

THE BAR REVIEW

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INSIDE | SEPTEMBER

President's Message	1
How Write You Are.....	4
Federal Update	5
Second Circuit Highlights	6
Bar Briefs	8
Krewe of Justinian Highlights	11
Pro Bono Project.....	12
Announcing the 2025 SBA Officers.....	16
The Lawyers in the AMI Litigation of the 1980s.....	18
Shreveport Bar Association Archives Committee Update.....	19
Shreveport Bar Association Archives Committee Update.....	20
June Luncheon Highlights	23

EVENTS AT A GLANCE

9/18	Krewe of Justinian Trivia Night 5:30 pm - Petroleum Club of Shreveport
9/18-19	Recent Developments by the Judiciary Seminar
9/25	SBA Member Luncheon – Noon Petroleum Club of Shreveport



From The President

by Kenneth P. Haines, kenny@weems-law.com

THINKING VERY CLEARLY

Recently, I was downtown on my way to court and bumped into my friend Royal Alexander. As we were crossing the street at the intersection of Texas and McNeil, Royal asks, “Hey, Kenny, are you going to think clearly for a client today, or whatever that is you say?” I replied to Royal, “Yes Royal, I will be thinking very clearly for my paying client today.” Royal then says, “I really like that you are known for saying that.”

Just today, another friend, Richie Griffith, sees me in Judge Byrd’s court and asks, “Kenny, you thinking clearly today?” Knowing his reference, I reply, “I’m paid up today, Richie, so my mind is clear as a bell.” In the midst of our conversation, Sonny Huckabay asks a group of us a legal question he is pondering, and I offer my solution to the problem. At the conclusion of my legal analysis, I tap Richie on the chest and say to Sonny, “But, I reserve the right to think more clearly for a paying client.” We all laugh.

Those that know me well know the origin of that adopted motto. I remember it as clearly as it was yesterday. It was 1988 in Adjunct Professor Mike Rubin’s Security Devices class at LSU that a legal revelation dawned upon me. I was one of the naive few that went to law school thinking I was going to learn the law. I thought that this thing called the law was black and white. But it was there in Security Devices, a subject that you think would be very black and white, that I learned that the law was instead a hazy shade of grey. Because it was there that Professor Rubin uttered my adopted motto and forever changed the trajectory of my legal thinking.

After spending a good bit of time discussing the machinations of some type of security device (the exact one I don’t quite remember now), Professor Rubin provided his well-reasoned solution to the problem. And then said, “However, I reserve the right to think more clearly for a paying client.” It was an aha moment. I realized I would not be paid to “know the law,” that is, for law professors. Lawyers view the law through the perspective of the facts presented to them by their paying client. The law changes and evolves based upon the sound arguments and clear thinking of paid advocates. Be flexible, not rigid in thought, especially if someone is paying you to advocate for them.

At our September 25 luncheon, we will have the good fortune of having as our speaker Mike Rubin, who is one of Louisiana’s legal giants. I hope you will take this opportunity to earn an hour of CLE and be entertained by Mr. Rubin’s presentation, “Reply All Regrets: Ethical Issues for Both Tech Geeks and Luddites.” Having attended several of Mike’s ethics presentations, I can say without hesitation you will not leave the luncheon disappointed.

After the “show,” Mike will likely have some copies of his books for sale. And, we will have copies of our latest and greatest membership directory (full color photos) to offer (\$30.00 per copy). I look forward to seeing you all there and then again in October as we welcome another lion of Louisiana law, Alston Johnson, for his annual presentation on developments from the legislature. Shout out to my program chair for the luncheons, Allison Jones, as we look forward to these two great speakers in the coming months.

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Save the Dates 2024

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How Write You Are

by Hal Odom Jr., rhodom@la2nd.org

Now hear this. A quotation from an olographic will: “I, Andrew * * *, do *hearby* [sic] leave all that I die possessed of to Sharon[.]” This is an odd, yet phonetic, misspelling; in all fairness, the testator suffered from mental issues and was writing his will by hand. The district court invalidated the will, but not for misspelling. *Succession of Davisson*, 50,830 (La. App. 2 Cir. 12/22/16), 211 So. 3d 597.

Even skilled writers are not immune. “The evidence seized from the person of the two defendants during the search in question is *hearby* suppressed[.]” *State v. Washington*, 501 So. 2d 1086 (La. App. 2 Cir. 1987). “For all these reasons, the motion of the bankrupt to dismiss the petition for review is *hearby* denied.” *In re Capitano*, 315 F. Supp. 105 (E.D. La. 1970). “For these reasons, it is ordered that all proceedings involved in this application be, and they are *hearby*, ordered stayed until further orders of this court.” *In re Sheridan*, 250 La. 990, 200 So. 2d 669 (1967). These quotations predate the advent of Spell Check, which instantly pegs the misspelling. Count it as one of the pure examples where Spell Check is unequivocally right!

Stay out of the wards. For the word meaning *in the direction of*, the preferred American spelling is *toward*. The common (though not unanimous) British spelling is *towards*, which is also a rustic vernacular American usage. Since we are situated in the USA, we will normally use the shorter, American version, *toward*. Sometimes the vernacular creeps into legal writing:

“The trial court found that taking \$41.4 million (\$48 million in lost tax revenue minus St. George’s \$6.6 million contribution *towards* constitutional offices) * * * amounted to an ‘approximate’ 35% reduction of Baton Rouge’s budget.” *Broome v. Rials*, 23-01108 (La. 4/26/24), 383 So. 3d 578. “Farrar’s actions fit squarely in each of these considerations as aggravating factors and would appear to push the needle *towards* making a significant exemplary damages award[.]” *Duran v. Allmerica Fin. Benefit Ins. Co.*, 55,599 (La. App. 2 Cir. 4/10/24), 384 So. 3d 1177. I would have used *toward* in both places.

The La. Code of Evidence follows the American rule, making other-crimes evidence admissible if it involves “sexually assaultive behavior or acts which indicate a lustful disposition *toward* children[.]” La. C.E. art. 412.2. Some writers don’t copy this good example: “The child pornography found on defendant’s devices from 2010 was highly relevant and probative * * * in that it showed defendant’s lustful disposition *towards* children.” *State v. Eldridge*, 23-149 (La. App. 5 Cir. 12/20/23), 378 So. 3d 861. Careful writers follow it scrupulously: “Masters further argues that the prior offense was inadmissible under La. C. E. 412.2 because the incident involved an adult victim and did not show whether he had a lustful disposition *toward* children.” *State v. Masters*, 55,705 (La. App. 2 Cir. 7/17/24), 2024 WL 3434795.

The same preference applies for other directional words. Consider: “Montes-De Oca was observed ‘walking rapidly *northwards*’ in the southbound cargo export lane which was



backed up with semi-truck traffic.” *U.S. v. Montes-De Oca*, 820 Fed. Appx. 247 (5 Cir. 2020). This was quoting the testimony of a CBP officer. “Thus, the sunlight would have hit Plaintiff’s brake lights and then reflected back *southwards towards* Ms. Landry.” *Durkheimer v. Landry*, 22-418 (La. App. 3 Cir. 5/10/23), 366 So. 3d 674. I would have reduced both of these *wards* to *ward*, but consider it two for the price of one.

A little more direction. We have four cardinal points – we all know them – and they’re good enough for almost every purpose. Longer phrases just take up more space: “She alleges that on December 17, 2018, at approximately 2:00 p.m., she was driving her 2015 Chevy

Cruze in a westerly direction on Interstate 10 near the Causeway Boulevard exit[.]” *Cantrelle v. Brady*, 22-272 (La. App. 5 Cir. 2/27/23), 359 So. 3d 85. In other words, she was *driving west*. “Trooper Chapman said that he then saw the driver throw an object under the car and take off running *in a northerly direction*.” *State v. Gee*, 55,030 (La. App. 2 Cir. 5/10/23), 361 So. 3d 1228. The defendant ran *to the north*, but the court was probably indirectly quoting the state trooper.

If the direction is not precise, this construction might be acceptable. “The other pathway curves *in a southerly direction*, reconnecting with the straight pathway on the *easterly end* of the condominium development.” *Three Rivers Commons Owners’ Ass’n v. Grodner*, 23-0050 (La. App. 1 Cir. 10/31/23), 382 So. 3d 972. These directions appear to be approximate, but the concepts could have been expressed more concisely with phrases like “curves *generally south*” and “on the *east boundary*.”

And, at the extremes. To describe *the farthest in a given direction*, the majority rule is to use cardinal point + *ern* + *most*. “The Parish stated that in 1965, it acquired a 60-foot-wide servitude for a portion of land to be used to construct the *southernmost* portion of South Kenner Road.” *Johnson v. River Birch LLC*, 23-21 (La. App. 5 Cir. 12/20/23), 378 So. 3d 247. “The consent order modified Catahoula’s attendance boundaries such that the zone hooked southwestward into St. Martinville; its *westernmost* portion stopped shy of Bayou Teche.” *Thomas v. Sch. Bd. St. Martin Parish*, 2023 WL 4926681 (W.D. La. 2023).

However, the usage is not universal. “The CLCS has already accepted the view that the Chukchi Borderland is continuous with another seafloor elevation, Alpha Ridge, that extends all the way to the *northmost* reaches of Canada.” Kevin A. Baumert, *The Continental Shelf Beyond 200 Nautical Miles: Announcement of the U.S. Outer Limits*, 118 Am. J. Int’l L. 275 (Apr. 2024). Somehow this does not sound wrong.

Too casual for me. “In determining the percentages of fault, the trier of fact is to consider the nature of the conduct of each party at fault and the extent of the *casual relation* between the conduct and the damages claimed.” *Oleszkowicz v. Exxon Mobil Corp.*, 12-623 (La. App. 5 Cir. 12/19/13), 129 So. 3d 1272. To some, this typo might sound slightly suggestive!



Federal Update

by Chris Slatten, Chris_Slatten@lawd.uscourts.gov

Summary Judgment Change:

From the time I began working in the federal court in 1990, the local rules have required that a motion for summary judgment be accompanied by a memorandum and a *separate* statement of uncontested facts. Similarly, the opposition had to include a memo and a *separate* statement of contested facts. No more!

The WDLA recently amended several local rules, including Local Rules 56.1 and 56.2, which were revised to be more like the state court rules. They now say:

Motions for summary judgment must be accompanied by a memorandum. The memorandum must contain:

- (1) The legal basis on which the mover is entitled to judgment;
- (2) The material facts that the mover contends are not genuinely disputed; and
- (3) A pinpoint reference to the document or other exhibit that establishes each such fact.

A memorandum in opposition to a motion for summary judgment must contain:

- (1) The material facts that the opponent contends are genuinely disputed; and
- (2) A pinpoint reference to the document or other exhibit establishing that each such fact is genuinely disputed.

Insurance, Inflation, and Penalties: A church's replacement policy provided that the payment amount would be determined "as of the time of loss or damage[.]" It also provided that the insurer would not pay until the property was actually repaired or replaced and unless the work was done as soon as reasonably possible after the loss or damage.

The trial court found this ambiguous and awarded extra based on actual amounts that the church paid as much as two years after the date of loss. The 5CA reversed, finding the policy was not ambiguous, and damages were frozen based on prices on the date of loss. *First Baptist Church of Iowa, v. Church Mutual*, 105 F4th 775 (5th Cir. 2024).

The court also addressed how to calculate a penalty under La. R.S. 22:1892, which allows an award of a penalty, "in addition to the amount of the loss, of fifty percent damages on the amount found to be due" if payment is not made timely. The insurer had tendered a \$100K advance payment and argued that penalties should be calculated on the unpaid portion of damages. The 5CA disagreed and held that insurer was liable for penalties on the entire amount found to be due, without any subtraction for amounts paid.

Settlement Validity Based on Fed or State Law?: A state trooper filed federal and state law claims against his employer, the case was removed based on federal question, and a settlement agreement was reached after a mediation conducted by a judge at which the trooper personally participated and agreed to the terms. The trooper later tried to back out of the deal, arguing that it was not in writing or recited in open court as required by Louisiana law.

The 5CA has held that the enforceability of settlement agreements in cases presenting federal claims is governed by federal law. But where jurisdiction is based upon diversity of citizenship, the court has applied state law to determine whether a settlement agreement is enforceable. This case presented both federal and state law claims; the 5CA elected to apply federal law because that was the basis for its jurisdiction over the case.

To form a settlement agreement under federal law, there must be offer, acceptance, consideration, the inclusion of all material or essential terms, and a meeting of the minds. Important here, federal law does not follow the Louisiana law requirement that a compromise be reduced to writing or recited in open court. The court found that the settlement was valid and enforceable under federal law. *Cavalier v. Craft*, 2024 WL 2846059 (5th Cir. 2024). A good practice, whether the claims are based on state or federal law, is to ask the mediating judge to go on the record in a courtroom, recite the terms, and get the parties to state their consent on the record.

Title VII and Transfers: Title VII makes it unlawful for an employer "to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's ... sex." The female plaintiff had a good record as a plainclothes officer in a prestigious unit with a desirable work schedule and take-home car. A new male supervisor put a male in plaintiff's position and transferred plaintiff to a uniformed job where she supervised neighborhood patrol officers, had a less desirable schedule, and got no car. But she kept her rank and pay.

Did the transfer affect her terms or conditions of employment? The unanimous Supreme Court said it did, and that Plaintiff did not have to show that the harm was serious, substantial, or other similar adjective that some courts have required. Those words are not in the statute, so don't judicially rewrite Title VII to apply them, said *Muldrow v. City of St. Louis*, 144 S.Ct. 967 (2024). Did the transfer cause "some harm" respecting an identifiable term or condition of employment? Did it leave plaintiff worse off than before? Yes, said the Court, so plaintiff has stated a claim. Justice Kavanaugh concurred to say that even the "some harm" requirement is beyond what the statute requires.



Second Circuit Highlights

by Hal Odom Jr., rhodom@la2nd.org

What's new in damages. Late last year, the Supreme Court modified (or perhaps upended) decades of jurisprudence regarding appellate review of general damage awards. Venerable cases like *Reck v. Stevens*, 373 So. 2d 498 (La. 1979), *Duncan v. Kansas City S. Ry. Co.*, 00-0066 (La. 10/30/00), 773 So. 2d 670, and hundreds of others had held that an examination of prior awards played a “limited function” in reviewing damages and was relevant only if the facts of the prior cases were “closely similar” to the case on appeal. However, in *Pete v. Boland Marine & Mfg. Co.*, 23-00170 (La. 10/20/23), 379 So. 3d 636, the court announced that, from here on out, appellate review “is to include a consideration of prior awards in similar cases,” as well as the facts of the case on appeal. The court then illustrated by discussing 10 prior cases before reducing a mesothelioma claimant’s general damages from \$9.8 million to \$5 million.

The new “prior awards” standard came up in *Harris v. Kansas City S. Ry. Co.*, 55,764 (La. App. 2 Cir. 7/17/24), an opinion by Chief Judge Pitman. Harris, a KCS conductor, was injured when the handbrake he was using failed to release, injuring his back and right leg. He sued his employer under FELA and FSAA. After a five-day trial, a First JDC jury awarded him \$180,000 for past lost wages and future earning capacity but denied all other items of damages – future medicals, past and future pain and suffering, loss of enjoyment of life, permanent impairment. On JNOV, the court awarded him \$114,902 for future medicals, \$75,000 for nonmedical costs and \$30,000 for past and future pain and suffering. Harris appealed.

The court affirmed as to future medical expenses and loss of earning capacity. However, as to general damages, the court cited *Pete v. Boland Marine* and proceeded to discuss nine prior cases, some cited by the plaintiff (general damages \$200,000 to \$2 million) and others “with similar injuries and treatments” (general damages \$100,000 to \$200,000), before raising Harris’s award from \$30,000 to \$100,000.

This opinion will show practitioners what kind of research they should bring to the table when they appeal the quantum of general damages.

What's new in slip and fall. Earlier last year, the Supreme Court clarified (or perhaps dissected) the jurisprudence regarding premises liability under La. C.C. art. 2317.1. In *Farrell v. Circle K Stores Inc.*, 22-00849 (La. 3/17/23), 359 So. 3d 467, the court definitively broke down the time-honored duty-risk analysis into five elements (the duty element, the breach element, the cause-in-fact element, the scope of duty element, damages), and then announced a “duty-risk balancing test” to be applied to the breach element, with four factors (utility of the complained-of condition, likelihood and magnitude of harm, cost of prevention, nature of plaintiff’s activities). Specifically, the familiar notion of “open and obvious” fits squarely in the “likelihood and magnitude” factor, which in turn fits in the breach element of 2317.1. Is all this clear?

Application of this analysis came up in *Wheat v. State Farm*, 55,712 (La. App. 2 Cir. 7/17/24), an opinion by Judge Ellender. Wheat rented a house on Lake Darbonne, in Union Parish. The house had a wooden front deck which was seriously damaged when Hurricane Laura blew through the area: a nearby tree was toppled, its roots punching an 8 × 8 hole in the deck. The landlord told Wheat to clear his personal property off the deck so he (the landlord) could repair it; while doing so, Wheat somehow fell into the hole and was seriously injured. He sued the landlord and the insurer alleging there was an unreasonably dangerous condition, the owner knew about it and had the opportunity to repair but didn’t, and the plaintiff was free of fault. State Farm moved for summary judgment essentially urging that an 8 × 8 hole is so open and obvious that there was no duty to warn. The district court agreed, granting MSJ and dismissing Wheat’s claims. Wheat appealed.

The Second Circuit affirmed. The opinion carefully lays out the five factors of the duty-risk analysis, followed by the four factors of the duty-risk balancing test and an item-by-item application of these to the summary judgment evidence. On de novo review, it was “impossible to imagine anything more open and obvious” than an 8 × 8 hole; the potential harm of falling into it was “intuitive.”

This opinion will show practitioners what kind of facts to discover, and how to argue them, in a 2317.1 case.

What's new with balanced billing? Perhaps in recognition of prevailing economic conditions, the La. Legislature passed, in 2003, the “Billing by contracted healthcare providers act” (usually called the “Balanced Billing Act”), La. R.S. 22:1874. This prohibits a contracted healthcare provider from collecting from an enrollee or insured patient any amount greater than the contracted reimbursement rate for the covered service. However, it did not create a cause of action for a patient who felt gouged by the provider. The Supreme Court recognized a private cause of action for this, in *Anderson v. Ochsner Health Sys.*, 13-2970 (La. 7/1/14), 172 So. 3d 579, and later found that such a claim was a tort, not a breach of contract, *DePhillips v. Hosp. Serv. Dist. No. 1 of Tangipahoa Par.*, 19-01496 (La. 7/9/20), 340 So. 3d 817. Even though hospitals have sophisticated bookkeeping software and dedicated insurance personnel, claims under § 1874 continue to arise.

In *Bowden v. Ruston La. Hosp. Co.*, 55,525 (La. App. 2 Cir. 5/8/24), the plaintiff forcefully argued that the admission papers he signed when he entered the hospital created an implied agreement not to balance-bill him and, hence, the action was subject to 10-year prescription for a personal action. The district court didn’t buy it, and the Second Circuit affirmed, citing *DePhillips*. The opinion is by Judge Stone.

In *Jackson v. St. Francis Med. Ctr.*, 55,762 (La. App. 2 Cir. 7/17/24), the plaintiff went to St. Francis after an auto accident; the hospital placed a medical lien, R.S. 9:4751, on any recovery she might have received from the driver/insurer who injured her. She argued the lien constituted a continuing tort and interrupted prescription. The district court rejected this, and the Second Circuit affirmed, finding the tort occurred when

the lien was filed. The opinion is by Judge Hunter.

A major footnote! In this year's session, the La. Legislature extended the prescriptive period for torts from one year to **two years**. La. C.C. arts. 3494.11 and 3493.12. This applies to torts that occur on or after July 1, 2024. If the plaintiff in *Jackson* had checked into St. Francis after that date, her suit would have been timely (16 months). The plaintiff in *Bowden*, and his proposed class, would still be untimely (over five years).

No defamation by silence. The tort of defamation is based on "a false and defamatory statement concerning another," meaning one that "tends to harm the reputation of another," and can be classified as "defamatory per se" or "susceptible of a defamatory meaning." *Kennedy v. Sheriff of E. Baton Rouge*, 05-1417 (La. 7/10/06), 935 So. 2d 669. The running theme is the statement is either outright false, implicitly false, or misleading in a derogatory way. So, is it possible to defame somebody by not saying anything about them?

No, says the Second Circuit, in an intriguing case dating back to the 1989 triple homicide of Julie Grissom and two family members. Ms. Grissom had recently ended a relationship with a local attorney, Hal Carter, and Carter became a suspect in the murders (he considered himself the "prime suspect"). Carter moved out of state to avoid the cloud of suspicion. About a year later, the notorious serial killer (and former Shreveport resident) Danny Rolling was arrested for multiple homicides in Gainesville, Florida, and, before his execution in 2006, he confessed to the Grissom murders, even writing that Carter was "100% INNOCENT." However, Carter had attempted to rebrand himself as the "prime suspect" in a notorious crime, and started a business, Dream Creations LLC, to create and market products based on his experiences.

Then, in early 2021, the ABC newsmagazine "20/20" produced a two-hour special about Danny Rolling and the Gainesville homicides. The producers invited Carter to participate but ultimately devoted only 8 minutes to the Grissom murders, showing visuals of *Shreveport Times* headlines proclaiming that police had no leads in the crime and, finally, that Rolling had confessed to it. No part of Carter's interview was used; in fact, 20/20 never mentioned his name at all.

Feeling that this omission damaged his cachet, book sales, motivational speaker prospects and business interests, Carter (and Dream Creations) sued ABC, KTBS and other entities for defamation and intentional infliction of emotional distress. The defendants filed exceptions of no cause of action, which the district court granted, dismissing all claims. Carter appealed.

The Second Circuit affirmed, *Carter v. ABC News Inc.*, 55,623 (La. App. 2 Cir. 6/26/24), in an opinion by Judge Robinson. The opinion provides a full, textured exposition of defamation law before coming to the question, can the claim survive if the plaintiff admits there were no defamatory words published? No, the court concluded: "Failing to mention Carter's name in reference to the Grissom murders and not displaying newspaper articles concerning Carter being a suspect do not meet the requirements for defamation as the 'statement concerning another' element is missing." The court also declined to hold the negative statement ("They didn't

have any suspects") was implicitly defamatory. The court finally noted that the Grissom murders were a matter of public interest and fell under the press's First Amendment liberty.

The outcome is probably not satisfying for the plaintiffs. Still, it is a consolation to know, in our current, hypersensitive world of traditional and social media, that if you keep your mouth shut you won't defame anyone.

No defamation for publishing press release from police. In January 2021, a loss prevention officer at the Walmart on East Bert Kouns reported to Shreveport Police that a theft had occurred in the store. The report included a press release and screen shots from the store's surveillance video showing two unidentified Black women. SPD sent the press release and photos to Crime Stoppers and KMSS (Channel 33), which posted this info to their social media sites with calls for help identifying these women who "may be connected with a theft." A few days later, family members told Ms. Green that she and her minor daughter were "wanted on a charge of theft"; Ms. Green called a lawyer, who advised her to go to the police. She did so, was charged by affidavit with theft and ordered to appear in Shreveport City Court. She appeared, but the city attorney got a continuance; after three more continuances, the city attorney dropped the case. Ms. Green then sued Walmart, KMSS and Crime Stoppers for defamation. The latter two filed exceptions of no cause of action, which the district court sustained. Ms. Green appealed.

The Second Circuit affirmed, *Greene v. Wal-Mart La. LLC*, 55,717 (La. App. 2 Cir. 7/17/24), in an opinion by Judge Thompson. As in *Carter*, this opinion offers an exposition of libel law, with emphasis on the constitutional privilege of reporting on crime, *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 95 S. Ct. 1029 (1975), and the statutory privilege of Crime Stoppers, La. R.S. 15:477.1 A(1). However, the court skirted the issue of privilege, instead reiterating that when the media is furnished arrest information from an authorized police source, it is under no obligation to verify that information from other sources (absent special circumstances not present here), *Thomas v. City of Monroe*, 36,526 (La. App. 2 Cir. 12/18/02), 833 So. 2d 1282. The court also noted the total absence of any allegation that the social media posts were false or made with malice. In short, several essential elements of a defamation claim were absent.

The exclamation point at the end of the opinion is that KMSS and Crime Stoppers filed a special motion to strike, La. C.C.P. art. 971, asserting that the suit was intended to chill their valid exercise of First Amendment rights. The district court granted this and the Second Circuit affirmed, remanding the case for the assessment of damages. Part of Ms. Green's claim (against Walmart) remains pending, but, overall, that was one most disagreeable trip to Walmart.

JUDGE CARL E. STEWART CELEBRATES 30TH ANNIVERSARY ON THE COURT

Longstanding Shreveport Bar Association member **Honorable Carl E. Stewart** recently celebrated 30 years as a circuit judge on the federal bench, United States Court of Appeals for the Fifth Circuit. Judge Stewart was appointed to the court on May 9, 1994, by then-President William J. Clinton. He was the first African American to serve on the United States Fifth Circuit, which covers Texas, Louisiana and Mississippi. He became the court's first African American Chief Judge in 2012. His seven-year term as Chief Judge ended on September 30, 2019.

To commemorate the joyous occasion, Judge Stewart was joined by his current and former law clerks and interns, in addition to chambers staff and family, in New Orleans, Louisiana, for a weekend of celebratory events. The festivities began Friday evening, July 20, 2024, with a *Meet & Greet* on the 29th Floor of the Hilton New Orleans Riverside, followed by *A Celebratory Taste of New Orleans Cuisine* offered dine-around style. Attendees collectively dined at two of their local favorites, Dooky Chase's Restaurant and Mr. B's Bistro.

The weekend culminated in a grand banquet held Saturday night, affectionately named *Judge Carl E. Stewart's Premier Pearl Jubilee*. Attendees at the banquet enjoyed a curated buffet while reflecting on their times in chambers and the lifelong friendships cultivated during their clerkships. Consistent with Judge Stewart's historical dedication to enriching and uplifting his local community, special guests from Dillard University, Interim President Dr. Monique Guillory and Executive Vice President of Institutional Advancement Stephanie Rogers, proudly introduced the *Judge Carl E. Stewart Pathways to Success Scholarship Endowment*. Judge Stewart's 30 years on the court have produced over 100 law clerks who have made indelible imprints on his life and the lives of others in the legal profession and beyond. Among the former law clerks in attendance were law firm partners and associates, professors and assistant professors of law, several Assistant United States Attorneys, a United States Magistrate Judge and the 20th president of Mount Holyoke College.

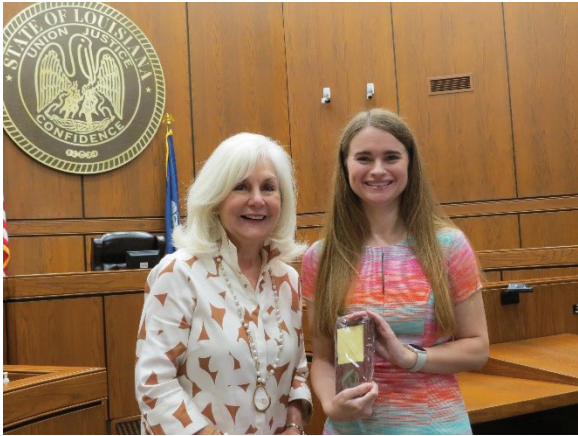


Judge Carl E. Stewart with current and former law clerks during his 30th Anniversary Celebration

Second Circuit Attorneys & Staff Recognized

The Second Circuit Court of Appeal recently honored employees who reached five-year anniversaries in their employment with the court. Chief Judge Frances Pitman presided over an awards ceremony in the courtroom on July 11.

Margaret McDonald, law clerk to Chief Judge Frances Pitman, received a mahogany Post-it® dispenser for her 10 years' service to the court. Margaret is a 2008 graduate of Centenary (BA, History and Poli Sci) and 2011 graduate of LSU Law Center (JD and graduate diploma in Civil Law). She first worked for Judges Frances and Mike Pitman at the First JDC before moving to the Second Circuit to work for Judge Frances Pitman in August 2013. The chief judge commended Margaret not only as an asset to the court, but to the local community as several of Margaret's relatives have also moved to Shreveport.



Judge Frances Pitman and Margaret McDonald

Brian Walls, chief deputy clerk, received a mahogany picture frame for his 15 years' service. Many readers will recall Brian for his prior years of exemplary work at the First JDC Clerk of Court.

Also receiving awards were Pharaoh Marable, IT Specialist I (10 years), Dep. Drew Jennings, security (five years) and Tiwana Simpson, Business Services Manager (five years). Chief Judge Pitman and Clerk of Court Robin Jones expressed their thanks to all recipients for their contributions to the smooth operation of the court.

Judge Karelia R. Stewart receives The Judge Benjamin Jones Judges in the Classroom Award

Congratulations to Judge Karelia R. Stewart of the First Judicial District Court, who was honored on June 6, 2024, as the recipient of the Judge Benjamin Jones Judges in the Classroom Award. She was recognized for the countless hours of service she provides to students in Caddo and Bossier in her courtroom and their classrooms. The award honors members of the Judiciary who have contributed greatly to the law-related education of Louisiana youth. *The Judge Benjamin Jones Judges in the Classroom Award* is named in honor of Judge Benjamin Jones, who served as a 4th Judicial District Court Judge for over 22 years. He was the driving force in creating the Judges in the Classroom program many years ago. Judge Jones retired from the bench in 2014.



Judge Karelia R. Stewart Accepting The Judge Benjamin Jones Judges in the Classroom Award

KREWE OF JUSTINIAN

Trivia Night

WED. SEPT. 18

**Petroleum Club
of Shreveport
416 Travis Street
15th floor**

Team Registration Form

Team Name :

Business/Organization :

BAR : OPENS 5:30 PM

CHECK-IN : 6:00 PM

TRIVIA : 6:15 - 9:00 PM

**Evening will include
food and prizes!**

PLEASE NOTE:

CASH BAR ONLY

beer, wine, and cocktails

NO CREDIT CARDS

Registration Deadline:

Wed. Sept. 11

**Each team can have a
maximum 6 members,
including team captain* :**

*1. _____

Phone: _____

Email: _____

Other Team Members:

2. _____

3. _____

4. _____

5. _____

6. _____

**Online Registration Available:
kreweofjustinian.com/trivia-night**

**Forms can be returned to SBA,
625 Texas Street, check made
payable to the Krewe of Justinian.**

**REGISTRATION FEE
TEAM \$300.00**

For questions contact:
Shreveport Bar Association
318-703-8372

THE KREWE OF JUSTINIAN 007 HIGHLIGHTS





Pro Bono Project

Do Good Work ~ Hon. Henry A. Politz

Shreveport Bar Foundation Receives Grant from Community Foundation of North Louisiana



Kristi Gustavson, Executive Director of the Community Foundation of North Louisiana (CFNLA), presented a grant to the Shreveport Bar Foundation (SBF) Board Members for \$63,750.00. This grant was made possible because of the Colonel and Mrs. John H. Tucker, Jr. Fund, a fund special to CFNLA, as Colonel John H. Tucker, Jr. is the founder of the Community Foundation of North Louisiana. As an attorney, Colonel Tucker worked with

clients who sought to leave a financial legacy for the benefit of the Shreveport and Bossier communities. He had a vision of how a cooperative community foundation could provide a means to address the area's charitable and civic concerns. The groundwork for CFNLA was laid through Colonel Tucker's thorough research and the interest and determination of a small group of dedicated individuals. For 15 years Colonel Tucker handled the correspondence of the Foundation, dealt with legal matters, and administered the daily operations. Colonel Tucker is known not only as the Founder of CFNLA, but also as a benefactor. When Colonel and Mrs. Tucker died, they left one-third of the principal and income from their residual estate to the Foundation, as well as their McCormick Street residence and most of its contents.



L-R Brian Homza, Drew Martin, Kristi Gustavson, Allison Foster and Dana Southern

The legacy of Colonel and Mrs. Tucker lives on through their philanthropy, their generous donation to CFNLA, and most importantly, the very existence of the Foundation itself. The SBF is very appreciative of CFNLA and of Colonel and Mrs. Tucker. The Community

Foundation has donated more than \$521,000.00 to the LRVDV program since 2016.

This grant will help fund our Legal Representation for Victims of Domestic Violence Protective Order Program. The program provides a free attorney to appear in Caddo and Bossier Parish District courts to assist victims of domestic violence in obtaining restraining orders and related orders when such actions are directly connected to family violence cases and are taken to ensure the health and safety of the victims.

2024 Access to Justice Pro Bono Award Recipients

The Louisiana State Bar Association Pro Bono Publico Awards Ceremony was held on May 21, 2024, at the Louisiana Supreme Court in New Orleans. The **2024 Louisiana State Bar Association Pro Bono Publico Award** was awarded to **Felicia M. Hamilton** and **Holland J. Miciotto**.

Associate Justice Scott Crichton presented their awards to both Felicia and Holland.



L-R Lucy Espree, Holland Miciotto, Justice Scott Crichton,
Felicia Hamilton and Dana Southern

Felicia's practice areas include criminal law, personal injury, family law, wills, successions, real estate and contract review. Felicia regularly hosts workshops throughout the community to educate the public on various topics, including expungements, credit, wills and successions. Felicia's pro bono work includes attending the Ask a Lawyer clinics, and she has handled numerous pro bono cases, including successions and divorces. She volunteers at our annual MLK Day of Giving to assist with Medical POA and Living Wills. Felicia Hamilton is a long-time pro bono volunteer who has assisted with community expungements and outreach clinics.

Felicia earned her B.A. degree in Accounting from Dillard University, her M.B.A. degree from the University of Phoenix, and her J.D. degree, cum laude, from Southern University Law Center. Felicia Hamilton is a classically trained pianist, jazz vocalist & church choir director. She is a member of the American Bar Association, Louisiana Bar Association and Shreveport Bar Association. She is the current president of the Black Lawyers Association of Shreveport-Bossier. She is a current Board Member for Volunteers for Youth Justice.

Holland's practice areas include criminal defense, personal injury and family law matters. Holland's pro bono work includes attending the Ask a Lawyer clinics; in 2023 he attended 11 of the 12 Ask a Lawyer clinics and provided legal advice to more than 50 people. Holland has handled many pro bono cases throughout the year, including successions, expungements, divorces and two contested custody matters, one of which involved a woman who fled the state of Texas with her child and was living in a local domestic violence shelter. Both custody matters required extensive representation, with multiple court appearances. In one particular case, Holland happened to be in the courtroom on another matter while one of our pro bono clients was being arraigned on a false arrest charge. He, on the spot, enrolled to represent the client and got the charge dismissed. He also assisted two other clients from the Shreveport Bar Foundation's domestic violence program who were falsely arrested; because of his diligence in those cases, the criminal charges in both cases were dismissed.

Holland is a member of the Louisiana Bar Foundation, the Shreveport Bar Association, the Bossier Bar Association, and the National Association of Criminal Defense Lawyers. As a member of the SBA, he is an active volunteer for the Pro Bono Project and accepts cases for various legal matters. He is also very active in the Krewe of Justinian, and in March of this year, he was elected Captain. The Krewe of Justinian's primary purpose is to fundraise to provide financial assistance to the Shreveport Bar Foundation Pro Bono Project. After graduating from Southern University Law Center in 2014, he returned home to work with his father and start a law practice.

Pro Bono Project Update

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

Nikki Buckle
Carmouche, Bokenfohr Buckle & Day

Felicia Hamilton
Attorney at Law

Audrius Reed
Attorney at Law

Coburn Burroughs
Gordon McKernan Injury Attorneys

Heidi Kemple Martin
Nickelson Law

Becky Vishnefski
Attorney at Law

John Davis
Gordon McKernan Injury Attorneys

Taunton Melville
Attorney at Law

David White
Attorney at Law

Valerie DeLatte Gilmore
Delatte Law Firm

Holland J. Miciotto
Law Office of Holland J. Miciotto LLC

Earlnisha Williams
Attorney at Law

We were able to assist over 60 people collectively at our Ask A Lawyer clinic for June, July and August. We had 11 attorney volunteers to advise and assist everyone who attended. Pictured below are photos from the June through August clinics.



(L-R) John Davis, Earlnisha Williams, Felicia Hamilton, Holland Miciotto



(L-R) John Davis, Valerie DeLatte Gilmore, Coburn Burroughs, Felicia Hamilton, David White, Becky Vishnefski, Holland Miciotto, Nikki Buckle



(L-R) John Davis, Valerie DeLatte Gilmore, Taunton Melville, Coburn Burroughs, Holland Miciotto

SBF Outreach Clinic Highlights

On May 23, we attended the Highland Neighborhood Association meeting, where Luke Thaxton spoke on squatters rights.

On July 18, David White shared a wealth of knowledge on divorce and custody at the Bossier Parish Library in Benton. More and more people are helped through these educational events and leave with very helpful information regarding their circumstances or those they know are going through similar circumstances.

On August 24, we held our first Immigration Ask A Lawyer clinic at St. Mary of the Pines Catholic Church. We helped 23 people meet one-on-one with an immigration attorney and get the information they needed. Thank you to St. Mary of the Pines Catholic Church for hosting. A huge thank you to attorneys Rachel Chauvin with Rozas and Associates Law Firm, LLC for driving here from Baton Rouge, Rhoshunda Rhodes for traveling far as well, and Katherine Evans Ferguson; Catholic Charities of North Louisiana for partnering with us; and Nathaly Sanchez and Linda Zepa for translating!

Finally, on August 27 we held a Small Business seminar. Thank you, Logan Schroeder, of Cook, Yancey, King & Galloway, for volunteering for this event. It's a really neat thing to be in a room with several small business owners and a business law attorney. We learned from Logan Schroeder, and we learned from each other. Thank you to Great Raft Brewing for being such amazing hosts and thank you Logan for sharing your knowledge on the most recent updates on noncompetes and a BOI filing.



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



ANNOUNCING THE 2025 SBA OFFICERS

The Officer-Nominating Committee, consisting of the five immediate past presidents of the Shreveport Bar Association, recently met and nominated the following officers who will serve on the SBA Executive Council in 2025.

Vice-President

Gerald M. "Marty" Johnson Jr.

Secretary-Treasurer Elect

Ranee Haynes

SBA President-Elect Elizabeth M. Carmody will automatically elevate to the office of President, J. Marshall Rice to the office of President-Elect, and Garrett Hill will serve as Secretary-Treasurer.

The two Member-At-Large positions (serving in 2025 and 2026) on the Executive Council will be filled by Sam Crichton and L. Gordon Mosley II.



Elizabeth Mendell Carmody



Sam Crichton



Ranee Haynes



D Garrett Hill



Gerald M Johnson Jr



Lance Gordon Mosley II



J Marshall Rice

CLASSIFIEDS

The Louisiana Department of Justice, Office of Attorney General Liz Murrill, Litigation Division, seeks applications for Assistant Attorney General in the Shreveport office. The Litigation Division defends the State and its agencies and employees in suits, including Civil Rights, General Liability, Medical Malpractice, Road Hazard, Transportation, and Workers' Compensation. Applicants must have valid driver's license and be admitted to practice in Louisiana. Excellent benefits include insurance and retirement. Forward cover letter and resume to yandleh@ag.louisiana.gov.

The Louisiana Department of Justice, Office of Attorney General Liz Murrill, Litigation Division, seeks applications for Legal Secretary in the Shreveport office. Legal secretaries would assist assigned attorneys handling various civil cases pending in State and Federal court. Must have high school diploma/GED, or higher. Must have valid driver's license. Prior legal secretary experience strongly preferred. Excellent benefits package, including health insurance and retirement. To apply, forward cover letter and resume to yandleh@ag.louisiana.gov.

The Louisiana Department of Justice, Office of Attorney General Liz Murrill, Litigation Division, seeks applications for Paralegal in the Shreveport office. Paralegals would assist attorneys in the civil defense of the State of Louisiana, its agencies, and employees in State and Federal court. Must have valid driver's license and paralegal certificate OR Bachelor's degree or higher. Prior paralegal experience strongly preferred. Excellent benefits include health insurance and retirement. Forward cover letter and resume to yandleh@ag.louisiana.gov.

**Place your
ads here in the
Classifieds!**

FORMER SOCIAL SECURITY JUDGE

PETER J. LEMOINE

Social Security Disability Law

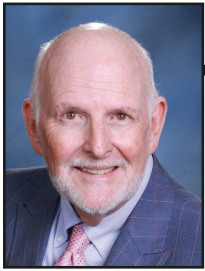
***Recipient of Social Security Disability Leadership Award:
National Top 100 Social Security Disability Law Firms***

MEMBER: Louisiana State Bar Association, Shreveport Bar Association, Lafayette Bar Association, Avoyelles Parish Bar Association, National Organization of Social Security Claimants' Representatives

PUBLISHED ARTICLES: "The Worn-Out Worker Rule Revisited", "Significant Work-Related Limitations of Function under SS 12.05C", "Questionable Retirement and the Small Business Owner", "Crisis of Confidence: The Inadequacies of Vocational Evidence Presented at Social Security Hearings", "An Unsolved Mess: Analyzing the Social Security Administration's Methodology for Identifying Occupations and Job Numbers".

(318)717-1995

1-888-468-3741 (Toll Free)



The Lawyers in the AMI Litigation of the 1980s

by Tommy Johnson, TJohnson@caddoda.com

The 1980s brought North Louisiana and Shreveport difficult financial times. Interest rates soared to 20%, oil prices dropped to \$10.00 a barrel and litigation wreaked havoc in the banking and finance community.

Litigation of three federal criminal trials of Shreveport financier Herman K. Beebe and others brought out the best Shreveport had to offer in defense attorneys as well as some nationally known legal stars.

Beebe ruled over AMI, a Shreveport-based financial conglomerate with real estate, motels, insurance firms, nursing homes, thrifts and banks valued at over \$150 million in the early '80s. The firm employed approximately 1,200 people in Caddo and Bossier parishes and was located in the seven-story building off Pines Road currently known as Patterson Tower. Michael Wainwright was general counsel and vice president of AMI at the time of the indictments.



Joe Cage & Paul Carmouche

In November 1981, Joe Cage was appointed U.S. attorney for the Western District of Louisiana replacing J. Ransdell Keene. Cage began a probe into the financial dealings of Beebe and AMI shortly after taking

office. In November 1984, a federal grand jury issued a 21-count indictment against Beebe and four others on various conspiracy and bank fraud charges. The prosecutors separated the charges into two trials. Michael Wainwright claimed in a press release that the indictment did not relate to any current operations of AMI.

Each defendant selected elite attorneys at the local and national level. Beebe retained Sidney E. Cook, an esteemed local attorney and senior partner of the law firm of Cook, Yancey, King & Galloway. Beebe had known Cook since their days at Northwestern State University. He also retained Edward Bennett Williams, a Washington, D.C., attorney who had successfully defended John Connally, the former governor of Texas. Other attorneys for the various defendants included out-of-state attorneys Richard "Racehorse" Haynes and William Jeffress as well as in-state attorneys Camille Gravel and Charles V. Weems from Alexandria. Lastly, Graves Thomas, a rising star in the local criminal defense arena, came on board for one of the defendants. U.S. District Court Judge Tom Stagg presided over the first trial. That trial ended with Beebe found guilty on three counts of conspiracy to defraud the Small Business Association and not guilty on nine other charges.



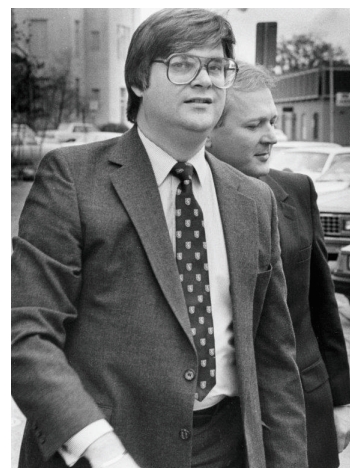
Sidney E. Cook

The jury found the remainder of the defendants not guilty. Beebe received a suspended sentence on the convictions.

Judge Stagg moved the second trial, involving counts 13 through 21 of the indictment, to Lafayette because of the trial publicity. This trial of Beebe, with Cook at his side, ended in an acquittal. Cook represented Beebe in a third trial of Beebe on bank fraud charges in 1987 together with nationally known defense counsel Gerry Spence. That trial ended in a mistrial.

Cage indicted Beebe again in March 1987. Jim Rolfe of Dallas joined Cook in Beebe's defense. A codefendant was represented locally by Larkin Edwin "Ed" Greer, a well-known local white-collar criminal defense attorney and former U.S. attorney. In an unexpected move, Beebe entered a plea of guilty on two charges in April 1988, resulting in a sentence of one year and a day. Former Governor Dave Treen and J. Ransdell Keene represented Beebe at the plea hearing.

By 1989, AMI and Beebe's financial empire had collapsed due to a depressed economy, costly federal investigations and aggressive bank examiners, according to his son. Between 1985 and 1989, 14 area banks failed. Banks such as Louisiana Bank & Trust, Bossier Bank & Trust, Republic Bank of Blanchard, Bank of Commerce, United Mercantile Bank, Pelican State Bank in Mansfield, First National Bank of Ruston, Bank of Benton, American Bank and Shreveport Bank & Trust closed their doors. Other banks in the area reorganized, but the old banks are no longer. Bank directors were a common target for bank regulators seeking to recoup bank losses. Many directors of the several banks had to pay sums of money to settle claims brought against them. No one wanted to serve as a bank director for years to come. The economic impact of the litigation in the banking arena was devastating to local economic growth for many years to come, but not necessarily for the lawyers. Local attorneys played a large part in the civil and criminal litigation involving banks and bankruptcies.



Michael Wainwright and Graves Thomas

Sadly, Shreveport has lost many of the attorneys recognized herein. Joe Cage passed away in December 2019; Sidney Cook died in May 1989, at the young age of 61. Graves Thomas died when struck by lightning in May 1987, while boating on Lake Bistineau. He was 40 years of age. Michael Wainwright passed away in March 2022.

Ed Greer retired from the practice of law, became an author and is living in New York. His web site is larkinedwingreer.com. J. Ransdell "Randy" Keene is still practicing and often seen at the First JDC defending clients on a regular basis. All the attorneys served the legal profession with dignity and distinction.

Acknowledgment: The Northwest Louisiana Archives at LSU provided information and photographs from the Shreveport Times for this article.

Shreveport Bar Association Archives Committee Update

by Lawrence W. Pettiette Jr., lpettiette@padwbc.com

On Wednesday, June 12, 2024, the Shreveport Bar Association Archives Committee convened at The Glass Hat at 423 Crockett Street, a historic building in downtown Shreveport.

Mike Mangham of Twin Blends: Northwest Louisiana History Hunters attended the meeting and entertained the committee. As you may know, the Mangham brothers

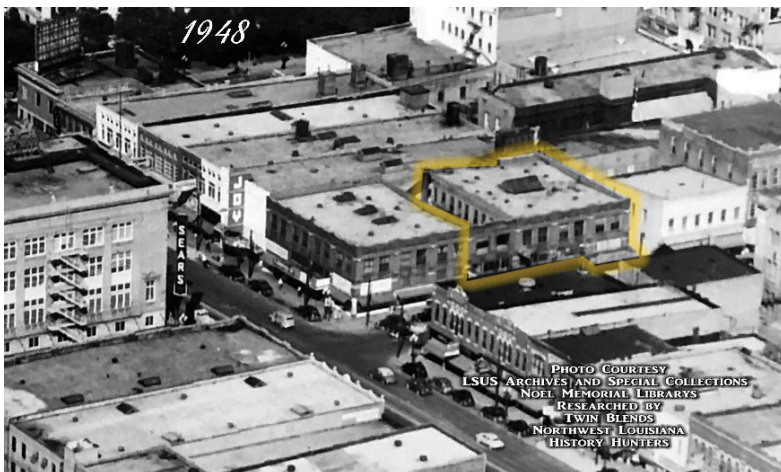
search the archives available through the Shreveport Times or library at LSU-Shreveport to determine the location of lost historic buildings and other significant landmarks in and around downtown Shreveport and the local areas generally. Their methods have resulted in significant and truly entertaining results that have been widely publicized. The brothers also appear on radio, TV and podcasts in our area.



L-R Mark Odom, Ben Politz, Larry Pettiette, Matt Smith, Taunton Melville, Mike Mangham, Valerie DeLette Gilmore, Chris Forester, Dana Southern, Tommy Johnson and Chris Slatten

To illustrate the method, Larry Pettiette mentioned that when the parking lot behind the Shreveport Bar Center was recently repaved, it was determined that a building had been on the site. Some of the structure was still beneath the SBC parking lot. By the end of that afternoon, the Mangham brothers had provided the pictures below showing an Army Surplus Store that was once located behind the Shreveport Bar Center on Louisiana Avenue.

The committee members who attended the meeting included Larry Pettiette, Valerie DeLette Gilmore, Tommy Johnson, Ben Politz, Chris Slatten, Mark Odom, Taunton Melville, Matt Smith, Chris Forester and Dana Southern. The members of the archives committee have provided articles for the SBA newsletter and conducted video interviews with senior lawyers, along with other archival activities.



ARMY SURPLUS

Ark-La-Tex's Largest Surplus Store

CANVAS COT
\$4⁹⁹

BRAND NEW MOSQUITO BARS With Skirts
REG. \$2.95 ... \$1.98

20'-MAN LIFE RAFT
13-FT. IN DIAMETER
Inflate With Vacuum Cleaner ... \$35⁰⁰

LEAN-TO TENT
7'-7" x 6' x 11' COMPLETE ... \$26¹⁰

GOOSE BAY SLEEPING BAG
REG. \$10.95
Special This Week ... \$8⁹⁸

HEAVY GAUGE Plastic AIR MATTRESS With Pillow
\$2²⁵ REG. \$2.98

"Shreveport's Most Interesting Store"

Lorants' Army & Navy Store
509-11 La. Ave. Phone 4-0623



SBA Member Memorials: A Look Back

by Chris Slatten, Chris_Slatten@lawd.uscourts.gov

The SBA will hold its annual memorial and recognition ceremony in November, and our members who departed in the last year will be recognized. All past memorials are archived on the Caddo Clerk of Court website under the link for Memorials. In the months leading to this year's ceremony, we'll take a look at some of the many interesting tributes penned over the years.



Sidney Cook

Sidney E. Cook (1989): Sidney Cook was born in Robeline and arrived in Shreveport in 1950 after graduating from Northwestern State University and LSU Law School. He was the senior partner in Cook, Yancey, King and Galloway and was with the firm for his entire 39 years of practice. Mr. Cook's many professional and civic affiliations included serving as President of the SBA, Director of the Shreveport Chamber of Commerce, and director of local financial institutions.

The committee who delivered his memorial said that Mr. Cook, who often referred to himself as an "old country boy from Robeline who practices a little law," was also active in city and state politics. When people would complain to him about a problem with a public figure, he would ask how much of their time and money they had contributed to political candidates in the past year. If the answers were negative, he said, "Quit complaining to me." The committee reported that Mr. Cook "was widely acknowledged and admired as one of the preeminent leaders within our profession, and one who expected the highest degree of professional and ethical conduct of himself and others." His son, Sidney Cook Jr., has also had a long and successful career at the firm his father founded.

William Carey Clark (2001): William Carey Clark graduated from Byrd High School and then LSU before his World War II service as a first lieutenant in a field artillery battalion. Justice Jeffrey Victory, his son-in-law, delivered his memorial and described how Mr. Clark was involved in the "mopping up" operations after the German surrender, which included transporting the Supreme Commander of the German Army from Nuremberg to Dachau for war crimes trials. After returning home, Mr. Clark received a law degree from Duke Law School. His career involved working as a landman and contract attorney for oil companies, as well as solo and firm practices.



William C. Clark

Justice Victory said, "I was twenty-three years old when my father died, shortly before I met my wife. I realized last year that, at his death, I had actually known Nancy's father longer than I had my own, and that he had become a second father to me." Mr. Clark's grandson, Judge Christopher Victory, now sits on the First Judicial District Court.



G Warren Thornell

G. Warren Thornell (2015): Warren Thornell regularly appeared in the state and federal courts, and his kind manner is evidenced by him being selected as Boss of the Year by the Legal Secretary's Association. Mayor Tom Arceneaux, Warren's former law partner, delivered his memorial. Warren's wife Carol and her business partner Lisa Murrell

were well-known title abstractors, and the Thornells, Arceneauxs, and Murrells enjoyed a business and social relationship.

Tom said, "When you work beside someone every work day for several years, you learn what kind of person he is. I learned that Warren was a soft-spoken gentlemen in the truest sense of that concept. He treated his staff, his clients (regardless their background or status), and his opponents with respect and dignity."



Recent Developments By the Judiciary
Sponsored by the Shreveport Bar Association
September 18-19, 2024

HILTON GARDEN INN / HOMEWOOD SUITES - BOSSIER CITY

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

Wednesday, September 18, 2024

- 7:30 A.M. Registration & Continental Breakfast**
- 8:30 A.M. Recent Developments in Constitutional Law and Appellate Procedure**
60 minutes
D. Lee Harville - The Harville Law Firm
- 9:30 A.M. Break (Refreshments)**
- 9:40 A.M. Domestic and Juvenile Law Update**
90 minutes
Judge Amy McCartney– Forty-Second Judicial District Court
- 11:10 A.M. Worker’s Compensation - Legislation Update and What Every Lawyer Needs to know**
60 minutes
Mary Lou Salley Bylsma - Law Office of Jack M. Bailey and Robert Dunkelman - Pettiette, Armand, Dunkelman Woodley & Cromwell
- 12:10 P.M. Lunch (included with full registration)**
- 1:00 P.M. Estate & Medicaid Planning Update**
60 minutes
Kyle Moore and Vickie Rech- Weems, Schimpf, Haines & Moore
- 2:00 P.M. Break (Refreshments)**
- 2:10 P.M. Estate & Medicaid Planning Update**
60 minutes
Kyle Moore and Vickie Rech- Weems, Schimpf, Haines & Moore
- 3:10 P.M. Break (Refreshments)**
- 3:15 P.M. Problems In Evidence**
60 minutes
Judge Edwin Byrd - First Judicial District Court

Thursday, September 19, 2024

- 7:30 A.M. Registration & Continental Breakfast**
- 8:30 A.M. Legal Technology Update**
60 minutes
Melissa Allen - U.S. Fifth Circuit Court of Appeals
- 9:30 A.M. Break (Refreshments)**
- 9:40 A.M. Federal Procedure Update**
90 minutes
Judge Mark Hornsby and Judge Jerry Edwards - U.S. District Court for the Western District of Louisiana
- 11:10 A.M. Implications of Technology and Social Media in Domestic Violence and Family Court Cases**
60 minutes
Kevin Dorsey - OurFamilyWizard
- 12:10 P.M. Lunch (included with full registration)**
- 1:00 P.M. Ethics**
60 minutes
Justice Scott Crichton - Louisiana Supreme Court
- 2:00 P.M. Break (Refreshments)**
- 2:10 P.M. Criminal Law Update**
60 minutes
Judge Jeff Cox - Second Circuit Court of Appeal and Tammy Jump - Bienville Parish District Attorney’s Office
- 3:10 P.M. Break (Refreshments)**
- 3:15 P.M. Professionalism**
60 minutes
Judge Jimbo Stephens and Judge Jeff Robinson - Second Circuit Court of Appeal

These are just a few of the comments received from past participants of the *Recent Developments by the Judiciary* seminar: *First rate seminar, do it again next year – Excellent subject matter, speakers and location – This seminar can’t be beat, the presenters are excellent - Speakers were professional, timely, prepared, and sometimes downright humorous (refreshing change). Hats off to the planners and the SBA .*

REGISTRATION FORM

Complete this form or register online at www.shreveportbar.com

Name _____

Firm _____

Billing Address (Credit Card) _____

City, State, Zip _____

Phone No. _____ Email _____

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

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

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

Cancellation Policy: Cancellation requests must be received in our office in writing (by email, or U.S. mail) no later than Monday August 19, 2024 to receive a refund less a \$50 cancellation fee. Requests may be emailed to dsouthern@shreveportbar.com or U.S. mail to 625 Texas Street, Shreveport, LA 71101.

Registration Fees:

Full Program

\$400.00 for Non-SBA Members (\$425 after August 19)

\$375.00 for SBA Members (\$400 after August 19)

Wednesday Only

\$300.00 for Non-SBA Members (\$325 after August 19)

\$275.00 for SBA Members (\$300 after August 19)

\$60.00 Ethics Only (\$75 after August 19)

\$60.00 Professionalism Only (\$75 after August 19)

Thursday Only

\$300.00 for Non-SBA Members (\$325 after August 19)

\$275.00 for SBA Members (\$300 after August 19)

Full refund until August 19, 2024, less a \$50 Administrative Fee

After August 19, Full Credit Less a \$50 Administrative Fee May Be Applied To Future SBA sponsored CLE Seminar For Up To One Year

For Questions and to find out the Special Rate (full program) for Government Employees, Please Contact the SBA Office at (318) 222-3643.

I will attend (please circle all that apply): Full Program Wednesday Only Thursday Only Ethics Professionalism

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**FEDERAL BAR ASSOCIATION NORTH LA
 11th ANNUAL SPORTING CLAY SHOOT**
Friday, October 11, 2024, from 8:00-12:00 at
the Shreveport Gun Club
4435 Meriwether Road, Shreveport, LA 71109



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UPCOMING EVENTS

*2024 SBA MEMBERSHIP LUNCHEONS 12:00 Noon at the Petroleum Club (15th Floor)

SEPTEMBER 18

Krewe of Justinian Trivia Night
5:30 p.m. Petroleum Club (15th Floor)

SEPTEMBER 18-19

Recent Developments by the Judiciary CLE
Hilton Garden Inn
Bossier City

*SEPTEMBER 25

Speaker: Mike Rubin,
McGlinchey Stafford PLLC

OCTOBER 3-4

SBA Trial Academy
Tom Stagg Courthouse and
Caddo Parish Court House

OCTOBER 18

North Louisiana Criminal Law Seminar
Shreveport Bar Center

*OCTOBER 23

Speaker: H. Alston Johnson

*NOVEMBER 13

Veterans' Program
Speaker: TBD

NOVEMBER 14

SBA Memorial & Recognition Ceremony
2:00 p.m.
at Caddo Parish Courthouse

NOVEMBER 15

SBA Pickleball Tournament
9:00 am - 3:00 pm
Pierremont Oaks Tennis Club

AMAZON WISH LIST

The Shreveport Bar Foundation is excited to announce the launch of its Wish List program for the Pro Bono Project, Legal Representation for Victims of Domestic Violence programs, and the Shreveport Bar Center through Amazon. This new wish list program allows our supporters to purchase supplies and other items needed to run our programs. This can range from pens (for the AAL clinics) to soap and paper products (for the building)! [Check out the full list of options!](https://www.amazon.com/hz/wishlist/ls/3EW9JTZSJNVEZ?ref=wl_share)

https://www.amazon.com/hz/wishlist/ls/3EW9JTZSJNVEZ?ref=wl_share

Or scan the QR code.



SBA Luncheon Meeting –September 25

Petroleum Club (15th Floor): The Buffet opens at 11:30 a.m. The program and Speaker from Noon to 1:10 p.m.

\$50.00 for SBA members includes lunch and one hour of Ethics CLE credit, or \$30 for lunch only.

\$60.00 for non-SBA members includes lunch, one hour of Ethics CLE credit, or \$35 for lunch only.



When: 12:00 Noon on Wednesday, September 25

Where: Petroleum Club (15th floor)

Featuring: Michael H. Rubin

This presentation is approved for 1 hour of Ethics CLE credit.

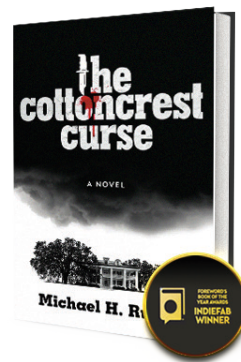
Mike Rubin, one of the leaders of the multi-state law firm of McGlinchey Stafford PLLC, has written extensively about ethics, real estate, and finance. His legal publications have been cited as authoritative by state and federal courts. For over four decades, in addition to the full-time practice of law, he taught courses in real estate, finance, and ethics at the law schools at LSU, Southern, and Tulane, and has presented over 500 major papers in the U.S., Canada, and England on ethics, real estate and finance, appellate law, and legal writing. He is a past president of the Louisiana State Bar Association, the Bar Association of the Fifth Federal Circuit, the American College of Real Estate Lawyers, and the Southern Conference of Bar Presidents. He serves as a Life Member of the American Law Institute and is a Commissioner on the Uniform Law Commission. Additionally, he and his wife are the authors of thrillers that have garnered national awards and have been published internationally: the historical thriller, *The Cottoncrest Curse*; the legal thriller, *Cashed Out*; and their latest, a police procedural, *A White Hot Plan*.

Electronic communications are pervasive. We interact with other attorneys, with courts, and with clients via text, emails, and smartphones — and, for family and friends, through all of these plus social media. Moreover, AI technology is increasingly being used in a variety of circumstances. But we're all careful with what we do so that there's never an ethical concern, right?

Wait—are you sure that the answer to this question is as clear cut as it seems? Please join us on Wednesday, September 25, as we welcome Baton Rouge attorney and national speaker Mike Rubin, with his unique blend of scholarship and humor, and with one of the most unusual multi-media presentations you'll ever see, will challenge your thinking, raise issues to ponder, and give you something to smile about. "Reply All Regrets: Ethical Issues for Both Tech Geeks and Luddites"

We will have a limited number of books for sale at the luncheon. Books will be sold and signed by the author after the presentation. Book price is \$24 each.

You may confirm your reservation(s) by email to dsouthern@shreveportbar.com.



You may confirm your reservation(s) by email dsouthern@shreveportbar.com or Phone 222-3643 Ext 3.

I plan to attend the September Luncheon.

Attorney: _____

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

The SBA pays for each reservation made.

No-shows will be invoiced.

Thank You!