



# M. Warren Butler (Warren)

## PARTNER

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## ABOUT WARREN

Warren Butler has been a partner at Starnes Davis Florie for over 15 years once he joined the firm after practicing at his previous firm for 15 years. Warren has served on the Firm's Executive Committee, and has practiced in his hometown of Mobile for 30 years. Warren's practice has been devoted to civil litigation, specializing in commercial litigation. He defends a variety of personal injury cases with a concentration in defense of wrongful death, banking litigation, nursing homes, bad faith, tort of outrage, directors & officers, liability, business & contractual claims, premises liability, and healthcare claims. Warren also defends products liability claims, construction claims, workers' compensation, and handles class action litigation. He is also a certified mediator and a member of the Federal Panel of Neutrals for selection as a mediator or arbitrator. He has tried in excess of 50 complex civil cases to a jury verdict.

## Legal Assistant

Marcie Wood  
mwood@starneslaw.com

## Areas of Practice

Class Actions  
Arbitration  
Complex Litigation  
Construction Litigation  
Banking & Financial Services  
Healthcare  
Admiralty & Maritime  
Fidelity & Surety Litigation  
Long Term Care & Nursing  
Home Litigation  
Mass Torts  
Medical Credentialing and  
Licensure  
Outbreaks  
Products Liability  
Professional Liability  
Workers' Compensation  
Wrongful Death / Catastrophic  
Injury

## EDUCATION

J.D., University of Alabama (1992)  
B.A., cum laude, Washington & Lee  
University (1989)

## COURTS

U. S. District Court, Middle District of  
Alabama  
U. S. District Court, Northern District of  
Alabama  
U. S. District Court, Southern District of  
Alabama  
U. S. Court of Appeals - 11th Circuit

## BAR ADMISSIONS

Alabama

## ACCOLADES



## PROFESSIONAL RECOGNITION

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AV rated attorney by Martindale-Hubbell Peer Review Ratings, TM.

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Selected by his peers for inclusion in Best Lawyers in America.®

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"Lawyer of the Year" for Mobile, Alabama - Insurance Law in the 2018 edition of Best Lawyers in America.

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Named one of the top attorneys in the state of Alabama by Mid-South Super Lawyers® magazine.

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Selected as one of the Top 50 Lawyers in the State in 2011.

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Named one of Alabama's Best Lawyers for Personal Injury Litigation in 2013.

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One of five attorneys in the United States listed to Who's Who Legal: Product Liability Defence for 2015, 2016, and 2019.

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Appointed the Mobile Bar Association's place 2 representative to the Mobile County Judicial Nominating Commission, effective January 16, 2014.

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Executive Committee Member of the International Association of Defense Counsel (IADC) Trial Academy & Director-Elect of the IADC's Trial Academy for 2023.

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Member of the National Academy of Distinguished Neutrals (NADN), a professional association whose membership consists of ADR professionals distinguished by their hands-on experience in the field of civil and commercial conflict resolution.

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## EXPERIENCE HIGHLIGHTS

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Served as co-counsel with the Watkins Eager firm in a products liability case for an automobile manufacturer to obtain a defense verdict in the Circuit Court of Mobile County.

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Obtained a defense verdict in favor of a trucking company in a case involving a motor vehicle accident, alleging the truck driver caused the subject collision by negligently failing to yield the right-of-way, resulting in the plaintiff to suffer physical injuries and mental anguish.

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Secured favorable Supreme Court opinion on behalf of termite and pest control company in a case involving claims of fraud, negligence, wantonness, and breach of contract.

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Obtained summary judgment and complete dismissal on behalf of termite company in Mobile County Circuit Court on claims of fraud, negligence, wantonness, and breach of contract.

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Obtained complete summary judgment and dismissal of all claims in favor of a national retailer on an open and obvious theory wherein the Plaintiff allegedly tripped and fell on a metal barricade and sustained a broken arm.

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Obtained a favorable opinion from the Supreme Court of Alabama reversing and remanding a trial court's denial of a client's request to compel arbitration of claims filed against his business in Baldwin County, Alabama.

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Obtained complete summary judgment in favor of regional grocery store chain on claims for negligence related to a slip and fall incident.

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Obtained a defense verdict in an insurance coverage dispute alleging that the plaintiff qualified as a resident relative under his sister's UM/UIM insurance policy.

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Obtained dismissal of a defamation suit against a corporate media defendant in the U. S. District Court for the Southern District of Alabama for lack of personal jurisdiction.

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Obtained complete summary judgment in federal district court on behalf of surety/bonding company, dismissing claims which alleged that surety was responsible for damages arising out of the nonpayment of various subcontractors by the owner of a condominium development on Gulf Coast.

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Obtained dismissal on behalf of marine services client of pendent state law claims in federal district court, which alleged claims of breach of contract, fraud, and unpaid accounts in connection with the purchase of a vessel and various other marine services contracts.

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Obtained dismissal in federal district court, on behalf of horticulture corporation, of fraud and negligence claims, as well as 31 patent claims based upon statute of limitations and laches arguments.

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Obtained a summary judgment in favor of a nursing home in a wrongful death case where the plaintiff's decedent alleged that the nursing personnel breached the standard of care in their treatment of the resident.

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Obtained a defense verdict in the U. S. District Court for the Southern District of Alabama in a personal injury case filed against an insured for damages allegedly sustained by Plaintiff as a result of a motor vehicle accident.

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Obtained summary judgment on behalf of three co-employee defendants on claims asserted against them for willful misconduct by their fellow employee for the alleged failure to install, repair and/or maintain a safety device while operating a forklift in a plant for a national paper mill factory.

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Obtained dismissal of international hotel chain from premises liability suit, based on fact that hotel chain was not responsible for operation or maintenance of hotel where incident occurred.

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Obtained dismissal of claims against condominium developer based on argument that Mississippi chancery Court lacked jurisdiction to revisit decision of arbitrator. The dismissal was affirmed on appeal by the Mississippi Court of Appeals.

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Obtained summary judgment on claims of defamation and outrage against retail store manager by former employee related to termination of the employee.

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Obtained complete summary judgment in purported class action suit brought against cable services provider for breach of contract and specific performance arising out of gas rebate promotion. The dismissal was subsequently affirmed on appeal by the Alabama Supreme Court.

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Obtained complete summary judgment on behalf of home health care agency and certified nursing assistant, where Plaintiff alleged claims of medical negligence, assault, breach of contract, and negligent hiring, training, and supervision, arising out of alleged improper handling of mentally ill patient.

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Obtained defense verdict on behalf of cable services provider in state court action in Baldwin County, where Plaintiff alleged damages related to breach of contract and negligent installation of cable services, causing him lost rental value on his condominium unit in Gulf Shores, Alabama.

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## PRESENTATIONS AND PUBLICATIONS

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Obtained a favorable ruling from the Alabama Supreme Court, affirming summary judgment on tort of outrage claim against third party administrator arising from administration of workers' compensation claim.

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Obtained a favorable ruling from the Alabama Supreme Court, affirming summary judgment on behalf of their client – a timber company.

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*Initial Considerations in Defending a Lawsuit. DRI, The Guide – A Young Lawyer's Guide to Defense Practice* (2014).

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*Piercing the Corporate Veil – Alabama Nursing Home Association, Biloxi, MS* (October 27, 2014).

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## COMMUNITY INVOLVEMENT

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Warren is actively involved as a Member of the Board of Trustees of UMS-Wright Preparatory School.

## FUN FACTS

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Warren is an avid outdoorsman and is a popular Spring Turkey Hunting guide (for free!)

*DISCLAIMER: The following language is required by the Alabama Rules of Professional Conduct: No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.*