



Frederick T. Kuykendall, III

AV Preeminent Rated, Martindale Hubbell

PRINCIPAL AREAS OF PRACTICE:

Product Liability/Mass Tort Litigation with concentration on Industrial and Pharmaceutical Litigation

Class Actions with concentration in Consumer and Environmental Actions

Labor and Employment Litigation including Fair Labor Standards Act violations, Employment and Sexual Discrimination.

Select Defense Representation

Dispute Resolution/Negotiation

EDUCATION:

Cumberland School of Law at Samford University

Juris Doctor, 1981

Director Basic Skills and Trial Advocacy (Scholarship Position)

Justice, Honor Court

University of Alabama

Bachelor of Arts, 1976

Member, Student Court

Member, Honorary, Literary and Debate Society

PRIMARY EMPLOYMENT:

December 1998-Present

KUYKENDALL & ASSOCIATES, L.L.C.

Founding Member & President

PO Box 2129

Fairhope, Alabama 36533

May 2017 –Present

THE KUYKENDALL GROUP, LLC
Founding Member & President
PO Box 2179
Fairhope, Alabama 36533

October 2014- November 2017

HAUSFELD, L.L.P.
Of Counsel
1700 K Street N.W.
Suite 650
Washington, D.C. 20006

1981 to 1998

COOPER, MITCH, CRAWFORD, KUYKENDALL &
WHATLEY, L.L.C.
Birmingham, Alabama
Managing Partner and Attorney

1976-1977

Assistant Legislative Assistant to United States
Representative (R) Jack Edwards
U.S. House of Representatives, Washington, D.C.

1976

Lyndon Baines Johnson Intern
U.S. House of Representatives, Washington, D.C.

BAR ADMISSIONS:

MDL 2179 Oil Spill Litigation in Eastern District of
Louisiana, Admitted Pro Hac Vice, 2010

ALABAMA BAR ASSOCIATION, 1981
U.S. District Court, Northern and Southern Districts of
Alabama; U.S. Court of Appeals, First, Third, Fifth and
Eleven Circuits

United States Supreme Court, 1986

SELECTED DIRECTORSHIPS, OFFICES and APPOINTMENTS:

ALABAMA STATE BAR

Chair of Judicial Liaison Committee, 2006-2007.

Elected Bar Commissioner, Tenth Judicial Circuit, Place No. 5, 1994-1997

Served on Executive Counsel of Young Lawyers and Member of Judicial Liaison Committee

Bench and Bar Committee, 2005

AMERICAN BAR ASSOCIATION

BIRMINGHAM BAR ASSOCIATION

BALDWIN COUNTY BAR ASSOCIATION

Lawyers Committee for Civil Rights Under Law, 1995-Present;
Board of Directors, 1997-Present

Advisory Panel, National Labor Relations Board, 1994-2000; Appointed by
Chairman of the NLRB

Alabama Trial Lawyers Association; Board of Directors, Sustaining Member, Board of
Governors, Member of Elections Committee 2005 to Present

Association of Trial Lawyers of America/American Association of Justice

ATLA-PAC Task Force

ATLA PPA Litigation Group Co-Chair

ATLA PAC Public Affairs Committee

ATLA Labor Liaison Committee

AAJ Leaders Forum Member

AAJ Public Affairs Committee

AAJ List Committee

Trial Lawyers for Public Justice, 1995-present; Member, Board of Directors, 1995-2003

Pensacola Gulf Coast/River Keepers, Inc., Founding Member; Director, 2001-2005

Mobile Baykeeper; Board Member 2005 – Present

Board of Directors, Surfrider Foundation- 2012- Present

CERTIFIED MEDIATOR:

Mediator Training through Mediation Media, December 2012.

The Mediation Process and the Skills of Conflict Resolution, a comprehensive CLE-approved basic mediation training approved by the Alabama Center for Dispute Resolution that meets the training requirements for inclusion on the state court mediator roster.

Special Master by Appointment of the Honorable Joel Laird in *Abernathy v. Solutia* in Calhoun County, Alabama

Dean's Advisory Board, Cumberland School of Law at Samford University, 2004-Present

Maryland Association of Justice, Governor

General Counsel, Local 1657, United Food & Commercial Workers, Birmingham, Alabama (1998-2002)

Outside General Counsel, Lulu's Landing, Inc. (1998-Present)

Included in multiple editions of *Best Lawyers in America*

**SELECTED EXAMPLES OF PROFESSIONAL SPEAKING ENGAGEMENTS,
LECTURES AND APPEARANCES:**

- July 2018 Opioid Crisis Summit presented by Mass Tort Nexus, Fort. Lauderdale, FL
Topic: *Tribal Claims*
- April 2014 Earth Week Key Note Speaker at Georgia State University. Topic:
The State of Environmental Law Through the Lens of BP
- GreenLaw Breakfast with Rick Kuykendall CLE at State Bar of Georgia
Building, Atlanta, GA. Topic: *Environmental Litigation*
- November 2013 Surfrider Foundation Florida Chapter Conference. Topic: *Deepwater
Horizon Updates*
- October 2013 Relevant- The Un-Conference: Five Year Road Map for Future Focused
Lawyers. Topic: *The Future of Plaintiffs' Steering Committees*
- March 2013 Class Action Seminar- Recent Developments in Quebec, in Canada and in
the United States. Topic: *The Importance of Meaningful Opt-Out Rights
in Class Actions in the United States and Developing Legal Systems*
- 2010 Warhorse Seminar, Maryland Association of Justice
- October 2009 Mass Torts Made Perfect Seminar, "Carbon Monoxide-Silent Killer"
- April 14, 2005 American Bar Association Section of Dispute Resolution Conference
In Los Angeles, "The Golden State of ADR"
Topic: *When Can Mass Torts Have Mass Settlements?*
- October 22, 2004 Louisiana Bar Association Class Action Symposium in New Orleans
Topic: *Settlement Negotiation as Art and Science*
- October 15, 2004 Effective Representation of Clients in Mass Tort and Class Action

- Mediation; Kissimmee, Florida “Meet the Masters” Symposium
- November 6, 2003 Mass Torts Made Perfect Seminar in New Orleans
Topic: *The Art of Negotiation*
- December 9, 2002 Mealey’s Emerging Litigation in Drugs & Medical Devices in Naples, FL
Topic: *PPA Litigation Update*
- July 22, 2002 ATLA Annual Convention in Atlanta, GA
Topic: *Update on the Current State of PPA and Ephedra Litigation*
- December, 1998 Alabama Trial Lawyers Association 1998 Ski Seminar in
Beaver Creek, CO
Topic: *The Crime-Fraud Exception to the Attorney-Client Privilege*
- January 1997 Alabama State Bar-Joint Meeting of the Bench and Bar
Topic: *Alabama Judge’s Class Action Deskbook*
- October 1996 Cumberland School of Law CLE Seminar
Topic: *Litigating the Class Action: Dispositive Motions, Settlement
And Notice from the Plaintiffs’ Perspective*
- October 1994 UFCW Attorneys Conference
Topic: *The Law Relating to Traditional Organizing: Post-Election
Litigation and Remedies*

SELECTED PUBLICATIONS:

Contributing Editor: *The Developing Labor Law, 2001 to 2005*

Co-Author: Winegard & Wright’s *The Labor Lawyer, 2001*

Co-Author: *Epilepsy Foundation of Northeast Ohio and the Recognition of Weingarten in the Non-Organized Workplace: A Manifestly Correct Decision, and a Seed for Further Progress.* Published in *The Labor Lawyer*, Volume 17, Number 1.

SELECTED REPORTED CASES:

Cotton v. U.S. Pipe & Foundry Co., 856 F.2d 158 (11th Cir. 1988)

Shopman's Local 539 of the International Association of Bridge Workers v. Mosher Steel Co., 796 F.2d 1361 (11th Cir. 1986)

Snowden v. United Steelworkers of America, 435 So.2d 62 (Ala. 1983)

Todd v. United Steelworkers of America, 441 So.2d 889 (Ala. 1983)

Acevedo Cordero v. Cordero Santiago, 764 F. Supp. 702 (D.P.R. 1991)

Cunningham v. Warner Lambert, 21 PLLR 88 (June 2002)

SELECTED LEAD OR CO-LEAD COUNSEL IN COMPLEX LITIGATION/CLASS ACTION LITIGATION:

Co-Lead Counsel, *Baldwin County, Alabama v BP et al*

Co-Lead Counsel, *Mobile County, Alabama v. BP et al*

Co-Lead Counsel, *Town of Dauphin Island, Alabama v. BP et al*

Co-Lead Counsel, *Jackson County, Mississippi v. BP et al*

Co-Lead Counsel, *City of Pascagoula, Mississippi v. BP et al*

Co-Lead Counsel, *City of Moss Point, Mississippi v. BP et al*

Co-Lead Counsel, *City of Gautier, Mississippi v. BP et al*

Co-Lead Counsel, *City of Ocean Springs, Mississippi v. BP et al*

Co-Lead Counsel in \$50 million settlement in environmental damage case *Queen v. Constellation Energy*, MD 2009

In Re: CISCO SYSTEMS INC., Northern District of California

In Re: Rezulin Products Liability Litigation, MDL 1348 (S.D. New York)

In Re: Conoco, Inc. Class Action, Case 2001 CA 000631 (Escambia County, FL)

Cox v. Shell, Polybutylene Plumbing Class Action

Moye v. Exxon/Mobile Corp., Class Action

CURRENTLY SERVING AS CO-LEAD COUNSEL FOR THE FOLLOWING ENTITIES IN NATIONAL OPIOID LITIGATION:

St. Croix Chippewa Indians of Wisconsin

Lac Courte Oreilles Band of Lake Superior Chippewa Indians

Red Cliff Band of Lake Superior Chippewa

Lac du Flambeau Band of Lake Superior Chippewa Indians

Fond du Lac Band of Lake Superior Chippewa

Shinnecock Nation

Coyote Valley Band of Pomo Indians

Washoe Tribe of Nevada and California

Round Valley Tribe and Round Valley Tribal Health Clinic
Narragansett Indian Tribe of Rhode Island
Walker River Paiute Tribe and Walker River Tribal Health Clinic
Fallon Paiute Shoshone Tribe and Fallon Tribal Health
Potter Valley Tribe
Big Valley Band of Pomo Indians
Guidiville Band of Pomo Indians
Redwood Valley Little River Band of Pomo
Scotts Valley Band of Pomo Indians
Hopland Band of Pomo Indians
Koi Nation
Big Sandy Rancheria
Robinson Rancheria
Resighini Rancheria
Cahto Tribe of the Laytonville Rancheria
Pyramid Lake Paiute Tribe and the Pyramid Lake Tribal Health Clinic.

NMMC Hospitals
Baptist Hospital, Inc. (Florida)
Rush Health Systems, Inc. (Mississippi)
ApolloMD (Georgia)
Center Point, Inc. (California)
El Campo Hospital (Texas)
Odyssey House (Louisiana)
Consolidated Tribal Health Project, Inc.