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FOR THE

For five long days in September 1993, Jere Beasley argued a strong case in a wrongful-death suit against Kubota, a tractor manufacturer. He uncovered internal documents in which company officials estimated how many people would be killed each year on Kubota equipment and what it would cost to settle the inevitable lawsuits. Kubota's former safety official testified against the corporation. An important defense witness fumbled on the stand. Now Kubota was offering Beasley's client \$10 million. There was one problem: the manufacturer wanted total confidentiality and the return of all incriminating documents. "They don't want your money," he told the Kubota attorney, after meeting with the victim's widow and seven grown children. "They want the world to know just how bad your client is."

"You mean they're turning down \$10 million?" asked his shocked adversary, to which Beasley replied, "They just did." The plaintiffs went on to settle for the full \$10 million—and complete disclosure. "That's when all the companies started putting roll bars on their tractors," says Beasley, senior partner at Beasley, Allen, Crow, Methvin, Portis & Miles in Montgomery.

Since 1962, when the two-time lieutenant governor first began his legal career as an advocate for victims of wrongdoing, Beasley, 72, has tried hundreds of cases and swayed jurors to award unprecedented judgments against Prudential Insurance, Exxon Mobil, GM, Merck, Bayer and dozens of other large corporations. Thirty-one verdicts have exceeded \$1 million; 16 of those have surpassed \$10 million, including a \$215 million win in February against

Jere Beasley has wrangled some of the state's biggest settlements and forced corporate giants to change their ways

by NANCY HENDERSON
photography by HEATH STONE

pharmaceutical giant AstraZeneca. His firm is well known for going up against corporate giants with legal teams that far outnumber his own.

"In terms of using the legal system to redress long-standing problems of poor and ordinary people, I don't know of any lawyer who's had a more profound effect than Jere Beasley," says Judge U.W. Clemon of the U.S. District Court in Birmingham. "He has represented them in cases against some of the larger corporations in the nation and has often prevailed. He has fought, sometimes almost single-handedly, the increasing use of arbitration as a means of getting cases out of court. And in recent years that trend, I think, has been reversed. Jere and his firm led that battle."

"If there's a David and Goliath other than in the Bible," Beasley says, "I think we fit that role pretty doggone well."

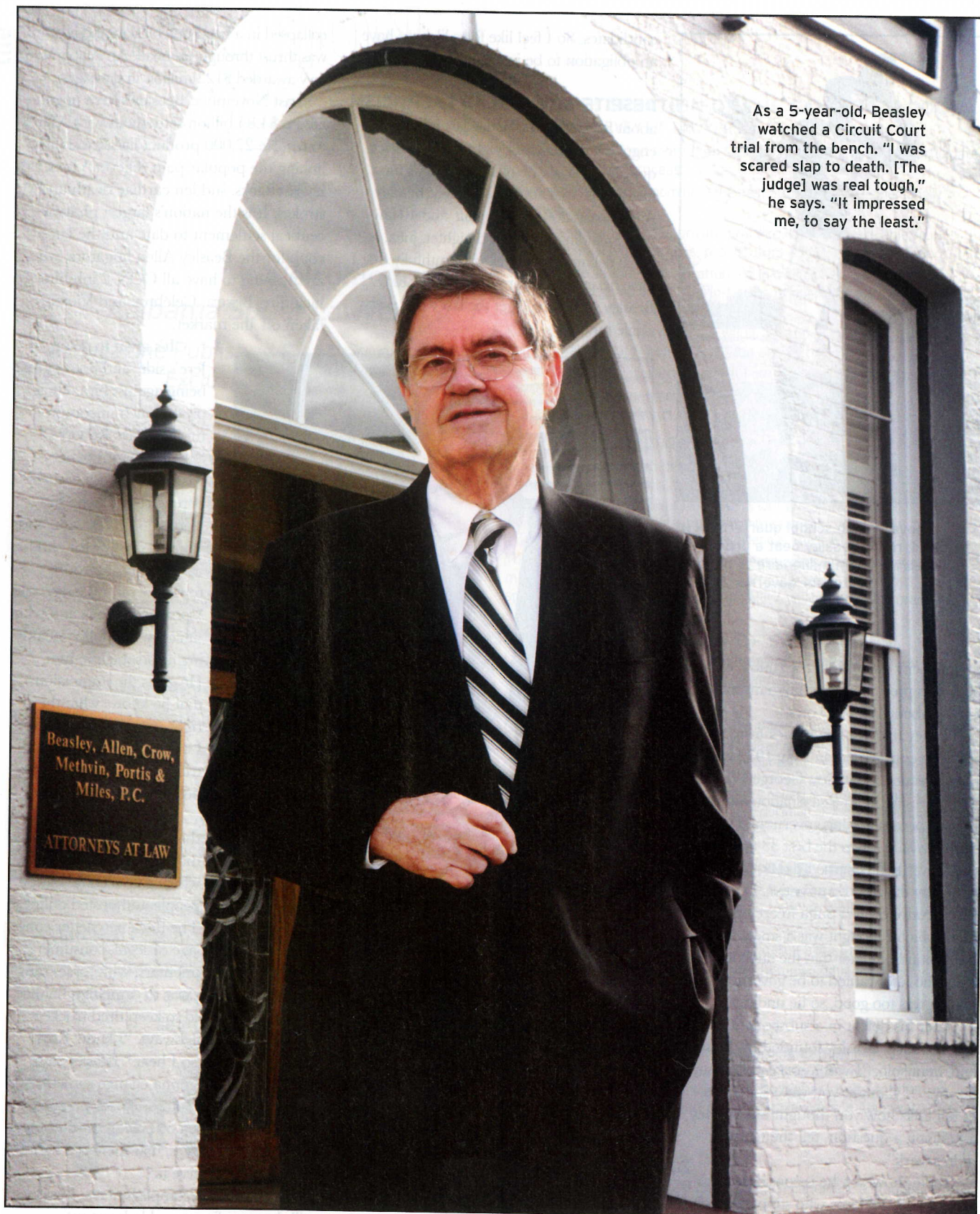
BEASLEY CREDITS HIS crusading spirit to his mother, who ran a grocery store in Clayton, where he grew

up as America was coming out of the Depression. (His mom named him after a doctor in Texas, where his father traveled as a salesman. "Even some good friends [mis]pronounce it *Jair*," Beasley says. It's pronounced "Jerry.") "She dealt with people back in the days when you still had racial segregation and really hostile feelings. She never had those feelings. In fact, she would stand up for folks that needed help or were having difficulties."

Each summer, his dad, after letting the farm's crops rest before harvest, would take his son into town to watch trials at the courthouse. One day the Circuit Court judge stopped the proceedings and instructed Beasley's father to bring him to the bench, where the shy, quiet 5-year-old sat for the rest of the day. "I was scared slap to death," Beasley recalls. "[The judge] was real tough. He didn't believe in probation or anything like that. He just sent you to the penitentiary. It impressed me, to say the least."

Football impressed him more. Beasley wanted to be a coach, even after he got hurt on the field in high school and again at the University of Georgia. In 1957, after dropping out of college for two years, the introverted young man switched to Auburn University, where a public-speaking course helped draw him out of his shell. By the time he earned his law degree from the University of Alabama in 1962, he was No. 1 in his class.

Beasley's Auburn affiliation played a role in his first court case, in which he represented a man who'd been hit by a truck. "I was an Auburn guy practicing in Tuscaloosa, which was not very smart," Beasley says. The judge introduced him to the jury as "a good young man," but quickly added,



As a 5-year-old, Beasley watched a Circuit Court trial from the bench. "I was scared slap to death. [The judge] was real tough," he says. "It impressed me, to say the least."

"The only problem is he went to that school called Auburn." To make matters worse, the judge slept through Beasley's closing argument. Beasley still won.

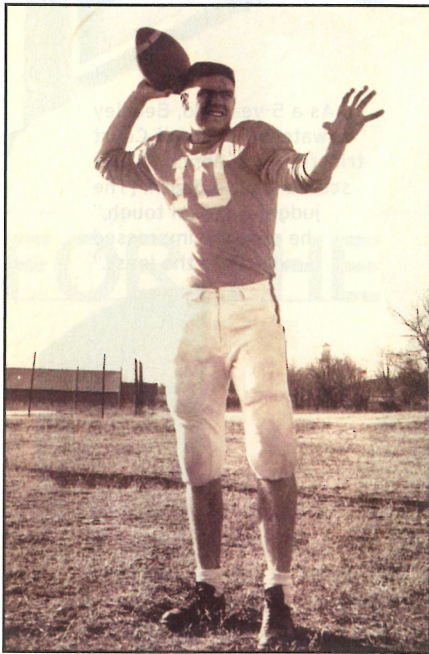
In 1971, he began an eight-year stint as Democratic lieutenant governor after

defeating several well-known state senators. His secret election weapon, he says, was a piece of advice from a UPI reporter who took a liking to Beasley and his wife, Sara. "Get your staff to send me a news release to this number every day during

the campaign, at the same time," the journalist told him. "Make it short, one paragraph, and catchy."

"Well, I don't have a staff," Beasley replied. "How about my wife?"

His wife fired off the news releases and



Above: A high school quarterback in 1954; right: Beasley beat a prominent Birmingham millionaire to become lieutenant governor in 1971.

the publicity paid off; in the runoff election he beat a prominent Birmingham millionaire by about 165,000 votes.

Beasley had just flown back from a speaking engagement in May 1972 when he heard the news that Gov. George Wallace had been shot in an assassination attempt. Beasley became acting governor. "I've truthfully said it was the best 33 days the state's ever had because I did nothing. I did one thing that was constructive, I guess. By executive order I put a freeze on utility rates, which I thought was a smart thing. But I found out later that the attorney general, who also wanted to be governor, didn't think it was too good, so he undid it."

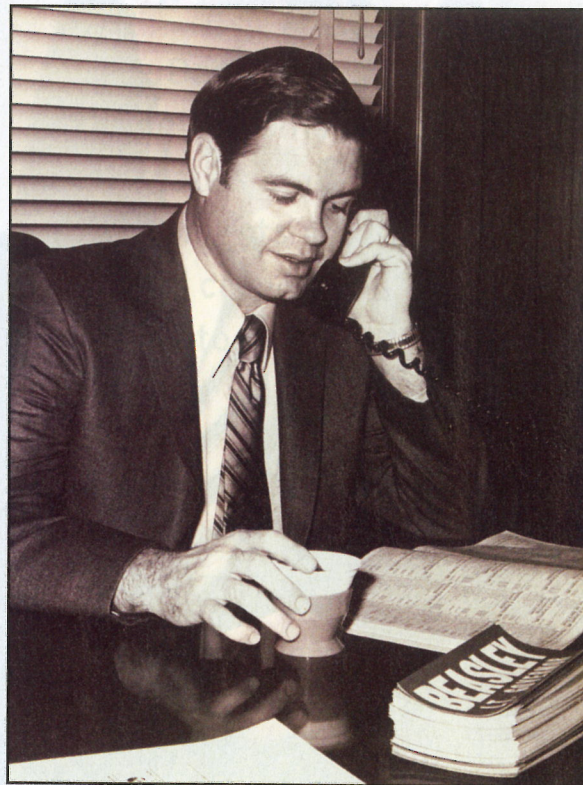
After his defeat in a subsequent gubernatorial race, Beasley founded his firm and went solo. "I was a sorry politician," he says. "I thought you were supposed to tell folks how you thought and if they asked you a question, tell the truth. It didn't work."

Today, however, he is considered a fervent political force who supported John Edwards in both presidential bids. (Soon after Edwards dropped out of this year's race, Beasley announced his support for Barack Obama.) "The people I represent don't have any power," Beasley says. "They don't have any influence on elections. And most of 'em can't afford to contribute to

candidates. So I feel like folks like me have an obligation to be involved."

DESPITE WIDESPREAD SKEPTICISM

about his ability to practice law after being engulfed in politics for eight years, Beasley quickly became one of the country's most formidable trial attorneys. Today, Beasley Allen boasts 200 support staff and 40 lawyers, including his oldest daughter, Julia, a fierce debater. "I can tell you truthfully that I have never won an argument with her yet," Beasley says. "She'll get the last word every single time."



In 2003, Beasley and his team won a record \$11.8 billion in punitive damages against Exxon Mobil on behalf of the state for underpayment of royalties from natural-gas wells. The trial judge later reduced the award to \$3.5 billion, and in November the Alabama Supreme Court threw out the punitive verdict. The amount of compensatory damages, which is expected to exceed \$140 million, is still being assessed. "It was the strongest case I've ever been associated with," Beasley says. "We had in writing the fraud scheme set out in internal memos at the highest corporate levels of Exxon, and the jury saw it."

In another high-profile case, Beasley represented the family of a 12-year-old boy who suffered brain damage when the front end of the Oldsmobile in which he was riding

collapsed in a head-on collision and a beam was thrust through his head. An Alabama jury awarded \$122 million in damages.

Last November, Beasley's firm negotiated a \$4.85 billion settlement with Merck to resolve 27,000 product liability claims linking the popular pain reliever Vioxx to heart attacks, sudden cardiac death and strokes. It is the nation's largest pharmaceutical settlement to date and the latest coup for the Beasley Allen litigators, who are pushing to have all COX-2 inhibitors, including Bextra, Celebrex and Vioxx, taken off the market.

"It's great to be on Jere's side, and not so great being against him. He is pretty much uncompromising," says Robert D. Segall of Montgomery-based Copeland, Franco, Screws & Gill, who has worked on cases with, and against, Beasley for almost 30 years. In the courtroom, he says, Beasley "speaks forcefully and with sincerity, and folks, including jurors, believe him. He gives the impression that he knows what the right thing is, and jurors, I think, by the end of the trial want to do what Jere believes is right."

Beasley unabashedly shares case details in his monthly *Jere Beasley Report*, which is mailed to 43,000 people and posted online. The thick newsletter con-

tains page after page of legal, consumer and political commentary, with topics ranging from the Iraq war to campaign finance reform to the need to keep tired truckers off the nation's highways. "I know Karl Rove reads it, or so I hear," Beasley says. "I know I'm not gonna change somebody's mind, politically. But I'd like for people to have a general idea of how important the court system really is, that there is a fight going on to preserve it."

After all his accomplishments, Beasley still dreams of one goal he's not yet achieved: "To be attorney general of the United States for at least two days. And I'd resign—not like [Alberto] Gonzales, I hope," he jokes. "Well, maybe just for one day. I might get up there and get hooked on that stuff and want to stay." ◀