

## JAMES A. BEAKES III

### Nashville Office

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*Jim is a member of the Pharmaceutical, Medical Device and Healthcare Group. He focuses his litigation practice on general, trucking and healthcare matters.*

### PRACTICE AREAS AND INDUSTRY TEAMS

- Trucking Litigation
- Tort, Transportation & Specialized Litigation
- Appellate and Written Advocacy
- Drug and Device Litigation
- Pharmaceutical, Medical Device & Healthcare Industry Team
- Entertainment and Media Industry Team

### EXPERIENCE

- Assisted discovery, motions, and trial teams in preparation and administration of federal MDL and/or related state proceedings in Propecia, Accutane, Tylenol, Diet Drugs and Oxycontin products liability litigations
- Represented clients in products liability matters involving claims against manufacturers and/or distributors of various types of products, including pharmaceuticals, automobiles, tires, utility vehicles, cranes, packaging materials, and consumer products
- Experience representing trucking and transportation clients including regional/national trucking companies and property freight broker.
- **Representative experience as co-lead and assisting trial counsel includes:**
  - *Mayfield v. Averitt Express, Inc.*, Circuit Court for Rutherford County, Tennessee
  - *Parrish v. Smurfit-Stone Container Corp.*, U.S. District Court for the Middle District of Tennessee
  - *Johnson v. Sumner Regional Medical Center*, Circuit Court for Sumner County, Tennessee
  - *Big Creek Landscaping, LLC v. Hudson Constr. Co.*, Chancery court for Davidson County, Tennessee

- **Experience briefing and/or arguing appellate matters before the Tennessee and Federal Appellate courts. Representative Matters include:**
  - *Carolyn Coffman et al. v. Armstrong International Inc. et al.*, No. 2-484-14, Supreme Court of Tennessee at Knoxville.
  - *Vickie S. Young, Individually and as Administrator of the Estate of Randall Josh Young, Deceased v. Frist Cardiology, PLLC et al.*, No. M2019-00316-SC-R11-CV.
  - *Westfield v. Fed. Republic of Germany*, 633 F.3d 409 (6<sup>th</sup> Cir. 2011) (Affirming dismissal of plaintiff's claims under the Foreign Sovereign Immunities Act)
  - *Lamar Tenn., LLC v. Metro. Bd. of Zoning Appeals*, No. M2007-00883-COA-R3-CV, 2010 Tenn. App. LEXIS 173 (Tenn. Ct. App. Mar. 5, 2010) (Reversing judgment of Chancery Court on Plaintiff's petition for writ of certiorari)
  - *Waters v. Coker*, 229 S.W.3d 682 (Tenn. 2007) (Reversing judgment of court of appeals and reinstating judgment of trial court in favor of Defendant following jury trial)
  - *Big Creek Landscaping, LLC v. Hudson Constr. Co.*, No. M2006-01657-COA-R3-CV, 2007 Tenn. App. LEXIS 645 (Tenn. Ct. App. Oct. 22, 2007) (Affirming judgment of Chancery Court following bench trial)
  - *Stewart v. Cottrell*, 255 S.W.3d 582 (Tenn. Ct. App. 2007)

## BAR ADMISSIONS

- Georgia, 2002
- Tennessee, 2005
- U.S. District Courts
  - Tennessee: Eastern, Middle, Western
  - Georgia: Northern, Middle
- U.S. Court of Appeals
  - 6th Circuit

## DISTINCTIONS

- *Martindale-Hubbell*®
  - Notable™, 2008-2017

## ASSOCIATIONS

- American Bar Association
- Nashville Bar Association
- Tennessee Bar Association
- Georgia Bar Association
- Defense Research Institute (DRI)

## EDUCATION & HONORS

- Vanderbilt University, J.D., 2002
  - Managing Editor, *Vanderbilt Law Review*
  - Phi Kappa Phi
- Duke University, B.A., 1997

## PAPERS, PRESENTATIONS AND PUBLICATIONS

- Author, "Update: Preemption of Claims Against Brand Pharmaceutical Manufacturers After *Mutual Pharmaceuticals, Co., V. Bartlett*," *Pro Te: Solutio*, Vol. 8, No. 1, May 2015.
- Author, "Will Compounding Pharmacies Be Hit With Compounding Regulation in the Wake of Meningitis Outbreak?" *Pro Te: Solutio*, Vol. 5, No. 4, November 2012.
- Presenter, "Social Media and E-Discovery in the Practice of Law," Tennessee Bar Association Tech Conference, 2011-2012.
- Presenter, "New Tennessee E-Discovery Rules," Tennessee Credit Union League Compliance Conference, 2009.
- *Recent Developments Regarding the Discovery of Electronic Media.*
- Author, "The Application of Conflict of Laws to Evidentiary Privileges," *DRI, Evidentiary Privileges for Corporate Counsel*, 2008.
- Author, "Electronic Discovery and the Emergence of the Independent Tort of Spoliation," *DRI Young Lawyers Committee Newsletter*, Jan. 2008.