

THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION

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EVENTS AT A GLANCE

6/24	SBA Membership Meeting 12:00 noon - Via Zoom
8/20	SBA and YLS Lunch & Learn 11:00 a.m. - SBC
9/21	Annual Golf Tournament 12:30 p.m. - Southern Trace Country Club
9/23	SBA Monthly Luncheon 12:00 noon - Petroleum Club of Shreveport.
9/24	SBA and YLS Lunch & Learn 11:00 a.m. - SBC



From The President

by Tom Arceneaux, President, tarceneaux@bwor.com

AND THE HITS JUST KEEP ON COMING!

If you listened to pop radio in the 1960s and 1970s, your favorite music radio station (remember those?) probably used that line in recorded or live promotions encouraging you to listen to the station.

In the year of COVID-19, the phrase takes on new meaning. Most of us have taken quite a few hits, if not to our physical and mental well-being, then at least to our pocketbooks. Your Shreveport Bar Association is no exception. A little history about the Association and its funding over the 44 years, less one, that I have been a member might help illuminate the issues.

I graduated from law school in May 1976. At that time, the Shreveport Bar Association funded itself almost exclusively by member dues. It had no employees. Most lawyers belonged and participated personally.

Sometime in the late 1980s, more local bar associations hired paid staff to handle the administrative part of association business. Under the leadership of the late past president Honorable Charles B. Peatross, the Association decided it could use at least a part-time executive director better to serve its members. In the mid-1990s, the SBA hired an executive director and maintained a small office in the Slattery Building.

After the Krewe of Justinian formed, the Association had its first real infusion of non-dues revenue. Initially, the Krewe's income and expenses were direct income and expenses of the SBA, generating net income for the SBA. After the finances became separate in 2001 (although the Krewe still is technically an SBA committee), the Krewe donated some of its excess funds to assist the SBA.

With mandatory continuing legal education, the SBA and other bar associations found another reliable source of non-dues revenue. The additional revenue from CLE allowed the SBA to maintain a stable and affordable dues structure and to add staff better to serve the public and the members of the SBA. It eventually permitted the Krewe of Justinian to direct its contributions to the Shreveport Bar Foundation and the Foundation's efforts to serve underserved persons with legal needs.

There is huge competition for the CLE business. Because most agencies regulating CLE required most hours of CLE to be attended in person, rather than online, live seminars and presentations had a competitive advantage. At least for the balance of 2020 in Louisiana, that advantage no longer exists. Under a recent Louisiana

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IMPORTANT NOTICE

Due to Covid-19, all scheduled SBA activities are subject to change, rescheduling or cancellation.

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Continued from page 1

Supreme Court order issued in response to the COVID-19 circumstances, a Louisiana lawyer may complete all of his or her CLE hours online. It was the right decision, but it has financial ramifications.

A number of CLE providers also offer CLE for free or very inexpensively. The combination of on-demand availability and little or no cost creates a significant challenge to in-person, for-fee CLE.

How big a deal is this for the SBA? Pretty doggoned big. SBA's net income from CLE for the past three years (round numbers) has been \$87,000 in 2017, \$84,000 in 2018, and \$73,000 in 2019. The 2020 budget estimated net CLE income at \$76,400. CLE contributes about 40% of the SBA's budgeted income after subtracting CLE expenses.

As the above figures illustrate, net CLE income has been declining, but not as threateningly as the likely hit this year. Your Association's CLE committee, headed by Judges Frances and Michael Pitman, has been giving serious thought to this year's CLE offerings, with an eye toward the future as well.

To adjust to a "new normal," SBA's CLE offerings this year will include an "online" option (Zoom, Web-X or

another version). Some may also include an in-person option, depending on prudent health procedures at the time. We are also developing some "on demand" options for online CLE, and the Association will offer more CLE on a per-hour basis.

Particularly this year, we ask for your support of the SBA's CLE offerings. We believe they will be excellent, and, frankly, we need your financial support to continue the level of member value we provide as well as to continue our programs that benefit the community without increasing dues. Currently, we do not believe an increase in dues would result in increased aggregate gross revenues.

In addition to the CLE thoughts, your Executive Council has pulled the trigger on a digital-only *Bar Review*. In the face of what surely will be declining net revenues, this was a decision fueled as much by necessity as technology. Those of you who like to hold the *Bar Review* in your hands, and I am one of you, please print it out or have a tech-savvy colleague or friend do that.

Speaking of those 1960s hits, one of my favorite Bob Dylan songs is "The Times They Are a-Changin'" (1964). Well, they certainly are. We invite your thoughts and ideas of how your Shreveport Bar Association should change with them.



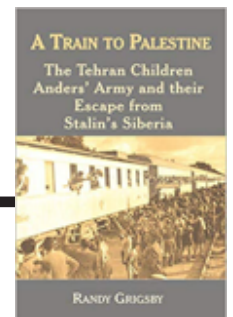
A Rare Opportunity

by Tom Arceneaux, arceneaux@bwor.com

Just because we are not meeting in person on June 24, don't let that dissuade you from attending the meeting on Zoom. You will be blessed and inspired.

Author Randy Grigsby is a personal friend. He is unassuming and humble, very quiet and reserved. Under that quiet exterior lies a passion for history. Randy and I share a passion for Israel, and Randy's passion for history and Israel resulted in his marvelous book, *A Train to Palestine*.

A Train to Palestine is about a group of German Jews who first were exiled to Poland, and then sent to Russian-occupied Poland, and then loaded on trains to labor camps in Siberia. From there, as the Polish army in exile prepared to train to fight the Nazis in Africa, Polish General Vladyslaw Anders brought all the evacuees from Poland, not just the soldiers, eventually to train in Tehran. From there, the civilian survivors ultimately made it to Eretz



Israel, then part of the British Mandate for Palestine, in 1943.

As Randy relates his story, you'll learn about the abuse of the rule of law, the perseverance of the survivors, the heroism of General Anders, and the tenacity of a Jewish octogenarian named Henrietta Szold, who refused to let any obstacle stand in the way of bringing the 700 children, called the Tehran Children, safely to Palestine. You'll learn how Randy met Josef Rosenbaum, one of those children, and spent years becoming Joe's friend learning, and then telling, the compelling story.

Randy will have books for sale, and he will sign them. He'll have order instructions that day, and you'll be able to pick up your signed books at the Bar Center.

This will be an excellent program, and I urge you to attend. We will start at noon and end by 12:40 p.m.



Second Circuit Highlights

by Hal Odom Jr., rhodom@la2nd.org

The Second Circuit rendered a rather short list of opinions in April 2020, owing (at least in part) to constraints imposed by Coronavirus closures.

Not such a good time at the Fair. In October 2008, the Colemans brought their two-year-old daughter to the State Fair of Louisiana. Attendants placed her in a ride called the Mini-Jet, but unfortunately she fell out, plunged about eight feet, and landed head-first on the barricade around the ride. Alleging she sustained traumatic brain injury, the Colemans sued the State Fair, which owns the event, and two entities that actually operate it, Lowery Carnival Company and Crabtree Amusement. The State Fair and Lowery moved for summary judgment, which the district court granted. The Colemans appealed.

The Second Circuit reversed as to Lowery but affirmed as to the State Fair, ***Coleman v. Lowery Carnival Co.***, 53,467 (La. App. 2 Cir. 4/22/20), in an opinion by Judge Stephens. The summary judgment evidence established that the State Fair is “owner, host, and promoter” of the event; it entered a contract with Lowery to install and operate the carnival rides; Lowery, in turn, entered a verbal “handshake” agreement with Crabtree to assist in fulfilling the agreement. The Second Circuit agreed that Crabtree, not Lowery, owned the Mini-Jet, but found that Lowery retained the overall responsibility for the carnival, even to the point of making Crabtree employees wear shirts sporting the Lowery logo. As there was no written agreement allocating responsibility between Lowery and Crabtree, only deposition accounts of their principals, the court found a genuine issue of material fact whether Lowery could be liable “independently or vicariously through Crabtree.”

By contrast, the State Fair’s written contract effectively transferred to Lowery complete control of the event. Several parts of the contract are reproduced and discussed in the opinion; the State Fair’s only obligations were “to provide a location for the fair, order ride coupons and armbands, and promote advertising.”

In addition, the Colemans did not allege any acts of independent negligence by the State Fair, as had occurred in *Lewis v. Pine Belt Multipurpose Cmty. Action Acquisition Agency Inc.*, 48,880 (La. App. 2 Cir. 5/7/14), 139 So. 3d 562, writ denied, 14-0988 (La. 8/25/14), 147 So. 3d 1120. In short, the contract and the allegations could not establish any basis for the State Fair’s liability.

To a casual observer, the State Fair carnival might look like a unified operation, but there’s a world of complexity there. Anyone seeking damages for injuries sustained at the event will have to dig through strata of contracts and subcontracts.

No Iranian law here. Ms. McMillon bought a car from European Motors, in Monroe, and later sued in Monroe City Court to rescind the sale. The City Court found that European Motors and its principal, Ali Moghimi, violated the Unfair Trade Practices Act and were liable for damages of \$22,855 plus an attorney fee of \$6,500. In an effort to enforce the judgment, Coleman filed a rule against Elham Moghimi, Ali’s wife, to get the couple’s community property. The Moghimis, however, asserted that they had executed a separation of property agreement, which was on record in the Islamic Republic of Iran. They also filed a motion to remove the case to federal court, 28 U.S.C. § 1446, on grounds that Elham is neither a citizen nor resident of the United States. The City Court found the alleged prenup was “not relevant,” even questioning its validity, and denied the motion to remove. The Moghimis appealed, in proper person.

The Second Circuit affirmed, ***McMillon v. European Service Inc.***, 53,479 (La. App. 2 Cir. 4/22/20), in an opinion by Judge Pitman. The court quickly found that the Moghimis did not follow the procedure detailed in § 1446. Almost as quickly, the court also found that the copy of the prenup they offered “contains no seal, stamp or other means of authentication.” Instead, the record showed the Moghimis got married in Ouachita Parish in 2005, and did not execute a separation of property agreement or petition the court to recognize the Iranian document. In short, there was no way to

find that the foreign agreement prevailed over good old Louisiana community property law.

It's only speculation, but there is probably much in Iranian law that would be to Mrs. Moghimi's disadvantage.

Careful how you write that contract. In 2018, Robert Redstone hired John Sipes to renovate a building and make it suitable for Redstone's insurance agency. The contract, handwritten by Sipes, included the line "Plummer [sic] (Bath) Labor," and a net price of \$25,000. After nearly two months of work, payment of the contract amount and an extra \$3,000 as an advance on plumbing work in the bathroom, the job was not complete. Redstone terminated Sipes's services and hired somebody else to finish the job. Alleging substantial and widespread substandard work, particularly in the bathroom, Redstone sued Sipes for \$17,089, the amount he had to pay to finish the work properly. After a bench trial, the City Court awarded him this amount, and Sipes appealed.

The Second Circuit affirmed, **Redstone v. Sipes**, 53,416 (La. App. 2 Cir. 4/22/20), in an opinion by Judge Thompson. The court found the barebones contract ambiguous, and thus resorted to extrinsic evidence. After reviewing the testimony of Redstone and Sipes, and of Sipes's plumber, the court agreed with the City Court's finding that for \$28,000, Sipes agreed to construct, and Redstone expected to get, a completed bathroom. There was no way to find manifest error.

This project was apparently more challenging than it first appeared. A more detailed contract, with contingencies for unforeseen snags, might have helped, but this one was destined for the toilet.

Some enclosed estates. In 1974, some landowners in Ouachita Parish granted a servitude of way for public road, 60 feet wide and running about 3,300 feet, from Leckie Road to the edge of one of the grantors' (Donahue) property. The Police Jury never established or maintained a highway on this line, but people eventually used it and called it Squirrel Ridge Road. Entrada, a real estate investment company, acquired a portion of Donahue's tract in 2010 and, in 2016, filed suit to get a right of passage along the 1974 servitude. Other property owners, whose tracts were traversed by the servitude, objected, urging, in part, that the servitude was extinguished by nonuse of 10 years, La. C.C. art. 753. After a trial on the merits, the district

court denied the exception of prescription and granted Entrada the right to use the servitude. Most of the affected landowners appealed.

The Second Circuit reversed but did not necessarily give the landowners much cause to rejoice, **Entrada Co. LLC v. Cassells**, 53,387 (La. App. 2 Cir. 4/8/20), in an opinion by Judge McCallum. After a close review of the evidence, the court found that the servitude had indeed prescribed for nonuse from 1974 to 1984; it also rejected an argument that public use of part of the servitude as Squirrel Ridge Road constituted implied dedication, a common law concept recognized in *Cenac v. Public Access Water Rights Ass'n*, 02-2660 (La. 6/27/03), 851 So. 2d 1006. The servitude, therefore, was dead.

The court then considered, however, the alternative argument that Entrada's tract was an enclosed estate and entitled to a right of passage under La. C.C. art. 689. Again reviewing the trial evidence, the court found that Leckie Road was the closest public road to Entrada's property and that the path along Squirrel Ridge Road was the shortest and least injurious to the traversed land. The court therefore awarded Entrada precisely what it wanted (and what the district court granted), the right to use Squirrel Ridge Road; however, it remanded to determine the indemnity owed to the landowners under Art. 689.

Whether they called it a servitude or a right of passage, the landowners will have to tolerate Entrada's use of the road, but at least they will get some compensation for it.

Only the question of where to run the right of passage arose in **Dalton v. Graham**, 53,452 (La. App. 2 Cir. 4/22/20), an opinion by Judge Stone. At trial, the parties contested whether a route to the north, or to the south, of a tract adjacent to the enclosed estate was "generally" closer to the public road, as required by La. C.C. art. 692. The district court found the southern route was shorter, and the Second Circuit found no manifest error.

The district court also denied indemnification for the timber that would have to be cleared for the dominant estate to use the passage; the Second Circuit affirmed this, too. "Had the defense introduced, for example, an appraisal of the timber located on the Southern Boundary Route, the trial court would then have had an evidentiary basis for quantifying damages."

It is a harsh reminder that any claim for special damages must be accompanied by proof.

How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

And this was a pandemic. The current crisis of COVID-19 led me to wonder, when did legal writers first start to use the word pandemic? Surprisingly, the 1918 “Spanish Flu” H1N1, which infected about one-third of the world’s population and killed perhaps 50 million, did not give rise to the term in Louisiana legal writing.

Its first appearance did not come until 1954, after the City of Shreveport adopted a resolution to fluoridate its drinking water! A group of citizens sued to enjoin the city from proceeding with this subversive, Communist project, and the First JDC granted their injunction, finding no authorization in the city charter. On appeal to the La. Supreme Court, the city argued that fluoridation bore a rational relation to public health, and the court agreed. “Dental caries, or tooth decay, is a pandemic disease, affecting most of our population both adults and children.” *Chapman v. City of Shreveport*, 225 La. 859, 74 So. 2d 142 (1954). The injunction was lifted, and the city went on to add 1 PPM sodium fluoride to the drinking water. (This is still the approximate concentration.) The U.S. Supreme Court promptly dismissed the plaintiffs’ writ, for want of substantial federal question, 348 U.S. 892, 75 S. Ct. 216 (1954).

Our predecessors’ reluctance to write *pandemic* will surely, and rightly, not afflict current writers’ discussion of court closures, suspensions of prescriptive periods, and legal disputes that are likely to arise from COVID-19.

They’re still redundant. Since our last survey of common redundancies, these things keep appearing.

“Payphone sought the removal of the unauthorized *ATM machine* by letter to Wagners dated October 8, 2014; however, Wagners neither removed the ATM machine nor reconnected Payphone’s *ATM machine*.” *Payphone Connection Plus Inc. v. Wagners Chef LLC*, 2019-0181 (La. App. 4 Cir. 7/31/19), 276 So. 3d 589. The initialism *ATM* already contains *machine*. The Second Circuit has carefully tagged this usage in quote marks: “The trial court outlined the factors to be considered pursuant to La. C. Cr. P. art. 894.1: * * * the defendant committed the unprovoked crime of violence by ‘attacking a vulnerable older female at an *ATM machine*’[.]” *State v. Brown*, 53,394 (La. App. 2 Cir. 3/4/20), __ So. 3d __.

“They seized * * * a piece of paper with possible *PIN numbers* or passcodes on it.” *State v. Barnett*, 18-254 (La. App. 5 Cir. 4/3/19), 267 So. 3d 209. “[A] bank card, which he described as green with ‘Jonathan Ellis’ on it, without the *PIN number*.” *State v. Williams*, 2019-718 (La. App. 3 Cir. 5/6/20), __ So. 3d __. The acronym *PIN* also contains *number*; no need to



add numerosity.

“Sergeant Blackman ‘processed’ the CDR box by * * * entering information into the device such as the *VIN number* of the vehicle and the date of the crash.” *State v. Vidrine*, 2019-0906 (La. App. 4 Cir. 4/15/20), __ So. 3d __. The acronym *VIN*, like *PIN*, already contains *number*. Unlike a *PIN*, however, a *VIN* has great numerosity.

“This test picks up the anti-bodies that a patient develops in response to the antigens that are on the cell wall of the *HIV virus*.” *Dufreche v. Coco*, 2020-0030 (La. App. 4 Cir. 4/15/20), __ So. 3d __. Because the initialism *HIV* stands for *human immunodeficiency virus*, the additional

word *virus* is redundant.

“Trivia – In a scene where Elle is studying for the LSAT, her sorority sister, Amy, reads answer choices from an actual LSAT test from June 2000.” Kevin Davis, *Law at the Movies*, 104 A.B.A.J. 38 (August 2018). “Because of her high achievement in high school and on the *ACT test*, Dr. Fanning concluded Ms. Cassisa probably had a higher intellectual function than that suggested by the Barona model.” *Dennis v. The Finish Line Inc.*, 1999-1413 (La. App. 1 Cir. 12/22/00), 781 So. 2d 12. The “T” in both these initialisms already stands for *test*; there is no need to retest.

“The matter was subsequently *remanded back* to the Nineteenth Judicial District Court.” *Campbell v. Dolgencorp LLC*, 2019-0036 (La. App. 1 Cir. 1/9/20), __ So. 3d __. “Because this case was removed to federal court, it will be *remanded back* to state court for the resolution of the state law claims.” *Holden v. Perkins*, 398 F. Supp. 3d 16 (E.D. La. 2019). “Therefore, this court must vacate the sentence and *remand back* to the district court for re-sentencing.” *United States v. Williams*, 783 Fed. Appx. 435 (5 Cir. 2019). *Remand* already means *send back*. The phrase used would mean *send back back*. How far back are they sending cases?

Casually edited. From a recent workers’ compensation opinion: “The OWC determined that Ms. Phillips did not meet her burden of proof by a preponderance of the evidence to establish that her left shoulder condition was *casually* related to the incident at Kirkland’s on November 16, 2016.” *Phillips v. Kirkland’s Corp.*, 2019-0420 (La. App. 1 Cir. 2/18/20), __ So. 3d __. The burden of proof is always to show that a disability is *causally* related to the work injury. Because *casually* is a real word, this is a typo that Spellcheck won’t tag! We might wonder, however: is a *casual* connection enough to make a preponderance of the evidence?



2020 Liberty Bell Award Nominations

Nominate Someone Who Deserves to Be Honored

The Shreveport Bar Association "SBA" Liberty Bell Award will be presented at the September 23 luncheon meeting. A few prior recipients of this prestigious award are Rev. E. Edward Jones, John T. Porter, Rev. G.S. "Mack" McCarter, Ron Anderson, Myrtle Pickering, Mayor George Dement, Donald L. Horton, Rachel Scott, Judge Carl E. Stewart, Dr. Phillip A. Rozeman, Dr. Donald G. Mack, Charles E. "Chuck" Meehan, Sheriff Steve Prator, Chief Henry L. Whitehorn, Rose Van Thyn, Simone Hennessee, Common Ground Community, Gingerbread House, The Cara Center, Pastor Brady Blade, Liz Swain, Gary Loftin, Col. Steve DePyssler and Arthur Thompson.

To aid in the selection of this year's recipient, we are opening the nomination process to all SBA members. Please see the criteria for the award for you to keep in mind when making your nomination:

The SBA Liberty Bell award may be presented to a nonlawyer who has demonstrated a commitment to selfless community service which strengthens the effectiveness of the American system of freedom under law. Promotes a better understanding of our form of government, particularly the Bill of Rights. Promotes a greater respect for law and the courts. Promotes a deeper sense of individual responsibility in recognition of the duties as well as rights of citizens. Promotes effective functioning of our institutions of government and promotes a better understanding and appreciation of the Rule of Law.

An individual or organization who meets the above criteria may be nominated. All nominations should be submitted in writing by **Tuesday, August 25, 2020**, and hand-delivered or mailed to:

Ms. Dana Southern
Shreveport Bar Association
625 Texas Street
Shreveport, LA 71101

When submitting your nominations, please include why you think the person or organization you are nominating should receive this award, and any additional information that would help the committee in its selection process.

SBA Liberty Bell Award Nomination Form
DEADLINE: Tuesday, August 25, 2020

I would like to nominate the following person or organization to receive the 2020 Liberty Bell Award (please complete as much as possible)

Name	
Street Address	
City, State, Zip Code	
Home Phone	
Work Phone	
Email	

Reason they should receive the award (you may attach additional information)

Name (printed)	
Signature	
Date	



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SHREVEPORT BAR ASSOCIATION
— YOUNG LAWYERS' SECTION —

Join us in learning more about Trial Advocacy by attending our Lunch & Learn Series. Sponsored by The Bar Association and the SBA Young Lawyers' Section. Lunch included in cost of in person attendance.

Discovery Tips and Strategies

E-Discovery

Advice from the Other Side of the Bench

Professionalism

Ethics

Federal Practice Panel

Our 2020 Lunch & Learn programs will focus on Trial Advocacy. The four-part series, coordinated by Jim McMichael and the SBA Young Lawyers' Section, will feature practical presentations by local Judges and experienced litigators. The series will be of most benefit to those new to practice and those with less experience in litigation, but any attorney interested in effective litigation techniques is encouraged to attend.

Session 1– Thursday, August 20, 2020

Discovery Tips and Strategies

James C. McMichael Jr.,
Young Lawyers' Section Panel

E-discovery

James C. McMichael Jr.,
Judge Mark Hornsby

Session 2– Thursday, September 24, 2020

Advice from the Other Side of the Bench

Judge Jeanette G. Garrett

Better Trials

James C. McMichael Jr.,
Young Lawyers' Section Panel

Each Session is from 11:00 a.m.—1:00 p.m.

Session 3– Thursday, October 22, 2020

Professionalism Panel

Judge Michael A. Pitman, James C. McMichael Jr.,
M. Thomas Arceneaux, and Curtis R. Joseph Jr.

Ethics

Justice Scott J. Crichton

Session 4– Thursday, November 19, 2020

Federal Practice Panel

Judge Elizabeth E. Foote, Judge S. Maurice Hicks Jr. ,
Allison A. Jones and Edwin H. Byrd III

Each Session approved for Louisiana CLE Credit
Session 3 (1) Ethics & (1) Professionalism Credit

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In Person Attendance for SBA Members - \$100 per session or \$375 for all four sessions (if paid in full by August 20)

Non-SBA Members - \$120 per session or \$450 for all four sessions (if paid in full by August 20)

Virtual Attendance for SBA Members - \$80 per session Virtual Attendance for Non-SBA Members - \$100 per session

Please indicate session (s) attending _____

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Notary Public Extensive Review

Nov 14, 2020, 8:30 am-12:30 pm
4 hours of instruction.
EARLY BIRD FEE: \$65.00

Note: some or all Notary classes may be via Zoom Video Conferencing

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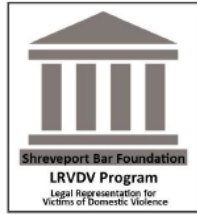
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for our country
and community
in this time of need.*



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Thank you to everyone who gave to the Shreveport Bar Foundation during the annual Give for Good on May 5. We are grateful of your generosity especially during times of uncertainty. \$2,247.00 was raised during the 24-hour giving period. Funds raised will be used to help fund the SBF domestic violence program and Pro Bono Project. Donors are listed below:

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CADDO COURTHOUSE PRINTS
AND NOTE CARDS AVAILABLE FOR PURCHASE

The Shreveport Bar Association has a limited number of 12x18 prints of a sketch done approximately 40 years ago of the Caddo Parish Courthouse. The print is \$15.00. We also have a note cards with envelopes. A set of 25 note cards with envelopes sell for \$20.00. If you are interested in purchasing a print or note cards call the SBA office 222-3643 to place an order or stop by the Shreveport Bar Center.

12x18 Prints - \$15.00

NOTE CARD SET
25 note cards with envelopes - \$20.00



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Lottie L. Bash

Golf TOURNAMENT

SHOTGUN START

12:30 p.m.

ENTRY FEES

\$600 per team
4-Man Scramble

LUNCH

11:00 a.m.
included with registration fee

REGISTER

www.shreveportbar.com
or call Dana at 222.3643 Ext. 3

PRIZES

Overall Low Gross and Low Net
Scores in each flight
Closest to the hole

September 21
Southern Trace
Country Club
Shreveport, LA



RICHARD B. KING, JR. MEMORIAL SHOOTOUT!

Enter to have your team represented in this 2-man, alternate shot contest. \$150 per team. Play begins after the scramble. Only one team will be named KING! Limited to the first 8 attorney teams registered. Call Dana at 222-3643 to register.



REGISTRATION

SHREVEPORT BAR ASSOCIATION 2020 GOLF TOURNAMENT

Monday, September 21, 2020 at Southern Trace Country Club, Shreveport
Lunch and Fish Fry Dinner is Included - Awards Given Post Play

Captain Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Player2 Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Player3 Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Player4 Name: _____ HDCP/Best Score: _____ Tel: _____

Address: _____ Email: _____

Make check payable to SHREVEPORT BAR ASSOCIATION and mail:
2020 SBA Golf Tournament Registration, 625 Texas Street, Shreveport, LA 71101

SHREVEPORT BAR ASSOCIATION GOLF TOURNAMENT

SPONSORSHIP OPPORTUNITIES

The emphasis is on fundraising and golf fun at the 2020 Shreveport Bar Association Golf Tournament being held on Monday, September 21, 2020, at Southern Trace Country Club. The money raised from this tournament helps fund many worthwhile programs and community services. We would not be able to put on this major event without the support of our sponsors, and we hope you will consider getting involved in this year's tournament. Listed below are the different levels of sponsorship.

GOLF SPONSOR PACKAGES

GRAND SLAM
\$2,000

HIGHLY VISIBLE ADVERTISING ON THE COURSE!
Four (4) person team for golf
Hole sponsorship on course
Recognition in *The Bar Review*

MASTERS
\$1,200

Four (4) person team for golf
Hole sponsorship on course
Recognition In *The Bar Review*

U.S. OPEN
\$600

Representative at Tournament
Hole Sponsorship on course
Recognition in *The Bar Review*

PGA
\$500

Hole Sponsorship on course
Recognition in *The Bar Review*

LEADER BOARD
LESS THAN \$500

Recognition in *The Bar Review*
Day of event recognition

GOLF SPONSOR OPTIONS

PLEASE CHECK ONE:

- GRAND SLAM \$2,000**
- MASTERS \$1,200**
- U.S. OPEN \$600**
- PGA \$500**
- LEADER BOARD LESS THAN \$500**

NAME: _____

(As it will appear in all publicity information and event signs)

CONTACT NAME: _____ PHONE: _____ EMAIL: _____

ADDRESS: _____

Please return this form with your check made payable to SHREVEPORT BAR ASSOCIATION to:

SBA Golf Tournament, 625 Texas Street, Shreveport, LA 71101



SBA Officer Election Procedures

The Officer Nominating Committee, consisting of the five most recent past presidents of the Shreveport Bar Association, will meet this summer to nominate the 2021 SBA Vice-President and Secretary-Treasurer Elect. The Officer Nominating Committee will report its nominations to the Elections Committee on or before August 14, 2020, and those nominations will be announced in the September issue of The Bar Review. **Nominations for the offices of Vice-President and Secretary-Treasurer Elect may be made by any member in good standing of the Shreveport Bar Association who is not on senior status.**

Would you like to take part in your SBA Leadership Team? Nominations are sought **from the membership** for the two Member-At-Large positions on the Executive Council. These positions are for a two-year term.

All nominations, including any nominations from the general membership for the offices of Vice-President and Secretary-Treasurer Elect, **must be in writing and received by the Elections Committee, Shreveport Bar Association, 625 Texas Street, Shreveport, LA 71101, not later than 5:00 p.m. on Friday, August 14, 2020.** The nominations should include a brief biographical sketch, and, if not a self-nomination, must be accompanied by a signed statement of the nominee that the nominee will stand for election and serve if elected.

The Elections Committee will certify the nominations timely received to the Executive Council for all of the offices open. Names of candidates and biographical information will be published in the September issue of The Bar Review. **Ballots will be sent to the entire SBA membership only if more than one nomination is received for any or all of the four offices.**



PUBLIC NOTICE FOR PROPOSED REAPPOINTMENT OF HONORABLE MARK L. HORNSBY AS UNITED STATES MAGISTRATE JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA SHREVEPORT DIVISION

The current term of the office of United States Magistrate Judge Mark L. Hornsby is due to expire on **January 13, 2021**. The United States District Court is required by law to establish a panel of citizens to consider the reappointment of the magistrate judge to a new term.

The duties of the magistrate judge position include the following: [1] conduct most preliminary proceedings in criminal cases; [2] trial and disposition of misdemeanor cases; [3] conduct various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; and [4] trial and disposition of civil cases upon consent of the litigants.

Comments from members of the bar and the public are invited as to whether the incumbent magistrate judge should be recommended by the panel for reappointment by the court and should be directed to:

John Madison, Chairman
333 Marshall St., Suite 1000
Shreveport, La 71101
Email: jmmadison@wwmlaw.com

Comments must be received no later than June 30, 2020



Pro Bono Project

Do Good Work ~ Hon. Henry A. Politz

Due to the Governor's stay-at-home order we were not able to hold our Ask A Lawyer clinic during the months of March and April. Once we were able to move into Phase 1 of the order, we came up with a plan to help people while taking precautions to stay safe. We held the clinic in two 2-hour sessions with the volunteer attorneys advising them through Zoom. Please thank the following attorneys who took part in our first virtual Ask A Lawyer clinic on May 18, 2020:

Jimmie Herring
Attorney at Law

Earlnisha Williams
Attorney at Law

Audrius Reed
Attorney at Law

Mary Winchell
Winchell & Joseph

Becky Vishnefski
Attorney at Law

The Shreveport Bar Foundation has launched a new feature on the SBF website called "OPEN CASES." This new feature allows lawyers to view a brief synopsis of a case and accept the case on the spot with a click of a button. This is significant! Were you aware that you could get FREE CLE credits by providing pro bono legal services? You can provide a great service to someone in need and receive your CLE credits at the same time. One hour of CLE per 5 hours of pro bono work! Didn't we all take an oath when we became lawyers to assist those in need? To those lawyers who have provided pro bono services in the past, thank you sincerely for your wonderful generosity! I humbly challenge you (and all lawyers in our community) to utilize the Shreveport Bar Foundation's website feature and accept at least one pro bono case: <https://shreveportbarfoundation.org/open-cases/>.

OPEN CASES

How to Accept One of the Cases Below

- **Step 1:** Search through available pro bono matters below.
- **Step 2:** Once you find a case you are willing to take, click the "Accept Case" link below the case description.
- **Step 3:** Fill out the form provided
- **Step 4:** Click Send on the form, which will be sent to the Pro Bono Coordinator, who will be in contact upon receipt of your submission.

Case #1 Succession Wills and Estates

Client needs to file for a small succession on her mother's behalf. Client needs a volunteer to negotiate with the client's sister to the transfer title of home.

[Accept the Case](#)

Case #2 Landlord Tenant

Client was evicted from her apartment for non-payment of rent. Client would like to recover damages from her landlord for failing to make necessary repairs to her apartment.

[Accept the Case](#)

Case #3 Divorce

Client seeks representation with filing for a divorce (no children) based on C.C. Article 103(1).

[Accept the Case](#)

The Pro Bono Project is able to do all that we do because of the support we receive from our grantors, Louisiana Bar Foundation, Acadiana Legal Services Corporation, The Community Foundation, Carolyn W. and Charles T. Beard Family Foundation, First United Methodist Church and the SBA Krewe of Justinian.



BAR BRIEFS

AIR FORCE HONORS SBA MEMBER



Graham H. Todd, a longtime member of the SBA, has been named the recipient of the 2019 James O. Wrightson, Jr. Award as the Outstanding Civilian Attorney of the year in the U.S. Air Force. Lt Gen Jeffrey A. Rockwell, the Air Force Judge Advocate General, announced the award as one of the JAG Corps's annual awards for excellence and outstanding achievement.

After graduating from the U.S. Air Force Academy in 1993, Graham attended Kansas University and received a Master of Arts in Russian and East European Studies in 1994. He then entered active duty in the Air Force as a Special Agent in the Air Force Office of Special Investigations. While he was an AFOSI agent, he deployed to Southwest Asia. He later attended Florida State University's College of Law, graduating *magna cum laude* and Order of the Coif in 2001. Returning to Air Force duties, he served as a Judge Advocate at various bases in the United States and the Middle East until his retirement as a Lieutenant Colonel in October 2013. Following his retirement from active duty, he practiced with a local litigation firm in federal civil rights and employment discrimination cases. In 2015 he returned to work as a civilian attorney at Barksdale Air Force Base.

Graham is currently the Chief of Operations Policy and Planning, Headquarters Air Force Global Strike Command. He is an active member of the Harry V. Booth-Judge Henry A. Politz American Inn of Court and serves as adjunct faculty for Louisiana Tech University, where he teaches Cyber Law each spring.

The SBA sends its heartiest congratulations to Graham H. Todd, one of our own, for the honor of this award and wish him all the best as he continues his second career with the Air Force here in our community. We are proud to number him among our membership.



2020 Professionalism Award Nominations Nominate Someone Who Deserves to Be Honored

The Shreveport Bar Association Professionalism Award will be presented at the October luncheon meeting, and the recipient’s name will be added to the permanent plaque which hangs in the Shreveport Bar Center. Prior recipients of this prestigious award are Frank M. Walker Jr., Kenneth Rigby, Justice Pike Hall Jr., Judge Henry Politz, Harry Nelson, Roland Achee, Edwin Blewer Jr., Judge Tom Stagg, Jackson B. Davis, Glenn Walker, John Frazier, Michael S. Hubley, Vicki C. Warner, Reginald W. Abrams, A. M. “Marty” Stroud III, Samuel W. Caverlee, Charles C. Grubb, Zelda W. Tucker, James Stewart, Don Weir Jr. , William J. Flanagan and James C. McMichael Jr.

The SBA Professionalism award may be presented to any member of the Shreveport Bar Association who has remained in good standing during their practice of law, and he or she must have practiced law for a period not less than 15 years. The award may be given posthumously, but should not be limited to attorneys who have died. This award should be reserved for individuals who, during their practice of law, exemplify the high ideals and standards set forth by the Louisiana Bar Association’s Rules of Professional Conduct, as well as the aspired goals for attorney conduct adopted by the Shreveport Bar Association.

Any attorney who meets the above criteria may be nominated by any other member of the Shreveport Bar Association. All nominations should be submitted in writing by **Monday, August 31, 2020**, and mailed to:

**Chairman, Professionalism Committee
625 Texas Street
Shreveport, LA 71101**

When submitting your nominations, please include why you think the attorney you are nominating should receive this award, and any additional information that would help the committee in its selection process.

SBA Professionalism Award Nomination Form DEADLINE: Monday, August 31, 2020

The award is reserved for individuals who exemplify the highest standards of professionalism while practicing law. Nominations may be hand-delivered to SBA staff or mailed to Chairman, Professionalism Committee, 625 Texas Street, Shreveport, LA 71101. Electronic submissions are acceptable and use of this form is optional.

Name of nominee and reason the attorney should receive the award (you may attach additional information)

Signature

Name (printed)	
Signature	
Date	



The SBF Welcomes Stefanie N. Stephens, staff attorney for the Legal Representation for Victims of Domestic Violence “LRVDV” Program

Stefanie N. Stephens is an Alabama native and the current staff attorney for the Legal Representation for Victims of Domestic Violence Program for the Shreveport Bar Foundation/Pro Bono Project. She attended the University of Alabama at Birmingham where she received her B.S. in Criminal Justice in 2014. Upon graduation, Stefanie accepted a position working for the Jefferson County, Alabama, District Attorney’s Office as a Trial Coordinator.

In 2015, Stefanie relocated to Louisiana to attend the Southern University Law Center, where she graduated #2 out of 112 students with *magna cum laude* honors in 2018. As an active and engaged law student, she served as the 2017-2018 managing editor of the Southern University Law Review, the 2017-2018 parliamentarian of the SULC Moot Court Board, the 3L representative for the SULC Grade Appeals Committee, Teaching Assistant for Family Law and Obligations first-year courses, Marshall-Brennan Constitutional Literacy Fellow, Student Attorney for the SULC Pro Bono Civil Law Clinic, and Section III Representative for the Student Bar Association.

Additionally, Stefanie received Dean’s List honors for five consecutive semesters, CALI Excellence for the Future awards (in the courses of Family Law, Constitutional Law and Sales and Leases), and the Best Team award at the 2017 SULC Intra-school Moot Court Competition. During law school Stefanie clerked at Crescent Care Legal Services, a nonprofit health law organization, and East Baton Rouge Parish Attorney’s Office. Upon graduating from law school, Stefanie relocated to Shreveport in 2018 to serve as judicial law clerk to the Hon. Shonda D. Stone at the Second Circuit Court of Appeal. In her spare time, Stefanie enjoys spending time with loved ones, reading, and binge watching a good show.

Stop by The Bar Center and say hello and welcome Stefanie to the SBF.

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JUNE 24

SBA Member Meeting
12:00 Noon via Zoom
Speaker: Randy Grigsby
Author of A Train to Palestine

AUGUST 20

SBA and YLS Lunch & Learn
Trial Advocacy Summer Series, Session 1
11:00 a.m. -1:00 p.m. at the Shreveport Bar Center

SEPTEMBER 21

Annual SBA Golf Tournament
12:30 p.m. at Southern Trace Country Club

SEPTEMBER 23

SBA Member Luncheon
12:00 Noon at the Petroleum Club (15th Floor)
Speaker: Candice Battiste
North Louisiana Power Coalition for Equality and Justice

SEPTEMBER 24

SBA and YLS Lunch & Learn
Trial Advocacy Summer Series, Session 2
11:00 a.m. -1:00 p.m. at the Shreveport Bar Center

SBA JUNE MEETING – JUNE 24

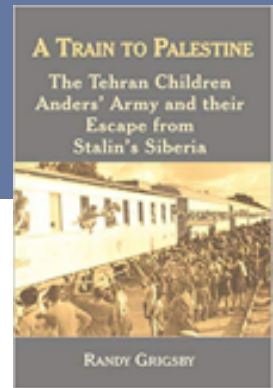
Due to the public health impact of the coronavirus outbreak (COVID-19) and to support the health and well-being of our members, staff and our community, the location of our June 24 luncheon meeting has been changed and will be held over the web in a virtual meeting format only.



When: Wednesday, June 24 at 12:00 Noon

Where: Via Zoom

Featuring: Randy Grigsby, Author of *A Train to Palestine: The Tehran Children, Anders Army, and their Escape from Stalin's Siberia, 1939-1943*



About the Book:

In October 1938, eight-year-old Josef Rosenbaum, his mother and younger sister set out from Germany on a cruel odyssey fleeing into Eastern Europe along with thousands of other refugees. Sent to Siberian slave labor camps in the wilderness, they suffered brutal cold, famine and disease and hundreds perished, including Joe's mother and sister. When Germany invaded Russia, many refugees were forced out of Siberia to primitive tent camps in Uzbekistan, accompanied by the Polish army-in-exile previously imprisoned by the Soviets. Within weeks, the commander of the army, General Wladyslaw Anders, received orders to relocate his army to Iran to train to fight alongside the British in North Africa. Instructed to leave without the civilians, Anders instead ordered all evacuees, including Jews, to head southward with his troops. Joe and the refugees were again loaded on trains, accompanied by the Polish soldiers, and sent to the port of Pahlavi on the Caspian Sea. Then, transported by trucks over treacherous mountain roads, they finally arrived in Tehran where they struggled to survive in horrifying conditions.

In October 1942, the Jewish Agency in Jerusalem accepted responsibility for the 900 orphaned Jewish children in the camp and, by January 1943, the agency secured travel certificates for the Tehran Children to evacuate to Palestine. Joe and the other children, after five terrible years, finally reached safety at the Atlit Detention Camp, north of Haifa, on 18 February 1943.

Readers will find the story is one of the swift brutalities of war, and the suffering of civilians swept up in the maelstrom of fierce conflict. It is also a testament to courage and the human spirit to survive. Drawing from eyewitness accounts, *A Train to Palestine* recreates a remarkable and little-known story of escape and survival during the Second World War.

Randy was born in Minden and graduated from Minden High School in 1969. After working in several jobs, including the oilfield, he enrolled in Louisiana Tech, graduating in 1978 with degrees in Journalism and History. Randy moved to Shreveport in 1978 and worked on the wire desk of the *Shreveport Times*. In November 1978, Randy began a sales career which spanned 35 years – including copiers and computer sales, and the last 25 years in the medical equipment industry. After retiring from General Electric Healthcare in 2011, he pursued his desire to write. However, in 2014, he found his true purpose in writing while in Israel with his wife. One night before the tour group was to visit the Yad Vashem (the Holocaust museum), he had a dream about the Tehran Children, which is the theme of his book, *A Train to Palestine*, which he worked on for over three years, and is his first nonfiction book. The book is published by Vallentine Mitchell, a London publishing company who was the first to publish Anne Frank's Diary in English in the late 1950s. Randy is presently working on his second book, which is also about the Holocaust.

If you would like to attend the virtual meeting, please email cwithers@shreveportbar.com or call Chelsea directly (318) 703-8372 by Monday, June 22, 2020. Meeting details and call in information will be provided on June 23, 2020.