

James R. ("Spud") Seale  
SHAREHOLDER



Telephone 334-834-7600  
Fax 334-263-5969  
Email [jrs@hillhillcarter.com](mailto:jrs@hillhillcarter.com)

Mr. Seale has 45 years of experience and represents the Alabama Board of Medical Examiners, boards of education, including five as general counsel, construction companies, contractors and architects, in a variety of legal matters including labor employment/Fair Labor Standards Act (FLSA), business contracts, and civil rights matters. Additionally, he regularly serves as an arbitrator and mediator, representing clients in arbitration and mediation disputes. He is admitted to practice in all State and Federal Courts in Alabama, the United States Court of Appeals for the Fifth and Eleventh Circuits, United States Court of Customs and Patent Appeals, United States Claims Court, and the United States Supreme Court.

## Noteworthy

- Obtained award to Plaintiffs for 24+ million in class action representing all military retirees in the State of Alabama on tax refund case. *Rinehart, et al. v. Sizemore, et al.*
- Plaintiff's award of 5.4 million was reversed on appeal. *Toole v. McClintock and Baxter Healthcare.*
- Defense of class action seeking 100+ million in back pay; Judgment in favor of Plaintiffs. Award of \$0.0, other than attorney's fees. *Waldrop, et al. v. State Board of Education, et al.*

- Defense of 30+ county and city boards of education for allegations of violations of the Fair Labor Standards Act. Successfully defeated collective certification in most cases. Some cases conditionally certified. All cases resolved on favorable terms to city and county boards.
- Summary judgment granted in favor of defendants in suit alleging violations of Title VII, 42 U.S.C. § 1983, Fourteenth Amendment, and equal protection. *Fields v. J. Phillip Raley, et al.*
- Summary judgment granted in favor of defendants in suit alleging breach of contract, fraud or misrepresentation, violations of the due process clause and equal protection clause of the Fourteenth Amendment, Alabama's Age Discrimination in Employment Act, and conspiracy. *Conway, et al. v. Montgomery County Board of Education, et al.*
- Summary judgment granted in favor of defendants in suit alleging violations of due process and equal protection clauses of the Fourteenth Amendment, 42 U.S.C. § 1981, and Alabama's Age Discrimination in Employment Act. *Jones-Walton v. Lowndes County Board of Education, et al.*
- Summary judgment granted in favor of defendants in suit alleging violations of Title VII, 42 U.S.C. § 1981, 42 U.S.C. § 1985, First Amendment, equal protection, and negligent supervision. *Hurst v. Montgomery County Board of Education, et al.*
- Summary judgment granted in favor of defendant in suit alleging violations of Title VII, Alabama's Age Discrimination in Employment, and state laws for unlawful employment practices and acts of intentional discrimination and retaliation. *Shumate v. Selma City Board of Education.*
- Summary judgment granted in favor of defendants in suit alleging violations of Title VI, Title VII, Thirteenth Amendment, and Fourteenth Amendment. *Thomas v. Troy City Board of Education, et al.*
- Summary judgment granted in favor of defendant in suit alleging violations of Title VII, Title IX, and 42 U.S.C. § 1981. *Dickerson v. Montgomery County Board of Education.*
- Summary judgment granted in favor of defendants in suit alleging violations of the Equal Pay Act. *Nixon v. Autauga County Board of Education, et al.*
- Summary judgment granted in favor of defendant in suit alleging violations of Title VII, 42 U.S.C. § 1983, and Alabama's Age Discrimination in Employment Act. *Burkette v. Montgomery County Board of Education.*

- Summary judgment granted in favor of defendants in suit alleging violations of Title VII and 42 U.S.C. § 1983. *Harvey v. Montgomery County Board of Education, et al.*
- Summary judgment granted in favor of defendants in suit alleging fraud, slander of title and conversion. *Donald Garrison v. Estate of U.D. Guthrie, et al.*
- Summary judgment granted in favor of defendants in suit alleging hostile working environment and violations of First Amendment rights. *Tompkins v. Montgomery County Board of Education, et al.*
- Summary judgment granted in favor of defendant in suit alleging violations of Title VII, 42 U.S.C. § 1981, and 42 U.S.C. § 1983. *Thomas v. Autauga County Board of Education.*
- Judgment in favor of the Board following a three-day bond validation trial. *Montgomery County Board of Education v. Citizens of Montgomery County, Alabama*
- Board granted unitary status following three days of fairness hearings. *Lee v. Autauga County Board of Education.*
- Dismissal of case where Plaintiffs alleged decision of administrative law judge was not supported by legal evidence, administrative law judge incorrectly applied the law to the facts, and proceedings did not comply with the Students First Act and due process. *Richard Streetman, et al. v. Montgomery County Board of Education, et al.*

## Practice Areas

Commercial & Complex Litigation

Education

Labor & Employment

Governmental Entities

## Bar Admissions

ALABAMA

1969

FLORIDA

1972

U.S. SUPREME COURT

U.S. CIRCUIT COURTS

Fifth Circuit  
Eleventh Circuit  
U.S. DISTRICT COURTS  
Northern District of Alabama  
Middle District of Alabama  
Southern District of Alabama  
U.S. COURT OF FEDERAL CLAIMS  
U.S. COURT OF INTERNATIONAL CLAIMS

## Education

1969

University of Alabama School of Law  
Tuscaloosa, Alabama, J.D.

Honors:

- Bench and Bar Legal Honor Society

1966

University of Alabama  
Tuscaloosa, Alabama, B.A.

## Associations

ALABAMA STATE BAR ASSOCIATION

Member

President (1993-1994)

Board of Commissioners (1987-1992)

Disciplinary Commission (1990-1992)

Executive Committee (1988-1990)

MONTGOMERY COUNTY BAR ASSOCIATION

Member

President (1986)

Board of Directors and Secretary (1982-1985)

ALABAMA COUNCIL OF SCHOOL BOARD ATTORNEYS

President (1999-2000)

ALABAMA LAW FOUNDATION

President (1997-1999)

## SOUTHERN CONFERENCE OF BAR PRESIDENTS

President (1993-1994)

## ALABAMA DEFENSE LAWYERS ASSOCIATION

Board of Directors

## COUNCIL OF SCHOOL ATTORNEYS

Member

## Classes Taught

Top Human Resource Mistakes that Land in Court, Council for Leader in Alabama Schools, 2015

School Law I, Alabama Association of Association of School Business Officials, 2006, 2007, 2008

School Law I, Autauga County Board of Education, 2007

Health Care Issues in the School Environment, Alabama Council of School Board Attorneys, 2006

Fair Labor Standards Act: A New Round of Lawsuits, Alabama Association of Office Personnel, 2005

Fair Labor Standards Act: Avoiding and Defending Litigation, National School Board Association Council of School Attorneys

Fair Labor Standards Act: A New Round of Lawsuits, South Carolina School Boards Association

Fair Labor Standards Act, University of North Carolina, Institute of Government

Fair Labor Standards Act, New Principals Institute, 2005

Fair Labor Standards Act, Kentucky School Boards Association

Arbitration in Alabama, AIM CLE Seminar

Hot Topics in School Law in Alabama, Lorman Education Services

Education Law Institute, Western Kentucky University

Fair Labor Standards Act, Dallas County Board of Education

Sexual Harassment, Lorman Education Services

Guide to Alabama Teacher Tenure and Fair Dismissal Act Law, Montgomery County Public Schools Administrative Council

Employment Law, Alabama Association of School Office Personnel

Education Law Review, Alabama Council of School Board Attorneys, 2003-2004

Employment Law, Alabama Association of School Business Officials

Purchasing, Alabama Association of School Business Officials, 2002

Instructor, Jones Law Institute, 1976-1979

