



## R. Ashby Pate

Partner

Birmingham

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### Ashby may have one of the most interesting **resumes** of any Alabama lawyer.

A former justice on the Supreme Court of the island nation of Palau, Ashby presided over hundreds of cases as a trial and appellate judge there — and he helped create that country’s first-ever jury trial system. He also served as a judicial clerk for U.S. District Court Judge U.W. Clemon, one of Alabama’s civil rights pioneers. He was the editor-in-chief of the *Law Review* for Samford University’s Cumberland School of Law, and he later earned an LL.M. from the University of East Anglia in Norwich, England, where he graduated first in his class and was awarded the Sir Roy Goode Prize in international law. He is also one of only 50 distinguished lawyers and judges in Alabama currently serving on the American Law Institute, and was inducted as a Fellow into the Alabama Law Foundation in 2020, an honor limited to only 1% of all members of the Alabama Bar. Ashby draws on all of this unique experience in his general commercial defense practice, which focuses on appellate work, catastrophic injury, commercial plaintiffs’ litigation and complex government litigation and investigations.

A true advocate at heart, Ashby is frequently involved in some of the firm’s most important — and sometimes controversial — matters. For example, he was appointed co-prosecutor in the widely publicized judicial ethics trial of Alabama’s “Ten Commandments” judge, Chief Justice Roy Moore. Ashby delivered closing arguments in the trial, arguing that an Administrative Order issued by the Chief Justice constituted defiance of the U.S. Supreme Court’s same-sex marriage decision in *Obergefell v. Hodges*. In a unanimous verdict, the Alabama Court of the Judiciary suspended the chief justice from office for the remainder of his elected term, without pay.

Ashby is also a sought-after public speaker. A recent speech of his, “Be the Light,” stresses the importance of human connection in the practice of law and has resulted in Ashby being invited to speak to organizations throughout the country. He has delivered a keynote address, alongside

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### PRACTICE AREAS

Arbitration & Mediation Services  
Class Actions  
International Disputes  
Pharma & Medical Device  
Complex Government Litigation & Investigations

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### EDUCATION

Norwich Law School (LL.M., *first in class; highest distinction*)  
Samford University, Cumberland School of Law (J.D., *magna cum laude*)  
University of Colorado, Boulder (B.A., *summa cum laude with highest distinction*)

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### BAR ADMISSIONS

Alabama  
District of Columbia

U.S. Supreme Court Justice Anthony Kennedy, to the U.S. Court of Appeals for the 9th Circuit, given presentations to the American College of Trial Lawyers' Annual Meeting in Hawaii and the Defense Research Institute's Annual Meeting in San Francisco. He has also spoken to numerous other legal and judicial organizations in Alabama, Wyoming, South Carolina, Pennsylvania, Louisiana, Tennessee and many more.

Prior to law school, he toured across the Southeastern United States in two different bands, releasing **two albums of original music**. Ashby is also the author of a children's book about Palau, titled Sweet Dreams Palau, published by the Etpison Museum.

## JUDICIAL CLERKSHIPS

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Judge U. W. Clemon, U.S. District Court for the Northern District of Alabama

Chief Justice Arthur Ngiraklsong, Supreme Court of Palau

## PROFESSIONAL ORGANIZATIONS

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Alabama Law Foundation, Fellow (2021)

American Cancer Society, Board Member

American Law Institute, member (2014-present)

Birmingham Airport Authority, Board of Directors (2020), Economic Development and Capital Projects Committee, Chair (2020), PR and Business Development Committee, member (2020), Board Secretary (2022)

International Association of Defense Counsel (IADC), member (2017-present)

Leadership Birmingham, Fellow (2023)

## AWARDS

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Alabama State Bar Leadership Forum (2018)

*Benchmark Litigation*, "Future Star" (2021)

*Benchmark Litigation*, "Litigation Star" (2022-24)

*The Best Lawyers in America*® by BL Rankings — Appellate, Commercial Litigation, Personal Injury Litigation (2021-24)

*Birmingham Business Journal*, "Top 40 Under 40" (2017)

*Birmingham Magazine*, "Top Birmingham Attorneys" (2018)

*Birmingham Magazine*, "Top International Law Attorney" (2013)

*Chambers USA*, "Up and Comer" for Litigation (Alabama)

Cumberland School of Law, "Alumnus of the Year" (2017)

*Mid-South Super Lawyers* by Thomson Reuters — Civil Litigation (2023-24)

United Nations Judicial Summit in Hong Kong, delegate (2015)

## PRESENTATIONS AND PUBLICATIONS

Presenter, "The Art of the Story: How good storytelling makes great legal advocacy," South Carolina Bar Annual Meeting (2020)

Presenter, "Be the Light," American College of Trial Lawyers (2016)

Quoted, "The Clear Opener: How to avoid mucking up the most crucial part of discourse" by Bryan A. Garner, *The American Bar Association Journal* (Aug. 15, 2014)

Presenter, "The Big Wet Now: Observations for Young Internationalists," The Dean Rusk Center for International Law and Policy (2013)

Author, "Blood Libel: The Conscriptation of the Law of Defamation into a Legal Jihad Against the West - and How to Stop It," *First Amendment Law Review* (Spring 2010)

Editor, *Republic of Palau Reports*, Volume XVI, 16 ROP 1 (2010)

"The Future of Harmonization: Soft Law Instruments and the Principled Advance of Lawmaking" (2009)" (2009)

Constitutional Law—Public Use Clause—Use of Eminent Domain to Promote Economic Development Held Constitutional (2007)

Editor-in-Chief, *The Cumberland Law Review*, Volumes I, II, & III, 37 CUMB. L. REV. 1 (2006-07)

Jury Trial Rules for the Courts of the Republic of Palau, Promulgated by the Palau Supreme Court

## COURT ADMISSIONS

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United States Supreme Court

Eleventh Circuit Court of Appeals

United States District Court for the Northern District of Alabama

United States District Court for the Middle District of Alabama

United States District Court for the Southern District of Alabama