



## LEM E. MONTGOMERY III

### Jackson Office

(601) 985-4410

lem.montgomery@butlersnow.com

*As a member of the firm's Products, Catastrophic and Industrial Litigation Group, Lem focuses on product liability law, energy law and energy litigation, personal injury defense, toxic torts, and governmental and municipal liability.*

### PRACTICE AREAS AND INDUSTRY TEAMS

- Administrative Law
- Products, Catastrophic & Industrial Litigation
- Civil Rights
- Governmental Litigation
- Aviation
- Class Actions
- Catastrophic Events and Major Claims
- Machinery & Recreational Product Litigation
- Toxic Torts, Asbestos and Silica Litigation
- Energy

### EXPERIENCE

- Specializes in personal injury and product liability litigation related to recalled products and allegations of product contamination.
- Represents manufacturers of industrial machinery, motor vehicles and recreational vehicles in product liability, personal injury and toxic tort defense cases.
- Represents private correctional institutions and local governments and municipalities in matters involving Constitutional rights.
- Represents private corporations and insurance companies in commercial litigation and personal injury cases.
- Successfully obtained a dismissal of claims in trial court; decision affirmed on appeal. *Rebecca and Jonathan Butler v. Jim Ray and the Webster County Schools*, Mississippi Court of Appeals.

## BAR ADMISSIONS

- Mississippi, 2002
- U.S. District Courts
  - Mississippi: Northern and Southern Districts
- U.S. Court of Appeals
  - 5th Circuit

## DISTINCTIONS

- *Best Lawyers in America*®
  - Commercial Litigation, 2020-2021
  - Personal Injury Litigation – Defendants, 2021
  - Product Liability Litigation - Defendants, 2019-2021
- 2016 PORTICO 10
- *Martindale-Hubbell*®
  - AV®- Preeminent™ Peer Review Rated
- *Super Lawyers*®
  - Mid-South Super Lawyers, Personal Injury - Products: Defense, 2014-2018
  - Mid-South Rising Stars, Personal Injury - Products: Defense, 2009-2013

## ASSOCIATIONS

- American Bar Association
- Defense Research Institute
  - Product Liability Steering Committee
- Mississippi Bar
  - Young Lawyers Division
    - *Board of Directors*
    - *Chair*, Teen Court Committee, 2005-2006
- Mississippi Defense Lawyers Association
  - *Board of Directors*
- Jackson Young Lawyers
- Capital Area Bar Association
- International Association of Defense Counsel (IADC)

## EDUCATION & HONORS

- University of Mississippi, J.D., *magna cum laude*, 2002
  - Member, *Mississippi Law Journal*
  - Member, *Journal of National Security Law*
  - Moot Court Board
  - Phi Kappa Phi
- University of Mississippi, B.B.A., Insurance and Risk Management, 1998

**PAPERS, PRESENTATIONS AND PUBLICATIONS**

- Author, "Why Expansion of Commerce and Trade Does Not Expand the Reach of the Courts: In Personam Jurisdiction and Stream-of-Commerce Theory", For The Defense, November 2011.
- Author, "Rules Update: Changes to Federal Rule 26 Regarding Expert Disclosures and Communications With Retained and Non-Retained Expert Witnesses," *MDLA Quarterly*, Mississippi Defense Lawyers Association, Spring 2011.
- Author, "Consistency in the Courts: Settled Law and Recent Updates on Judicial Estoppel and Election of Remedies," *MDLA Quarterly*, Mississippi Defense Lawyers Association, Winter 2010.
- Author, "Chapter 12: Strategies for Co-Defending Product Actions," *Current Law, Strategies and Best Practices in Product Litigation*, (Practicing Law Institute, 2009).
- Author, "Title X: Appellate Review of Federal Trial Court Remand Orders," *Getting out of Dodge; Removal to Federal Court: A Defendant's Guide*, (Product Liability Advisory Council, 2003).
- Speaker, "Product Liability Fundamentals," 2010 Harmonie Group/Canadian Litigation Council Joint Product Liability Seminar, Toronto, Canada.