



Rachel M. Lary
Partner

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Rachel Lary never shies away from a challenge.

A talented litigator, Rachel takes a tailored approach to each matter she handles and is always up for a challenge. These traits have served her well in litigating a broad spectrum of cases, including business disputes, product liability claims, medical malpractice, and trust and estate disputes.

Aware of what is required to take a case through to trial, Rachel works toward developing a persuasive story for each stage of litigation. She enjoys uncovering key details, crafting a narrative that embraces the truth, dealing with the hard facts and persuading a court or jury to find in her client's favor.

Rachel serves as national counsel for several major clients. She leads a product liability team for a Fortune 500 company that requires overseeing and managing litigation in multiple states, including Alabama, Georgia and Louisiana. She defends automotive manufacturers in product liability claims throughout the Southeast. In addition, Rachel's business practice includes handling disputes across the South, including those in Arkansas and Tennessee.

Rachel is an active and committed member of her community in Homewood, Alabama, where she grew up and where she and her husband have chosen to raise their family. Most of her free time is consumed with navigating the trials of raising two young children, one of whom has her mother's tenacious personality, which makes parenting an everyday lesson in negotiation.

EXPERIENCE

- Leading the impeachment investigation of Gov. Robert Bentley.
- Serving as lead counsel in the successful defense of a cardiologist in Alabama against wrongful death claims with a team of female lawyers. The wrongful death medical malpractice claim alleged that the physician improperly prescribed a drug that caused toxicity and

PRACTICE AREAS

Automotive
Commercial Litigation
Life Sciences
Product Liability
Trust & Estate Disputes
White Collar Criminal Defense
& Corporate Investigations

EDUCATION

Samford University,
Cumberland School of Law
(J.D., *magna cum laude*, 2005)
University of Alabama (B.A.,
magna cum laude, 2002)

BAR ADMISSIONS

Alabama (2005)
Mississippi (2019)

the patient's death. At the close of plaintiff's case before the jury, the trial court granted the motion for judgment as a matter of law and dismissed the claims against the cardiologist.

- Representing a Fortune 500 company against claims arising from an accident involving catastrophic injuries to a minor in which the plaintiff presented a life care plan valued at more than \$70 million. After summary judgment briefing concluded, obtained a very favorable settlement on behalf of the client.
- Representing a top 10 Fortune 500 company in a business dispute against allegations of fraud and breach of contract. Obtained summary judgment on behalf of the client.
- Representing a beneficiary in claims seeking millions of dollars against fiduciaries for breach of their fiduciary duties, obtaining a favorable settlement on behalf of the client.

JUDICIAL CLERKSHIPS

Joel F. Dubina, Chief Justice, U.S. Court of Appeals for the 11th Circuit

PROFESSIONAL ORGANIZATIONS

Alabama Defense Lawyers Association (ADLA), Task Force Committee (2009)

Birmingham Bar Association, Women's Section Membership Committee co-chair (2009-10)

Defense Research Institute (DRI), Women in Law Committee (2011-12)

Girls Inc. of Alabama, board of directors

The Service Guild of Birmingham

PRESENTATIONS AND PUBLICATIONS

Moderator, "Jury Selection in a #MeToo Venire," Lightfoot White Collar Institute, (2018)

Speaker, "Ethical Considerations in Challenging Environments," CLE presentation, (2018)

Panelist, "Grounds for Impeachment," American Society of Legislative Clerks and Secretaries, (2017)

Panelist, "What Not to Do — Mistakes We Have Seen," U.S. Court of Appeals for the 11th Circuit Appellate Practice Institute, (2010)

Author, "Retail Store Size-Capping Ordinances and the Dormant Commerce Clause Doctrine," *The Urban Lawyer: The National Journal on State and Local Government*, (Fall 2005)

AWARDS

Alabama Super Lawyers, "Rising Star" (2014-15)

The Best Lawyers in America® — Commercial Litigation (2018-19)

Birmingham Business Journal, "Rising Star in Law" (2019)

Mid-South Super Lawyers, "Rising Star" (2016-18)