

BIRMINGHAM

## David M. Smith

SHAREHOLDER



### David's Profile

David is an original member of Maynard Cooper's Labor & Employment Practice. He brings more than 38 years of experience as a labor and employment litigator representing business employers and their management. Recognition for David's work as an attorney includes his ranking by Chambers USA: America's Leading Lawyers for Business as a Leading Practitioner in Labor and Employment Law, a distinction he has earned every year since 2004. He is also a Fellow of the College of Labor and Employment Lawyers. David is often engaged by clients in serious management situations that involve the people who work for the client. The circumstances are often regarded by his clients as a crisis. Crisis Management has become a central part of David's practice and involves evaluation, investigating, reporting, negotiation, and dispute resolution.

David's work includes federal and state cases alleging employment discrimination, breach of contract, wage and hour violations and mine safety violations among many others. He has handled major cases against private plaintiff lawyers as well as many divisions of the United States Department of Labor. This includes serving as lead trial counsel in one of the longest trials ever held under the Federal Mine Safety Law and in another marathon trial, serving as lead counsel in the then largest FLSA claim ever brought by the United States Department of Labor.

Working on behalf and alongside his clients, David has successfully defended and tried to verdict numerous other jury and non-jury labor and employment cases. He has presented oral arguments in the Alabama Supreme Court and the United States Courts of Appeals for the Eleventh Circuit and the D.C. Circuit. In addition to his litigation practice, David advises clients on discipline, contracts, policies, arbitrations, RIF's and benefits in all types of employment and labor relations matters. He also presents lectures and seminars to clients and colleagues on numerous topics. He provides training to numerous clients' human resources personnel and workforces at large. David has also conducted

### Contact

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### PARALEGAL

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### RELATED INDUSTRIES/SERVICES

[Labor and Employment  
Non-Competes, Unfair  
Competition, and Trade  
Secrets](#)  
[Energy and Natural  
Resources](#)

employment law compliance audits for businesses all over the country.

His peers also look to him for knowledge as David has presented papers and lectures at state and national CLE meetings on labor and employment law topics across the country.

Recognition for David's work as an attorney includes the coveted ranking by Chambers USA: America's Leading Lawyers for Business as a Leading Practitioner in Labor and Employment Law, a distinction he has earned every year since 2004. He is also listed in The Best Lawyers in America®, Mid-South Super Lawyers and Alabama Super Lawyers in the area of Labor and Employment Law, and in 2016 he earned the distinction by Super Lawyers as one of the "Top 50 Super Lawyers" in Alabama.

He received a J.D. from Vanderbilt University School of Law and holds a B.A. magna cum laude Phi Beta Kappa from Birmingham-Southern College.

### David's Awards

- College of Labor & Employment Lawyers, Fellow (2013)
- Chambers USA, Leading Practitioner in Labor and Employment Law (2004-present)
- The Best Lawyers in America® for Employment Law: Management, Labor Law: Management, Litigation: Labor and Employment, and Workers' Compensation Law: Employers (1994-present)
- Mid-South Super Lawyers for Employment and Labor Law (2016-present)
- Super Lawyers "Top 50 Alabama Super Lawyers" (2016 - 2018)
- Alabama Super Lawyers for Employment & Labor (2008-2015)
- Birmingham Magazine's "Top Attorneys" for Employment Law (2017)
- Martindale-Hubbell AV® Preeminent Rating
- Recognized as a "Litigation Star" by Benchmark Litigation
- Recognized as a "Labor & Employment Star" by Benchmark Litigation



Maynard, Cooper & Gale P.C.



2022

### David's Affiliations and Civic Involvement

- American Bar Association, Labor and Employment Law Section; Employee Rights and Responsibilities Committee; Management Co-Chair of Disability and Leaves of Absence Issues Subcommittee (2007-2018)
- Alabama State Bar Association, Labor and Employment Law Section, Chairman (1998-1999); Executive Committee (1993-1998); CLE program Chair (1995-1997)
- College of Labor & Employment Lawyers, Fellow
- Alabama delegate to the Planning Committee of the Multi-State Labor and Employment Law Program (2000-2010)
- Birmingham-Southern College, Executive Committee of the Board of Trustees (2001-present); Chair, Board of Trustees (2016-2018)
- Executive Board of the Greater Alabama Council-Boy Scouts of America; Vice President for Advancement (2003-2004); Legal Counsel (2004-present); Recipient: Silver Beaver Award (2007)
- Workshops Inc., Board of Directors (2001-2005), Past-President (2003)
- Pro bono legal counsel on a regular basis to the Greater Alabama Council of the Boy Scouts of America (2004 - present)
- Friends of Scouting Campaign, Greater Alabama Council, Leader/Donor (2002-present)

## Bar Admissions

State Bar: Alabama

U.S. Court of Appeals: Eleventh Circuit, D.C. Circuit

U.S. Supreme Court

## Education

- Vanderbilt University Law School
  - (1982, J.D., National Moot Court Team, Member/Brief Writer (1981))
- Birmingham-Southern College
  - (1979, B.A., magna cum laude; Phi Beta Kappa and Omicron Delta Kappa honor societies; William Raines Battle Award; Howell Heflin Pre-Law Scholarship)