

BIRMINGHAM

Tres Cleveland

SHAREHOLDER



Tres's Profile

Tres is a Shareholder and serves as Chair of the Education practice at Maynard Cooper. He is also a member of several practices in the Firm's Litigation section.

Tres defends and advises career focused educational institutions and universities across the country in student and employment class action; Federal False Claims Act suits; ADA, Title IX and employee discrimination allegations; student fraud and educational malpractice claims; state attorney general enforcement actions and other regulatory reviews; accreditation violations; arbitration enforcement; vendor contract disputes; real estate litigation; federal and state program reviews; and, personal injury cases.

His work as a litigator garnered recognition from Alabama Super Lawyers, who listed Tres as a "Rising Star – Civil Litigation Defense."

He received his J.D. cum laude from the University of Mississippi School of Law and holds a B.B.A. summa cum laude from Mississippi State University.

Tres's Experience

- Won the dismissal of student's federal claims under the Higher Education Act, as well as the dismissal of student's class action claims, while the student's remaining individual state law claims were successfully compelled to arbitration. Also successfully defended student's appeal to the 5th Circuit Court of Appeals. *Natifracuria Daniels v. Virginia College at Jackson, et al*, No. 3:11-CV-496 (S.D. Miss. Nov. 29, 2011) (aff'd *Daniels v. Va. College at Jackson*, 478 Fed. Appx. 892 (5th Cir. 2012)).
- Obtained dismissal of class action claims in a case where the students' claims against a for-profit educational institution were successfully compelled to arbitration and the court ruled that the students waived class action adjudication pursuant to the arbitration

Contact

T 205.254.1183

F 205.254.1999

tcleveland@maynardcooper.cc

PARALEGAL

Laura Juarez

ljuarez@maynardcooper.com

205.488.3545

RELATED INDUSTRIES/SERVICES

[Class Action Litigation](#)

[Higher Education](#)

[Insurance](#)

[White Collar Defense and](#)

[Investigations](#)

[Education](#)

provision. *Asbell v. Education Affiliates, Inc., et al.*, No. 3:12-CV-00579 (M.D. Tenn. April 25, 2013).

- Won an appeal to the Mississippi Supreme Court, in a 9-0 decision, whereby the Supreme Court reversed the lower court's order granting the students' motion to invalidate the college's arbitration provision. *Va. College, LLC v. Blackmon*, 109 So. 3d 1050 (Miss. 2013).
- Successfully defended an appeal to the Alabama Supreme Court of the trial court's order granting our motion to compel the student's claims to arbitration. *Shalundia Dixon, et al. v. Virginia College*, No. 2011-195 (Cir. Ct. Mobile County Ala. May 13, 2011) (aff'd *Shalundia Dixon, et al. v. Virginia College*, No. 1101156 (Ala. May 30, 2012)).
- In both federal and state courts, successfully obtained orders enforcing college's arbitration provision and, thereby, compelling students' claims to arbitration. *Anderson v. Va. College, LLC*, 2012 U.S. Dist. LEXIS 130619 (S.D. Miss. Sept. 13, 2012); *Brittany Davis, et al. v. Virginia College of Jackson MS, et al.*, No. 3:12-CV-510 (S.D. Miss. Aug. 21, 2012); *Francisco Rodriguez v. Virginia College, LLC*, No. 13083854-S-00 (Magis. Cr. Bibb County Ga. Sept. 23, 2013); *Shirley Hughes v. Virginia College, et al.*, No. 13 GS 2986 (Gen. Sessions Ct. Hamilton County Tenn. Apr. 15, 2013); *Kimberly Moore, et al. v. Virginia College of Jackson, et al.*, No. 251-06-408CIV (Cir. Ct. Hinds County Miss. July 21, 2009); *Phillip J. Shelnut, et al. v. Virginia College, L.L.C., et al.*, No. CV-2007-902009 (Cir. Ct. Jefferson County Ala. Oct. 14, 2008).
- Obtained defense verdicts in various AAA arbitrations defending student claims alleging that a college's accreditation was fraudulently concealed and provided no marketability.
- Won a motion to exclude the testimony and strike the reports of two expert witnesses. *Va. College, LLC v. Martin*, 2012 U.S. Dist. LEXIS 178132 (S.D. Miss. Dec. 17, 2012).

Tres's Awards

- The Best Lawyers in America® for Commercial Litigation (2021)
- Alabama Super Lawyers®, 2012-2013 - Rising Star, Civil Litigation Defense

Tres's Affiliations and Civic Involvement

Affiliations

- Association of Private Sector Colleges and University
- American Bar Association
- Alabama State Bar Association
- Mississippi State Bar Association
- Birmingham Bar Association

Civic Involvement

- Briarwood Presbyterian Church

Bar Admissions

State Bar: Alabama, Mississippi

Education

- University of Mississippi School of Law
 - (2003, J.D., cum laude; Augustus Longstreet Scholarship; Moot Court Board)
- Mississippi State University
 - (2000, B.B.A., summa cum laude)