HALL BOOTH SMITH, P.C.

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Partner

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BIOGRAPHY | EXPERIENCE | CREDENTIALS | MEMBERSHIPS | RECOGNITION | PUBLICATIONS | IN THE PRESS

Biography

Joseph “Trey” Thompson is a partner in the Charleston office with a range of experience litigating commercial disputes as well as catastrophic personal injury claims arising from premises, products, and toxic exposures. He has tried over 100 jury trial cases in state and federal courts in his nearly 30 years of practice. He has argued cases before the South Carolina Supreme Court and South Carolina Court of Appeals. As a result of his trial work, Trey has an understanding of how to conduct effective and efficient discovery to position his clients’ cases for presentation to a jury in an optimal light.

More +

While Trey enjoys the court room, he understands that clients typically do not. As a result, Trey works closely with his clients to develop strategies for moving a case toward resolution at mediation. Trey not only represents clients at mediations but also conducts them as a Certified Circuit Court Mediator, as qualified by the South Carolina Board of Arbitrator and Mediator Certification.

Trey’s speaking engagements have been as diverse as his

Services

Aging Services

Insurance Coverage

Labor & Employment

Premises Liability

Products Liability

Transportation

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litigation practice, presenting on topics such as the South Carolina Payment of Wages Act, the enforceability of non-compete agreements, the South Carolina “Lemon Laws”, and assorted topics relating to automobile insurance coverage and associated South Carolina statutes.

A sample of cases that Trey has tried to verdict include:

- The defense of two traumatic brain injury (TBI) cases.
- The defense of two allegedly defective hair care product cases involving a national retailer and an international hair care product manufacturer.
- The defense of a claim involving an alleged exposure to the chemical trichloroethylene.
- The defense of employment claims arising from alleged breach of employment agreements, specifically non-compete clauses.
- The defense of an international automobile manufacturer on a “lemon law” claim.
- The defense of a boat operator arising from a collision with another boat in a case tried under applicable maritime law.

When he is not in the office or the court room, you can find Trey with his family, on the golf course, or with a fishing rod somewhere in the Charleston harbor.

Experience

Aging Services

Trey uses his extensive trial experience and problem solving skills to provide clients in the long-term care setting with the guidance and analysis necessary to navigate litigation which is often complicated by statutory and regulatory hazards and voluminous document production. While few long term cases see a court room, attorneys suing Trey’s clients know that if the case is not resolved, there is a more than capable trial lawyer on the other side who will offer a formidable defense before a jury.

Employing a team approach, Trey works closely with his

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associates, paralegals and facility management to develop and present the most favorable defense in cases involving allegations of falls, ulcers, abuse and neglect, and failure to thrive in both assisted living and skilled nursing facilities.

Insurance Coverage

Before he tried his first case as a young associate in a court of unlimited jurisdiction, Trey had “ghost written” legal opinions on a wide variety of insurance coverage issues for his supervising insurance-defense-based litigation partners. Over the years, Trey earned the trust and confidence of multiple insurance carriers to deliver timely and comprehensive analyses of difficult coverage questions arising under automobile and commercial general liability insurance policies.

Of course, writing a coverage opinion is one thing; defending the coverage decision and/or pursuing a declaratory judgment in court is another thing altogether. Given his extensive courtroom experience, Trey has the knowledge and ability to file the appropriate legal action on behalf of an insurance client and litigate the coverage issue through verdict and the appellate courts.

Labor & Employment

Trey’s work in the employment litigation field has generally concerned state law claims such as breach of employment contracts, breach of non-competition clauses, wrongful termination, and the South Carolina Payment of Wages Act. He has argued a non-compete case before the South Carolina Supreme Court and a Payment of Wages Act claim before the Court of Appeals.

Trey uses his litigation experience to provide general counsel legal services to a locally based, national sign company on employment issues, all designed to eliminate costly litigation involved with hiring, retention, and termination decisions.

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Premises Liability

Retail and hospitality is near and dear to Trey's litigation heart. Who would have predicted that as a lawyer, he would have the opportunity and privilege to represent the same quick service restaurant corporation that he flipped burgers for as a teenager? Of course, Trey has represented a much broader spectrum of clients in the retail and hospitality industry on claims ranging from slip-and-falls to negligent security, to indemnity claims between retailer and supplier/manufacturer.

He has defended property owners of retail strip malls and apartment complexes for injury claims allegedly the result of an assortment of defective conditions, and he has defended bar and restaurant owners in dram shop cases (alleged inappropriate service of alcohol) and negligent security cases (assaults and batteries). In one case, Trey obtained a defense jury verdict for a pizza restaurant that allegedly served a pizza with glass baked into it (and consumed by a child). In another recent case, Trey defended an apartment complex owner following the unfortunate death of a seven year old child in the complex's pool. These are just a few examples of the kinds of cases that Trey's retail and hospitality clients have entrusted the defense of throughout his litigation career.

Products Liability

Since the beginning of his litigation career, Trey has been a member of larger, multi-practice law firms that have been "go-to" firms for products liability cases. Consequentially, Trey has had the opportunity to represent multiple clients in defense of alleged defective design, manufacturing, and instruction claims. In a recent case, Trey obtained a complete defense jury verdict for a multi-national personal care product company in an alleged defective manufacture and design of an ethnic hair care product. He then successfully defended the verdict before the South Carolina Court of Appeals.

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Just prior to that case, Trey obtained a nuisance value settlement for a regional garage door manufacturer in an alleged defective design and instructions case. Trey acknowledges and readily accepts the responsibility of a products liability case by spending the time and effort to learn and know the client's product as well as the client.

Transportation

While Trey's litigation practice has become multi-faceted over the years, the practice area that has remained a constant has been motor vehicle liability and insurance law. From the smallest property damage wreck case to the most substantial multi-fatality trucking accident case and difficult insurance coverage issues, Trey has successfully represented individuals and corporations in front of judges and juries at all trial court levels.

Trey has the ability to take on the toughest liability and medical causation questions presented in motor vehicle accident cases, using his trial experience to identify when, and which, skilled experts in fields such as accident reconstruction, biomechanics, and medical specialties should be retained in any particular case.

Because the geographic footprint of his practice extends across the state, Trey regularly advises and counsels clients on the peculiarities of venues in which motor vehicle liability cases may be filed and ultimately tried. Simply stated, Trey has the experience and depth of knowledge to manage any motor vehicle liability and insurance law case that might be encountered in South Carolina.

Credentials

Admitted

State Courts:

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- South Carolina

U.S. District Courts:

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

U.S. Courts of Appeals:

- U.S. Court of Appeals for the Fourth Circuit

Education

- J.D., *cum laude*, University of South Carolina, 1993
- B.S., Financial Management, Clemson University, 1989

Memberships

- Charleston County Bar Association
- DRI
- Mount Pleasant Presbyterian Church
- National Kidney Foundation: Member
    - Lowcountry Golf Classic Committee: Chair, 2011-2015
    - SC State Board of Directors: Member, 2013-2015
- South Carolina Defense Trial Attorneys Association, Former Board Member

Recognition

- *The Best Lawyers in America®*, Personal Injury Litigation - Defendants; Best Lawyers®; 2013-2026
- Legal Elite, Personal Injury - Defendant; *Charleston Business Magazine;* 2022, 2024
- Lawyer of the Year; Personal Injury Litigation - Defendants, Charleston, SC; Best Lawyers®, 2019
- Order of the Coif
- Order of the Wig and Robe

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Publications

- **Step-Down Provisions in Automobile Insurance Policies issued in South Carolina Deemed Unenforceable in Recent South Carolina Supreme Court Decision**
  HBS National Insurance Coverage Blog; March 25, 2021

In the Press

58 HBS Attorneys Recognized as The Best Lawyers in America® Award Recipients

August 16, 2024

Hall Booth Smith, P.C. is pleased to announce that 58 lawyers have been included in the 2025 edition of The Best Lawyers in America®

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HBS Charleston Attorneys Recognized as 2024 Legal Elite by Charleston Business Magazine

August 2, 2024

HBS is proud to announce five Charleston office attorneys were recognized among Charleston Business Magazine’s 2024 Legal Elite.

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55 Hall Booth Smith Lawyers Recognized as 2024 Best Lawyers® Award Recipients

August 21, 2023

We’re pleased to announce that 55 lawyers have been included in the 2024 edition

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of The Best Lawyers in America®.

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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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Hall Booth Smith Attorneys Honored by The Best

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Lawyers In America 2023

August 18, 2022

47 lawyers from the firm have been honored in the 2023 edition of The Best Lawyers in America.

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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

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Business Magazine,

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Hall Booth Smith Attorneys Honored by The Best Lawyers In America® 2022

August 19, 2021

We’re excited to announce that 25 HBS lawyers have been recognized in the 2022 edition of The Best Lawyers in America®.

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Step-Down Provisions in Automobile Insurance Policies issued in South Carolina Deemed

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Unenforceable in Recent South Carolina Supreme Court Decision

March 25, 2021

Written by: Joseph D. “Trey” Thompson, III In the recent case of Nationwide Mut. Fire Ins. Co. v. Walls, Opinion No. 28012, filed March 10, 2021, the South Carolina Supreme Court in a declaratory judgment action essentially eliminated an automobile liability insurer’s effort to enforce a “step-down” provision in an automobile liability insurance policy. Generally

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2021

August 20, 2020

Hall Booth Smith, P.C. (HBS) is pleased to announce 24 lawyers from the firm were honored in the 2021 edition of The Best Lawyers in America© . This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS

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Hall Booth Smith Attorneys Honored By The Best Lawyers In America© 2020

August 15, 2019

Hall Booth Smith, P.C. (HBS) is pleased to announce 24 lawyers from the firm were honored in the 2020 edition of The Best Lawyers in America© . This award is based on an evaluation

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process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS

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Hall Booth Smith Attorneys Honored by The Best Lawyers in America© 2019

August 15, 2018

Hall Booth Smith, P.C. (HBS) is pleased to announce 24 lawyers from the firm were honored in the 2019 edition of The Best Lawyers in America© . This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS

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Smith Attorneys Honored by The Best Lawyers in America©

August 21, 2017

Hall Booth Smith, P.C. (HBS) is pleased to announce 21 lawyers from the firm were honored in the 2018 edition of The Best Lawyers in America© . This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS attorneys and

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HBS Attorneys Honored by The Best Lawyers® in America

August 19, 2015

Hall Booth Smith, P.C. (HBS) is pleased to announce eleven lawyers from the firm

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were honored in the 2016 edition of The Best Lawyers in America®. This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS attorneys and

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HBS Attorneys Honored as The Best Lawyers in America

March 6, 2015

Hall Booth Smith, P.C. (HBS) is pleased to announce nine lawyers from the firm were honored in the 2015 edition of The Best Lawyers in America®. This award is based on an evaluation process that includes a collection of client and lawyer evaluations and peer reviews from attorneys in the same field. These HBS attorneys and

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Hall Booth Smith, P.C. is pleased to announce that Joseph D. “Trey” Thompson, III has joined the firm as a partner in the Charleston office

April 29, 2014

Hall Booth Smith, P.C. is pleased to announce that Joseph D. “Trey” Thompson, III, formerly of Haynsworth Sinkler Boyd, P.A., has joined the firm as a partner in the Charleston office. A trial lawyer with a range of experience litigating commercial and employment disputes as well as catastrophic personal injury claims arising from premises, products and toxic

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