

Outstanding Alumni: Mr. David M. Smith '75



David Smith received a J.D. from Vanderbilt University School of Law and holds a B.A. magna cum laude from Birmingham-Southern College.

David is the founding member of the Labor & Employment Practice at Maynard Cooper. He brings more than 30 years of experience as a labor and employment litigator in representing business employers and their management in employment cases.

David's work includes cases alleging employment discrimination, breach of contract, wage and hour violations and mine safety violations among many others. He has handled major cases against private plaintiff lawyers as well as the United States Department of Labor. This includes serving as lead trial counsel in one of the longest trials ever held under the Federal Mine Safety Law in which his client succeeded in having all the major citations vacated and the penalties reduced by more than 99 percent. He was successful in another marathon trial, serving as lead counsel in the then largest FLSA claim ever brought by the United States Department of Labor. The trial centered on \$8 million in overtime for poultry workers and resulted in a successful outcome for the client in which the jury awarded less than 3 percent of damages sought and found no record keeping violation.

Working on behalf and alongside his clients, David has successfully defended and tried to verdict numerous other jury and non-jury labor and employment cases. He has presented oral arguments in the Alabama Supreme Court and the United States Courts of Appeals for the Eleventh Circuit and the D.C. Circuit.

In addition to his litigation practice, David advises clients on discipline, contracts, policies, arbitrations, RIF's and benefits in all types of employment and labor relations matters. He also educates clients and colleagues on numerous topics.

He provides training to numerous clients' human resources personnel and workforces at large. David has also conducted employment law compliance audits for businesses all over the country.

His peers also look to him for knowledge as David has presented papers and lectures at state and national CLE meetings on labor and employment law topics across the country.

Recognition for David's work as an attorney includes the coveted ranking by Chambers USA: America's Leading Lawyers for Business as a Leading Practitioner in Labor and Employment Law, a distinction he has earned every year since 2004. He is also listed in The Best Lawyers in America©, Mid-South Super Lawyers and Alabama Super Lawyers in the area of Labor and Employment Law, and in 2016 he earned the distinction by Super Lawyers as one of the "Top 50 Super Lawyers" in Alabama.

Affiliations and Civic Involvement

- American Bar Association, Labor and Employment Law Section; Employee Rights and Responsibilities Committee; Management Co-Chair of Disability and Leaves of Absence Issues Subcommittee (2007-present)
- Alabama State Bar Association, Labor and Employment Law Section, Chairman (1998-1999); Executive Committee (1993-1998); CLE program Chair (1995-1997)
- College of Labor & Employment Lawyers, Fellow
- Alabama delegate to the Planning Committee of the Multi-State Labor and Employment Law Program (2000-2010)
- Birmingham-Southern College, Executive Committee of the Board of Trustees (2001-present); Chair, Board of Trustees (2016-2018)
- Executive Board of the Greater Alabama Council-Boy Scouts of America; Vice President for Advancement (2003-2004); Legal Counsel (2004-present); Recipient: Silver Beaver Award (2007)
- Workshops Inc., Board of Directors (2001-present), Past-President (2003)
- Friends of Scouting Campaign, Greater Alabama Council, Leader/Donor (2002-present)
- Pro bono legal counsel on a regular basis to Boy Scouts of America

Awards

- American College of Labor & Employment Lawyers, Fellow
- Chambers USA, Leading Practitioner in Labor and Employment Law (2004-present)
- The Best Lawyers in America© for Employment Law: Management, Labor Law: Management, Litigation: Labor and Employment; Workers' Compensation Law: Employers (1994-present)
- Mid-South Super Lawyers for Employment and Labor Law (2016-present)
- Alabama Super Lawyers "Top 50 Alabama Super Lawyers" (2016 and 2017)
- Alabama Super Lawyers for Employment & Labor (2008-2015)
- Birmingham Magazine's "Top Attorneys" for Employment Law (2017)
- Martindale-Hubbell AV® Preeminent Rating