

BIRMINGHAM

John Douglas Bethay, III

SHAREHOLDER



Jack's Profile

Jack is a Shareholder and Member of Maynard's Litigation Practice.

Jack specializes in high-stakes business litigation. He handles complex, bet-the-company cases across the country and frequently litigates disputes arising under Delaware law. Jack also serves as a trusted adviser to individuals and entities across a variety of business sectors and is routinely called upon to handle matters requiring prompt legal attention.

Jack's experience and success have earned him consistent recognition in Super Lawyers as a Rising Star in Business/Corporate Law, and Martindale-Hubbell rates him as an AV-Preeminent lawyer, the highest possible rating.

Recent litigation examples include:

- Representing California investment bank in Delaware Superior Court litigation regarding private placement transaction involving Silicon Valley start-up.
- Representing California business broker in Los Angeles County Superior Court in a dispute involving \$900 million acquisition of a pharmaceutical company by Asian private equity group.
- Representing the majority interest of California-based pharmaceutical start-up in dispute with minority interests and former employees.
- Won summary judgment on behalf of majority interest and board of directors of billion+ privately held entity in bet-the-company litigation brought by minority shareholders seeking to break-up company after stock recapitalization.
- Represented largest U.S. refined petroleum pipeline operator in a multi-billion dollar pipeline expansion from Louisiana to Georgia.
- Represented southeast residential and commercial developer against Fortune 300 public company in litigation resulting from M&A

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transaction.

- Won complete defense verdict as the first chair in a week-long jury trial in Greene County, Alabama, on behalf of refined petroleum pipeline operator against claims by large landowner alleging damages associated with pipeline expansion project.
- Won plaintiff's verdict on behalf of a business owner against an attempted hostile takeover.

Jack's Experience

- Achieved complete dismissal on behalf of directors and officers of a public company in \$5.7 billion merger litigation.
- Achieved summary judgment and affirmance from Alabama Supreme Court on behalf of controlling stockholder, chairman of the board of directors and independent directors in shareholder action alleging breach of fiduciary based upon stock recapitalization, business decisions, and compensation packages for officers.
- Achieved favorable settlement on behalf of controlling interest of privately held company facing fiduciary duty claims by former company president and minority stockholder.
- Achieved favorable settlement on behalf of a petroleum pipeline company in breach of contract action with claimed damages over \$160 million.
- Won a defense verdict in Greene County Circuit Court jury trial on behalf of petroleum pipeline owner in trespass and nuisance lawsuit by the large landowner. Affirmed on appeal.
- Won plaintiffs' verdict in Jefferson County Circuit Court on behalf of controlling interest of privately-held steel company against fiduciary abusing power of attorney and trustee status. Affirmed on appeal.
- Representation of natural gas pipeline in negotiations and litigation with coal mine operator seeking to mine under pipelines.
- Representation of petroleum pipeline in negotiations and litigation with coal mine operator seeking to mine under pipelines.
- Representation of petroleum pipeline in assessing \$2 billion expansion project throughout the southeast and related property litigation.
- Representation of owner of \$100 million construction project against contractor engaged to construct barge notch and perform dredging operations along Black Warrior River.

Jack's Awards

- Mid-South Super Lawyers "Rising Star" for Business/Corporate (2016 - 2017, 2019)
- Alabama Super Lawyers "Rising Star" for Business Litigation (2013 - 2015)
- Martindale-Hubbell AV Preeminent® Rating

Bar Admissions

State Bar: Alabama

U.S. District Court: Alabama (Northern, Middle, Southern)

Education

- University of the South (Sewanee)
 - (2004, B.A., Order of the Gownsmen; Dean's List; Varsity Soccer; Southern Collegiate Athletic Conference Academic All-Conference)
- University of Alabama School of Law
 - (2007, J.D., cum laude; Alabama Law Review, Senior Editor)