STARNES DAVIS FLORIE LLP

Sybil Vogtle Newton

PARTNER

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ABOUT SYBIL

Sybil Newton is a partner at Starnes Davis Florie and has practiced with the firm for over thirty years. She heads the firm's Appellate Law and Written Advocacy Group. Prior to her position as head of the firm's Appellate Group, Sybil had an active trial practice, participating in over twenty jury trials, defending primarily medical malpractice actions across the state. She has handled a variety of appeals on behalf of litigants and is also regularly retained by non-litigants to intervene in appeals as amicus curiae. Sybil also served as the Firm's Administrative Partner for six years.

Legal Assistant

Jan Myers
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Areas of Practice

- Appellate Law
- Complex Litigation
- Healthcare
- Medical Malpractice
- Professional Liability
- Wrongful Death / Catastrophic Injury

EDUCATION

J.D., University of Alabama School of Law (1989)

B.A., University of North Carolina, Chapel Hill (1986)

BAR ADMISSIONS

Alabama

COURTS

U.S. Court of Appeals, 11th Circuit

U.S. District Court, Middle District of Alabama

U.S. District Court, Southern District of Alabama

U.S. District Court, Northern District of Alabama

United States Supreme Court

ACCOLADES

AV PREEMINENT Peer Rated for Highest Level of Professional Excellence 2026

Chambers TOP RANKED USA 2026 Starnes Davis Florie LLP

PROFESSIONAL RECOGNITION

Appointed by the Alabama Supreme Court, and currently serving in her sixth 3-year term as a member of the Standing Committee on Alabama Rules of Appellate Procedure until October 2027

Named a “leading individual” in the field of Appellate Litigation by Chambers USA

According to Chambers USA, Sybil Newton is the highest-ranked female appellate litigator in Alabama and one of only six appellate litigators ranked in Band 1.

Recognized as a leading Appellate practitioner in the Eleventh Circuit Benchmark: Appellate

Listed in Best Lawyers in America® for Appellate Law & Medical Malpractice Law

AV Peer Rating by Martindale Hubbell for over 25 years

Listed in Mid-South Super Lawyers® magazine as one of the top attorneys in the state of Alabama

Member of The American Society of Legal Advocates, which selects less than 1.5% of lawyers nationwide for membership

EXPERIENCE HIGHLIGHTS

Secured a victory in the Alabama Supreme Court on behalf of an Alabama municipality in a case alleging nuisance, trespass, and negligence arising out of a flooding event.

Obtained a favorable opinion from Florida’s First District Court of Appeal affirming dismissal, with prejudice, of malicious prosecution and civil conspiracy claims against the client, holding that plaintiffs failed to prevail on all underlying counts and that civil conspiracy is not a standalone tort under Florida law.

Alabama Supreme Court granted Defendant’s Petition for writ of mandamus, overturning the trial court’s allowance of an amendment to Plaintiff’s Complaint in a retained foreign body case due to inordinate and unexplained delay in correcting fundamental errors which, in essence, left Plaintiff with no viable claims as pleaded in original Complaint.

Secured a writ of mandamus from the Alabama Supreme Court in Ex parte Alabama-West Fla. Conference of the United Methodist Church, Inc., directing the trial court to dismiss the plaintiff’s complaint for lack of subject matter jurisdiction under the ecclesiastical abstention doctrine, as the dispute centered on an internal church disaffiliation vote rather than a neutral property issue (Plaintiff’s have filed an application for rehearing).

The Alabama Supreme Court affirmed summary judgment in favor of a defendant medical group in a medical malpractice case, holding that the plaintiff’s prior unopposed dismissal “on the merits” of all claims against the group’s physician/agent due to the statute of limitations.

Prevailed in an appeal before the Alabama Supreme Court, in favor of the Defendant OBGYN and her practice group following a week-long trial in the Circuit Court of Jefferson County. On appeal, the Plaintiffs argued they were entitled to a new trial because the trial court erred by denying Plaintiffs’ motion for summary judgment on causation, erred in its charge to the jury and the manner in which it framed to issues to be considered by the jury, and erred in prohibiting the Plaintiffs from employing Reptile Theory tactics.

Obtained a favorable ruling from the Alabama Supreme Court affirming complete dismissal of all claims asserted against a national fraternity arising out of the alleged conversion and fraudulent transfer of real property that was owned by members of a local chapter organization.

Obtained a favorable ruling from the Alabama Supreme Court, affirmed without opinion, on a summary judgment entered by the Circuit Court of Walker County in favor of a urologist in an action involving postoperative complications following a robotic prostatectomy.

Obtained a favorable ruling from the Alabama Supreme Court holding an arbitration agreement enforceable in a senior living case based upon the principles of apparent authority.

Obtained a favorable ruling from the Alabama Supreme Court to enforce their client's arbitration agreement in a nursing home malpractice case.

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.

Secured a favorable ruling from the Alabama Supreme Court affirming a Rule 12 dismissal for our client on Tort of Outrage and Wrongful Discharge in Violation of Public Policy claims.

Obtained favorable ruling from Florida First District Court of Appeal, affirming summary judgment in favor of condominium association on claims that association's board of directors exceeded statutory authority, and awarding attorney's fees to client on appeal.

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.

Obtained an affirmance by the Alabama Supreme Court of a defense verdict in favor of an OB/GYN in a retained foreign body/surgical sponge case.

Obtained from the Alabama Supreme Court a reversal and remand of a plaintiff's verdict and judgment in a medical malpractice case on behalf of a defendant anesthesiologist due to the plaintiff's failure to produce a qualified expert witness during trial.

Obtained a favorable ruling from the Alabama Supreme Court affirming a judgment rendered in favor of the defendant surgeon in a medical malpractice, cholecystectomy/common bile duct injury case.

Obtained a favorable opinion from the Alabama Court of Civil Appeals affirming the dismissal of a complaint arising from orthodontic care and treatment.

Obtained a favorable ruling from the Supreme Court of Alabama affirming the trial court's granting of summary judgment in favor of their clients in a case involving allegations of harm caused by the long-term use of a medication.

Obtained a favorable ruling from the Alabama Supreme Court on behalf of their clients, a national little league baseball program and its local director, after a spectator was hit by a baseball and sustained a serious brain injury/bleed.

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.

In June 2015, Sybil Newton, along with Jay Ezelle and Randy Sellers, obtained favorable ruling from the Alabama Supreme Court on behalf of a university provost in a suit involving an on-campus shooting of six faculty members. The Alabama Supreme Court affirmed all of the decisions of the trial court and rejected plaintiffs' request for a rehearing.

In February of 2015, Sybil Newton, along with Gray Stiff, and Scott Stevens, obtained a favorable ruling from the 11th Circuit in a holding which affirmed the District Court's (Southern District of Alabama) grant of summary judgment to insurance carrier in a case brought by an Alabama bank seeking payment under a financial institution bond. The bank alleged breach of contract and bad faith and sought over $1,000,000 from the carrier after a customer of the Bank defaulted on loans secured, in part, by a stock certificate which he had obtained fraudulently. The primary issue on appeal was whether the fraudulently obtained stock certificate met the definition of a "counterfeit" under the terms of the bond. The trial court held, and the 11th Circuit agreed, that the stock certificate at issue was an authentic document, even if procured under false pretenses, and does not meet the definition of "counterfeit" or trigger coverage under the bond. The Bank's application for rehearing en banc was denied by the 11th Circuit on April 20, 2015. The opinion issued by the 11th Circuit was the subject of several articles in *Appellate Law 360*.

In August of 2014, obtained favorable ruling from the 11th Circuit Court in favor of a national grocery store chain, affirming the district court's grant of summary judgment in this premises liability/slip and fall case. Warren Butler and Scott Stevens successfully obtained summary judgment for our Defendant, and Sybil Newton handled the briefing before the 11th Circuit following the Plaintiff's appeal. The case contains helpful language regarding the Plaintiff's burden on causation, the need for expert testimony on issues outside of a layperson's understanding, and the impropriety of basing a theory upon speculation.

In August of 2014, obtained ruling from The Alabama Supreme Court overruling *Boudreaux v. Pettaway*, 108 So.3d 486 (Ala. 2012), and expressly rejecting the prior holding in Boudreaux that a potential bad faith claim against a defendant physician 's insurer should be considered as a present asset in determining whether a judgment should be remitted.

In July of 2014, Obtained favorable ruling for a Defendant/coal mining company from the Alabama Supreme Court in a case which arose from a claim for benefits under the Black Lung Benefits Act . The Alabama Supreme Court affirmed the trial court's dismissal of the case and held that it lacked jurisdiction to consider this issue outside of the federal framework for BLBA actions.

COMMUNITY INVOLVEMENT

- Sybil served as a CASA (court appointed special advocate for children), advocating for the best interests of abused or neglected children who have been removed from their homes.
- Sybil is a member of the St. Mary's Church on the Highlands, which she attends with her husband, George and their five children.

FUN FACTS

Sybil recently took a sabbatical and completed a 12-week certificate cooking course at the Ballymaloe Cookery School in County Cork, Ireland.

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.