



Allan R. Wheeler

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Services

Insurance, Insurance Litigation & Coverage, Mass Torts / Hazardous Substances, Product Liability,

Allan practices in the Firm's Torts and Insurance practice group. He has over 30 years of experience in defense litigation ranging from hazardous substance cases to fraud and bad faith actions against insurers.

Allan has successfully defended numerous cases from initial filing, through discovery to trial and appeal. He has also served as coverage counsel in cases involving disputes between insureds and insurers concerning the scope and breadth of insurance policy provisions relative to certain risks, as well as serving as defense counsel in the direct defense of insurers sued for bad faith and/or fraud.

He has state-wide experience in all State and Federal Courts in Alabama, as well as appellate experience in the Appellate Courts of Alabama and the 11th Circuit Court of Appeals in Atlanta.

As a result, he has developed a broad-based knowledge of the substantive law in the areas in which he practices, and also has developed a productive working relationship with significant numbers of the bench and bar of the State.

Education

J.D., University of Alabama School of Law, (1982)
B.A., *cum laude*, Auburn University, (1978)

Licensed In

Alabama, Mississippi

Admitted In

All Alabama Federal Courts

All state courts of Alabama
Mississippi State Courts
All Mississippi Federal Courts
U.S. Court of Appeals for the Eleventh Circuit

Honors & Awards

- *Best Lawyers in America*, Mass Tort Litigation/Class Actions-Defendants (2013-2020)
- *Mid-South Super Lawyers*, Personal Injury Products: Defense (2016-2017)
- *Alabama Super Lawyers*, Insurance (2014-2015)
- Martindale-Hubbell AV Preeminent™ Peer Review Rating

Professional Associations

American Bar Association
Alabama State Bar
Mississippi State Bar
Birmingham Bar Association
Alabama Defense Lawyers Association
Defense Research Institute

Experience

- Successfully defended a health care insurer in a bad faith lawsuit involving the denial of health insurance coverage for a hysterectomy operation based upon a pre-existing condition.
- Successfully defended appeals in the Alabama Supreme Court seeking to expand the definition of when a cause of action based upon injuries due to asbestos exposure "accrues" for statute of limitations purposes under Alabama law.
- Successfully defended an insurer by obtaining summary judgments in several life insurance policy "vanishing premium" fraud actions.
- Successfully defended premises owners on "failure to warn" asbestos personal injury and wrongful death claims.
- Successfully represented a large independent grocery company in prosecuting a claim for replacement of a defective warehouse roof damaged by hurricane winds.
- Successfully defended joint compound manufacturing client as well as industrial pump manufacturers in asbestos personal injury and wrongful death actions in Jefferson, Colbert, Madison, DeKalb, Montgomery, Marengo, Clarke, Washington and Mobile Counties.

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