

BIRMINGHAM

## John A. Smyth, III

SHAREHOLDER



### John's Profile

John is Chair of the Firm's Litigation Practice Group.

John defends businesses in a variety of personal injury and commercial matters including products cases, class actions, franchise disputes, and business tort cases on a local, regional and national scale.

He serves as either local, regional or national counsel for asbestos litigation for several manufacturing companies and has personally defended asbestos and other toxic tort cases in Alabama, Arkansas, Georgia, Mississippi and Texas on behalf of several product manufacturers. He also supervises the firm's federal black lung litigation and has defended coal companies before The Department of Labor's Office of Administrative Law Judges, Benefits Review Board and the Eleventh Circuit.

Alabama Super Lawyers named John as one of the top 50 lawyers in Alabama in 2014 and 2015.

In 2015 he was elected by his peers as a Commissioner of the Alabama State Bar and is currently serving a three-year term. He has also served as an Adjunct Professor of Trial Advocacy at the University of Alabama School of Law from 2008-2012.

"John is a savvy, practical, efficient and experienced litigator with very good judgment and very good relations both with opposing counsel and the judiciary...exceptionally efficient. I have never had occasion to question an invoice from him."  
- Client Testimonial

### John's Experience

Appellate Court Successes:

### Contact

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### RELATED INDUSTRIES/SERVICES

[Retail and Consumer  
Products](#)

[Complex Litigation](#)

[Class Action Litigation](#)

[Environmental Litigation and](#)

[Regulatory Compliance](#)

[General Litigation](#)

[Product Liability](#)

- Paine v. Jefferson National Life Insurance Company, et. al., 594 F. 3d 989 (8th Cir. 2010). Obtained summary judgment in Eastern District of Arkansas in a life insurance consumer sales fraud case. Affirmed by Eighth Circuit Court of Appeals.
- Henderson v. MeadWestvaco Corp., 23 So. 3d 625 (Ala. 2009). Obtained summary judgment for manufacturer in wrongful death mesothelioma case based on Alabama's common law rule of repose. Affirmed by Alabama Supreme Court on statute of limitations grounds.
- Edwards v. Kia Motors of America, Inc., 8 So. 3d 277 (Ala. 2008) and 554 F. 3d 943, (11th Cir. 2009). Obtained summary judgment in Northern District of Alabama for automobile manufacturer in franchise dispute with dealer. Affirmed by Eleventh Circuit after certified question presented to Alabama Supreme Court was answered in client's favor.
- Morguson v. Baxter Healthcare Corporation, 857 So. 2d 796 (Ala. 2003). Obtained summary judgment for medical device manufacturer in products case based on learned intermediary doctrine. Affirmed by Alabama Supreme Court.

## John's Awards

- The Best Lawyers in America® for Mass Tort Litigation/Class Actions: Defendants (2013 - present); Personal Injury Litigation: Defendants (2019 - present)
- Mid-South Super Lawyers for Civil Litigation: Defense (2016 - present)
- Alabama Super Lawyers "Rising Star", Civil Litigation Defense (2011); Civil Litigation Defense (2013-2015); "Top 50 Alabama Super Lawyers" (2014-2015)
- Martindale-Hubbell AV® Preeminent Rating

## John's Affiliations and Civic Involvement

- Alabama State Bar, Board of Bar Commissioners (2015-Present)
- The Federalist Society, James Madison Club and Past President of Birmingham Chapter
- Birmingham Inns of Court, Master of the Bar
- Birmingham Bar Association, Civil Courts Procedures Committee (2015); Grievance Committee Investigator (2007-2009)
- Alabama Law Foundation, Atticus Finch Society
- Defense Research Institute
- Vestavia Hills United Methodist Church, Head Usher (2012 – Present)
- Vestavia Hills City Schools Foundation Board Member (2009-2011)
- Sigma Chi Fraternity, Chapter Advisor for Auburn University (2001-2013)
- United Way of Central Alabama, Tocqueville Society New Member Committee Chair (2018)
- Summit Club, Board of Governors

- Monday Morning Quarterback Club
- St. Andrew's Society of The Middle South
- University of Alabama School of Law Foundation Board of Governors (2016 – Present)

## Bar Admissions

State Bar: Alabama, Arkansas, Mississippi

U.S. Court of Appeals: Fifth Circuit, Eighth Circuit, Eleventh Circuit

U.S. Supreme Court

## Education

- The University of Alabama School of Law
  - J.D., summa cum laude; Order of the Coif; Alabama Law Review, National Moot Court Team
- Auburn University
  - B.A., Economics; cum laude