

HALL BOOTH SMITH, P.C.



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Partner

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Biography

Derek M. Newberry is a partner in Hall Booth Smith's Charleston office, with a practice encompassing the full spectrum of construction defect, professional malpractice, medical malpractice, product defect, personal injury, wrongful death, and property damage litigation. Derek also assists professionals before state licensing boards and is a Certified Circuit Court Mediator.

Derek has received a number of professional recognition, including: (a) by Best Lawyers® as "One to Watch," a recognition given to young lawyers for professional excellence in private practice; (b) as a Rising Star by South Carolina's Super Lawyers magazine (2022 and 2023), and (c) as AV® Preeminent™ Peer Review Rated by Martindale-Hubbell for his legal knowledge, communication skills, and ethical standards. Derek is also actively involved in the South Carolina Defense Trial Attorneys Association and previously served as the President of its Young Lawyers Division.

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Before joining Hall Booth Smith in 2016, Derek practiced for seven

Services

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years with a South Carolina litigation firm and was the lead full-time lawyer in its Charleston office.

Derek earned a Juris Doctor from the Charleston School of Law, where he received the CALI Award for excellence in Legal Research and Writing. He completed a Bachelor of Arts at Wofford College, where he was a scholarship member of Wofford's football team, a two-year starter at outside linebacker, an Academic All-American Nominee, and a four-time Academic All Southern Conference performer.

Born near St. Louis, Missouri, Derek still claims it as his hometown even after moving around to Colorado, Louisiana, and Texas during his early years.

Derek lives in Charleston with his wife, Erin, and three young sons. In his free time, Derek enjoys surfing, live music, and watching or attending sporting events of all kinds.



Experience

Derek's experience includes:

- Architects, engineers, and contractors in design and construction defect litigation.
- Product manufacturers in product defect litigation, including serving as South Carolina litigation counsel for an international exterior cladding manufacturer.
- Medical professionals in malpractice litigation.
- Businesses of various sizes in serious personal injury litigation.
- Transportation companies in incidents involving personal injury and property damage.

Construction

Derek defends design professionals (architects, structural engineers, civil engineers, mechanical engineers, and geotechnical engineers), contractors (both general contractors and subcontractors), and product manufacturers in complex, multi-

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party and class-action design, construction, and construction material defect litigation in both state and federal courts.

His experience includes litigation arising from civil infrastructure projects, commercial projects, and residential projects ranging in size and complexity, including resolving numerous cases in which alleged damages exceeded \$25,000,000.

General Liability

Derek defends businesses facing general liability claims of nearly all types, including, among other things, automobile/trucking accidents, premises liability, defamation, assault and battery, false imprisonment, fraud, negligent misrepresentation, unfair trade practices and negligent hiring, supervision, and retention.

Medical Malpractice

Derek defends medical professionals, including physicians, nurses, chiropractors, and paramedics in lawsuits alleging breaches of the standard of care. His experience includes resolving numerous wrongful death and personal injury matters.

Products Liability

Derek defends product manufacturers, suppliers, and retailers in multi-million dollar claims arising from alleged product defects, failure to warn, and unfair trade practices. He currently serves as South Carolina litigation counsel for an international building cladding manufacturer and, over the course of his career, has handled product claims involving building finish systems, vape products, medical devices, surgical dressing, baby formula, and propane devices, among others.

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Professional Malpractice & Ethics

Derek defends alleged breaches of the standard of care by architects, engineers, real estate agents, chiropractors, medical facilities, home health agencies, and paramedics. His experience includes defending numerous cases involving wrongful death, personal injury, and property damage.

Credentials

Admitted

State Courts:

- South Carolina

U.S. District Courts:

- U.S. District Court for the District of South Carolina

Education

- J.D., Charleston School of Law
- B.A., Wofford College

Memberships

- South Carolina Defense Trial Attorneys Association, Young Lawyers Division, Past President

Recognition

- [AV Preeminent® Peer Review Rated™](#), High Ethical Standing; Martindale-Hubbell
- [South Carolina Rising Star](#), Super Lawyers®, 2022-2024

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- *Best Lawyers: Ones to Watch® in America*, Best Lawyers®, 2021-2024
 - Awarded in: Construction Law, Medical Malpractice Law - Defendants, Product Liability Litigation - Defendants
- Legal Elite, Charleston Business Magazine, 2022

Presentations

- **Hot Button Legal Issues for South Carolina Design Professionals**
ACEC-SC/SCSPE Winter Meeting; Columbia, South Carolina; February 2015
- **Hot Topics in Construction Law: Why the Economic Loss Rule is Alive for Residential Construction Product Manufacturers**
Annual Meeting of the South Carolina Defense Trial Attorneys Association, November 2014

In the Press

HBS Charleston Attorneys Selected as 2024 South Carolina Rising Stars

April 30, 2024

HBS is proud to announce

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Charleston Partner Derek M. Newberry and Attorney M. Shanter Chaparro have been recognized on the Super Lawyers 2024 South Carolina Rising Stars List for their experience in Construction Litigation matters.

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34 Hall Booth Smith Lawyers Named to 2024 Best Lawyers: Ones to Watch® in America

August 22, 2023

Hall Booth Smith is pleased to announce that 34 lawyers have been included in the 2024 edition of Best Lawyers: Ones to Watch® in America. The award recognizes associates and other lawyers who are earlier in their careers for their outstanding professional excellence in private practice in the United States.

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Charleston Business Magazine Honors Twelve HBS Attorneys as 2023 Legal Elite

August 17, 2023

Hall Booth Smith is proud to announce twelve of its attorneys were selected to be among Charleston Business Magazine's 2023 Legal Elite, the only regional awards program that allows every active attorney to nominate and vote for their peers across 26 categories.

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Super Lawyers 2023 South Carolina Rising Stars Honors Lauren Gresh & Derek Newberry

May 2, 2023

Hall Booth Smith celebrates

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Charleston Partners Lauren Spears Gresh and Derek M. Newberry as they have been recognized on the Super Lawyers 2023 South Carolina Rising Stars list. Lauren Spears Gresh Lauren was recognized for her work in medical malpractice defense matters. She defends medical professionals and facilities, including doctors, nurses, and hospitals against claims

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Hall Booth Smith Attorneys Recognized as 2023 Best Lawyers: Ones to Watch

August 18, 2022

Thirty-one lawyers from Hall Booth Smith, P.C. (HBS) have been honored as Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based on Best

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Lawyers®' highly selective

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Ten HBS Attorneys Named to Charleston Business Magazine's Legal Elite 2022

August 1, 2022

Hall Booth Smith is honored to announce ten firm attorneys were nominated and voted among Charleston Business Magazine's 2022 Legal Elite, the only regional awards program that allows every active attorney to nominate and vote for their peers across 26 categories. The selected attorneys will be recognized in the August publication of Charleston Business Magazine,

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Three Hall Booth Smith

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Charleston Partners Selected as Rising Stars in the 2022 South Carolina Super Lawyers Magazine

May 2, 2022

The 2022 edition of the South Carolina Super Lawyers Magazine recognized the law firm of Hall Booth Smith, P.C. (HBS) for its outstanding legal work, highlighting Charleston Partners Elizabeth Morrison, Derek Newberry and Lauren Spears Gresh on its list of Rising Stars. Partner Elizabeth “Liz” Morrison was recognized for her work in general defense. Liz

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Hall Booth Smith Attorneys Recognized as 2022 Best

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Lawyers: Ones to Watch

August 20, 2021

Thirty lawyers from Hall Booth Smith, P.C. (HBS) have been honored as Best Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based on Best Lawyers'® highly selective

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Hall Booth Smith Attorneys Recognized in the Inaugural Best Lawyers: Ones to Watch Edition

August 21, 2020

Twenty lawyers from Hall Booth Smith, P.C. (HBS) have been honored in the inaugural edition of the Best

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Lawyers: Ones to Watch. This recognition is given to attorneys, in a variety of practice groups, who are earlier in their careers for outstanding professional excellence in private practice in the United States. This honor is based

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Hall Booth Smith Creates Vaping/E- Cigarette Specialty Practice Group

January 29, 2020

In response to the rise in vaping lawsuits for alleged product liability and injury in the fast-growing but loosely regulated marketplace, Hall Booth Smith, P.C. has created a new specialty Vaping/E-Cigarette Practice Group to defend the manufacturers, distributors and retailers who sell vape hardware, pods and related supplies. The new Vaping/E-Cigarette Practice Group is led

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Hall Booth Smith Names New Partners in Atlanta, Birmingham, Brunswick, Charleston and Columbus

July 18, 2018

ATLANTA – Hall Booth Smith, P.C. is pleased to announce that it has named eight new partners at its offices across the Southeast, bringing the total to 103 firmwide. Walter J. Bibbins, Jr. is a Partner in the firm's Atlanta office whose practice focuses on products liability, medical malpractice, mass torts and transportation litigation. Litigating in both

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HBS Welcomes New Associate Derek Newberry to

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the Charleston Office

March 7, 2016

HBS is pleased to welcome Derek Newberry as a new associate in the Charleston office. Mr. Newberry's practice focuses on professional liability defense, construction litigation, commercial litigation, personal injury defense, and representing manufacturers in complex product defect litigation. He is AV® Preeminent™ Peer Review Rated by Martindale-Hubbell, the highest rating category that organization provides for legal knowledge,

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