

THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION Volume XXVIII, Number 9 • November 2021

INSIDE | NOVEMBER

President's Message.....	1
Worth Skimming	3
North Louisiana	
Criminal Defense Seminar	6
Lawrence W. Pettiette Jr. Receives	
Professionalism Award	9
Memorial & Recognition Ceremony	10
October Luncheon Highlights.....	11
Bar Briefs	12
How Write You Are	13
Second Circuit Highlights	14
Veterans Appreciation	16

EVENTS AT A GLANCE

- 11/10 - SBA Membership Luncheon (Veterans Program)
- 12/15 & 16 - December CLE by the Hour
- 12/19 - SBA Christmas Party



From The President

by Donna Frazier, dfrazier@caddo.org

Ah, November. Thanksgiving.

The first recorded Thanksgiving celebration by English settlers was in the Autumn of 1621. In the Plymouth colony, English settlers and Native Americans held a three-day festival to celebrate a good harvest season. In 1789, George Washington proclaimed Thanksgiving to be a national holiday on Thursday, November 26 of that year – setting the precedent of the last Thursday in November; however, Thanksgiving did not become a regularly recurring national holiday until Abraham Lincoln declared it such in 1863. The country would go through at least one other iteration of Thanksgiving, during the Great Depression (changed to third Thursday of the month), but in 1941, Congress officially declared that the national Thanksgiving holiday would be celebrated on the fourth Thursday of each November.

As a kid, and as a younger adult, I used to dread that time before Thanksgiving dinner where all family members in attendance had to say what we were thankful for. It just seemed to prolong the time until we could eat (which, in my young mind, was the best part of the day). In all fairness, prior to the pandemic, about 20 extended family members would gather for the holiday – that is a lot of talking. However, being unable to gather with family over the past year or so has me longing for a time when we can assemble again and give thanks. As we approach the holidays, I am thankful for so many things that I used to take for granted.

For example, I am thankful for life and good health. Everywhere I look, there seems to be great loss. Over the last year, I have lost more family members than I can ever remember losing within a twelve-month period. The losses have taught me that life is precious and not ever to be taken for granted. As I write this, I have just today learned of a great loss to our country – Gen. Colin L. Powell, one of my personal heroes. He broke so many barriers, becoming one of the few four-star generals of color, as well as the first African-American Chairman of the Joint Chiefs of Staff and Secretary of State. General Powell died from complications of Covid-19. There is no more stark reminder that we are still in a pandemic and that we need to take precautions to keep ourselves and our family members safe.

Part of Gen. Powell's legacy is his storied military career. The Shreveport Bar Association is fortunate that many of our attorneys are current or former military members. We are so thankful to all of them and to all those who serve our country. We will honor our veterans at our November luncheon where our speaker will be Maj. Gen. Jason R. Armagost, Director, Air Force Global Strike Command. You don't want to miss it. Please attend and join me in honoring those who protect this nation and our freedom.

Although this is not my farewell message, I do want to note that the November luncheon will be the last bar meeting at which I will preside. That is a very sobering thought for me. Where did the year go? Time has flown by so quickly.

Continued on Page 2

**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

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.

N

O

V

2

0

2

1

Continued from Page 1

I remember watching Curtis Joseph and Tom Arceneaux during their terms as bar president and thinking that I had all the time in the world before starting my term. Now my term is almost done. This year has been a whirlwind. It started with everyone thinking that 2021 would bring the end of the Covid-19 pandemic. It has not, but thankfully, we have been able to finally start having in-person CLE events and all of you have greatly supported those endeavors. Our October CLE, the North Louisiana Criminal Defense Seminar, was well-attended and received great reviews. The Bar Association's final CLE of 2021 will be our December CLE by the Hour Seminar on December 15 & 16. This is a perfect time to pick up that random hour of CLE that we somehow can't find on our yearly transcripts and to fellowship with one another during the holiday season. On behalf of our CLE Chairman, Judge Mark Hornsby, and our Executive Council, I can't thank you enough for supporting our CLE efforts through registration and attendance, as well as through sponsorship.

My friends, despite the ups and downs 2021 has brought, we have so much to be thankful for. There is a hymn that says "Count your blessings, name them one by one." I challenge all of us to take some time and do that as we enter this holiday season. I'm willing to bet that simple act will turn into your biggest blessing to date. Happy Thanksgiving!



**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.**





Worth Skimming

by Chris Slatten, Chris_Slatten@lawd.uscourts.gov

Experts and Excessive Force

Plaintiff in a police shooting case offered an affidavit from her expert in opposition to the defendants' motion for summary judgment. The expert said, "It is my opinion [that] Deputy Parker's use of deadly force ... was unnecessary and objectively unreasonable and resulted in his death." Defendants argued in their reply memo that the testimony was inadmissible.

The 5CA agreed. "Experts cannot render conclusions of law or provide opinions on legal issues. Reasonableness under the Fourth Amendment or Due Process Clause is a legal conclusion. It is therefore error to allow expert testimony on whether an officer used unreasonable force." *Renfroe v. Parker*, 974 F.3d 594 (5th Cir. 2020) (cleaned up).

Unarmed Suspect; No Warning Before Shooting

The *Renfroe* plaintiff emphasized that her late husband was not armed when a deputy shot him, and the deputy did not warn him before using lethal force. The 5CA shot down her arguments. "[T]his court has previously found that an individual need not be armed for a law enforcement officer to believe that he is in danger of serious physical harm. See, e.g., *Colston v. Barnhart*, 130 F.3d 96, 99–100 (5th Cir. 1997). And as this court recognized in *Colston*, an officer's duty to warn a suspect before using deadly force depends on whether that officer has time to do so." Dashcam video indicated that it was not feasible for the deputy to issue a warning.

Recording the Police

"We conclude that First Amendment principles, controlling authority, and persuasive precedent demonstrate that a First Amendment right to record the police does exist, subject only to reasonable time, place, and manner restrictions." *Turner v. Lieutenant Driver*, 848 F.3d 678, 688 (5th Cir. 2017).

Waiving Arbitration; Claim-by-Claim

The defendant waived its right to arbitrate the plaintiff's state-law claims when it filed a motion to dismiss and, only after it was denied, moved to compel arbitration. The plaintiff later added federal claims, and the defendant moved to compel arbitration of those claims. "[W]aivers of arbitral rights are evaluated on a claim-by-claim basis." The defendant did not waive its right to arbitrate the new federal claims. *Forby v. One Techs., L.P.*, 2021 WL 4167262 (5th Cir. 2021).

Improper Joinder

If a plaintiff sues diverse and nondiverse defendants in state court, the diverse defendant can remove the case if it establishes that the nondiverse defendant was "improperly joined." That requires a showing that the plaintiff is unable to establish a cause of action against the nondiverse party in state court.

The doctrine has strict limits. Ordinarily, if a plaintiff's claim against the nondiverse defendant can survive a Rule 12(b)(6) challenge, there is no improper joinder. But in a small number of cases, the plaintiff may have stated a claim on paper but he misstated or omitted discrete facts that would bar recovery against the nondiverse defendant. The district court has discretion to pierce the pleadings, but only to identify the presence of discrete and undisputed facts that would bar recovery.

The oft cited examples of candidates for piercing are when a defendant doctor did not treat the plaintiff, a pharmacist did not fill the prescription at issue, a party's citizenship is not as alleged, or there is some similar fact that easily can be disproved if not true. But even these examples are not guaranteed to work. I've seen a "Who filled the Rx?" dispute that was so complex that piercing was not allowed. *Chhetri v. Wal-Mart*, 2009 WL 6056530 (W.D. La. 2009).

The decision in *Hicks v. Martinrea*, 12 F.4th 511 (5th Cir. 2021) is a good reminder of the limits of the doctrine. The removing defendant offered deposition testimony that undermined the plaintiff's claim against a nondiverse manager. The 5CA said that ventured too close to traditional summary judgment, which is not the correct standard for improper joinder. The plaintiff pled a viable claim against the manager, and the evidence offered by the defendants did not show a discrete and undisputed bar of the claim. The case was remanded to state court.

Arbitrator Decision; Manifest Disregard of the Law

The Federal Arbitration Act provides in 9 U.S.C. § 10 that a court may set aside an arbitration award for any of four listed reasons (arbitrators were corrupt, guilty of certain misconduct, or exceeded their powers; award procured by fraud). But judges just couldn't resist creating a "manifest disregard of the law" grounds. In recent years, the courts have backed off of this judge-created grounds. The 5CA recently tracked the history of the issue and made clear that manifest disregard of the law is no longer an independent nonstatutory ground for setting aside an award. *Jones v. Michaels Stores, Inc.*, 991 F.3d 614 (5th Cir. 2021).



December CLE By The Hour

December 15 & 16, 2021

Petroleum Club, 15th Floor
416 Travis Street, Shreveport

13 Louisiana CLE Credits (including 1 Hour Ethics & 1 Hour Professionalism)

13 Texas CLE Credits Approved (including 2 Hours Ethics)

(Please Circle Classes Attending)

Wednesday, December 15, 2021

- 7:30 A.M. Registration & Continental Breakfast
- 8:30 A.M. Estate Planning
60 Minutes *Lee B. Aronson – Gilsoul and Associates*
- 9:30 A.M. Break
- 9:35 A.M. Taking Better Depositions
60 Minutes *Scott J. Chafin Jr. – Gregorio, Chafin & Johnson and Marcus Edwards - Mayer, Smith & Roberts*
- 10:35 A.M. Break
- 10:45 A.M. Oil & Gas Update
90 Minutes *Katherine Smith Baker- Bradley Murchison Kelly & Shea and Andrew D. Martin - Davidson Summers*
- 12:15 P.M. Lunch (included with all-day registration, or \$25)
- 1:00 P.M. DWI Defense
60 Minutes *Katherine Gilmer - Gilmer & Giglio and Craig Smith– Smith & John*
- 2:00 P.M. Break
- 2:10 P.M. Employment Law Update
60 Minutes *Meg Frazier - Wiener, Weiss & Madison and Brian Carnie - Kean Miller*
- 3:10 P.M. Break
- 3:20 P.M. Meta Data, Audio and Video Evidence Update
60 Minutes *Marion K. Marks - MMCC Forensic*

Thursday, December 16, 2021

- 7:30 A.M. Registration & Continental Breakfast
- 8:30 A.M. Professionalism
60 Minutes *Judge Michael Pitman – First Judicial District Court*
- 9:30 A.M. Break
- 9:35 A.M. Effective Mediation Strategies
90 Minutes *Donald Armand Jr. – Pettiette, Armand, Dunkelmann, Woodley, Byrd & Cromwell and Brian Homza - Cook, Yancey, King & Galloway*
- 11:05 A.M. Break
- 11:15 A.M. Ethics
60 Minutes *Magistrate Judge Joseph Perez-Montes– U.S. District Court, Western District of Louisiana*
- 12:15 P.M. Lunch (included with all-day registration, or \$25)
- 1:00 P.M. 10 Things All Attorneys Need to Know About Bankruptcy
60 Minutes *Judge John Hodge - U.S. Bankruptcy Court*
- 2:00 P.M. Break
- 2:10 P.M. Workers' Compensation Update
60 Minutes *Mary Lou Salley Bylsma - The Law Offices of Jack M Bailey Jr. and Robert Dunkelmann - Pettiette, Armand, Dunkelmann, Woodley, Byrd & Cromwell*
- 3:10 P.M. Break
- 3:20 P.M. Taking the Fear Out of Federal Court
60 Minutes *Jerry Edwards - U.S. Attorney's Office, Western District of Louisiana*

Registration Fees: [Complete this form or register online at shreveportbar.com](https://www.shreveportbar.com)

Individual Session Rates (individual sessions are In person only)

Non-Member - \$65 per session (\$75 after Dec. 1)

SBA Member - \$55 per session (\$65 after Dec. 1)

All Day Wednesday Non-Members - \$400 (\$450 after Dec. 1)
(6.50 hours) SBA Members - \$300 (\$350 after Dec. 1)

All Day Thursday Non-Members - \$400 (\$450 after Dec. 1)
(6.50 hours) SBA Members - \$300 (\$350 after Dec. 1)

Both Days Non-Members - \$550 (\$600 after Dec. 1)
(13 hours) SBA Members - \$450 (\$500 after Dec. 1)

I plan to attend (check one) In Person Webinar (Wed/Thur/Both only)

Name _____

Billing Address _____

City, State, Zip _____

Phone No. _____ Fax No. _____

Email _____

(Please include email for materials to be sent)

Materials: The registration fee includes course materials provided electronically. A link to the seminar materials will be sent to you via email prior to the seminar. Because neither internet access nor electrical outlets are guaranteed, we suggest 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.

Important Note: The webinar option is available for all day Wednesday, Thursday and both day attendees only.

Full registration refund until November 15, 2021, less a \$25 admin. fee. After November 15, full credit less a \$25 admin. fee may be applied to future SBA sponsored CLE for up to one year.

Please charge to my V MC AMX

Card No. _____

Expiration Date _____ SIC#: _____

Signature _____

[Please remit with payment to:](#)

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

Questions? Call (318) 222-3643 or Email dsouthern@shreveportbar.com

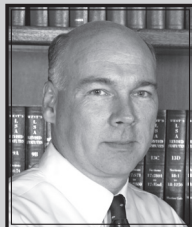
ELIZABETH W. MIDDLETON
MEDIATION SERVICES
When just any mediator won't do...
experience counts!

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
LAW

(Formerly Fischer & Manno)

Timothy R. Fischer
A Professional Law Corporation

Accepting referrals for
Workers' Compensation cases

3421 Youree Drive
Shreveport, Louisiana 71105

Telephone: 318-869-0304
Fax: 318-869-4911

Email: timfisch@aol.com
Chris@timfischerlaw.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

2021 North Louisiana Criminal Defense Seminar

Sponsored by: The Shreveport Bar Association



Aaron Lawrence and Joey Greenwald



Alec Van Hook and Chris Slatten



Alec Van Hook and Nancy Berger-Schneider



Anne Wilkes, Aaron Lawrence and Judge Mark Hornsby



Eric Johnson and Sarah Giglio



Judge Donald Hathaway, Betty Marak and Dr. Mark Vigen



Judge Mark Hornsby and Justice Scott Crichton



Judge Maury Hicks and Judge Brady O'Callaghan



North Louisiana Criminal Defense Seminar Attendees



Pete Kammer and Judge Mark Hornsby



Thanks For Your Valuable Contribution!

The planners and speakers of the **SBA 2021 North Louisiana Criminal Defense Seminar** are volunteers. Their gift of time and talent make this event successful. We acknowledge and greatly appreciate their work.

Nancy Berger-Schneider
Honorable Scott Crichton
Sarah R. Giglio
Honorable Donald E. Hathaway Jr.
Honorable S. Maurice Hicks
Honorable Mark Hornsby

Eric G. Johnson
Betty L. Marak
Honorable Brady O'Callaghan
Alexander C. Van Hook
Dr. Mark Vigen
Anne E. Wilkes

Thank You 2021 Sponsors!



NORRIS LAW
GROUP



CHAD M.
GARLAND
CPA, LLC



Audrius M. Reed
- ATTORNEY AT LAW -



William M. Comegys III PLC

Booth, Lockard, Politz & LeSage, LLC

Richard E. Hiller, LLC

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

BROCHURES POSTCARDS BUSINESS CARDS CALENDARS FOLDERS NEWSLETTERS
INVITATION CARDS STICKERS MAGNETS SALES SHEETS FLYERS BOOKLETS RACK CARDS
LETTERHEAD POSTERS MENUS
GREETING CARDS DOOR HANGERS HANG TAGS EVENT TICKETS
NOTEPADS ENVELOPES
CATALOGS

INVITATION CARDS MENUS POSTERS

4716 VIKING DRIVE • BOSSIER CITY, LA 71111 • 318.868.3555

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

2021 SBA Professionalism Award Winner - Larry Pettiette

by Donald J. Armand
darmand@padwbc.com



Larry Pettiette

The Shreveport Bar Association Professionalism Award is given annually to attorneys whose practice and personal conduct exemplify the highest level of integrity, dedication and honor in the practice of law. This year, the recipient is Lawrence W. Pettiette, Jr.

Larry Pettiette has been a lawyer and a member of the Shreveport Bar Association for 43 years – since 1978. He graduated summa cum laude from Northeast Louisiana University in 1975 with degrees in Spanish and Government. He graduated from Emory University School of Law in 1978. Like many other excellent lawyers from our area, he then had the privilege of a two-year judicial clerkship for Judge Tom Stagg in the U.S. Western District.

Since completing that clerkship, Larry has been a litigator. He spent 1980 to 1984 working with the great Arthur Carmody and became a partner in that firm which, at the time, was named Wilkinson, Carmody, Pettiette & Gilliam. He was a partner in the great firm Blanchard, Walker, O'Quin & Roberts from 1984 until 1997, when he became a founding member of our firm – Pettiette,

Armand, Dunkelman, Woodley, Byrd and Cromwell. For the past 25 years, his practice has focused on the representation of doctors and hospitals.

Larry has tirelessly served the SBA as SBA president, SBA treasurer, SBA archives chairman, Krewe of Justinian Captain, King of Justinian (this year), Justinian Duke, Shreveport Bar Foundation treasurer and, currently, president-elect of the Shreveport Bar Foundation. He is active in the Booth-Politz Inn of Court. Larry and his wife Janey were instrumental in starting and maintaining the Red Mass tradition in Shreveport. He speaks frequently in CLE programs, has lectured at LSU Law School and the LSU School of Medicine in Shreveport and taught a law class at Loyola College Prep High School. He is a devoted Catholic and was made a member of the Order of St. Gregory, in recognition of extraordinary service to the Church. He and Janey are longtime parishioners of Holy Trinity Catholic Church in downtown Shreveport and Larry received the first annual Trinitarian service award.

Larry's greatest love is and has always been his family. He and Janey's four brilliant and wonderful children, their five grandchildren, parents, siblings, nieces, nephews and cousins are, in the truest sense, their lives.

Larry was my most important early mentor in lawyering. He has been my true friend and loyal, dedicated partner in law practice for 35 years.

The SBA guidelines provide that 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," and that it should be "reserved for individuals who exemplify the highest standards of professionalism while practicing law." Frank Walker was the great lawyer and exemplary man who inspired the award and was its first, posthumous recipient. Anyone who had the privilege of knowing Frank saw firsthand that those "aspired goals" can only be achieved by putting your mind *and heart* into your work, one hundred percent, every day. That is what Larry Pettiette does. Many times, as a young lawyer, when I dreaded going into a trial or hearing with bad facts or law, Larry's advice was, "Just show up!" He was not just telling me to make the appearance. He was telling me to SHOW UP – give it everything I had, so that, even against the odds, my client might win, but if not, the client, our opponents *and the Court* would understand our case and remember us.

Larry takes his own advice. Every day, in all his endeavors, he shows up. It is my privilege to announce Larry Pettiette as the recipient of the 2021 SBA Award for Professionalism.



Don Armand and Larry Pettiette



Janey, Larry and David Pettiette

Memorial & Recognition Ceremony

This year the Shreveport Bar Association paid tribute to twelve deceased members of the legal profession at the First Judicial District Court and Shreveport Bar Association- sponsored Memorial and Recognition Ceremony on Thursday, October 28, 2021, at First United Methodist Church.

Honorable Ramona L. Emanuel, Chief Judge, presided over the ceremony and SBA Memorial and Recognition Chair Marshall Johnston served as Master of Ceremonies for the program. Marshall worked with Judicial Administrator, David McClatchey, and with Sharon Porter, and Gailyn Dennis from the First Judicial District Court to plan a great memorial program.

Deceased members honored and their presenters were **William “Bill” T. Allison** presented by John Ratcliff; **Joseph Shelby Cage** presented by Richard Goorley; **Arthur R. Carmody Jr.** presented by Bobby S. Gilliam; **Herschel M. Downs** presented by William T. “Tim” Allen; **Roy M. Fish**, (a moment of silence); **James E. Franklin Jr.** presented by Herschel E. Richard Jr.; **Judge Andrew Brutton Gallagher** presented by John Gallagher; **Stuart Douglas Lunn** presented by Merritt B. Chastain Jr.; **Harry David Simmons** presented by B. Trey Morris; **James A. Van Hook Jr.** presented by Julia E. Blewer; **Thomas N. Williams** presented by Judge Roy Brun; and **Donald Lee Wilson** presented by Judge Jeff Thompson.

Following the ceremony, Luke Whetstone, president of the Young Lawyers’ Section of the SBA, introduced 16 new attorneys to the Court: **Ashleigh Brooke Adams, J. Bert Babington, Meredith Bro, Sabreea Chatman, Jasmine Carlette Cooper, Manushka Gracia-Desgage, Ryan Didion, Clinton Bryce Kinley, Charles Evan McMichael, Thomas Kuluz Jr., Meghan Marie Nolen, Jenetrell Donell Oliver, Franeka Taylor, Michael Steven Thrower, Chace Viene and Jordan Fedderson Wendt.**

This annual event holds great importance to the Court, as well as to the family and friends of the departed, the members of the Bench, the Bar, and our community.

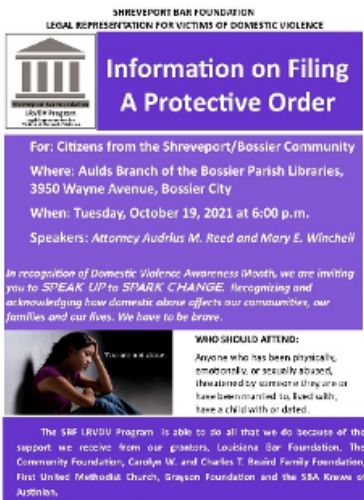




October Luncheon Highlights



Shreveport Bar Foundation Legal Representation for Domestic Violence “LRVDV” Provides Information on Filing a Protective Order



SHREVEPORT BAR FOUNDATION
LEGAL REPRESENTATION FOR VICTIMS OF DOMESTIC VIOLENCE

Information on Filing A Protective Order

For: Citizens from the Shreveport/Bossier Community
Where: Aulds Branch of the Bossier Parish Libraries, 3950 Wayne Avenue, Bossier City
When: Tuesday, October 19, 2021 at 6:00 p.m.
Speakers: Attorney Audrius M. Reed and Mary E. Winchell

In recognition of Domestic Violence Awareness Month, we are inviting you to SPEAK UP to SPARK CHANGE. Recognizing and acknowledging how domestic abuse affects our communities, our families and our lives. We have to be brave.

WHO SHOULD ATTEND:
Anyone who has been physically, emotionally, or sexually abused, threatened by someone they are or have been married to, lived with, have a child with or dated.

The SBF LRVDV Program is able to do all that we do because of the support we receive from our grantors, Louisiana Bar Foundation, The Community Foundation, Carolyn W. and Charles T. Beard Family Foundation, First United Methodist Church, Grayson Foundation and the SBA Krewe of Justinian.

On Tuesday, October 19 LRVDV Staff Attorney Audrius M. Reed provided information to the Bossier City Shady Grove community on filing a protective order. This outreach provided by the Shreveport Bar Foundation LRVDV program will be an ongoing effort in Caddo and Bossier Parishes throughout the next year to educate the public on domestic violence and how they can protect themselves with filing a protective order. The next public awareness event will be held at the Common Ground Community Center in Shreveport’s Cedar Grove community.

The Shreveport Bar Foundation LRVDV program is able to provide services because of the support received from grantors and supporters including the Louisiana Bar Foundation, The Community Foundation, Carolyn W. and Charles T. Beard Family Foundation, First United Methodist Church, the Grayson Foundation, Northwest Louisiana Family Justice Center and the SBA Krewe of Justinian.



Audrius M. Reed,
LRVDV Staff Attorney



Audrius M. Reed gives a Presentation
on the SBF LRVDV Program

Joseph “Joey” Greenwald Jr. Receives 2021 Criminal Justice Act Award Joey Greenwald Recognized by Federal Court

Joseph “Joey” Greenwald Jr. was presented the 2021 Award for Excellence and Professionalism in Federal Criminal Defense during the SBA’s Criminal Law Seminar on October 7, 2021. Joey serves as a member of the Federal Court’s Criminal Justice Act (“CJA”) Panel and is often appointed to represent indigent defendants. The award was presented by U.S. Magistrate Judge Mark L. Hornsby. The federal court began recognizing lawyers for their high degree of professionalism in 2019 when the first award was presented to CJA panel member Charles “Pete” Kammer.



Judge Mark Hornsby and
Joey Greenwald



Excellence and
Professionalism in Federal
Criminal Defense

How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

International relations. It doesn't come up often, but the distinction is worth observing. A recent news story referred to a 21-year-old shooting suspect "whose family emigrated to the U.S. from Syria in 2002." Laura Kelly, "Cawthorn says Boulder shooting 'linked' to Biden's Syria airstrikes," *The Hill* (4/2/21). When it comes to repatriation, there is confusion as to going and coming.

By definition, to *emigrate* means to "leave one's place or country, especially one's native country, in order to settle in another." It denotes departure or exit; you *emigrate from* Syria, not to the United States. The word for the correlative concept, entering a new country to settle there, is *immigrate*. The shooting suspect *immigrated to* the United States, or *emigrated from* Syria. Obviously, a person so relocating is an emigrant from his home country and immigrant to his new one, so sometimes the usage can get muddled. "Marco Avila testified that he *emigrated to* [should be *immigrated to*] the United States from Mexico in 1988." *State v. Cushenberry*, 2013-0382 (La. App. 4 Cir. 7/16/14), 146 So. 3d 777. "Mr. Janagarajan is an information technology professional who *immigrated from* [should be *emigrated from*] India to the United States in 1995." *Kumar v. Frisco Indep. Sch. Dist.*, 476 F. Supp. 3d 439 (E.D. Tex. 2020). "After being discharged from the hospital in Erbil, Nadheer eventually *emigrated to* [should be *immigrated to*] the United States[.]" *Nadheer v. Ins. Co. of Penna.*, 506 Fed. Appx. 297 (5 Cir. 2013).

We can set an excellent example for new immigrants by using our own language precisely.

We cannot paper over this. Some quotes will remind readers of the difference between a piece of paper and the condition of not moving:

"Bo-Mac alleges that * * * its Barge M969 * * * allided with a *stationery* object." *Bo-Mac Contractors Ltd. v. Daigle Towing Serv.*, 2020 WL 1812796 (E.D. La. 2020). "[A] judge's use of his official *stationary* was not enough to render the sending of a recommendation letter an action taken under color of law[.]" *Taylor v. LeBlanc*, 2021 WL 3675022 (E.D. La. 2021). "The magistrate judge explained these claims involved * * * the denial of hygiene items, *stationary*, his legal work, * * * and his desired amount of toilet paper for a two-week period in November 2017." *Welsh v. Correct Care Recovery Solutions*, 845 Fed. Appx. 311 (5 Cir. 2021). "The surviving spouse's husband was killed after he collided with a *stationery* police cruiser[.]" *Chanthalalo v. Deshotel*, 2017-0521 (La. App. 4 Cir. 12/27/17), 234 So. 3d 1103.

We can't paper over this! *Stationery*, spelled with an *e*, is a noun that means writing paper, including sheets of paper and envelopes, especially engraved letterhead. The mnemonic is to spell it with *e*, as in *letter*. *Stationary*, spelled with an *a*, is an adjective that means in a fixed position or not moving. The mnemonic (though less intuitive) is to spell it with *a*, as in *anchor*.

The barge allided with a *stationery* object and the plaintiff's husband collided with a *stationary* police cruiser; the judge wrote a recommendation on his court *stationery* and the inmate complained of the denial of *stationery* (as well as other paper, more euphemistically called "facial"!).

The other mnemonic is that in today's world, there are many more *stationery* objects than pieces of *stationery*.

Simple advice for not-so-simple cases.

Bryan A. Garner and the late Justice Antonin Scalia were major proponents of simplicity in writing. This passage states and exemplifies it:

Express your ideas in a straightforward fashion, not circuitously – and in plain words. When you describe events, treat

them chronologically.

Avoid pretentious expression. You're trying to get judges to understand a case, not to impress them with your erudition. Your job is to make a complex case simple, not to make a simple case sound complex. This end is best achieved by clear thoughts simply expressed.

Part of simplicity is brevity. Get to the point. Don't meander in leading up to it or embellish it once made. Every fact, every observation, every argument that does not positively strengthen your case positively weakens it by distracting attention.

Antonin Scalia and Bryan A. Garner, *Making Your Case: The Art of Persuading Judges*. St. Paul, Minn.: Thomson/West, © 2008, 182.

Redundant repetition. A reader asks if there might be redundancy in this sentence: "Since the specific facts lodged in each case against the Defendants are largely identical and the appellate briefing nearly *verbatim alike* by both sides, this court consolidates the appeals." *Terwilliger v. Reyna*, 4 F. 4th 270 (5 Cir. 2021). The first word, *verbatim*, means "in exactly the same words," and the second, *alike*, means "in the same manner or form," so there does seem to be a recurrence of concept.

Conceivably, the court meant *alike* to apply to the briefing from *both sides*, distinguished from the facts alleged against *just the defendants*, but *verbatim alike* does send up an alert for redundant repetition!

Not so intense, please. A vintage opinion, quoting the trial court's per curiam, confirmed a finding of probable cause based, in part, on "information given by their fellow officer who was for *all intensive purposes* an eye witness to the commission of this offense." *State v. Bland*, 260 La. 153, 255 So. 2d 723 (1971). The phrase often sounds this way, in casual speech, but remember to transcribe it as *all intents and purposes*. Save the intensity for your writing skills!





Second Circuit Highlights

by Hal Odom Jr., rhodom@la2nd.org

Medical malpractice cases figured prominently in the court's recent opinion releases.

In *In re Med. Review Panel of Lane*, 53,901 (La. App. 2 Cir. 8/11/21), young Alex was struck by a car on June 3, 2015, treated at University Health (now known as Ochsner), and then transferred to Meadowview Health & Rehab Center in a persistent vegetative state on June 15. He returned to U-Health for insertion of a shunt and was taken back to Meadowview on September 9; however, on his return, they neglected to place him on oxygen. When the mistake was discovered, some hours later, he had flatlined; he was resuscitated but died on September 12, with the cause of death listed as anoxic brain injury.

Alex's mother requested an MRP on September 8, 2016, alleging malpractice in the failure to put him on oxygen on September 9, 2015. The MRP was named, extended several times (at Meadowview's request), and had not yet rendered an opinion.

After hiring new counsel, Alex's mother filed an amended complaint on June 2, 2020, now alleging various acts of malpractice, including pressure injuries, infection, sepsis and death, that happened between July 22 and September 12, 2015.

Meadowview responded with an exception of prescription, urging that (1) the amended complaint superseded the original one, resulting in waiver of the anoxia claim, and (2) the allegations of the amended complaint were prescribed by the one-year prescription of R.S. 9:5628, which was not suspended by the original complaint.

The district court denied the exception, and Meadowview took a writ. The Second Circuit granted it to docket and, after submission without oral argument, denied the writ, in an opinion by Judge Pitman. The court noted the general one-year prescriptive period of R.S. 9:5628 A, the special provisions of the Medical Malpractice Act, La. R.S. 40:1231.1, et seq., and jurisprudence interpreting prescriptive laws to maintain, rather than defeat, actions. Critically, time is suspended during the pendency of the MRP, R.S. 40:1231.8 A(2)(a). Since Alex's MRP was still pending, the amended petition was not prescribed. The court then found that under the relaxed rules of pleading, R.S. 40:1231.8 A(1)(b), the

allegations of the original complaint were sufficient to invoke the jurisdiction of the MMA.

This is a welcome holding for med mal claimants. The attorney members of MRPs might be aware that the longer the panel holds the case, the greater the opportunity for the litigants to throw in new claims.

In *Nelson v. Shelat*, 54,099 (La. App. 2 Cir. 8/18/21), young Thomas suffered from a seizure disorder, for which he received a surgically implanted device, a Vagus Nerve Stimulator. His neurologist, Dr. Shelat, tested the battery of the VNS on August 7, 2015, and found it was low. He referred Thomas to a neurosurgeon, Dr. Alvernia, who confirmed that the battery was low, and told Thomas to come back in 8 to 10 days for a replacement. However, before this happened, Thomas had a seizure and was found dead on August 15.

Thomas's dad filed a request for MRP, but the panel unanimously found in favor of Drs. Shelat and Alvernia, so he sued in the Fourth JDC. Dr. Shelat moved for summary judgment, attaching his own affidavit and a copy of the MRP's opinion, both finding no breach of the standard of care. The dad opposed, and offered the affidavit of Dr. Paul Edward Kaloostian, a neurological surgeon in California, finding that *both doctors* should have changed the VNS at the time of Thomas's appointment. The district court granted the MSJ, and the dad appealed.

The Second Circuit affirmed, in an opinion by Judge Stephens. After reproducing the key portions of the MRP opinion and both affidavits, the court isolated the issues: as a neurologist, Dr. Shelat was not responsible for replacing the VNS battery, and he appropriately referred the patient to a neurosurgeon for the procedure. Dr. Kaloostian did not show that a neurologist was qualified or obligated to do this; no genuine issue was created. There might be something to medical superspecialization, after all.

In *In re Med. Review Panel of Heath*, 54,020 (La. App. 2 Cir. 8/11/21), Ms. Smith gave birth to a baby boy on August 17, 2015, at Minden Medical Center and, according to her consent, had the child circumcised by Dr. Russell. Soon after the child came home, however, his parents started seeing problems, like swelling, pain and disfigurement. They brought him to two well-child visits at Minden Pediatrics in September, where Dr. Kirby found

“penile adhesions” and prescribed a mild steroid cream; according to the parents, this gave only temporary relief. They brought him to Minden Pediatrics five more times between October 2015 and January 2016; on at least one of these, they asked the nurse to “check private area.” By April 2016, they took him to a different provider, Bienville Family Clinic, in Arcadia, still complaining about problems in the surgical area. On a subsequent visit, in July 2018, a doctor referred them to Willis-Knighton, where it was determined that surgery was needed to correct the adhesions and skin bridge.

The parents filed a request for MRP on August 14, 2018, against Drs. Russell and Kirby, and Minden Medical Center and its staff. All defendants filed exceptions of prescription, which the district court sustained. The parents appealed.

The Second Circuit affirmed, in an opinion by Chief Judge Moore. The court traced R.S. 9:5628 A’s scheme: (1) a one-year general rule for damages that are immediately apparent, (2) a one-year discovery rule for damages that are latent, and (3) a three-year overall limit. The core issue was, when did the parents have enough information to constitute constructive knowledge? The court noted that, even with the parents’ youth and inexperience, they should have known that a surgical wound does not malingering for a year, and they proved their skepticism by taking the child to a different provider in April 2016 – which was when discovery occurred, starting the one year. The court also turned away a suggestion that in spite of discovery, the three-year overall limit should apply, making the claim timely; such an approach would basically negate the first two parts of § 5628. Mostly, the case illustrates the heavy burden of showing manifest error.

In *In re Med. Review Panel of Ferguson*, 53,139 (La. App. 2 Cir. 9/1/21), the court finally resolved, at the Supreme Court’s direction, the highly technical issue raised obliquely by La. R.S. 40:1231.8 A(1)(e): what happens when the claimant amends her MRP request by adding more healthcare providers as defendants, but for some reason is late submitting the additional \$100 per provider filing fee? The Division of Administration’s internal policy, based on a narrow reading of the statute, had been that if the claimant fails to pay any part of the filing fee, this invalidates the entire claim, letting off all providers. The Second Circuit, as well as the Fourth, had blessed this interpretation, dismissing entire claims under such circumstances. *Medical Review Panel for Ferguson*, 53,139 (La. App. 2 Cir. 11/20/19), 284 So. 3d 1231; *Medical Review Complaint by Downing*, 2018-1027 (La. App. 4 Cir. 5/8/19), 272 So. 3d 55, writs denied; *Kirt v. Metzinger*, 2019-0180 (La. App. 4 Cir. 6/19/19), 274 So.

3d 1271.

After denying *four* writ applications in *Downing*, however, the La. Supreme Court *granted* a writ in *Kirt*, reversed, and decreed that failure to pay a fee timely invalidates the request only against those providers for whom the fee was not paid! *Kirt v. Metzinger*, 19-1162 (La. 4/3/20), 2020 WL 1671571 (still not paginated in So. 3d). In essence, the agency’s narrow reading of subsection A(1)(e) negated other parts of the statute, an impermissible result. Beside being a sound application of the canon against surplusage, the Supreme Court’s result seems eminently fair to all involved.

On remand and in an opinion by Judge Robinson, the Second Circuit quickly concluded that the claimants’ failure to pay the final \$100 filing fee invalidated the claim only against the last provider they attempted to name; the claim was still good against the three providers originally named. I hope the MRP members didn’t pitch this file.

Family law update. Back in January, I wrote about *Cook v. Sullivan*, 53,741 (La. App. 2 Cir. 11/18/20), 307 So. 3d 1121, a child custody dispute between same-sex partners, one of whom was the natural mother of the child. The district court had found that the nonparent, because of her very close involvement in the rearing of the child, was a *de facto* or “psychological parent,” and awarded her joint custody with the natural mother. The natural mother appealed, and the Second Circuit reversed, finding no statutory basis for “psychological parent” status; that the (very competent) partner had to be treated as a “person other than a parent,” under La. C.C. art. 133; that, by this standard, giving sole custody to the natural mother would not cause substantial harm to the child; and thus, on the record, the nonparent partner got no custody. The nonparent partner took a writ.

The Supreme Court recently affirmed, *Cook v. Sullivan*, 20-01471 (La. 9/30/21). The opinion, by Justice McCallum, summarily stated that despite the legal recognition of same-sex marriage since *Obergefell v. Hodges*, 576 U.S. 644, 135 S. Ct. 2584 (2015), the legislature has done nothing to address custody arising from such marriages, and thus Art. 133 is indeed the proper standard. The rest of the opinion reanalyzed the evidence, agreeing with the Second Circuit that giving custody to the natural mother would not result in substantial harm to the child.

Justice Griffin, concurring, accentuated the “the shortcomings of the existing statutory scheme in the wake of *Obergefell*.” The point is well taken; given this state’s reticence toward progressive social issues, legislative action to fill the gap exposed in this case seems unlikely.

Next month: do state courts ever have to consider jurisdiction?



Thank You

Name - Service - Era - Branch of Service - Rank (*Deceased)

Roland Achee * - Navy Reserve - LTJG

Michael Adams - Vietnam - Army Reserve - Captain

Matthew Allen - Iraq War, Post 9/11 - Army - Corporal

Matthew Bailey - Army National Guard - Specialist

John R. Ballard * - Army - Captain

Roy Beard* - Army - Captain

Ed Blewer, Jr. * - Army - 1st Lieutenant

John N. Bokenfohr - Army - - E4

James E. Bolin, Jr. - Vietnam - Army - 1st Lieutenant

Hon. Henry Brown - Vietnam - Army - 1st Lieutenant

Hon. Stephen V. Callaway - Vietnam - Marine Corps. Res. - Sergeant

Nelson Cameron - Vietnam - Navy - - Petty Officer 3rd Class

James H. Campbell - Vietnam - Army - 1st Lieutenant

Arthur Carmody, Jr. * - Korean Conflict - Army Reserve - 1st Lieutenant

Reginald Cassibry - Vietnam - Navy - Captain

Samuel W. Caverlee* - Vietnam - Army Reserve - 1st Lieutenant

Merritt Chastain, Jr. - Vietnam - Army Reserve - Captain

Hon. James E. Clark * - Marine Corps - Corporal - Air Force Reserve - Captain

Joseph M. Clark, Sr. * - Navy - PO3

William Carey Clark * - Army - Captain

Ben E. Coleman * - Army - Corporal
- Air Force Reserve - Staff Sergeant

Steven Cowel * - Army - Captain

H. T. (Ted) Cox - Vietnam, Iraq War - Army Reserve - Colonel

Jackson B. Davis * - World War II - Navy - Lt. Commander

Robert M. Davis, III - Vietnam - Army Reserve - Captain

S.P. Davis - Army Reserve - Colonel

Hon. Harmon Drew - Army Reserve - Captain

Robert Eatman, Sr. * - Navy - Chief Petty Office

Gary L. Fox - Army - 2nd Lieutenant

Hon. Andrew Gallagher * - Army - Corporal

Sidney Galloway * - Air Force - Major

James C. Gardner * - Army - 1st Lieutenant

Twain K. Giddens, Jr. * - World War II - Navy - Lieutenant

Gaylon Kent Gill - Army - Specialist 4

Robert Gillespie - Army - Sergeant

Harold C. Gilley, Jr. - Air Force - Lt. Colonel

Joseph R. Gilsoul - Vietnam - Army - E5

Rellis Godfrey - Vietnam - Army - Sergeant

James Godfrey * - Air Force Reserve - Colonel

Richard Goorley - Vietnam - Navy - Petty Officer 2nd Class

Norman R. Gordon - Air Force - Captain

James Graves - Air Force Reserve - Major General

Warren Graves * - Air Force - Colonel

Britney A. Green - Marine Corps - Sergeant

A.J. Gregory, Jr. * - Army - Sergeant

David G. Griffith - Army - Acting Sergeant

Charles Grubb - Vietnam, Gulf War, Afghanistan, Iraq War- Army Reserve - Command Sgt. Major

Hon. Gayle K. Hamilton - World War II - Marine Corps - Corporal

Elizabeth A. Hancock - Iraq War - Air Force - E3

F. Stanton Hardee, III - Army - 2nd Lieutenant

Quintin T. Hardtner, III - Marine Corps - Captain

Kenneth L. Hickman - Navy - Captain

W. James Hill, III - Gulf War - Army Reserve - Colonel

Elmon Holmes * - Army - Captain

John Hussey - Army - Captain

Val Irion - * - Army National Guard - Lt. Colonel

Wellborn Jack, Jr. - Army Reserve - Major

Whitfield Jack * - Army - - Major General

Patrick R. Jackson - Army National Guard - Lt. Colonel

T. Haller Jackson, Jr. * - Army - Captain

T. Haller Jackson, III - Vietnam - Navy - Ensign

Robert A. Jahnke - Vietnam, Gulf War - Army Reserve - Lt. Colonel

Joseph G. Jarzabek - Navy - Petty Officer 2nd Class

James R. Jeter * - Army - Captain

Harry A. Johnson, Jr. * - Army - Lt. Colonel

Tommy J. Johnson - Army National Guard - E4

Walter F. Johnson, III - Air Force - 1st Lieutenant

David C. Joseph - Army - Captain

Hon. Charles W. Kelly, IV - Vietnam, Gulf War - Army - Colonel

Benjamin King, Sr. * - Air Force - Lt. Colonel

David Klotz * - Army - Tech Sergeant

Norman Lafargue - Vietnam - Marine Corps. - Corporal

William H. Ledbetter, Jr. - Army - Captain

Joe C. LeSage Jr. * - Army - Captain

Hon. Charles Lindsay - Vietnam, Gulf War - Army - Brigadier General

Stuart D. Lunn * - World War II, Korean Conflict - Army - Captain

Wilburn V. Lunn * - Army - Colonel

Paul Lynch * - Army - Major

Hal V. Lyons * - Navy - AM 3C

John M. Madison - Army - 1st Lieutenant

TO OUR Veterans



Winfred L. Martin * - Army - Lt. Colonel
Kenneth Mascagni - Vietnam - Air Force - Captain
Robert K. Mayo * - Army - 1st Lieutenant
Lawrence McCollum * - Army Reserve - Lt. Colonel
Kyle McCotter - Post 9/11 - Army National Guard - Captain
Marshall McKenzie * - Army - Sergeant
Donald R. Miller * - Air Force - Captain
Garner R. Miller * - Army - Tech 5th Grade
C. Gary Mitchell - Army National Guard - Sergeant
Luther S. "Monty" Montgomery - World War II - Navy -
J. Peyton Moore * - Army - Captain
John B. Morneau * - Coast Guard Reserve - E5
Seth Moyers - Marine Corps. - E-4
Harry R. Nelson * - Air Force - Lt. Colonel
Sydney B. Nelson - Navy - Lieutenant
Jeffrey S. Norris - Army - Major
John S. Odom, Jr. - Vietnam, Gulf War, Afghanistan, Iraq War, Post 9/11 -
Air Force Reserve - Colonel
Ross Owen - Gulf War - Army National Guard - Specialist
Curtis N. Petrey * - Navy - Petty Officer 1st Class
John R. Pleasant * - Navy - Lieutenant
Hon. Henry A. Politz * - Air Force - Staff Sergeant
Robert G. Pugh * - Air Force - 1st Lieutenant
David Rabb, Jr. - Army - Captain
Cecil Ramey * - Army Air Corps - Sergeant
C. Vernon Richie - Army National Guard - Specialist 4
Elton Richey - Army National Guard - Lt. Colonel
Hon. John Robinson - Vietnam - Army National Guard - Staff Sergeant
Hon. Patrick Robinson - Army - Captain
Gordon Rountree - Vietnam - Army - 1st Lieutenant

Jennifer Sandusky - Air Force - Captain
Daniel C. Scarborough * - Army Reserve - Major
John E. Settle, Jr. - Air Force - Captain
Hon. Fred C. Sexton * - Army - Captain
John M. Shuey, Sr. * - Army CIC - 1st Lieutenant
I. Henry Smith * - Navy - Lieutenant
James W. Spradling, II - Air Force - Major
Hon. Tom Stagg * - Army - Captain
Hugh Milling Stephens * - Navy - Lt. Commander
Hon. Carl E. Stewart - Army - Captain
Hon. Ford Stinson, Jr - Vietnam - Army Reserve - Captain
A. M. (Marty) Stroud, III - Army National Guard - Major
William Stroud - Navy / Army - Colonel
Fred Sutherland - Air Force - Sergeant
Hon. Gorman Taylor * - Army - Corporal
Edmund M. Thomas - Army - 1st Lieutenant
Graham H. Todd - Gulf War, Afghanistan, Iraq War- Air Force - Lt. Colonel
Casper Ardis Tooke, Jr. * - Army - 2nd Lieutenant
John H. Tucker, Jr. * - Army - Colonel
Yves M. Verret, III - Marine Corps. Reserve - E5
Hon. Jeffrey P. Victory - Vietnam - Army National Guard - Spec. 4
Glenn E. Walker - Vietnam - Air Force - Captain
Walter Doug White - Vietnam, Gulf War - Army - Lt. Colonel
Charles R. Whitehead, Jr. - Army - Captain
William Scott Wilkinson * - Army - Colonel
David S. Williams - Marine Corps. - Corporal - Navy - Lieutenant
Thomas N. Williams* - Vietnam - Air Force - Lt. Colonel
Kenneth P. Wright - - Vietnam - Army National Guard - Spec. 6
Clarence L. Yancey * - - - Army - Lt. Colonel
Steve R. Yancey, II - - Vietnam - Army - 1st Lieutenant

If you served in the Armed Forces and are not listed, or if you know of a past or present SBA member who is not listed, please provide the information below, or call Dana Southern at the SBA office at 222-3643 Ext. 3.

Name - Branch of Service - Rank

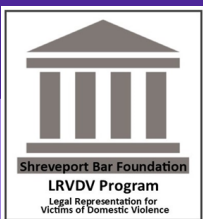
Save the Date
The Shreveport Bar Association

Christmas Party

honoring
Area Law School Students
Will be held on
Sunday, December 19, 2021
3:00 p.m. to 5:00 p.m.
Silver Star Grille

Invitations will be mailed mid-November

SHREVEPORT BAR FOUNDATION LEGAL REPRESENTATION FOR VICTIMS OF DOMESTIC VIOLENCE



Information on Filing a Protective Order



For: Shreveport Cedar Grove Community
Where: The Common Ground Community Center,
6806 Southern Avenue, Shreveport, LA

When: Tuesday, November 30, 2021 at 6:00 p.m.

Speakers: Attorney Audrius M. Reed and Mary E. Winchell

The SBF LRVDV program who provide legal assistance to victims of domestic violence is inviting the Cedar Grove community to a speak up to spark change event. Recognizing and acknowledging how domestic abuse affects our communities, our families and our lives. We have to be brave.

The SBF LRVDV Program is able to provide services because of the support we receive from our grantors: Louisiana Bar Foundation, The Community Foundation, Carolyn W. and Charles T. Beaird Family Foundation, First United Methodist Church, Grayson Foundation and the SBA Krewe of Justinian.

PRO BONO PROJECT DO GOOD WORK



GET INVOLVED

Being involved in Pro Bono is a rewarding experience as you give back to the community, gain experience in the court room, and earn CLE credit. Contact the SBF office to get involved.

Lucy Espree, Pro Bono Coordinator,
lucy@shreveportbar.com | 318.703.8381.

29

PUT THIS
ON YOUR
CALENDAR!

UPCOMING EVENTS

*2021 SBA MEMBERSHIP LUNCHEONS

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

*NOVEMBER 10

*Speaker: Major General Jason R. Armagost
Director, Strategic Plans, Programs, & Requirements
Air Force Global Strike Command, Barksdale Air Force Base*

DECEMBER 15-16

Recent Developments by the Judiciary Seminar
Petroleum Club (15th Floor)

DECEMBER 19

SBA Christmas Party
3:00 p.m. to 5:00 p.m.
Silver Star Grille

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.

**Gobble up the savings
and donate too, at
smile.amazon.com**

amazonsmile

Shreveport Bar Foundation
Pro Bono Project



Support Us and Find All
Your Thanksgiving Needs!
You Shop. Amazon Gives.



SBA Veterans Appreciation Luncheon – November 10

Petroleum Club (15th Floor) – Buffet opens at 11:30 a.m. Program and Speaker from 12:00 Noon to 1:00 p.m.

Cost for lunch is \$25.00 for with advance reservation and \$30.00 for late reservation (after 5:00 pm the Monday prior to the luncheon)



Major General Jason R. Armagost

When: Wednesday, November 10 • 12:00 Noon to 1:00 p.m.

Where: Petroleum Club (15th floor)

**Featuring: Major General Jason R. Armagost
Director, Air Force Global Strike Command**

Our keynote speaker for the 2021 SBA Veterans Day Program will be Major General Jason R. Armagost. He serves as the Director of Strategic Plans, Programs, and Requirements, Headquarters Air Force Global Strike Command, Barksdale Air Force Base, Louisiana. He is responsible for strategic planning, establishing requirements and programming advocacy for the nation's Minuteman III intercontinental ballistic missile force; B-1, B-2 and B-52 bombers; MH-139 and UH-1N helicopters; the E-4B National Airborne Operations Center Aircraft; and Nuclear Command, Control and

Communications systems. He is also responsible for funding and requirements for the modernization and recapitalization of strategic nuclear forces to include the Ground Based Strategic Deterrent and the B-21 Raider, with a total budget exceeding \$13.5 billion. Encompassing more than 33,700 personnel, AFGSC provides combatant commanders with combat-ready forces to conduct strategic nuclear and global strike operations.

Maj. Gen. Armagost graduated from the United States Air Force Academy and was commissioned in 1992. He has served in multiple operational and training assignments and logged more than 2,900 hours in the B-2A, F-16CJ, F-16CG, B-1B, B-52H and T-38A. His notable educational and staff assignments include a fellowship at the Center for International Security and Cooperation at Stanford University, California, and duties as the Chief of Nuclear Operations on the Joint Staff at the Pentagon.

Maj. Gen. Armagost commanded the 13th Bomb Squadron at Whiteman AFB, Missouri, the 5th Bomb Wing at Minot AFB, North Dakota, and the 379th Air Expeditionary Wing at Al Udeid Air Base, Qatar. His operational assignments supported contingency operations during operations Desert Strike, Southern Watch, Iraqi Freedom, Enduring Freedom, Inherent Resolve, Freedom's Sentinel and Deliberate Resolve. Further, he has flown numerous combat missions in the F-16CJ, B-2A, B-1B and the B-52H. Please join us on Wednesday, November 10 as we honor our SBA Veterans and all those who have served our great nation.

#SHREVEPORTBARASSOCIATION

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

I plan to attend the November 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!