

THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION Volume XXVIII, Number 7 • September 2021

INSIDE | SEPTEMBER

President's Message	1
Announcing the 2022 SBA Officers.....	3
Recent Developments by the Judiciary CLE.....	4
Bar Briefs.....	6
How Write You Are	7
Second Circuit Highlights	8
Justinian Coronation	10
Pro Bono Project	14
Worth Skimming	16

EVENTS AT A GLANCE

9/15 & 16	Recent Developments by the Judiciary CLE
9/22	SBA Membership Luncheon – 12:00 p.m. - Petroleum Club
10/7	North Louisiana Criminal Defense Seminar
10/23	Justinian Run for the Beads 5K and Fun Run
10/23	Justinian Midway to Mardi Gras Party
10/27	SBA Membership Luncheon – 12:00 p.m. - Petroleum Club
10/28	Memorial & Recognition Ceremony – First United Methodist Church



From The President

by Donna Frazier, dfrazier@caddo.org

And just like that, we are back from our summer break. I hope everyone had a good summer – that you got to spend quality time with family and friends and had opportunities to do fun things, i.e., things that had nothing to do with work or school.

As much as I hate to bring it up, unfortunately during the summer, we found ourselves in a fourth COVID-19 surge. The delta variant of the virus is wreaking havoc upon plans and, more importantly, lives. As we navigate this surge, some of the bar's planned activities have been affected. For example, we have had to postpone our Sunday Fun Day scheduled for September 12, as well as our Appellate Conference which was scheduled for August 20. Please be patient with us as we do everything in our power to bring quality activities and CLE while keeping you, our members safe. I'd like to take a point of personal privilege and implore you to please be vigilant and keep your families and yourselves safe from COVID-19. In addition to the effects on our daily activities, the pandemic has created novel legal issues and now, more than ever, we as members of the legal profession need to remain healthy and safe to assist in navigating these novel issues and assist in keeping the focus on the best interests of our communities. To that end, Ron Kramer, labor and employment attorney and a past chair of the ABA Section of State and Local Government Law, will be speaking to us in September about legal issues that surround maintaining a COVID-safe workplace.

One thing that was not postponed this summer was the Krewe of Justinian's Coronation Bal. It was a beautiful event and much fun was had by all. My favorite part was watching the children and grandchildren of the Krewe members. They were all impeccably dressed and were most enthusiastic about throwing beads and candy – a great reminder to not take everything so seriously and to seek joy in all our endeavors. Kudos to the Krewe for pulling off such a great event!

The last quarter of the year, which is fast approaching, usually has attorneys planning to ensure we have met our yearly CLE requirements. SBA still has the following CLE activities scheduled:

Sept. 15-16: Recent Developments by the Judiciary

Oct. 7: North La. Criminal Defense Seminar (State and Federal)

Dec. 15-16: CLE by the Hour

As we get closer to the dates, plans may change, but any changes will be made with your safety as the priority. Please plan to support these CLE activities – despite the pandemic, CLE is one of the SBA's primary sources of income. We are desperately hoping to make a return to in-person programming before the end of 2021.

I must be honest with you. This was not the message I had hoped to write as we approached the fall. My hope was to share that I had a wonderful summer traveling and reconnecting with friends and family in person. I was hoping to share SBA's triumphant return to in-person CLE programming. I didn't get to share either of those things, but as Tom Arceneaux showed by his example, we play the hand we are dealt. Let me reiterate – please protect yourselves and your families. The SBA needs you, and I don't think it's a stretch to say we need each other. Stay safe!

**2021 Shreveport Bar Association
Officers & Executive Council**

Donna Y. Frazier
President

Donald Armand Jr.
President-Elect

Nancy Cooper
Vice-President

M. Thomas Arceneaux
Immediate Past President

Sarah Giglio
Secretary-Treasurer

Members at Large
Valerie DeLatte
Heidi Kemple Martin
Judge Emily S. Merckle
Christopher G. Forester

Judicial Liaison
Judge Karelia R. Stewart

Young Lawyers' Section
Luke Whetstone
President

Women's Section
Courtney Harris
President

Krewe of Justinian
James E. Franklin III
Captain

Editor
Dana Southern

Editorial Board
Chris Slatten, Co-Chairman
Hal Odom, Co-Chairman

Photography
Dana Southern
Marty Johnson

Shreveport Bar Staff

Executive Director
Dana Southern
dsouthern@shreveportbar.com

Pro Bono Coordinator
Lucy Espree
lespree@shreveportbar.com
(318) 221-8104

(318) 222-3643 • Fax 222-9272
www.shreveportbar.com

The Shreveport Bar Review reserves the right, in its discretion, to decline to accept advertisements from any individual, corporation, partnership, entity, group or association, without the necessity of giving a reason for its declination.

S
E
P
2
0
2
1



June Luncheon Highlights



ANNOUNCING THE 2022 SBA OFFICERS

The Officer-Nominating Committee, consisting of the five immediate past presidents of the Shreveport Bar Association, recently met and nominated the following officers who will serve in 2022.

Vice-President Kenneth P. Haines
Secretary-Treasurer Elect Anna Brown Priestley

SBA President-Elect **Donald Armand Jr.** will automatically elevate to the office of President, **Nancy Cooper** to the office of President-Elect, and **Brian Flanagan** will serve as Secretary -Treasurer.

The two Member-At-Large positions (serving in 2022 and 2023) on the Executive Council will be filled by **Heidi Kemple Martin** and **Judge Emily Merckle**.



Donald Armand Jr.



Nancy Cooper



Kenneth P. Haines




Brian Flanagan



Heidi Kemple Martin



Judge Emily Merckle

Shop Local 
 RED RIVER PRINT
 print • mail • signs

POSTCARDS
Business Cards
 BROCHURES
 Invitations
 Envelopes
 POSTERS
 Menus
 HANG TAGS
 RACK CARDS
 FLYERS
 Newsletters
 FOLDERS
 Magnets
 Catalogs
 PROGRAMS
 Notepads

print
 BUSINESS CARDS CALENDARS
 FLYERS BOOKLETS
 RACK CARDS
 POSTERS
 LETTERHEAD
 GREETING CARDS
 INVITATION CARDS
 STICKERS
 MAGNETS
 SALES SHEETS
 DOOR HANGERS
 HANG TAGS
 EVENT TICKETS
 MENUS
 CATALOGS
 ENVELOPES
 CALENDARS
 INVITATION CARDS
 POSTERS
 MAGNETS



FREE PROBLEM GAMBLING HELP

If you believe you or a client may have a problem,
 call or text 1-877-770-STOP for FREE help.



4716 VIKING DRIVE • BOSSIER CITY, LA 71111 • 318.868.3555



Recent Developments By the Judiciary CLE by The Hour

Sponsored by the Shreveport Bar Association

September 15 & 16, 2021

HILTON GARDEN INN / HOMEWOOD SUITES - BOSSIER CITY

13 Louisiana CLE Credit including Ethics & Professionalism
13 Texas Board of Legal Specialization CLE Credit Approved

**WEBINAR OPTION
NOW AVAILABLE!**

Wednesday, September 15, 2021

- 7:30 A.M.** **Registration & Continental Breakfast**
- 8:30 A.M.** **Update on Non-Compete Agreements & Trade Secrets**
60 minutes
Allison A. Jones - Downer, Jones, Marino & Wilhite and Michael D. Lowe - Kean Miller
- 9:30 A.M.** **What's New in Personal Injury Law**
60 minutes
Alexander Mijalis - Lunn Irion Law Firm and J. Marshall Rice - Rice & Kendig
- 9:35 A.M.** **Meet the New Judges**
60 minutes
Judge Elect Natalie Howell - Juvenile Court for Caddo Parish, Judge Elect Donald Hathaway and Judge Elect Chris Victory - First Judicial District Court
- 10:30 A.M.** **Sponsor Break (Refreshments)**
- 10:45 A.M.** **United States Supreme Court Update 2020 Term**
90 minutes
Judge Carl E. Stewart - United States Fifth Circuit Court of Appeals
- 11:45 P.M.** **Lunch (included with full registration)**
- 1:00 P.M.** **Update on Dispositive Motions**
60 minutes
Judge Terry A. Doughty and Magistrate Judge Kayla D. McClusky - United States District Court, Western District of Louisiana
- 2:00 P.M.** **Oil and Gas Update**
90 minutes
Judge Amy B. McCartney - Forty-Second Judicial District Court and Patrick Ottinger — Ottinger Hebert Attorneys at Law, Lafayette
- 3:30 P.M.** **Sponsor Break (Refreshments)**
- 3:45 P.M.** **Professionalism**
60 minutes
Judge Michael Pitman - First Judicial District Court

Thursday, September 16, 2021

- 7:30 A.M.** **Registration & Continental Breakfast**
- 8:30 A.M.** **Law Office Management Update**
90 minutes
Sarah R. Giglio - Gilmer & Giglio, Ebonee R. Norris - The Norris Law Group, and John C. Nickelson - Nickelson Law
- 10:00 A.M.** **Sponsor Break (Refreshments)**
- 10:15 A.M.** **Family Law Update**
60 minutes
Judge Katherine Clark Dorroh - First Judicial District Court and Clint M. Bowers - Bowers Law Firm
- 11:15 A.M.** **Bankruptcy Law**
60 minutes
Judge John Hodge - United States Bankruptcy Court
- 12:15 P.M.** **Lunch (included with full registration)**
- 1:15 P.M.** **Successions and Estate Planning**
60 minutes
Judge Jeff Cox - Second Circuit Court of Appeal and W. Deryl Medlin—McMichael, Medlin, D'Anna, Wedgeworth & Lafargue
- 2:15 P.M.** **Sponsor Break (Refreshments)**
- 2:30 P.M.** **Recent Developments in Louisiana Commercial Law**
60 minutes
L. David Cromwell - Pettiette, Armand, Dunkelman, Woodley, Byrd & Cromwell
- 3:30 P.M.** **Ethics Update**
60 minutes
Associate Justice Scott J. Crichton - Louisiana Supreme Court

SBA SEMINAR ADVANTAGES:

- Relevant and interesting courses taught by members of the state and local Bench & Bar
- Pay for only the classes you need or get a whole year's worth of CLE
- Webinar option available for each day
- Convenient location
- Lunch included with full day session
- 20% SBA Member discount rate

Register Online!



shreveportbar.com

REGISTRATION FORM

In person webinar participation, complete this form and mail in with payment or register online at shreveportbar.com.

Please remit with payment to: Shreveport Bar Association, 625 Texas Street, Shreveport, LA 71101

Name _____ I plan to attend (check one) In Person Webinar

Firm _____

Billing Address (Credit Card) _____

City _____ State _____ Zip _____

Phone No. _____ Email _____

(Materials will be sent in a link to your email address)

Please register me for the following BY THE HOUR classes:

Materials: The registration fee includes course materials provided electronically. PDF materials will be emailed to you for download before the conference. Because neither internet access nor electrical outlets are guaranteed, we suggest that you either print or save the PDF materials to your mobile device, and fully charge your batteries before the conference. Be prepared with a mobile device and data plan in case there is no Wi-Fi.

Walk-In Registration: Must pay the late registration price.

Important Note: COVID-19 Precautions

The SBA takes the health and safety of its CLE attendees, presenters, and staff very seriously and acts to protect them based on the best information available to us at the time. All participants will be required to follow local and state protocols.

Cancellation Policy: Cancellation requests must be received in our office in writing (by email, fax or U.S. mail) no later than Friday August 13, 2021 to receive a refund less a \$50 cancellation fee. Requests may be emailed to dsouthern@shreveportbar.com or faxed (318) 222-9272 or U.S. mail to 625 Texas Street, Shreveport, LA 71101.

Registration Fees:

Full Program In Person and Webinar Option

\$425.00 for Non-SBA Members

\$400.00 for SBA Members

Thursday Only In Person and Webinar Option

\$325.00 for Non-SBA Members

\$300.00 for SBA Members

Wednesday Only In Person and Webinar Option

\$325.00 for Non-SBA Members

\$300.00 for SBA Members

\$75.00 Ethics Only In Person and Webinar Option

\$75.00 Professionalism Only In Person and Webinar Option

Full refund until August 13, 2021, less a \$50 administrative fee. After August 13, Full Credit Less a \$50 Administrative Fee May Be Applied To Future SBA sponsored CLE Seminar For Up To One Year

Please remit with payment to:

Shreveport Bar Association, 625 Texas Street, Shreveport, LA 71101

Credit Card Information Visa American Express Discover MasterCard

Card No. _____ Expiration Date _____

SIC: _____ Amount to be Charged to Card \$ _____

Signature _____

Second Circuit Recognizes Employees

The Second Circuit Court of Appeal recently honored employees who reached five-year milestones in their employment with the court. The event featured two years' worth of honorees, as no social gatherings were allowed during COVID lockdown. The attorneys receiving recognition included:

Hal Odom Jr., senior research attorney for Chief Judge D. Milton Moore, and **Susan Jiles Lindanger**, senior research attorney for Judge Jeanette Garrett, 35 years with the court. **Jennifer Segner**, assistant central staff director, 30 years. **Gary F. Strickland**, research attorney for Chief Judge D. Milton Moore, and **Victor Killory**, senior research attorney for Judge Marcus Hunter, 25 years. **Robin Jones**, clerk of court and judicial administrator, 20 years. **Cynthia Strickland**, research attorney for Judge Marcus Hunter, 15 years. **Ann Swearingen**, a research attorney for Judge Frances Pitman, 10 years.



Chief Judge D. Milton Moore and Cynthia Strickland



Chief Judge D. Milton Moore and Hal Odom Jr.



Susan Jiles Lindanger and Judge Jeanette Garrett

How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

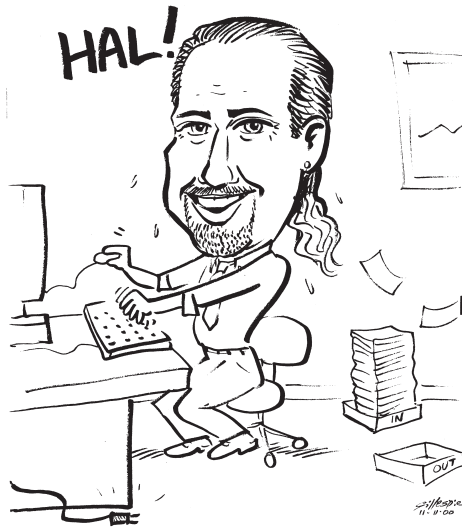
Let's get our torts straight. In a landmark opinion that defined the limits of intentional infliction of emotional distress, the La. Supreme Court stated, "Conduct which is merely *tortuous* or illegal does not rise to the level of being extreme and outrageous." *Nicholas v. Allstate Ins. Co.*, 99-2522 (La. 8/31/00), 765 So. 2d 1017. This should serve as a reminder that there are three important "tort" words.

Tortious, or *constituting a tort*, is the most common, and the word intended in *Nicholas*. Another miscue: "Pursuant to the continuing tort theory, when the *tortuous* conduct and resulting damages are of a continuing nature, prescription does not begin to run until the conduct causing the damage is abated." *Safe Air Tech. LLC v. Christie*, 17-0320 (La. App. 1 Cir. 9/15/17). Most often, **tortious** is the word to precede *conduct* or *activity*.

Tortuous, by contrast, means *full of twists and turns*. It is properly applied to the *complex procedural history of a case* or (pejoratively) to a *strained or illogical argument*. "His reasoning is somewhat *tortuous*." *United States v. Stockman*, 947 F.3d 253 (5 Cir. 2020). "This *tortuous* history belies the simplicity of the matter at issue: the imposition of a multiple offender sentence in accordance with a plea agreement." *State v. Ellison*, 17-319 (La. App. 5 Cir. 12/13/17), 234 So. 3d 217. Beware of misuse: "See also, Act 396 of the 2010 Regular Session and discussion which might assist in this *tortious* history of recent grade changes." Cheney C. Joseph & P. Raymond Lamonica, *Criminal Jury Instructions*, 17 La. Civ. L. Treatise, § 10:108, 2017 Comments. "Plaintiff relies on this principle to support its argument that the Court has personal jurisdiction over Allcorn/ Alert Middle East under a *tortious* theory of minimum contacts." *US Fire Pump Co. v. Alert Disaster Control (Middle East) Ltd.*, 2021 WL 296073 (M.D. La. 2021). Both of these should be *tortuous*.

Torturous, meaning *relating to or inflicting torture*, is the easiest. "Lung damage caused by the virus substantially increased the likelihood that they would suffer *torturous* effects if executed with pentobarbital." *United States v. Higgs*, 141 S. Ct. 645 (2021) (Sotomayor, J, dissenting). However, the occasional slip can occur. "The *torturous* path of plaintiff's discovery efforts * * * is recounted in detail in the Memorandum in Opposition to Motion for Summary Judgment." *Zara v. Strain*, 2011 WL 723409 (E.D. La. 2011). This one also should be *tortuous*.

I feel their pain, but ... From a brief filed in the Second Circuit: "While this access may not have provided all-weather access it was access *commiserate* with the area." This word means to *sympathize* or *share in someone's sorrow*, but confusion sometimes arises. "Rather, an hourly rate *commiserate* with the mean hourly rate for similar attorneys appears sufficient." *Pens. Plan Guide (CCH)* ¶ 327230 (Aug. 1, 2017). The word intended



is *commensurate*, which means *proportionate* or *equal*.

One court has astutely "sicked" the error: "Dr. Hodges' review of that MRI in April of 2012 'reveals multilevel degenerative changes throughout the thoracic spine, commiserate [sic] with his current age and progression of his pre-existing thoracic disc disease[.]'" *Olivier v. Olivier Bldrs.*, 15-217 (La. App. 3 Cir. 11/18/15), 180 So. 3d 540. Blame it on the doctor!

Don't put your relatives first. Relative pronouns, to be precise! It might sound fancy, but starting a sentence with *who*, *which* or *that* will probably make the judge reread, unless the sentence is very short.

The authors of an old but useful West Publishing "Nutshell" book offer these examples:

- *That* the group associated for the sole purpose of committing crimes constitutes a pattern of racketeering activity. *Better*: A pattern of racketeering is established because the group associated for the sole purpose of committing crimes.
- *Which* decision the court will uphold is, given the balance of authority, impossible accurately to predict. *Better*: Because the decisions are of equal weight, it is impossible to predict which one the court will uphold.
- *Whom* the opposing counsel uses as expert witnesses will determine the cross-examination strategy we will adopt. *Better*: Our cross-examination strategy will depend on whom opposing counsel uses as expert witnesses. *Or, my suggestion*: Our cross-examination strategy will depend on which expert witnesses opposing counsel calls.

Lynn B. Squires & Marjorie Dick Rombauer, *Legal Writing in a Nutshell*. St. Paul, Minn.: West Pub. Co. © 1982, p. 92.

But keep those fraternal relations. Usual research led me to a somewhat vintage case. The author of the opinion wrote: "Since *Pitre*, our *brethern* of the Third Circuit have held that such a claim is not cognizable under Louisiana law, distinguishing *Pitre*." *Henry v. Taco-Tio Inc.*, 614 So. 2d 772 (La. App. 2 Cir. 1993). The author, the late (and much missed) Fred Sexton Jr., probably took some pride in using a folksy vernacular, and would have resisted any suggestion to change it to the standard *brethren*.

The homespun variant might predate gender diversity on the bench: "This court has long agreed with our *brethern* of the fourth circuit in recognizing 'that if an alleged error falls within the ambit of trial strategy it doesn't establish ineffective assistance of counsel.'" *State v. Batiste*, 15-1008 (La. App. 3 Cir. 4/6/16), 189 So. 3d 580, citing three cases going back to 1986.

The rustic version might be fine for a church picnic, if everyone mentioned is male. Otherwise, consider *colleagues* or *associates*.



Second Circuit Highlights

by Hal Odom Jr., rhodom@la2nd.org

Still no “wrongful life” allowed. In the seminal case of *Pitre v. Opelousas Gen’l Hosp.*, 530 So. 2d 1151 (La. 1988), the La. Supreme Court held that wrongful life is not an action in this state. Factually, it held that a doctor does not owe a duty to an unconceived child to protect her against the risk of being born with albinism, but it generally disallowed any action based on wrongful life or wrongful birth. In the ensuing 33 years, the other appellate courts have hewn to this principle, but the Second Circuit had never got a case on the issue.

In *Robinson v. Mitchell*, 53,958 (La. App. 2 Cir. 6/30/21), the Second Circuit joined the jurisprudence. In early 2014, Dr. Mitchell, an OB-GYN in the Willis-Knighton system, confirmed by ultrasound that Ms. Robinson was pregnant; in April, he ordered a Quad Screen Test, a blood test to gauge the child’s risk for certain genetic conditions; Ms. Robinson gave the blood sample, and it was shipped to Mayo Medical Labs. The test came back positive for Down Syndrome. Mayo Medical sent this result “by computer” to Willis-Knighton Labs, which then faxed it (Dr. Mitchell’s choice for receiving results) to Dr. Mitchell’s office. There, an LPN erroneously wrote “negative” on Ms. Robinson’s chart; Dr. Mitchell himself initialed this and advised the parents that the results were normal. Unfortunately, when Ms. Robinson gave birth to a baby girl in September, everyone noticed features “suggestive of Down Syndrome.” The diagnosis was soon confirmed, and Dr. Mitchell admitted to the Robinsons that he had misread the Quad Screen Test results.

The Medical Review Panel absolved the Willis-Knighton entities but found that Dr. Mitchell and his office failed to meet the applicable standard of care (which would require them to read the lab results correctly). Still, the MRP declined to say whether this breach of duty contributed to the claimants’ damages, so they filed suit. They alleged that in light of the extraordinary suffering their child would have to endure, and the expenses they were sure to incur, had they known of the test results, they would have terminated the pregnancy. In district court, the Willis-Knighton entities were dismissed by summary judgment, and Dr. Mitchell’s office settled for the statutory limit of \$100,000. The Patient Compensation Fund, however, objected to the settlement and to any excess liability; it filed a partial exception of no cause of action urging that the Robinsons were really asserting a wrongful life claim, which our law does not recognize. The district court sustained the exception, and the Robinsons appealed.

The Second Circuit affirmed, in an opinion by Judge Cox. The Court traced the jurisprudence from *Pitre* onward (including one outlier case, from the First Circuit, which it declined to follow), noting the state’s strong embrace of the interest of unborn persons (natural person status, succession rights, wrongful death rights, etc.) and the human instinct for survival and self-preservation. The court simply could not accept the suggestion that anybody would be better off “not born than born with Down Syndrome.” Finally, the court lauded the great strides society has made in the treatment of Down Syndrome patients, and refused to “regress back to the early 20th century way of thinking.”

In addition to the “philosophical conundrum” cited by the court, that an unborn child “would have been advantaged had she not been born,” there is the conundrum of a physician committing a fairly egregious breach of duty without legal consequences. For now, however, there really is no cause of action for wrongful life.

In your face on Facebook. A certain Caddo Parish constable and two-time candidate for Caddo Parish sheriff had an antagonistic relationship with a local auctioneer and former owner/publisher of a weekly paper, *The Inquisitor*. Much vitriol played out in that tabloid’s pages. The constable, however, was not without a voice. His cousin, in South Carolina, ran a podcast, “The Jenny C. Show,” on her Facebook page; the constable and his fiancée were frequent guests. In July 2018, the auctioneer took a new bride, a much younger woman originally from the Philippines, and the podcast pounced. Jenny C., joined by the constable and his fiancée, speculated (or outright asserted) that the auctioneer’s new bride was a prostitute, she was 16 years old when he “purchased” her, she was “bought” in the Philippines, her family sold her, she was involved in sex trafficking, she was bought from a catalogue, and she was sold through a website called “loveme.com.”

The auctioneer’s young bride sued for defamation. Although the three defendants refused requests for admissions that they had made the statements, at trial the podcasts were admitted into evidence and the district court listened to them. The court found that the statements were defamatory per se, thus obviating the need for proof of malice, falsity and injury. The court awarded damages of \$15,000 against the three defendants, in solido. The constable and his fiancée appealed.

The Second Circuit affirmed, *Yanong v. Coleman*, 53,933 (La. App. 2 Cir. 5/17/21), 317 So.3d 905, in an opinion by Judge Garrett. The opinion provides a textbook recap of the law of defamation and then summarizes the eight offending podcasts (anyone interested in sordid details is encouraged to read the opinion). The main issue raised was proof of publication: there was no mention of how many people might have listened to the Jenny C. Show, but posting it on the social-media behemoth Facebook obviously counts as publication. The court also rejected the claims that the statements served some kind of “public concern” and that damages could not be based solely on the plaintiff’s testimony.

It was an expensive eight-episode podcast for the defendants. Social media really is social. Publication is easy to prove. Bloggers and podcasters need to remember this!

Take a tiny step. The Provenza family owned property in the 400 block of Traffic Street, in Bossier City, for several generations. In late 2009, the city and parish expropriated a portion of the land to widen Traffic Street. In early 2010, however, Ms. Provenza discovered that demolition teams had razed buildings not included in the expropriation order. In January 2011, family members filed suit against the city, the parish, and other persons and entities, alleging illegal use of the plaintiffs’ property and a scheme to take without due process.

Pretrial matters proceeded slowly, including a motion to compel discovery in 2012, a deposition taken in 2013, a scheduling order in 2015, and plaintiffs’ motions: to continue, in February 2016; for a status conference and to set a new trial date, in August 2016; an ex parte motion to continue, “to be reset at a later date,” in May 2017; and a notice of Art. 1442 deposition, in May 2020. After the last notice, the defendants promptly filed a motion to dismiss for abandonment. The district court granted the motion, and the plaintiffs appealed.

The Second Circuit affirmed, *Provenza v. City of Bossier City*, 54,002 (La. App. 2 Cir. 6/30/21), in an opinion by Judge Garrett. Under

La. C.C.P. art. 561, abandonment occurs unless (1) a party takes some “step” in the prosecution or defense of the action, (2) the step occurs in the proceeding and, with the exception of formal discovery, must appear in the record of the suit, and (3) the step must be taken within three years of the last step taken by any party. *Williams v. Montgomery*, 20-01120 (La. 5/13/21), 320 So. 3d 1036. Whether an act constitutes a “step” depends on the intent of the party and the substance of the action, and doubt should be resolved against finding abandonment, but courts cannot let cases “indefinitely linger.” *Id.* The issue, whether the May 2017 motion to continue, without date, constituted a step, was *res nova* in the Second Circuit. In the absence of Supreme Court guidance, the court gathered the case law: the First, Third and Fifth Circuits all deem such a motion *not* a step; the Fourth Circuit reaches the opposite result (although the most recent statement, a case called *Fischer v. Rogers*, 19-0337 (La. App. 4 Cir. 10/9/19), 280 So. 3d 1199, has been subject to a writ grant since January 22, 2020!). The court found the reasoning of the First, Third and Fifth Circuits to be more supported by Art. 561, in holding that a “step” is a “formal action before the court, intended to hasten the suit toward judgment, or the taking of formal discovery.” It concluded that the plaintiffs’ motion to continue, without date, did not satisfy this standard.

Judge Hunter dissented, in one of his first published opinions on the court. He noted that the plaintiffs’ motion alleged that *all counsel* had agreed to continue and reschedule, and the trial court signed an order to that effect, showing that they did not “clearly demonstrate” intent to abandon.

The clock is ticking. After *Provenza*, practitioners cannot rely on a motion to continue, without date, signed by the court, to interrupt the three-year abandonment of Art. 561.

The waters around you have grown. Whether or not one believes in anthropogenic (man-made) climate change, rising waters have contributed to servitude actions in the flood plain of the Mississippi. In *Miller v. Madison Parish Police Jury*, 53,955 (La. App. 2 Cir. 5/17/21), an opinion by Chief Judge Moore, the court affirmed a finding that the servient estate had complied with a consent order to lay an “all-weather road” from the nearest highway to the plaintiff’s enclosed estate. In *Blackjack Farms LLC v. Richmond*, 53,986 (La. App. 2 Cir. 6/30/21), an opinion by Judge Pitman, the court affirmed a judgment that designated a right of passage from the enclosed estate to the nearest highway, but vacated a provision that placed time restrictions on when the enclosed estate could use it. Cases like these are totally fact-intensive, but illustrate the problems that will arise now that water is higher and submerges, for much of the year, land that used to be mainly dry.

Mind those domestic orders. In two recent opinions, the Second Circuit vacated judgments pertaining to orders in domestic cases. In *Young v. Young*, 54,038 (La. App. 2 Cir. 6/30/21), an opinion by Judge Stephens, the district court had issued an interim order giving the parents alternating weekly physical custody of the two children, but a month later, the dad filed a rule for contempt on grounds that the mom had taken the kids to Tennessee, denied him phone calls with them, and refused to exchange physical custody. At the hearing, the district court refused to let the mom introduce (other than by proffer) evidence of the dad’s history of abusive conduct. The court found her in contempt, ordered her to hand over the kids, sentenced her to 30 days in parish jail with a cash bond of \$5,000, and ordered her to pay the dad’s attorney fee of \$5,000. She appealed, and the Second Circuit reversed, noting that a constructive contempt requires a finding that the person violated the court order “intentionally, knowingly and purposefully, without justifiable excuse.” *Lang v. Asten Inc.*, 05-1119 (La. 1/13/06), 918 So. 2d 453. The court agreed that the mom did not comply with the order, but found that the record “does not contain * * * the requisite testimony and evidence to show that [her] violation was (or was not) done intentionally,

knowingly, and purposefully, without just cause.” The excluded evidence, the court ruled, could have great relevance as to whether the mom was justified in her actions. In *Landry v. Landry*, 53,921 (La. App. 2 Cir. 6/9/21), an opinion by Judge Boddie, pro tem, the mom exhibited some fairly bizarre behavior, influenced by drugs, alcohol and mental illness; she threatened to have her boyfriend kill the kids’ dad, and wandered around telling people that somebody had killed the kids and stuffed them in garbage bags. The district court issued a protective order under the Protection from Family Violence Act, La. R.S. 46:2136. Owing to COVID restrictions, however, the district court modified the procedure: it conducted a hearing officer hearing without formal notice, kept no transcript of that hearing, and issued a protective order without a written recommendation from the hearing officer, all fairly obvious violations of Title 46. The Second Circuit commended the district court for trying to observe COVID protocols, but found the deviation from due process too serious to ignore. It reversed and remanded, directing the district court to do it right next time.

In a concurrence, Judge Cox said the district court was surely “looking at the best interest of the children,” but even in “these horrible circumstances,” certain procedures must be followed.

Really, really no cause. Curley Jefferson, who is now serving time in Texas, was involved in a hit-and-run accident in Shreveport. He called Dudley DeBosier Injury Lawyers, and one of their attorneys filed a petition in the First JDC against Jefferson’s UM carrier, State Farm. After discovery and negotiations, State Farm agreed to pony up its policy limits of \$30,000 and settle the case. Jefferson, however, thought his damages were worth much, much more than that, and refused to sign the release; several months later, his own lawyer filed a motion to withdraw, which was granted. About a month later, State Farm filed a petition for concursus and tendered its \$30,000 into the court registry. Jefferson, who never retained new counsel, objected and spewed a torrent of other pleadings.

To illustrate the tenor of Jefferson’s “creative” arguments, the opinion lists several: (1) whether the First JDC had jurisdiction over a policy written in Texas; (2) whether his counsel was incompetent for not researching Texas insurance law; (3) whether Dudley DeBosier had a license to practice in Texas; (4) whether Jefferson will need long-term care; (5) whether Texas civil statutes apply to the insurance policy; (6) he is entitled to more than \$30,000, as his medical bills exceed \$70,000; (7) whether he is entitled to exemplary damages; (8) additional discovery is needed. The only point with a modicum of validity was that \$30,000 wouldn’t begin to get him “out of the hole”; in addition to the \$70,000 of medical expenses he alleged, the record showed that the Texas Attorney General had claims of \$56,000 in child support arrears and \$3,408 in medical arrears, and Dudley DeBosier had claims of \$2,021 for costs advanced and \$12,000 for its contingency fee. However, \$30,000 was the limit of the UM policy.

State Farm filed an exception of no cause of action, which the district court granted on a finding that once State Farm deposited policy limits into the court registry, it was relieved of any further liability. Jefferson appealed.

The Second Circuit affirmed, *Jefferson v. State Farm*, 53,849 (La. App. 2 Cir. 5/26/21), in an opinion by Judge Stone. For the pro se plaintiff’s benefit, the court laid out the basic law of no cause and of concursus; crucially, “After the deposit of money into the registry of the court, the plaintiff is relieved of all liability to all defendants for the money so deposited.” La. C.C.P. art. 4658. State Farm admitted its liability by placing the \$30,000 in court registry, and set the stage for competing claimants – the State of Texas, the personal injury attorneys, anyone else? – to litigate the allocation of the fund. But when the statute says the plaintiff is “relieved of all liability,” there is no cause of action against him. End of discussion.

How Sweet it is JUSTINIAN XXVIII Coronation





-Krewe of Justinian- Midway to Mardi Gras “Run for the Beads” 5k, #6 Saturday October 23, 2021



Fun Run – 7:30 a.m. 5k - 8:00 a.m.

- *For experienced or first time runners; small, but great, run, run-walk, walk, kids, grandkids, FAMILIES;
 - *NO TRAFFIC! Out and back course;
 - *Every 5K finisher receives *MADE IN N.O., specialty “event”, Mardi Gras beads*;
 - *DILLAS QUESADILLAS, for all race entrants and volunteers;
 - * “W” Sound & Music & MC
 - * “COLLECTOR QUALITY” long sleeve, cuffless, High-Tech fabric with the 7 color event logo on race shirts front, sponsors on back, for entries by 14 October.
- *Easy parking, easy course, great time!

Date and Starting times: Saturday October 23, 2021. ½ Mile FUN RUN starts @ 7:30 a.m. (No registration required, no shirt or beads); 5k RUN starts at 8:00 a.m. (Registration required for all; specialty beads at finish, shirt if registered by 14 October.)

Location; Course description: Starting and finishing on the bike path at the Stoner Skateboard Park. Take Stoner Boat Launch exit off Clyde Fant Parkway; park in Stoner Skateboard Parking Lot; very short walk to race site overlooking “doggie park” and Stoner Boat Launch. Woof! Fun Run and 5k: no traffic, out and back, exclusively on wide bike path.

Entry Fee: \$20 now thru October 20 \$25 October 21 and 22 ; \$30 Race Day. Don’t diddle, get registered. The shirt is worth it! For registrants by midnight, October 14, 2021, race shirt is guaranteed. No shirt guarantee for later entrants due to limited supply chain availability. We are striving to make shirts available at a later date to all entrants, but no guarantee is possible.

All entrants by 12 a.m./Midnight, October 14, 2021, will be guaranteed a race shirt, even if not available until a later date.
 -Email notification or cell # is requested for you to pick up shirt when available at no extra charge
 -You may register and pay with a credit card ONLINE at www.sportspectrumusa.com or pay with cash, check, or credit card in Sportspectrum, 6970 Fern Avenue, Shreveport, LA 71105. Race day payment by cash or credit card only.

T-Shirts and Packet Pick-Up: You must register prior to midnight October 14, 2021, to guarantee a race shirt.
 -Packet pick-up will be at Sportspectrum 6970 Fern Avenue on Thursday, October 21 12:00-6:00 p.m. and Friday October 22nd from 10:00 AM – 5:30 p.m. Race packets not picked up will be available at the race site @ 7:00 a.m. the day of the race.

Awards: 1st & 2nd Overall male and female winners will receive special trophies. Additionally, 1st & 2nd male and female in the following age groups will receive an over the neck medal: 10 & under, 11-15, 16-19, 20-29, 30-39, 40-49, 50-59, 60-69, 70+

Waiver and Release: In consideration of my being allowed to enter Krewe of Justinian Midway to Mardi Gras 5k, I, for myself, my heirs, and assigns, executors, and administrators, do hereby forever release and discharge Sportspectrum, Sportspectrum Race Management, Krewe of Justinian, their employees and agents, and volunteers, of and from all or demands for damages, injuries, or liability, in any manner arising out of participation in this event. I agree to indemnify and hold harmless the parties released above from any claims or demands for damages, for injuries or liability, in any way arising out of my participation in this event. I certify that I have prepared myself for this race and that I am in adequate physical condition to complete the event I have entered. I agree to follow all rules of this race and to permit myself be removed from the competition if in the opinion of Race Management that continuing would endanger my health.

Krewe of Justinian Midway to Mardi Gras 5k Entry Form

Last Name: _____ First Name: _____
 City: _____ Zip Code: _____ Birth Date: day ___ / # of month ___ / Year _____ AGE ON RACE DAY: _____

Circle: Male or Female Event (Please Circle): ½ Mile Fun Run 5K
 Shirt Size (Circle) Youth: M L XL Adult: S M L XL XXL- (add \$2.00 upcharge)

I Understand and agree to all conditions of waiver. Signature: _____
 Parent/Guardian Signature for participant under 18 years old: _____



North Louisiana Criminal Defense Seminar October 7, 2021

Shreveport Bar Association
625 Texas Street
Shreveport, Louisiana

Approved for 6.5 Hours
Louisiana CLE Credit
Including 1 Hour of Ethics

8:00 a.m. Registration

8:30 a.m. Moving the Needle: Making a Difference at Sentencing
60 Minutes
Judge S. Maurice Hicks Jr. - U.S. District Court Western District of Louisiana and Judge Brady O'Callaghan - First Judicial District Court

9:30 a.m. Defending Sex Crimes
60 Minutes
Sarah Giglio - Gilmer & Giglio LLC and Eric G. Johnson - Eric D. and Eric G. Johnson Law Firm

10:30 a.m. Break

10:35 a.m. White Collar Criminal Defense
90 Minutes
Anne E. Wilkes - Harper Law Firm and James E. Boren - The Law Office of James E. Boren

12:05 p.m. Lunch On Your Own

1:00 p.m. The Prosecutors' Perspective
60 Minutes
Alexander C. Van Hook, Acting U.S. Attorney - U.S. Attorney's Office and Nancy Berger-Schneider, ADA - Caddo Parish District Attorney's Office

2:00 p.m. Break

2:05 p.m. Navigating Mental Illness Issues in Criminal Cases
60 Minutes
Judge Donald E. Hathaway Jr. - First Judicial District Court; Betty L. Marak - Federal Public Defender's Office; and Dr. Mark Vigen - Psychology Associates of NW Louisiana LLC

3:05 p.m. Ethics in Criminal Cases
60 Minutes
Justice Scott Crichton - Louisiana Supreme Court

Registration Fees: Complete this form and submit with payment or register online at www.shreveportbar.com

Name _____
I plan to attend (check one) In Person Webinar

Billing Address _____

City, State, Zip _____

Phone No. _____ Email _____
(Please include email for materials to be sent)

This Seminar is open for In Person and Webinar (please choose one)

Non-SBA Members and Legal Staff

\$350 (after October 1st deadline \$375)

SBA Members and Legal Staff of SBA Members

\$300 (after October 1st deadline \$325)

Please charge to my _____ V _____ MC _____ AMX

Card No. _____

Expiration Date _____ SIC#: _____

Signature _____

Materials:

Electronic - FREE

Registration:

Refund until October 1, 2021, less a \$25.00 admin. fee. After October 1, 2021, credit less a \$25.00 admin. fee may be applied to future SBA sponsored CLE for up to one year. Cancellations on the day of the seminar and "no shows" will not receive credit.

Important Note:

A link to the seminar materials will be sent to you via email prior to the seminar. Internet access nor electrical outlets are provided, we ask that you either print or save the PDF materials to your laptop, and fully charge your batteries if you wish to review the materials at the seminar.



(318)222-3643



(318) 222-9272

Please remit with payment to:

Shreveport Bar Association
625 Texas Street, Shreveport, LA 71101



Pro Bono Project

Do Good Work ~ Hon. Henry A. Politz

The Shreveport Bar Foundation, "SBF" was recently awarded a grant from the Community Foundation of North Louisiana "CFNLA" in the amount of \$63,750.00. This grant will help fund our Legal Representation for Victims of Domestic Violence Protective Order Program. The program provides a free attorney to appear in Caddo and Bossier Parish District, and Caddo Juvenile courts to assist victims of domestic violence obtain restraining orders and related orders when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victims.

The check was presented to SBF President Elizabeth Carmody, Executive Director Dana Southern, LRVDV Staff Attorneys Audrius Reed and Mary Winchell at the Shreveport Bar Center on Wednesday, July 14, 2021.



Pictured L-R are Audrius Reed, Mary Winchell, Kristi Gustavson, Elizabeth Carmody and Dana Southern

We want to thank Drew Martin, who volunteered to speak to residents at the MLK/Cooper Road Community Meeting on July 15, 2021. Mr. Martin spoke on the fundamentals of Mineral Rights Leasing. The meeting was hosted by Representative Cedric B. Glover and was held at Southern University in the Alphonse Jackson Building. Also in attendance for the meeting was Attorneys Reginald Abrams and John Madison, City Councilwoman Tabatha Taylor, and Caddo Parish School Board Member Jasmine Green.



Pictured L-R are Tabatha Taylor, Reginald Abrams, Drew Martin, John Madison, Rep. Cedric Glover, and Jasmine Green



Drew Martin and Lucy Espree

We want to recognize and thank the following attorneys who accepted one or more Pro Bono cases and volunteered at our monthly Ask A Lawyer clinic during the months of July and August 2021. Without our volunteer attorneys, we could not provide services to our clients who cannot afford legal assistance.

Elizabeth Carmody
Cook Yancey King & Galloway

Dan Farris
Attorney at Law

Donna Frazier
Attorney at Law

Felicia Hamilton
Attorney at Law

Spencer Hays
Attorney at Law

David Hemken
Cook Yancey King & Galloway

Kerry Hill
Attorney at Law

Larry Pettiette
Pettiette, Armand, Dunkelman,
Woodley, Byrd & Cromwell

Gernine Mailhes
Volunteers of America

Audrius Reed
Attorney at Law

Rebecca Vishnefski
Attorney at Law

Earlnisha Williams
Attorney at Law

Stacey Williams
Blanchard, Walker, O'Quin & Roberts

Mary Winchell
Winchell & Joseph



Elizabeth Carmody and Audrius Reed provide legal advice at the Ask A Lawyer Event



Audrius Reed and Gernine Mailhes received thank you baskets for their help with a divorce clinic



Donna Frazier and Lucy Espree

If you would like more information about volunteering or have any questions about our current open cases, please contact Lucy Espree at 318-703-8381 or at lespree@shreveportbar.com.

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, Grayson Foundation and the SBA Krewe of Justinian.





Worth Skimming

by Chris Slatten, Chris_Slatten@lawd.uscourts.gov

Federal 4th is Here

West's *Federal Reporter* began publishing federal decisions, except those of the Supreme Court, in 1880. When the *Federal Reporter* reached 300 volumes in 1924, West started over with volume one of *Federal Reporter, Second Series*, or F.2d. District court decisions were relegated to the *Federal Supplement* in 1932, but the appellate judges alone managed to fill 999 volumes of F.2d by 1993. West started over with F.3d. Now, in 2021, F.4th is here. It took 69 years for judges to fill 999 volumes of F.2d but only 28 years to stuff 999 volumes of F.3d.

What modern issue is addressed in the first decision in F.4th? A patent battle over cell phone technology? A transgender discrimination claim? No. It takes on a dispute brewing for 80 years and arising from the Nazi Germany invasion of Poland, the Holocaust, and missing art. *Khochinsky v. Republic of Poland*, 1 F.4th 1 (D.C. Cir. 2021).

Plaintiff Beware: Prescription Issues in Federal Court

Plaintiffs sometimes choose to file a diversity suit in federal court, which puts them in jeopardy of a prescribed claim if the federal court lacks jurisdiction. Civil Code article 3462 provides that prescription is interrupted when a party files suit "in a court of competent jurisdiction and venue"; if a party files suit in a court of incompetent jurisdiction or improper venue, prescription is interrupted "only as to a defendant served by process within the prescriptive period."

Most tort suits are filed with little time left on the one-year clock, and service is often made after the year has passed. The plaintiff's lawyer has a serious problem if the court later finds that the parties are not actually diverse or the venue is improper. *Tally v. Lovette*, 332 So.2d 924 (La. App. 3rd Cir. 1976) (filing suit in a federal court that held five years later it lacked jurisdiction did not interrupt prescription).

The most common way a problem arises is when a plaintiff files suit against a business entity. If the defendant is a corporation, its citizenship is based on two facts. The first, state of incorporation, can often be verified pre-suit. But the second, principal place of business as determined by *Hertz Corp. v. Friend*, 130 S.Ct. 1181 (2010), is not always clear. If that state is the same as the plaintiff's citizenship, there is no jurisdiction.

If the defendant is an LLC, partnership, or other unincorporated association, citizenship is less ascertainable. It is based on the citizenship of each member, and the identity of the current members often cannot be determined from public records. Even if you think you know who the members are, a membership interest can change hands at any minute.

And there can be multiple layers of other LLCs, corporations, trusts, etc. within the LLC that makes it a citizen of multiple states. If there is even one member that shares citizenship with the plaintiff, there is no diversity jurisdiction. A plaintiff facing such uncertainties may be wise to file suit in state court rather than file in a federal court and risk that the suit will not interrupt prescription.

Effect of Transfer to a Competent Court

A twist on these issues was presented in *Franco v. Mabe Trucking Company*, 3 F.4th 788 (5th Cir. 2021), after a car-truck mishap in Louisiana near the Texas border. The plaintiff filed a diversity suit in a Texas federal court two days before the one-year anniversary, and he did not serve the defendant until after the anniversary. The Texas federal court found that it lacked personal jurisdiction over the defendant, making venue improper, and it transferred the case to the Western District of Louisiana.

The defendant argued that the case was prescribed because the plaintiff filed suit in Texas, in an incompetent court, and did not serve the suit within the one-year period, meaning he did not interrupt prescription under Article 3462. The plaintiff pointed to 28 U.S.C. § 1631, which provides that when a federal court finds that there is a want of jurisdiction and a transfer would be in the interest of justice, the court shall transfer the action to a court where the action could have been brought, and the transferred action "shall proceed as if it had been filed in ... the court to which it was transferred ... on the date it was actually filed in ... the court from which it was transferred."

The first Louisiana district judge agreed with the plaintiff. The case was later reassigned, and the second district judge reconsidered and dismissed the case as untimely. The 5CA (2-1) held that the first judge was correct and that the plaintiff's claim survived based on § 1631 and the Supremacy Clause. The divided opinions reflect that reasonable minds can differ on this issue. The best practice is to avoid the scenario, but *Franco* is there for those who don't.

Email Disaster

A motion for summary judgment was served via the electronic filing system, but it went into plaintiff's counsel's "other" folder by mistake. He did not learn of the motion until after judgment was entered dismissing the case. His efforts to get Rule 59(e) relief were denied by the district court, which was affirmed by *Rollins v. Home Depot*, 2021 WL 3486465 (5th Cir. 2021).



Welcome New Members

Jasmine Cooper
Shreveport City Prosecutor's Office

Ryan Didion
Attorney at Law

David McClatchey
*Judicial Administrator
First Judicial District Court*

Douglas Stinson
Bossier District Attorney's Office

Cole, Evans & Peterson **Certified Public Accountants**

**For Support in Your Practice and in
Obtaining Financial Security**

Accounting and Auditing Services
Litigation Support
Income Tax Planning, Compliance and Advocacy
Personal Financial Planning
Family Investment Entities
Estate Planning
Gift and Estate Tax Planning, Compliance and Advocacy
Retirement Plan Design, Implementation and Administration
Investment Planning and Analysis
Life and Disability Insurance Analysis
Computer Hardware and Software Acquisitions and Operations
Computer Network Consulting
Data Processing

Fifth Floor, Travis Place
Post Office Drawer 1768
Shreveport, Louisiana 71166-1768
Telephone (318) 222-8367 Telecopier (318) 425-4101
www.cecpca.com

FAST TRACK MEDIATION SERVICES a division of WEEMS, SCHIMPF, HAINES, SHEMWELL & MOORE (APLC)

Confidentiality Control
A Fair Compromise Cost-Effective

All civil law matters, including personal injury, wrongful death, medical malpractice, professional liability, successions, contracts, mass torts, property disputes, oil and gas, and employment law.

All family law matters, including property partitions, spousal support, child support, and custody.

Call or email us today to schedule your mediation.

(318)222-2100
mediate@weems-law.com

Carey T. Schimpf



Family / Civil Mediator

WEEMS, SCHIMPF, HAINES, SHEMWELL & MOORE (APLC)

**Accepting Appeal
And
Family Law Referrals**

**Certified By Louisiana Board of Legal
Specialization**

(318)222-2100
kenny@weems-law.com

Kenneth P. Haines



**Board Certified in
Appellate Practice and Family Law**

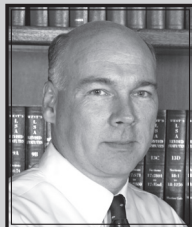
ELIZABETH W. MIDDLETON
MEDIATION SERVICES
When just any mediator won't do...
experience counts!

OVER 4,500 MEDIATIONS

(318) 487-9406
(800) 355-1483
FAX (318) 448-8158
ewmmmediate@gmail.com
charles@elliott.legal
lbash@fairclothlaw.com



Elizabeth W.
Middleton



Charles D. Elliott



Lottie L. Bash

FISCHER & MANNO, P.L.C.

Timothy R. Fischer
Mark K. Manno

Accepting referrals for
Workers' Compensation cases

318-869-0304
Fax 318-869-4911
3421 Youree Drive
Shreveport, Louisiana 71105

fischermannolaw.com



CHAD M.
GARLAND
CPA, LLC



Chad M. Garland,
CPA/ABV/CFF/CGMA, ASA,
CVA, MAFF, CFE, CTP, MBA
*Litigation, Expert Witness &
Valuation Services*

With 39 years' experience as a licensed CPA in Louisiana and Texas, Chad M. Garland has the knowledge, skills, experience and certifications necessary to handle your forensic accounting, expert witness and business valuation requirements.

In his forensic accountant capacity, Chad M. Garland can help resolve disputes before they reach the courtroom. In cases where disputes do go to court, Mr. Garland can be called upon by the attorney and their client to provide "expert witness" testimony in any given case. He has served as an expert witness on a variety of cases in district and federal court. Mr. Garland is trained to investigate, identify, and prevent financial crime and fraud.

Chad M. Garland operates within a policy of integrity, trust and competence. Know that your forensic accounting, expert witness and business valuation requirements will be handled with the utmost care, concern and attention to detail.

CREDENTIALS:

Certified Public Accountant (CPA)
Accredited in Business Valuation (ABV)
Certified in Financial Forensics (CFF)
Certified Global Management Accountant (CGMA)
Accredited Senior Appraiser (ASA)
Certified Valuation Analyst (CVA)
Master Analyst in Financial Forensics (MAFF)
Certified Fraud Examiner (CFE)
Certified Treasury Professional (CTP)
Master in Business Administration (MBA)

CASE TYPES:

Business Valuation Services · Bankruptcy
Embezzlement · Insurance Claims
Shareholders/Partnership Disputes
Mediation · Personal Injury Claims
Business Economic Losses
Divorce Settlements/Marital Disputes

PHONE 318.220.4416
CGARLAND@CHADGARLANDCPA.COM
900 PIERREMONT RD, STE 120 · SHREVEPORT, LA 71106
WWW.CHADGARLANDCPA.COM

29

PUT THIS
ON YOUR
CALENDAR!

UPCOMING EVENTS

*2021 SBA MEMBERSHIP LUNCHEONS

12:00 Noon at the Petroleum Club (15th Floor)

SEPTEMBER 15 & 16

Recent Developments by the Judiciary CLE
Hilton Garden Inn, Bossier City

*SEPTEMBER 22

Speaker: Ronald Kramer, Partner
Seyfarth Shaw LLP

OCTOBER 23

Midway to Mardi Gras Party
The Stage at Silver Star

OCTOBER 7

North Louisiana Criminal Defense Seminar
Shreveport Bar Center

*OCTOBER 27

Speaker: Alston Johnson
Professionalism Award Presentation

OCTOBER 23

6th Annual Midway to Mardi Gras
"Run for the Beads" 5K and Fun Run
Bike Path at the Stoner Skateboard Park

OCTOBER 28

SBA Memorial & Recognition Ceremony
2:00 p.m. at First United Methodist Church

You can now use the Amazon Shopping app on your mobile phone to sign up for AmazonSmile and select "Shreveport Bar Foundation Pro Bono Project" as your favorite charity.

This is a great opportunity for you to support us through AmazonSmile donations.

Do you want to help make a difference while you shop in the Amazon app, at no extra cost to you?

Simply follow the instructions to select "Shreveport Bar Foundation Pro Bono Project" as your charity and activate AmazonSmile in the app. They'll donate a portion of your eligible mobile app purchases to us.

How it works:

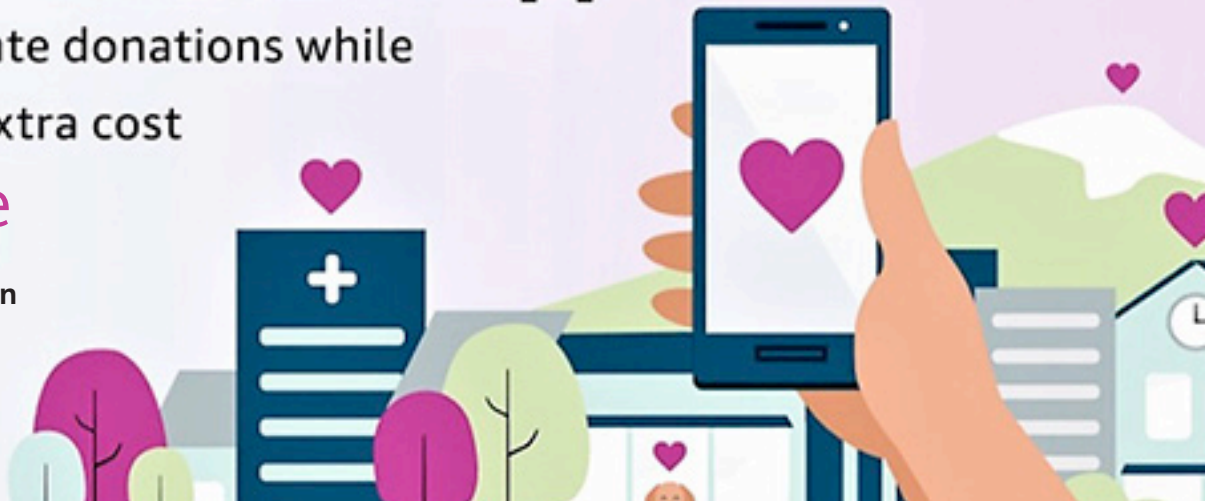
1. Open the Amazon app on your phone.
2. Select the main menu (=) & tap on "AmazonSmile" within Programs & Features.
3. Select "Shreveport Bar Foundation Pro Bono Project" as your charity.
4. Follow the on-screen instructions to activate AmazonSmile in the mobile app.

New in the Amazon app

Sign up to generate donations while
you shop, at no extra cost

amazonsmile

Shreveport Bar Foundation
Pro Bono Project



SBA LUNCHEON MEETING – SEPTEMBER 22

Petroleum Club (15th Floor) Buffet opens at 11:30 a.m.

Program and Speaker from 12:00 Noon to 1:00 pm.

\$25.00 for SBA members with advance reservation; \$30.00 for non-SBA members and late reservation (after 5:00 pm the Monday prior to the luncheon).



Ronald J. Kramer

Legal Issues of Keeping the Workplace Safe in A COVID Environment

When: Wednesday, September 22, from 12:00 Noon to 1:00 p.m.

Where: Petroleum Club (15th floor)

Featuring: Ronald J. Kramer, Partner
Seyfarth Shaw LLP

Join us on Wednesday, September 22 for a presentation by Ronald J. Kramer, who will speak on the legal issues of keeping the workplace safe in a COVID environment. Ron is a partner with the Chicago office of Seyfarth Shaw LLP, where he practices in the areas of labor and employment law for both public and private sector employers. Mr. Kramer is responsible for advising and representing private and public sector employers in a wide range of labor and employment matters, including employment discrimination charges, investigations, settlements and lawsuits, union organizing drives and unfair labor practice charges, grievance and arbitration cases under collective bargaining agreements, collective bargaining negotiations, interest arbitration, handbook review, employee disciplinary matters, FLSA questions, and ERISA lawsuits. He is a member of the Chicago, Illinois State and American Bar Associations and is a former chair of the ABA Section of State and Local Government Law. He received his B.A. from Michigan State University and his J.D. from IIT/Chicago-Kent College of Law.

#SHREVEPORTBARASSOCIATION

You may confirm your reservation(s) by email mlslack@shreveportbar.com, Phone 222-3643 Ext 2.

I plan to attend the September Luncheon.

Attorney: _____

Please remember to call and cancel if you are unable to attend.

The SBA pays for each reservation made.

No-shows will be invoiced.

Thank You!