

BIRMINGHAM

Lorrie L. Hargrove

SHAREHOLDER



Lorrie's Profile

Lorrie has a national litigation practice focusing on class action litigation, civil RICO litigation, appellate litigation, insurance and financial services litigation, and product liability. She joined Maynard, Cooper & Gale in 1995, immediately after clerking for the Honorable William M. Acker in the United States District Court for the Northern District of Alabama. She honed her skills as a litigator at a time when Alabama was known as “tort hell,” defending hundreds of class action opt-out cases for Fortune 500 companies in virtually every county in Alabama. Over her twenty-five plus years of practice, her practice spread nationwide. She has successfully defended class actions in federal courts in the First Circuit, the Second Circuit, the Fourth Circuit, the Fifth Circuit, the Seventh Circuit, the Eighth Circuit, the Ninth Circuit, and the Eleventh Circuit. She has defended individual and class action RICO claims in federal courts in the Third Circuit, the Fifth Circuit, and the Eleventh Circuit. Her successes include winning numerous appeals to the Alabama Supreme Court, the Seventh Circuit, the Eighth Circuit, and the Eleventh Circuit. She has also received a defense verdict in a two-week antitrust trial in federal court in the Northern District of Alabama, representing a high-end exercise equipment manufacturer which was sued by its local Alabama dealer.

Lorrie received her J.D. from the University of Virginia.

Lorrie's Experience Notable Cases and Successes

- Successfully obtained dismissal of ERISA claims relating to alleged denials and partial denials of claims for Applied Behavior Analysis therapy for children with Autism Spectrum Disorder based on lack of Article III standing, and denial of Plaintiffs’ motion for class certification, in *Crosby v. California Physicians’ Service d/b/a Blue Shield of California, et al.*, ____ F. 3d ____, 2020 WL 6535790 (C.D. Cal. Nov. 2, 2020).

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- Successfully obtained dismissal of two wrongful death actions in *Ex parte Continental Motors, Inc.*, 270 So. 3d. 1148 (Ala. 2018).
- Successfully defended class action settlement against an objector represented by the Center for Class Action Fairness in *In re Southwest Airlines Voucher Litig.*, 799 F. 3d 701 (7th Cir. 2015).
- Successfully obtained order granting defendants' motion to stay discovery pending the court's ruling on motions to dismiss a purported nationwide class action alleging RICO and common law claims in *Weaver v. National Better Living Association*, 2014 WL 1621951 (N.D. Ala. April 22, 2014).
- Successfully obtained reversal of district court's order in class action denying petition to compel arbitration of named plaintiffs' claims in *CMH Homes, Inc. v. Goodner*, 729 F. 3d 832 (8th Cir. 2013).
- Successfully obtained dismissal of nationwide class action allegations in *Lawson v. Life of the South Insurance Company*, 286 F.R.D. 689 (M.D. Ga. 2012), a case alleging contract and tort claims arising from the defendant's failure to refund unearned premiums for credit insurance.
- Successfully obtained reversal of jury verdicts for borrowers on RICO/fraud/statutory claims, and a judgment for the lender, in *Vanderbilt Mortgage and Finance, Inc. v. Flores*, 692 F. 3d 358 (5th Cir. Aug. 23, 2012).
- Successfully obtained dismissal of claims in a purported class action arising out of Southwest Airlines' refusal to honor drink coupons without expiration dates in *Grimsley v. Southwest Airlines Co.*, 2012 WL 1339722 (N.D. Ala. April 17, 2012), *aff'd*, *Baxley v. Southwest Airlines Co.*, 491 F. App'x 146 (11th Cir. 2012), 2012 WL 4711596 (11th Cir. Oct. 4, 2012).
- Successfully obtained dismissal of various claims regarding 412(i) plans in purported nationwide class action. *Berry v. Indianapolis Life Insurance Company; American General, et al.*, 2011 WL 3555869 (N.D. Tex. Aug. 11, 2011); *Berry v. Indianapolis Life Insurance Company; American General, et al.*, 608 F. Supp. 2d 785 (N.D. Tex. 2009).
- Successfully obtained the denial of class certification in a purported nationwide class action involving credit insurance. *Bishop's Property & Investments, LLC v. Protective Life Ins. Co.*, 255 F.R.D. 619 (M.D. Ga. 2009). Also successfully obtained summary judgment on plaintiff's tort claims and claims for attorneys' fees and punitive damages. *Bishop v. Protective Life*, 597 F. Supp. 2d 1354 (M.D. Ga. 2009).
- Successfully obtained a significant preemption ruling in a class action involving allegations of product liability regarding manufactured homes. *In re FEMA Trailer Formaldehyde Products Liability*, 620 F. Supp. 2d 755 (E.D. La. 2009).
- Successfully defended an insurance company against vanishing premium claims, resulting in the seminal decision. *Williamson v. Indianapolis Life Insurance Company*, 741 SO.2d 1057(Ala.1999).
- Successfully defended an insurance company and an automobile distributor against numerous nonopt-out cases arising after a class

action settlement.

- Successfully obtained the dismissal of consumer class actions against a rental car company and rental truck company on grounds that there is no private cause of action for the alleged sale of insurance without a license.
- Successfully obtained the reversal of a trial court order granting class certification against a rental truck company alleging improper assessment of rental taxes. *U-Haul Co. of Ala., Inc. v. Johnson*, 893 So.2d 307 (Ala. 2004).
- Received a defense verdict in a two-week antitrust jury trial involving price-fixing claims in the United States District Court for the Northern District of Alabama.
- Successfully defended numerous cases against a pharmaceutical company alleging product liability claims arising from the use of prescription pain medication.
- Defended a pharmaceutical company in numerous cases alleging product liability claims arising from the ingestion of a prescription diet medication.

Lorrie's Affiliations and Civic Involvement

Affiliations

- American Bar Association
- Alabama Bar Association
- Birmingham Bar Association

Civic Involvement

- Former co-chair of the firm's Clemency Project, representing numerous federal inmates who were serving life sentences for non-violent crimes in their petitions for executive clemency.
- Former member of the Vestavia Library Foundation, which was instrumental in raising the necessary funds to build Alabama's first LEED-certified public library, the Vestavia Library in the Forest.

Bar Admissions

State Bar: Alabama

Education

- University of Virginia School of Law
 - (1993, J.D.)
- University of Maryland
 - (1990, B.A., magna cum laude)