



Robert P. MacKenzie, III (Bob)

PARTNER

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ABOUT BOB

Bob MacKenzie is a partner at Starnes Davis Florie, having joined the firm in 1984 after completing law school. Bob has previously served as the firm's Managing Partner and a member of the firm's Executive Committee. He is a Fellow of the American College of Trial Lawyers, Past President of the Judge James E. Horton American Inn of Court, and Past President of the Birmingham Bar Association.

Bob's practice is devoted to handling a broad scope of litigation including medical and legal malpractice actions, product liability, and commercial litigation. He has tried in excess of 100 jury trials to a verdict. Bob also represents lawyers and health care professionals in disciplinary matters before Alabama Regulatory Boards and has experience before the Alabama Court 7 of the Judiciary. He has published multiple articles on the defense of legal malpractice suits and trial practice. Bob handles matters throughout Alabama and the Southeast.

Legal Assistant

Michelle Parker
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Areas of Practice

- Complex Litigation
- Healthcare Fraud
- Commercial Disputes
- Legal Credentialing
- Legal Malpractice
- Medical Credentialing and Licensure
- Medical Malpractice
- Pharmaceuticals
- Products Liability
- Professional Liability
- Recalls
- Wrongful Death / Catastrophic Injury

EDUCATION

J.D., Cumberland School of Law (1984)
B.A., University of North Carolina (1978)

BAR ADMISSIONS

Alabama
Tennessee

COURTS

United States Supreme Court
U.S. Court of Appeals, 11th Circuit
U.S. District Court, Middle District of Alabama
U.S. District Court, Northern District of Alabama
U.S. District Court, Southern District of Alabama

ACCOLADES



PROFESSIONAL RECOGNITION

Fellow of the American College of Trial Lawyers, where he is the current Regent for Region 7 and previously served as the State Chair for Alabama

Past President of the Birmingham Bar Association (2015 – 2016)

Past - President of the Judge James E. Horton American Inn of Court (2018 - 2020)

Diplomate of the American Board of Trial Advocates (ABOTA) and previously served on the National Board of Directors

Fellow of the International Society of Barristers and the Litigation Counsel of America

Top Leading Litigator by Chambers USA

Listed in Best Lawyers in America®. In addition, Best Lawyers in America® has named Bob MacKenzie the “Birmingham Best Lawyers Medical Malpractice Defense Lawyer of the Year” for 2013

Life Fellow of the Alabama Law Foundation and of the Birmingham Bar Foundation

Named “Litigation Star” in Benchmark Litigation

Super Lawyer in Alabama by Mid-South Super Lawyers® magazine

An AV rated attorney by Martindale-Hubbell® Peer Review Ratings™

EXPERIENCE HIGHLIGHTS

Secured a defense verdict in a medical malpractice wrongful death suit following a five-day jury trial, involving allegations of improper administration of Tissue Plasminogen Activator (“TPA”) to a stroke patient by the defendant Emergency Room nurse and hospital.

Following a six-day trial, obtained a defense verdict on behalf of a plastic surgeon in a case involving post-operative complications from mesh used during the surgical procedure, which was chest reconstruction following breast cancer.

Following a nine-day trial, obtained a defense verdict for a defendant Hospitalist in a case alleging injuries from an alleged failure to diagnose spinal cord compression.

Obtained a defense verdict in favor of an oral and maxillofacial surgeon in a case involving a bilateral total joint replacement of the temporomandibular joint (TMJ).

Obtained a defense verdict for a defendant gynecologist in a case alleging negligent failure to diagnose breast cancer, resulting in a mastectomy and chemotherapy.

Removal and dismissal of legal malpractice claim against out of state attorney and law firm.

Obtained summary judgment in a legal malpractice suit pending in the United States District Court for New Jersey arising out of an underlying patent litigation matter.

Obtained summary judgment in favor of a law firm in a suit for legal malpractice pending in Federal Court arising out of an underlying will contest.

Obtained defense verdict for an addiction medicine physician in case arising out of care provided during the patient's detoxification.

Obtained a defense verdict in favor of an anesthesiologist in a case arising out of a cervical epidural block which led to a spinal cord injury.

Obtained a defense verdict on behalf of an OB/GYN after a five day trial in a case arising out of pregnancy complications.

Obtained a defense verdict in favor of two pathologists in a case arising out of a false positive interpretation of breast tissue which led to unnecessary surgery.

Obtained summary judgment in legal malpractice action arising out of alleged negligent failure to properly construct a multi-million dollar bond issue. Decision was affirmed by written opinion issued by the Alabama Supreme Court.

PRESENTATIONS AND PUBLICATIONS

Make Your New Year Happy – Avoid a Suit for Legal Malpractice, CLE by the Bundle/Cumberland, Birmingham, AL, December 20, 2018.

Direct & Cross Examination of Expert Witnesses, Cumberland School of Law, Birmingham, AL, March 28, 2017.

Ethical Issues Facing Attorneys, James E. Horton Inn of Court, Birmingham, AL, March 21, 2017.

Avoiding Suits for Legal Malpractice, Charles G. Pittman Attorneys at Law, Brentwood, TN, March 10, 2017.

Alabama State Bar Professionalism, New Admitted Members of the Alabama State Bar, Cumberland School of Law, Birmingham, AL, October 23, 2015.

Direct & Cross Examination of Expert Witnesses, Alabama Defense Trial Academy, Birmingham, AL, August 7, 2015.

Cross Examination of Plaintiff's Expert Witness, Alabama Defense Lawyers Association Trial Academy, Cumberland School of Law, Birmingham, AL, August 8, 2014.

Common Oversights That Lead to Malpractice Claims, Attorneys Insurance Mutual Of the South, Inc., Mobile, AL, November 8, 2013.

Ethics: Avoiding a Suit for Legal Malpractice, The Judge James Edwin Horton American Inn of Court, Birmingham, AL, October 22, 2013.

Responding to a Bar Complaint, The Alabama Lawyer, Vol. 73. No. 2, March 2012.

Welcome to the Trophy Generation, The Alabama Lawyer, Vol. 73. No. 1, January 2012.

Jury Misconduct What Happens Behind Closed Doors, Alabama Law Review, Vol. 62, No. 3, 2011.

Seeking a Recusal: Calling the Judge a Lizard Won't Help Your Cause, The Alabama Lawyer, Vol. 71, No. 3, May 2010.

Nine Ways to Avoid a Suit for Legal Malpractice, The Alabama Lawyer, Vol. 65, No. 4, July 2004.

The Professional Liability of Attorneys in Alabama, Cumberland Law Review Vol. 30, No. 3 (1999-2000).

COMMUNITY INVOLVEMENT

- Bob serves as a member of the Dean's Advisory Board for Cumberland School of Law.
- He previously served as Chairman for the Board from 2008-2010.
- He is the past chairman of the 2005-2006 Cumberland School of Law Alumni Fundraising Campaign and was selected as the school's "Volunteer of the Year" for 2006.
- Bob is actively involved at the Cathedral Church of the Advent.
- He and his wife, Jeanie have three children.

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.