



Forrest S. Latta

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Services

Insurance Litigation & Coverage, Insurance, Commercial / Corporate Litigation, Appellate, Class Action, Product Liability, Professional Liability,

Mr. Latta is a corporate defense lawyer with 35 years of experience helping clients defend their products, their services, and their brand in our courts.

His peer ratings include: Martindale Hubbell (A-V), Super Lawyers (Business Litigation), and Best Lawyers in America (Insurance Law & Appellate Practice).

Mr. Latta's trial court experience includes over 75 trials, and he serves on the Standing Committee for Alabama Rules of Evidence. He also chairs the firm's Appellate Practice Section, having handled over 100 appeals including some landmark cases which established constitutional standards for punitive damages.

Mr. Latta is active in numerous professional associations including the American Bar Association (ABA) and Defense Research Institute (DRI). He also is a peer-selected member of the Product Liability Advisory Council (PLAC) and the Federation of Defense and Corporate Counsel (FDCC).

Mr. Latta serves on the Board of Trustees of Troy University, Board of Advisors of Cumberland School of Law (Samford University), Board of Trustees of the Baptist Foundation of Alabama, and Board of Directors of the American Camellia Society. He is a Fellow in the Alabama Bar Foundation and American Bar Foundation.

Mr. Latta received his undergraduate degree from Troy University, *summa cum laude*, in 1980 and his law degree from Samford University, Cumberland School of Law, *cum laude*, in 1983. During law school he was an Associate Editor of the Cumberland Law Review and a member of the school's award-winning National Trial Team.

Case experiences: Business litigation; product liability; Life, Health & Disability; insurance bad faith; insurance coverage disputes; excess & reinsurance; unfair claim practices; punitive damages defense; ERISA preemption; media liability; dealer/franchise termination; false advertising; unfair competition; shareholder oppression; class actions; defamation; Robinson-Patman Act; price fixing; Sherman Act; securities fraud and broker-dealer claims; Directors & Officers Liability; Errors & Omissions; Agribusiness; appeals in state and federal courts.

Publications:

Author, "State High Court's Rulings Indicative of Alabama's Civil Justice Turnaround," Washington Legal Foundation, Oct. 2012.

Author, "To Hell and Back — Alabama Tort Reform," *Business Alabama*, Nov. 2008

Author, "Difficult Removals: Revealing the Disguise," *ABA Committee News*, Fall 2007.

Author, "Defending Insurers from Punitive Damages Claims," *For the Defense*

Author, "Redefining the Jury Role in Punitive Damages Cases," *For the Defense*

Author, "Should This Case Be Appealed," *The Alabama Lawyer*, March 1999

Publications

- Burr Alert: Judge Neil Gorsuch Lightens the Burden for Proving "Amount in Controversy" for Federal Jurisdiction
- Washington Legal Foundation: STATE HIGH COURT RULINGS INDICATIVE OF ALABAMA'S CIVIL JUSTICE TURNAROUND

Education

J.D., *magna cum laude*, Cumberland School of Law at Samford University, (1980)

B.S., *summa cum laude*, Troy University, (1976)

Licensed In

Alabama

Honors & Awards

- *Best Lawyers in America*, Appellate Practice (2009-2019), Insurance Law (2008-2019)
- *Best Lawyers in America*, "Lawyer of the Year," Appellate Practice, Mobile, AL (2014)
- *Mid-South Super Lawyers*, Insurance Coverage (2016-2018)
- *Alabama Super Lawyers*, Business Litigation (2008-2015)
- Defense Research Institute, Duffield Smith Award for Best Defense Publication (2001)

Professional Associations

Alabama State Bar
American Bar Association
Federation of Defense & Corporate Counsel
Association of Life Insurance Counsel
Product Liability Advisory Council
Defense Research Institute
Alabama Defense Lawyers Association
Claims and Litigation Management Alliance (CLM)

Community Involvement

Troy University, Board of Trustees
Samford University Cumberland School of Law, Board of Advisors
Baptist Foundation of Alabama, Board of Trustees
American Camellia Society, Vice-President
The Nature Conservancy, Board of Directors

Experience

- **Insurance-Coverage/Bad Faith**

- Lead counsel for inventor of cellulosic fuel process in defense of business suit by a former investor who sued to enforce certain rights under an option agreement. Injunction claim by investor was denied; Order was issued declaring option void.

- **Class Actions**

- Defense of pharmacy benefit manager (PBM) in putative class action arising from business agreements with participating drugstores and providers.

- **Media**

- Successful defense (winning dismissal) on behalf of syndicated radio talk show host in defamation claim by public figure for alleged injurious comments about him and his wife.

- **Product Liability**

- Lead counsel in defense of death claim arising from a hunting accident involving alleged defective tree-stand. Favorable settlement.
- Lead counsel in defense of tire manufacturer in multiple death case arising from auto accident allegedly resulting from tread separation. Favorable settlement.

- **Appellate**

- Appellant's counsel on appeal of \$1 million jury verdict arising from injury causing paraplegia. Reversed and rendered.
- Defense of excess D&O insurer in coverage litigation with Directors and Officers of a major national health rehabilitation provider arising from underlying claims by individual and institutional investors alleging corporate and criminal fraud.
- Appellant's counsel on appeal of \$50 million wrongful death verdict arising from fiery truck accident allegedly caused by manufacturing defect. Remitted to \$4 million.
- Appellant's counsel on reversal of \$7.5 million "wrongful death" jury verdict against a road contractor. Auto accident occurred 6 years after the contractor's work was completed and accepted

by the state transportation department.

- Jury defense verdict in Florida bad faith lawsuit against insurer who delayed making a \$5 million umbrella payment to 17-year old brain injury victim (with \$30 million in damages) where the amount of underlying coverage was still in question.
- Lead counsel in successful defense of pollution claim over costs incurred by insured for its EPA-mandated remediation of ground pollution at a paper manufacturing facility that had been in continuous operation for over 50 years, triggering multiple policies.
- **Life, Health & Disability**
- Defense of national health insurer in series of Georgia bad faith claims over alleged pattern of rescissions, post-claim underwriting, and fraudulent actuarial/rating practices. Resolved through favorable settlements and summary judgment.
- Defense judgment for individual disability insurer on bad faith claim by a lawyer who alleged her benefits were terminated unlawfully while she suffered from chronic fatigue syndrome and/or fibromyalgia preventing her from practicing law.
- **Commercial**
- Defense judgment for international product manufacturer in suit alleging that it unlawfully canceled a manufacturing agreement with an international company to build products overseas.

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