



George M. Walker

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Biographical Information

George Walker is a member in the Firm's Mobile office. His litigation practice and experience encompasses a wide variety of litigation areas, including product liability litigation; toxic tort litigation; banking practices and conduct litigation; commercial litigation; and employment discrimination litigation.

Mr. Walker has tried (and prosecuted/defended the appeals of) numerous jury and non-jury cases throughout Alabama and in Mississippi and Northwest Florida in both state and federal courts, representing banks, doctors, product manufacturers and distributors, insurance agents, employers, insurance companies, and airlines. The Representative and Reported Cases list reflects the variety of his litigation practice over the last 41 years. In addition, he has counseled clients in all of these areas on ways in which litigation might be avoided.

Mr. Walker has also frequently written and spoken extensively on litigation topics. He has written on topics as diverse as the award of attorneys' fees, junk science, closing arguments, proximate cause, expert witnesses, and employment torts for such publications as the *Alabama Lawyer*, the *Alabama Defense Lawyers Association Journal*, DRI's *For the Defense*, and the Newsletters of the DRI Committees. In addition, he has spoken at meetings of the Association of Defense Trial Attorneys, the Alabama Defense Lawyers Association, the DRI Trial Tactics Committee seminars, the Environmental Law Section of the Alabama State Bar, and the Mobile Bar Association Bench and Bar Conference.

Mr. Walker is a member of the Litigation Section of the American Bar Association, as well as a member of and a former Director for the Defense Research Institute, as well as its Product Liability, Professional Liability, Medical Liability, Commercial Litigation, Trial Tactics, and Toxic Tort and Environmental Law Committees. He is a member and Past President of the Association of Defense Trial Attorneys. He is recognized in the book *The Best Lawyers in America*, and is also recognized as an Alabama Super Lawyer. He was a sustaining member of the Product Liability Advisory Council from 1999 to 2015 and participated in its Amicus Curiae Program. Outside of his practice of law, Mr. Walker serves as a Director Emeritus and as a former President of the Alabama Golf Association. From 1993 until 2011, Mr. Walker served on the Board of Trustees at the University of Montevallo and as the Chair of the Board from 2006 until 2011.

Admissions

- Alabama State Bar, 1977
- Florida State Bar, 2004
- United States Supreme Court
- Fifth and Eleventh U.S. Circuit Courts of Appeal
- Alabama Federal District Courts
- Northern District of Florida

Education

- J.D., University of Alabama School of Law, 1977
- B.A. University of Montevallo, 1974

Additional Information

Civic and Professional Affiliations

- Mobile County Bar Association
- Alabama State Bar Association
- The Florida Bar
- American Bar Association (Litigation Section)
- Association of Defense Trial Attorneys (Executive Council, 1998–2001; Secretary, 2004–2009; Vice-President 2009–2010; President-Elect 2010–2011; President 2011–2012; Immediate Past President 2012–2013).
- Defense Research Institute (Director 2010–2013)
- Alabama Golf Association (Director, 1992–present; Executive Committee, 2005–present; Vice-President 2009–2011; President 2011–2013)
- Junior Golf Association of Mobile (Director and Secretary, 1994–present)
- University of Montevallo Board of Trustees (Trustee, 1993–2011; Vice-Chair, Board of Trustees, 2000–2006; Chairman, 2006–2011)

Publications and Presentations

- "Opposing Expert Witnesses," ABA Joint Automobile Litigation and Staff Counsel Committee Newsletter (Summer 2016).
- "Legionnaires' Disease: A Primer For Defense Lawyers," Newsletter of the DRI Toxic Torts and Environmental Law Committee, Vol. 18, Issue 3 (November 10, 2015).
- "Wage and Hour and Americans with Disabilities Act Issues," Presentation to Mobile Chapter of the Alabama Restaurant and Hospitality Alliance (March 24, 2015)
- "Economic Duress: A Poor Excuse for Non-Performance," Alabama Lawyer, Vol. 74, No. 6 (November 2013)
- "The Anatomy of a Daubert Challenge," The Voice of the Defense Research Institute (March 13, 2013)
- Panel Moderator for presentation on "The Winning Advantage: Professionalism and Ethics in the Courtroom," DRI Trial Tactics Seminar (March 21, 2013)
- "The Ten Commandments of Closing Argument," Trials and Tribulations Newsletter of the DRI Tactics Committee, Vol. 17, Issue I (April 13, 2011).
- "Recent Developments in Toxic Tort Litigation," presented to the Alabama State Bar Environmental Law Section, June 15, 2007.
- "Technology for the Trial Lawyer," December 2001, Mobile & Baldwin County Bench and Bar Meeting
- "Persuasive Closing Argument," Fall 1999, Newsletter of the DRI Toxic Torts & Environmental Law Committee
- "Tales from the Dark Side," 15 Ala. Defense Lawyers Journal (Apr. 1999)
- "Junk Science: What to do When it Happens to You," 4 Alabama Lawyer 117 (Mar. 1993)
- "Proximate Cause in Failure to Warn Cases," 31 DRI For the Defense 23 (Oct. 1989).
- "Employment Torts," 49 Alabama Lawyer 148 (May 1988)
- "Recovery of Attorney Fees in Civil Rights Litigation," 39 Alabama Lawyer 93 (Jan. 1978)
- "The Anatomy of a Daubert Challenge," The Voice of the Defense Research Institute (March 13, 2013)
- Panel Moderator for presentation on "The Winning Advantage: Professionalism and Ethics in the Courtroom," DRI Trial Tactics Seminar (March 21, 2013)

Awards

- Martindale-Hubbell AV® Preeminent
- *Best Lawyers In America*® Lawyer of the Year 2018, Employment Law – Individuals
- *Best Lawyers*® Lawyer of the Year 2015 and 2016, Employment Law – Management, Labor Law – Management, Mobile

- *Best Lawyers*® Lawyer of the Year 2014, Litigation – Banking and Finance, Mobile
- *Best Lawyers In America*®, Banking and Finance Law, Commercial Litigation, Employment Law – Individuals, Employment Law – Management, Insurance Law, Labor Law – Management, Insurance Law, Litigation – Banking and Finance, Litigation – Labor and Employment, Mass Tort Litigation / Class Actions – Defendants, Personal Injury Litigation – Defendants, Product Liability Litigation – Defendants, 2005–2022
- *Alabama Super Lawyers*®, Business Litigation, 2008–2020

Representative Cases

- *McGill v. Alabama Power Co.*, (Cir. Ct. Mobile Co. 2018) (Summary judgment in favor of a utility company premise liability wrongful death claim by family of a mesothelioma victim).
- *Barniv v. BankTrust*, 579 Fed. Appx 719 (11th Cir. 2014) (Summary judgment in favor of bank on claims of wrongful garnishment and abuse of process).
- *CCB, LLC v. BankTrust*, 552 Fed. Appx 963 (11th Cir. 2014) (affirming judgment dismissing fraud and RICO claims against bank on res judicata grounds)
- *BankTrust v. CCB, LLC* (Cir. Ct. Walton Co., Fla., Dec. 10, 2012) (Summary judgment in favor of bank on its note and personal guaranty claims and on defendants' RICO, fraud, and breach of fiduciary duty counterclaims); aff'd Per Curiam without opinion affirming (Fla. 1st DCA May 23, 2014).
- *Waterstone Lake Martin, LLC v. BankTrust* (Ala. Sept. 13, 2013) (no opinion affirmance of Judgment as a Matter of Law granted to bank during trial in banking practices case).
- *Greyhound Lines, Inc. v. The Goodyear Tire & Rubber Co.*, (M.D. Ala., Oct. 29, 2009) (unreported decision dismissing plaintiff's claims for economic losses resulting from bus accident).
- *Ex parte Falmar Kenner, LLC*, 43 So.3d 1234 (Ala. 2009) (affirming dismissal of plaintiff's claims as sanction for courtroom misconduct of plaintiff).
- *Moore v. Jim Walter Resources, Inc.* (Cir. Ct. of Tuscaloosa County, Ala., Aug. 7, 2008) (summary judgment in favor of chemical manufacturers in suit claiming chemical exposures caused decedent's fatal melanoma).
- *Watts v. Radiator Specialty Co.*, 990 So. 2d 143 (Miss. 2008) (Affirming order excluding plaintiff's expert testimony and entering judgment in favor of defendants notwithstanding the verdict in a benzene exposure case).
- *Bosarge Offshore, LLC v. Compass Bank*, 943 So 2nd 782 (Ala. 2006) (affirming directed verdict in favor of bank in suit claiming fraud, breach of contract, and wrongful dishonor of a letter of credit).

- *AT&T Corp. v. Austal USA, LLC*, 2006 WL 295393 (S.D. Ala., Feb. 7, 2006) (Order dismissing complaint in technology conduit dispute)
- *Cline v. Ashland Chemical, Inc.*, (Cir. Ct. Jefferson Co., Mar. 8, 2005) (Summary Judgment in favor of three alleged benzene producers in suit claiming benzene exposure caused plaintiff's acute myelogenous leukemia); *affirmed without opinion*, 970 So. 2d 755 (Ala., 2007) *cert. denied*, 551 U.S. 1103 (2007).
- *Reedy v. Armstrong – McCall LP*, (S.D. Ala., Sept. 1, 2004) (granting summary judgment in favor of franchisor on claims of fraud and tortious interference with business/contractual relations); *aff'd without opinion*, 130 Fed. Appx 422 (11th Cir. 2005).
- *CTI Molecular Imaging v. Cox Nuclear Pharmacy, Inc.* (S.D. Ala., June 9, 2004) (jury verdict on counterclaim on behalf of cyclotron manufacturer for \$272,000)
- *Cox Nuclear Pharmacy, Inc. v. CTI Magnetic Imaging, Inc.*, (S.D. Ala. Dec. 5, 2003) unreported decision granting summary judgment on contract and fraud claims related to sale of cyclotron), *affirmed*, 478 F.3d 1303 (11th Cir. 2007).
- *Beard Equipment Co. v. Barko Hydraulics, Inc.*, unreported decision (Mob. Co. Cir. Ct., Nov. 3, 2003) (granting summary judgment and awarding \$136,000 to dealer on indemnity claim against product manufacturer who refused to defend dealer in underlying product liability action); *affirmed without opinion*, *Barko Hydraulics, L.L.C. v. Beard Equipment Co.*, 920 So.2d 1138 (Ala. 2004).
- *Anderson v. Frazier*, 891 So.2d 1010 (Ala. 2003) (No opinion affirmance of Rule 12 (b)(6) dismissal of defamation claim against doctor who reported findings to a state medical board).
- *Mitchell v. Folmar & Associates, LLP*, 854 So.2d 1115 (Ala. 2003) (Affirming jury verdict obtained in favor of a partnership in a malicious prosecution action).
- *Lamm Auto Sales v. Auto Parts Express*, 37 Fed. Appx. 507 (11th Cir. 2002) (Affirming summary judgment for defendant on claims of fraud, suppression, and breach of contract).
- *Compass Bank v. Snow*, 823 So. 2d 667 (Ala. 2001) (Setting aside certification of class action challenging Bank's posting procedures).
- *Delta Air Lines, Inc. v. Barnard*, 799 So. 2d 208 (Ala. Civ. App. 2001) (Reversing and rendering jury verdict against air carrier in tort claim for lost golf clubs).
- *Miller v. Amerada Hess Corp.*, 786 So. 2d 1106 (Ala. 2000) (Affirming summary judgment for defendants in maritime toxic tort action).
- *Folmar & Assocs., LLP v. Holberg*, 776 So. 2d 112 (Ala. 2001) (Reversing trial court's denial of Defendant's Motion for Summary Judgment in

intentional interference with business relations lawsuit).

- *Miller v. National Bulk Carriers*, 767 So. 2d 339 (Ala. 2000) (Affirming exclusion of plaintiff's expert testimony and grant of summary judgment for defendants in maritime toxic tort action).
- *Webb v. Ashland Chem., Inc.*, 1999 WL 351992 (N.D. Ala. 1999) (Granting Motion to Dismiss in Part and Motion for More Definite Statement in toxic tort case).
- *Dunning v. Ezell*, 1998 U.S. Dist. LEXIS 18129 (S.D. Ala. 1998) (Granting summary judgment to employer on employee's Title VII and state law claims for sexual harassment).
- *Hunnings v. Shell Chemical Co.*, (N.D. Fla. 1997) (defense verdict in toxic tort wrongful death action).
- *Strickland v. Royal Lubricant, Inc.*, (M.D. Ala. 1995) (defense verdict in chemical exposure personal injury case).
- *McLain v. BP Exploration, Inc.*, (Mobile Co. Cir. Ct. 1994) (defense verdict in wrongful death action alleging Dram Shop Act violations), *affirmed without opinion*, 677 So.2d 252 (Ala. 1996).
- *Coleman v. Ashland Chem. Co.*, 37 F.3d 635 (11th Cir. 1994) (Affirming jury verdict in favor of manufacturer in toxic tort wrongful death action).
- *Henderson v. Central Bank*, (N.D. Ala. 1992) (defense verdict in Title VII age and gender discrimination case).
- *Avery v. Crance*, 959 F.2d 972 (11th Cir. 1992) (Affirming summary judgment on the basis of ERISA pre-emption).
- *Tanner v. Church's Fried Chicken, Inc.*, 582 So. 2d 449 (Ala. 1991) (Affirming summary judgment in franchisee's fraud/breach of contract claim action against franchisor).
- *Bridgeway Communications, Inc. v. Trio Broadcasting, Inc.*, 562 So. 2d 222 (Ala. 1990) (Affirming summary judgment for defendant in intentional interference with contractual relations lawsuit).
- *Ocean Cruise Lines v. Abeta Travel Serv.*, 562 So. 2d 205 (Ala. 1990) (Affirming verdict for corporate plaintiff in contract/fraudulent concealment case).
- *Henderson v. Early*, 555 So. 2d 130 (Ala. 1989) (Affirming summary judgment for supervisor in an intentional interference with business relations lawsuit).
- *Hawkins v. Montgomery Industries International, Inc.*, 536 So. 2d 922 (Ala. 1988) (Affirming summary judgment on AEMLD claim against pipe system manufacturer).
- *Purvis v. PPG Industries, Inc.*, 502 So. 2d 714 (Ala. 1987) (Affirming summary judgment and adopting learned intermediary rule in toxic tort cases).

- *Trio Broadcasters, Inc. v. Ward*, 495 So. 2d 621 (Ala. 1986) (Reversing and rendering jury verdict for fraudulent suppression against corporate defendant).
- *Walker v. Brown & Root, Inc.*, 727 F.2d 1115 (11th Cir. 1984) (Affirming trial court verdict in favor of employer in Title VII action).
- *Parker v. Bell Ford, Inc.*, 425 So. 2d 1101 (Ala. 1983) (Affirming directed verdict in breach of warranty action).
- *Jordan v. Mallard Exploration, Inc.*, 423 So. 2d 896 (Ala. Civ. App. 1982) (Affirming summary judgment for employer in wrongful termination lawsuit).



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