

## Steven J. Kyle

Partner

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Office Location: Atlanta

Steve Kyle is one of the three founding partners of the firm and has been in practice since 1969. His practice is multi-disciplined with considerable experience in handling large loss personal injury cases, for both self insureds and insurers on a national and regional basis. He has been admitted *pro hac vice* in 38 states. He has the privilege of serving as National Coordinating Counsel and National/Regional Trial Counsel for several Fortune 500 companies. He also is heavily involved with high limit property claims, both from a first party as well as from a third party perspective. All of his work is for the defense.

His clients include self insureds, such as 3M Company, Acuity Brands Lighting, Inc., Eaton Corporation, Sharp Electronics and Stanley Tool Works. Some of his insurance company clients include Ace U.S.A., American Safety, Auto Owners, Farmers Insurance Exchange, Haulers Insurance, Markel Insurance Group, RLI Insurance Company, Sampo Japan Marine Insurance Company, Selective Insurance and Unitrin Insurance.

He has worked on multi-party construction defect claims, handled tractor-trailer and heavy equipment accident lawsuits, has rendered coverage opinions, worked environmental litigation, handled class-action defense suits and has represented insurance brokers and agents on malpractice actions. Steve has been heavily involved with outdoor advertising companies defending suits brought against them by independent contractors and their employees who sustain severe electrical shocks, electrocutions, or injuries from falls, as well as suits by power companies and other third parties. Recently, Steve has been begun to develop a practice of mediating cases based on his broad range of experience in the insurance industry over the past 45 years.

### Professional or Trade Affiliations

- American Bar Association (Litigation Section)
- Atlanta Bar Association



### Practice Areas:

- Construction Defects
- Insurance Coverage and Bad Faith
- Insurance Defense
- Litigation
- Mediation
- Premises Liability
- Product Liability
- Subrogation
- Transportation

### Admitted to Practice:

- State of Georgia, 1969
- State of Florida, 1970
- United States Supreme

- Atlanta Claims Association
  - CLM-- Claims and Litigation Management Alliance
  - Defense Research Institute
  - Georgia Defense Lawyers Association, Past President (1999-2000)
  - IAAC—International Association of Arson Defense Attorneys (fire for profit)
  - International Association of Defense Counsel
  - Lawyers Club of Atlanta
  - OAAA—Outdoor Advertising Association of American (Safety Committee)
  - Old War Horse Lawyers Club
  - PLUS—Professional Liability Underwriters Society
  - Property Loss Research Bureau
  - RIMS--Risk Insurance Management Society, National and Atlanta
  - Southern Loss Association
  - State Bar of Georgia (Litigation, Products Liability)
  - State Bar of Florida (Litigation)
- Court, 1973
  - U.S. Court of Appeals for the Fourth, Fifth and Eleventh Circuits
  - All Federal District Courts in Georgia and Florida
  - Admitted *pro hac vice* in 38 states

**Education:**

- Emory at Oxford, A.A. 1964
- Emory University School of Law, J.D. *cum laude* 1969
- University of Florida, B.A. 1966

**Honors & Awards**

- AV (Highest) Peer Rated by Martindale-Hubbell (1973 and forward)
- Georgia Trends *Legal Elite*
- Super Lawyers, Litigation, Products Liability, Litigation (2004 to present)
- Supreme Court of Georgia's Formal Advisory Opinion Board (1983-1986)

**Appellate Cases:**

- Maddox v. Fortson, 226 Ga. 71, 172 S.E.2d 595 (1970)
- William A. Watson v. Cecil Hamil, Jr, by Next Friend, et al., 122 Ga.App.120, 176 S.E.2d 276 (1970)
- Spearman v. Lothridge, 123 Ga.App. 427, 181 S.E.2d 316 (1971)

- Cochran v. Neely, 123 Ga.App. 500, 181 S.E.2d 511 (1971)
- Rainwater Construction Company, Inc. v. LaFayette Evans, 124 Ga.App.280, 183 S.E.2d 627 (1971)
- Moody v. Southland Investment Corporation, 126 Ga.App. 225, 190 S.E.2d 578 (1972)
- Maddox v. Thomas, 151 Ga.App. 477, 260 S.E.2d 910 (1974)
- Worley v. Providence Washington Insurance Company 130 Ga.App. 607, 203 S.E.2d 910 (1974)
- Lamberson v. Norris, 135 Ga.App. 647, 218 S.E.2d 658 (1975)
- Phyllis L. Downs v. A.B. Jones, Jr. 142 Ga.App. 316, 235 S.E.2d 760 (1977)
- Georgia Farm Bureau Mutual Insurance Company v. Woods, 143 Ga.App. 35, 237 S.E. 448 (1977)
- Pichulik v. Air Conditioning & Heating Service Company, 123 Ga.App. 195 180 S.E.2d 286 (1977)
- Ranger Insurance Company v. Speck, 145 Ga.Ap. 327, 243 S.E.2d 593 (1978)
- MacGrath v. Hoffman, 156 Ga.App. 240, 274 S.E.2d 631 (1980)
- Southern General Insurance Company v. Cotton States Mutual Insurance Company, 293 Ga.App. 240, 269 S.E.2d 60 (1980)
- Fitzpatrick v. Henley, 154 Ga.App. 555, 269 S.E. 60 (1980)
- Peterson/Puritan, Inc. v. Day, 157 Ga.App. 827, 278 S.E.2d 674 (1981)
- Atha v. Jackson Atlanta, Inc. 159 Ga.App. 433, 283 S.E.2d 654 (1981)
- Millard Matthews Builders, Inc. v. Plant Improvement Company, Inc. 167 Ga.App. 855, 307 S.E.2d 739 (1983)
- Tucker v. Mitchell, 252 Ga. 545, 324 S.E.2d 896 (1984)
- Cherry v. Kelly Services, Inc. 171 Ga.App. 235, 319 S.E.2d 463 (1984)
- Concrete Construction Company v. City of Atlanta, 176 Ga.App. 374, 393 S.E.2d 266 (1985)
- Daugherty v. Norville Industries, Inc. 174 Ga.App. 202, 329 S.E.2d 202 (1985)
- Universal Scientific Inc. v. Safeco Insurance Company, 174

- Ga.App. 768, 331 S.E.2d 611 (1885)
- *Worsham v. Pickeral*, 195 Ga.App. 330 393 S.E.2d 488 (1990)
  - *Nelson v. Felton Pearson Company, Inc.* 195 Ga.App. 92 392 S.E.2d 274 (1990)
  - *Bagley v. Shortt, et al.*, 261 Ga. 762, 410 S.E.2d 738 (1991)
  - *U3S Corporation of America v. Parker*, 202 Ga.App. 372, 414 S.E.2d 513 (1991)
  - *Southeastern Fidelity Insurance Company v. Nails*, 254 Ga. 555 (1985) *Nelson v. Felton Pearson Company, Inc.* 198 Ga.App. 532, 402 S.E.2d 807 (1991)
  - *Anepohl v. Ferber*, 202 Ga.App. 553, 415 S.E.2d 9 (1992)
  - *Marcinkowski v. Strother Ford, Inc.* 126 Ga.App. 51, 189 S.E.2d 874 (1992)
  - *Diaconescu v. Hettler*, 210 Ga.App. 191, 435 S.E.2d 489 (1993)
  - *Safeco Insurance Company v. Shawnee Mechanical Contractors, Inc.* 209 Ga.App. 165, 433 S.E.2d 66 (1993)
  - *National Union Fire Insurance Company v. Prestige Helicopters, Inc.*, 217 Ga.App. 375 , 457 S.E.2d 587 (1995)
  - *Kappa Sigma International Fraternity v. Tootle*, 221 Ga.App. 890, 473 S.E.2d 213 (1996)
  - *Desai v. Safeco Insurance Company*, 173 Ga.App. 815, 38 S.E.2d 602 (1998)
  - *Atlanta Gas Light Company v. City of Atlanta, et. al.*, 160 Ga.App. 396, 287 S.E.2d 229 (1999)
  - *Security Life Insurance Company v. Clark*, 239 Ga.App. 690, 521 S.E.2d 434 (1999)
  - *Security Life Insurance Company v. Clark*, 249 Ga.App. 18, 547 S.E.2d 692 (2001)
  - *Hill v. Tschannen*, 264 Ga.App. 288, 590 S.E.2d 133 (2003)
  - *Fraker v. C.W. Matthews Contracting Co, Inc.* 272 Ga.App. 807, 614 S.E.2d 94 (2005)
  - *RLI Insurance Company v Highlands on Ponce, LLC*, 280 Ga.App. 798, (2006)
  - *McDonald v. H&S Homes, LLC*, 290 Ga.App. 103, 658 S.E.2d 901 (2008)
  - *Mays v. Valley View Ranch, Inc.* 317 Ga.App. 143, 730

S.E.2d 592 (2012)

### **Speaking Engagements**

- GDLA Skits and Suds, 2014, Topic: *“Ethics and Professionalism”*
- GDLA Fall Educational Seminar, 2013, Topic: *“Lessons to be Learned on How to Respond to a Time Limit, Policy Limit Demand”*
- GDLA Annual Convention, 2012, Topic: *“Pitfalls of the New Regulations regarding Medicare Set-offs”*
- Beijing, China, Beijing Business Leaders, 2010, Topic: *“The Executive in Pursuit of Excellence”*
- CLM Annual Convention, 2009, Topic: *“Negotiation Skills for Claims Professionals”*
- Presentation to GAB, Fireman’s Fund, and Marsh, Atlanta, 2008, Topic: *“Variations on Standard Appraisal Process and recent court decisions”*
- DRI’s Fire and Casualty Seminar, 2005, Topic: *“Don’t Gamble on the Spoliation Doctrine: A Better Bet—The Rapid Response Plan”*
- RIMS, Atlanta, 2003, Topic: *“Managing Claims and Lawsuits: Effective use of National Coordinating Counsel”*
- Presentation to Markel Insurance Company and their key insureds, 2003, Grove Park Inn and Resort, Topic: *“Kids, Claims and Court—Keeping your Camp/Club Trouble Free”*
- OAAA Annual Convention, 2002, Key Note Speaker, Topic: *“Managing Claims and Lawsuits”*
- DRI’s Fire and Casualty Seminar, 2000, Topic: *“Doctrine of Unknown Etiology”*
- OAAA Annual Convention, 2000, Key Note Speaker, Topic: *“How to Create an Environment conducive to Operations Safety in the Outdoor Advertising Industry”*
- PLRB Presentation, 1999, Topic: *“Y2K—First Party Coverage and Third Party Insurance Issues”*
- GDLA Annual Convention, 1992, Topic: *“Punitive Damages following Bagley v. Shortt”*

### **Community Involvement**

- DeKalb County, Pension Board (1978-1982)
- Dekalb County Industrial Development Authority, Chairman (1982-1986)
- Co-Chairman, 1990, 1992, Promise Keepers, Atlanta Event
- Chairman, Personnel Committee, Dunwoody Baptist Church