabama State Bar and is admitted to the United States District Court for the Northern and Middle Districts of Alabama.

**Of Counsel is Thomas Bailey Smith**, born Harlan, Kentucky on February 27, 1959. Thomas was admitted to the South Carolina bar in 1993, the Pennsylvania bar in 1999 and admitted to the 4<sup>th</sup> Circuit Court of Appeals 1994. He received a B.A. from the University of Kentucky in 1982, USAF Captain DOS in October 1990 and a J.D., cum laude from the University of Alabama School of Law in 1993. He is a member of the American Bar Association, ABA Labor and Employment Section. His concentration is litigation, labor and employment law and financial services litigation.

**Of Counsel is Carey N. Bos**, born in Niagara Falls, Canada on May 1, 1953. Carey was admitted to the Florida bar in 1978. He received a B.S. from Florida State University and a J.D. from the Florida State University School of Law in 1978. He is a member of the Florida Bar Association, the American Bar Association, the Defense Research Institute, the International Association of Defense counsel and the Florida Defense Lawyers Association. Carey is also a board certified mediator. He performs insurance defense working ranging from automobile accidents, homeowner claims, general liability claims, trucking litigation, premises negligence, inadequate security, product liability and construction defect litigation.

**Of Counsel is Kang Cheol Lee**, born in South Cholla, South Korea, on April 13, 1962. He received a B.A. from Yonsei University in 1988 and served the Korean Government in the Ministry of Health and Welfare for over 8 years. He received a J.D. in 2002 from the University of Iowa College of Law and was admitted to the Tennessee bar in 2002. Since then, he exclusively focuses on immigration law issues for Korean immigrants in the Metro Atlanta and Montgomery areas. He is a member of the American Immigration Lawyers Association.

**Of Counsel is Stephan Land McDavid**, born in Oxford, Mississippi in 1960. Stephan received his B.A. from the University of Mississippi in 1983 and his J. D. from the University of Alabama in 1987. Stephan was admitted to the Alabama State Bar in 1987. Stephan is a member of the American Bar Association and was an ABA Delegate for the Mississippi Bar from 1996-1998, and was an ABA Delegate for the Tri-County Bar Association Convention in 1994, 1995 and 1996. Stephan served on the ABA Arts and Entertainment Law Committee in 1995 and 1996. Stephan was admitted to the Mississippi State Bar in 1989. Stephan has served on the

Mississippi Bar Association, Intellectual Property Section as its founding chairman, 2000-2001. Stephan has been serving on the Mississippi Bar Association, Intellectual Property Section Executive Committee since 2001. He served on the Lafayette County Bar as President in 1999-2000, Vice President in 1998 and Secretary in 1997. He served on the Board of Directors of the Mississippi Bar, Young Lawyers' Division from 1994-1996 and served as Chairman in 1994 and Vice Chairman in 1993 on the Mississippi Bar, Environmental Law Committee. His concentrations are commercial litigation, products liability, construction litigation, insurance contract disputes and intellectual property litigation.

**Of Counsel is V. Michelle Obradovic** is the owner of Wise Resolution, LLC® and is the County Mediator for Jefferson County, Alabama. She is a Fellow of the International Academy of Mediators, a member of Arbitral Women and a founding member of Mediators Beyond Borders. She has mediated in excess of 2000 commercial cases and co-mediated 145 mass torts, class actions and MDLs locally, nationally and internationally.

Licensed in Alabama, Michelle has been an Adjunct Associate Professor of Law since 2002, teaching Mediation advocacy and Mediation Practice and Process at Samford University's Cumberland School of Law. She has lectured at Cambridge University, England and also teaches Interviewing, Counseling and Negotiation, Justice Theory and Mediation at Birmingham School of Law. She is the Coach of Cumberland's ABA Representaiton in Mediation National Teams, including the 2005 National Champions who went on to compete at the ICC in Paris, France.

Michelle was educated by the Sisters of Notre Dame de Namur at Trinity College in Washington, DC, is a graduate of Cumberland School of Law and holds an LL.M. from Pepperdine University, Straus Institute for Dispute Resolution.

## **REPRESENTATIVE CLIENTS:**

### **FINANCIAL SERVICES**

ABN-AMRO; Aegis Mortgage Corporation; Alabama Mortgage Bankers Association. Aliant National Corporation; Aliant Bank; Aliant Mortgage; America Loan Source; Americapital Funding Corporation; AmeriNet Financial Systems, Inc.; Ameriquest Mortgage; AmSouth Bank; Aries Capital; Aurora Loan Services, Inc.; Bank of America; Benchmark Mortgage; BNC Mortgage, Inc.; Branch Banking and Trust Company of Georgia; Burchmont Equities Group, Inc.; Centennial Mortgage, Inc.; Colonial Bank; Community Bank; Compass Bank; Countrywide Home Loans, Inc.; DeGeorge Home Alliance, Inc.; Dovenmuehle Mortgage, Inc.; Farm Credit of South Florida; Farmers National Bank; FNMA; FHLMC; Fairbanks Capital Corp.; First American Bank; First American Title Insurance Company; First Tuskegee Bank; First Southeast Mortgage; First Bank Mortgage Corp.; First Horizon Home Loans; Flagship Mortgage Company, L.L.C.; Freedom Mortgage Corporation; G.E. Capital Services, Inc.; Greater Atlantic Mortgage Corporation; Greenpoint Mortgage Funding, Inc.; Highland Mortgage Company; Home Loan Corporation; Impac Funding Corporation; Lifetrust America; Lowell, Smith and Evers, Inc.; Molton, Allen & Williams Corporation; Mortgage Bankers of America; National Rural Utilities Cooperative Financial Corporation; OmniServe, L.L.C.; Net Bank; Peoples Bank and Trust Company; Regions Bank; Regions Mortgage Company; Renasant Bank; Resources Bankshares Mortgage Group, Inc.; Residential Mortgage Corporation; Rock Financial Corp.; Sebring Capital Corporation; Southern Bank of Commerce; Standard Mortgage Company; Sterling Bank; Sun Trust Mortgage, Inc.; Synovus Mortgage Corporation; Temple-Inland Mortgage Corporation; Title South; Tucker Federal; Wachovia Bank; Webster Bank; Whitney National Bank; WMC Mortgage Corp.

### **INDUSTRIAL**

AGS Technology, Inc.; Alpine Industries, Inc.; American Technologies, L.L.C.; AmTreon Corporation; ArvinMeritor Sejong, L.L.C.; Automotive Associates of Alabama, L.L.C.; Bayer Corporation; Bowco Laboratories, Inc.; Capital Business Equipment, Inc.; Capitol Soaps, Inc.; CRH North America, Inc.; CVE, Inc.; Daewon America, Inc.; Eurpac Services, Inc.; GKN Aerospace Services, Glovis Alabama, L.L.C.; Glovis America, Inc.; GuYoung Tech USA, L.L.C.; Hanil E-Hwa Interior Systems Alabama, L.L.C.; Hantal Alabama, LLC; Hwashin America Corporation; H.S.S., L.L.C.; Hysco America Company; Imperial Development, L.L.C.; Luquire

Air-conditioning and Heating, Inc.; Maha USA, L.L.C.; Mahado, L.L.C.; Meta Control, L.L.C.; Moletec Corporation; Pyongsan America, Inc.; Raco Alabama, L.L.C.; Samlip Alabama, L.L.C.; Samlip America, Inc.; Sejong Industrial Co., Ltd.; Seohan Industrial Co., Ltd.; Sewon Precision Industry, Ltd.; Silla Engineering America, L.L.C.; Simcala, Inc.; S. K. Michigan, Inc.; Southern Carriers, Inc.; Southeast Pallet & Box; Southeastern Stud & Components, Inc.; VSP, L.L.C.

### **INSURANCE**

Alabama Insurance Guaranty Association; Alfa Mutual Insurance Company; Acceptance Insurance Company; Ace USA; Affinity Insurance Services; A.I.G. Technical Services, Inc.; Allstate Insurance Company; American International Recovery; Association Services, Inc.; Atlanta Casualty Companies; Audubon Insurance Group; Auto-Owners Insurance Company; Blue Cross & Blue Shield of Alabama; Chubb/Executive Risk; CNA Insurance Companies; Claims Services Network; Colonial Insurance Company of California; Construction Claims Management; Cunningham Lindsey; Encompass Insurance Company; Frontier Insurance Company; GuideOne Insurance Company; Houston General Insurance Company; Infinity; Legion Insurance Company; LIPCA, Inc.; Metropolitan Property & Casualty Insurance Company; Midland Risk Insurance Company; Midlands Claim Administrators; Nationwide Insurance Company; Nautilus Insurance Company; Orion Specialty; Palomar Insurance Corporation; Performance Claims Services; PestSure Association; Progressive Insurance Company; Robinson-Adams Insurance; Royal Insurance; Sagamore Insurance Company; Scottsdale Insurance; St. Paul Fire & Marine Insurance Company; State Farm fire & Casualty Company; TIG; The Brownyard Group; The Hartford Insurance Companies; United States Liability Insurance; Universal Savings Bank, F.A.; USF&G; US Liability Insurance; Western Heritage Insurance Company; Westport Insurance Corporation; Zurich-American Insurance Group.

### **PEST MANAGEMENT**

Action Termite and Pest Control; Advanced Pest Control of Alabama; Alabama Pest Control Association; Alabama Professional Exterminators; All Pest Exterminators; All-State Pest Control, Inc.; Arrow Pest Control, Inc.; Bama Exterminating Company, Inc.; Bowles Pest Control; Burnum-Hahn Exterminators; Cell Pest Control; Cooks Pest Control; Dexco Demopolis Exterminating Company; Dickerson Exterminating Company; Dunagin Pest Control; Dunaway Pest Control; Elite Pest Control; Environmental Termite and Pest Control, Inc.; Flowers Pest Control, Inc.;

General Pest Control; Greenville Pest Management; Hadley Termite & Pest Control, Inc.; Killingsworth Environmental, Inc.; Lewis Pest Control; National Pest Management Association; North American Chemical Users & Applicators; Oldham Chemical Company; Orkin; Rebel Pest Control Co., Inc.; Vulcan Termite & Pest Control, Inc.; Wayne's Environmental Services.

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**MISCELLANEOUS**

Alabama Health Maintenance Organization; Alliance Medical Group, Inc.; Aronov Realty Management, Inc.; Ballard Realty; Burger King Corporation; Compliance Source, Inc.; CSX Transportation; DirectCare, Inc.; Fantasy Mobile Homes, Inc.; Four Skis II, Inc.; Harrah's Entertainment Corporation; Hillside Developers, Inc. Home Ownership Consortium of Alabama, Inc.; HomeCorp Developers; HomeSpace Services, Inc.; Morrison Management Specialists, Inc.; Patriot Homes, Inc.; State of Alabama, Department of Mental Health & Mental Retardation; Summit Asset Management, Inc.; Waverlee Homes, Inc.; Wellington Group, L.L.C.; United State Department of Agriculture.