



Michael D. Strasavich

Partner | Mobile, AL

T: (251) 345-8206
mike.strasavich@burr.com

Paralegal

Sandy E. Litton
(251) 345-8225
slitton@burr.com

Legal Secretary

Vickie Childree
(251) 345-8231
vchildree@burr.com

Services

Appellate, Commercial / Corporate Litigation, Insurance, Insurance Litigation & Coverage,

Mike's more than 20 years of litigation has focused on complex disputes in the insurance, commercial, and governmental liability areas. He has tried numerous cases to verdict in state and federal court as well as in arbitration, and has successfully taken matters through appeal to the Alabama Supreme Court and Eleventh Circuit Court of Appeals. Cases that Mike has tried to verdict have included construction, insurance, intellectual property, governmental liability, automobile, employment, and others.

Mike has been in private practice since 1996, and is admitted to practice before all State and Federal courts in Alabama, as well as the United States Court of Appeals for the Eleventh Circuit. He presently serves as the chair of the Mobile Bar Association's Federal Court Civil Practice Committee.

Most recently, Mike has tried two cases in the Southern District of Alabama which had allegations of intellectual property theft, and of religious discrimination. Also, Mike spearheaded an effort in which the Southern District of Alabama revised and updated its Introduction to Discovery Practice Guidelines, with said revision made effective in May of 2019. Mike also spoke to students in Spring Hill College's pre-law program in the spring of 2019 about life as an attorney and about various aspects of his courtroom experience.

Mike's practice also focuses on insurance coverage issues, particularly those affecting insurers and insureds on the Gulf Coast, particularly in the first-party property area. Mike has taken a lead role in assisting insurance carriers in handling claims arising from hurricanes and other catastrophic weather events, including issuance of coverage opinions and handling all aspects of litigation and trial. Mike is a member of the Insurance Law Committee of the Defense Research Institute (DRI), currently serving as chair of its Commercial General Liability (CGL) subcommittee. He has published and presented to

DRI and to other groups on a wide range of insurance issues.

A native of Dallas, Texas. Mike received his Bachelor of Science degree in 1991 from Spring Hill College in Mobile. In 1995, Mike achieved magna cum laude honors in earning his J.D. from the University of Alabama. Following his time at the Capstone, Mike served as a law clerk to a judge in Mobile County Circuit Court before entering a defense practice.

Mike has been married to Mimi since 1993 and they have three children: Mary Cole, Annie, and Thomas. They are active members of Little Flower Catholic Church in Mobile.

Publications

- Burr Alert: Two Federal Courts of Appeal Find Insurance Coverage for Data Breaches
- Burr Alert: Federal Court Rules CGL Insurance Covers Data Breach
- “Top Ten Trial Tips”, American Bar Association Trial Techniques Committee Newsletter, Fall, 2010
- “Business Interruption Insurance Issues Arising from Hurricanes and Other Disasters”, Risk Management Quarterly, Vol. 25, No. 2 (June, 2008)
- “Wins, Losses and Ties: Rulings on Gramm-Leach-Bliley as an Objection to Civil Discovery”, Alabama Defense Lawyers Association Journal, Vol. 20, No. 1 (April 2004)

Education

J.D., *magna cum laude*, University of Alabama School of Law, (1995)
B.S., Spring Hill College, (1991)

Licensed In

Alabama

Admitted In

U.S. Court of Appeals for the Eleventh 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

Professional Associations

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

Community Involvement

Leadership Class for 2011, Alabama-Mississippi Chapter of National Multiple Sclerosis Society
Member of Little Flower Catholic Church
Member of Spring Hill College Alumni Association

Experience

- Retained to represent association or "wind pool" of commercial coastal property insurers in policyholder disputes and litigation arising from Hurricanes Ivan and Katrina, as well as in appraisal proceedings brought by insureds.
- Represented commercial property owner to pursue insurance claim arising from vandalism via theft of copper from shopping center, which resulted in destruction of air conditioning units and interior electrical components.
- Represented national frozen food distribution company to pursue insurance claim against commercial insurer and to defend declaratory judgment proceeding arising out of alleged environmental contamination and to recover clean-up costs associated with violations of Clean Water Act.
- Represented general contractor in defending claims brought by developer arising from construction of residential and commercial infrastructure, including sanitary sewer and water lines for mixed-use golf course/residential development.
- Represented regional investigations company in series of lawsuits alleging that investigator utilized illegal electronic surveillance in course of investigating workers' compensation claimants. Tried to defense verdict.
- Represented liability insurer for residential contractor by instituting declaratory judgment action and otherwise advise carrier as to its rights and responsibilities under policy of insurance issued to insured who was sued for faulty work under construction contract.
- Represented liability insurance company in action brought by insured for failing to defend and/or indemnify action brought against insured for auto accident where insured had failed to pay policy premiums.
- Represented disability insurer on claims for breach of contract and bad faith brought by physician rendered partially blind due to stroke.
- Represented commercial printer manufacturer in lawsuit by print company alleging fraud and breach of contract arising from negotiations for sale of commercial printer.
- Represented Alabama Improvement District in suit for injunction by developer of mixed-use property in order to prevent foreclosure by District. Injunctive relief denied. Affirmed on appeal.
- Retained as Assistant Attorney General to represent mental health worker in wrongful death action arising from murder of patient at state mental health facility.
- Retained as regional catastrophe counsel for major property and casualty insurer with duties of assisting coordination of effective response before and/or major storm events and developing and disseminating coverage opinions to field personnel as needed, as well as provide counsel and advice relative to claim forms, process, etc.
- Represented loan servicing agent in several actions filed by borrowers alleging several causes of action related to mortgage debt, including one brought by borrower arising from handling of plaintiff's loan, including but not limited to the failure to pay property taxes from escrow funds which resulted in tax sale of plaintiff's property.
- Represented trucking company in action brought by truck driver against former employer alleging wrongful termination where driver was laid off in a reduction of force but maintained the employer had ulterior, unlawful motives for the decision. Summary judgment affirmed on appeal.
- Represented liability insurer in defense of breach of contract/bad faith claims brought by alleged

insured where alleged insured had been sued for wrongful death and multi-million dollar judgment had been entered against alleged insured, where alleged insured had been excluded from coverage by endorsement. Summary judgment affirmed on appeal in published opinion.

- Represented homeowners in lawsuit filed against builder for breaching construction contract in various ways including failing to complete construction, overcharging, failure to work in accordance with plans and specifications, etc. Monetary award in arbitration obtained.
- Represented uninsured/underinsured motorist (UM/UIM) carrier in defending claim brought by local hospital for impairment of a hospital lien by the carrier's payment of policy limits to insured without regard to lien.
- Represented inspector of manufactured homes in litigation brought by purchaser of manufactured home alleging multitude of defects in property. Order compelling arbitration affirmed on appeal.
- Represented inventor of biofuel production process in action by minority investor seeking injunctive and other relief.
- Represented regional building supplier to pursue collection actions against local construction companies and guarantors.
- Represented medical device manufacturer in defense of product liability action brought by patient for negligent design and/or manufacture of surgical screw and plate system.
- Represented local homebuilder in defense of action brought by purchasers of home for breach of construction contract.
- Represented regional engineering firm in action brought by utility arising from engineering work to design and inspect rehabilitation work on sanitary sewer system following damage by Hurricane Ivan.
- Represented parking lot owner/management company in defending action brought by elderly female who tripped in parking lot adjacent to courthouse resulting in severe injuries. Summary judgment affirmed on appeal.
- Represented disability insurer in defense of breach of contract and bad faith claims brought by certified registered nurse anesthetist (CRNA) under disability policy.
- Represented nationwide vision care franchisor as local counsel in pursuit of intellectual property and trademark claims against former franchise owner for infringement, breach of contract, etc. Monetary award obtained.
- Represented municipality in defending claim against city brought by landowners on bluff where property suffered significant undermining and erosion during flooding associated with hurricane.
- Represented defendant driver accused of negligence in operation of a motor vehicle, which allegedly caused personal injury.
- Represented accidental death and disability insurer to defend ERISA claim brought on behalf of plan participant where participant died in single-car motor vehicle accident related to alcohol use and plan excluded such claims from coverage. Summary judgment granted.
- Represented liability insurer for residential contractor by instituting declaratory judgment action and otherwise advise carrier as to its rights and responsibilities under policy of insurance issued to insured who was sued for faulty work under construction contract.
- Represented municipality in defense of assault and battery and false arrest claims brought by

parent of underage minor against municipality and police officer, where minor had been arrested for underage drinking while on spring break. Tried to defense verdict.

- Represented maritime commercial property insurer in dispute with commercial policyholder relative to insurance claim arising from Hurricane Katrina.
- Represented maritime insurer in pursuit of action for declaratory judgment construing insurance policy for vessel and to defend breach of contract and bad faith claims arising out of the sinking of yacht off the Alabama coast. Trial resulted in verdict in favor of maritime insurer on bad faith claim.
- Represented trustees and administrators of employee stock ownership plan ("ESOP") to defend allegations brought by class of plan participants alleging breaches of fiduciary duties under ERISA and otherwise.
- Represented general contractor in defending wrongful death action and prosecuting indemnity claims against subcontractors and vendors arising from fall of decedent from balcony of apartment complex under construction.
- Represented international music production and distribution company in proceedings to enforce non-compete agreement against former company president violated by competitive activities and other breaches of agreement and obtain award of damages. Prevailed in arbitration.
- Represented general contractor road construction company in defending personal injury action brought by individual struck by vehicle driven by company worker. Tried to defense verdict.

Office Address

Mobile, AL

11 North Water Street

Suite 22200

Mobile, AL 36602

P: (251) 344-5151 / F: (251) 344-9696