

## REPRESENTATIVE EXPERIENCE

**ELECTRICAL ACCIDENTS:** Ms. Minor has extensive experience defending electrical utilities in personal injury/wrongful death cases. The cases involve claims of electrocution, electrical shock, and negligent pole placement. A few examples of these cases include:

*Rose Green v. Alabama Power Company* - This wrongful death lawsuit in the Circuit Court of Jefferson County, Alabama was tried by Ms. Minor and S. Allen Baker, Jr. The jury returned a defense verdict.

*Randy Coleman v. Alabama Power Company* - This wrongful death lawsuit in the Circuit Court of Jefferson County, Alabama was tried by Ms. Minor and S. Allen Baker, Jr. in 1999. The jury returned a verdict for the plaintiff.

*Boothe, et al. v. Alabama Power Company* - This action had a claim for wrongful death and a claim for personal injuries to another plaintiff. It was tried in the Circuit Court of Jefferson County, Alabama by Ms. Minor and John P. Scott, Jr. in 1996. Although the jury returned a verdict in favor of the plaintiffs, the jury only awarded \$1,000 to each plaintiff.

*David Moore v. Alabama Power Company* - This personal injury lawsuit in the Circuit Court of Bullock County, Alabama was tried by Ms. Minor and Sterling G. Culpepper, Jr. in 2003. Although the jury returned a verdict against the defendant, the defendant ultimately prevailed on an appeal to the Alabama Supreme Court on the issue of independent, intervening cause. See *Alabama Power Co. v. Moore*, 899 So.2d 975 (Ala. 2004).

**TOXIC TORTS:** Another significant aspect of Ms. Minor's practice involves defending clients against personal injury claims arising out of exposure to toxic torts.

*Phillips v. Housing Authority of the Birmingham District, et al.* - In this case originally filed in the United States District Court for the Northern District of Alabama, Southern Division, the plaintiff alleged that her four minor children were exposed to toxic levels of a lead as a result of the four defendants' actions and inactions. After five years of discovery, the case dismissed without prejudice and refiled in the Circuit Court of Jefferson County, Alabama. Sean Shirley and Teresa Minor filed a motion to dismiss on the basis that all of the claims against the firm's client, the Jefferson County Housing ("JCHA") Authority, were preempted by the regulatory framework of the HUD Regulations. The trial court agreed and dismissed all of the claims against JCHA. Prior to the dismissal, the plaintiff had made a mid-six figure settlement demand. After the Alabama Supreme Court ordered mediation while the case was on appeal, the case was settled favorably for JCHA.

*Lett, et al. v. Mobile Housing Board* - This action for alleged lead poisoning to four minor plaintiffs was filed in the Circuit Court of Mobile County, Alabama. Ms. Minor and Sean W. Shirley represented the Mobile Housing Board. The minor plaintiffs were represented by Scott A. Denson, Peter H. Burke and G. Rick DiGiorgio. The trial judge was the Honorable John R. Lockett. The case settled after the first day of trial.

*Patterson, et al. v. Housing Authority of the Birmingham District, et al.* - This lead exposure case involving two minor plaintiffs was handled by Ms. Minor, S. Allen Baker, Jr. and Sean W. Shirley. Following substantial discovery, the defendants made a *Frye* challenge to the plaintiffs' experts. In 2006, the Circuit Court of Jefferson County, Alabama granted the defendants' *Frye* motion and then, granted the defendants' motion for summary judgment on all claims.

*Lowery, et al. v. Honeywell International, Inc., et al.* - This mass tort action involves the claims of over 1,000 plaintiffs against several defendants operating industrial facilities in Jefferson County, Alabama. Ms. Minor's representation of one of the defendants is ongoing.

**PRODUCTS LIABILITY:** Ms. Minor also has experience in product liability litigation and recently became a member of the Product Liability Advisory Council (PLAC). A case representative of her work in this area is:

*Thomas v. Evenflo, Inc., et al.* - This lawsuit was filed against Evenflo Inc. and Toys 'R' Us for the alleged wrongful death of a five-month old infant who strangled while left unattended in his child restraint system which was in use outside the vehicle. Ms. Minor, S. Allen Baker, Jr. and Sean W. Shirley successfully removed the matter to the United States District Court for the Northern District of Alabama. Following discovery, a *Daubert* challenge was made to the plaintiff's expert. Ultimately, the district court granted the defendants' *Daubert* motion and granted summary judgment to the defendants. Ms. Minor argued the appeal to the Eleventh Circuit Court of Appeals in 2006, and the decision was affirmed. See *Thomas v. Evenflo Co., et al.*, 2006 U.S. App. LEXIS 27878 (11<sup>th</sup> Cir. Nov. 9, 2006).

**PROPERTY DAMAGE AND DISPUTES:** Ms. Minor defends property owners against property damage claims.

*Reeves v. Osmose, et al.* - This property damage action in the Circuit Court of Jefferson County, Alabama was tried by Ms. Minor and Sean W. Shirley in 2001. The jury returned a verdict for the defendants.

**HEALTHCARE LITIGATION:** Ms. Minor has spent more than a decade defending medical insurers against claims of fraud by health care providers and insureds.

*Dick v. Blue Cross and Blue Shield of Alabama* - The plaintiff, a doctor who claimed that he was wrongfully removed from the defendant's preferred provider network, sought a preliminary injunction. Ms. Minor and Cavender C. Kimble defended the two day injunction hearing in the Circuit Court of Jefferson County, Alabama in 2006. Ultimately, the request for an injunction was denied.

*Blue Cross and Blue Shield of Alabama v. Wright Therapy Equipment LLC, et al.* - Ms. Minor and M. Todd Lowther filed this action on behalf of Blue Cross for overpayment to the defendant durable medical equipment company. After obtaining summary judgment against the company, a bench trial was held on piercing the veil claims against the business owners in 2006. Ultimately, a significant verdict was obtained against those individuals.

*Saedi, et al. v. Blue Cross & Blue Shield of Alabama* - This action initially was filed for failure to pay certain health care claims. The defendant, however, filed a counterclaim, including a RICO claim, and alleged fraud

and abuse on behalf of the provider. It was tried in the United States District Court for the Northern District of Alabama by Ms. Minor and Cavender C. Kimble in 1995. The jury returned a defense verdict on the plaintiffs' claims and awarded the defendant approximately \$500,000 on its counterclaim. This was the first RICO verdict against a healthcare provider in Alabama.

**LABOR AND EMPLOYMENT:** Ms. Minor has been a frequent lecturer on labor and employment issues and has significant experience defending employers against claims of violations of federal and state employment laws.

*Sue Pritchard v. Southern Nuclear Operating Company* - This employment action alleging disability discrimination was tried in the United States District Court for the Northern District of Alabama by Ms. Minor and John J. Coleman, III in 1998. The jury returned a verdict for the defendant. *See Pritchard v. Southern Company Services, et al.*, 102 F.3d 1118 (11<sup>th</sup> Cir. 1996).

*Dunlap v. Alabama Power Company* - This employment action alleging gender discrimination was tried in the United States District Court for the Northern District of Alabama by Ms. Minor and J. Richard Carrigan. The jury returned a verdict for the defendant.

*Jones v. Alabama Power Company* - Ms. Minor and John J. Coleman, III tried this workers' compensation action, and a judgment was entered for the defendant. Ms. Minor and Mr. Coleman likewise were successful in this same employee's discrimination action. *See generally Jones v. Alabama Power Co.*, 77 F.3d 498 (11<sup>th</sup> Cir. 1996).

**BUSINESS LITIGATION:** Ms. Minor's experience extends into the business litigation arena. She has defended corporations in a variety of business disputes.

*Fast Wok, Inc. v. McDonald's* - This business dispute in the United States District Court for the Southern District of Alabama was tried by Ms. Minor and Lee H. Zell in 1997. The case settled after the jury was selected.

*CRC Insurance Services, Inc. v. W.H. "Skip" Cooper, IV, et al.* - The injunctive aspect of this case involving the enforcement of a covenant not to compete was tried by Ms. Minor, Michael L. Edwards and Patrick H. Strong. While injunctive relief was denied, the trial court entered an order finding that the defendant had violated the covenant not to compete.