



Stacy L. Moon

PARTNER

Birmingham

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RELATED SERVICES

- Commercial Litigation
- Construction
- Professional Liability Defense
- Transportation
- Employment
- Government Investigations & Enforcement Defense
- Cannabis, Hemp & CBD
- Trucking

OFFICES

- Birmingham

OVERVIEW

Stacy L. Moon is Managing Partner of the Birmingham office of GRSM and is a member of the Commercial Litigation practice group, as well as Employment, Construction, Government Investigations & Enforcement Defense, Professional Liability, and Cannabis, Hemp & CBD practice groups. Stacy is an AV-rated attorney, with more than 20 years of primarily defense litigation, including commercial, construction, employment litigation, and professional liability defense. She has litigated a number of commercial disputes, including issues between Contract Manufacturers and Original Equipment Manufacturers and obligations among parties for defense and indemnification. Her construction litigation experience has generally focused on construction defect and prompt pay act issues. She has a great deal of experience in responding to administrative agencies and

litigating discrimination claims. She focuses on the best outcome for her clients as defined by the client, whether creative and effective negotiation or litigating to and through trial and appeals.

REPRESENTATIVE EXPERIENCE

- National Origin/Retaliatory Discharge matter – Plaintiff sued employer for discrimination based on national origin and alleged she was terminated in retaliation for complaining of the alleged discrimination. Part of the case revolved around obtaining helpful testimony from the former supervisor who left the employer afterward under less-than-ideal circumstances. Through effective discovery and deposition questioning, and working with the former supervisor, the employer received summary judgment on the primary discrimination claim but not the retaliatory discharge. As part of a two-person trial team, she cross-examined the plaintiff at trial and the case resulted in a defense verdict for the employer.
- Construction defect matter – Stacy represented a general contractor in a matter involving a dispute with a subcontractor who was to install a helical staircase in a high-profile building on a public university. The subcontractor argued the designs and materials were at fault for its inability to install the staircase. Stacy handled discovery, coordinating with suppliers to ensure they provided the information needed to establish the subcontractor's breach of the contract.
- Warden v. City of Guntersville, et al. – As sole trial counsel, Stacy obtained a defense verdict in a case involving a brush truck being tipped over onto plaintiff's vehicle while it was sitting at a stoplight. The client was driving the brush truck for the municipality, and he entered the intersection with a green light. He was unaware that a tractor-trailer was approaching the intersection without any brakes. He tried to avoid the collision at the last moment, but the tractor-trailer hit the brush truck on the rear side panel, causing it to tip over onto the plaintiff's car. In addition to receiving a defense verdict at trial during which the judge applied significant pressure to settle, we were able to recover the cost of the brush truck from the tractor trailer insurer (which had a diminishing policy), in spite of violations of confidentiality by the mediator.
- Milton, et al., v. City of Huntsville – as lead counsel, Stacy defended a captain in the Fire Department against claims arising out of a serious accident. The plaintiffs were both very sympathetic, and their extremely serious injuries were undisputed. In the end, we were able to use plaintiffs' expert witness to establish that the fire truck had slowed down before entering the intersection while it was responding to a call and that the driver of their vehicle had tried to beat the fire truck through the intersection. The trial resulted in a defense verdict.

- Furin v. City of Huntsville, Alabama, 3 So. 3d 256 (Ala. 2008) (establishing that a municipality cannot be held liable for acting in accordance with federal regulations). In this reported case arising out of a serious flash flood, plaintiff tried to argue that the COH owed a duty to dredge a local waterway to reduce the opportunity for flooding. The U.S. Army Corps of Engineers, which had jurisdiction over the area, had already banned that dredging.

PUBLICATIONS

- Author, It's Not Who, It's How You Respond: Harassment by a Third Party, *For the Defense*, July & August 2023
- Author, It Depends: In House Counsel, To Attend or Not Attend, *For the Defense*, March 2018
- Author, Ethical Pitfalls of Social Media (or Can You Do That?), *For the Defense*, November 2016
- Author, How to Assess Delay Damages: How Critical Is the Critical Path," *For the Defense*, June 2014

PRESENTATIONS

- Speaker, *Smoky Horizons: A synopsis of employment, environmental, and litigation challenges facing the cannabis industry*, MyLawCLE and Federal Bar Association, October 21, 2024
- Speaker, *Tumble Out of Bed and Stumble to the Kitchen, Need Some Tips for the Deposition!*, Third Annual Southeastern Women Litigators Conference, Nashville, TN, March 1, 2024
- Speaker, *Toolbox Talk: The Convergence of Products Liability and Construction Law*, DRI Construction Law Committee, February 27, 2023
- Speaker, *Lawsuit Basics for Construction Lawyers*, DRI Construction Law Committee Toolbox Talk, February 19, 2023
- Speaker, *(30(b)(6) Depositions: What You Want to Know; What You Need to Know; What You Should Know*, Utah Defense Lawyers' Association Annual Meeting, May 11, 2022
- Speaker, *CONSTRUCTION PAY ISSUES: Owners, General Contractors, and Engineers, oh my!*, DRI Construction Law Seminar, Hot Topics Potpourri Panel, January 27, 2022
- Featured Panelist, *Hot Button Trends in Consumer Class Action and Credit Reporting Claims – SOL Tolling, Hunstein, & Notices of Non-disputes*, National Asian Pacific Bar Association (NAPABA) Financial Services Network Committee webinar, September 23, 2021
- Speaker, *But They Said Hemp Was Legal! What Every Hemp Business Needs to Know About Evolving Laws & Regulations Impacting the Industry*, Co-Presenter, AmericanHort Hemp Conference at Cultivate, July 9, 2021
- Speaker, *Is It Privileged? A Refresher*, ACC of Alabama, July 14, 2020
- Speaker, *Toolbox Talks: Questions and Answers – Dealing with Owners and Employees in the Post Shutdown Construction Project?* DRI Construction Law Committee, May 2020
- Speaker, *Over-Deployment of Software*, DRI Annual Meeting, Commercial Litigation Committee, October 2019

- Speaker, *ADA Is Just the Beginning: Workplace Accommodation Obligations You May Not See Coming*, DRI Employment and Labor Law Seminar, Phoenix, AZ, 2019
- Speaker, *30(b)(6) Depositions: What You Want to Know; What You Need to Know; What You Should Know*, Litigation Skills Workshop, Employment and Labor Law Seminar, 2019
- Speaker, *Law Firm Culture: It Matters*, DRI Managing Partner and Law Firm Leader Seminar," Chicago, IL, 2018
- Speaker, *Defining and Defending Retaliation Claims*, DRI Employment and Labor Law Seminar, Nashville, TN, 2017
- Speaker, *Toll Road Ahead: The Use & Enforceability of Tolling Agreements*, DRI Commercial Litigation Committee Annual Meeting "Firehose" Presentation, DRI Annual Meeting Boston, MA, 2016
- Speaker, *New HIPAA Rules for Lawyers and Law Firms: You Need to Know Them!*, DRI Life, Health, Disability, & ERISA Seminar, Chicago, IL. 2014

CREDENTIALS

Admissions

- Alabama
- U.S. District Court, Northern, Middle, and Southern Districts of Alabama
- Supreme Court and all circuit courts of Alabama
- U.S. Court of Appeals, Eleventh Circuit

Memberships

- Birmingham Bar Association (2019-present)
- Birmingham Connection Committee (2021-present)
- DRI (previously Defense Research Institute) (1999 – present)
- Alabama Defense Lawyers Association (1998 to present)

Community Involvement

- Member, Choir, St. Mary's on the Highlands Episcopal Church 2019 – present
- Chair, Therapy Partners, Inc., Board of Directors, Huntsville, Alabama 2016
- Member, Therapy Partners, Inc., Board of Directors, Huntsville, Alabama 2014-2015
- Member, Choir, Church of Nativity, Episcopal, Huntsville, Alabama 2005 -2019

Education

- J.D., *magna cum laude*, Cumberland School of Law at Samford University, 1998
- B.A., *summa cum laude*, University of Montevallo, 1990

Honors

- Outstanding Faculty Award, NBI (2024)

- DRI Leadership Award (2001)
- Graduate, Connect Huntsville Leadership Program (2007)
- Cumberland School of Law – Curia Honoris
- Member, Phi Kappa Phi

Languages

- Spanish