

HALL BOOTH SMITH, P.C.



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Partner

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[BIOGRAPHY](#) | [EXPERIENCE](#) | [CREDENTIALS](#) | [MEMBERSHIPS](#) | [RECOGNITION](#) | [PRESENTATIONS](#) | [PUBLICATIONS](#) | [IN THE PRESS](#)

Biography

Rush S. Smith, Jr. has achieved Martindale-Hubbell's highest rating for legal ability and ethics for more than 20 years. He has been listed for the past 14 years as one of Georgia's "Super Lawyers" by *Atlanta Magazine* in a peer-reviewed selection process utilized around the country as well as in its Corporate Counsel edition.

He currently chairs the firm's Professional Liability practice and served as chair of the USLaw Professional Liability Practice Group from 2005-2007. He is a frequent speaker assisting the Georgia Bar's Institute for Continuing Legal Education, state and national professional associations' continuing education programs, and risk management seminars across the state.

Experience

Services

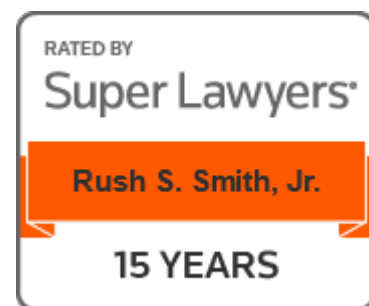
[General Liability](#)

[Health Care](#)

[Medical Malpractice](#)

[Products Liability](#)

[Professional Malpractice & Ethics](#)



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General Liability

Rush has litigated cases covering the full variety of civil matters from vehicular accidents to boundary line disputes to fraud and abuse cases for over 34 years.



Health Care

Rush represents hospitals' and physicians' practice groups across the state, providing counsel in regulatory matters, loss prevention issues, governmental regulatory compliance, and relationships with contractors. His more than 34 years of experience in handling civil litigation for hospitals, physicians, and practice groups makes him particularly well-suited to provide practical and useful guidance in loss prevention/loss management programs.

He regularly represents physicians and other health care professionals before the various licensing boards in the state as well as before the Administrative Courts in matters involving licensure and Medicare/Medicaid reimbursement. He served as a lobbyist for the Georgia Hospital Association in its successful effort to get a comprehensive Tort Reform package enacted in 2005.



Medical Malpractice

Rush is one of Georgia's leading medical malpractice defense lawyers, having defended physicians, hospitals, attorneys, and other professionals in jury trials across Georgia and in federal court for more than 34 years.

Products Liability

Rush has represented numerous manufacturers and retailers in product liability claims including heavy equipment, medical products, household appliances, and tools.

His cases include a successful defense of a wrongful death claim against an incubator manufacturer, pre-suit defense of a medical

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device death case involving a world-wide product recall, workplace injuries involving skid steer loaders, and hand-held power tools, among others.

Professional Malpractice & Ethics

Rush's practice includes the representation of attorneys in legal malpractice claims ranging from securities issues to alleged attorney fraud. He has specialized experience in representing attorneys in cases brought by bankruptcy trustees as they attempt to marshal debtors' assets. Additionally, he represents professionals sued for negligence, fraud and fiduciary breaches in nearly every other area of professional practice.

His practice includes the defense of organizations sued for criminal or civil misconduct of its employees including counseling centers and churches. His special understanding of the difficulties involved in representing directors and officers with varying degrees of interest and dedication to the defense has led to his successful representation of D&O claims in a variety of corporate environments including health care organizations.

Credentials

Admitted

State Courts:

- Georgia
 - Court of Appeals, Supreme Court

U.S. District Courts:

- U.S. District Court for the Northern District of Georgia
- U.S. District Court for the Middle District of Georgia

U.S. Courts of Appeals:

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- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Eleventh Circuit

Education

- J.D., Emory University, 1978
- Undergraduate Universitaet Stuttgart; Stuttgart, Germany; 1969-1970
- B.S., Physics, Georgia Institute of Technology, 1972

Memberships

- American Bar Association
- Atlanta Bar Association
- DRI
- Lawyers Club of Atlanta
- Professional Liability Underwriters' Society
- USLaw Network

Recognition

- [AV Preeminent® Peer Review Rated™](#), Martindale-Hubbell, 1989-2024
- [The Best Lawyers in America®](#), Best Lawyers®, 2013-2024
 - Awarded in: Commercial Litigation, Health Care law, Insurance Law
- [Georgia Super Lawyer](#), Super Lawyers®, 2005-2010; 2012-2024

Presentations

- **Mental Health Malpractice and Litigation**
State Bar of Georgia Institute for Continuing Legal Education; Psychiatric Malpractice Seminar; September 21,

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2000

- **Ethics & the Mental Health Professional; Malpractice Avoidance**

West Central Georgia Regional Hospital; April 29, 1999

- **Southern Council of Optometrists**

Medico-Legal Panel; April 26, 1999

- **Mental Health Professionals and Malpractice**

State Bar of Georgia Institute for Continuing Legal Education; Psychiatric Malpractice Seminar; September 24, 1998

More +

- **Grand Rounds Ethics Conference - Termination of Life Support**

Northside Hospital Medical Staff Lecture, September 1989

Publications

- **An Ethical Primer: Avoid Malpractice by Understanding the Pitfalls**

Professional Education Series; Inner Harbour Hospitals; May 25, 2000

- **Ethics In A Clinical Practice - A Lawyer's Perspective**

Inner Harbor Hospitals, Ltd; Professional Education Series; May 1991

- **Legal Ramifications Of Medical Record Documentation**

Ridgeview Institute Medical Staff Conference; June 6, 1990

- **Record Keeping Practices Of Psychotherapists: Empirical Findings And Implications For The Practitioner**

Georgia Psychological Association Annual Meeting, May 1989

More +

- **Advanced Insurance Law Seminar: Professional Liability Cases And Coverage**

Alabama State Bar Institute Of Continuing Legal Education, May 1989

- **Avoiding Malpractice**

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Georgia Psychological Association and Georgia Chapter of the American Academy of Psychiatry and Law and Institute of Continuing Legal Education in Georgia; December 16, 1988

- **Georgia Trial Advocacy: Trial Techniques/Direct Examination and Cross-Examination**
Georgia State University Center for Continuing Legal Education College of Law, November 1988
- **Management/Quality Assurance For Operating Room Supervisors**
MediVision, Inc.; Boston, Massachusetts; September 1988
- **Georgia Trial Advocacy: Pre-Trial Preparation/Foundation Of Litigation**
Georgia State University Center for Continuing Legal Education College of Law, September 1988
- **Georgia Trial Advocacy: Pre-Trial Preparation/Case Management And Negotiations In Settlement**
Georgia State University Center for Continuing Legal Education College of Law, September 1988
- **Negotiating Attorneys' Fees In Civil Rights Cases: Ethical Dilemma/Ethics From The Defendant's Viewpoint**
Atlanta Chapter, National Lawyers Guild; December 1985
- **The Civil Jury Trial: Cross-Examination**
Institute of Continuing Legal Education in Georgia, April 1984

In the Press

[HBS Partners Selected to 2024 Georgia Super Lawyers List](#)

February 8, 2024

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HBS is proud to announce that Atlanta Partners John E. Hall, Jr. and Rush S. Smith, Jr. along with Alpharetta Partner C. Michael Johnson have been recognized on the 2024 Georgia Super Lawyers list by Super Lawyers.

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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 of The Best Lawyers in America®.

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4 Georgia HBS Attorneys Honored in the 2023

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Super Lawyers Magazine

February 9, 2023

GEORGIA - February 9, 2023

- We are excited to congratulate John E. Hall, Jr., Rush S. Smith, Jr., C. Michael Johnson, and James B. Durham as they have been recognized for their outstanding legal service and selected to the 2023 Georgia Super Lawyers list once again. John E. Hall, Jr. John Hall was honored

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Hall Booth Smith Attorneys Honored by The Best 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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Hall Booth Attorneys Selected as Super Lawyers in the 2022 Georgia Super Lawyers Magazine

February 14, 2022

In the 2022 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as six of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., C. Michael Johnson, Thomas Mazziotti, Rush S. Smith, Jr. of the

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Hall Booth Smith Attorneys Honored by The Best Lawyers In

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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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Six Hall Booth Attorneys Selected as Super Lawyers in the 2021 Georgia Super Lawyers Magazine

February 16, 2021

In the 2021 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as eight of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., C. Michael Johnson, Thomas Mazziotti, Rush S. Smith, Jr. of the

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Hall Booth Smith Attorneys Honored By The Best Lawyers In America© 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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HBS Attorneys Recognized as 2020 Georgia Super Lawyers

February 17, 2020

In the 2020 edition of the Georgia Super Lawyers

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magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as eight of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., Michael Hannan, C. Michael Johnson, Thomas Mazziotti, Rush S. Smith, Jr.

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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 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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HBS Attorneys Recognized as 2019 Georgia Super Lawyers

February 18, 2019

In the 2019 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as seven of its attorneys are on the list of Super Lawyers: John E. Hall, Jr., Thomas Mazziotti, Rush S. Smith, Jr. and Terrance Sullivan of the

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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

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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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Hall Booth 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 **Recognized in** **2017 Georgia** **Super Lawyers**

February 21, 2017

In the 2017 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as seven of its attorneys are on the list of Super Lawyers: Phillip E. Friduss, John E. Hall, Jr., and Rush S. Smith, Jr. of the Atlanta office; James B. Durham and N. Daniel

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HBS Attorneys **Recognized in** **2016 Georgia** **Super Lawyers**

February 22, 2016

In the 2016 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as nine of its attorneys are on

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the list of Super
Lawyers: Alex H.
Booth, Phillip E. Friduss, John
E. Hall, Jr., and Rush S. Smith,
Jr. of the Atlanta office; James
B. Durham and N.

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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
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

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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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HBS Attorneys Recognized by Georgia Super Lawyers Magazine

March 2, 2015

In the 2015 edition of the Georgia Super Lawyers magazine, the law firm of Hall Booth Smith (HBS) will once again be recognized for its outstanding legal work as five of its

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attorneys will be on the list of Super Lawyers: Alex H. Booth, John E. Hall, Jr., and Rush S. Smith, Jr. of the Atlanta office; Daniel Lovein of the Brunswick office; and Anthony

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[Atlanta Magazine Names HBS Attorneys to the Super Lawyers List 2012](#)

February 22, 2012

The law firm of Hall Booth Smith (HBS) has once again been recognized for its outstanding legal work. Alex H. Booth, John E. Hall, Jr., Jack G. Slover, and Rush S. Smith, Jr. of the Atlanta office and Anthony A. Rowell of the Tifton office were recently named to the list of Georgia's "Super Lawyers 2012"

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Rush S. Smith, Jr. Will Speak at the Council On Litigation Management Annual Conference

November 18, 2010

Hall Booth Smith's Rush S. Smith, Jr. Will Speak at the Council On Litigation Management Annual Conference. The conference will take place March 23 - 25, 2011 in New Orleans. Mr. Smith's plenary presentation: 5 Minute Drill "Effective Communication for Counsel and Adjusters: Death by Email."

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HBS attorneys speaking at the 2010 Fall CME Conference

October 28, 2010

On November 6, 2010, John E. Hall, Jr., Rush Smith,

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Ashley Purcell, Shaun Daugherty, and Don Benson will speak at the Georgia Osteopathic Medical Association's 2010 Fall CME Conference. The panel discussion will be on "Common Medical Errors and How to Prevent Them." The conference will be at the Atlanta Marriott Gwinnett Place in Duluth, GA

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Super Lawyers Magazine Honors HBS Attorneys

January 4, 2010

Super Lawyers Magazine has just announced it's 2010 selection of Super Lawyers and Rising Stars. Once again, HBS is honored that nine of our attorneys have been included in the publication's upcoming edition. We congratulate this year's Rising Stars – Chip Benton, Jason King, Denise Spitalnick, and Shaun Daugherty; and this year's Super Lawyers – John E.

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