

# THE BAR REVIEW

PUBLICATION OF THE SHREVEPORT BAR ASSOCIATION

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## EVENTS AT A GLANCE

3/23	SBA Membership Luncheon – 12:00 Noon - Petroleum Club
4/22	Legal Technology Lunch & Learn Series I – 12: Noon – SBC
4/26	BA Golf and Tennis Tournament – Querbes Park Golf Course



## From The President

by Don Armand, [darmand@padwbc.com](mailto:darmand@padwbc.com)

Here's an update on our progress on some of the "asks and promises" outlined in my January message:

**Bar Lunches** – Huge success! I'm optimistic that we're past the COVID doldrums - 75 attended the January 2022 lunch and 52 attended February - 2 to 3 times more folks than we had at the January and February lunches last year. Thanks again to Judges Jeanette Garrett and John Hodge for their great CLE presentations. **One important note: for the bar lunch, the cost is \$25 – the price that the Petroleum Club charges us for the lunch. For lunches with CLE, the cost is \$40 – an extra \$15 for an hour of CLE.** That price can't be beaten. Please join us at the March 23 lunch, when Ben Marshall will be giving us an hour of outstanding Professionalism CLE. We'll keep the great speakers coming – please keep coming to lunch!

**Hang Out with Friends to Be Better Lawyers** – As all members will tell you, the Krewe of Justinian had an epic 28th year. Thanks to Captain Jimmy Franklin, the Krewe Royalty and all concerned for another huge success. If you're already a member, I don't have to encourage you to rejoin – you get it. If you've never been a member of the Krewe, you're missing out – join us and reap the benefits. Other great opportunities to hang with friends old and new are on the way:

- **Member Sunday Fun Day (formerly "Family Day")** – It's back – on **May 1, 2022**, at Pierremont Oaks Tennis Club from 3-6 p.m. Socializing, swimming (for kids, the fit and the brave), crawfish and beverages!

- **SBA Golf Tournament/Tennis Tournament** – The always-popular golf tournament is set for April 26, 2022, at the beautifully renovated Querbes Park Golf and Tennis Club. By popular demand, the Tennis Tournament returns the same day, also at Querbes. More crawfish and beverages will follow that evening. Join us by registering a team and/or sponsoring the event or a team.

**Become a Tech Lawyer** – This is exciting – CLE titan Magistrate Judge Mark Hornsby is teaming with attorney/tech wizard Melissa Allen to provide nuts-and-bolts CLE and training to help members at all levels of legal tech sophistication get better. **The entire 2022 Lunch & Learn series will be dedicated to Legal Technology mini-seminars.** The first lunch seminars are set for **April 22, 2022, and July 1, 2022**, at the Shreveport Bar Center. Registration forms will go out soon. Now we need your ideas. **Please send us your suggestions and requests for legal technology topics and training.** We want to provide the help you need on this topic, now so vital to so many of us. And - if you're interested in serving on the Legal Technology Committee, we need you! Email Dana or me - addresses below.

**Support Pro Bono/SBF** – Please read the article in this issue by Shreveport Bar Foundation President Larry Pettiette – **it has outstanding news.** After you read that news, please consider lending your support. We're about to push a boulder over the top of a mountain, but it's still a boulder. A little push from a lot of us is going to get it done.

**Monster Law Week** - It's May 1 - May 6 and will be jam-packed. We're privileged to have Brandon Brown, the new U.S. Attorney for the Western District of Louisiana, as our Law Day luncheon speaker. The usual activities and more are underway – don't miss any of it.

Tell Us What You Need – Don't forget – our goal is to provide services, events and support to you. The best ideas come from you. My phone number is (318) 221-1800 and my email address is [darmand@padwbc.com](mailto:darmand@padwbc.com). Dana's number is (318) 703-8373 and her email address is [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com). Please let me know what we can do to help you.

See you soon!

**2022 Shreveport Bar Association  
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# M A R C H 2 0 2 2

# Save the Dates 2022

## Shreveport Bar Association's Continuing Legal Education



Legal Technology  
Lunch & Learn  
Series 1



4th Annual  
North Louisiana  
Appellate Conference



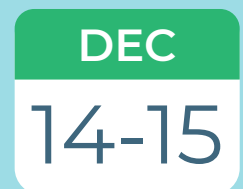
Legal Technology  
Lunch & Learn  
Series 2



Recent Developments  
by the Judiciary  
Seminar



North Louisiana  
Criminal Defense  
Seminar



December CLE  
by the Hour

# Let Them Eat Cake

Justinian Queen XXII Katherine Clark Dorroh along with Queen I Janey Pettiette, Queen VIII Natalie Miciotto, Queen XII Suzanne Stinson, Queen XVI Kay Batte, and Queen XX Berry Glassell hosted *Let Them Eat Cake* brunch at the home of Judge Katherine Clark Dorroh on Saturday, February 26. There was a tasting of amazing king cakes plus King Cake daiquiris.



JOIN SBA YLS FOR  
MARCH HAPPY HOUR

# RHINO COFFEE DOWNTOWN

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MARCH 24, 2022 5-7 P.M.

# Golf TOURNAMENT

## SHOTGUN START

1:00 p.m.

### ENTRY FEES

\$600 per team  
4-Man Scramble

### LUNCH

11:00 a.m.  
included with registration fee

### REGISTER

[www.shreveportbar.com](http://www.shreveportbar.com)  
or call Dana at 222.3643 Ext. 3

### PRIZES

- Overall Low Gross and Low Net Scores in each flight
- Closest to the hole
- Long Drive Contest



## RICHARD B. KING, JR. MEMORIAL SHOOTOUT!

Enter to have your team represented in this 2-man team alternate shot contest. \$150 per team. Play begins at 12:15p.m. Only one team will be named KING! Limited to the first 8 attorney teams registered.

Call Dana at 222-3643 to register.



## REGISTRATION

### SHREVEPORT BAR ASSOCIATION 2022 GOLF TOURNAMENT

Tuesday, April 26, 2022 at Querbes Park Golf Course, Shreveport  
Lunch and Crawfish Boil is Included – Awards Given Post Play

Captain Name: \_\_\_\_\_ HDCP/Best Score: \_\_\_\_\_ Tel: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Player2 Name: \_\_\_\_\_ HDCP/Best Score: \_\_\_\_\_ Tel: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Player3 Name: \_\_\_\_\_ HDCP/Best Score: \_\_\_\_\_ Tel: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Player4 Name: \_\_\_\_\_ HDCP/Best Score: \_\_\_\_\_ Tel: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Make check payable to SHREVEPORT BAR ASSOCIATION and mail:

2022 SBA Golf Tournament Registration, 625 Texas Street, Shreveport, LA 71101

# TENNIS TOURNAMENT

Sponsored by Shreveport Bar Association



**ENJOY A DAY OF FUN  
AND COMPETITION  
Tuesday, April 26  
1:30 pm - 5:00 pm**

**Registration Deadline: Monday, April 25, 2022**

The number of participants will be limited so register early to guarantee a spot!

Tournament is open to anyone 21 years or older.

SBA members and non-members are welcome.

You will be placed on a team and teams will be chosen on Tuesday morning, April 26

*Please complete the registration form below and mail along with entrance fees before the April 25 deadline.*



## SHREVEPORT BAR ASSOCIATION TENNIS TOURNAMENT

*Lunch (Begins Serving at 11:00 a.m.) and Crawfish Boil (Post Play) is Included*

*Prizes will be awarded immediately following tournament*

### REGISTRATION FORM



Name: \_\_\_\_\_

USTA Rating: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Registration Fee: \$75**

**Make check payable to SHREVEPORT BAR ASSOCIATION and mail to:**

2022 SBA Tennis Tournament

625 Texas Street, Shreveport, LA 71101

Email questions to Dana at [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com) or call 318 703-8373



# Shreveport Bar Foundation

by Lawrence W. Pettiette Jr., President, [lpettiette@padwbc.com](mailto:lpettiette@padwbc.com)

The current debt on the Shreveport Bar Center is now less than \$45,000.00. Consequently, the Board is requesting that each member of the Shreveport Bar or other interested party send \$100.00 or more to the Shreveport Bar Center, 625 Texas Steet, payable to the Shreveport Bar Foundation to retire the debt; even better, drop it off and have Dana give you a tour of the building. The Shreveport Bar Center has rooms for depositions, mediation, a library for casual reading, a fully stocked refrigerator, and a large meeting room with Zoom capabilities and a large screen.

On the 3rd Monday evening of each month, you will find that meeting room filled with local residents who have a legal question or problem. A handful of Shreveport Bar Association lawyers, young and old, staff the Ask-A-Lawyer event. It is never boring and moves surprisingly fast.

The Bar Center even has a kitchen, and on occasion Jim McMichael, Janey Pettiette and Dana Southern have served meals to members for various Bar activities. The retirement of the debt would allow any rent income (currently there is some) to be placed in a fund for the maintenance and restoration of the building, which all of us who have owned a home or building know is coming sooner rather than later.

Please consider donating to retire the building debt. Coming soon to the Shreveport Bar Center: karaoke and talent night.

## **PAY OFF THE LOAN!** **SHREVEPORT BAR CENTER**

Payment can be made by check or credit card. The Shreveport Bar Foundation is a 501 (c) (3) corporation, and a donation qualifies as a charitable contribution. My payment is enclosed.

Donor's Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Authorized Signer: \_\_\_\_\_ Date: \_\_\_\_\_

Please charge to my:  Visa  MasterCard  Amex

Card Number: \_\_\_\_\_ Expiration: \_\_\_\_\_

SIC: \_\_\_\_\_ (3-digit code-back of credit card) Telephone \_\_\_\_\_

Billing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Signature: \_\_\_\_\_

Return to: Shreveport Bar Center, 625 Texas Street, Shreveport, LA 71101.

Four higher donor levels of giving are still available (donor name will be listed on inside plaque). Contact Dana (318) 703-8373 for more information.

# How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

I still can't believe it. Leafing through recent case reports, I found the following examples of legal writers trying to amplify their point by using the longer (but wrong) word:

"Moreover, we find Appellants' reliance on maintaining privacy with regard to the anticipated 'Roe v. Wade' film to be *incredulous* in light of the overwhelming evidence presented by Ms. Vergara evincing Mr. Loeb's interviews and media coverage[.]" *Loeb v. Vergara*, 20-0261 (La. App. 4 Cir. 1/27/21), 313 So. 3d 346.

"On the record, the trial court expressed that he found Mr. Jones' account of events to be *incredulous*." *State v. Jones*, 20-0404 (La. App. 4 Cir. 12/9/20), 312 So. 3d 669.

"The finder of fact rejected Defendant's testimony as 'self-serving and *incredulous*.'" *State v. Lastrapes*, 19-56 (La. App. 3 Cir. 10/2/19), 280 So. 3d 679.

The problem is that the word used, *incredulous*, means *skeptical* or *unwilling to accept somebody's story*. The listener is incredulous; the story one hears is the simple and intuitive word, *incredible*, which means *unworthy of belief*. Other writers get the difference:

"The district court questioned the authenticity of this about-face and appeared *incredulous* that the judges would ever rescind a judgeship request." *Fusilier v. Landry*, 963 F. 3d 447 (5 Cir. 2020).

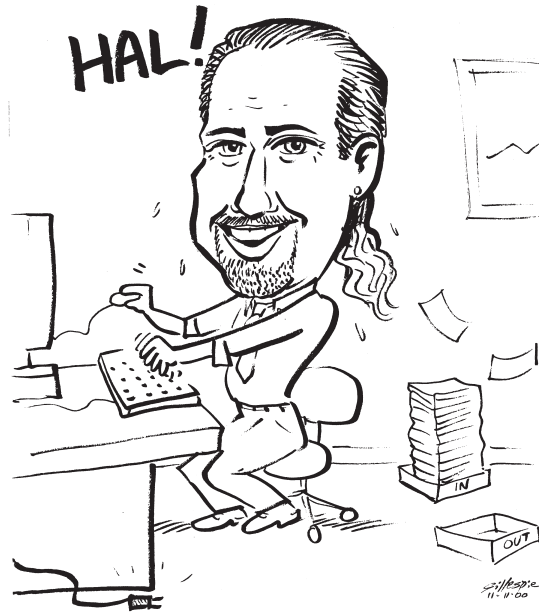
"Prentice was *incredulous* at how much his girlfriend had spent but proceeded to purchase some ammunition and a light/laser himself." *United States v. Prentice*, 956 F. 3d 295 (5 Cir. 2020).

Keep these words straight, and your readers will not be incredulous.

**Absolutely identical.** Legal writing author Bryan A. Garner pulled this out of a recent law review article and made it into a quiz:

"The Court noted that had the defendant used any different combination of elements to recreate [(a) *the same exact*; (b) *the exact same*; (c) *exactly the same*] game, they could have avoided infringement." Which one is right? The answer is (c), "an expression of pinpoint precision," while (b) is a "lazy truncation" of the right phrase and (a) "merits no editorial comment." Either (a) or (b) would be perfectly acceptable in casual speech, but they don't quite fit in formal writing.

Astute readers might find other enigmas in the quoted passage. Careful writers will still hyphenate *re-create* (=to create anew) to distinguish it from *recreate* (= have fun), although this nuance is perhaps obsolescent. The defendant, a software company, is singular, and should take the singular pronoun, *its*, although consensus is growing that a juridical person



(company, government or the like), being composed of multiple natural persons, can use the plural *they*. And it is slightly unclear how using different elements could create the same game, but this might depend on special inside info known only to gamers!

**Close enough to be identical.** An English rule of interpretation, *idem sonans*, bears on this subject. Suppose your name is misspelled in a bill of information, loan document or tort petition; can you get off? In *State v. Green*, 51,784 (La. App. 2 Cir. 1/10/18), 245 So. 3d 1105, the defendant was convicted of being a felon in possession of a firearm; he appealed contending, among other things, that his first name is *Chadric*, so he was not the same person listed in the predicate case,

*Chadrick*. The misspelling, it turns out, was irrelevant: "The rule of *idem sonans* is that absolute accuracy in spelling names is not required in a legal document or proceedings either civil or criminal. If the name, though different from the correct spelling \* \* \*, conveys to the ear, when pronounced according to commonly accepted methods, a sound practically identical with the correct name as commonly pronounced, the name there given is a sufficient designation[.]"

The phrase means *sounding the same* and the first word rhymes with *Ride 'em*. It has a long pedigree, including *Key (or was it Kea?) v. Jones*, 181 So. 631 (La. App. 2 Cir. 1938), but it could see a revived career, now that Autocorrect is so prevalent. There are many ways to spell certain names, like Steven, Jon, Rebekah or Allyson, and the program (or a hasty user) might translate them to the more familiar forms Stephen, John, Rebecca or Allison.

Here and elsewhere, there's just no substitute for proofreading.

**It's not on the books.** A district court wrote, about the Confederate Monument in front of the First JDC, "Nor does the Commission dispute that a marble and granite *statute* is fragile, as argued by UDC." *Shreveport Chapter # 237 v. Caddo Parish Comm'n*, 2018 WL 566512 (W.D. La. 2018). In legal writing, *statute* is the more frequent concept, but it's not a big white monument.

**A monument to this proofreader.** In a recent opinion, the appellate court quoted the district court to convey the gist of the action, a suit for indemnification "involving discounted payments to healthcare providers pursuant to Title 23 of the Louisiana Revised *Statues* [sic] (workmen's comp claims)."

This is one that Spell Check won't catch, as the words involved, *statue* and *statute*, are both real. However, the Third Circuit caught it and inserted the helpful *sic*. *Williams v. Bestcomp Inc.*, 20-106 (La. App. 3 Cir. 12/15/21), \_\_\_ So. 3d \_\_\_. The author, or proofreader, can stand tall.



## Second Circuit Highlights

by Hal Odom Jr., [rhodom@la2nd.org](mailto:rhodom@la2nd.org)

**Call them on the carpet for this!** Claudeidra Minor, an attorney in Monroe, was working for the La. Workforce Commission in 2015 when she went to an unemployment insurance hearing at the Red River Parish Courthouse, in Coushatta. She was suitably dressed, wearing shoes with small, spiked heels. After the hearing, she exited the building onto a landing and was about to go down some concrete steps with outdoor carpeting installed on them. She suddenly felt her heel snag on something; before she could regain her balance, she fell forward and tumbled down the whole flight of stairs. She had not noticed any problem with the carpet because she was carrying a sheaf of case files in her arms. However, after she picked herself up, she climbed the stairs and saw, where the riser met the landing, a piece of carpet had torn. About a month later, she came back, saw that the carpet looked the same as on the day of her fall, and took pictures of the tear. Some time after that, she sued the Red River Parish Police Jury and its insurer.

The Police Jury moved for summary judgment urging that Ms. Minor could not prove constructive notice of the alleged defect. It cited her admission that she herself did not notice the snag until *after* the fall, and it attached the deposition and affidavit of its parish manager, Davis, stating he had never noticed any problem with the carpet, no one had ever reported any problem, and he was not even aware that Ms. Minor had fallen until after the suit was filed. Ms. Minor opposed the motion, citing other parts of Davis's deposition to contend that he and his staff failed to use reasonable diligence to discover defects in the premises.

After a hearing, the district court (an ad hoc judge from Natchitoches) found the evidence sufficient to create a genuine issue as to defect, but insufficient to show constructive knowledge, as daily inspections and cleanup would have alerted the crew to any hazardous condition. The court granted the Police Jury's motion and dismissed the claim; Ms. Minor appealed.

The Second Circuit reversed and remanded, *Minor v. Red River Parish Police Jury*, 54,182 (La. App. 2 Cir. 1/12/22), in an opinion by Judge Pitman. The court laid out the elements of a cause of action against a public entity, La. R.S. 9:2800 C, and the somewhat inarticulate statutory definition of "constructive knowledge," "facts which *infer* actual knowledge," R.S. 9:2800 D (the word intended is, of course, *imply*). Crucially, Ms. Minor noticed the frayed edge on the day of the accident, it was still present one month later, and the parish manager's deposition seemed to say he did not consider the condition to be a defect. With this evidence, a credibility call was needed to assess how reasonable the manager's inspection was. In short, a genuine issue existed, making summary judgment improper.

The deposition also established that the carpet had been installed in November 2010 (exactly five years before Ms. Minor's accident), and was obviously exposed to "weather of all kinds," creating a chance for degradation. No doubt the Police Jury expected its outdoor carpet to hold up longer than this.

**Summary judgment, on the fast track.** In August 2019, Ms. Watts took her eight-year-old daughter, Markia, to Party Central, an amusement center in Bossier City, for a birthday party. Markia got on

the go-kart track and made several successful laps, but then lost control and rammed headfirst into a side rail. Within seconds, two oncoming karts rammed into her side, and then a third grazed her left rear. A quick-thinking attendant hopped onto the track and pulled Markia from the wrecked kart, but the child had impact injuries. Ms. Watts filed suit against Party Central and its insurer asserting basic tort liability, strict liability, products liability and other claims.

Party Central moved for summary judgment urging there was no evidence of negligence or of any defective condition in the track. Ms. Watts opposed, arguing that the track had an "emergency cut-off switch": if Party Central employees had been monitoring properly, and pulled that switch the instant Markia hit the wall, this would have stopped all the other karts immediately and prevented the second and third impacts, which she felt caused Markia's injuries. Party Central responded that what it had was a "kart commander," which would place all karts in idle but could not stop them instantly. Given how fast it all happened, using the kart commander would not have prevented those impacts.

The district court found that the alleged "kill switch" did not bring karts to an immediate stop, but to a "coasting stop." It also found no evidence that Party Central was improperly staffed, that the staff was improperly trained, that anybody on the staff was negligent, or that Markia's injuries arose from anything but the initial crash, into the side rail. Summary judgment was granted, and Ms. Watts appealed.

The Second Circuit affirmed, *Watts v. Party Central Family Fun Ctr.*, 54,171 (La. App. 2 Cir. 1/12/22), in an opinion by Chief Judge Moore. The court conceded that Ms. Watts made a sufficient showing as to certain elements, but failed as to others. Notably, Louisiana has no reported cases about go-kart tracks; however, the court analogized skate rink cases, which impose a duty of reasonable care. The court also noted Ms. Watts's lack of evidence that a "kill switch" exists that could stop all the karts instantly, or that Party Central was understaffed for a facility of its kind. Finally, it turned back the contention that negligence cases are not generally suitable for summary judgment unless some "categorical rule of no liability" applies, a position allegedly suggested in *Ducote v. Boleware*, 15,0764 (La. App. 4 Cir. 2/17/16), 216 So. 3d 934, *writ denied*. To the contrary, the Supreme Court has frequently held that the existence of a duty may indeed be resolved by summary judgment.

By the bye, the go-kart track at Party Central was plastered with warnings like "The establishment is not responsible for accidents" and "Individuals participating in this activity do so at their own risk." However, a little warning never stopped anybody from getting on track.

**A bad case of bad faith.** Cynthia Gray was driving her 10-year-old "Honda Sonata" (most likely a *Hyundai* Sonata) on Homer Road, in Minden, waiting to make a left turn, when she was rear-ended. She submitted a claim to her own insurer, State Farm; State Farm had the Sonata towed to a repair shop in Monroe, gave her a temporary rental vehicle and paid for all repairs (which, according to Ms. Gray, took three months). However, when she picked it up and drove it home, it started to "jerk and shut off." Unhappy with this result, she sued the driver who rear-ended her, along with that driver's employer and insurer, with whom she later settled. She also sued State Farm, alleging bad faith for refusing to fully repair her car and compensate her for loss of use.



At a pretrial phone conference, defense counsel agreed to continue the matter on the condition that no further documentary evidence would be offered and the only live witness would be Ms. Gray; her counsel agreed. When the case came to trial, Ms. Gray described the accident, the time the car spent in the repair shop and the fact that it looked fine when she went to get it; however, on the drive home, it made a “real bad noise” and jerked and “shut out” as she drove it. She notified both State Farm and the repair shop about the ongoing problem, but they never responded; she was afraid to use the vehicle, and had to borrow relatives’ cars for essential business. After this, the plaintiff rested.

State Farm moved for involuntary dismissal alleging insufficient evidence to support a claim of loss of use and bad faith on the part of State Farm. The court granted this and dismissed Ms. Gray’s claim; she appealed.

The Second Circuit affirmed, *Gray v. Barr-Ambler*, 54,183 (La. App. 2 Cir. 1/12/22), in an opinion by Judge Cox. The court quoted the law of involuntary dismissal, La. C.C.P. art. 1672 B: the standard for granting it, when “the plaintiff has shown no right to relief,” means the plaintiff has to present a preponderance of the evidence for her claim, *Taylor v. Tommie’s Gaming*, 04-2254 (La. 5/24/05), 902 So. 2d 380. Even though Ms. Gray sincerely described the mechanical difficulties she experienced after the repairs, she put on no evidence (1) of the 10-year-old car’s condition before the accident, (2) connecting the current problems to the repair work, or (3) that she sent documentation of any of this to State Farm. The showing fell far short of a preponderance of evidence of bad faith.

A little more due diligence before the pretrial phone conference may have helped this claim, but given State Farm’s accommodating conduct, and the age of the car, proving bad faith may have been a long shot.

**Can we just stay out of probate?** Mr. and Mrs. Angus got married in 1957 and had three children. One of their assets was a brokerage account with John Hancock Signature Services. In 2009, Hancock sent Mrs. Angus a transfer on death (“TOD”) beneficiary designation form, which she signed, naming one daughter and one granddaughter as 50% beneficiaries upon Mrs. Angus’s death. (Mr. Angus also signed it.) In 2010, Mrs. Angus executed a will that left \$10,000 to each child and the remainder to Mr. Angus (making him the universal legatee). Mrs. Angus died in 2019; at that point, the Hancock account was worth \$135,741. Mr. Angus filed a probate petition to execute the will and be appointed executor. Later, he sought declaratory judgment that the TOD was invalid under Louisiana law. After a hearing, the district court granted judgment to that effect, finding the TOD invalid as an *inter vivos* or *mortis causa* donation, and even if it was valid, the subsequent will revoked it. Mrs. Angus’s daughter and granddaughter, the beneficiaries under the TOD, appealed.

The Second Circuit affirmed, *Succession of Angus*, 54,180 (La. App. 2 Cir. 1/12/22), in an opinion by Judge Thompson. The opinion laid out the very limited exceptions to La.’s probate law: retirement accounts; life insurance; annuities; and savings and deposit, credit union and S&L accounts. The court refused to extend nonprobate status to the Hancock TOD, and distinguished a recent case that did, *Succession of Schimek*, 19-1069 (La. App. 4 Cir. 6/10/20), 302 So. 3d 78. The opinion is a full-throated affirmation of the supremacy of our hallowed succession law. Finally, the court rejected the claim that the TOD was enforceable because it specifically selected Massachusetts law; under choice of law principles, La. C.C. art. 3537, the TOD contravened La. law and public policy.

Anyone hoping to keep a brokerage account out of probate will need to read, very closely, its TOD provisions, and perhaps make some adjustment to their portfolio.

Choice of law also figured in *Federal Ins. Co. v. Select Energy Servs. LLC*, 54,161 (La. App. 2 Cir. 1/12/22), an opinion by Judge Stone. In 2009, Select Energy executed a Master Service and Supply Agreement (“MSSA”) with EXCO Operating and EXCO Resources, under which the EXCO entities agreed to indemnify Select Energy against all claims, losses and damages; all parties to the MSSA were from Texas, it was signed in Texas and it selected Texas law. Unfortunately, three workers were badly injured when one of Select Energy’s rigs collapsed while servicing an EXCO site in De Soto Parish. All the personal injury claims were ultimately settled, with Select Energy and its insurer paying \$31 million to one worker alone. EXCO then filed suit claiming that the indemnity provision of the MSSA violated a La. statute, La. R.S. 9:2780, the La. Oilfield Anti-Indemnity Act. Both sides, Select Energy and the EXCO entities (and their respective insurers), filed motions for summary judgment. The district court (the same ad hoc judge who granted MSJ in the Red River Parish carpet case discussed earlier) held that La. law applied and that the statute, R.S. 9:2780, rendered the indemnity provision unenforceable. Select Energy appealed.

The Second Circuit reversed both of these holdings. Parties who are interested are encouraged to read the opinion, which reproduces the relevant portions of the MSSA, the La. Oilfield Anti-Indemnity Act and the (very different) Texas Oilfield Anti-Indemnity Act, Tex. Civ. Prac. & Rem. § 127.003. Of special interest is the application of La. C.C. art. 3537. The court ultimately found that both parties to the MSSA were Texas companies, they agreed to the application of Texas law, Select Energy had already performed pursuant to Texas Law, and Texas’s policy of freedom of contract would be more severely impaired by the application of La. law to thwart the MSSA. In short, there was no way that La. law would defeat this Texas deal.

**The ongoing story.** Finally, we note the latest installment in the capital case of Grover Cannon, who was charged in the August 2015 shooting of Shreveport Police Officer Thomas LaValley, on Del Rio Street. Earlier stages of this remarkable case resulted in a highly publicized change of venue and a ruling that East Baton Rouge Parish’s method (and, implicitly, every parish’s method) of pulling jury venire was unconstitutional, *State v. Cannon*, 19-590 (La. 4/18/19), 267 So. 3d 585. The EBR jury was bused to Caddo for trial in November 2019, and found him guilty of first degree murder. However, it could not agree on the death penalty, so the court imposed the mandatory life without benefits. Cannon appealed.

The Second Circuit affirmed in all respects, *State v. Cannon*, 54,013 (La. App. 2 Cir. 1/12/22), in an opinion by Judge Hunter. Cannon’s position was based on *McCoy v. Louisiana*, 138 S. Ct. 1500, 200 L. Ed. 2d 821 (2018): when his lawyers argued self-defense, this permitted the jury to think that able counsel were rejecting Cannon’s own contention that he was not there on Del Rio Street when the officer was shot, and had nothing to do with it. The court discussed *McCoy* and La.’s take on it, *State v. Clark*, 12-0508 (La. 6/28/19), 285 So. 3d 414, *cert. denied*: the court must find an “intractable disagreement” between client and counsel before it can declare a Sixth Amendment violation. Throughout trial, Cannon’s counsel voiced their objective of getting a “not guilty” verdict, referring to “whoever” shot the officer; counsel made it clear that “if and only if” the jury disagreed, then it should consider the self-defense argument. Obviously, the jury didn’t find either one.



# Young Lawyers' Section

by Joy Reger, [joykilgo@gmail.com](mailto:joykilgo@gmail.com)

YLS kicked off the first Happy Hour of 2022 at Orlandeaux's Café! So many young lawyers came together for a great time networking and socializing. A big THANK YOU to Orlandeaux's for the great food, drinks and ambiance, and to Audrius Reed for planning and generously sponsoring such a fabulous evening. I will be back to Orlandeaux's soon for a full meal!

Mark your calendars for our next Happy Hour event March 24, 2022, at Rhino Coffee Downtown at 5:30 p.m. Choice Copy's generous sponsorship ensures we will have a great time

Thanks, Courtney Ray, for all your hard work planning the event! We look forward to seeing everyone. Join us!

Please volunteer to help judge a round of the Northwest Louisiana Regional High School Mock Trial Competition on Saturday, March 5, 2022, at the Tom Stagg United States Court House. Time slots include: 8:30 a.m., 10:30 a.m., and 1:30 p.m. Email Cody Grosshart [codygrosshart@gmail.com](mailto:codygrosshart@gmail.com) and join us. Remember, no experience is necessary. Live mock trial is back and better than ever!



Brittany Arvie and Senae Hall



Courtney Ray, Thomas Mayfield and Victoria Washington



Alonzo Jackson Jr. and Alex Washington III



Cody Grosshart, Joy Reger and Audrius Reed



# Federal Update

by Chris Slatten, [Chris\\_Slatten@lawd.uscourts.gov](mailto:Chris_Slatten@lawd.uscourts.gov)

## Pipeline Servitude; Remedy for Violation

Bienville Parish landowners granted a pipeline servitude to defendant, who installed two pipelines on the landowners' property partially outside the servitude boundary. Landowners argued that they owned by accession the parts of the pipelines that were outside the servitude boundary and, when the defendant used "their" pipeline without consent, defendant became obligated to account to the landowners for the fruits of the unlawful use. The fruits, the landowners urged, were the profits the defendant earned from the gas that passed through the pipelines.

The 5CA, applying Louisiana law, rejected the claim. "The only issue before us is whether, as a consequence of this encroachment, plaintiffs are entitled to disgorgement of all profits defendant earned from the gas that flowed through the pipelines. We conclude that the most they could recover are the additional profits defendant earned as a direct result of the encroachment, as compared to the profits it would have earned if it had installed the pipelines entirely within the servitude." The plaintiffs had no evidence of such additional profits, so summary judgment for the defendant was affirmed. The plaintiffs did have an option under CC Art. 497 to keep the encroaching segments of the pipelines, subject to reimbursing defendant, or demand removal, and the landowners could recover any damages they sustained. *Mary v. QEP Energy Co.*, 2022 WL 154483 (5th Cir. 2022).

## No More Fed. Appx.

West has long collected "unpublished" federal circuit court decisions in the Federal Appendix, which we cite as Fed. Appx. Our library folks report that Westlaw retired the Federal Appendix books (did anyone really pay for those?) and citations at the end of 2021. Federal Appendix decisions that are already out there will retain the Fed. Appx. citation. Newer unpublished circuit court decisions will continue to be added to Westlaw, but they will get only electronic Westlaw citations such as 2022 WL 123456 (5th Cir. 2022). Opinions that the court designates for publication go in F4th.

## Usufruct, Cash, and Naked Owners

Husband and wife owned stock as community property. Wife died, and husband then owned his half of the shares outright and held a usufruct over the wife's half, with the couple's children holding naked ownership of the wife's half. Husband sold all of the stock for cash and, per wife's will, the children's usufruct attached to the cash proceeds of wife's shares. Husband later died, owing the IRS. The IRS seized all of the late husband's cash.

The children argued that, under the articles on usufruct, they owned the cash attributable to the wife's shares at the instant of husband's death. The IRS argued that the children were merely

unsecured creditors of the estate.

CC Art. 537 says shares of stock are nonconsumables. When the wife's stock was sold, husband's usufruct attached to the cash proceeds, and Art. 536 says money is a consumable. At the termination of a usufruct of consumables, the usufructuary is "bound either to pay to the naked owner the value that the things had at the commencement of the usufruct or to deliver to him things of the same quantity and quality." CC Art. 538.

The district court held that the children were unsecured creditors of father's estate and not immediate owners of the cash. *Goodrich v. US*, 2020 WL 1307217 (W.D. La. 2020). The 5CA certified the issue to the Louisiana Supreme Court. The state court denied certification with a per curiam that suggested the issue could be resolved under existing law such as Article 538. *Goodrich v. US*, 327 So. 3d 492 (La. 2021). The 5CA then rejected the children's arguments and affirmed the district court. *Goodrich v. US*, 2022 WL 243907 (5th Cir. 2022).

The district court opinion also addressed how to resolve the claims of the naked owners with respect to mineral rights and home furnishings, which are nonconsumables. Art. 628 says that, upon termination of a usufruct of nonconsumables, "full ownership is restored" and the usufructuary is "bound to deliver the property to the owner with its accessories and fruits produced since the termination of the usufruct." The children won on their claims to those items and their fruits. The Louisiana Civil Law Treatise said that district court decision "is a very well-done example involving usufructuary accounting and re-integration of ownership." 3 La. Civ. Law Treatise, Personal Servitudes § 6:16 (5th ed.).

## Don't Forget Exhibit A

A couple of times a year, I see a memorandum that refers to Exhibit A, but there is no exhibit attached. Lawyers usually remember to file the exhibits when there are several, but when there is a single exhibit, it is often forgotten. If there is just one exhibit, it is probably important. Too bad the court will never see it.

## Complex LLCs and Diversity

Camping World RV Sales, LLC has joined the list of companies whose multi-layer structure is so complex that it can't or won't properly allege its citizenship in a diversity case. Camping World removed a case, but when pressed to spell out all of its members, their members, etc., it threw in the towel and took a remand. *Hendricks v. Camping World RV Sales, LLC*, 22-CV-189, 2022 WL 243901 (W.D. La. 2022). Sometimes it's virtually impossible to gather all of the necessary information for such LLCs.

# February Luncheon Highlights





# JUSTINIAN XXVIII

by Lawrence W. Pettiette Jr., President, [lpettiette@padwbc.com](mailto:lpettiette@padwbc.com)

Ash Wednesday, March 2, 2022, is a religious day and marks the beginning of Lent: fasting, abstinence, penance and reflection. The Mardi Gras season 2022 concluded the day before on Fat Tuesday. The events, gatherings, parties and Grand Bals of the various Ark-La-Tex Mardi Gras Krewe members were stronger this year than ever. Justinian was very much a part of it. Our Krewe members serve as ambassadors from the legal community to the Ark-La-Tex Mardi Gras, as well as schools, community events and other Mardi Gras festivities.

Captain Jimmy Franklin assembled an impressive group of royalty: hardworking, congenial, energetic; a collegial group that just enjoyed each other's company: King Larry Pettiette, Queen Erin Leigh Waddell, Duchess Sandra Monroe, Duke Trey Giglio, Duchess Anna Priestley, Duke Chance Nerren, Princess Chandler Higgins, and Prince Tristan Hebert.

This year Justinian's three main parties were highly successful. Importantly, a strong showing from the young lawyers was present at each event. Our last duty is to contribute to the Shreveport Bar Foundation's many worthy programs.

I would suggest that each member of past Justinian royalty would eagerly inform you that they are glad they did it and they enjoyed their reign. I did. Justinian has earned a very good reputation among the Ark-La-Tex's Mardi Gras Krewe members. Please consider joining next year. If so, I do not believe you will be disappointed.

Next year's Captain Nancy Cooper would welcome your support and participation.





# Monroe Inn of Courts

by Hal Odom Jr., rhodom@la2nd.org



Jon Guice, of Hammonds, Sills in Monroe, is a frequent adviser to school systems. He emphasized the evolving guidance which schools must follow to get statutory immunity from COVID claims

The complex web of immunity and liability arising from COVID-19 mandates was the subject of the Judge Fred Fudickar Jr. AIC (Monroe) meeting on January 24. Jon K. Guice, of Hammonds, Sills, Adkins, Guice, Noah & Perkins LLP, presented “Unmasking COVID-19: Vaccine Mandates and Governmental Regulation.” He sought to untangle the web.

“Everyone in my family has had COVID,” Jon began. “I spent six days in St. Francis. The governor’s actions are not just legal decisions – they’re life and death decisions.” At the start of the pandemic, the La. Legislature passed three acts regarding immunity. Act 9 of the 2020 1st Extra Session added La. R.S. 17:439.1 to extend immunity to “public and nonpublic schools, public and nonpublic school systems, public and nonpublic school governing authorities, and charter school governing authorities,” for injury or death resulting from or related to actual or alleged exposure to COVID-19 or acts taken in response to the emergency. However, immunity is premised on the school system’s compliance with “any procedure mandated by law,” or valid rule or regulation. “Our advice to school districts has been, you run the risk of losing immunity if you don’t follow the governor’s orders. Let’s look at Title 29 – it’s the law.”

Act 336 of the 2020 Regular Session added La. R.S. 9:2800.25 to extend immunity to natural or juridical persons, “state or local government, or political subdivision thereof,” from exposure due to COVID-19, but again, immunity is premised on compliance with established COVID-19 guidelines and procedures. Act

362 of the 2020 Regular Session amended La. R.S. 29:735 A(1) and added 29:773 to extend immunity to the state, its agencies and political subdivisions, or any employee or representative thereof “engaged in any homeland security and emergency preparedness,” unless the exposure was the result of “gross negligence or wanton or reckless misconduct.” “In all cases, you get the immunity, but only if you follow the law,” Jon added. “Sorry, the legislature did not grant immunity to restaurants!”

Jon then moved to Gov. Edwards’s latest mask guideline, Proclamation 6 JBE 2022, which continues the recommendation for everyone to use face coverings indoors and requires them on planes, trains, buses, etc., and in all public and nonpublic schools unless such schools comply with the latest quarantine and isolation protocols set by LDH. “Because of my experience,” Jon added, “I have a hard time with people who don’t want to wear face masks.”

Jon devoted considerable time to litigation over vaccine mandates, notably Judge Doughty’s recent ruling in *Magliulo v. Edward Via College of Osteopathic Med.*, 2021 WL 3679227 (W.D. La. 2021), commenting that, in his view, “the medical school really botched it.” And, in spite of the adverse ruling in *National Fed’n of Indep. Bus. v. Dept. of Labor*, 142 S. Ct. 661 (2022), “We have witnessed a medical miracle with this vaccine.”

The meeting was held on Monday evening, January 24, at the Lotus Club, on the ninth floor of the historic Vantage-ONB Tower, on DeSiard Street. The 13



Charlen Campbell, Ashley Herring and Stacy Guice had a lively visit in the social time before the meeting

members in attendance received one hour's CLE credit, and enjoyed a social time with fried oysters and catfish fingers and miniature pastries. The Inn's secretary, Mike Street, announced that upcoming meetings were set for February 21 and March 14.



Hal Odom and Leah Sumrall are shown shortly before the meeting



Judges Stephens Winters and Danny Ellender came in from the cool, drizzly evening and were greeted by Judge Milton Moore

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**Letter from a recent Pro Bono client.....**

Dear Mrs. Pamela King Newlen,

I write you today to express my heartfelt gratitude to you for all the care and concern you have shown me, for working tirelessly to ensure the law worked in our favor. If it weren't for your analytical skills, professionalism, legal expertise, and knowledge of tax deed sales I would have lost my home. You never gave up on me since day one by going above and beyond expectations. I truly appreciate that you took the time out of your busy schedule for the last 4 years. I hope Dana knows she has one of the most delicated lawyers as a volunteer to help the unfortunate. Thank you for always informing me of the best options to take in resolving my problem and prioritizing me as a client and doing everything in your power to help my case. To hear the judge agree to what you have been saying the entire time has given me joy. I will forever be in debt. I hope your reflections on me can be seen by others. I would not hesitate to

recommend your services to anyone in need of an attorney. Thank you again for giving me your time and acting on my behalf. I am looking forward to finalizing our destination during the next court day.

Sincerely,

SBF Pro Bono Client

# LEGAL TECHNOLOGY LUNCH & LEARN SERIES-

TOPICS OF INTEREST YOU WANT TO KNOW ABOUT -  
LET US HEAR FROM YOU!



This year, the SBA will hold a Lunch & Learn series dedicated entirely to the topic of Legal Technology, and we need your help! Legal Technology is always changing and developing at a rapid pace. As lawyers, we have an ethical obligation to stay informed and keep up with the latest developments in the field of legal technology. What legal technology topics would you like to hear about in 2022? Now is your chance to weigh in with your ideas on this important aspect of practicing law. Please send us your legal technology topic suggestions so we can incorporate your ideas into our 2022 Legal Technology Lunch & Learn series. Email Dana Southern at [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com).

Interested in serving on the SBA's Legal Technology committee? Spots are available! Let us hear from you!

## 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 courtroom, and earn CLE credit. Contact the SBF office to get involved.

Lucy Espree, Pro Bono Coordinator,  
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# LUNCH & LEARN

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12:00 Noon - 1:00 p.m.

For the Following Dates: April 22 \* July 1

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Our 2022 Lunch & Learn series will focus on Legal Technology. This series, coordinated by Melissa Allen, will include practical technology presentations that all lawyers should know. Join us in learning more about Legal Technology. Legal Technology is changing and developing at a rapid pace. As lawyers, we have an ethical obligation to stay informed and to keep up with the latest developments in the field of legal technology. Sponsored by the Shreveport Bar Association. Lunch included in cost of attendance.

Questions, contact Dana Southern at 222-3643, Ext.3 or email: [dsouthern@shreveportbar.com](mailto:dsouthern@shreveportbar.com).

SBA Members - \$50 per session Non-SBA Members - \$60 per session

Please indicate session (s) attending \_\_\_\_\_

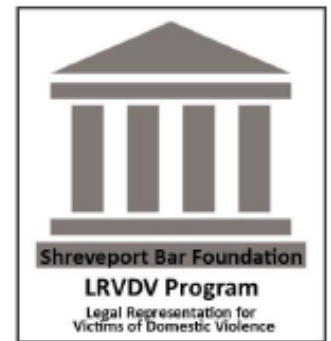
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# GIVE *for* GOOD

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May 3, 2022



**May 3 is Give for Good!** The Shreveport Bar Foundation needs your help! Helping domestic violence victims through our Legal Representation for Victims of Domestic Violence program and supporting the Pro Bono Project are great reasons to **Give for Good!** Mark your calendar for Northwest Louisiana's BIGGEST giving day of the year, Tuesday, May 3, 2022! Give for Good, an online fundraising event powered by the Community Foundation.

The Shreveport Bar Foundation operates several programs, The Pro Bono Project, Legal Representation for Victims of Domestic Violence Program, Monthly Legal Clinics and Self Represented Litigant. Your donation will help continue to fund these programs that provide legal resources to our community. We ask that you choose the Shreveport Bar Foundation when you Give for Good this year! Get Ready To Give!

Advance giving is open visit <https://www.giveforgoodnla.org/sbprobono> and make a donation. You have until May 3 at 11:59 PM, to make your donation, when all giving will end.

# Criminal Jury Trials 2016-2020

## According to Louisiana Supreme Court Annual Reports

	#JUDGES	2016	2017	2018	2019	2020	TOTAL
1 <sup>st</sup> JDC CADDO	11 5 Criminal	40	46	37	45	29	197
4 <sup>th</sup> JDC MOREHOUSE OUACHITA	11 5 Criminal	16	25	20	31	8	100
19 <sup>th</sup> JDC E. B. R.	16 8 Criminal +2*	39	32	35	24	14	144
OPCDC ORLEANS	12** +5*	76	62	70	48	14	270

\*Commissioners/Magistrates

\*\*Orleans Parish Criminal District Court has 12 judges. Orleans Parish Civil District Court has 14 judges. Orleans Criminal and Civil District Courts have a total of 26 judges and 5 Commissioners/Magistrates.

There has been some discussion of the backlog of cases in criminal district court. Working with the infrastructure we have and struggling with the pandemic, the First Judicial District Court has consistently outperformed other judicial districts of similar size. Reducing this backlog will take time. Adjustments are being considered, but it will take the cooperation of multiple agencies and attorneys working together to resolve this issue.

Judge Donald E. Hathaway, Jr.  
Judicial Liaison to the Shreveport Bar Association

**The Supreme Court has not yet released the 2021 annual report.**



# Red Mass 2022

On the occasion of Law Week 2022  
The Red Mass Society of Shreveport cordially  
invites you to attend the

Annual Votive Mass of the Holy Spirit  
historically known as The Red Mass to be  
celebrated at

*Holy Trinity Catholic Church*  
400 Block of Fannin Street,  
Shreveport, Louisiana on  
Friday, the sixth of May  
Two thousand and twenty-two  
at nine o'clock in the morning



Bishop Francis I. Malone  
Diocese of Shreveport  
Principal Celebrant and Homilist



The Red Mass this year is celebrated  
in honor of

*John A. Vanchiere, MD, PhD and the  
LSUHS COVID-19 Strike Team*

## Red Mass Society

The annual Shreveport Red Mass will be held on Friday, May 6, 2022, at Holy Trinity Catholic Church in downtown Shreveport. Music provided by Zion Baptist Church Choir under the direction of Pastor Brady Blade will begin at 8:30 a.m. Aaron Wilson will be directing the St. Cecilia Choir for the liturgical music. Bishop Francis Malone will deliver the homily. This year's honoree is John A. Vanchiere, MD, PhD, and the LSUHS COVID-19 Strike team. The Mass starts promptly at 9:00 a.m.

The Red Mass tradition dates to La Sainte-Chapelle Chapel in 1246. It was brought to the United States in 1928 and first celebrated at old St. Andrews in New York City. The opening of the Supreme Court in Washington D.C. and the opening of the Louisiana Supreme Court in New Orleans are accompanied by a Red Mass. The name is taken from the color of the vestment that is worn by the priest: red since it is a votive mass of the holy spirit and a prayer for guidance in judicial proceedings. Individuals who have attended in the past include Supreme Court Justice Antonin Scalia, Archbishop Cardinal Edward Egan and U.S. District Judge Tom Stagg.





# Harry V. Booth-Judge Henry A. Politz American Inn of Court

by Judge Katherine Clark Dorroh, [kdorroh@kdorrohlaw.com](mailto:kdorroh@kdorrohlaw.com)

I am so proud to be President of the Harry V. Booth-Judge Henry A. Politz American Inn of Court. On February 11, 2022, our Outreach Team and volunteers prepared 40 (I SAID 40) wills packages for first responders in Shreveport/ Bossier FREE OF CHARGE!

We used the Wills for Heroes Program supplied to us from the Louisiana State Bar Association and the LSBA Young Lawyers Association. This is the third year our Inn has held a Wills for Heroes clinic. Sarah Giglio, Sherron Phae Williams, Liza Beth Grozinger and Katherine Gilmer are to be commended for their hard work and effort. A great service was provided by volunteer attorneys to those who protect us every day. Many thanks to all the volunteers from the Booth-Politz Inn and the Shreveport Bar Association. It was a great day.





# Welcome New Members

**Starleana R. Brandon**  
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Court of Appeal

**Fernando B. Grider**  
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**Joseph B. Odom**  
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# 4th Annual North Louisiana Appellate Conference May 13, 2022

Second Circuit Court of Appeal  
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Approved for 6 Hours  
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**8:00 a.m. Registration**

**8:30 a.m. Perfecting the Suspensive Appeal**  
60 Minutes  
*Kenneth P. Haines, Board Certified Appellate Specialist, Certified by the Louisiana Board of Legal Specialization - Weems, Schimpf, Haines, Shemwell & Moore*

**9:30 a.m. Break**

**9:35 a.m. Recent Developments in Criminal and Civil Appeals**  
60 Minutes  
*Hal Odom - Second Circuit Court of Appeal*

**10:35 a.m. Break**

**10:45 a.m. Changes and Procedures in the Clerk's Office**  
60 Minutes  
*Robin N. Jones, Clerk of Court; Karen McGee, Advanced Certified Paralegal Chief Deputy Clerk and Brian Walls, First Deputy Clerk - Second Circuit Court of Appeal*

**11:45 a.m. Lunch with the Second Circuit Court of Appeal Judges**  
75 Minutes

**1:00 p.m. Ethics in Appellate Advocacy**  
60 Minutes  
*Michael H. Rubin - McGlinchey Stafford, PLLC*

**2:00 p.m. Break**

**2:10 p.m. Ramos v. Louisiana; Qualified Immunity**  
60 Minutes  
*Molly Able, Director of Central Staff - Second Circuit Court of Appeal and D. Lee Harville - The Harville Law Firm, LLC*

**3:10 p.m. Break**

**3:20 p.m. Professionalism**  
60 Minutes  
*Appellate Judge (Ret) Jeanette G. Garrett*

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Refund until April 4, 2022, less a \$25.00 admin. fee. After April 4, 2022, 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. Neither internet access nor electrical outlets are provided, so 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.

**Please remit with payment to:**

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# Krewe of Justinian







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## Member Day

SBA Members, Spouses, Significant Other,  
Children and Grandchildren  
are invited to

**Shreveport Bar Association's  
Sunday Fun Day**

Sunday, May 1 from 3:00 to 6:00 p.m.  
at Pierremont Oaks Tennis Club



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**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*

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# UPCOMING EVENTS

## \*2022 SBA MEMBERSHIP LUNCHEONS

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

### \*MARCH 23

SBA Member Luncheon  
Speaker: Ben Marshall Jr.

### APRIL 22

Legal Technology Lunch &  
Learn Series I

12:00 Noon at Shreveport Car Center  
Speaker: Amy Day

### APRIL 26

SBA Golf & Tennis Tournament  
Querbes Park Golf Course

### MAY 1

SBA Member Day  
Pierremont Oaks Tennis Club  
3pm-6pm

### MAY 3

Give for Good Campaign

### \*MAY 4

Law Day Luncheon  
Speaker: U.S. Attorney Brandon  
Brown

### MAY 6

Red Mass  
9:00 a.m. at Holy Trinity  
Catholic Church

### MAY 13

4th Annual North Louisiana  
Appellate Conference  
Second Circuit Court of Appeal

Looking for shenanigans  
or maybe me pot o'  
gold?

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Greens at Amazon!  
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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.

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Shreveport Bar Foundation  
Pro Bono Project



## **SBA LUNCHEON & CLE MEETING –MARCH 23**

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

*\$40.00 for SBA members; \$50.00 for non-SBA members. Advance reservation is required no later than 5 p.m.  
Monday, March 21.*



**Ben Marshall Jr**

### ***Professionalism Palooza: 15 Rockin' Reminders***

**When:** 12:00 Noon on Wednesday, March 23

**Where:** Petroleum Club (15th floor)

**Featuring:** Ben Marshall Jr., Mayer, Smith & Roberts

*This presentation is eligible for 1 hour Professionalism CLE credit*

Please join us on Wednesday, March 23 as we welcome Ben Marshall Jr., who will give his Professionalism Palooza: Rockin' Reminders presentation. Ben is from Shreveport and is a graduate of Jesuit, Notre Dame and LSU Law School. He is a partner at Mayer, Smith & Roberts in Shreveport and he has been with the firm since he began to practice in 1980. His practice is primarily personal injury defense. He has been a member of the Shreveport Bar Association since 1980. Since 1993, Ben has been the co-host of a daily sports talk radio show.

# **#SHREVEPORTBARASSOCIATION**

**You may confirm your reservation(s) by email [kriggs@shreveportbar.com](mailto:kriggs@shreveportbar.com),  
Phone 222-3643 Ext 2 or Fax 222-9272.**

I plan to attend the March 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!**