



## Alexander V. Makarenko

Associate

[alex.makarenko@wilsonelser.com](mailto:alex.makarenko@wilsonelser.com)

Birmingham, AL – 205.709.8987

Alex Makarenko focuses his practice on commercial transportation litigation. He has experience defending claims related to automobile liability, construction defect, premises liability and workers' compensation.

Prior to joining Wilson Elser, Alex practiced with a Birmingham, Alabama, firm specializing in insurance defense, where he represented insurance companies and self-insured companies in contract and tort litigation, focusing on construction defects, transportation, premises liability and uninsured motorist coverage

### Education

- Cumberland School of Law (J.D., 2021)
- Birmingham Southern College (B.B.A., 2017)

### Bar Admissions

- Alabama

### Court Admissions

- U.S. District Court, Northern District of Alabama
- U.S. District Court, Middle District of Alabama

### Professional Affiliations

- Alabama Defense Lawyers Association

### Services

- Transportation

# Representative Matters

Alex has obtained summary judgment and defense verdicts on behalf of his clients in state court.

## Client Wins

### **Young and Makarenko Secure Summary Judgment for National Retailer in Premises Liability Case**

Rebecca Young (Partner-Birmingham, AL) and Alexander Makarenko (Associate-Birmingham, AL) won summary judgment for a national retailer client that faced various premises liability claims following an injury caused during construction to the entryway of the retail store. The plaintiffs' claims included negligence and wantonness, invoking punitive damages. Additionally, the plaintiff sought more than half a million dollars for medical costs, pain, suffering, and future limitations. Rebecca and Alex filed a motion for summary judgment on all claims, arguing that the plaintiff failed to properly establish that her injury was caused by the allegedly dangerous conditions at the entrance of the store, that the defendant had fulfilled its duty to warn of the construction conditions, and that the plaintiff could have avoided injury by exercising reasonable care. After briefing and oral arguments, the Madison County Circuit Court, agreed that summary judgment was appropriate and disposed of all claims.

### **Birmingham Team Obtains Dismissal of Tort Claims in Construction Defect Case**

Rebecca Young (Partner-Birmingham, AL) and Alexander Makarenko (Associate-Birmingham, AL) obtained dismissal of all tort claims brought against Wilson Elser's construction contractor client in a construction defect case in Alabama Circuit Court, Jefferson County. The plaintiffs' claims included negligent hiring and supervision and wantonness, invoking punitive damages. Additionally, the plaintiffs sought damages beyond property loss, including consequential damages for loss of income, emotional distress and mental anguish, and the reimbursement of medical costs. Rebecca and Alex filed a motion to dismiss, arguing that the plaintiffs executed a limited warranty agreement waiving all claims against the client except for breach of contract and limiting relief solely to the repair or replacement of latent defects. After briefing and oral arguments, the court concurred that the warranty applied, dismissing all claims outside the limited warranty.