TRAUB LIEBERMAN



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bsmith@tlsslaw.com

SERVICES

Construction Law

General Liability

Insurance Coverage / Reinsurance

Premises Liability

Bad Faith & Extra-Contractual

Claims Management

Product Liability

Burks A. Smith, III

PARTNER

Burks brings his own brand of hard work, efficiency, and surgical precision to every case that he handles, from the inception of claim handling all the way through jury trial and beyond.

As a seasoned trial lawyer who has amassed an impressive record of consistent success and positive results, Burks Smith is committed to providing his insurance industry clients with value-added service. His detail driven approach to litigation, together with his efficiency and advocacy skills, often result in his clients resolving cases faster and at lower cost because of his involvement. Burks' professional accomplishments have earned him the respect of clients and colleagues alike, including his designation by Florida *SuperLawyers* as a Rising Star in 2010, 2011, 2015, 2016, 2017, 2018, and 2019.

A partner in the firm's St. Petersburg office, Burks has spent almost 20 years litigating both first and third-party insurance disputes, from claim inception through trial. He primarily practices in the areas of direct first-party insurance defense, third-party insurance defense, complex insurance coverage litigation, construction litigation, premises liability, negligence defense, and high exposure bodily injury matters.

Burks currently represents major insurance carriers in cases involving property coverage disputes, sinkholes and ground subsidence claims, hurricanes and other catastrophic weather events, water damage, mold, collapse claims, theft claims, and fire losses. He has defended lawsuits involving virtually every cause of loss, and has resolved these matters through mediations, appraisals, arbitrations, and trial — both jury and non-jury — in almost every jurisdiction in the State of Florida.

In addition to first party coverage work, Burks defends insureds in connection with litigation over premises liability, construction defects, torts and personal injury, negligence, landlord liability, defamation, boating accidents, motor vehicle accidents, and other claims. His third-party practice also focuses on more complex matters, such as product liability cases, environmental disasters, pollution exposure, deceptive and unfair trade practices, and trademark/patent infringement litigation.

In addition to defense of litigation, Burks also provides insurance carriers and their insureds with legal advice regarding insurance coverage, claim handling, policy language, and risk management. He also frequently lectures on up-and-coming coverage issues, new litigation tactics promulgated by the Plaintiffs' bar, as well as specific liability and risk exposures faced by both insurance carriers and their insureds.

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Burks obtained his undergraduate degree in Finance, with a minor in Business law, as well as his Master of Business Administration (M.B.A.) from the Stetson University School of Business Administration. He earned his law degree, *cum laude*, from Stetson University College of Law, where he received the Victor O'Wehle Award for Excellence in Trial Advocacy, and was a member the moot court team that won First Place in the Willem C. Vis International Commercial Arbitration Moot in Vienna, Austria. Burks received an honorable mention for Best Oralist at the Vis Moot the year prior as well.

When not serving his clients, Burks enjoys spending time on the water, in the pool, boating, and with his family and friends.

EDUCATION

- Stetson University College of Law, J.D., *cum laude*
- Stetson University, M.B.A.
- Stetson University, B.B.A.
  - Major: Finance, Minor: Business Law

BAR ADMISSIONS

- Florida

COURT ADMISSIONS

- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida

PROFESSIONAL & COMMUNITY AFFILIATIONS

- The Florida Bar
- St. Petersburg Bar Association
- The Order of Barristers

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NOTEWORTHY

- 1st Place, Willem C. Vis International Commercial Arbitration Moot, Vienna, Austria (2005)
- Best Oralist, Florida Pre Vis Moot Competition, Orlando, Florida (2005)
- Victor O'Wehle Award for Excellence in Trial Advocacy, Stetson University College of Law (2005)
- Honorable Mention, Best Oralist Award, Willem C. Vis International Commercial Arbitration Moot, Vienna, Austria (2004)

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