10-1-2010

10/2010 Newsclippings

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Recommended Citation
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At age 43, Betty Mosher suffered from stress urinary incontinence (SUI) — a problem that millions of women deal with silently. "I couldn't control the urine flow, and that's embarrassing," she told a CBS4 I-Team investigator in 2008. When she first learned about a product that could cure this uncomfortable and embarrassing condition, she was thrilled, envisioning, "I get to be back to a regular person."

A few months after the mesh product was implanted in her pelvic area, she became sick. "There was a point where my children saw me in a place that I hope they never have to again, where they would have to help take care of me," Mosher said with tears in her eyes.

Mosher is one of thousands of women who received a mesh implant product to treat SUI and left their doctors relieved that their problem was cured. Unfortunately for many of the women, including Mosher, instead of ending their troubles, this was just the beginning of a long and treacherous, life-altering journey. Over the next few months, the mesh began disintegrating in their bodies, releasing toxins and causing a rash of negative effects, including severe pain, bleeding, bone infections and hip infections. Some women returned to their doctors and found them initially perplexed and unable to determine the cause of their symptoms. Some underwent numerous, in some cases up to 11, surgeries to remove the mesh and repair the damage it had caused. After suffering invasive surgeries, lengthy healing processes, and pain from the condition itself, some women's bodies will never return to normal, and they still suffer from SUI. The product that caused these problems was ultimately removed from the market.

In addition to SUI, pelvic organ prolapse (POP) is a condition that the American Urogynecologic Society reports affects nearly half of all women between the ages of 50 and 79. POP is seen most frequently in mature women who have borne children; it can cause severe pain, discomfort, embarrassing inconvenience and require corrective surgery. The medical products company C.R. Bard decided to treat these conditions and serve this...
large and lucrative market with its Avaulta product. Unfortunately, a significant and growing number of women implanted with an Avaulta product have suffered severe complications, and some are requiring multiple corrective and, even, vaginal or rectum reconstructive surgeries. In a significant number of cases, the medical problems these products were designed to treat are minor compared to the catastrophic side effects they have engendered. Having one of the above medical devices implanted in a woman's body has been compared to the presence of a "ticking time bomb."

Attorneys from the Athens firm Blasingame, Burch, Garrard & Ashley, P.C. began over four years ago to represent women and their families injured by first the mesh product and then the Avaulta product. The legal team led by Partners Gary Blasingame, Henry Garrard III, Andrew Hill III, James Matthews, Joshua Wages and Senior Paralegal Ann Parker are committed advocates for women's health and dedicated to representing clients who have suffered from the mesh product used to treat SUI and the Avaulta product used to treat POP.

These attorneys have and continue to represent scores of women from 20 states. As part of this mission, they have consulted with the best medical experts in the world. Henry Garrard has traversed the country and, in the past 18 months, traveled to Europe seven times seeking knowledge from experts. Academics and experts from throughout the U.S., Canada, France, and Cambridge University in England have been enlisted to testify about the dangers of these products.

The legal team is currently resolving a group of cases involving 101 women who suffered from SUI. After a week of trying the four cases in federal court, the company that created the product decided to settle the cases out of court.

"We've got a mission that's frankly greater than lawsuits," Garrard says as spokesperson for the team. Aside from helping individual women receive compensation for their medical expenses and suffering, the team's goal is to inform the public and doctors about these products and the risks of products like them. Garrard is adamant that "doctors don't want to put products in patients that would harm them."
Unfortunately, doctors cannot be experts in every product that is released to the market. They must rely on information provided by the product makers, who often neglect to tell doctors about negative results in their testing. The companies also do not advise doctors about what to do when something goes wrong," says Garrard.

According to the Blasingame, Burch, Garrard and Ashley team investigations, the mesh and Avaulta products did not undergo adequate testing before being released to the market, and they are not fit to be implanted in the pelvic area of women.

These attorneys hope their work will have some impact on some of the current Food and Drug Administration procedures. Under the 501k Submission process, the mesh products were cleared, but not approved, by the FDA. This process allows products that are substantially similar to a product already on the market to be sold without further investigation or testing. Because mesh in the SUI product is similar to a mesh used successfully in hernia operations, it was approved. However, the pelvic area is quite different from the abdominal area. The pelvic area experiences more motion throughout daily activities. According to a scientific study commissioned by Garrard and his firm, the mesh used for SUI degraded, causing a toxic effect in the body. "Unfortunately, women are all too often guinea pigs in the health care products arena," says Garrard.

According to the Blasingame, Burch, Garrard and Ashley team, many of the women they represent tell them that they did not understand what was wrong with them until they heard one of them speak or read a news article about their work. Garrard explains that he has received numerous calls from women asking for advice on how to avoid these tragedies in their own lives. As a lawyer, he is unable to administer medical advice. However, he does advise women to ask their doctors questions and find out as much as possible about the safety testing of a product before allowing it to enter their bodies. Garrard comments in summary: "Our mission as advocates for women's healthcare continues."
Irate bloggers and a hunger striker are upset over misleading employment numbers. With two students trying to collect better data, will law schools pay attention to all of the anger and support change?
Attorneys find that specialized graduate degrees can open additional doors. We reconnected with some past profiled LL.M. graduates to find out if what they said then is what they say now about their LL.M. degree.

By Rebecca Larsen and Michelle Weyenberg
Nine years ago, Bryan Brown was entering his third year in a concurrent J.D./LL.M. program at the University of Washington School of Law in Seattle. He spoke to The National Jurist about the LL.M. program in Asian Comparative Law and its professors. Despite the heavy workload it presented, the former banker graduated in 2002 and prepared for a career in his chosen path.

Today, Brown says the additional degree did pay off for him and led to great job opportunities in international law after graduation. He is now corporate counsel for international trade with Caterpillar Inc. at the firm's world headquarters in Peoria, Ill.

After surviving law school, some intrepid souls commit themselves to a year or more of additional studies in pursuit of a post-graduate degree. Reasons are varied, including enhancement of job prospects, pursuit of more specialized training or a desire to teach. What many want to know is, "Was it worth it?"

As the demands on legal practices change with the times, many law students and graduates are finding that obtaining an LL.M. degree is the most effective way to gain the additional knowledge and experience they need.

The path to the dual degree for Brown wasn't easy. He also had some part-time jobs while in the program.

"I was working all the time," he said. "But getting the LL.M. was well worth it."

Opening doors

Brown spent years building his fluency in Japanese. As an undergraduate at the University of California at San Diego, Brown had studied economics while minor in Japanese. But he went far beyond that classroom instruction by working more than three years in Japan after getting his bachelor's degree. While there, he taught English conversation to Japanese students in the evenings and studied Japanese by day.

The Asian Law Center at the University of Washington was one of the first of its kind in the United States when it was launched in 1967. The center sets high requirements for applicants and expects those students coming from Europe or English-speaking countries to be proficient in an Asian language so that they can do original research in that language on legal

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The LL.M. did open doors for me, and I've found that other Americans who have been in the program have had very rewarding careers.

—Bryan Brown, corporate counsel for international trade, Caterpillar, Inc.
Ultimate Guide to LL.M. Programs

With over 230 LL.M. programs open to U.S. law students, your options for advanced study are greater than ever. We contacted every ABA-accredited law school in the United States to compile our annual comprehensive listing. The programs are listed below, under 35 subject headings. The six most popular subjects are listed first alphabetically, followed by the other 29. Tuition is for 2010-2011 and is per credit unless noted otherwise.

Application deadlines are for fall, except where noted otherwise. Check out the Ultimate LL.M. Guide online at NationalJurist.com for detailed information on each of these programs, including program descriptions, application requirements and fees and additional contact information.

<table>
<thead>
<tr>
<th>Law School</th>
<th>Graduate Program Subject</th>
<th>FT/PT</th>
<th>Application Deadline</th>
<th>Resident</th>
<th>Non-resident</th>
<th>Internship</th>
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</table>

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Master of Laws, LL.M., in American Law

Catholic University also offers an LL.M. program in American law for international students with a master's law or equivalent degree. Students spend a summer and nine to 12 weeks of an academic year taking courses from CUA law professors at Jagiellonian University in Kraków, Poland, and a summer at Catholic University in Washington, D.C. This program offers an alternative to LL.M. programs requiring a year of residence in the United States.

law.cua.edu/llm

topics. In his research, Brown did a comparative study of U.S. and Japanese insider trading laws and regulations.

The year that he was at the Asian Law Center, he was the only American working on an LL.M., although many other Americans have gone through the program. His fellow students then were primarily Japanese, but there were Chinese and Koreans as well.

"The LL.M. did open doors for me, and I've found that other Americans who have been in the program have had very rewarding careers," he said.

After graduating from law school, Brown worked first as a clerk for two years in the U.S. Court of International Trade in New York City. Before joining Caterpillar, he spent three years in Washington, D.C., with Baker Hostetler, one of the nation's largest law firms, where he worked on legal issues involving disputes between the United States and Canada over trade in softwood lumber.

Mie Murazumi, the graduate program administrator for the Asian Law Center, said that some American applicants already have a J.D. when they enter the program, or they can complete their LL.M. simultaneously while getting a J.D. at the university, just as Brown did.

"Those doing the two degrees at the same time are able to use 12 of their quarter credits toward both programs," she said. "Some of them do have to do extra work for one summer or perhaps stay for an extra quarter. They have to plan their second and third years of law school very, very carefully. But amazingly, some students can take on a lot of extra work and do it all at once."

This year, more than 35 students are part of the Asian Law Center LL.M. program. The center also has a Ph.D. pro-
Another year of law school? Why not.

Trevor Burggraff relished in the LL.M. program at Southern Illinois University School of Law in Carbondale when The National Jurist editors talked to him last October. He graduated this past spring with a degree in Health Law and Policy, one year after finishing his J.D. degree at the same law school. He is now an attorney at Jorden Bischoff & Hiser in Scottsdale, Ariz., concentrating on environmental law, land use and zoning, government relations and lobbying, real estate, business law and Indian law.

In part, Burggraff said he had decided to seek the extra degree because he hadn’t yet found a job that he wanted to take, but he was also interested in the health field. The program had academic requirements, of course, including the need to produce a major research paper, but it also provided an externship opportunity that helped give him skills and experience.

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student case manager in Southern Illinois' Veterans' Legal Assistance Program, which provides pro bono legal services to Illinois veterans appealing disability claims with the U.S. Department of Veterans Affairs. The legal aid program, funded by the state, is aimed at helping veterans or their relatives deal with claims that often go back for years. Another goal is to help students bridge the gap between the theoretical study of the law and its practical application, particularly in dealing with government agencies. As an LLM candidate, Burggraft was also accredited by the Veterans Administration to handle cases on his own. He served as assistant to the director of the veterans program at SIU and helped draft legislation that established veteran and service member treatment courts in Illinois. He also worked in seeking federal grants for the program. Southern Illinois had formally established its Center for Health Law and Policy in 2004, but had already spent more than 20 years involved in teaching, research and service activities addressing health care regulation, patient safety and medical liability, bioethics, public health, mental health and
food and drug law.

His firm is not explicitly involved in the health area, Burggraff said, “but there is a strong association between the environmental and clean air compliance type work I am now doing and the health policy regulations I was involved with before. My LL.M. was in a different subject area, but

the two fields fit together very well. They parallel each other. Environmental law and health law go hand in hand.”

He also believes he may be able to expand into health-related cases at his current job.

He was hired by the Arizona law firm in part because he had had an internship there previously, he said. But his advanced degree also played a role.

“1 had previous ties to the job here, of course, but I believe my LL.M. helped seal the deal,” Burggraff said.

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My LL.M. was in a different subject area, but the two fields fit together very well.

—Trevor Burggraff, attorney at Jordon Bischoff & Hiser
<table>
<thead>
<tr>
<th>Law School</th>
<th>Graduate Program Subject</th>
<th>FT/PT</th>
<th>Application Deadline</th>
<th>Resident</th>
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International Law (Comparative, Business, Commercial, Criminal, Human Rights, Property, Tax, Trade)

Albany Law School                               | International Law       | F/P   | Rolling admissions                    | $18,900/yr | $18,900/yr | No |
| American University Washington College of Law | International Legal Studies, Business | F/P | Fall : May 1; Sp : Oct. 1 | $5,178 | $5,178 | Yes |
| California Western School of Law               | International & Comparative Law | n/a | Fall: June 15; Win: Nov. 15 | $25,650/yr | $25,650/yr | Yes |
| Case Western Reserve University School of Law  | International Business Law | F | Rolling admissions                    | $40,470/yr | $40,470/yr | Yes |
| Case Western Reserve University School of Law  | International Criminal Law | F | Rolling admissions                    | $1,100 | $1,100 | Yes |
| Chapman University School of Law               | International & Comparative Law | F/P | March 15 | $10,250 | $10,250 | No |
| Chicago-Kent College of Law                    | International Intellectual Property Law | F/P | Feb. 1 | $30,000/yr | $30,000/yr | No |
| DePaul University College of Law               | International Law       | F/P   | Rolling admission                      | $1,275 | $1,275 | Yes |
| Fordham University School of Law               | International Business & Trade Law | F/P | Fall: Feb. 15; Sp : Oct. 1 | $1,880 | $1,880 | No |
| Fordham University School of Law               | International Law & Justice | F/P | Fall: Feb. 15; Sp : Oct. 1 | $1,880 | $1,880 | No |
| *George Washington University Law School       | International & Comparative Law | F/P | Fall: July 1; Sp : Nov. 1 | $25,750/yr | $25,750/yr | Yes |
| Golden Gate University School of Law           | International Legal Studies | F/P | Rolling admission                      | $1,270 | $1,270 | Yes |
| *Indiana University School of Law - Indianapolis | International, & Comparative Law | F/P | April 1 | $4,447 | $4,447 | Yes |
| *Indiana University School of Law - Indianapolis | International Human Rights Law | F/P | April 1 | $4,447 | $4,447 | Yes |
| New York University School of Law              | International Business Regulation, | F/P | April 1 | n/a | n/a | n/a |
| New York University School of Law              | International Legal Studies | F/P | April 1 | n/a | n/a | n/a |
| Santa Clara University School of Law           | International, & Comparative Law | F/P | May 1 | $1,473 | $1,473 | Yes |
| *Southern Methodist University                 | International, & Comparative Law | F/P | May 1 | $34,576/yr | $34,576/yr | Yes |
| St. Mary's University School of Law            | International Legal Studies | F/P | Rolling admission                      | $42,310 | $42,310 | No |
| Stetson University College of Law              | International Law       | F/P   | Rolling admission                      | $16,900/sem | $16,900/sem | Yes |

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<tr>
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<th>Graduate Program Subject</th>
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<th>Resident</th>
<th>Non-resident</th>
<th>Internship</th>
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<td>University of California, Davis School of Law</td>
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Environmental Lawyer and Business Litigator Craig Pendergrast Join...  

Atlanta, GA, October 02, 2010 --(PR.com)-- Craig Pendergrast, one of Atlanta’s leading water law experts and business litigators, has joined law firm Taylor English Duma LLP.

His arrival to Taylor English comes as the firm is experiencing increased demand for environmental litigation services and is expanding its Litigation and Dispute Resolution practice group.

“Craig has vast knowledge of a broad range of environmental legal issues and has an excellent track record academically and professionally,” said Foy Devine, chair of Taylor English’s Litigation and Dispute Resolution group. “His broad business litigation background, particularly his environmental and real estate litigation experience, makes him a welcome addition to our rapidly-growing team.”

Devine said increasing regulatory enforcement, emerging greenhouse gas regulations and litigation, as well as the recent BP oil spill, have increased the demand for environmental legal services. In addition, he said, the surge in loan defaults has caused more demand for real estate litigators.

Pendergrast, who has 26 years of legal experience, comes to Taylor English having practiced at national business law firms Seyfarth Shaw LLP and Paul Hastings Janofsky & Walker LLP.

Pendergrast helps clients address complex environmental matters—in transactional, advisory, regulatory, enforcement and litigation settings. His practice also includes a strong concentration on real estate disputes—including secured lending, mortgage fraud and foreclosure litigation.

An established water law expert, he has served as an attorney on the Metropolitan North Georgia Water Planning District’s committee that created the integrated water management plans and model ordinances governing the metro Atlanta area. He has also consulted on issues relating to the tri-state water wars.

Some other environmental matters Pendergrast has handled include:

- Key involvement in the expansion of Georgia State University’s urban campus through brownfields redevelopment projects, including the 2,000-bed University Commons dormitory and the new Panthers football practice facility.

- The defense of a Fortune 500 company against a multi-million dollar Superfund environmental remediation cost recovery case.

- Representation of a major residential developer in connection with the U.S. Environmental Protection Agency’s storm water regulation enforcement campaign.

- Representation of the Berkeley Lake Homeowners Association in connection with the remediation of lake sediment resulting from development activities.

Pendergrast said he came to Taylor English because of the firm’s top legal talent and entrepreneurial business model.
Due to Taylor English's favorable rate-structure model, I can do what I like to do most - be an experienced, hands-on lawyer working with clients to address their legal needs and problems," he said. "I'm looking forward to using the Taylor English platform and its strong group of business lawyers and litigators to better serve our clients."

Pendergrast, a native Atlantan, is a board member of The Trust for Public Land's Georgia branch, best known for its involvement in the Atlanta BeltLine project and protection of lands on the Chattahoochee River. He also works with community groups dedicated to revitalizing the Bankhead-Bolton area of northwest Atlanta and served for many years on the Georgia Conservancy board.

Pendergrast is recognized as a leading lawyer for the environment in Georgia in the 2009 Chambers USA: America's Leading Business Lawyers. He holds a JD from the University of Georgia's School of Law and a BA from the University of North Carolina at Chapel Hill.

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About Taylor English Duma LLP

Taylor English is an Atlanta-based full-service business law firm that provides high quality legal services for optimal value. Areas of practice include Employment & Labor, Technology, Business Transactions, Intellectual Property, Corporate & Taxation, Creditors' Rights, Litigation and Dispute Resolution and Real Estate, Development & Construction. Taylor English, which is ranked by Atlanta Business Chronicle as the fastest-growing law firm in Atlanta, represents all types of clients—from Fortune 500 companies and start-ups to individuals. The firm has grown from four attorneys in 2005 to approximately 80 today.

Contact Information

Taylor English Duma LLP
Annette Boyle
404.550.3950
annette@triomediagroup.com
www.taylorenglish.com

Click here to view the list of recent Press Releases from Taylor English Duma LLP
Kimbrough starts consulting practice

Athens Banner-Herald
Published Sunday, October 03, 2010

Athens attorney Kim Kimbrough has established a new consulting practice called Kimbrough Consulting.

Kimbrough - who practiced law for 25 years and specialized in business, tax, estate and asset protection planning and who taught income, estate and gift tax and estate planning at the University of Georgia School of Law for two decades - will offer comprehensive tax, estate and asset protection planning, as well as a spectrum of administrative services that can be provided in the form of total estate management or as individual services.

Kimbrough's office is at 1480 Baxter St. His phone number is (706) 850-7115. His website is www.kimbroughconsulting.com.

Originally published in the Athens Banner-Herald on Sunday, October 03, 2010

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Sun., Oct 03 @ 10:17:59 pm

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Atlanta hub is at heart of Southwest-AirTran connection

12:00 AM CDT on Sunday, October 3, 2010

By ERIC TORBENSON / The Dallas Morning News 
etorben@dallasnews.com

ATLANTA – The engine of AirTran Airways Inc. hums here at Hartsfield-Jackson Atlanta International Airport, fueled by low fares and an underdog spirit that's forged some of the airline industry's highest quarterly profit margins.

It was AirTran's track record – and specifically its hub at the world's busiest airport – that attracted Southwest Airlines Co., which announced the acquisition of the airline Monday.

The combination of AirTran's hub, which opens dozens of markets to Southwest, and Southwest's muscle – it carries the most domestic passengers – could be potent.

"It's a marriage made in airline heaven," said industry expert Mo Garfinkle, who runs GCW Consulting.

And, when talking with analysts, Southwest chief executive Gary Kelly made no bones about what he likes most in the $1.4 billion cash and stock deal.

"I think the story here is about Atlanta," he said, adding that's "where the big numbers are."

Southwest thinks it can boost Atlanta traffic by 2 million passengers a year and save fliers there $200 million in airfares just by adding its cities to those AirTran already flies to, said Brian Campbell, a consultant who has tracked the "Southwest Effect" on prices and demand for most of the carrier's existence.

By adding Atlanta to Southwest's 69-city nationwide network, savings to all fliers could range from $850 million to $1.3 billion per year, Campbell said.

AirTran's 202 daily departures at Atlanta would make it Southwest's third-biggest airport – just a couple of dozen flights behind No. 1 Las Vegas. Hartsfield-Jackson is the only airport among the 10 largest for local airline traffic that Southwest doesn't currently serve.

The hub here links passengers from tiny markets such as Moline, Ill., to New York's LaGuardia Airport. While AirTran flies only about one in six of the airport's nearly 90 million annual passengers, its presence helps keep fares low by forcing Delta Air Lines Inc., the dominant carrier at Hartsfield, to match its prices.
Southwest looks at AirTran's operation and sees the chance to add more flights to top cities from Atlanta, along with trying to maximize profit to smaller destinations that AirTran has developed.

Analysts say AirTran's average fares are actually cheaper than Southwest's across their respective networks, but both are significantly lower than the average fares of Delta or other big carriers, especially for last-minute travel.

By adding more seats at lower fares – and forcing Delta and other big airlines to match those prices – Southwest executives predict more fliers from and to Atlanta and significant combined savings compared with what travelers pay today.

"It is a huge plus for the consumer at Atlanta," Garfinkle said, "and a larger plus for Southwest."

Changes in the air

What's less clear is how "hublike" Southwest's Atlanta will look in a few years.

The AirTran gates swell with people connecting through "banks" of incoming flights that turn into outgoing trips in several waves each day. It makes for a frenetic scene at peak times and creates a nice business for the city-run airport. Popeye's Chicken in Concourse C is that chain's busiest store.

Southwest's schedules aren't built with connecting passengers specifically in mind like AirTran's or Delta's. Southwest aims to move passengers from point to point, though that's gradually changing at fast-growing airports such as Denver International, which is a natural connection point for flights throughout the western U.S.

Similarly, Atlanta's geography makes it a prime hinge point for Southwest to send Northeastern vacationers to Florida and back.

Whether Southwest wants to keep all the banks of AirTran's operation or smooth out the schedule throughout the day hasn't been decided; Southwest has said it's interested in flying nearly all AirTran's routes once the deal closes.

The merger's economics are more about business travelers and how they fly. They're the passengers who make or break airline profits because they pay more, and Atlanta's business travelers have embraced AirTran as a less flashy, cheaper alternative to Delta.

"AirTran's a very viable option here if you're a midsized company with business to do that matches where AirTran flies," said Tom Levine, general manager for Teplis Travel in Atlanta. Teplis manages business travel.

Atlanta's beefy corporate roster – Coca-Cola Co., Cable News Network and others are headquartered here – gives airlines plenty to fight over in high-dollar corporate clients.

Southwest's plan to eventually eliminate the offerings on AirTran flights that business fliers love most – the wider seats and added legroom of its business class – are tempered by having Southwest's huge network opened up from Atlanta, he said. And AirTran's fees for checked bags will be going away as Southwest has made the lack of such fees a marketing cornerstone.

"Getting Southwest here is sort of a double-edged sword for us," Levine said, as Atlanta business fliers used to going into their own special cabin will have to adjust to Southwest's single-class planes that
have no assigned seating. "That's really going to be a cultural change for people here."

Southwest already has plenty of name recognition from Georgia fliers such as David Shipley. The law professor at the University of Georgia was flying AirTran from Dallas last week and said he's used to driving to nearby smaller cities such as Birmingham – or Louisville when he lived in Kentucky – to save money flying Southwest.

"It makes sense for Southwest to do this," he said. "Let's see what Southwest does with AirTran. It could be good for us."

Delta: No sweat

As for incumbent Delta, fighting Southwest won't be a new experience. Analysts are mixed about the potential impact on Delta, which isn't like a low-cost airline that makes money flying people from point to point on domestic routes. Delta needs passengers primarily to feed its fast-growing network of international flights to 70 countries.

Delta chief executive Richard Anderson told employees in a recorded message this week that Delta offers much more than just domestic air service. Delta's done well against low-fare competitors, he added.

"We've done quite well against both Southwest and AirTran in Atlanta and Salt Lake City," he said. "Atlanta is a hub for AirTran, and Salt Lake City is a hub for Southwest, and over the course of the past year our capacity combined in those markets is up slightly, and each of those airlines is down about 11 percent in terms of capacity."

Analyst Jamie Baker of JPMorgan Chase also doesn't see this as a problem for Delta, noting that a tiny fraction of its $28 billion in annual revenue is tied up in Atlanta routes that Southwest might look to reduce fares on.

"It is difficult for us to work up a sweat on this topic," Baker wrote last week.

Others say that having the industry's strongest airline set up camp at Delta's largest hub can't help Delta, which was the world's largest airline until United Airlines merged with Continental Airlines.

"It is no secret that this market is overpriced," said Craig Hutson of Gimme Credit in a note to investors. Southwest's ability to steal Delta's best customers is far greater than AirTran's, he added.

One thing that's likely to stay a hallmark of low-fare airlines in Atlanta is branding with the National Football League.

AirTran has planes painted the colors of the Indianapolis Colts and the Atlanta Falcons, and Southwest's marketing partnership with the NFL dates back years.

Indeed, in a nod to the NFL, the code name for AirTran during merger talks was Falcon, and Southwest's was Cowboy.
Kudos

Michael W.W. Adams, professor of biochemistry and molecular biology, was honored by the Society of Industrial Microbiologists at its annual meeting in San Francisco on Aug. 5. Adams, the Georgia Power Professor of Biotechnology and a Distinguished Research Professor in the Franklin College of Arts and Sciences, was presented with the Charles Thorn Award, which recognizes “research of exceptional merit and originality.”

Tim Davies, director of the Bioexpression and Fermentation Facility and associate research scientist in biochemistry and molecular biology, has been elected to a three-year term on the board of directors of the Society for Industrial Microbiology by the organization’s membership. Founded in 1949, the SIM is an international association dedicated to the advancement of microbiological sciences.

Cesar L. Escalante, an associate professor in the department of agricultural and applied economics, received the Best Paper Award at the International Conference on Business and Information held at Kitakyushu, Japan, July 5-7. Escalante won the award with his co-author, Florence L. Santos. Their paper, “Farm Labor Hiring Predicament of Organic and Conventional Farm Operators in the Southeast,” is a product of Escalante’s ongoing research on changes in the seasonal, unskilled farm labor market arising from the strict implementation of immigration policies and the corresponding business strategic responses of organic and conventional farms to those changes.

David P. Landau, Distinguished Research Professor and director of the Center for Simulational Physics, presented a plenary invited lecture at the international meeting of Computational Physics-CCP2010 in Trondheim, Norway, this summer. The title of his presentation was “Monte Carlo Simulations of the HP Model (the “Ising Model” of Protein Folding”). The research he presented has been supported by National Science Foundation. The CCP meetings, the only computational physics meetings sponsored by the International Union of Pure and Applied Physics, rotate between Europe, the Americas and the Pacific Rim.

Wayne Norton, head track and field coach, was one of 13 recipients of the Golden Heart Award given by the Fitness Enhancement Group.

FACULTY PROFILE

Terry program directs marketing research

By David Dodson
dodson@terry.uga.edu

Charlotte Mason was recruited from the University of North Carolina’s Kenan-Flagler Business School to head the Terry College’s marketing department in 2008.

And for her first two years on the job, she drove almost every weekend back to the family home in Chapel Hill, N.C., where her son was finishing high school.

But even the distance of her interstate commute doesn’t compare to the miles traveled by most of the students who come to UGA expressly for the Master of Marketing Research program that Mason directs, in addition to her duties as department head.

“The MMR program literally draws people to Athens from around the country, and internationally too,” said Mason, noting the current class attracted students from 14 states in addition to Georgia, from as far north as Minnesota and as far west as California. MMR graduates disperse just as widely when they re-enter the work force, typically joining highly specialized market research firms and multinational corporations from coast to coast.”

“I believe we have the best program going,” Mason said. “It’s certainly the longest running.”

UGA was the first university to create a master’s program in market research, with the first class of six students enrolling in 1980. The program has stayed small—the current class has 25 students—to maintain the department’s active role helping students land jobs with the corporate partners and marketing agencies that regularly recruit the program’s graduates.

“Including this year’s class, we have had three of the largest classes in program history the past three years,” Mason said. “Last spring, in spite of the economic climate, all of our students had job offers by graduation.”

Graduate degrees in market research have long been a niche program offered by a small number of universities nationally. But, Mason said, new competition is entering the field.

“The program at the University of Wisconsin-Madison was one of the same benefits as a full-time resident program. Columbia University just proved a master’s program focused market research that is a three-semester program like ours. Michigan State launching a master’s degree in market research this January.”

She attributed the growth in like-minded academic programs to the proliferation of detailed marketing data companies now have at their disposal. Of that digital data is in need of some to scrutinize and interpret it so businesses can better target the right customer with the right goods or service.

“I have a Kroger card, as 40 million other people,” said Mason, who teaches the MMR course in customer relationship management, “you look in a person’s shopping basket you can discern something about who they are. Someone who’s got tofu as organic produce—that paints a different picture than somebody who’s Krispy Kreme donuts.”

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Wayne Norton, head track and field coach, was one of 13 recipients of the Golden Heart Award given by the Finesse Empowerment Group. Norton was honored at the Golden Heart Awards banquet at the Tate Student Center on Aug. 7. Honorees were selected by the Finesse Empowerment Group of Omega Worship Center for this award because of the difference they made in the Athens community within ministry, government, education, athletics and more.

E. Ann Puckett, professor of law and director emerita of the Alexander Campbell King Law Library, has been inducted into the inaugural class of the American Association of Law Libraries Hall of Fame. The Hall of Fame was created to recognize AALL members whose contributions to the profession and service to the association have been significant, substantial and long-standing. A nationally recognized leader in law library management, Puckett has served as director of the law library for 16 years before retiring in July.

Kudos recognizes special contributions of staff, faculty and administrators in teaching, research and service. News items are limited to election to office of state, regional, national and international societies; major awards and prizes; and similarly notable accomplishments.

FRAKLN COLLEGE OF ARTS AND SCIENCES

Saunt named Russell Professor in American History

By Philip Lee Williams
phil@franklin.edu

Claudio Saunt has been named the Richard B. Russell Professor in American History at UGA. An accomplished scholar and teacher, Saunt is the award-winning author of two books with a third now in progress.

"Claudio Saunt is a scholar and teacher who already brings insight and accomplishment to the Franklin College and UGA," said Garnett S. Stokes, dean of the Franklin College of Arts and Sciences. "This highly coveted professorship is recognition of his work in the past and yet to come. We are delighted."

The Russell Foundation has endowed the Richard B. Russell Professorship in American History since 1976. The professorship, named for Georgia’s late U.S. senator, has been held by distinguished historians who have garnered national recognition for their research, teaching and writing.

"It’s wonderful that the Russell Foundation has made one of its priorities to support Georgia’s public universities," said Saunt. "It does so in a number of ways, including fund the Russell Professorship in American History. I’m tremendously honored to hold this professorship. It gives me the ability to embark on several research projects that I’ve long considered haven’t had the resources to pursue." The first Russell Professor, Gil Fite, was the author of a definitive biography on Russell’s life, Richard B. Russell: Senator from Georgia. In 1994, it received the D.B. Hardman prize for the best book on the U.S. Congress. Oth professors to hold this chair include Pulitzer Prize-winning authors Willard Warren Frick and Edward Larson.

Colleagues, friends and admirers of Russell in Georgia established the Richard B. Russell Foundation Inc.
New circuit judges sworn in at the capitol

By Adrienne Lean

Three judges were sworn in at the Capitol Monday (as each of them vowed to uphold the law of the land and apply sound ethical principles in their respective roles in the Griffin Judicial Court Circuit, which includes Fayette County, and the Fayette State Court.

Their loved ones and judicial counterparts locked on as Gov. Sonny Perdue individually administered the oath to the judges, for whom he sung high praise.

Yesterday's ceremony comes two months after Perdue's announcement of the appointments, resulting in Judge W. Fletcher. Same moving from the state court bench to serve in one of the two superior court judgeships. While Robert H. Crawford, who most recently worked at the Georgia Public Defender Standards Council, fills the other post.

The governor selected Sutherland & Branman partner Cara W. McMillian to replace Sam as state court judge.

"I thank the governor for his wisdom and my family for their support," Sam told the audience.

Sams has served as Fayette state court judge since 1997. Prior to that, he was a partner with Murphy and Sam in Fayetteville. He was also District Attorney for the Griffin Judicial Circuit.

The husband and father of two children received his juris doctor from the Cumberland School of Law. He received his undergraduate from Rhodes College.

Crawford, the first Pike County native to land a spot on the four county circuit, comes to the bench with diverse experience in the legal system.

"I never aspired to be [a judge], but God had a hand in my professional life," Crawford shared while trying to hold back tears.

The husband and father of two children, he also was the Chairmar-Joint House-Senate Legislative Oversight Committee on Criminal Justice. He was also a partner with the Crawford and Morton Law Firm in Reidsville. He is a University of Georgia alumnus and received his juris doctorate from the Woodrow Wilson College of Law.

McMillan's experience includes serving as a law clerk to the Honorable William O'Donkey in the U.S. District Court for the Northern District of Georgia before partnering with Sutherland & Branman.

The wife and mother of two serves on the board of directors for the Partnership Against Domestic Violence and is a member of Reidsville Church in Tyrone. She holds a juris doctorate from the University of Georgia School of Law and a bachelor's from Duke University.

"I was mainly hesitant about applying for the judgeship, shared McMillan, describing the rewards of her previous position. "But I changed my mind after thinking about my kids future, she said after noting her desire to help her community.

The judicial appointments were prompted after former superior judge Johnnie Cade was and Judge English stepped down just days after each other in April amid scandals involving unethical conduct. Both situations pertained to inappropriate relationships with female attorneys.

This judge will take office immediately, a spokesman from the governor's office said.

The chief judge title, formerly held by English and based on seniority, will be determined by Judge Chris Edmonds, court officials said in August.

In addition to Fayette, the judge will oversee proceedings in Pike, Spalding and Upson counties.

We Welcome your Comments

Please understand we believe if you are going to comment you should be bold enough to identify yourself. Please fill out the form below and your comments will be submitted. Comments will be edited for vulgarity. Please provide either your email address or telephone number so we can verify the source.

Name:
Email:
Telephone:
Title:
HEADLINE: Nominate Your Favorite Blogs for Top Business Blog Honors

BYLINE: @lnstaff.com (Corporate & Securities Law Community Staff)

BODY:

Oct. 6, 2010 (LexisNexis delivered by Newstex) --

Each year, LexisNexis (NYSE: ENL) honors a select group of blogs that set the online standard for a given industry. This year, we've expanded Top Blogs to our Business Law Communities. We've been fortunate to host the content of a number of distinguished legal professionals who have shared their insights and expertise with our Community, and through the process of seeking what we consider to be "top blogs," we have discovered many more.

The Top Blogs campaign on the LexisNexis Corporate & Securities Law Community and the LexisNexis UCC, Commercial Contracts & Business Law Community will move ahead in several phases. We'll start by taking nominations during a comment period that starts today and ends on October 8. We've gathered a list of initial nominees, which are listed below, and we welcome our Community members to make additional nominations and support their favorite blogs. We'll select the top 25 based on our review of the sites and comments from our Community members. After we announce the Top 25 Business Law Blog honorees, we'll ask our Community to vote for Top Business Law Blog of the Year.

To "talk up" or nominate your favorite Business Law Blog, you'll need to be a registered Community member and be logged in. If you haven't previously registered, follow this link. Registration is free and does not result in sales contacts. Once you are logged in, scroll all the way to the very bottom of this page. You should see a comment box. ***Don't forget to click on the verification link in the email that will be sent to your registration address - you won't see the comment box without performing that step! ***

Add a comment to vote or nominate your favorite blog, and that's it! If you are having problems with the registration or voting process, please contact us at lisa.mcm anus@lexisnexis.com. I'm the Communities Manager, and I want to make sure that everyone gets to vote!

We'd also appreciate your help with spreading the news about our top blogs campaign. Please tell your colleagues and your online groups and networks that our Business Law Communities are seeking nominations for the Top 25 Business Law Blogs so they can participate in our recognition event. After all, it's only thru input from different segments of the industry that we can continue to maintain the value and quality that our Community relies upon when it searches our Top Blogs for insight and information.

NOMINEES FOR THE LEXISNEXIS BUSINESS LAW COMMUNITIES'

TOP 25 BUSINESS LAW BLOGS FOR 2010

The D&O Diary

Published by Kevin M. LaCroix
Kevin LaCroix writes a periodic journal that contains items of interest from the world of directors & officers liability, with occasional commentary.

Connecticut Employment Law Blog
by Daniel A. Schwartz
Daniel Schwartz of Pullman & Conley, LLC blogs about news and noteworthy developments in the Labor & Employment Law Field.

M&A Law Prof Blog
By Brian JM Quinn
Boston College Law School Professor Brian JM Quinn provides commentary and insights regarding Corporate Takeovers, Mergers and Acquisitions, as part of the Law Professor Blogs Network.

Compliance Building
By Doug Cornelius
Doug Cornelius blogs about compliance and business ethics, focusing on compliance issues applicable to real estate private equity firms, with occasional posts about social media, web 2.0 and knowledge management.

SEC Actions
By Thomas O. Gorman
Tom Gorman, of Porter Wright's Washington, DC office, writes about SEC investigations, Civil and Criminal Enforcement Actions, Class Actions and Internal Investigations.

Delaware Corporate and Commercial Litigation Blog
By Francis G. X. Pileggi
Francis Pileggi of Fox Rothschild LLP offers Delaware business litigation case summaries primarily from Delaware's Chancery Court and Supreme Court, and provides commentary.

FCPA Compliance and Ethics Blog
By Thomas Fox
Tom Fox blogs about the Foreign Corrupt Practices Act, FCPA compliance, indemnities and other forms of risk management, tax issues faced by multi-national US companies, insurance coverage issues and protection of trade secrets.
Virginia Business Litigation Lawyer
By Lee Berlik
Lee Berlik of Berliklaw writes about intellectual property, real estate litigation, employment matters, copyright and trademark issues, and business litigation including fraud, conspiracy and partnership disputes.

SEC Tea Party
By Robert Fusfeld
A compilation of writers provide commentary on SEC Administrative Opinions.

The Business Law Blog
By Wesley Deaton
Wesley Deaton practices in North Carolina and blogs about general business law matters, the economy, partnerships and foreclosures.

Corporate Tool
By Josh King
Josh King provides commentary on Mergers and Acquisitions, corporate deal-making, the legal profession and other aspects of corporate life.

Corporate & Securities Law Blog
By Sheppard Mullin
The attorneys of Sheppard, Mullin, Richter and Hampton LLP blog about current developments and information pertaining to Corporate and Securities Law.

USA Inbound Deals
By Sullivan & Worcester
Commentary on mergers, acquisitions and investments by foreign businesses.

Startup Company Lawyer
By Yoichiro Taku
This blog discusses all aspects of incorporating and starting a company and is sponsored by Wilson, Sonsini Goodrich & Rosati.
InHouseBlog
Albush Publishing
In-house counsel legal news for members of corporate legal departments. For general counsel and corporate counsel since 2005.

The Business Law Blog
By Daniel J. Ryan
A blog about law, start ups and small business by Daniel J. Ryan of the Trinity Law Group.

DealLawyers.com Blog
By Broc Romanek
Attorneys from the Mergers and Acquisitions community share information and discuss current actions in the blog "for acquisitive minds."

Alston & Bird Securities Litigation Blog
By Alston & Bird's Securities Litigation Group
This blog offers discussion about current developments regarding securities laws, regulatory activity, corporate governance issues, important cases, news items, legislative developments, and other trends in this area.

Harvard Law School Forum on Corporate Governance
By Harvard Law School Program on Corporate Governance
A recognized source for insights and site seeking to facilitate research and public discussion about the latest developments in corporate governance and financial regulation.

Investor Relations Musings
by John Palizza
A blog devoted to the practice of investor relations; the interplay between Wall Street analysts and corporate investor relations professionals.

Re The Auditors.com
By Francine McKenna
Specialized news site about the business of the Big 4 audit firms. Stories explore the role, responsibility and regulation of the audit/accounting industry in the global capital markets in an independent, objective, and usually critical
Alston & Bird Mergers & Acquisitions Blog

By Alston & Bird's Corporate Transactions and Securities Practice

This blog focuses on current issues and events relating to merger and acquisition activity in the U.S. and around the world and discusses a wide range of domestic and international business, regulatory and litigation issues in this arena.

Perkins Coie Merger Viewpoints

Publisher, Scott B. Joachim

Commentary on middle-market private equity and mergers and acquisitions from Perkins Coie's Private Equity Group.

The Corporate Library Blog

By Nell Minow, Paul Hodgson, Dr. Kimberly Gladman, Corp. Lib. Research and Ratings Teams

The Corporate Library Blog is designed to engage readers in a conversation about current events and trends in corporate governance, risk analysis and sustainable investing.

Boardmember.com & The Tally Sheet

By T. K. Kerstetter

Boardmember.com is a resource for senior officers and directors of publicly traded corporations, top private companies, and Global 1000 firms. The Tally Sheet is written by Eric W. Hilfers of Cravath, Swaine & Moore, LLP and discusses financial reform, compliance and related issues.

Corporate Compliance Insights

By Multiple Authors

Corporate Compliance Insights is a knowledge-sharing forum designed to educate and encourage informed interaction within the corporate compliance community.

TheCorporateCounsel.net

By Broc Romanek and Dave Lynn

The CorporateCounsel.net is self described as the practical Corporate & Securities Law Blog.
Corporate Finance Law Blog
By Davis Wright Tremaine
Blog and articles by the attorneys at Davis, Wright Tremaine, featuring recent court decisions and information about regulatory and statutory developments impacting business.

Corporate Law and Governance
By Robert Goddard
U.K. based Senior Lecturer at Aston Law, part of Aston Business School, blogs about important developments, news and provides other corporate law and governance insights.

FCPA Professor
By Mike Koehler
A forum devoted to discussing the Foreign Corrupt Practices Act by Mike Koehler, Asst. Business Law Professor at Butler University.

Fraud Bytes
By Mark Zimbleman and Aaron Zimbleman
This blog discusses auditing, fraud examinations and auditors' detection of financial statement fraud.

Indian Corporate Law Blog
By Multiple Authors
A blog providing a periodic review of topics related to corporate and business law that impacts India.

10Q Detective
By David Phillips
In this blog, David Phillips sees it as his job as the "10Q Detective," to dig through businesses' 8-K and 10-Q SEC filings, looking for financial statement 'soft spots,' (depreciation policies, warranty reserves, and restructuring charges, etc.) that may materially impact Quality of Earnings.

The 10b-5 Daily
By Lyle Roberts
News and events related to securities class action litigation. Lyle Roberts provides commentary on securities matters.
Race to the Bottom

By J. Robert Brown, Jr.

Race to the Bottom is a faculty and student collaborative blog that provides analysis of the laws and regulatory measures governing today's corporations.

The Conglomerate

By Multiple Authors

Seven Law Professors blog about business, law, economics and society, including Gordon Smith, BYU Law School, Christine Hurt, Univ. of Illinois College of Law, Vic Fleischer, Univ. of Colorado Law School, Fred Tung, Emory Law School, Lisa Fairfax, George Washington Univ. Law School, David Zaring, Wharton School Legal Studies and Business Ethics Department, and Usha Rodrigues, University of Georgia School of Law.

WSJ Law Blog

By The Wall Street Journal

This is the Wall Street Journal's on-line publication dedicated to current legal issues, pending litigation and the legal industry.

Commercial Law Blog

By Multiple Authors

Compiled commentary by Jennifer S. Martin, L. Ali Khan, Jason J. Kilborn, Robyn Meadows, Marie T. Reilly, Marc L. Roark, Keith A Rowley, Steven Semeraro, Anthony Schutz and Jim Chen discussing a variety of Commercial Law related topics.

Credit Slips

By Multiple Authors

A blog on all things about credit, bankruptcy, consumers, and financial institutions. Nine academics claim to use the blog to discuss and debate issues not just for specialists but for anyone who cares about creating good policies in these areas.

Business Law Prof Blog

By Multiple Authors

Commentary and analysis of business law issues, from several contributors including Professor J. Scott Colesanti of Hofstra Univ. School of Law, Prof. Joshua P. Fershee of the Univ. of North Dakota School of Law, and Prof. Stefan J. Padfield of the Univ. of Akron School of Law.
WSJ Deal Journal

Lead Writer, Michael Corkery

Deal Journal is an up-to-the-minute take on the deals and deal makers that shape the landscape of Wall Street, including mergers and acquisitions, capital-raising, private equity and bankruptcy.

Truth on the Market

By Geoffrey Manne and Multiple Authors

A group of law professors and economists who write about business law topics including antitrust, industrial organization and corporate law/corporate governance.

Mean Street

By Evan Newmark

Opinion and commentary about business and Wall Street.

Consumer Law & Policy

Coordinators, Deepak Gupta and Jeff Sovern

Consumer Law and Policy is the blog sponsored by the Public Citizen's Consumer Justice Project.

ScotusBlog

Editor, Tom Goldstein

The stated goal of the Supreme Court of the United States Blog is to comprehensively cover the work of the Supreme Court. The blog strives to be an impartial journalistic entity providing objective information and limited commentary.

Risk Metrics Corporate Governance Blog

By Risk Metrics Corp.

This is the risk and governance and securities litigation blog of Risk Metrics and is designed to offer ongoing and timely posts on risk and governance topics.

Uniform Commercial Code Litigation

By Robinson & Robinson LLP

Focusing on new developments in litigation involving the Uniform Commercial
Code. A resource for lawyers who litigate issues involving the UCC. Share tips, strategies, legal theories, successful rulings, and recent developments in lawsuits concerning any aspect of the UCC.

UCC Food Industry-Food Liability Law Blog
By Ken Odza and Rick Goldfarb
Discussing emerging legal threats to the food industry including recalls, insurance issues, environmental and commercial litigation.

The Metropolitan Corporate Counsel
Publisher, Martha Driver
The Metropolitan Corporate Counsel is dedicated to serving the interests of corporate counsel by providing information about substantive developments in the law and ways to enhance delivery of legal services, supporting corporate counsels' goals, and encouraging organizations serving corporate counsel.

Northwest Business Litigation Blog
By Ater Wynne LLP
The Northwest Business Litigation blog is a resource for in-house counsel, business executives, human resource managers and others who monitor litigation and legal issues affecting businesses.

Commercial Contracts Prof Blog
By Franklin G. Snyder
The official blog of the Association of American Law Schools section on contracts, a group of law professors provide Uniform Commercial Code legislative updates and discuss recent contract law and breach of contract litigation.

North Carolina Business Litigation Report
By Mack Sperling
Mack Sperling of Brooks Pierce LLP reports on judicial decisions of significance to businesses and shareholders.

Workplace Prof Blog
By Richard Bales & Multiple Authors
Law school professors teaching employment law, labor law, discrimination law and related courses provide daily information and updates and discuss pertinent news and legal developments in these areas of law.
New York Small Business Law
By Imke Ratschko

This blog features discussions about shareholder agreements, operating agreements, limited liability companies, founder agreements, buying and selling business and other general business law topics.

Ohio Practical Business Law
By Teri Rasmussen

Guidance and insights into business law topics for both attorneys and non-lawyers.

Nancy Rapoport's BlogSpot
By Nancy Rapoport

This blog discusses governance in higher education, businesses, and in law firms, bankruptcy ethics, popular culture & the law, current corporation news and professional responsibility generally.

Indiana Commercial Foreclosure Law
By John Waller

A blog dedicated to parties that foreclose commercial mortgages, enforce liens and collect business debts.

Small Business Trends
By Anita Campbell

Small Business Trends updates you on trends affecting the small business market.

U.S. PIRG
By Ed Mierzwinski

U.S. PIRG, the federation of state Public Interest Research Groups (PIRGs), stands up to powerful special interests on behalf of the American public.

ProfessorBainbridge.com
By Stephen M. Bainbridge

Self-described as "the vocational and avocational journal" of a Corporate Law Professor.
California Corporate & Securities Law
By Keith Bishop

Keith Bishop, a partner with the California law firm Allen Matkins, covers California securities laws and regulations, corporate governance, the California Department of Corporations, the California Public Employees' Retirement System, the California Secretary of State, pending legislation and rule making, quirky California laws, and other topics.

No Funny Lawyers
By Jim Thomas

A human view of law for human-owned businesses, Jim's blog covers legal issues relevant to privately-held companies in a straight-forward, and sometimes even humorous, fashion.

Securities Law Prof Blog
By Barbara Black

Covers corporate law news, issues and regulatory developments relating to securities law.

The Emerging Business Advocate
By Seaton M. Daly III

Dedicated to addressing current issues that affect emerging companies in a global economy.

New York Business Law
By Frederic R Abramson

The blog covers New York Business law, legal issues relating to social media and civil litigation.

Hedge Fund Law Blog
By Bart Mallon

Devoted to the dissemination of basic hedge fund information for hedge fund managers, hedge fund start-ups and hedge fund investors.

New York Business Litigation and Employment Attorneys Blog
By David S. Rich

Features questions and answers about business litigation and employment law and updates and commentary on national, New York, and New Jersey developments in these same areas of law.
What About Clients
By Dan Hull
News and ideas for doing business globally.

Conference Board Governance Blog
Editor, Gary Larkin
Worldwide business insights from the Conference Board.

Corp Gov Net
By James McRitchie
Designed to facilitate the ability of institutional and individual shareowners to better govern corporations, enhancing both corporate accountability and the creation of wealth.

Marks on Governance
By Norman Marks
Internal Auditor's governance perspectives column.

PLI Securities Law Practice Center
By Kara O' Brien
The Securities Law Practice Center provides the latest securities news, analysis and resources, featuring frequently updated content covering the latest developments in the securities field.

Marler Blog
By Bill Marler
Bill Marler discusses food industry and food-borne illness litigation and the issues surrounding it. He has testified before Congress as well as State legislatures and is a frequent writer on topics related to food-borne illness.

LFNP Blog
By Arthur Ryman
This blog specializes in non-profit law and the challenges faced by non-profits.

Business Law Post
By Arina Shulga
This blog focuses on legal aspects of operating new and growing businesses.

Hedged.biz
By Bryan Goh
A look at investments, hedge funds, economics and finance.

Reverse Merger Blog
By David Feldman
Insights on reverse mergers, SPACs, other alternatives to traditional initial public offerings, the small and microcap markets and the economy.

Jim Hamilton's World of Securities Regulation
By Jim Hamilton
This blog describes itself as commentary and musings on the complex, fascinating and peculiar world that is securities regulation.

BD Law Blog
By Joel Heck
News, updates and thoughts regarding broker-dealer and investment adviser regulation and legal and compliance issues in the U.S.

The Investment Fund Law Blog
By Pillsbury Winthrop Shaw Pittman
Updates and insights on legal issues facing investment fund managers and investors.

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The University of Georgia issued the following news release:

A new clinic at the University of Georgia, the first of its kind in the United States, will provide residents of Athens-Clarke County and surrounding areas counseling services on a variety of topics, including individual and relationship issues, finances, housing, nutrition and legal issues.

The clinic, known by the acronym ASPIRE, which stands for Acquiring Strategies for Personal Improvement and Relationship Enhancement, is the creation of faculty in the UGA College of Family and Consumer Sciences. It opened on a limited basis in January providing services on individual and relationship issues and financial issues, according to Lee Johnson, assistant professor of child and family development and director of the FACS marriage and
family therapy program.

"We want to meet clients where they are," Johnson said. "What we have already found is that our clients liked having both services available. We think we'll have even more people who want to access these additional services."

There are no requirements or limits on with whom a client meets. For example, someone interested in nutrition counseling isn't required to also meet with a financial planning counselor. However, Johnson and his colleagues agree that it can be helpful to have access to experts in other fields.

"Our financial planning counselors have said they appreciated knowing they had a resource to turn to if a client seemed depressed or if a family's financial issues seemed tied to relationship issues," said Joseph Goetz, assistant professor of family financial planning and another founder of ASPIRE. "As we've talked to our colleagues in other departments, we've realized how interconnected so many aspects of people's lives are."

Megan Lee, assistant professor of furnishings and interiors, said the home environment plays a role in a wide variety of other issues.

"For a family that's facing financial issues and also dealing with physical infirmities, we can help identify relatively inexpensive solutions that will make a house more accessible and safer," she said. "For another family facing issues regarding how their children perform in school, we might look at the space the children have for homework and identify ways to make that space more appropriate."

Rebecca Mullis, head of the FACS foods and nutrition department, sees the ASPIRE clinic as a place where students, under the direction of a registered dietitian, can work with individuals, families or small groups on a variety of nutrition issues.

"Right now, we know that the University Health Center has a high demand for classes," she said. "ASPIRE could provide a place for both students and community members to discuss issues like weight control or vegetarian eating."

Mullis emphasized that the counselors will focus on nutrition education, not clinical issues such as eating disorders. However, she said, a broad range of topics could be pursued, including issues that might also include counselors in the other areas.

"For example, food costs are one of the most elastic areas in anyone's budget," she said. "In these economic times, I could foresee our counselors working with those in financial planning to reduce food costs on things like eating out and, instead, teach families ways to provide nutritious meals on a budget."

Likewise, Mullis said individuals who wanted to lose weight might find it helpful to include a relationship counselor in order to ensure family support for the effort.

The ASPIRE clinic is also teaming with the Public Interest Project of the UGA Law School to provide legal counseling to clients who cannot afford attorneys.

Alex Scherr, associate professor and director of civil clinics for the law school, said clients can meet with law school students for counseling on "any legal issues that arise from a lack of money," including shelter, debt, identification, such as the need for licenses and birth certificates, public benefits, wage claims, health care and other issues. The clinic does not take cases to court but can help clients understand their legal rights.

Other faculty who are involved in ASPIRE include Maria Bermudez, assistant
professor of marriage and family therapy, Jerry Gale, associate professor of marriage and family therapy, and Lance Palmer, assistant professor of family financial planning.

In addition to providing a community service, faculty involved with ASPIRE will also gather data to determine whether the model is an effective way of delivering a broad range of services to clients, according to Johnson. Those providing counseling services are either advanced undergraduate or graduate students who have received specific training and whose work is overseen by faculty members.

The cost for ASPIRE is on a sliding scale. For additional information or to arrange a free consultation call 706/542-4486 or email ftclinic@uga.edu Those interested in legal counseling can also contact the Public Interest Project directly by calling 706/542-5213.

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3 of 3 DOCUMENTS

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US Fed News

October 8, 2010 Friday 7:13 PM EST

LENGTH: 335 words

HEADLINE: FORMER U.S. AMBASSADOR TO ROMANIA TO SHARE HOW COUNTRY HAS EMERGED AS NEW ITALY

BODY:

ATHENS, Ga., Oct. 7 -- The University of Georgia issued the following news release:

Join former U.S. Ambassador to Romania James C. Rosapepe and his wife, award-winning journalist Sheila Kast, as they discuss a country that has survived communism and is now a thriving democracy. The couple will present "Think Italy, Not Russia: Romania 20 Years After the Revolution" at the University of Georgia School of Law's Dean Rusk Center on Oct. 14 at 12:30 p.m. in the Larry Walker Room (4th Floor) of Rusk Hall.

In December 1989, Romanians overthrew dictator Nicolae Ceausescu, ending more than 40 years of communist totalitarianism. Twenty years later, Romania has a democratic government with a successful economy and is a member of NATO and the European Union.

Rosapepe and Kast will share the story of Romania's evolution touching on its unique history and communist past as well as its present day culture and economic focus.

Rosapepe represented the United States as ambassador to Romania from 1998 to 2001. He currently heads an investment firm active in the U.S. and Europe and serves on the boards of several fundinvesting in Eastern Europe and other emergingmarkets. Additionally, he has written about economic and security issues in Europe in The Wall Street Journal, The Baltimore Sun and the Harvard
International Review.

Kast is a veteran journalist who has been featured on PBS, ABC, CNN and National Public Radio. For ABC, she reported on the collapse of communism from Moscow, Russia, and Tbilisi, Georgia, and covered current U.S. Secretary of State Hillary Clinton's first trip to Eastern Europe. She currently hosts AARP's weekly cable TV show Inside E Street as well as her own daily magazine show on WYPR, a Maryland public radio station.

This lecture is sponsored by Georgia Law's Dean Rusk Center along with the Georgia Society for International and Comparative Law. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

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Send To: MURPHY, HEIDI
UNIVERSITY OF GEORGIA LAW SCHOOL
Another Real 'House'wife – Welcome Phaedra Parks to the Neighborhood

By MORNING ROCHETTE

Season 3 of The Real Housewives of Atlanta (RHQA) premiered this week on Bravo. Why, you might ask, are we covering a reality show that features more catfights and lax parking than a preshow between Kenneth Kraze and Jack Camp?

Because the new season brought with it a new cast member who is not only a southern belle, but is also the managing partner of her own boutique law firm. She describes herself as fabulous, fierce, and beautiful. She’s even been nominated as one of Atlanta’s Top 100 Black Women of Influence for 2010.

Most importantly, she knows she can have it all.

Meet Phaedra Parks, a graduate of Westmore College, University of Georgia School of Law, and an entertainment Super Lawyer! To listen to Phaedra, you’d think she was a direct descendant of Johnny Cochran. He’s the one who told her to hang with other single women — though it’s unclear if Cochran was suffering the effects of his fatal brain tumor when he made this suggestion.

Phaedra achieved her dreams before she wants to “steal the essence of who Phaedra is.” Phaedra and I are like two peas in a pod — I don’t choose a career in biglaw because there is nothing more essence stabilizing than being able to pay your own rent.

Although her RHQA co-stars claim that she is lacking in fabulousness, Phaedra has represented clients such as Jazzi Felix, Tox Short, Tameka Duper, and Todd Brown. Yep, Phaedra likes to make her own decisions — that’s her progressive. Phaedra has also served as a legal analyst on HRC and Fox News. Cable news networks will let us anybody on their air.

So, why is she on RHQA this season? Isn’t this supposed to be a show about wives?

Well, she’s married to a man that is seven years her junior who also happens to be a ex-con. So, I’m sure that helps her cope with the caseload. Hello ratings. At least she can’t be bankrolled.

Phaedra’s husband, Apollo Nida, was convicted under Georgia’s RICO statute and was sentenced to 19 years in prison. After serving approximately five years in the slammer, Apollo was granted parole on May 27, 2009. Within six months of his release, Apollo and Phaedra were married and expecting a baby.

Phaedra claims to have met her husband in 1995 before he started his crime spree, but I much prefer the slotted wedding scenario. Of her husband, Phaedra says that “he signally pre-teen, do I know he doesn’t want my money, he wants me.”

Phaedra claims to have kept her husband in 1995 before he started his crime spree, but I much prefer the slotted wedding scenario. Of her husband, Phaedra says that “he signally pre-teen, do I know he doesn’t want my money, he wants me.”

Like countless other Tier 1 graduates, Phaedra is an e-pagant queen, making her the perfect picture of southern hospitality and etiquette. On the premiere of the show, Phaedra delicately advised one of her clients not to “stool up to any hoodcuff type levels” with regard to a contract dispute. Oo, what beauty and grace! And what genteel client counseling skills! She obviously picked those up on the 11 Oct 2010 at 10:00 AM ASIA CHRONICLES, SPONSORED CONTENT

The Asia Chronicles: Quick Notes

By ABOVE THE LAW

[Ed note: This post is authored by Evan Jowers and Robert Kinney of Kinney Recruiting, alumni of the Asia Chronicles. Kinney has made more placements of U.S. associates and partners in Asia than any other firm in the past two years. You can reach them by email at asia@kinneyrecruiting.com]

Notes Regarding Recent News from Hong Kong/China

Greetings to our readers. Robert Kingrey here. I am from a visit to our Hong Kong office, where Evan Jowers and I had a big week with literally dozens of client meetings over 10 days. It is difficult to conceive of how most of our readers who are not in Hong Kong/China already, but the legal market there is red-hot. It is probably hotter in many ways than in the boomtimes of 2006-2007. The pockets of activity are more hidden than before though, and the requirements are much tougher.

Evan Jowers will be speaking this evening (Monday, September 27, 2010) from 7:00 to 8:30 PM at NYU’s Vanderbilt Hall (40 Washington Square South, Room 204) as part of a panel discussion on the best strategy to land a job in the current job market in Asia. As always, we are grateful to the US-China Legal Exchange
She may be a member of the Junior League of Atlanta, but don’t make her angry – you wouldn’t like her when she’s angry. On her debut on the show, a very pregnant Phaedra was filmed admonishing someone, telling him that she would “get out of this bed, put on some pumps, walk to any court room, and try a case any day of the week. Don’t play me, because you’re playing yourself.” Oh snap, girl.

So, like many people who have opened up their own law firms, Phaedra is worried about her work-life balance. She wants to be a mom, but doesn’t want to feel like she’s trapped. It’s too bad that Phaedra didn’t choose a career in biglaw – she could have been lactating in luxury.

Will you be tuning in to watch Phaedra’s dirty laundry be aired on national television? I know I will!
Who's Who in Law and Accounting

Atlanta Business Chronicle

Atlanta's top law leaders
Welcome to Atlanta Business Chronicle's 2010 Who's Who in Law & Accounting — a list of the area's most prominent leaders who are guiding key industries at a time when they have been hit hard by the economy.

These professionals include attorneys, judges, association leaders and others in metro Atlanta. Criteria for the law category include leaders from the Top 25 Law Firms, according to the Chronicle's Book of Lists. Law association heads, judges, district attorneys, law school deans and other key lawyers are also included.

Cynthia J. Becker
Superior Court of DeKalb County; Stone Mountain Judicial Circuit
Chief judge, Division 6
Age: 53
Education: Georgia State University College of Law

Career highlights: Becker is a former trial lawyer and partner with Chambers, Mabry, McClelland & Brooks LLP. She presides over Track 2 Drug Court. Her professional affiliations include the DeKalb Bar Association and Atlanta Bar Association.

www.co.dekalb.ga.us/superior

Joyce Bihary
United States Bankruptcy Court, Northern District of Georgia
Chief judge
Age: 59
Education: Bachelor's degree, Wellesley College; law degree, University of Michigan

Career highlights: Bihary was appointed to the U.S. Bankruptcy Court for the Northern District of Georgia in 1987 and was appointed chief judge of that court in 2003. She is a fellow of the American College of Bankruptcy.

www.ganb.uscourts.gov Law

Emmet Bondurant
Bondurant, Mixson & Elmore LLP
Partner
Education: Bachelor's degree, The University of Georgia; law degree, Harvard University

Career highlights: Bondurant has been a trial lawyer for more than 45 years. He has served as chairman of the Atlanta Charter Commission.

www.bmelaw.com

Michael J. Bowers
Balch & Bingham LLP
Partner
Education: Bachelor's degree, United States Military Academy; master's degree, Stanford University; MBA, University of Utah; law degree, The University of Georgia

Career highlights: Bowers was appointed attorney general of Georgia in 1981. He was re-elected four times and served until 1997.

www.balch.com

Thurbert E. Baker
State of Georgia
Attorney general
Age: 57

Education: Bachelor's degree in political science, University of North Carolina; law degree, Emory University

Career highlights: Baker has served as president of the National Association of Attorneys General, a position to which he was elected by his fellow attorneys general. As attorney general, Baker has drafted legislation that outlawed the crimes of identity theft and residential mortgage fraud in Georgia. Baker's Special Prosecutions Unit has led law enforcement efforts to target identity theft rings and mortgage fraud scams in Georgia, and Baker's first-in-the-nation Residential Mortgage Fraud legislation has become a blueprint for other states' legislation.

www.law.ga.gov

Roy E. Barnes
The Barnes Law Group LLC
Owner
Age: 62

Education: Bachelor's and law degrees, The University of Georgia

Career highlights: Upon graduation from law school, Barnes was employed as an assistant district attorney. Barnes began his own law firm in 1975, after leaving the Cobb County District Attorney's Office. At age 26, Barnes ran and was elected to the first of eight terms in the state Senate. After an unsuccessful bid for governor in 1990, Barnes was elected to the state House
of Representatives, where he served for six years. In 1998, Barnes was elected the 80th
governor of Georgia. After leaving the governor's office, Barnes spent six months as a full-time
volunteer attorney with the Atlanta Legal Aid Society before forming The Barnes Law Group.

www.barneslawgroup.com
Rolando E. Bascumbe
Hispanic National Bar Foundation
Regional president
Education: Bachelor's degree, State University of New York at Albany; law degree, Catholic
University, Columbus School of Law

Career highlights: Bascumbe is an associate regional counsel with the U.S. Environmental
Protection Agency, Region 4, Office of Legal Support, where he serves as counsel to
enforcement and compliance programs. He has also worked as a special assistant U.S. Attorney
in the Northern District of Georgia, where he represented federal agencies in civil litigation,
and as an assistant attorney general with the Office of the Attorney General for the state of
Georgia, where he conducted white-collar criminal prosecutions.

www.hnba.com
Julie E. Carnes
U.S. District Court, Northern District of Georgia
Chief U.S. district judge
Age: 59
Education: Bachelor's degree in English and law degree, The University of Georgia

Career highlights: Carnes experience includes: law clerk for Lewis R. Morgan, U.S. Court of
Appeals, Fifth Circuit (1975-1977); U.S. Attorney's Office, Appellate Chief, Northern District of
Georgia (1978-1990); appointed to seven-member U.S. Sentencing Commission by President
George Bush (1990-1996); district judge for the Northern District of Georgia (1992-present);
Chief judge for the Northern District of Georgia (January 2009-present); served on the 11th
Circuit Pattern Jury Committee (1995-2002); selected to be a member of the Criminal Law

www.gand.uscourts.gov
La'Keitha Daniels
Georgia Association of Black Women Attorneys (GABWA)
President
Age: 30
Education: Bachelor's degree, Clark Atlanta University; law degree, Tulane University School
of Law

Career highlights: Daniels is legal counsel for Concessions International LLC, a family and
minority-owned company and a leading airport concessionaire with operations in Atlanta,
Detroit, Denver, Miami, Columbia, S.C., Seattle, Portland and St. Thomas. When the economy
found her out of a job last year, she followed one of her passions and opened Sweet Justice, a bakery serving traditional and gourmet cakes and cupcakes. Prior, Daniels served as corporate counsel for Harland Clarke, a Fortune 500 company focusing on payment systems, and as a litigation associate at Nelson Mullins Riley & Scarborough LLP.

www.gabwa.org
Bill Dorris
Kilpatrick Stockton LLP
Co-managing partner
Age: 54

Education: Bachelor’s and law degrees, University of Kentucky

Career highlights: Dorris has been the firm’s co-managing partner responsible for client service programs and practice management since January 2007, and formerly served as department chair of the firm’s Litigation Department. Dorris is co-counsel in one of the largest class-action lawsuits in the country (Cobell v. Kempthorne) and has represented a variety of leaders in the construction industry. He is listed in The Best Lawyers in America, Chambers USA: America’s Leading Business Lawyers and Georgia Super Lawyers.

www.kilpatrickstockton.com
Joel F. Dubina
United States Court of Appeals, 11th Circuit
Chief judge
Age: 62

Education: Bachelor’s degree, University of Alabama; law degree, Cumberland School of Law, Samford University

Career highlights: His experience has included: private practice (1974-1983); U.S. Magistrate (1983-1986); and U.S. District Judge, Middle District of Alabama (1986-1990). His professional affiliations include: Federal Judges Association; Federal Bar Association; Eleventh Circuit and Supreme Court historical societies; Appellate Court Advisory Committee and Joint Advisory Council of the Administrative Office, U.S. Courts.

www.ca11.uscourts.gov
Erich N. Durlacher
Burr & Forman LLP
Managing partner - Atlanta
Age: 39

Education: Bachelor’s degree, Hampden-Sydney College; law degree, Tulane University Law School

Career highlights: Durlacher’s practice focuses mainly on assisting clients in the resolution of complex commercial issues, the restructuring of performing and distressed credit facilities,
and the maximization of debt and collateral recovery. His clients include national and regional banks, asset-based lenders and commercial leasing companies, and health-care companies.

www.burr.com
Wray Eckl
Drew Eckl & Farnham LLP
Partner
Age: 73

Education: Bachelor's degree, University of Notre Dame; University of Vienna; law degree, University of Virginia

Career highlights: Eckl was a partner in two Atlanta law firms from 1965 to 1982. In 1983, he was a founding partner of Drew Eckl & Farnham. He has a wide range of trial experience over the years. Currently, he specializes in products liability cases across the country. He has been selected as a Super Lawyer by Atlanta magazine each year since that designation was initiated.

www.deflaw.com
Martin Ellin
Atlanta Volunteer Lawyers Foundation Inc.
Executive director
Age: 58

Education: Bachelor's degree, Duke University; law degree, University of Maryland

Career highlights: Ellin has served as the executive director of the Atlanta Volunteer Lawyers Foundation since 2001. He began his legal career as a staff, and then managing, attorney with the Atlanta Legal Aid Society. Nearly 20 years of private practice followed, the last eight with the firm of Zimring & Ellin, litigating education law and civil rights claims. Ellin was also an active mediator, mediating claims for federal agencies.

www.avlf.org
Daisy Hurst Floyd
Walter F. George School of Law, Mercer University
Dean and professor of law
Education: Bachelor's and master's degrees, Emory University; law degree, The University of Georgia

Career highlights: Floyd came to Mercer in July 2004 from Texas Tech University School of Law. At Mercer, she chaired the Provost search committee; and was a member of the Academic Council, the University Planning Council and the Strategic Planning Committee. Floyd is a member of the state bars of Georgia and Texas, and the American Bar Association. She is a Fellow of the American Bar Foundation.

www.law.mercer.edu
Stephen Forte  
Smith, Gambrell & Russell LLP  
Managing partner; chairman, Executive Committee  
Age: 55  
Education: Bachelor's degree, City University of New York; law degree, Emory University  
Career highlights: Forte has been recognized in Chambers USA as one of the outstanding commercial litigators in the country and as a Dynamic Trial Attorney. He is also a Georgia Super Lawyer and noted in Best Lawyers in America for Commercial Litigation. Forte’s trial practice and experience is broad-based, having been lead counsel in more than 200 major adversary proceedings, including jury and bench trials, arbitrations and appeals.

www.sgrlaw.com  
Steve Gottlieb  
Atlanta Legal Aid Society Inc.  
Executive director  
Age: 64  
Education: Bachelor's degree, Hamilton College; law degree, University of Pennsylvania  
Career highlights: Upon graduating from law school in 1969, Gottlieb joined the Atlanta Legal Aid Society as a staff attorney, becoming deputy director in 1977, then moving into his current executive director role in 1980. Legal Aid represents low-income clients needing help with general, family or housing law issues. It provides representation to senior citizens, cancer patients, people with disabilities, special immigrant populations, and families with children with chronic illnesses.

www.atlantalegalaid.org  
Reuben Green  
Cobb County Superior Court  
Chief judge  
Education: Bachelor's degree, Lewis & Clark College; law degree, Emory University  
Career highlights: Green most recently served as special assistant U.S. attorney. Prior to his service in the U.S. Attorney’s office, he worked as assistant district attorney in the Cobb County District Attorney’s office. Green also worked in the DeKalb County Solicitor General’s office, and at the law firm of King & Spalding LLP.

www.cobbcounty.org  
Ernest LaMont Greer  
Greenberg Traurig LLP  
Managing shareholder; chair, Litigation Practice, Atlanta office
Age: 45

**Education:** Bachelor's degree, Harvard University; law degree, Northwestern University

**Career highlights:** Over the course of his legal career, Greer has tried numerous cases, including complex class actions, to juries. His achievements have been recognized by industry publications, including Georgia Super Lawyers, Atlanta magazine and Chambers & Partners USA. Greer sits on the boards of numerous organizations, including the Atlanta Historical Society and the Center for Civil & Human Rights.

[www.gtlaw.com](http://www.gtlaw.com) association

Betsy C. Griswold

**Association of Corporate Counsel, Georgia Chapter**

**President**

Age: 51

**Education:** Bachelor's degree, University of North Carolina-Charlotte; law degree, Mercer University

**Career highlights:** Griswold is an attorney in the Corporate Legal Department of United Parcel Service Inc., where she supports business development for UPS Supply Chain Solutions. Before UPS, she was in-house counsel at Heidelberg USA. She also worked in the banking and financial services industry, serving as an attorney with the Federal Deposit Insurance Corp. and as deputy general counsel of the Atlanta Housing Authority.

[www.ace.com/chapters/georgia Law](http://www.ace.com/chapters/georgia Law)

Richard Hays

**Alston & Bird LLP**

**Managing partner**

Age: 50

**Education:** Bachelor's degree, Harvard University; master's degree, Edinburgh University; law degree, Vanderbilt University

**Career highlights:** Hays is the managing partner of Alston & Bird and is on the firm's Partners' Committee. From 1999 to 2005, he co-chaired the firm's Litigation & Trial Practice Group, leading 200-plus lawyers in its New York, Washington, D.C., Atlanta and North Carolina offices. During 2008, Hays oversaw the firm's West Coast expansion into Los Angeles and Silicon Valley. He has been selected for inclusion in The Best Lawyers in America.

[www.alston.com](http://www.alston.com)
Robert D. Hays Jr.
King & Spalding LLP
Chairman
Age: 52

Education: Bachelor's degree, University of North Carolina; law degree, Vanderbilt University

Career highlights: Hays, who has been chairman of King & Spalding and its Policy Committee since 2006, has grown this international law firm of 800 lawyers to 16 offices worldwide from five, with a significant push outside the United States. The largest law firm in Atlanta, King & Spalding represents half of the Fortune 100 and ranks 34th in the 2010 AmLaw 100. Hays in an accomplished trial lawyer in product liability and mass tort litigation, with 28 years of experience.

Patrick H. Head
Office of the District Attorney, Cobb Judicial Circuit
District attorney
Age: 63

Education: Associate's and bachelor's degrees, Southern Technical Institute (now Southern Polytechnic State University); law degree, Woodrow Wilson College of Law

Career highlights: Previously, Head was associate engineer and group leader with an international telecommunications engineering company and held various positions with an international telecommunications manufacturing and sales company. Head has been a member of the State Bar of Georgia since 1978.

Glenn P. Hendrix
Arnall Golden Gregory LLP
Managing partner
Age: 51

Education: Bachelor's degree, New College of Florida; law degree, Emory University

Career highlights: Hendrix is managing partner of the firm and maintains an active practice in the areas of commercial and administrative dispute resolution, including litigation, international arbitration and administrative appeals, with much of the work on behalf of companies in the health-care industry. He is active in the American Bar Association.
R. Javoyne Hicks White
DeKalb County District Attorney’s Office
Acting district attorney

Career highlights: Before becoming acting district attorney, Hicks White was one of two chief assistant district attorneys. She managed the office’s white-collar crime, domestic violence/sexual assault units, drug court, a pretrial diversion program, the grand jury and the office’s Juvenile Court unit. She was also responsible for the child support unit, support staff, oversaw the development and implementation of office policies and procedures, human resources matters and the budget. In prior positions she worked as an assistant attorney general for the Georgia Attorney General’s Office.

www.dekalbda.org

Al B. Hill
Taylor English Duma LLP
Managing partner
Age: 50

Education: Bachelor’s degree in agricultural engineering, Auburn University; MBA, South Alabama; law degree, The University of Georgia

Career highlights: Hill practices corporate and transactional law, primarily representing mid-market manufacturing and technology companies. He began his career at Powell, Goldstein, Frazer & Murphy LLP and has since held executive positions in both law and business with large and midsized manufacturing companies. That includes seven years with the former National Service Industries Inc. (now Acuity Brands Inc.), serving as senior assistant counsel and as director of mergers and acquisitions. He joined Taylor English Duma in 2006.

www.taylorenglish.com

G. Wayne Hillis Jr.
Parker, Hudson, Rainer & Dobbs LLP
Managing partner, Atlanta, Partner Litigation Practice Group
Age: 49

Education: Bachelor’s and law degrees, The University of Georgia

Career highlights: Hillis became managing partner on Jan. 1, 2008. He is a senior partner in the Litigation Practice Group, chair of the firm’s Executive Committee and a member of the firm’s Diversity Committee. He has more than 20 years of experience, representing broker/dealers in securities disputes and various clients in employment-related disputes and commercial disputes. Hillis was admitted to the Georgia bar in 1986, has practiced at the firm since Jan. 1, 1989, and was named a partner in 1994.

www.phrd.com

Sarah M. “Sally” Hogsette
Atlanta Bar Foundation
Executive director
Education: Bachelor’s degree, The University of Georgia; law degree, Emory University
School of Law

Career highlights: Hogsette served as law clerk to Justice Charles L. Weltner in the Supreme Court of Georgia, as assistant general counsel and officer at Life Insurance Co. of Georgia, and for 19 years, as Delta Air Lines Inc. general attorney.

www.atlantabar.org/displaycommon.cfm?an=4
Phyllis J. Holmen
Georgia Legal Services Program Inc.
Executive director
Education: Bachelor’s and law degrees, University of Illinois

Career highlights: Holmen has been executive director of the Georgia Legal Services Program since 1990. She is a member of the Executive Committee of the State Bar of Georgia board of governors and is active with several State Bar committees. In 2005, Holmen received the Atlanta Bar Association’s Leadership Award.

www.glsp.org
Paul L. Howard Jr.
Office of the Fulton County District Attorney
District attorney
Education: Bachelor’s degree, Morehouse College; law degree, Emory University

Career highlights: Howard assumed the Office of Fulton County District Attorney in 1997, becoming the first African-American to be elected district attorney in Georgia’s history.

www.fultonda.org
John M. “Skip” Hudgins IV
Weinberg, Wheeler, Hudgins, Gunn & Dial LLC
Managing partner
Education: Bachelor’s degree, University of Virginia; law degree, The University of Georgia

Career highlights: Hudgins’ trial practice areas include health care, professional liability and catastrophic injury cases.

www.wwhgd.com
Carol W. Hunstein
Supreme Court of Georgia
Chief justice
Age: 65

Education: Bachelor’s degree, Florida Atlantic University; law degree, Stetson University
College of Law

**Career highlights:** Hunstein was appointed to the Supreme Court of Georgia in 1992 by then-Gov. Zell Mill. She is the second woman in history to serve as a permanent member of the court. She has been re-elected three times.

www.gasupreme.us

Shakura L. Ingram
The Gate City Bar Association
President

**Education:** Bachelor's degree in English, Clark Atlanta University; law degree, Georgia State University

**Career highlights:** Ingram is an associate in the Litigation Section of Thomas Kennedy Sampson & Tompkins LLP. She began her career as an assistant solicitor for the City Court of Atlanta, where she first gained jury trial experience. After leaving the Solicitor's Office, she joined the Fulton County District Attorney's Office.

www.gatecitybar.org

K. Dawson Jackson
Gwinnett County Superior Court
Chief judge

**Age:** 63

**Education:** Bachelor's and law degrees, Emory University

**Career highlights:** Jackson has served as a Gwinnett Superior Court judge since 1982, and as chief judge since 1999. He also served as a Gwinnett State Court judge from 1979 to 1982.

www.gwinnettcourts.com

Joann G. Jones
McKenna Long & Aldridge LLP
Office managing partner

**Education:** Bachelor's degree, Chestnut Hill College; law degree, University of Virginia

**Career highlights:** Jones is a partner in the Real Estate and Finance Department of McKenna Long & Aldridge LLP, with a focus in commercial real estate development, particularly in the health-care industry.

www.mckennalong.com

Steven J. Kaminshine
Georgia State University College of Law
Dean and professor of law

**Age:** 58

**Education:** Bachelor's degree, New York University at Albany; law degree, DePaul University
Career highlights: Kaminshine was appointed dean of the College of Law in 2005. He has been a member of the law faculty since 1985.

http://law.gsu.edu Law

Steven L. Kennedy
Seyfarth Shaw LLP
Managing partner

Education: Bachelor's degree, Duke University; law degree, University of North Carolina

Career highlights: Kennedy represents developers in all aspects of the acquisition, development, construction, financing, joint venture formation, leasing and sale of multifamily, office and retail developments.

www.seyfarth.com

Richardson R. Lynn
Atlanta's John Marshall Law School
Dean and professor of law
Age: 60

Education: Bachelor's degree, Abilene Christian University; law degree, Vanderbilt University

Career highlights: Lynn became dean of Atlanta's John Marshall Law School in 2006. He previously served as dean of Pepperdine University School of Law in Malibu, Calif., from 1997 to 2003. Lynn participated in numerous American Bar Association site inspections of law schools and is a former member of the Membership Review Committee at the American Association of Law Schools.

www.johnmarshall.edu

Philip J. Marzetti
Paul, Hastings, Janofsky & Walker LLP
Atlanta office chair
Age: 59

Education: Bachelor's degree, Boston College; law degree, Harvard University

Career highlights: Marzetti is office chair of the Atlanta office and immediate past chair of the Tax Department of the firm. He is listed in current issues of Chambers USA and The Best Lawyers in America. Marzetti was selected by his peers as one of Georgia's Legal Elite and as a Super Lawyer. Marzetti is a trustee and past president of Georgia Federal Tax Conference Inc.

www.paulhastings.com

Thomas McNeill
Bryan Cave LLP
Managing partner - Atlanta
Age: 58
Education: Bachelor’s degree, University of Southern Florida; law degree, Emory University

Career highlights: McNeill represents public and private companies in corporate governance, mergers and acquisitions, and corporate finance activities. He also provides counsel to foreign companies doing business in the U.S. and Southeastern-based companies involved in international business. McNeill is past chair of the Business Law Section of the State Bar of Georgia and currently serves on the Corporate Laws Committee of the American Bar Association.

M. Yvette Miller
Court of Appeals of Georgia
Chief judge
Education: Bachelor’s and law degrees, Mercer University; master of laws degree, Emory University; master of laws degree, University of Virginia

Career highlights: Miller is the first African-American woman to serve as chief judge of the Court of Appeals of Georgia. In October 2008, she was unanimously elected by her fellow judges to serve as chief judge for a two-year term, which began Jan. 1, 2009. Miller was originally appointed to the Court of Appeals by Gov. Roy Barnes on July 12, 1999, when she became the first African-American woman and 65th judge on the court.

Kenneth Millwood
Nelson Mullins Riley & Scarborough LLP
General counsel; managing partner, Atlanta office
Age: 62

Education: Bachelor’s and law degrees, The University of Georgia; MBA, Georgia State University

Career highlights: Millwood is experienced in the areas of complex financial and commercial litigation. He has successfully tried cases involving securities, lender liability, antitrust claims, real estate investments and financing transactions. He has represented clients in health-care disputes and state and federal regulatory and administrative hearings, and has jury and non-jury experience.

David E. Nahmias
Supreme Court of Georgia
Justice
Age: 46

Education: Bachelor’s degree, Duke University; law degree, Harvard Law School

Career highlights: Nahmias was appointed to the Supreme Court of Georgia on Aug. 13,

David F. Partlett
Emory University School of Law
Dean and Asa Griggs Candler Professor of Law
Age: 62

Education: University of Sydney School of Law; University of Michigan Law School; University of Virginia School of Law

Career highlights: Since June 2006, David Partlett has been the Dean and Asa Griggs Candler Professor of Law at Emory University School of Law. Partlett served as vice president, dean and professor of law at Washington and Lee University School of Law from 2000 until July 2006. Previously, he was acting dean and professor at Vanderbilt University Law School.

Daniel J. Porter
Gwinnett County District Attorney’s Office
District attorney
Age: 55

Education: Law degree, The University of Georgia

Career highlights: Porter’s career with the Gwinnett County District Attorney’s Office began in 1981, immediately upon graduation. He served as a trial assistant for three years and was promoted to senior assistant district attorney. Subsequently, he was assigned as head of the Trial Division of the District Attorney’s Office, supervising trial attorneys. Porter also assumed the additional duties of the drug prosecutor and began the organization of a special drug prosecution unit. Porter was elected District Attorney of Gwinnett County in 1992.

Kurt Powell
Hunton & Williams LLP
Managing partner, Atlanta office
Age: 50

Education: Bachelor’s degree, University of Iowa; law degree, Washington and Lee University

Career highlights: Powell is managing partner of the Atlanta office, a partner in the Labor and Employment Practice, and represents management in lawsuits and agency proceedings throughout the country. Cases involve employment discrimination and harassment allegations,
whistle-blower claims, employee benefits issues, employment tort and contract claims, wage and hour issues, non-competition and non-solicitation agreements, and trade secrets misappropriation issues. Powell has been recognized as a Super Lawyer by Atlanta Magazine and among Georgia's Legal Elite in Georgia Trend magazines numerous times.

Diane Prucino
Kilpatrick Stockton LLP
Co-managing partner
Age: 53

Education: Bachelor's degree, Duke University; law degree, University of Virginia

Career highlights: Prucino has been the firm's co-managing partner responsible for attorney resources since January of 2007. She previously served on the firm's Executive Committee and as the department chair of the firm's Labor, Employment and Employee Benefits Department. In her broad-ranging practice, Prucino gives employment law advice and defends employment discrimination, sex harassment, overtime pay, and other employment claims in court. She also handles reductions in force, investigates harassment and discrimination complaints, and conducts other workplace investigations for employers. Prucino is listed in The Best Lawyers in America, Georgia Super Lawyers and Georgia Trend's Legal Elite.

John P. Reale
Drew Eckl & Farnham LLP
Chairman

Education: Bachelor's degree, Trinity College; law degree, Vanderbilt University

Career highlights: Reale is a member of the State Bar of Georgia and is admitted to practice before the U.S. District Court and the 11th Circuit Court of Appeals. Reale specializes in civil tort litigation and workers' compensation.

Clinton D. Richardson
Womble Carlyle Sandridge & Rice PLLC
Managing member, Atlanta

Education: Bachelor's degree, Albion College; law degree, Duke University

Career highlights: Richardson manages Womble Carlyle's Atlanta office and is a member of the firmwide Management Committee. He works with growing companies and the entities that finance them.
Age: 62

**Education:** Bachelor's degree, Duke University; law degree, University of Virginia

**Career highlights:** A frequent lecturer, Sacha has spoken before the Southeastern Safety and Health Conference, the Workers' Compensation Claims Management Programs sponsored by the Georgia Tech Research Institute, the Employers Liability Law Committee and the American Bar Association.

[www.swiftcurrie.com](http://www.swiftcurrie.com)

**Robert L. Shannon Jr.**

**Hall, Booth, Smith & Slover P.C.**

**Partner; chair, Mass Torts and Products Practice Group**

**Education:** Bachelor's degree, Valdosta State University; master's degree, Oklahoma State University; law degree, The University of Georgia

**Career highlights:** Shannon is a brigadier general and currently serves as vice commander of the Georgia Air National Guard, and is on the board of the World Trade Center Atlanta.

[www.hbss.net](http://www.hbss.net)

**Jack N. Sibley**

**Hawkins Parnell Thackston & Young LLP**

**Managing partner**

Age: 62

**Education:** Bachelor's degree, University of Virginia; law degree, The University of Georgia

**Career highlights:** He leads the Business Litigation Practice Group and concentrates his practice in commercial and contract litigation, business torts, construction and trust and estate litigation.

[www.hptylaw.com](http://www.hptylaw.com)

**Matthew O. Simmons**

**Clayton County Superior Court**

**Chief judge**

**Education:** Bachelor's and law degrees, The University of Georgia; master of laws in taxation, Emory University

**Career highlights:** Simmons served as a city councilman and later as mayor for the city of Forest Park. He became a judge for Clayton County Superior Court in 1993.

[www.co.clayton.ga.us/superior_court](http://www.co.clayton.ga.us/superior_court)

**Mason W. Stephenson**

**King & Spalding LLP**

**Managing partner - Atlanta office; partner, Real Estate Practice Group**
Age: 64

Education: Bachelor's degree, Davidson College; law degree, University of Chicago

Career highlights: Stephenson serves as managing partner of the firm's Atlanta office and as one of the senior partners in its Commercial Real Estate Group. He has more than 39 years of experience.

www.kslaw.com

S. Lester Tate III
State Bar of Georgia
President

Education: Georgia Tech; law degree, University of South Carolina School of Law

Career highlights: Tate became the 48th president of the State Bar of Georgia in June 2010. A shareholder in Akin & Tate P.C., he is widely recognized as one of the state's top trial lawyers. In 2007, Georgia Trend magazine named him one of Georgia's Legal Elite, and he is an Atlanta magazine Georgia Super Lawyer.

www.gabar.org

Michael B. Terry
Atlanta Bar Association Inc.
President

Age: 49

Education: Bachelor's and law degrees, The University of Georgia

Career highlights: Terry is a partner at Bondurant, Mixson & Elmore LLP. His practice focuses on appeals in complex commercial matters and class actions. He is a member of the American Academy of Appellate Attorneys. He is also a previous chair of the Litigation Section of the Bar.

www.atlantabar.org

Lizanne Thomas
Jones Day
Partner-in-charge, Atlanta office

Age: 52

Education: Bachelor's degree, Furman University; law degree, Washington and Lee University

Career highlights: Thomas is the former firmwide administrative partner. Currently, she is head of the firm's Global Corporate Governance Practice, as well as head of the 150-lawyer Atlanta office.

www.jonesday.com
Guillermo E. Todd Jr.

Georgia Hispanic Bar Association
President

Education: Bachelor's degree, Brown University; law degree, Fordham University School of Law

Career highlights: Todd has a background in real estate and commercial agreements. He is licensed to practice law in Georgia and New York. Todd's professional career includes: claims counsel, Omaha Loan Center, Fidelity National Title Group Inc. (2009-present); associate, Real Estate and Banking Department, Bryan Cave LLP (2006-2009); and senior assistant city attorney, Aviation Division, City of Atlanta Department of Law (2004-2006).

www.georgiahispanicbar.org
Michael J. Warshauer
Georgia Trial Lawyers Association
President
Age: 52

Education: Bachelor's and law degrees, University of South Carolina

Career highlights: Warshauer limits his practice to the trial and resolution of catastrophic personal injury and wrongful death cases. He has tried cases throughout Georgia and the Southeast, including cases relating to medical negligence, products liability, truck wrecks and railroad litigation. He has also appeared before various appellate courts including all of Georgia's appellate courts and the Supreme Court of the United States.

www.gtla.org
Mark D. Wasserman
Sutherland, Asbill & Brennan LLP
Managing partner
Age: 49

Education: Bachelor's and master's degrees, Clemson University; law degree, Emory University

Career highlights: Wasserman serves on the board of directors of the Atlanta Symphony Orchestra, the board of Equal Justice Works, the advisory board for the Pro Bono Institute at Georgetown University, and the boards of the American-Israel Chamber of Commerce, the Boys & Girls Clubs of Metro Atlanta, Clemson University Research Foundation and Metro Atlanta Chamber. He is a graduate of Leadership Cobb.

www.sutherland.com
Robert W. Webb Jr.
Troutman Sanders LLP
Chairman and managing partner
Age: 60

**Education:** Bachelor's degree, Vanderbilt University; law degree, University of Virginia

**Career highlights:** Webb became managing partner of Troutman Sanders at age 43 and was named chairman in January 2006. Under his leadership, the firm has grown to more than 650 attorneys in 16 offices worldwide. The firm merged last year with 100-lawyer Ross, Dixon & Bell LLP, enabling Troutman Sanders to expand into the Chicago, San Diego and Orange County, Calif. markets.

[www.troutmansanders.com](http://www.troutmansanders.com)

**Louise Wells**  
Morris, Manning & Martin LLP  
Managing partner

Age: 56

**Education:** Bachelor's degree, Emory University; law degree, The University of Georgia, Emory University

**Career highlights:** Wells is the managing partner of Morris, Manning & Martin and the founding partner of the firm’s Residential Real Estate practice. Her client base includes many of the Southeast’s largest lenders, developers and builders. She began as the first female lawyer at Morris, Manning & Martin, subsequently becoming the firm’s first female partner, and now the first female managing partner.

[www.mmmlaw.com](http://www.mmmlaw.com)

**Gregory H. Wheeler**  
Carlock, Copeland & Stair LLP  
Managing partner

Age: 44

**Education:** Bachelor's degree, University of South Dakota; law degree, University of Nebraska

**Career highlights:** Wheeler has been the managing partner of Carlock, Copeland & Stair for more than five years, and is the Construction Litigation Practice Group leader. He practices full time, representing design professionals, contractors, subcontractors, and insurers in virtually all types of construction disputes. Carlock Copeland is a leading civil trial and litigation firm.

[www.carlockcopeland.com](http://www.carlockcopeland.com)

**Rebecca Hanner White**  
The University of Georgia School of Law  
Dean

**Education:** Bachelor’s degree, Eastern Kentucky University; law degree, University of Kentucky
Career highlights: White was named dean of The University of Georgia's law school in October 2004, after serving 14 months as interim dean. She is the first woman in the law school's history to hold this position. Before becoming dean, White served as associate provost and associate vice president for academic affairs at UGA and has been a member of the School of Law's faculty since 1989.

www.law.uga.edu

Cynthia D. Wright
Fulton County Superior Court
Chief judge

Education: Wesleyan College; law degree, The University of Georgia

Career highlights: Wright was appointed to the court on Nov. 1, 1996. She has since been elected to three terms without opposition. Prior to assuming her current judgeship, she served as a judge of the State Court of Fulton County. She also served as chief legal counsel to Gov. Zell Miller for his first term (1991-1995). During that period of time, she authored the legislation and constitutional amendment which established the Lottery for Education. Prior to working with Miller, earlier in her career, she was assistant legal counsel to Gov. George Busbee (1978-1980).

www.fultonecourt.org

Who's Who in Accounting 2010

Key accounting professionals

For this year's Who's Who in Law & Accounting, the Chronicle also scoured the community for the major players and decision-makers in Atlanta's accounting industry.

The services of these men and women have become even more crucial for companies facing a tough economy. Criteria for the 2010 list includes heads of the Top 25 Accounting Firms in the Chronicle's annual Book of Lists. Also included are the leaders of local chapters of accounting associations and chief financial officers of top public companies based in Atlanta, as well as the state of Georgia's CFO, Thomas Hills.

Susan R. Bell
Ernst & Young LLP
Atlanta office managing partner

Age: 47

Education: Bachelor's degree, Mississippi State University

Career highlights: In 2007, Ernst & Young appointed Susan Bell office managing partner — the first female managing partner of a Big Four accounting firm in Atlanta. Bell is an assurance and business advisory partner and serves on the firm's Americas Advisory Council and Global Utilities Advisory Council. Bell is on the boards of the Atlanta Historical Society, United Way and the Woodruff Arts Center.
Deloitte LLP
Managing partner, Atlanta/Birmingham practice
Age: 55

Education: Bachelor’s degree and MBA, University of North Carolina, Chapel Hill

Career highlights: Branch was named office managing partner in December 2007. He previously served as regional managing director for Deloitte Consulting in the Southeast region and managing director of the Atlanta office of Deloitte Consulting. He assumed his consulting leadership post in 2005, after completing an international assignment for the firm in Europe.

www.deloitte.com/us

Chris D. Clayton
Babush, Neiman, Kornman & Johnson LLP
Managing partner
Age: 52

Education: Bachelor’s of business administration in finance and juris doctor in law, The University of Georgia

Career highlights: Clayton’s dual role as a CPA and firm managing partner has helped him provide clients with accounting and consulting services, as well as insight into business planning, operation management and oversight issues. Clayton has been an attorney and tax partner for more than 25 years, and he has been managing partner for 14 years. Clayton is on the board of the Frazer Center.

www.bnkj.com

S.A. de Kock
Rödl Langford de Kock LLP
Managing partner
Age: 53

Education: Bachelor of law and commerce degrees, University of Stellenbosch, South Africa

Career highlights: De Kock’s most notable achievements include merging the firm of Langford de Kock & Co. with Rödl & Partner out of Nuremberg, Germany, a worldwide professional service firm with 84 offices and 3,000 employees. This created the first U.S. presence of a German professional services firm with offices in Atlanta, Charlotte, Greenville, Birmingham, Chicago and New York.

www.roedl.com/us

Ronald Detweiler
H&R Block Tax & Business Services
Region director
Age: 56
Education: Bachelor’s degree, University of Iowa

Career highlights: Detweiler has more than 31 years of experience as a certified public accountant in a combination of private practice, public accounting and regional firm management for American Express Tax and Business Services and H&R Block Tax and Business Services, including two years of financial planning with American Express. He has expertise in personal and business taxation and overall financial, retirement and estate planning.

www.hrblock.com/tbs
William W. “Bill” Douglas III
Coca-Cola Enterprises Inc.
Executive vice president, chief financial officer
Age: 49

Education: Bachelor’s degree, The University of Georgia

Career highlights: Prior to joining Coca-Cola Enterprises in 2004, Douglas served as chief financial officer of Coca-Cola HBC, one of the largest bottlers of nonalcoholic beverages in Europe. In four years there, he led the acquisition of the Russian Coca-Cola franchise and executed the successful expansion of the company’s non-carbonated beverage portfolio.

www.cokecce.com

Marcus G. Dowling
Moore Stephens Tiller LLC
Managing partner
Education: Bachelor’s degree in accounting, Valdosta State University

Career highlights: Dowling joined the firm in 1982. In 1990, he was admitted to membership in the firm. He is head of the firm’s Attest and Assurance Services Practice. Much of his work centers on working with closely held business and nonprofit organizations in the areas of assurance services, accounting support and business consultation. Dowling has served on the boards of Orchestra Atlanta and the Georgia Society of CPAs.

www.mstiller.com
Michael Dukes
Bennett Thrasher P.C.
Managing partner
Age: 43

Education: Spring Hill College (Mobile, Ala.)

Career highlights: Dukes is the managing shareholder of Bennett Thrasher, a 30 year-old mainstay in Atlanta. Previously, he led the firm’s Assurance and Advisory Services Group since 2004, and also launched the firm’s Dispute Resolution and Forensics Practice. Dukes is a
former partner at Ernst & Young LLP and Arthur Andersen in Atlanta, and is active in the American Institute of CPAs' nationwide peer review program. He founded the firm's BT Track Club, and serves on the Business Advisory Committee of Spring Hill College.

www.btcpa.net
Royce Duncan
Georgia Society of CPAs
Chairman
Education: Bachelor's degree, Jacksonville University; CPA certification

Career highlights: Royce began his accounting career in the audit department of PriceWaterhouse & Co. in the Jacksonville, Fla., office. For 35 years, he has worked diligently in public accounting in a variety of firms from some of the largest in the country (PriceWaterhouse and Deloitte Haskins & Sells) to being a sole practitioner for five years. He also worked a six-month chief financial officer job for a local company. Ten years into his career, Royce joined the firm of Rhodes, Young, Black & Duncan, CPAs, where he serves as a partner.

www.gscpa.org
David Evans
Dixon Hughes PLLC
Managing member, Atlanta region
Age: 39
Education: Bachelor's degree and master of accountancy, University of Tennessee

Career highlights: Evans received the inaugural Outstanding Young Alum award from the University of Tennessee's College of Business Administration in November of 2009. That same year, he helped lead the Dixon Hughes Atlanta office to rank among the top five Best Companies to Work For in its category by Atlanta Business Chronicle. Evans serves as a board member and Audit Committee chair for St. Jude's Recovery Center.

www.dixon-hughes.com
Gary P. Fayard
The Coca-Cola Co.
Chief financial officer, executive vice president
Age: 58
Education: Bachelor's degree, University of Alabama

Career highlights: Fayard joined the company in 1994 as vice president and controller. Fayard was promoted to his current position in 2003. Fayard serves on the board of directors of Coca-Cola Enterprises Inc. and Coca-Cola FEMSA, The Coca-Cola Co.'s two largest public bottling partners. He also serves on the board of the Atlanta Area Council of the Boy Scouts and The University of Alabama Board of Visitors. Before joining the company, Fayard served 19 years with Ernst & Young LLP, concluding his service there as partner.
Hank Halter
Delta Air Lines Inc.
Senior vice president, chief financial officer
Age: 45

Education: Bachelor's degree, Villanova University; master's degree in business administration, Duke University

Career highlights: Halter is responsible for the finance and planning of Delta's operation. He came to Delta in 1998 from American Airlines, where he held various finance positions in corporate reporting, financial planning and corporate real estate. Before his tenure with American Airlines, he was a senior accountant in the Philadelphia office of Ernst & Young LLP. He is on the board of directors of the Boys & Girls Clubs of Metro Atlanta.

Thomas D. Hills
Office of the Governor, State of Georgia
State CFO
Age: 65

Education: Bachelor's and law degrees, Emory University; master's degree, Georgia State University

Career highlights: From 1965 to 2001, Hills worked for Wachovia Bank N.A. In his last position at the bank, he was executive vice president and Atlanta city president. Hills' civic and community involvement has included the Atlanta Historical Society, the Hospital Authority of Fulton County and the Metro Atlanta Chamber. He is a member of the State Bar of Georgia and American Bankers Association Alumni Council.

James C. Howard
Smith & Howard P.C.
Managing partner
Age: 68

Education: Bachelor's and master's degrees, Georgia State University; law degree, Woodrow Wilson College of Law

Career highlights: Howard is the managing partner of Smith & Howard P.C. He is a member of the American Institute of Certified Public Accountants and the Georgia Society of Certified Public Accountants. Howard has served on the advisory board of the BDO International Alliance of CPA firms, and is a member of the Georgia and American Bar Associations.
Wesley P. Hudson
Reznick Group
Office managing principal
Age: 43

Education: Bachelor's degree and master's of accountancy, Auburn University

Career highlights: Hudson is the managing principal in the Atlanta office and is the practice leader of the audit department. Hudson directs his teams in the performance of audits in accordance with accounting principles generally accepted in the U.S. He also oversees the Securities and Exchange Commission Practice in the Atlanta office and is responsible for a variety of mid-market and real estate clients. Hudson is continually involved in high-level GAAP audit issues and is considered an industry leader in the real estate arena.

www.reznickgroup.com

Dick Ingwersen
Gifford, Hillegass & Ingwersen LLP
Chairman of the Executive Committee
Age: 62

Education: Bachelor's degree, Auburn University; law degree, Emory University

Career highlights: Ingwersen was named Outstanding Alumnus from Auburn University School of Accounting in 2008; received the Public Service Award for the state of Georgia from the Georgia Society of CPAs in 1992; and received Most Innovative Firm Leader award from the Leading Edge Alliance in 2003. Gifford, Hillegass & Ingwersen LLP has been selected by INSIDE Public Accounting as a Best of the Best Top 50 firm annually since 2003; and named to its All-Star lists of Training, Long Range Planning and Human Resources.

www.ghi-cpa.com

Timothy F. Kemper
Reznick Group
South region managing principal
Age: 46

Education: Bachelor's degree, University of Maryland

Career highlights: Kemper is the South region managing principal based in the firm's Atlanta office. He leads the Atlanta office's Real Estate Consulting Practice and the Renewable Energy Practice. Kemper has broad knowledge of, and experience in, the areas of public and private real estate syndication, commercial and residential real estate developments and workout situations, passive activity rules, and financial and tax planning, as well as renewable energy developments. His clients include Fortune 500 companies.

www.reznickgroup.com

William Kimble
KPMG LLP
Office managing partner
Age: 50

Education: Bachelor’s degree in business administration, Southern Methodist University

Career highlights: Kimble has held a variety of leadership positions at KPMG since joining the New Orleans office in February 1986 and being admitted to the partnership in 1994. Prior to his current role as Atlanta office managing partner, Kimble was KPMG’s National Sector Leader - Energy & Natural Resources, based in Houston. He has hosted KPMG’s annual Global Energy Conference for the past several years. He continues to serve as a member of the ENR Global Leadership Team. Kimble has also served as global chairman of KPMG’s Industrial Markets practice.

www.us.kpmg.com
Robert R. Kiser
Moore Colson
Managing partner
Age: 58

Education: Bachelor’s degree in accounting, Clemson University; MBA, Southern Illinois University; College of Financial Planning

Career highlights: A partner for more than 12 years, Kiser joined Moore Colson in 1985. Prior to 1985, he spent 14 years as a pilot — six years in the U.S. Air Force and eight years for a commercial airline. During Kiser’s tenure with Moore Colson, he has been instrumental in its success resulting in countless accolades: One of America’s Top 25 Best Managed Firms, by IPA; Best Places to Work; Fastest-Growing Atlanta Firms; and recognized annually as one of Atlanta’s Top 25 Accounting Firms by Atlanta Business Chronicle.

www.moorecolson.com
John Klisch
BDO USA LLP
Assurance Business Line Leader, Atlanta office
Age: 44

Education: Bachelor’s degree in accounting, Florida State University

Career highlights: Klisch has nearly 22 years of experience in accounting and auditing, of which more than 20 have been with the Atlanta office of BDO. He also serves as the accounting and auditing director of the firm’s Atlanta practice office and as a team leader of BDO’s Quality Review Group that evaluates other offices’ assurance practices, ensuring their compliance with both firm and professional standards. He has deep specialization in the technology and media industries.

www.bdo.com
Kurt Kuehn
United Parcel Service Inc.

Chief financial officer

Age: 55

Education: Bachelor's degree, Yale University; MBA, University of Miami; graduate of the Advanced Management Program of the Wharton School of Business

Career highlights: Kuehn is responsible for all activities related to accounting, auditing, finance, financial planning, taxes and treasury for UPS. He also acts as a liaison to the finance, investor and analyst communities. Kuehn serves as a member of the UPS Management Committee, responsible for the company's day-to-day management. He began his UPS career in 1977 as a delivery driver.

www.ups.com

W. Seth McDaniel
Frazier & Deeter LLC
Managing partner

Age: 41

Education: Rhodes College

Career highlights: McDaniel worked for KPMG and Deloitte for 12 years before joining the Public Company Accounting Oversight Board. He was the first person promoted to the associate director role and ran the inspection of a Big Four firm. In 2005, he joined Frazier & Deeter and became the Audit Practice leader in 2006. McDaniel assumed the role of managing partner of Frazier & Deeter in January of 2010. He was a member of the American Institute of CPAs' peer review board and co-authored the profession's peer review and quality control standards.

www.frazierdeeter.com

Charles L. McGimsey
Windham Brannon P.C.

President and CEO

Age: 53

Education: Bachelor's of science and art degrees, East Carolina University

Career highlights: McGimsey leads the firm in its fifth decade. His areas of client service include corporate, partnership, individual taxation, litigation support, and IRS controversy. As a certified fraud examiner, McGimsey has provided expert consulting and witness services in large fraud cases, disputes on lost profits, insolvency determination, financial projections, business valuation, income tax matters, professional malpractice, and claims administration for class-action settlements.

www.windhambrannon.com
H. Phillip Moore Jr.
Porter Keadle Moore LLP
Managing partner
Age: 50

Education: Bachelor's degree in accounting, Georgia Southern College

Career highlights: As managing partner, in addition to maintaining a select group of client relationships, Moore devotes much of his time to the people side of the firm, strategic planning, growth and succession of the firm. With respect to client engagements, he has devoted more than 25 years of his career to the accounting and auditing of community banks and is actively involved with several organizations dedicated to meeting the needs of financial institutions.

www.pkm.com

D. Greg Morgan
Mauldin & Jenkins LLC (M&J)
Partner-in-charge of Atlanta office
Age: 53

Education: Bachelor's degree in business administration, Georgia Southern University

Career highlights: In addition to his administrative duties, Morgan is responsible for serving clients in the general service area of the firm. His focus is closely held, family-owned businesses in various industries. As client executive, he is responsible for the delivery of services to the client by the M&J team. Those services include the traditional audit/review/compilation financial reporting, and tax planning and compliance.

www.mjcpa.com

Norma Jean Ogle
Georgia Association of Accountants and Tax Professionals
Executive director
Age: 70

Education: Georgia State College

Career highlights: For 35 years, Ogle owned and operated an accounting and tax practice in Smyrna that specialized in small business. She sold the practice in 2001. Ogle has been a member of the Georgia Association of Accountants and Tax Professionals since 1975, having held all offices including president. She has served as executive director since 1996. Ogle joined the National Society of Accountants in 1977.

www.gaatp.org

Paul Paris
AGH
Managing member
Age: 67

Education: Bachelor’s degree, Bethany College; MBA, Bernard Baruch

Career highlights: Paris is responsible for creating the vision for AGH’s growth. His success in fostering an entrepreneurial, free thinking, trusting environment has been recognized many times as AGH was named the No. 1 Best Place to Work in Atlanta two years in a row and the Fastest Growing Accounting Firm in Atlanta. His representation of emerging companies and established closely held businesses in the finance and service industries is natural as he earned his expertise working for, and with, similar companies for more than 40 years.

www.aghllc.com
Kip M. Plowman
Cherry, Bekaert & Holland LLP
Managing partner, Atlanta
Age: 45

Education: Bachelor’s degree, The University of Georgia

Career highlights: Plowman is a member of this Southeast regional CPA firm’s executive board and serves as the managing partner of its Atlanta office. He leads the firm’s Health-Care and Medical Sciences Group, specializing in audit and business solutions for mid-market professional service organizations for the health care, technology, life science and logistics industries. He was appointed by multiple Georgia governors to serve on the policy oversight boards for the state of Georgia.

www.cbh.com
Gary Price
PricewaterhouseCoopers LLP
Managing partner, Greater Atlanta market
Age: 49

Education: Bachelor’s of arts and science degrees, The Ohio State University

Career highlights: Price is the Greater Atlanta market managing partner of PricewaterhouseCoopers LLP and is responsible for all aspects of the firm’s 1,300-plus person practice, including the delivery of assurance, tax and consulting services to public and private organizations. Price is also active in the community through service on the executive committee and as treasurer of the Metro Atlanta Chamber.

www.pwc.com
Elizabeth Salvati
HLB Gross Collins P.C.
CEO, principal
Age: 50
Education: Bachelor’s degree in accounting and master of accountancy, University of Tennessee

Career highlights: Salvati has been a driving force behind HLB Gross Collins P.C.’s success for 26 years. As the firm’s first female CEO, she has been vital in building the firm’s reputation as one of Atlanta’s top CPA firms and one of America’s Best Managed Accounting firms. She has extensive expertise in tax and personal financial planning. Designations include Certified Public Accountant, Personal Financial Specialist and Certified Financial Planner.

www.hlbgrosscollins.com

André Schnabl
Grant Thornton LLP
Managing partner

Education: Bachelor’s degree, University of London

Career highlights: Schnabl joined Grant Thornton LLP in Zimbabwe and spent time in the Montreal office before transferring to the Atlanta office. He serves on a variety of national initiatives, and has been involved at a national level with the leadership of women at Grant Thornton. He is a founding trustee of the Atlanta International School, past chairman and a member of the executive committee of the American-Israel Chamber of Commerce, serves on the Junior Achievement board of directors, and is a trustee of the Kennesaw State University Foundation.

www.grantthornton.com

Dan Simms
Habif, Arogeti & Wynne LLP
Managing partner, CEO

Age: 54

Education: Bachelor’s degree in business administration, University of Louisville; Governmental Accounting and Auditing Certificate of Educational Achievement

Career highlights: Simms has been managing partner of Habif, Arogeti & Wynne for the past six years, during which time the firm has experienced significant growth. He led the initiative to convert the firm to completely digital operations. Simms is a frequent speaker to professional services firms on the process of converting to digital operations.

www.hawcpa.com

Carol B. Tomé
The Home Depot Inc.

Chief financial officer, executive vice president - Corporate Services

Age: 54

Education: Bachelor’s degree, University of Wyoming; MBA, University of Denver
Career highlights: In January 2008, Tomé joined the board of the Federal Reserve Bank of Atlanta and served as deputy chair of the board in 2009. She began her one-year term as chair of the board in January of 2010. Tomé has served as CFO of The Home Depot Inc. since May of 2001 and was named executive vice president of corporate services at Home Depot in January of 2007. She joined Home Depot in 1995.

www.homedepot.com

Rob Vinson
UHY Advisors Inc.

Founder and managing director, Southeast office

Age: 48

Education: Bachelor's degree, Purdue University; Chicago Mercantile Exchange School of Commodity Trading

Career highlights: Vinson has been working in the financial management industry for more than 25 years, starting four companies over the past 13 years. Under his leadership, UHY Advisors' Southeast office has tripled in size. In 2010, he was chosen as one of the Who's Who in Black Atlanta Men of Distinction for his success in growing the Atlanta office, for his ongoing community work, and for the example he sets for others.

www.uhyadvisors.com

Michael Whitacre
BDO USA LLP
Southeast region tax practice leader, Atlanta office

Age: 47

Education: Bachelor's degree in accounting, Indiana University

Career highlights: Whitacre has more than 20 years of experience in auditing and taxation in public accounting. He has worked proactively with a wide variety of businesses, including numerous clients in the manufacturing, distribution, service and real estate sectors. His areas of specialization include international taxation, corporate taxation, mergers and acquisitions, and taxation of pass-through entities.

www.bdo.com
Dooley's Vols come to Athens

By Tim Tucker
The Atlanta Journal-Constitution

7:18 p.m. Friday, October 8, 2010

ATHENS -- For the first time since 1988, a Dooley will be the head coach of a team playing between the hedges on Saturday.

Born in Athens four years after his famous father's first season as Georgia's football coach, and just 12 years old when Vince Dooley's Bulldogs won the national championship, Derek Dooley brings his Tennessee team to Sanford Stadium.

His mother, Barbara, will be there, openly rooting for her youngest child's team. His father would find it too awkward to cheer for a Georgia opponent in Sanford Stadium, so he'll watch on television at his home a few miles away and root for his 42-year-old son in private.

"It's family first," Vince Dooley said, "but I'm certainly not going to be pulling for anybody against Georgia in Sanford Stadium."

Meanwhile, Derek Dooley plans to try to be one of the few people in the stadium oblivious to the most compelling storyline in this meeting of two struggling teams.

He watched many games from the Georgia sideline as a kid and often attended his dad's postgame news conferences. And now he returns to his hometown as an SEC head coach to face the school where his father coached for 25 seasons (1964-1988) and won 201 games and six SEC championships and also served as athletic director (1979-2004).

"I've been removed from the [Georgia] program for a long time, and I've worn a lot of colors since I was there," Derek Dooley said. "It doesn't mean I don't have great memories and great friends down there. But I think I've been removed enough from the football component that it hopefully should be just another football game."

It won't be his first game in Sanford Stadium as an opponent. After graduating from Clarke Central High School, he played football at Virginia, where he was a freshman walk-on receiver when the Cavaliers lost to his father's team in Athens in 1987. And as an assistant coach to Nick Saban at LSU in 2004, he was on the losing side of a game in Athens.

Dooley graduated from the UGA Law School and practiced law for two years in Atlanta before entering coaching -- against his father's initial advice -- as a graduate assistant on Jim Donnan's Georgia staff in 1996. His career moved rapidly from there: assistant coaching jobs with SMU, LSU and the Miami
Dolphins, then the head-coaching job at Louisiana Tech for three years. He was hired in January to succeed Lane Kiffin as Tennessee's coach, whereupon Saturday's game took on a new dimension.

Vince Dooley, 78, moved to diminish the spectacle by deciding to watch from home, out of range of the TV cameras, which he knew would focus on capturing the emotions of a father pulling for his son against his team.

"Coach Dooley absolutely loves the University of Georgia; there is no doubt about," UGA coach Mark Richt said. "It's such a big part of his life, but I think he loves Derek more, which he should."

Vince Dooley has attended three Tennessee games this season in Knoxville, where he can openly root for the Volunteers.

"I think every one of my games has been rough on him emotionally. ... That's part of being a dad. I know what it's like," said Derek Dooley, himself the father of two sons and a daughter, ages 6 to 11.

The teams' records -- both Georgia and Tennessee are winless in SEC play -- have kept Saturday's game from commanding any sort of national focus. The Vols are 2-3 (0-2 SEC) and coming off a last-play-of-the-game loss at LSU. The Dogs are 1-4 (0-3 SEC) and on their longest losing streak since 1990, when they also lost four in a row under Vince Dooley's successor, Ray Goff.

Georgia's record notwithstanding, it turns out that Derek Dooley can talk up an opponent just as his father famously used to do.

"It's just a big challenge," he said, "going in and playing in another great environment and playing a great football team that has had their issues. They'll be starving for a win, and I know they're a great coaching staff and have a very talented team. It's a very prideful program, so we expect them to be at their best."
My Office: Plaques are just the beginning

Written by
Chris Sims

Attorney Nathaniel Lee's office has the standard office equipment -- desk, computer, conference table, file cabinet, books, plaques on the walls. But not just any plaques.

These plaques reflect the years Lee has spent sponsoring youth organizations and causes that help kids. Most are thank-yous from the groups he's helped.

"The awards are nice," said Lee, who is general partner at Lee, Cossell, Kuehn & Love on East Michigan Street.

Next to his love for family (there's a collage of family photos on a shelf), Lee is committed to young people and golf.

He has a display of the past 50 winners of The Masters in Augusta, Ga., and a photo of a smiling golf foursome on a shelf includes Lee and former Indiana Pacer Derrick McKey.

Lee's love for taekwondo (he's a black belt) is also evident. A toy hamster on a shelf is dressed in taekwondo gear and sings Carl Douglas' "Kung Fu Fighting."

"Golf and martial arts are stress relievers," Lee said. "They also provide some moderate exercise. Look at what happens to a lot these professional types. They have heart attacks and strokes because they are too stressed out."

What in this office speaks most of who you are?

"Maybe those 50 to 60 awards for working on kids' projects. Last year, we helped 404 kids have a Christmas. I try to get kids in college and participate in a lot of kids' programs. I've done that more than anything else.

"During my son's senior year, we wanted all his track classmates to go to college. We drove 12 or 13 of them to get enrolled. We would take three or four different kids with us on school visits. We wanted to make sure they all went to college. I keep in contact with them still. I just had two of them stop by to thank me for helping them out."
Why do you dedicate so much of your time to helping youths?

"I believe one of the main reasons I am successful is because I give back to the community."

What is the most important item you have in your office?

"That collage of my family right over there. My family is by far the most important thing in my office and my life. My wife and kids mean everything to me."

What kind of a feeling do you get when you walk into this space?

"I get a very warm feeling. I've surrounded myself with the things that are important to me. I am a civil trial lawyer. There are a lot of long days and long nights. These are the things that help me to relax and make it through each day."
Nathaniel Lee

- **Age**: 55.
- **Occupation**: Attorney and general partner at Lee, Cossell, Kuehn & Love LLP.
- **Office location**: 127 E. Michigan St., Indianapolis.
- **Hometown**: Pahokee, Fla.
- **Education**: Bachelor's degree, Florida Christian College; master's in higher education, Morehead State University; doctorate of jurisprudence, University of Georgia Law School.
- **Background**: Formerly an agent for Metropolitan Property and Casualty and Farmers Insurance Group. Former assistant dean of education for Morehead State. Lee has served on more than 20 nonprofit boards over the past 35 years.
- **Personal**: Married 30 years to his wife, Carman. His daughter, Jennifer, and son, Joshua, attend Purdue University.
Richard Nagareda, David Daniels Allen Professor of Law, dies

Release Date: Oct 09, 2010

Richard Nagareda, the David Daniels Allen Professor of Law and director of the Cecil D. Branstetter Litigation and Dispute Resolution Program, died at his home on Friday, October 8. He was 47.

Memorial arrangements are pending.

Nagareda's appointment to the David Daniels Allen Chair in Law had been announced just two weeks before his death by Dean Chris Guthrie. "Richard was a personal friend as well as an esteemed colleague, and those of us who were fortunate enough to know him and work with him are devastated," Dean Guthrie said. "The legal academy has lost a gifted scholar, our students an extremely talented teacher, and his wife, son and mother have lost a beloved husband, father and son."

Nagareda was a leading civil litigation scholar whose work focused on class actions and aggregate litigation. He was the author of a definitive work on complex litigation theory, *Mass Torts in a World of Settlement* (University of Chicago Press, 2008), as well as a casebook, *The Law of Class Actions and Other Aggregate Litigation*, released by Foundation Press in 2010. He served as an Associate Reporter on the American Law Institute's *Principles of the Law of Aggregate Litigation*, released in summer 2010, and took the primary drafting role for the chapter addressing class certification. He had directed the law school's Cecil D. Branstetter Litigation & Dispute Resolution Program since its founding in 2005.

In addition to being a respected scholar, Nagareda was an esteemed teacher who held the three-year Tarkington Chair for Teaching Excellence from 2006-09 and was recognized three times by his students with the Hall-Hartman Award for Teaching Excellence, most recently in 2010. He taught Administrative Law, Complex Litigation, Evidence, and multiple seminars, including an innovative Civil Litigation Capstone Seminar he developed for third-year students. "Richard was a gifted teacher and mentor," Dean Guthrie said. "Regardless of the subject matter, he received outstanding teaching evaluations from his students, many of whom remained in touch with him after graduating."


"Richard was among the most influential and widely cited legal scholars in his field in the country," Dean Guthrie said. "He published a rich body of scholarship on aggregate litigation, in which he drew from legal doctrine, economics, psychology, and the on-the-ground realities of litigation and litigation financing to offer a pragmatic and nuanced account of the resolution of
mass disputes that carefully balances both private and public law considerations."

Nagareda earned his undergraduate degree from Stanford University in 1985 and his J.D. from the University of Chicago in 1988. He then served as a clerk for Judge Douglas Ginsburg on the U.S. Court of Appeals for the D.C. Circuit. He practiced law in the Office of Legal Counsel for two years and then joined the law firm of Shea & Gardner, where he practiced for three years. In 1994, Nagareda joined the faculty at the University of Georgia School of Law, where he taught for seven years before joining Vanderbilt's faculty in 2001. He was a Visiting Professor at New York University, the University of Texas, and Vanderbilt.

Since joining Vanderbilt’s law faculty, Nagareda had chaired the law school’s Entry Level Faculty Appointments Committee and an Ad Hoc Tenure Committee and had served on multiple committees at the law school and university. “Richard leaves behind an exceptional record of scholarship, teaching and service, coupled with his national reputation as a leading light in his field,” Dean Guthrie said.

Students and colleagues benefited from Nagareda’s sense of humor and his deep appreciation and enjoyment of pop culture, of which he had an encyclopedic knowledge. He was a fan of "The Simpsons" and "Deadwood" as well as an avid movie buff. A devoted sports fan, he was a lifelong supporter of the New York Yankees, the San Francisco Giants, and the San Francisco 49ers. Knowing his students mimicked his distinctive speaking style, he awarded a prize each year to the student whose impression of him was judged best.

Nagareda regularly contributed to the New York Times, Wall Street Journal, and other respected news outlets for his expertise on class action lawsuits and product liability cases.

“The entire Vanderbilt community is deeply saddened by the loss of Richard Nagareda. He was an exemplary scholar and brought an unparalleled level of expertise to the law school,” said Vanderbilt University Chancellor Nicholas Zeppos. “Richard had an amazingly clear way of explaining complex lawsuits to others and was readily available to add his perspective to the public discourse on important topics. It was an honor to have him represent Vanderbilt in that way.”

Nagareda is survived by his wife, his son, and his mother.

His family has asked that memorials be directed to the law school for the purpose of establishing a scholarship in Professor Nagareda’s honor.
Edwards: Send responsible leadership to D.C.

My name is Russell Edwards, and I’m asking for your support as I seek to represent our community in the nation’s capital. I’m a Georgia native, born and raised in Fayette County. I went away to college in Western North Carolina, where I also managed a successful architectural salvage company. I next landed a job teaching public school in a tough urban environment. I loved teaching and coaching the basketball team, and I was grateful to be a part of a movement to ensure a better future for our children.

I never forgot Georgia, though, and all the work that must be done in our home. That’s why I moved back home and graduated from the University of Georgia School of Law.

I decided to run for Georgia’s 10th Congressional District seat in the U.S. House of Representatives because the district, encompassing much of Northeast Georgia, is being left behind. Our incumbent congressman is part of the broken Washington establishment that has dismissed our concerns. We face record unemployment, and it seems each passing week brings news of another plant or factory moving overseas. In Washington, our congressman refuses even to cast a vote on a measure to end tax loopholes for corporations that send jobs offshore.

Now, more than ever, I believe our district needs a representative who will fight for jobs in America. We need policy that incentivizes the production of goods in our great nation, not China. We are leaders in innovation but, unfortunately, most of these innovations are instantly taken advantage of overseas because Washington establishment politicians such as Paul Broun Jr. aren’t listening to us back home.

Paul Broun Jr.’s plan to create jobs? Cut capital gains and dividend taxes for Wall Street bankers. That’s no surprise, since that’s who supports his campaign.

With such institutions as the University of Georgia, the Medical College of Georgia and Athens Technical College, our district has the strong potential to lead the nation in biomedical research and business development. By supporting the work of these institutions, we will attract 21st-century industries that seek to commercialize our research and create good-paying jobs.

Paul Broun Jr.’s strong stance against research and education is most clearly illustrated by the fact that last year, the University of Alabama received 10 times the amount of congressionally vetted research funding as the University of Georgia. It’s not hard to see who’s being left behind, on and off the football field. We need a representative who will fight for these institutions and get them the support they need to be true engines of economic growth for our district.

While we work to create new jobs and bring in new industries, we cannot forget our district’s seniors. Many older Americans depend on programs such as Social Security to live a life of
While we work to create new jobs and bring in new industries, we cannot forget our district's seniors. Many older Americans depend on programs such as Social Security to live a life of dignity and avoid begging and dying in the streets. They depend on it because they were promised it. We must honor this contract, and not raise the retirement age or reduce benefits. We also must fight politicians such as Paul Broun Jr. who argue we should hand Social Security over to the same Wall Street bankers who wrecked our economy.

The Social Security trustees - the official body charged with evaluating the program's long-term finances - project that Social Security can pay 100 percent of promised benefits through 2037 and about three-quarters of scheduled benefits after that, even if Congress makes no changes in the program. Relatively modest changes would put the program on a sound financial footing for 75 years and beyond.

Nonetheless, Paul Broun Jr. fights to undermine confidence in Social Security with wild and blatantly false accusations. He foolishly argues that Social Security is unconstitutional, putting the lives of countless seniors in peril. He and his Wall Street pals allege that the trust funds have been raided, or disparage the trust funds as funny money or mere IOUs. All of these claims are nonsense.

We face an important choice in this election. We can choose to stick with the incumbent who proudly fights to end programs such as Social Security as we know it. We can reward an incumbent who fought tax breaks for small businesses and funding to prevent teacher furloughs. Or we can go in a new direction.

Paul Broun Jr. has refused to debate me in public because he knows the voters will reject him once they see how his agenda hurts our community in so many ways. Let's have a debate - any time, any place, any format.

He likes to talk about government spending, but the incumbent didn't complain when a bank he co-owned with his brothers was bailed out by the government last spring. A Georgia bank owned by Broun Jr. and his brothers, which had become one of the weakest in the nation, was shut down by the federal government. The shutdown cost the federal Deposit Insurance Fund $123 million.

It's time for our district to send responsible leadership to Washington. We need a representative who will fight to create jobs and support our schools.
'Heroes of the Hedges'

Annual Homecoming celebration includes activities for alumni, students

By Wendy Jones
wjones@uga.edu

"Heroes of the Hedges" is the theme of this year's Homecoming Week festivities. Activities for students are scheduled throughout the week, and the weekend is filled with events for alumni.

The Oct. 16 football game against Vanderbilt University will feature the crowning of the Homecoming King and Queen. Uga VIII, the new live bulldog mascot, will make his debut in a pre-game ceremony.

Sponsored by the Student Homecoming Committee, a part of University Union, Homecoming activities began at midnight Oct. 10 as student organizations competed in a street painting contest on Sanford Drive in front of the Tate Student Center.

The official Homecoming kick-off will be the Tate Center Plaza Extravaganza on Oct. 11 from 10 a.m. - 2 p.m. with games, free food and giveaways.

On Oct. 12, an American Red Cross blood drive will be held from 11 a.m.-4 p.m. in Reception Hall of the Tate Student Center.

That evening, students will get a chance to show off their amateur comedic skills during "Local Laughs Live," a stand-up comedy show at 8 p.m. in the Tate Theatre.

Ludacris will headline the annual Homecoming concert on Oct. 13 at 8 p.m. in Legion Field. The concert is sold out.

On Oct. 14, there will be food and spirit activities at a pre-tailgate party from 11 a.m.-2 p.m. on the Tate Student Center Plaza.

"Super Fan" Mike Woods, well known on campus for his rabid love of the Dawgs and the painted Uga on his shaved head, will be the grand marshal for the Homecoming parade, which will step off Oct. 15 at 6 p.m. and wind through downtown Athens.

Led by the Redcoat Band, the parade will include floats, displays and appearances by the UGA cheerleaders, athletes and university and Athens dignitaries.

Following the parade, the annual Dawgs After Dark Homecoming Carnival will be held on Legion Field from 7-11 p.m. with games, midway rides and free food. Admission is free for students with valid UGA Cards and $5 for everyone else.

Students will vote online during the week of Oct. 11 to choose the Homecoming King and Queen from among 10 students on the Homecoming Court. The king and queen will be crowned during halftime of the football game.

In addition to events for students, several schools and colleges have planned Homecoming events for their alumni.

- The Franklin College of Arts and Sciences will host a tailgate in partnership with the UGA at Oxford Program on Oct. 16 at 10 a.m. on the Park Hall patio.
- The Terry College of Business will host a homecoming tailgate Oct. 16, 9 a.m.-noon on the Brooks Hall lawn. The tailgate will include a buffet and live music. Tickets are $25 for adults, $12 for children ages 6-12, and children younger than 6 are free.
- The College of Environment and Design will host the "Charleston Gardens," tailgate and book signing with Jim Cothran on Oct. 16 at 9 a.m. in the Founders Garden Courtyard. Books will be available for purchase for $39.95.
- The College of Family and Consumer Sciences' alumni association will host its annual Dawgs with the Dean event on Oct. 12 from noon-1 p.m. FACS alumni will serve hot dogs and all the fixings to FACS students, faculty and staff on the front porch of Dawson Hall. Interim Dean Anne Sweaney will be on hand to meet and visit with those attending the event.
- The Warnell School of Forestry and Natural Resources will host a variety of events for alumni beginning with a golf tournament.

See HOMECOMING on page 8
Players on the Holland Park football team pick up recyclables in Sanford Stadium after a home football game last month. As part of its Game Day Recycling Initiative, the Athletic Association is paying nonprofit organizations to collect recyclable bottles after games.

University to take part in EPA Game Day Challenge

UGA will compete in the U.S. Environmental Protection Agency’s 2010 Game Day Challenge against other colleges and universities to see who can reduce, reuse and recycle the most waste during one home football game this month. UGA will participate in the challenge during the Oct. 16 Homecoming game against Vanderbilt University (see story, page 1).

As part of its Game Day Recycling Initiative, the Athletic Association is paying nonprofit groups to gather recyclables inside Sanford Stadium. The UGA Ecology Club will continue its efforts to promote recycling to tailgaters, and Parking Services and the Athletic Association will distribute recycling bags in parking lots under their control.

The amount of waste generated and recycled will be calculated along with official game attendance to determine winning schools in the following categories: least amount of waste generated per attendee (total waste tonnage divided by attendance); greatest greenhouse gas reductions (using an EPA formula); highest recycling rate (total recycling tonnage divided by total waste tonnage); and highest combined recycling and composting rate. Winners will be publicized on the EPA’s website in November. UGA’s Office of Sustainability offers the following suggestion to win this competition: bring less to tailgate, recycle all bottles and cans using clear bags available from parking attendants and take remaining items when leaving the stadium.

**Homecoming from page 1**

on the UGA golf course at 8:30 a.m. Oct. 15. There will be sporting clays at 10 a.m. at the Brush Creek Sporting Club in Colbert. Tours of the Warnell facilities and grounds begin at 2 p.m. and the Whitfield Mansion will host an open house from 4-5 p.m. The annual alumni association meeting at Flinchum’s Phoenix will begin at 5:15 p.m. followed by the alumni dinner at 6:30 p.m. The game day brunch and barbecue is from 9 a.m.-noon at Flinchum’s Phoenix. A ticketed shuttle will be available to and from the game and those without tickets can watch the game on the big screen at Flinchum’s Phoenix.

- The Grady College of Journalism and Mass Communication will host a variety of events for alumni starting with an Alumni Authors Showcase on Oct. 14 at 4 p.m. in the Miller Learning Center's Reading Room. Five alumni authors will discuss their careers and current books.

- On Oct. 15, Grady’s Apple Training Center will host an alumni open house from 4-5 p.m. in Room 136 of the Journalism Building. On Oct. 16, tours of Grady’s newly renovated fourth floor will begin at 9 a.m.

- A continental breakfast will be available for members of the classes of 1960, 1970, 1980, 1990 and 2000. The annual homecoming tailgate starts two hours before kickoff on Oct. 16, on the Grady lawn. Tailgate meal tickets are $15 per person. Children ages 5 and younger are free.

- The School of Law’s graduating classes celebrating an anniversary reunion are invited to return to the law school on Oct. 15 at 6:30 p.m. for a buffet dinner. The next day, all alumni are invited to participate in the school’s 20th annual homecoming barbecue, which will begin two and a half hours before kickoff.

- The College of Pharmacy will host a tailgate lunch and reunions for the classes of 1985, 1990, 1998, 2000 and 2005. Registration begins at 9 a.m. with tours of the Pharmacy South and Wilson Pharmacy buildings from 9:30-11 a.m. Lunch will be from 10:30-11 a.m. All events will be held on the Brooks Mall in front of the Wilson Pharmacy Building.

- The Alumni Association will host “Homecoming BBQ 2010: Back to Dear Old Athens Town” on Oct. 15 from 6:30-9 p.m. at the Wray-Nicholson House. Festivities will begin after the homecoming parade. On Oct. 16, the association will host a Multicultural Homecoming Tailgate on the Myers Quad two hours prior to kickoff.

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**Bulletin Board**

**Service-learning meeting**

Faculty, staff, students and community members interested in service-learning are invited to a fall meeting at the Fanning Institute on Oct. 15 from 10 a.m. until noon.

The meeting will include information on UGA’s recently submitted Carnegie Elective Classification for Community Engagement, mini grants to support service-learning, campuswide service-learning initiatives relating to local food/community gardening, service-learning in P-16 settings, stronger collaborations with public service and outreach units through service-learning and faculty development and research opportunities.

Additional information is available at [http://servicelearning.uga.edu](http://servicelearning.uga.edu) or (706) 542-8924.

**Second Discipline fellowships**

The Office of the Senior Vice

Study in a Second Discipline fellowships for the 2011-2012 academic year through Nov. 1.

The program promotes interdisciplinary scholarship by providing tenured faculty, who have established a record of scholarly or creative activity within their base discipline, an opportunity to enlarge the range of their knowledge by study of disciplines other than those in their present field of specialization.

Program information and guidelines for application are available online at [http://provost.uga.edu/index.php/resources/grants/study-in-a-second-discipline/](http://provost.uga.edu/index.php/resources/grants/study-in-a-second-discipline/). Questions concerning the program or the application process should be directed to Susan Landrum, executive assistant to the provost, by e-mail, slandrum@uga.edu, or telephone, (706) 542-0415.

**Graduate award nominations**

departmental nominations for its Excellence in Research by Graduate Students Awards. The annual research awards recognize students who have conducted quality research that advances their field of study.

Departments are allowed to nominate one student who has graduated or will graduate in 2010.

Winners will be selected from five fields: fine arts, humanities, life sciences, mathematics and physical sciences, and professional and applied sciences.

The Graduate School will award each winner $1,000.

The deadline for nomination submission is Nov. 5 at 5 p.m. For more information on nomination requirements, contact Judy Milton at jmilton@uga.edu or (706) 425-2953.

*Bulletin Board is limited to announcements from campus-based organizations*
Bannister avoids indictment; Kenerly's fate uncertain

By David Wickert and Andria Simmons
The Atlanta Journal-Constitution

6:50 p.m. Monday, October 11, 2010

The disclosure on Monday that Gwinnett County’s former commission chairman has escaped indictment answers the No. 1 question about a special grand jury investigation into county land purchases. But it provokes many more.

Chairman Charles Bannister appeared before the grand jury on Friday and then abruptly resigned, leaving one of the largest counties in Georgia without its top elected official. Court documents released Monday revealed that the grand jury considered an indictment charging Bannister with perjury but then returned a “no bill.” Among the key questions remaining:

What will become now of County Commissioner Kevin Kenerly? Even as the judge on Monday released news of Bannister’s “no bill,” he also sealed “any and all bills of indictments, no bills and/or presentments” relating to Kenerly.

If Bannister was not indicted, why did he resign? Neither the district attorney nor Bannister’s lawyer, former Attorney general Mike Bowers, would comment Monday on whether Bannister made a deal to trade his office for the no bill.

When will the grand jury, which has been meeting for nine months, wrap up its work?

The Kenerly case

In an e-mail on Monday, Kenerly said he does not know when he will be able to comment on the investigation.

Last Thursday, the day before both Kenerly and Bannister appeared before the grand jury, Kenerly filed a motion challenging the work of the investigative body. That motion is also under seal. However, the judge will hear arguments on the motion in a public hearing Oct. 20.

The grand jury began its investigation after The Atlanta Journal-Constitution reported that the county had paid inflated prices for parkland on five occasions. In each case, commissioners who championed the purchases had ties to developers or others involved in the deals.

Kenerly advocated two of the deals; Bannister endorsed one as well.

Bannister’s no bill
Asked whether Bannister's resignation was part of a trade, Bowers declined to comment.

"We're going to stick with what Mr. Bannister passed out last Friday," Bowers said, referring to a resignation announcement given to reporters outside the jury room Friday. "That's it. He's through. It's so sensitive, I just can't say anything."

Jeffrey Brickman, a criminal defense attorney and former district attorney of DeKalb County, said there could be several reasons the grand jury chose not to indict Bannister.

"Their reasons could be insufficient evidence and/or the testimony of Mr. Bannister," Brickman said. "Whether Bannister made them aware that he intended to resign during his statement is unknown. If so, that may have had an effect on their decision."

Allegedly false statement

The proposed indictment released Monday said Bannister made a false statement to the grand jury when he denied meeting with Marvin Hewatt, a developer, on Feb. 24, 2009. He also denied receiving an appraisal from Hewatt or James Clower, an appraiser, regarding a tract of land that was the subject of a lawsuit between Hewatt and the Board of Commissioners, the document said.

The AJC reported a year ago on the county's decision to buy 33.2 acres south of Dacula from Hewatt. An appraiser hired by the county valued the land at a little more than $1 million, but Bannister helped persuade his colleagues to pay $2.29 million for the land. He took a copy of an older appraisal that the developer bankrolled to a closed-door commission meeting for other commissioners to consider. That appraisal, based on 2006 land sales, was for $2.42 million.

Bannister didn't deny his role in upping the final price the county paid to Hewatt. In an interview with the AJC, he said believed the developer's appraisal was the more accurate one.

When Bannister resigned on Friday, he cited "an extremely trying year" that has strained his family and threatened his health. But Bannister had not cleared out his office as of Monday morning, according to county communications director Joe Sorenson.

What's the timeline?

The special grand jury is expected to complete a report on its investigation by Oct. 22. (The AJC reported earlier that the report was finished on Friday, but the panel plans to meet at least one more time before delivering its report to the court.)

Superior Court Judge Michael C. Clark intends to seal the report for 10 days to give anyone named a chance to respond. That means it could be three weeks before Gwinnett residents get a full account of the grand jury's investigation.

University of Georgia law professor Ronald Carlson said grand jury proceedings are kept secret, unless there is an indictment, to protect the reputation of those under investigation. He said the judge doesn't have to state a reason for keeping an indictment under wraps unless someone files a motion seeking to unseal it.
"Pending a challenge to his authority to do this, he is acting correctly at this point," Carlson said.

'People weren't targeted'

Gwinnett County District Attorney Danny Porter declined to comment Monday on the grand jury decision not to indict Bannister, except to say, "I was directed to prepare an indictment, they considered the indictment and they declined to indict."

In discussing potential outcomes of the investigation last week, Porter said he never went into the inquiry seeking a certain result, nor was he targeting specific people.

"The transactions were targeted, people weren't targeted," Porter said. "That's a big distinction. No individual was picked out and pursued, it was the transactions that were identified and inquired into. And as a result of that, information was developed. Anybody that evidence was developed about would have faced the same situation."

Judge Michael C. Clark

Clark, who has sat on the Gwinnett County Superior Court bench for nearly 20 years, becomes the key player in the nine-month investigation as the grand jury wraps up its work. Clark has said he will seal the grand jury's report for 10 days after it is delivered to him.

Term: Elected to serve his fifth, four-year term in 2008

Experience: Former trial attorney specializing in criminal defense, personal injury and domestic cases.

Law degree: University of Georgia

Hometown: Macon

Current residence: Dacula

Find this article at:
Distinguished Vanderbilt complex litigation scholar Richard Nagareda dies

Richard Nagareda, the David Daniels Allen Professor of Law and director of the Cecil D. Branstetter Litigation and Dispute Resolution Program at Vanderbilt University Law School, died at his home on Friday, Oct. 8. He was 47.

Memorial arrangements are pending.

Nagareda’s appointment to the David Daniels Allen Chair in Law had been announced by Dean Chris Guthrie just two weeks before Nagareda’s death.

“Richard was a personal friend as well as an esteemed colleague, and those of us who were fortunate enough to know him and work with him are devastated,” Guthrie said. “The legal academy has lost a gifted scholar, our students an extremely talented teacher, and his wife, son and mother have lost a beloved husband, father and son.”

Nagareda was a leading civil litigation scholar whose work focused on class actions and aggregate litigation. He was the author of a definitive work on complex litigation theory, Mass Torts in a World of Settlement (University of Chicago Press, 2008), as well as a casebook, The Law of Class Actions and Other Aggregate Litigation, released by Foundation Press in 2010. He served as an associate reporter on the American Law Institute’s Principles of the Law of Aggregate Litigation, released in summer 2010, and took the primary drafting role for the chapter addressing class certification. He had directed the law school’s Cecil D. Branstetter Litigation & Dispute Resolution Program since its founding in 2005.

In addition to being a respected scholar, Nagareda was an esteemed teacher who held the three-year Tarkington Chair for Teaching Excellence from 2006 to 2009 and was recognized three times by his students with the Hall-Hartman Award for Teaching Excellence, most recently in 2010. He taught Administrative Law, Complex Litigation, Evidence and multiple seminars, including an innovative Civil Litigation Capstone Seminar he developed for third-year students.

“Richard was a gifted teacher and mentor,” Guthrie said. “Regardless of the subject matter, he received outstanding teaching evaluations from his students, many of whom remained in touch with him after graduating.”

“The entire Vanderbilt community is deeply saddened by the loss of Richard Nagareda. He was an exemplary scholar and brought an unparalleled level of expertise to the law school,” said Vanderbilt University Chancellor Nicholas S. Zeppos. “Richard had an amazingly clear way of explaining complex lawsuits to others and was readily available to add his perspective to the public discourse on important topics. It was an honor to have him represent Vanderbilt in that way.”


“Richard was among the most influential and widely cited legal scholars in his field in the country,” Guthrie said. “He published a rich body of scholarship on aggregate litigation, in which he drew from legal doctrine, economics, psychology, and the on-the-ground realities of litigation and litigation financing to offer a pragmatic and nuanced account of the resolution of mass disputes and carefully balances both private and public law considerations.”

Nagareda earned his undergraduate degree from Stanford University in 1985 and his J.D. from the University of Chicago in 1988. He then served as a clerk for Judge Douglas Ginsburg on the U.S. Court of Appeals for the D.C. Circuit. He practiced law in the Office of Legal Counsel for two years and then joined the law firm of Shea & Gardner, where he practiced for three years. In 1994, Nagareda joined the faculty at the University of Georgia School of Law, where he taught for seven years before joining the Vanderbilt faculty in 2001. He was a visiting professor at New York University, the University of Texas and Vanderbilt.

Since joining Vanderbilt’s law faculty, Nagareda had served as chair of the law school’s Entry Level Faculty
Appointments Committee and on an Ad Hoc Tenure Committee and on multiple committees at the law school and university.

Nagareda regularly contributed to The New York Times, Wall Street Journal, and other respected news outlets for his expertise on class action lawsuits and product liability cases.

"Richard has an exceptional record of scholarship, teaching and service, coupled with his national reputation as a leading light in his field," Guthrie said.

"I am deeply saddened by Richard Nagareda's untimely death. He was a brilliant scholar, a devoted teacher and a wonderfully generous university citizen. My thoughts and prayers are with the Nagareda family and the entire law school community during this most difficult time," said Vanderbilt Provost and Vice Chancellor for Academic Affairs Richard McCarty.

Students and colleagues benefited from Nagareda's sense of humor and his deep appreciation and enjoyment of pop culture, of which he had an encyclopedic knowledge. He was a fan of The Simpsons, the cable television series Deadwood, and an avid movie buff. A devoted sports fan, he was a lifelong supporter of the New York Yankees, the San Francisco Giants and the San Francisco 49ers. Knowing his students mimicked his distinctive speaking style, he awarded a prize each year to the student whose impression of him was judged best by a panel of faculty.

Nagareda is survived by his wife, his son, and his mother. His family has asked that memorials be directed to the law school for the purpose of establishing a scholarship in Professor Nagareda's honor.

Media Contact:
Amy Wolf, (615) 322-NEWS <br> amy.wolf@vanderbilt.edu

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Distinguished Vanderbilt complex litigation scholar Richard Nagareda... 

http://www.insidevandy.com/drupal/node/15014

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Login or Register to leave comments.

(c) 2009 Vanderbilt University Student Media
UGA law students testing the waters with real-world Environmental lessons

By ERIN FRANCIS - erin.francis@onlineathens.com
Published Tuesday, October 12, 2010

WATKINSVILLE - Once a month, University of Georgia School of Law students Edward Warren, Clara Bryant and Will Owens drive out to Calls Creek Circle, hike along the creek for about 15 minutes and then stop to take a water sample.

The three are part of a program that seeks to give law students hands-on experience with the Clean Water Act and provide information and solutions to local governments when water is polluted.

The state's Environmental Protection Division tested the water in Calls Creek once in 2004 and found fecal coliform bacteria that's present in human and animal waste - and later designated it as a stream with too much pollution, said Lee Carmon, a Northeast Georgia Regional Commission planner.

"We've found some hot spots (of pollution) in various parts of the stream," Carmon said.

The Northeast Georgia Regional Commission partnered with UGA to monitor the stream last year, but the samplers haven't homed in on a pollution source, she said.

"We've found nothing that 'X' marks the spot," Carmon said.

Wrenn, Bryant and Owens all find the stream testing to be an interesting experience and say they're glad to take a class with practical applications.

"All the water we have now is all we'll ever have, so it's important," Bryant said.

They haven't pinpointed a source for the waste in the creek, but hope more testing reveals the problem. Oconee County's Utility Department sends treated waste water into the creek, but samples taken near the treatment plant have not shown high levels of fecal coliform.

"Our results have been sporadic," Warren said. "Not consistently high in the same places"

Calls Creek isn't the only stream her students have helped monitor, said Laurie Fowler, an associate dean at UGA's Odum School of Ecology who also teaches a course at the law
Hires / Promotions / Honors

Damon Morey named Serafina M. Mitri special counsel in the Buffalo law firm's Real Estate and Banking Practices. Mitri previously practiced at a local law firm in Buffalo. She earned an undergraduate degree, MBA and JD from the University at Buffalo.

* * *

The law firm Damon Morey named David L. Principe special counsel. Principe is a registered patent attorney. Principe, a University of Notre Dame graduate, received his JD from the University of Georgia School of Law. The firm currently maintains three offices in Buffalo, Clarence and Rochester.

* * *

Lily's Place, a new community offering maintenance-free living for adults ages 55 and up, opened at 1320 Southwestern Blvd. in West Seneca. Young Development Corp. developed and manages the facility.

* * *

Phillips Lytle earned 20 top rankings in U.S. Media Group and Best Lawyers 2010 Best Law Firms survey. The full findings of the inaugural survey will be featured in the October issue of U.S. News & World Report. In addition, 52 Phillips Lytle partners, representing 20 different practice areas, were recently named to the 28th Annual Best Lawyers in America list, including 39 from the firm's Buffalo office.

* * *

ITT Corp., Cheektowaga, was awarded a $41,560 federal contract for channel back fit kits from the U.S. Naval Supply Systems Command, San Diego.

* * *

The Life Science Link, a business development team, launched its new Web site, www.theLifeScienceLink.com, to help connect life science researchers to professional expertise and services, create and develop new business opportunities, and improve the operating performance of established companies in the life sciences industry.

* * *

Gowanda Electronics recently introduced two inductor series meeting the military's qualified products list requirements for established reliability. Gowanda's ER10M and ER17S thru-hole RF inductor series are approved to MIL-PRF-39010, Level M. The ER10M and ER17S series represent Gowanda's first established reliability products for the military market.
Title: "Wound treatment apparatus"

No.: 7,794,438

Inventors: Bessette, Russell W. (Buffalo); Henley, Alan Wayne (Knoxville, Tenn.); Moses, Leigh Marie (Summerville, S.C.); Sanderson, Ronald Leslie (Charleston, S.C.); Howard, John (Charleston, S.C.); Price, James H. (Mount Pleasant, S.C.);

Date issued: Sept. 14

Title: "Gastrointestinal sleeve device and methods for treatment of morbid obesity"

No.: 7,794,447

Inventors: Guterman, Lee (Amherst); Dann, Mitchell (Wilson, Wyo.)

Assignee: ValenTx Inc. (Carpinteria, Calif.)

Date issued: Sept. 14, 2010

Title: "pH-change sensor and method"

No.: 7,794,584

Inventors: Cartwright, Alexander N. (Williamsville); Titus, Albert H. (Buffalo); Bukowski, Rachel M. (Buffalo); Bright, Frank V. (Williamsville); Chodavarapu, Vamsy P. (Verdun, Calif.)

Assignee: The Research Foundation of State University of New York (Amherst)

Date issued: Sept. 14, 2010

LOAD-DATE: October 13, 2010

********** Print Completed **********

Time of Request: Thursday, October 14, 2010 06:51:11 EST

Print Number: 1841:247236955
Number of Lines: 52
Number of Pages: 1
Signs of bulldog fever can be seen all around Sonny Seiler's law office. The University of Georgia alumnus and owner of the legendary UGA bulldog mascots is preparing to pass the torch.

"I'm excited Tina. You know I view it with mixed emotions because I'm not quite over the death of Uga 7."

This is Uga 7 bursting onto the sports scene when Georgia played Georgia Southern in 2008. Since Uga 7's death in 2009 his half brother "Russ" has been interim mascot.

"Russ has filled in beautifully. Fortunately for us we've got a magnificent 8 coming along who is a direct descendant from six."

As the excitement builds, Seiler's only showing pictures. But come Saturday at UGA's Homecoming game Uga 8 will make his national debut during a special ceremony known as changing of the collars.

Uga 8's registered name is "Big Bad Bruce" in honor of Dr. Bruce Hollett, seen here with Uga 6. He's the vet who cares for the dogs.

"It was a unanimous decision among my family and others involved with the breeding of these dogs
because Dr. Hollett has been our go to man at the vet school dating back to the days of Uga 5."
Coming off of a win against Tennessee but also fighting a 2 and 4 overall record Seiler hopes Uga 8
will add more bark to their bite.
"I think the way the climate is in Athens that any change now is greeted as a good omen that
something good is around the corner."
"I think the team will be inspired by the dog. The team likes these mascots most of them run over and
rub their head whenever they get a chance."
Because he had more than one dog to pick from, Seiler's really barking about his choice.
"So you think he'll be a good dog Mr. Seiler. I think he'll be a damn good dog."
SECTION: OPINION
LENGTH: 176 words
HEADLINE: Your Opinions: Jaconette knows Calhoun County
BODY:

When you go to the polls on Nov. 2, you will be faced with an important decision. Who should become the new Probate Court judge for Calhoun County? We think the answer is obvious, Mike Jaconette should get your vote.

Mike Jaconette knows Calhoun County. Mike was raised here, attended school here and knows the issues that we are facing in this county. Mike has prepared himself well for this important job, first as a standout honor student at the University of Michigan and the University of Georgia School of Law, and for the past 17 years as a servant to Calhoun County as senior assistant prosecuting attorney. Mike has proven to be firm, fair and focused on making Calhoun County a safer place for families and seniors.

Mike is respected within the judicial system, and was voted as the preferred candidate for probate judge by members of the Calhoun County Bar Association.

Mike Jaconette's experience in Calhoun County makes him an obvious choice for this important position. On Nov. 2, vote Jaconette for judge.

Dave and Sonya Labrecque
Battle Creek

2 of 2 DOCUMENTS

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US Fed News
October 15, 2010 Friday 11:04 PM EST

LENGTH: 397 words
HEADLINE: UNIVERSITY OF GEORGIA SCHOOL OF LAW HOSTS LECTURE ON INTERNATIONAL BUSINESS LAW
BODY:

ATHENS, Ga., Oct. 14 -- The University of Georgia issued the following news release:

The University of Georgia School of Law's Dean Rusk Center presents "The 10 Essential Tools to Become an International Business Lawyer," featuring alumnus and international business law expert Christof Siefarth. The talk will take place Oct. 26 at 4:30 p.m. on the fourth floor of Dean Rusk Hall. It is being held in memory of long-time Georgia Law faculty member Gabriel M. Wilner, who passed away in May of this year, and is sponsored by the law school's LL.M.
Alumni Association.

"We are honored to be holding this lecture in memory of a well-respected colleague and missed friend," Dean Rusk Center Director C. Donald Johnson said. "It is quite fitting to have Christof Siefarth, a distinguished international lawyer and former student of Gabe's, serve as the speaker for this lecture held in Gabe's honor."

With more than 20 years of experience handling international business matters, Siefarth will address the audience from both a legal and cross-cultural point of view. Recommendations given will apply not only to students, but also to those in private practice interested in becoming more active globally as well as those already experienced in this field.

Siefarth is a partner at the business law firm GORG Partnerschaft von Rechtsanwälten and currently works out of the firm's Cologne, Germany, office. He is a member of the German, New York, American and International bar associations, and he is a frequent speaker on international business matters. Siefarth served as the president of the UGA LL.M. Alumni Association from 1997 to 2010, and he was the chair of various international conferences for the Center for International Legal Studies.

Wilner was a Georgia Law faculty member from 1973 until his passing in 2010. While at Georgia Law, he played many roles: associate dean for graduate legal studies, executive director of the Dean Rusk Center, director of the school's study abroad program in Brussels and faculty adviser for the Georgia Journal of International and Comparative Law. He also taught courses on international law, international legal transactions, European Union law, international commercial arbitration and transactional investment. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

LOAD-DATE: October 15, 2010

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Print Number: 1842:247650373
Number of Lines: 71
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Open AG seat attracts well-financed candidates

By Bill Rankin
The Atlanta Journal-Constitution
12:48 p.m. Friday, October 15, 2010

More than a half century has passed since the state attorney general’s seat has been open and up for grabs on Election Day.

For seven decades, Georgia governors have appointed a series of AGs who stood as incumbents and won re-election. This time, however, current Attorney General Thurbert Baker will step down at the end of the year because he chose not to seek re-election, instead running for governor and losing in the Democratic primary.

There are two well-financed campaigns vying to succeed Baker. Democrat Ken Hodges, who spent 12 years as a South Georgia district attorney, is facing off against Republican Sam Olens, the former Cobb County commission chairman. Savannah lawyer Don Smart, the Libertarian candidate, hopes to be a spoiler and force a runoff.

The AG’s race may be one of the best chances for a Democrat to win a statewide race this year, said Kerwin Swint, a political science professor at Kennesaw State University.

"Hodges is from South Georgia, where he has support from many voters, and he also has strong support from a lot of sheriffs and the law enforcement community who don’t necessarily care about party," Swint said. "With Olens, you have a likable, popular and successful politician who is pretty well known across the metro area and who’s fairly moderate, not an ideologue."

Hodges cannot afford to focus on his Democratic Party roots because it’s not a good year for Democrats, Swint said. "I wouldn’t necessarily say he’s got a real good shot to win it, but it is one of the more interesting races."

A recent InsiderAdvantage poll conducted Oct. 10 of 522 registered voters who said they will vote in November had Olens at 50 percent and Hodges at just more than 40 percent.

Smart, 59, who previously lost congressional and legislative campaigns running as a Democrat, thinks he may get enough votes to force a runoff between Hodges and Olens. "It looks like a close race," he said.

Olens so far has raised $1.36 million, just edging out Hodges, who raised $1.31 million in campaign contributions as of the end of September. But during the most recent three-month reporting period, Hodges outraised Olens, bringing in $521,800 to Olens’ $355,067. And heading into the final weeks of the campaign, Hodges has more cash on hand.
Hodges, 45, who was raised in Albany and recently moved to Atlanta, ran and beat the incumbent district attorney in Dougherty County in 1996 and served three terms before deciding to run for AG. As the county’s top prosecutor, Hodges created a child crimes prosecution unit and established a nursing unit that examines sexual assault victims and now serves a 27-county area. He also made headlines by taking on predatory lenders and helping convict the county’s assistant police chief, who was involved in a bribery scheme.

If elected AG, Hodges said his priorities include prosecuting public corruption and corporate fraud, protecting children from online predators and working with local law enforcement to fight violent crime. During the campaign, he has run as a conservative, law-and-order Democrat and has picked up the endorsements of more than 90 sheriffs and almost three dozen district attorneys from across the state.

Hodges has not shied away from taking swipes at Olens. "I'm a prosecutor, he's a politician," Hodges said. "I've done it. He talks about it."

Hodges also said Olens wants to use the AG's office as a political steppingstone. "Sam got in the AG's race to be governor," Hodges said. "That, quite frankly, is a dangerous thing. The next AG will have to make decisions who to prosecute public corruption cases. If you're running for governor, like Sam is, you might choose not to prosecute public officials who might be politically advantageous to you in the future."

Olens, 53, said he will not shy away from prosecuting anyone if the evidence is there to do it.

"People who know me know that I am a straight shooter and I don't back down from a fight," Olens said.

As for the personal attacks, he said: "I may be running the only campaign in this state that refuses to be negative. I'm running hard every day to be the state's attorney general, and I refuse to get involved in a negative campaign."

His top priorities, Olens said, would be to prosecute public corruption and health care fraud, strengthen ethics laws, highlight customer service at the AG's office and solve the tri-state water dispute. Like Hodges, he supports raising the water level of Lake Lanier by 2 feet.

As former chairman of the Cobb County Commission and the Atlanta Regional Commission, Olens was considered a bridge-builder who worked hard to strengthen ties between Atlanta and its suburban neighbors. Olens notes he has led a county government with 4,500 employees and an annual budget of $800 million.

"I'm proud of my record supporting law enforcement, championing open government and putting fiscal conservatism into action," he said. "I have the experience to be AG from Day One."

**Georgia Attorney General's Office**

The office serves as the legal adviser for all state agencies and the governor. Among its duties:

- Provides legal opinions for the state and its agencies;
- Represents the state in death-penalty appeals;
Represents the state in civil cases before any court;

Prosecutes public corruption cases and conducts investigations of questionable activity concerning a state agency or individual who does business with the state;

Initiates civil or criminal actions on behalf of the state when requested to do so by the governor.

**Ken Hodges (Democrat)**

*Age:* 45  
*Home:* Atlanta  
*College:* Emory University  
*Law school:* University of Georgia  

Professional: After working for an Atlanta law firm, returned to his hometown, Albany, and won election to become district attorney, defeating the incumbent, and was re-elected in 2000 and 2004.

Campaign website: www.kenhodges.com/

Cash raised: $1,314,031  
Cash on hand: $403,864

**Sam Olens (Republican)**

*Age:* 53  
*Home:* Marietta  
*College:* American University  
*Law school:* Emory University  

Professional: Has been a partner of the firm Olens & Ezor since 1983; was elected Cobb County commissioner in 1998 and was elected chairman of the commission in 2002 and served until March 2010; in 2004, was elected chairman of the Atlanta Regional Commission.

Campaign website: http://olensforag.com/  
Cash raised: $1,368,142  
Cash on hand: $355,067

**Don Smart (Libertarian)**

*Age:* 59  
*Home:* Savannah
College: West Georgia College

Law school: Emory University

Professional: Served in the U.S. Marine Corps on active duty from 1975 to 1979 and in the Marine Corps Reserve as a lieutenant colonel until 1999; has practiced law in Savannah since 1980 and is now a principal of a general practice firm, Smart & Harris.

Campaign website: http://smartforattorneygeneral.com/

Cash raised: $8,973

Cash on hand: $297

Find this article at:
Erin Marie Rush and James Wyatt Kendall were married at 6 p.m. on Saturday, Oct. 2, 2010 at the home of the bride's parents. The Rev. James L. Morgan officiated.

Erin is the daughter of Dr. and Mrs. Paul Fletcher Rush of Laurinburg. She is the granddaughter of Dr. and Mrs. Cyril Berwyn Rush, Sr. of Timmonsville, S.C. and the late Lucie Solomons Rush of Bennettsville, S.C., Samuel Leroy Nelson of Ladsen, S.C., and Frances Nelson Moore of Columbia, S.C. Erin is a graduate of Scotland High School and Wake Forest University. She received her Juris Doctorate from the University of Georgia School of Law. She is employed by Arnall, Golden, Gregory LLP in Atlanta, Ga.

Wyatt is the son of Mr. and Mrs. John Joseph Lux of Wilmington, N.C. and Mr. and Mrs. Gary Wheeler Kendall of Charlottesville, Va. He is the grandson of Mrs. Frances Wheeler Kendall of Charlottesville, Va. and the late Mr. George Clayton Kendall of Charlottesville, Va. and Mr. and Mrs. George Yeremian of Greenwood, S.C. Wyatt is a graduate of Western Albemarle High School and the College of Charleston. He received his Juris Doctorate from the University of North Carolina School of Law. He is employed by the Southern Environmental Law Center in Atlanta.

Given in marriage by her father, Erin chose her sister Rebekah Rush-McKay of Richmond, Va. to serve as her Matron of Honor. Bridesmaids were Kathryn Gene Adams of Chapel Hill, N.C., Alison Mary Ballard of Atlanta, Ga., Nicole Pappas Ferrin of New York, N.Y., Erica Byrne Gaskins of Chapel Hill, N.C., Lauren Nelson Goldberg of Chicago, Ill., Maureen Erin Hawley of Los Angeles, Calif., sister of the groom Kathryn Wheeler Kendall of Roanoke Rapids, N.C., and Mollie O'Neal McKeithan of Charlotte, N.C. The flower girl was the niece of the bride, Frances Erin McKay of Richmond, Va.

Wyatt chose his brother George Matthew Kendall of Spartanburg, S.C. to serve as his best man. Groomsman were Bradley Bruce Banias of Washington, D.C., stepbrother of the groom Tyler Andrew Lux of Charlottesville, Va., Eric Scott McKay of Richmond, Va., Jeffrey Robert Monroe of Raleigh, N.C. John Howell Moye, III of Isle of Palms, S.C., Ernest Adolph Rodenberg, IV of Mount Pleasant,

Erin and Wyatt chose Settle Plyler Monroe of Chapel Hill, N.C. to be a reader during their ceremony.

Following the ceremony, a reception was held at the Rush home. The newlyweds will honeymoon in St. Lucia and will reside in Atlanta, Ga.

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When you go to the polls on Nov. 2, you will be faced with an important decision. Who should become the new Probate Court judge for Calhoun County? We think the answer is obvious, **Mike Jaconette** should get your vote.

Mike Jaconette knows Calhoun County. Mike was raised here, attended school here and knows the issues that we are faced with in this county. Mike has prepared himself well for this important job, first as a standout honor student at the University of Michigan and the University of Georgia School of Law, and for the past 17 years as a servant to Calhoun County as senior assistant prosecuting attorney. Mike has proven to be firm, fair and focused on making Calhoun County a safer place for families and seniors.

Mike is respected within the judicial system, and was voted as the preferred candidate for probate judge by members of the Calhoun County Bar Association.

Mike Jaconette's experience in Calhoun County makes him an obvious choice for this important position. On Nov. 2, vote Jaconette for judge.

Dave and Sonya Labrecque

Battle Creek
membership to 4,302.

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Vikram D. Amar, Associate Dean, Academic Affairs, University of California, Davis School of Law, Davis, CA

Glenn R. Anderson, Sr. Solicitor, Dept. of Legal Services, Nova Scotia Department of Justice, Halifax, Canada


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Richard A. Bales, Professor, Northern Kentucky University, Chase College of Law, Highland Heights, KY

Karl Bayer, Sole Practitioner, Law Offices of Karl Bayer, Austin, TX

Laurel G. Bellows, Partner, Bellows Law Group, P.C., Chicago, IL

Ashutosh A. Bhagwat, Professor, University of California, Hastings College of the Law, San Francisco, CA

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Roslyn A. Mazer, Inspector General, Office of Director of
National Intelligence, Washington, DC
John T. McGarvey, Partner, Morgan & Pottinger, PSC, Louisville, KY
Benjamin C. McMurray, Assistant Federal Public Defender, Utah Federal
Defender’s Office, Salt Lake City, UT
Natasha Minkler, Death Penalty Policy Director, ACLU of Northern California,
San Francisco, CA
James S. Moody, Jr., Judge, U.S. District Court, Tampa, FL
Jennifer Mills Moore, Assistant Counsel, Office of the Counsel to the
Governor, Albany, NY
Lawrence G. Newman, Partner, Newman Law Firm, PC, Dallas, TX
Brent E. Newton, Deputy Director of Staff, U.S. Sentencing Commission,
Washington, DC
Dennis Owens, Of Counsel, Dewitt & Zeldin, LLC, Kansas City, MO
Laura M. Padilla, Associate Dean for Administration, California Western
School of Law, San Diego, CA
Rafael I. Pardo, Professor, University of Washington School of Law, Seattle,
WA
David P. Partlett, Dean, Emory University School of Law, Atlanta, GA
Jan P. Patterson, Justice, Texas Third Court of Appeals, Austin, TX
Margo Pave, Partner, Zwerdling Paul Kahn & Wooly, P.C., Washington, DC
Hansel T. Pham, Associate, White & Case LLP, Washington, DC
Lonnie A. Powers, Executive Director, Massachusetts Legal Assistance Corporation, Boston, MA
Jenny Rivera, Director, Center on Latino & Latina Rights & Equality, CUNY School of Law, Flushing, NY
Charles F. Robinson, VP of Legal Affairs & GC, Regents of the University of California, Oakland, CA
Peter H. Rutledge, Professor, University of Georgia School of Law, Athens, GA
William P. Shelley, Partner, Cozen O'Connor, PC, Philadelphia, PA
Eric A. Shumsky, Partner, Sidley Austin LLP, Washington, DC
Barbara T. Sicalides, Partner, Pepper Hamilton LLP, Philadelphia, PA
Joseph R. Slighs, III, Judge, Superior Court of Delaware, Wilmington, DE
Douglas C. Smith, Partner, Kirkland & Ellis LLP, Chicago, IL
Jonathan M. Smith, Executive Director, Legal Aid Society of the District of Columbia, Washington, DC
Mary L. Smith, Senior Counsel, Civil Division, U.S. Department of Justice, Washington, DC
Peter Y. Solmsen, General Counsel & Member of Managing Board, Siemens, Munich, Germany
Mary C. Sungaila, Partner, Horvitz & Levy, LLP, Encino, CA
Dale M. Swope, Partner, Swope Rodante, PA, Tampa, FL
Jeffrey G. Weil, Partner, Cozen O'Connor, PC, Philadelphia, PA

About The American Law Institute

The American Law Institute is the leading independent organization in the United States producing scholarly work to clarify, modernize, and otherwise improve the law. The Institute (made up of over 4,300 lawyers, judges and law professors of the highest qualifications) drafts, discusses, revises and publishes Restatements of the Law, model statutes and principles of law that are enormously influential in the courts and legislatures, as well as in legal scholarship and education. ALI has long been influential internationally and, in recent years, more of its work has become international in scope.

By participating in the Institute's work, its distinguished members have the opportunity to influence the development of the law in both existing and emerging areas, to work with other eminent lawyers, judges and academics, to give back to a profession to which they are deeply dedicated and to contribute to the public good.

For more information about the American Law Institute, visit www.ali.org.

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Long-shot gubernatorial candidates trying to give Texas more ballot choices

Posted Saturday, Oct. 16, 2010

BY DAVE MONTGOMERY
dmontgomery@star-telegram.com

AUSTIN -- Twenty-three years old and fresh out of law school at the University of Georgia, Kathe Glass got up at 4 in the morning July 7, 1977, and drove all the way to Texas, reaching the Lone Star State by midnight. She had purposely planned to arrive on 7-7-77, she says, because "I wanted to make a grand statement about changing my life."

More than three decades later, after a successful career as a Houston lawyer, the 56-year-old mother of two is still making bold statements as a feisty Libertarian candidate for governor, one of three alternative contenders in a race dominated by two marquee combatants, Republican Gov. Rick Perry and his Democratic challenger Bill White, former mayor of Houston.

From the opposite direction comes Deb Shatto, a 71-year-old retired schoolteacher from Houston who co-founded the Texas branch of the liberal Green Party a decade ago and is now its standardbearer in the governor's race.

Although the party was stung by disclosures that Republican operatives participated in its efforts to get on the ballot this year, Shatto has relentlessly sought to keep the focus on her crusade to combat global warming, stoke alternative energy, reform education and improve the quality of life for the state's poor and disadvantaged. One of her signature proposals -- and most controversial -- would impose an income tax on those making $87,500 and above.

Andy Barron, a genial orthodontist in Belton, is seeking the state's top job as a write-in candidate. While joking that he may be "the largest underdog in Texas history," Barron, a devout Christian, was serious enough about the race to put his practice on hold and is pushing a conservative message that includes restoring prayer in public schools, reducing government intrusion into the lives of ordinary citizens and eliminating property taxes, a goal he shares with Glass. His website proclaims, "Yes We can, Through Christ."

All three candidates acknowledge that they are engaged in long-shot campaigns, but all say they are fulfilling a time-honored role in American democracy by giving voters options beyond those presented by the two establishment candidates. Glass and Shatto will get a shot at statewide exposure when they join White in an hourlong debate that will be aired Tuesday from Austin's KLRU public television. The Star-Telegram and other major Texas newspapers will sponsor the event.

Perry declined to participate in the debate after White declined to meet the governor's demand to turn over certain tax records.

While Perry's absence will deprive voters of a much-anticipated smackdown between the governor and his major challenger, the minority candidates stand to benefit, becoming White's principal debate partners and getting more exposure than they would have otherwise.

Barron said he believes he should be included but added that he probably won't make a push to be included.

Like the two dominant candidates, the three alternative contenders are eying the remaining pool of undecided voters who are still weighing their options with the approach of the Nov. 2 election. They also hope to draw support from voters who are tired of the status quo and ready to veer away from the major parties and establishment candidates.

"The major political parties with all of the money and all of the advertising they do, have packaged a very appealing product," says Debra Shatto, the Wharton businesswoman and conservative activist who banded out of obscurity in this year's Republican primary to wage a surprisingly strong challenge to the two main GOP candidates, Perry and U.S. Sen. Kay Bailey Hutchison. "Unfortunately, when you peel off the wrapper, the package is stale."

Libertarian candidate

Tapping into voter discontent stirred by the Tea Party movement, Glass has generated a bit of buzz among voters and the news media with a conservative message that includes slashing government spending and whacking burdensome taxes.

Though she is polling in single digits, her increased visibility in recent weeks has stirred talk that she could play a spoiler role by sapping votes from Perry, who is seeking an unprecedented third, four-year term as the state's longest serving governor.

Glass' strong courtship of Tea Party conservatives has buoyed hopes among her supporters that she may be capable of duplicating the vigorous insurgency that Medina unleashed during the GOP primary. Although Glass has tracked many of Medina's themes in her general election bid, Medina told the Star-Telegram that she is not making an endorsement in the governor's race and plans to keep her options open.

A poll conducted late last month for the Star-Telegram and other major newspapers showed Glass with 4 percent and Shatto with 1 percent, while Perry led White by 46 percent to 39 percent. A joint Texas Tribune and University of Texas poll had Glass with 5 percent. Libertarians are clearly more of a factor this year than in 2006, when Libertarian candidate Jim Werner drew less than 1 percent.
in a six-way scramble that Perry ultimately won with a 39 percent plurality.

Glass, who still carries the Southern accent from her native Georgia, has portrayed herself as a much-needed alternative to the two parties. She says Perry has doubled spending during his 10 years as governor and strongly disputes White's claims of sound fiscal management during his three terms as mayor of Houston, her hometown. "We're in bad shape just like a lot of places," she said.

Running on a message of "less government, more freedom," Glass said she wants to win but acknowledges that she's an underdog. "If I can't win, I want to make a very good showing to attract the attention of the voters and the media that this Liberty Vote in Texas has been long ignored and we need to stop that." Under establishment officeholders, she said, "government gets bigger and bigger regardless of which major party is in office."

Green Party

Shafto, the Green Party nominee, acknowledges that her campaign "hasn't been raising a whole lot of money -- that part's been a little tough." But she said she has "been going to different places and talking to people" and recently exchanged her 450,000-mile 1993 Saturn for a more environmentally attuned Prius bought by her husband, George Reiter, a physicist and professor at the University of Houston.

Shafto was born in New Hampshire, was raised in Vermont and lived in New York, where she owned and operated a moving company for 20 years. After moving to Texas, she made a midlife career change to become a teacher in 1996. Shafto has been politically active for nearly four decades and joined her husband and David Cobb, a Green Party presidential candidate, in forming a branch of the party in Texas "because we had become disenchanted with the Democrats."

The Greens became the target of a lawsuit by Democrats this year amid allegations that illegal corporate contributions were used to finance the petition drive to get the left-leaning party on the ballot. The Dallas Morning News reported that the drive was engineered by Republican operatives apparently trying to draw votes from Democrats. Shafto said the Greens did "absolutely nothing wrong" and were told that a group of "energy people" was behind the petition initiative.

Shafto, who ran for Houston City Council last year, said she worries that "the world is in a terrible, terrible state" because of global warming, fuel shortages and prolonged despair from the economic downturn.

She concedes that her plan to "tax the rich" won't be too popular in a state that has no income tax but says it could raise $10 billion a year and would go a long way toward erasing a state budget shortfall projected at up to $21 billion.

A central goal of the Greens, she said, is to build the party as "an alternative to the Democratic Party, because the Democrats are moving so far right."

Write-in candidate

Barron, a former president of the Texas Orthodontic Association, says he has consistently voted as a conservative Republican but never entertained political aspirations until God called him to enter the governor's race June 30. His only option at that point was to file as a write-candidate, which he said in a radio interview is like having both legs tied "and saying you're going to enter a footrace with Herschel Walker."

Barron's name won't be on the ballot, but he will be listed at polling stations as a write-in candidate and his votes will be counted.

A native of Lubbock, Barron graduated from Texas Tech in 1983 and from Baylor College of Dentistry in Dallas in 1987. Married for 26 years -- his wife is also a dentist -- Barron is a member of First Baptist Church of Belton and participates in Baptist study groups several times a week. He has a well-established practice in the Central Texas and Fort Hood area.

Barron's list of issues includes traditional Christian conservative themes. He describes abortion as "child sacrifice" and believes that prayer should be permitted at all events for all faiths. Barron says he's committed to giving the campaign everything he has but would be first to admit he's not exactly a top-tier candidate. "I'm not even calling it running -- I'm calling it walking because of the limited resources we have," he says. "We've got a pickup truck; they've got a Learjet."

Dave Montgomery is the Star-Telegram's Austin Bureau chief. 512-476-4294

Looking for comments?
The American Law Institute Elects 64 New Members

PHILADELPHIA—(BUSINESS WIRE)—The American Law Institute (ALI), the leading independent organization in the United States producing scholarly work to clarify, modernize and improve the law, today announced the names of 64 newly-elected members, raising its total membership to 4,302.

"It is a great pleasure to welcome these distinguished and accomplished individuals to the American Law Institute," said ALI President Roberta Cooper Ramo. "Since its founding more than 85 years ago, the Institute and its membership have been dedicated to clarifying and improving the law. The serious problems that our country now faces have made the work of law reform at the highest levels ever more important. I am confident that our newest group of members will bring added vigor to our activities and contribute significantly to our future law reform work."

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For more information about the American Law Institute, visit www.ali.org.

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an assistant professor chemistry, is leading UGA's part of the effort that could help find new ways to shrink the size of electronic devices as well as the devices they power and operate.

By Kat Gilmore
kgilmore@uga.edu

A world-renowned tuberculosis researcher based at the College of Veterinary Medicine is one of six U.S. researchers to receive part of a $2.9 million award from the U.S. Food and Drug Administration. The award is part of an initiative to support research projects that will help with the diagnosis, treatment and prevention of TB.

Frederick D. Quinn, who heads the college's department of infectious diseases, will receive $742,498 over two years to develop a diagnostic test for latent tuberculosis. He also is a member of UGA's Faculty of Infectious Diseases.

By Sharron Hannon
shannon@uga.edu

Paul Begala, political commentator and former counselor to President Bill Clinton, will speak at UGA on Oct. 20. His talk, "Show Business for Ugly People: Why Politics Matters," will take place at 3 p.m. in the Chapel, with a reception immediately following at the Russell Library. Both events are free and open to the public.

While on campus, Begala also will meet with students from the School of Law and the Honors Program. In 2007, he served as the Carl E. Sanders Political Leadership Scholar at the law school and taught the course that examined how the media affects law, politics and public policy.

"Paul Begala has been a strong and consistent supporter of the Foundation Fellows Program and the law school," said Provost Jere Morehead. "I am deeply grateful for his support and time, and look forward to meeting with students."
According to the program, there are about 3,000 participants who donate money to programs of their choice through payroll deduction. Every year, there is an annual event that allows UGA employees to donate money to programs of their choice. The program can be supported by writing a letter to the dean of the Graduate School. Letters of interest should be sent to the Office of the Vice President for Instruction and the written proposal for the use of the stipend. The Writing Fellows will meet approximately every two to three weeks to discuss research that substantiates the best practices for helping students develop as writers. Selected Writing Fellows agree to participate in the regular meetings and submit a project proposal for the use of the stipend.

The Writing Fellows program addresses the need for interdisciplinary collaborative work by building team-based problem solving skills that reach beyond the students' own disciplines. Internships, mentoring of undergraduate researchers and interactions with industrial research personnel will be used to further broaden the students' perspectives.

The focus of the Center for Nanotechnology Electronic Materials on chemistry-based approaches to nanoscale electronics for applications in the microelectronics industry is a crucial component of America's competitive edge in technology, Lay said.

The center will also educate students for interdisciplinary collaborative work by building team-based problem solving skills that reach beyond the students' own disciplines. Internships, mentoring of undergraduate researchers and interactions with industrial research personnel will be used to further broaden the students' perspectives.

Tuberculosis from page 1

sweats and weight loss. However, most TB infections are latent, meaning the person infected shows no overt clinical signs.

With latent infections, the bacteria have learned how to hide out in the body and survive in relatively small numbers for years, decades or a lifetime, until the immune system is compromised due to issues such as aging, AIDS or use of immunosuppressive drugs for immune disorders, like rheumatoid arthritis, and organ transplants.

"The work Dr. Quinn and his collaborators are doing is vital to effectively treating, and hopefully one day eradicating, this debilitating disease," said Sheila W. Allen, dean of the college.

Quinn joined the college as head of the department of infectious diseases in 2001 from the U.S. Centers for Disease Control and Prevention. He was recently appointed the college's first Athletic Association Professor of Infectious Disease.

Politics from page 1

appreciative of his interest in and dedication to our students."

Begala serves as a political contributor for CNN, appearing frequently on CNN's the Situation Room as well as on CNN networks. Begala first entered the national political scene after the consulting firm he and fellow Democratic strategist James Carville started helped President Bill Clinton get elected in 1992. Serving in the Clinton administration as counselor to the president, he helped define and defend the administration's agenda.

After leaving the Clinton administration, Begala joined Georgetown University as a research professor of government and public policy. He is currently an affiliated professor of public policy at Georgetown's Public Policy Institute.

Begala's talk is sponsored by the Office of the Provost, the Office of the Vice President for Public Service and Outreach, the School of Law, the Honors Program and the Carl Vinson Institute of Government.
Passing it along

An article in *U.S. News and World Report* highlighting findings from his research showing that breast-fed babies are much more likely to put on excess body fat if their mother’s diet is high in trans fats quoted Alex Anderson, an assistant professor of foods and nutrition.

“It would help to be able to follow the child from when the mother was pregnant, through birth, and then adolescence, so that we can confirm what the type of infant feeding and maternal diet during breast-feeding have to do with the recent epidemic of childhood obesity,” Anderson said.

The advantage

In an article about the Georgia lieutenant governor’s race between Republican incumbent Casey Cagle and Democratic challenger Carol Porter, the *Washington Examiner* quoted UGA political science professor Charles Bullock.

Speaking about Cagle’s advantage, Bullock said, “He’s got much greater name recognition than Carol Porter does, and he is running on the label of the party which has pretty much dominated Georgia politics now for more than a decade.”

It makes sense

*The Dallas Morning News* quoted David Shipley, a UGA School of Law professor, in an article about Southwest Airlines Co.’s acquisition of AirTran Airways Inc.

Speaking after he flew AirTran from Dallas, Shipley said, “It makes sense for Southwest to do this. Let’s see what Southwest does with AirTran. It could be good for us.”

The family that saves together

**USA Today** article about the effects of what families are doing in response to the economic recession and increased housing costs quoted Christine Burgoyne, a public service associate in learning services at the Georgia Center for Continuing Education.

Speaking about how she and her husband decided to move in with her daughter and her children, Burgoyne said: “First thing we did is we made a list of what our criteria would be. We wanted separate quarters... (and) a neighborhood where the kids could play outside,” she said. “So far, it’s been really good. I don’t spend much time upstairs at all but the kids spend an awful lot of time downstairs.”

By Julie Sartor
jsartor@uga.edu

Cory Buxton planned to be a geologist until teaching knocked on his door. Literally.

He was doing volunteer work with the Peace Corps in Guatemala when his landlord, who was also the local elementary and middle school principal, asked for his help.

“When she found out I was a science guy, she said, ‘You’ve got to do some science stuff for the kids because we don’t teach science, and I think we should.’ I started teaching and fell in love with it,” said Buxton, an associate professor in the College of Education’s department of elementary and social studies education.

After teaching for three years in Guatemala, Buxton returned to the U.S. to pursue a teaching degree. He taught for three more years in K-12 schools and then earned a Ph.D. and switched his focus to higher education.

He was a faculty member for five years at the University of Miami before coming to UGA in 2008.

“I liked that the College of Education is a high-profile, major player at UGA,” he said. “The history and the quality of the college also led me here.”

It also ranks as one of the top research education colleges in the nation, and Buxton has been immersed in school-based research since arriving.

Buxton, and colleagues Martha Allexsaht-Snider and Allan Cohen, director of the Georgia Center for Assessment, are currently using a three-year, $515,756 grant from the National Science Foundation to work with middle school teachers, English language learners and their families to improve student achievement.

“ELL students are often pulled out of class to learn conversational English and miss their grade-level content classes, or they are left to sink or swim with immersion in all-English instruction,” said Buxton. “We are using a co-teaching model, often used with special education students, that has an English as a second language teacher collaborating with a content-area teacher.”

The researchers will conduct workshops at schools and the National Institute of Education to assess practices and strategies that work well in the classroom and share those among their peers.

Cory Buxton, an associate professor of education, is a teacher collaborating with a content-area teacher.
On the Docket: 10/18/10

Monday, October 18, 2010
by Natalie Hill, Pittsburgh Post Gazette

Walter Thomas "Tom" McGough Jr., a partner at Pittsburgh-based Reed Smith and a member of the firm's executive committee, has agreed to join the executive staff of the University of Pittsburgh Medical Center as senior vice president and chief legal officer on Jan. 1, 2011. He is slated to succeed a former federal judge, Robert Cindrich, who is stepping down from the position after seven years to assume other duties at UPMC. (Legal Intelligencer)

The Pittsburgh office of Morgan, Lewis & Bockius LLP hired the following business and finance associates: David Crandall received his B.A. degree from Johns Hopkins University and J.D. from Stanford Law School; Yason Allie received his B.A. degree from the University of Pittsburgh and J.D. from the West Virginia University College of Law; and Chad Cowan received his B.A. degree from the University of Georgia and J.D. from the University of Pittsburgh School of Law.

Eckert Seamans Cherin and Mellott LLC was recognized in the "2010 Best Law Firms" rankings, the inaugural report released by U.S. News Media Group and Best Lawyers. In addition to the other national and metropolitan rankings received by Eckert Seamans, in Pittsburgh, the Construction Law practice was recognized as a Tier 1 firm. Also, Scott D. Cessar, construction law group chair and Christopher R. Opalinski, litigation division chair and construction law group member, were both recognized for excellence in construction law by Best Lawyers.

Attorneys Laura M. Miller and Jocelyn P. Kramer from The Law Offices of Ira Weiss were named 2010 Pennsylvania Super Lawyers Rising Stars. Ms. Miller specializes in tax lien foreclosure and represents school districts in residential and commercial tax assessment appeals. Ms. Kramer specializes in the areas of special education and student services and represents school district clients throughout Western Pennsylvania. She also serves as assistant solicitor for the School District of Pittsburgh.

Ogletree, Deakins, Nash, Smoak & Stewart, P.C. said the following attorneys were named in the 2011 edition of The Best Lawyers in America: Maria Greco Danaher was renamed to the list in the areas of commercial litigation and labor and employment law, and W. Scott Hardy and Peter D. Post were renamed to the list under labor and employment law.

Former federal appeals Judge Timothy K. Lewis, co-chairman of the appellate practice group at Schnader Harrison Segal & Lewis LLP, was recognized by The National Law Journal for his commitment to improve the way the poor people are represented in our nation's criminal justice system. Mr. Lewis was named a recipient of the Champions and Visionaries award. In addition, he was recognized by "Best Lawyers in America" in four separate categories: Alternative Dispute Resolution, Commercial Litigation, Appellate Practice and Administrative Law.

InformationWeek magazine has ranked K&L Gates LLP among the top 250 companies in the publication's annual listing of the United States' most innovative users of business technology. The award honors K&L Gates for its Enterprise Data Warehouse system, used to facilitate data integration of the firms with which K&L Gates has combined in recent years. K&L Gates is one of only three law firms ranked in InformationWeek's top 250. Developed by K&L Gates' own information systems group, the system has enhanced the firm's data-sharing capabilities, improved its ability to update quickly its computer infrastructure and prepared its information management process for future growth and integration.

The following attorneys with Houston Harbaugh PC were named to the 2011 edition of The Best Lawyers in America. John D. Houston, II, founding member, concentrates in the areas of health care, general corporate matters, and estate planning and wealth preservation; Deborah J. Robinson, director and leader, health care law department, concentrates her practice in the area of health care, with a particular emphasis on contractual relationships between health care providers as well as helping practices navigate the various governmental regulatory, third party payer and compliance laws, including HIPAA; and James H. Webster, director and leader, real estate and finance department, concentrates his practice in public finance, including general obligation and municipal authority financings and industrial development revenue bond financings.
Governor announces judicial appointments

Oct 20, 2010 | 340 views | 0 | 0 | 0

Governor Sonny Perdue today announced two appointments to the Georgia Court of Appeals. Keith Blackwell and Stephen Dillard will be appointed to fill vacancies on the Georgia Court of Appeals created by the retirement of Judge G. Alan Blackburn and the death of Judge Debra Bernes.

Keith Blackwell - Keith Blackwell is a partner in the litigation practice group of Parker Hudson Rainer & Dobbs LLP in Atlanta. Previously, Keith served as Assistant District Attorney in Cobb County and practiced at Alston & Bird LLP. Keith clerked for the Hon. J. L. Edmondson of the U.S Court of Appeals for the Eleventh Circuit. Keith received his law degree summa cum laude from the University of Georgia School of Law, where he was First Honor Graduate, and received his bachelor of arts summa cum laude from the University of Georgia.

Among his many community activities and awards, Keith is the former president of the Atlanta chapter of the Federalist Society and a current member of its executive board, a member of the Governor’s Judicial Nominating Commission, and has been recognized as a Georgia Super Lawyers “Rising Star”. Keith, his wife Angela, and their three children, live in Smyrna.


Steve received his law degree cum laude from Mississippi College of Law and received his bachelor of arts from Samford University. Among his many community activities and awards, Steve is the president of the Macon chapter of the Federalist Society, a member of the Governor’s Judicial Nominating Commission, and has been recognized as a Georgia Super Lawyers “Rising Star”. Steve, his wife Krista, and their three children, live in Macon.

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The nonpartisan election for Glynn County Superior Court judge has become one of the most contested local races this election year.

The Nov. 2 election pits Brunswick Judicial Circuit Chief Judge Amanda Williams, a 20-year incumbent who has run unopposed for 16 years, against political newcomer Mary Helen Moses, a professor of law at John Marshall School of Law and a local attorney who engaged legislation to block the downtown expansion of the Glynn County Detention Center.

Early voting in the November nonpartisan and general elections is going on now.

Williams said her focus right now is to look for ways to save taxpayers money during stressful financial times.

"We are having to do more in the courts with less," Williams said. "Because of that, it's going to be important for us to get creative and find ways to handle the caseload we are getting with less."

She plans to save money by expanding Drug Court, which keeps non-violent drug offenders out of the traditional court system and helps them reform, to the rest of the circuit and initiate a five-county alternative dispute resolution program.

Counties in the circuit, in addition to Glynn, are Camden, Wayne, Appling and Jeff Davis.

The statewide budget crunch -- and its effect on the court -- is Williams' primary concern.

The court is not the only entity getting less funding, she said. The district attorney's office, the public defender, probation departments and many other agencies that work with the court have been getting less cash from the state.

Williams said it will be up to the court and others to come up with ways to operate with tight pockets.

"It's like this for everybody," Williams said. "In some cases we don't have (Department of Family and Children Service) workers to provide support for children who come in front of us. It's a major concern of mine. It's the biggest problem we are facing.

"We can't continue to take care of things the way we have in the past because we can't afford it."
Two ways Williams is going to reduce the financial burdens on the circuit is to continue expanding the Drug Court program and initiate an alternative dispute resolution program.

Williams also wants to reduce jail overcrowding and has been working with District Attorney Jackie Johnson to fast track non-violent felony cases to clear up space in the Glynn County Detention Center.

"When people can't make a $15,000 bond, they generally can't meet any kind of bond," Williams said. "You have to look at these people who can't make these bonds and work on getting their cases moved through more quickly."

The key to moving the cases is changing some of the procedures for pretrial hearings -- in some cases making them more in-depth -- and negotiating more pleas for non-violent felons, Williams said.

Opponent Mary Helen Moses said she wants to improve court efficiency and transparency to save money.

The computerized case tracking system in place at the courthouse today is not as accessible to the public as it should be, Moses said.

"We have a system called the Odyssey System in place," Moses said. "It's the same as the one used in Fulton County, but no one has access to it -- or some have a great deal of access when others only have a little. It's as good a tracking system as the federal Pacer system, but it's not available to everyone."

If it was available to all, "you could track a judge's caseload," she said. "You can see what judges are doing.

"The software is there. It's just a question of utilizing it."

Moses applauds the Drug Court program but said there are some things she would want to change.

"I think the fact that we have a Drug Court is a strength, but I do have concerns about some procedures that we have now," Moses said.

Moses wants a Drug Court coordinator to be appointed who is separate from the judge hearing drug cases. She said having a separate coordinator would add impartiality to the system, which she said is currently lacking.

Other drug courts in the state have non-judicial coordinators, according to Moses.

Consequences for participants who fail short in Drug Court should be productive, she said.

"I'm not sure jail is the right consequence for failing a drug test," she said.

Drug Court participants who fail drug tests or have some other infractions should be sentenced to community service projects instead of being sent to jail, Moses said.

Both women admire nontraditional historical figures.

Moses looks up to a prominent person in Southern fiction.

"Atticus Finch -- that's the lawyer I always wanted to be like," Moses said. "I read 'To Kill a Mockingbird' when I was 12 and I always wanted to be that way. He quietly, in his unassuming way, just did the right thing."
Williams finds guidance in her family memories. "I think I'd be remiss to say any historical figure inspired me more than my parents," she said.

About the candidates
Mary Helen Moses
Age: 57
Occupation: Lawyer

About her: University of Georgia School of Law Graduate. Taught 18 years at Albany Law School of University in New York state and currently teaches at John Marshall Law School in Atlanta. Private practice on St. Simons Island since 1999. Was co-counsel in federal lawsuit to prevent expansion of Glynn County jail downtown.

Amanda F. Williams
Age: 63
Occupation: Judge

About her: John Marshall Law School graduate. Superior Court judge since 1990. Currently chief judge. Created Drug Court within Superior Court as way to divert non-violent drug offenders from criminal justice system and into rehabilitation programs. In 2009, sat in place of a state Supreme Court justice to review a civil case. Presiding over case of New Hope Plantation mass murders.

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Governor Perdue Announces Executive Appointments

ATLANTA (October 21, 2010) – Governor Sonny Perdue announced today the following executive appointments. Brief biographies are provided below:

**Board of Directors of the Georgia Lottery Corporation**

Frances Rogers, 49, Atlanta – Rogers is the founder and president of Checks & Balances, Inc. and the president of WH Capital, LLC. She serves on the Waffle House, Inc. Stand-By Board of Directors, a trustee and officer of The Lovett School, and a member of the Georgia Tech Foundation Board of Trustees. Rogers earned a bachelor’s degree from the Georgia Institute of Technology. She has two children and three stepchildren with her husband, Joe.

**Board of Economic Development**

James E. Stephenson, 60, Johns Creek, At Large Representative – Stephenson is the president and chief executive officer of Yancey Bros. Co. He serves on the boards of the Shepherd Center, Grady Memorial Hospital and Piedmont Bank. He is a past member of the Board of Directors of the Georgia Regional Transportation Authority. Stephenson earned a bachelor’s degree from Yale University and a law degree from Duke University. He and his wife, Donna, have three children.

**Board of Trustees of the Subsequent Injury Trust Fund**

Barbara E. Tempel, 67, Atlanta, At Large Representative – Tempel is a special assistant to Governor Sonny Perdue. She was the membership director of the GAGOP, outreach director for Congressman Tom Davis of Virginia, and spent fifteen years in the education field. Tempel earned a bachelor’s degree from the University of Missouri. She has two daughters and four grandchildren.

**Department of Community Health**

Mary Eleanor Wickersham, Ph.D., 60, St. Simons Island – Wickersham is an assistant professor at Valdosta State University. She is past health and human services policy advisor for Governor Sonny Perdue. She serves on the Georgia Commission on Family Violence. Wickersham earned a bachelor’s degree from Emory University, a master’s degree from Georgia College and State University, and a doctorate from Valdosta State University. She and her husband, David, have two children and three grandchildren.

**Georgia Commission for Service and Volunteerism**

Ceasar C. Mitchell, 42, Atlanta, Local Government Representative – Mitchell is president of the Atlanta City Council. Prior to being elected council president, he served two terms as a citywide post 1 councilmember. He is past chairman of the Board of Directors of Hands on Atlanta. He has
been featured in Georgia Trend’s “Top 40 under 40” list. Mitchell earned a bachelor’s degree from Morehouse College and a law degree from the University of Georgia.

**Governor’s Office for Children and Families Advisory Board**

**Gaylyn L. Cole**, 41, Forsyth – Cole is a resource teacher in the Great Leaps Program at Stratford Academy in Macon. She has 16 years of educational experience in public and private schools. She is a member of the Forsyth Woman’s Club and a 2005 graduate of Leadership Georgia. Cole earned a bachelor’s degree from the University of Georgia and a master’s degree from Georgia Southwestern University. She and her husband, Jim, have two children.

**State Board of Registration for Professional Engineers and Land Surveyors**

**Matthew W. Baxter**, 28, Atlanta, At Large Representative – Baxter is the energy, natural resource, economic development, and tax policy advisor for Governor Sonny Perdue. He previously served as a budget analyst for the Governor’s Office of Planning and Budget. Baxter earned a bachelor’s degree from Georgia College and State University and a master’s degree from the University of Virginia.

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Gov. Sonny Perdue, R-Ga., issued the following news release:

Governor Sonny Perdue today announced two appointments to the Georgia Court of Appeals. Keith Blackwell and Stephen Dillard will be appointed to fill vacancies on the Georgia Court of Appeals created by the retirement of Judge G. Alan Blackburn and the death of Judge Debra Barnes.

Brief biographies are provided below.

Keith Blackwell - Keith Blackwell is a partner in the litigation practice group of Parker Hudson Fainer & Dobbs LLP. Previously, Keith served as Assistant District Attorney in Cobb County and practiced at Alston & Bird LLP. Keith clerked for the Hon. J.T. Edmondson of the U.S. Court of Appeals for the Eleventh Circuit. Keith received his law degree summa cum laude from the University of Georgia School of Law, where he was First Honor Graduate, and received his bachelor of arts summa cum laude from the University of Georgia. Among his many community activities and awards, Keith is the former president of the Atlanta chapter of the Federalist Society and a current member of its executive board, a member of the Governor's Judicial Nominating Commission, and has been recognized as a Georgia Super Lawyers "Rising Star". Keith, his wife Angela, and their three children, live in Smyrna.

Stephen Louis A. Dillard - Steve Dillard is of counsel and chair of the appellate practice group of James Bates Pope Spivey LLP in Macon. Previously, Steve practiced at Stone & Baxter LLP. Steve clerked for the Hon. Daniel A. Manion of the U.S. Court of Appeals for the Seventh Circuit. Steve received his law degree cum laude from Mississippi College of Law and received his bachelor of arts from Samford University. Among his many community activities and awards, Steve is the president of the Macon chapter of the Federalist Society, a member of the Governor's Judicial Nominating Commission, and has been recognized as a Georgia Super Lawyers "Rising Star". Steve, his wife Krista, and their three children, live in Macon.
Riverkeeper post lures metro lawyer to coast

People in the News

Riverkeeper post lures metro lawyer to coast

Premium content from Atlanta Business Chronicle - by Dave Williams

Date: Thursday, October 21, 2010, 12:38pm EDT

After a few false starts, Sonja Cox says she has found her calling.

Nearly two decades after beginning her professional life as a newspaper reporter before turning to law, both in the Atlanta suburbs, she has moved to the Georgia coast to pursue her lifelong dream of becoming an environmental advocate.

"I want to be doing something I care about," said Cox, 42, who started work Oct. 18 as head of Altamaha Riverkeeper, a Darien, Ga.-based grass-roots organization dedicated to protecting Georgia's biggest river. "That means more to me than a number on a paycheck."

Cox, a native of Athens, said her love of the natural environment stems from her childhood.

"I grew up on a farm, fishing and camping," she said. "I've always had a personal connection with nature."

But Cox didn't act right away on her career goal of getting involved in environmental issues. Instead, she went to work as a reporter at a newspaper in Douglasville after graduating from The University of Georgia with a journalism degree.

However, after several years, Cox found she wasn't satisfied with the low pay typical of small-town papers.

"I was looking for more financial stability and earning capacity," she said. "I had some friends who were lawyers and thought, 'I can do that.'"

So it was back to Athens to attend UGA's law school and a rebirth of her dream of working on environmental issues.

"I took all of the environmental law classes that were offered," she said. "I was preparing myself for doing the type of law I wanted to do."

But fate intervened, and when Cox graduated with a law degree, the district attorney back in Douglas County lured her back to Douglasville to work as an assistant prosecutor.

Subsequently, Cox was hired by the law department in DeKalb County. At first, she thought she would finally get a chance to handle legal issues related to environmental policy.

"I told them I wanted to work on zoning and land use," she said.

But Cox apparently had been typecast by her previous experience prosecuting criminals. After a couple of months, she was shipped off to work essentially as an in-house counsel for the DeKalb County Police Department.

Since that wasn't what Cox really wanted to do, she gladly jumped ship when an opportunity came along to join a friend in launching a real estate law office, a practice she eventually took over.

That lasted for six years, until the real estate slump dried up business.

However, the market downturn eventually led Cox to another opportunity when she returned to Douglas County government, this time as an assistant county attorney.

Cox said there's an under-appreciated connection between the environment and local government law.

"A lot of the decisions affecting water and land use rest at the local government level," she said. "People don't realize how much power local governments have in deciding what types of uses go on that may or may not be polluting."

However, none of the cases involving the county that came Cox's way focused on environmental matters.

Still looking for a chance to make a difference through environmental advocacy, she applied for the Altamaha Riverkeeper position when James Holland, the first and only riverkeeper in the organization's history,
announced his retirement last spring.

Holland and Deborah Sheppard, the nonprofit organization's executive director, founded Altamaha Riverkeeper in 1999 to safeguard the third-largest river system east of the Mississippi.

The Altamaha, which is formed by the confluence of the Oconee and Ocmulgee rivers at Lumber City, Ga., drains one-quarter of the state.

Unlike Atlanta's Chattahoochee River, however, there's not a single dam along the Altamaha's entire length.

"It's a free-flowing river, one of the last of its kind," Cox said. "It's hard to imagine why anyone would want to dam the Altamaha. You can't use it for hydroelectric because the topography doesn't fall far enough."

But with growth in North Georgia threatening to outstrip water supplies, Cox said she could foresee an effort to build a reservoir on the Altamaha River.

Altamaha Riverkeeper opposes reservoirs because they disrupt the natural flow of a river system.

"Engineering solutions to water quality and supply have failed us," said Sheppard. "It's time to come at these problems another way."

Cox said the group keeps a close eye on Plant Hatch, a nuclear power plant near Baxley, Ga., jointly owned by Georgia Power Co. and three other utilities.

"We just hope they stay in compliance with their permits and don't discharge water into the Altamaha that's too hot," she said.

Cox said Altamaha Riverkeeper also is a plaintiff in a lawsuit challenging the issuance of state permits for construction of a coal-fired power plant near Sandersville, Ga.

She said her legal experience was a big plus in landing the job. Cox is the first lawyer to act as riverkeeper among the Georgia riverkeeper organizations.

"A lot of what riverkeepers do is keep an eye on activities in the watershed," she said. "I'll know a violation when I see one and what type of evidence will be required to prove one."

"Sonja's got an excellent background with a diverse array of training and interest," Sheppard said. "She really has been getting ready for a job like this her whole life."

EXECUTIVE PROFILE

Sonja Cox

Current job: Altamaha riverkeeper

Age: 42

Born: Athens


Previous job: Assistant county attorney, Douglas County, Ga.,

Education: Bachelor's degree in journalism, law degree, The University of Georgia

Hobbies: Paddling, hiking, gardening

Family: Single

If you know an executive whose hobby— or day job— is unusual enough to be in print, contact Misty Williams at mistywilliams@bizjournals.com.
Headline: Lecture to Explore Court Confirmation Process

DATELINE: DES MOINES, Iowa

BODY: 10/21/10

Drake University issued the following news release:

Professor Lori A. Ringhand of the University of Georgia School of Law will deliver a free public lecture on the Supreme Court confirmation hearing process on Thursday, Oct. 21, at the Drake law School.

The lecture, titled "Supreme Court Confirmation Hearing: What Really Happens?" is scheduled to begin at 3 p.m. in room 213 of Cartwright Hall.

Ringhand teaches constitutional law, election law and state and local government law at University of Georgia School of Law. She is a nationally recognized expert on the Supreme Court confirmation process and judicial behavior.

Her work has been published or is forthcoming in journals such as the University of Pennsylvania Journal of Constitutional Law, Constitutional Commentary, the Columbia Journal of Transnational Law and the Oxford Journal of Legal Studies. The New York Times and other national media outlets have cited her work on numerous occasions.

This lecture is part of the Constitutional Law Center's Distinguished Lecture Series. The center invites the nation's leading constitutional scholars to Drake Law School to engage students and faculty in discussions about current issues. Speakers deliver a formal lecture and also meet with faculty and students to discuss their research and scholarship.

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UGA mock trial hones real skills

By LEE SHEARER - lee.shear@onlinethens.com
Published Saturday, October 23, 2010

A high-powered jury heard a million-dollar case in a courtroom on the University of Georgia campus Friday - and though the million dollars riding on the verdict was not real, the stakes were still high.

A nearly monthlong tournament came down to its final day Friday, when two teams of UGA law students squared off in the final round of the School of Law's annual J. Michael England Mock Trial Tournament.

Winning the tournament is a big deal at the University of Georgia School of Law, whose students eventually will take the same trial skills they use here into real courtrooms.

Plus, students who do well in the intramural competition also get the chance to compete against other university law school moot court and mock trial teams.

"If they make the finals, they're on the team if they want to be," said Brandon Hossak, who coordinates the competition with fellow law student Michael, both veterans of UGA's intercollegiate mock trial team.

At issue Friday was one big question: Did the late Clint Harbour die from an accidental shotgun blast, or was it suicide?

Riding on the answer was a million-dollar insurance payout in the fictional case, which pitted a grieving, wronged widow against a cold-hearted, tight-fisted insurance company - or so argued law students Andrew Bagley and Andre Ionescu, who represented the widow, the plaintiff in the case.

"This case is about more than money. This case is about commitment," Bagley told the jury in his closing argument.

But it was Harbour who acted dishonorably by shooting himself to escape debt and the shattering revelation that his wife of 26 years was having an affair with another man, argued Miguel Trujillo and Austin Bersinger, who represented the fictional Southern Comfort Life Insurance Company.

"He did not follow the rules. Uphold the rules and find the defendant not liable," Trujillo urged.

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Rich: Things I learned from Gen. Lee while in Athens
Athens Banner-Herald
Published Sunday, October 24, 2010

The other day I ran into Gen. Robert E. Lee, along with his wife, and his arch-nemesis, Gen. Ulysses S. Grant.

I had just finished a speaking engagement at the T.H.R. Cobb House in Athens (Cobb among many accomplishments, co-founded the University of Georgia Law School. He died at the Battle of Fredericksburg, Va., defending the Confederate Constitution, which he had authored).

I was clicking down the solid wood steps of his original home when I stopped six steps from the end. There they were. In authentic costumes, the folks who portray these important historical figures. They had come a visiting from South Carolina and Kentucky, eager to see Cobb's homeplace.

Engaged in conversation with the curator of the Cobb House, Sam Thomas, they were spouting off all kinds of intriguing trivia. I sat down on the steps quietly, just to listen.

Oh, there was lots of good stuff I could share, including Lee's pronouncement that Grant's wife and the wife of Jefferson Davis (president of the Confederacy) became best friends after the war ended. But here's what intrigued me most and had me asking questions: The mourning attire of widows during the Civil War period.

Lee patiently explained that during the first year of deep mourning, the widow wore solid black and dark voiles.

The second year in "light" mourning, she discarded the veil and could add white to the top of her dress. The third year was "half" mourning and a reintroduction to society. Most widows never remarried and some wore black for the rest of their lives.

"That wasn't true about Dolley Madison," I spouted off, newly informed by a PBS special of her remarriage quickly following her first husband's death.

He raised a grayed eyebrow and tightly replied, "She was a Yankee."

All that got me to thinking about the mourning periods in today's society.

Of course, all the "black-only dresses" have been discarded for many decades, but it seems like most women stil do a proper job of mourning their fallen husbands. Most wait an appropriate period before they re-emerge in the dating scene.

But men? Now, that's another story. I'm only basing this on what I have seen from men in a certain age group. My sister and I have a friend widowed for several years. We have been
But men? Now, that's another story. I'm only basing this on what I have seen from men in a certain age group. My sister and I have a friend, widowed for several years. We have been trying to find someone for her to date for a couple of years. The pickings had been so poor, we finally took to scouring the obituaries.

"I found the perfect widower!" I announced excitedly. Once I listed his attributes and qualifications, my sister agreed.

"But, listen," I continued. "We need to wait six months before we approach him. We want to be respectful. They were a close couple."

That plan failed like Lee's trip to Gettysburg. In three months, that man was engaged and not looking back.

When the next eligible widower came up, I decided we would decrease the waiting period to three months before we approached him and suggested an introduction.

Within weeks, that man, grief-stricken though he had been, had taken up with a widow, and no casserole was going to pry them apart. Like Lee at Appomattox, we surrendered.

My sister called. "You know, I have about decided that if we're going to find someone for Becky like this, we're gonna have to go to the funeral home and catch 'em before someone else does! Just walk up to the casket and ask 'em."

We thought that was funny until we found out that some women actually do that. So, we've given up on obituaries and widowers. Too much competition.

From now on, we'll just go down to the courthouse and dig through the divorce filings. It appears that women aren't nearly as interested in the ones who just gave away half of what they had.

AMONG THE six hopefuls vying for a seat on the Georgia Court of Appeals, four are viable candidates: Antoinette "Toni" Davis, Stan Gunter, Christopher McFadden and David Schaeffer.

Ms. Davis, a 1978 graduate of UGA Law School, taught legal writing at UGA for two years, and then worked for 14 years as a staff attorney/law clerk for the justices of the Georgia Supreme Court.

After her years working for the state's highest court, the Marietta resident went into private practice in the Atlanta area.

She has won the praise and endorsement of several Supreme Court justices and sheriffs from around the state.

Mr. Gunter has been district attorney for the Enotah Circuit in Northeast Georgia.

Mr. McFadden has served as counsel in more than 80 cases in the Georgia appellate courts which resulted in published opinions. He has also chaired the appellate practice section of the State Bar of Georgia. He's even written a book on appellate practice currently used as a reference book in Georgia.

Mr. Schaeffer, a 1981 graduate of the University of Virginia Law School, is president of the Atlanta Bar Association. His candidacy has received bipartisan support from legal experts around Georgia.

In a race that boasts six candidates (James Babalola and Adrienne Hunter-Strothers are the other names on the ballot), there is a strong likelihood of a Nov. 30 run-off.

However, our pick for the general election is Ms. Davis.

She has a broad legal background, but most especially she is expert in research and legal writing. Those are vital skills for appellate court decisions that will hold up under Supreme Court scrutiny.

Ms. Davis will not be a superficial judge, but someone who will dig into cases to see what the ramifications of a decision might be in Georgia and beyond.
Her work on the Supreme Court has been wide-ranging and impactful. Her research helped decide cases setting the mean high water mark on the Georgia coast, establishing the bonds for Underground Atlanta, the imposition of the death penalty in capital cases, and determining the constitutionality of various state statutes.

Another plus in Ms. Davis' favor: Her desire to make the law accessible to everyday Georgians. She has a record of writing opinions clearly enough for laypeople to understand them. Too often, non-lawyers feel they don't have access to the law, and that it must be interpreted for them.

Ms. Davis contends that while there are complicated issues in the law, the language in which it is expressed need not be impenetrable.

The decisions of the state Court of Appeals affect Georgians every day. Indeed, the court's three-judge panels hear a total of around 3,000 cases a year. Citizens need judges on the court who both love the law and value the public's access to it. Voters should support Antoinette "Toni" Davis on Nov. 2.

Source URL: http://savannahnow.com/opinion/2010-10-24/vote-davis

Links:
AUGUSTA - Susan Kathryn Bohler and John Douglass Cates V were married at 6.30 p.m. at the Church of the Good Shepherd in Augusta.

Susie is the daughter of Mrs. Rufus Estes Bohler, jr., and the late Rufus Estes Bohler, jr., and is the granddaughter of the late Mr. and Mrs. Louis Kelly Bell and the late Mr. and Mrs. Rufus Estes Bohler, all of Augusta.

John is the son of Mr. and Mrs. John Douglass Cates IV of Augusta. He is the grandson of Mr. and Mrs. John Douglass Cates III of Waynesboro and Mrs. Redding Crawford Souder of Evans, formerly of Macon, and the late Redding Crawford Souder of Macon.

The Reverend Robert Duncan Fain officiated.

Escorted by her brother, Davis McCall Bohler, and given in marriage by her mother, the bride chose her sister, Kelly Bohler Stevenson, as her Matron of Honor, and her niece, Mildred McCall Stevenson, as her Maid of Honor. Bridesmaids were Lauren Elizabeth Gibbs and Natalie Hamilton Thompson, both of Augusta; Kathryn O'Farrell Perry of Mobile, Alabama; Meredith Lee Moore of Macon; and Elizabeth Jane Humma and Carroll Elizabeth Devore, both of Atlanta, all friends of the bride.

Fisher Davis Stevenson, nephew of the bride, was the Ring Bearer.

John chose his father, John Douglass Cates IV, and his two brothers, Redding Cofer Cates, of San Francisco, California, and Charles Souder Cates, of Augusta, as his Best Men. Groomsmen were James Michael Alexander of Houston, Texas; James Freeland Griffin, of Baltimore, Maryland; Collier West McKenzie, of Macon; Thomas Oliver Pryor, of Athens; John Willis Shiver IV, of Sullivan's Island, SC, all friends of the groom; and Joseph Louis Stevenson of Augusta, nephew of the bride. Ushers were Thomas James Calloway IV, Stephen Charles Pyles, both of Atlanta, and Graham Pryor Roberts, of Macon, all friends of the groom.

The Reader was John Douglass Cates IV. The Musician was James Edward Nord, Church of the Good Shepherd Organist/Choirmaster. Greeters were Mariah Barry Cates, cousin of the groom and Hope Ghann Patterson, friend of the bride.

Following the ceremony, a reception was held at The Old Medical College. Music was provided by Fred Williams, Augusta Jazz musician, and later in the evening, The Maxx, from Atlanta.

Event Coordination and Design were by Greg Boulos of Charleston Street Fine Flowers and Events. Wedding photographer was Tim Willoughby of Tim Wills Photography, Charleston, S.C. Bridal Portrait was by Andy Donnan of Donnan Photography, Augusta.

Catering was by Jennifer Shuford, Tastefully Yours, Augusta. Wedding Cake design was by Sally Hays Nicholson, Something Sweet Bakers, Savannah.
The bride is a 2003 graduate of Augusta Preparatory Day School, and attended the University of South Carolina, where she was a member of Kappa Delta sorority. In 2008, she graduated from the Lamar Dodd School of Art at the University of Georgia with a degree in Graphic Design. She is presently a freelance graphic designer.

The groom graduated from Westminster Schools of Augusta in 2003, and the University of Georgia in 2007, where he received a Bachelor of Arts in Philosophy and was a member of Sigma Alpha Epsilon fraternity. He is currently in his third year of the joint Juris Doctorate and Masters of Business Administration program at the University of Georgia School of Law and Terry College of Business.

The newlyweds will honeymoon in Kauai, Hawaii, and will reside in Athens, Georgia.

GRAPHIC: Mrs. Cates

LOAD-DATE: October 26, 2010

2 of 3 DOCUMENTS

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Battle Creek Enquirer (Michigan)

October 24, 2010 Sunday

SECTION: NEWS

LENGTH: 1046 words

HEADLINE: GUIDE: Jaconette, Strander vie for probate judge

BYLINE: By, Trace Christenson

BODY:

Two men survived the August primary to succeed Judge Philip Harter, who is retiring at the end of the year.

MIKE JACONETTE

Mike Jaconette, an assistant Calhoun County prosecuting attorney for 17 years, said he is the only candidate practicing in the probate court in Calhoun County.

Listen to Enquirer editorial board interview with MIKE JACONETTE

"This is the court that I work in," he said. "I am in the race because I am the prosecutor who practices in probate court."

He asked to be placed in the court and has been assigned as lead attorney in the office's Family Court Unit for the past 20 months.

"I was drawn to practice there because of the service to children and the families," he said. "I found that work done in probate court appeals to me. It is the service court dealing with children and families."

Before his present assignment, he often worked on abuse and neglect cases, which were companion cases to those he prosecuted in criminal courts with
children and vulnerable adults as victims.

Jaconette agrees with his opponent that the county's probate court is respected across the state and sees few areas that need change.

He said technology, including placing public records online, is already available and he expects some duties, especially those involving family court cases, might be adjusted after a new judge is seated.

"The focus of the court is helping people and there are many agencies that provide services. It is not designed to be a heavy handed court and our court does a good job with that."

He said his trial experience in criminal courts and in probate court will be invaluable.

"The difference between us is our courtroom experience," Jaconette said. "To have a judge who has not gone through that experience, I can't fathom. It is a prerequisite for a judge. "One thing you can't read in a book is courtroom experience."

"The courtroom experience can't be understated," he said. "I am running to be a judge in a courtroom and that is where I have plied my trade for 17 years."

He said much of the estate and guardianship work is administrative and involves providing and filing the proper forms.

But the family court work can involve day-long trials, he said, and he has that experience.

Jaconette said he has a reputation for being fair and able to work with other lawyers and judges. And after practicing in the county, he said he knows and has worked with the other judges, lawyers and various local agencies which are frequently involved in cases.

He said the campaign has provided a chance to walk some neighborhoods and talk about the court.

"Every door is an opportunity to educate people about cases heard in the court."

GEORGE STRANDER

George Strander has worked 12 years as probate court administrator and probate register in Ingham County and said he has experience in all facets of court operations and administration.

Listen to Enquirer editorial board interview with GEORGE STRANDER

He said the court has several areas "and in all those areas we are helping families. The common thread is we help people. The court is not adversarial, it provides help."

On the campaign trail, he said, many people have questions about the functions of the probate court -- from juvenile and family matters to wills, guardianships and probate.

"There are lots of misconceptions and I like talking about what really goes on," he said.

As probate judge, Strander said he would continue to regularly meet with groups and organizations to explain the probate court and to especially seek out groups who play a role in the court, like mental health organizations, schools
and human service agencies.

Strander, who is vice mayor and a member of the city council in Albion, said he is running for the bench because of his work in the court.

"I am running because I have worked in the court my whole career and my focus is on the court system. I am interested in this thing we call the legal system and making it work well."

He said he would like to begin a Mental Health Court for offenders with mental issues who can be provided necessary services. He also would recruit volunteers to oversee guardianships and wants to provide online access to probate cases and initiate scanning of court documents.

"I want to look at many other ways to save money," he said.

Although he has not worked as a judge, Strander said he sits on the bench as a referee in certain cases in both probate and the juvenile division of the court and has worked as a court appointed attorney.

"I have had to not only know what it is to be in the courtroom but also the law," he said.

"I have been on the bench and I have had to make findings and I have tried to be fair. I have the experience and expertise in probate law and I can do the job."

While not working in Calhoun County courts, Strander said he has worked with Judge Harter on projects and has been endorsed by 17 probate judges from across the state.

"I have a tremendous amount of experience in the in probate court," he said.

Trace Christenson can be reached at 966-0685 or tchrist@battlecreekenquirer.com

The Jaconette File
NAME: Mike Jaconette
AGE: 45
HOME: Battle Creek
PARTY: Nonpartisan
EDUCATION: Bachelor's degree, University of Michigan, 1987; University of Georgia School of Law, 1992.

OCCUPATION: Senior Assistant Calhoun County Prosecuting Attorney

ELECTED EXPERIENCE: None

MILITARY EXPERIENCE: None

LENGTH OF RESIDENCE IN THE COUNTY: 35 years

COMMUNITY ACTIVITIES: Calhoun County Bar Association, Project 20-20, Women's Co-Op, Cereal City Sunrise Rotary, St. Joseph Catholic Church

FAMILY: Wife, Linnea; two daughters, ages 8 years and seven months

The Strander File
FAMILY: Wife, Bindu; two children, ages 14 and 8

LOAD-DATE: October 24, 2010

2 of 2 DOCUMENTS

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October 24, 2010 Sunday

SECTION: STATE AND REGIONAL NEWS

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24

LENGTH: 2020 words

HEADLINE: Candidate Q&A: Drake, Rankin, Ross Vie For 4th District

BYLINE: Times Record, Fort Smith, Ark.

BODY:

Oct. 24--U.S. Rep. Mike Ross, D-Prescott, the only member of Arkansas' delegation to the U.S. House seeking re-election, drew two opponents in his campaign for a sixth term in Congress.

Ross, 49, was first elected to the U.S. House in 2000, after serving in the Arkansas Senate from 1991 to 2000. Ross is co-chairman of the Congressional Delta Caucus, the I-49 Congressional Caucus and the I-69 Congressional Caucus.

Ross holds a bachelor's degree in political science from the University of Arkansas at Little Rock.

In addition to his public service, Ross was owner of Holly's Health Mart pharmacy in Prescott from 1993 until 2007.

Magnolia businesswoman Beth Anne Rankin, 39, defeated Glenn Gallas, leader of the Garland County Tea Party, to capture the GOP nomination.

Rankin, a former Miss Arkansas, also served in multiple capacities -- including liaison and policy adviser to the National Governors Association, the Southern Governors' Association, the Council of State Governments, Southern Regional Education Board, Capitol Hill and the White House -- during her years working for former Gov. Mike Huckabee's administration.

Rankin graduated magna cum laude from Ouachita Baptist University. In 2004, she opened "Beth Anne Productions," where she teaches both piano and voice in Magnolia.

Hot Springs attorney Joshua Drake, 41, is the Arkansas Green Party nominee for the 4th District.

Like his opponents, Drake has public service and private sector experience.
After graduating from the University of Georgia School of Law in 1994, Drake went to work as a staff attorney for Arkansas Legal Services until 2003, when he joined the Hobbs, Garnett, Naramore and Drake law firm in Hot Springs, where he became a partner and remained until founding the Drake and Street law firm in Hot Springs earlier this year.

Drake holds a bachelor's degree in international relations and political science from Rhodes College in Memphis.

The questions below were e-mailed to the candidates, who were asked to limit their responses to no more than 150 words. Where necessary, replies were edited to that length.

Taking the issue of health care off the table, if you could sponsor only one bill in the next session of Congress that you think would do the most to help Arkansans, what would it be and how would you go about getting your bill supported and passed?

Drake: I support plenty of good legislation that would be very difficult to pass, but one that would be supported and passed is an environmental protection and green jobs bill. It would increase protections of our air and water and also have a major green jobs component where we turn our focus away from fossil fuels and towards renewable energies such as wind and solar. We need to put the people of Arkansas to work on renewable energy jobs such as building solar panels and solar energy power plants. It will take government support to create such jobs. This is a major issue of national security as well. National security is the angle I would use in Congress to get the legislation passed. The money we are spending on securing oil in the Middle East could be spent on growing our green economy and putting people to work.

Rankin: While I am very reluctant to change the U.S. Constitution, I believe we need a Balanced Budget Amendment. Such an amendment to the Constitution would establish the basic principle that the federal government must not spend beyond its means. Congress has shown it can't find the discipline to keep the government within its means without such an amendment. That is why we are $13.3 trillion in debt. The discipline imposed by a balanced budget amendment may be the only way to avoid leaving future generations of Americans with an overwhelming legacy of debt. I believe we will see many new faces in Congress next year. Many of those believe as I do that we need a Balanced Budget Amendment and I will work with them to get it passed.

Ross: I believe that we should adopt a constitutional amendment that requires Congress to balance the budget. We have this amendment in our state constitution and we need it at the federal level. It will force Congress to work together and make the tough decisions necessary to get our fiscal house back in order. The balanced budget amendment is part of the fiscally conservative Democrats Blueprint for Fiscal Reform, a comprehensive legislative package designed to get us back in the days of budget surpluses. I will continue to work with members of the Blue Dog Coalition and with members of both parties in support of this bill and other fiscally responsible legislation.

If the economy clearly was headed for an economic meltdown, would you vote for another bailout? Please explain.

Drake: Only if our priorities are changed and the bailout is of the American worker instead of the corporate CEOs. If we bail out Wall Street or corporation we should immediately tax those making all the profits to recover our bailout money as fast as possible. The Wall Street executives are back to making million dollar bonuses after the last bailout while tens of thousands of American workers are unemployed. Those bonus dollars should be taxed to provide unemployment to the workers. Unemployment benefits and other stimulus aimed at the average worker does far more to stimulate the economy than bailouts since so much of the money is immediately spent and put back into the economy. It also
helps prevent foreclosures and consumer bankruptcies that hurt everyone.

Rankin: No. I would not. The stimulus bill is a monumental failure. The American people were promised that keep unemployment under 8 percent. After the bill passed, unemployment went higher than 10 percent and is currently at 9.6 percent. In the Great Depression when federal spending was increased, unemployment remained over 20 percent until World War II. The Japanese government tried it in the 1990s and accomplished nothing by running up a large deficit. The government can't spend our way out of bad economic times. The private sector, not the government, creates jobs. We need to help the private sector by reducing federal regulations and reducing taxes.

Ross: It would be crucial to know the details of this economic downturn. Any future attempts by the government to provide loans would have to be thoroughly reviewed by economic advisors, members of all political parties and the American people. My commitment is to ensure that the people of Arkansas are protected through any economic downturn and not unfairly burdened by legislative efforts to correct it. In addition, seven of the eight largest banks who received loans through the Troubled Asset Relief Program have paid back every dime with interest and GM repaid its loan, five years early. The final bank, Citigroup, is well on its way to paying the government back. At the time that President Bush proposed the TARP, 90 percent of all bank deposits were in 19 banks, along with two-thirds of assets and more than one-half of the loans in the U.S. banking system.

What bill or bills are floating out there or what would you propose that would provide the most help to Arkansans who are suffering as a result of economic woes that continue to hit Arkansas?

Drake: Legislation to require better gas mileage on all vehicles. The technology is available but won't be implemented as long as oil revenues are used to write the laws. Green jobs legislation already exists. Expansion of unemployment benefit will help all out of work people and stimulate the economy. Most economists agree that unemployment benefits are some of the best economic stimulation available. We also have to reform our trade policies so that we stop losing manufacturing jobs overseas. Our nation needs to get back into the business of making things. We need to examine support for community farming allowing more of what is produced locally to be consumed locally. Mostly we need to reform our income tax structure. Many people are flourishing despite the pain and unemployment of others. Those people should be paying their fair share of taxes at a time when so many are hurting.

Rankin: The extension of the Bush era tax cuts is the most important thing. Businesses can't expand or hire new employees if they don't know what their tax liabilities will be next year. If those tax cuts are not extended or made permanent, it will amount to the largest tax increase in American history. Congress adjourned without voting on the tax cuts. My opponent provided the single vote needed to adjourn without a vote. Now businesses will have to depend on House Speaker Nancy Pelosi allowing a vote on the tax cuts when Congress returns on Nov. 14. There will be about 45 days to get the tax cuts extended before the end of the year. If Republicans take over the House next year, Pelosi will no longer be Speaker. If that is the case, I don't think we can trust her to allow a vote on extending the tax cuts.

Ross: For the first time ever, 2011 will represent the second consecutive year that Social Security beneficiaries will see no cost-of-living adjustment to their monthly benefits, commonly referred to as "COLA." This unprecedented development is a result of our nation's continued economic downturn. I am a cosponsor of the Seniors Protection Act, which aims to provide a $250 payment to beneficiaries in place of a zero COLA in an effort to assist nearly 54 million vulnerable Americans through the continued hardship caused by the recession. Our senior citizens should not have to suffer because of an economic recession, skyrocketing health-care and prescription drug costs and increased energy bills.
What impact would the "fair tax" -- a national sales tax -- have on the unemployment rate and what would you do to minimize it? Obviously, Internal Revenue Service employees and accountants who earn the majority of their living on income tax preparation would be adversely affected.

Drake: The lower your income the more likely you are to spend every dime you get on things that are taxed by a sales tax. Those making hundreds of thousands of dollars don't have to spend all their money and would be taxed less and less. In my lifetime the rich are getting richer and the middle class is getting poorer no matter how hard they work. It is due in part to our unfair tax system where those who are making all the profits on our system don't have to pay their fair share, and instead those cost are put on the backs of the middle class who has to work two jobs just to make ends meet. The tax overhaul we need is one where those who are funding the political campaigns are asked to fund the government and quit relying on the middle class to do it.

Rankin: I am studying the Fair Tax. The only way it should be considered is as a replacement for the federal income tax, not as an addition to it. I oppose the sneaky Value Added Tax that Washington Democrats want to impost on top of the federal income tax. At the very least, Congress must simplify the current 67,000-page IRS tax code. No American can understand that tax code as it now exists.

Ross: I believe that we should do everything we can to lower taxes on middle-class families and seniors and that Congress should undertake a careful and comprehensive study of ways we can improve the tax code. I am working hard in Congress to hold the line on taxes and find ways to make the tax laws more fair and simple. However, a 23 percent tax on groceries, homes, cars and most other purchases would be detrimental to Arkansas's working families and hurt economic growth. Such a tax would likely cause many small businesses to close and larger businesses to lay off employees resulting in a significant increase in employment.

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LOAD-DATE: October 24, 2010
Florida-Georgia courtroom rivalry turns 30

10/15/2010
by Joe Wilhelm Jr.
Staff writer

The week leading up to the Florida-Georgia game is full of tradition, and one of those is the Huley-Kimbell Mock Court Competition.

The competition will be held at 9:30 a.m., Friday at the Bryan Simpson U.S. Courthouse where the University of Florida seeks to create a new tradition.

The University of Florida team won both the mock court and the football game last year, ending a two-year streak that saw the University of Georgia team win the court competition and the University of Florida win the football game.

"It used to be an accurate indicator for the game," said Lanny Russell, moderator for the competition and shareholder at Smith Huley & Buxey, sponsor of the annual event. "For the first 25 years, the school that won the mock court would lose the football game, but that hasn't been the case recently."

The Gators will try to repeat as winners in the court Friday and on the field Saturday.

This year marks the 49th anniversary of a competition created by attorney Mark Huley, a 1968 graduate of the University of Florida Levin College of Law, and Charles A. Kimbell, a 1967 graduate of the University of Georgia School of Law, to provide law students an opportunity to argue in a real-world setting in front of a panel of federal judges.

"Preparing for and participating in the competition is a big undertaking for very busy federal judges," said Russell. "They do a great job of providing the students with a very unique opportunity to interact with a very experienced panel of judges."

The competition will be held at the federal courthouse. The event was planned to allow competitors and guests to attend the Jacksonville Bar Association luncheon at the Hyatt after the competition.

The teams will present oral arguments as petitioner and respondent before a panel of judges, including presiding Judge Susan H. Black of the 11th Circuit Court of Appeals, U.S. District Judge B. Avani Didier and U.S. District Judge William Terrell Hodges from the Southern District of Georgia, and Senior U.S. District Judge Harvey E. Schlesinger from the Middle District of Florida.

David Ballard and Erik Chambers will represent the University of Georgia as the petitioner's counsel. Representing the University of Florida as the respondent's counsel will be David Hughes and Neda Legavardi. All four students are third-year law students expected to graduate in 2011.

The teams will be arguing a mock appeal based on issues yet to be resolved by the U.S. Supreme Court. Arguments will be presented addressing a hypothetical case of a high school student, Alex Weatherbie, who created a Facebook page that allowed him to pretend to be the teacher, Horh Meyer, who submitted a bad recommendation that the student feels prevented him from transferring into one of the best private schools in the area.

Through the Facebook page, the student creates an unflattering picture of the teacher that students and teachers can view on the Internet.

The principal cited the State of "Georgia's" "Our Children's Future Acts" online speech prohibition and suspended Weatherbie from school for five days.

Weatherbie's parents sued the State of Georgia, claiming the Act's provision on online speech violates their son's freedom of speech.

Additionally, they challenged the PASS program, which provides tuition supplements to parents of children in failing school districts who choose to switch schools, either public or private, claiming the tuition aid program violates the establishment clause.

The competition is open to the public, but be advised that the federal courthouse does not allow cell phones in the building.

jwilhelm@bailyun.com
356-2466

Florida-Georgia courtroom rivalry turns 30 - The Daily Record - Jacksonville, FL
2010-12 Lilly Teaching Fellows attend retreat

The 2010-2012 Lilly Teaching Fellows recently attended a two-day retreat at Unicoi State Park and Lodge in Helen.

Administered by the UGA Center for Teaching and Learning, the Lilly Teaching Fellows program provides select junior faculty (tenure-track) an opportunity to enhance their pedagogy.

This year's Fellows are (bottom row left to right): Julie Velasquez-Runk, anthropology; and Amy Parks, elementary and social studies education; (middle row left to right): Shavannon Smith, plant pathology; Kristen Nevarra, poultry science; Jo Smith, small animal medicine; Michelle Turek, anatomy and radiology; Jo Walther, engineering; (top row left to right): Robert Beckstead, poultry science; Khalil Dirani, lifelong education, administration and policy; Shari Miller, social work.

The Lilly Teaching Fellows program facilitates the exchange of teaching ideas and strategies amongst Fellows and through interactions with mentors comprised of master instructors and senior faculty. Fellows also develop and implement instructional projects to improve their teaching effectiveness.

Fellows are selected based on their commitment to teaching excellence and efforts to improve the learning environment at UGA. The Lilly Teaching Fellows program is directed by Jean Martin-Williams, professor of music. Ron Walcott, associate professor of plant pathology, serves as faculty affiliate.

McBEE from page 1

in the Ozarks and now heads a state university system with more than 440,000 students on 64 campuses. She became the 12th chancellor of SUNY in 2009 and is the first woman to serve in this capacity in the system's 60-year history. She was previously president of the University of Cincinnati, which improved its retention and graduation rates, student satisfaction ratings and national rankings under her leadership.

Zimpher notes that the current economic climate makes obtaining a college degree more important than ever. The poor financial condition of states, however, has led to diminished investment in public higher education, which compromises the ability of institutions to graduate students on time and limits their capacity as job creators.

Zimpher argues that educators need to be more emphatic in explaining the immense return on educational investments. "These highly competitive seed money grants like the ones we received at the University of Cincinnati," she said. "We have to make the label 'treats' safe for parents by developing safer, healthier, and more nutritious snack options for our children."
Jones files papers for federal judgeship

By JOE JOHNSON - jojohnson@onlineathens.com
Published Monday, October 25, 2010

U.S. senators and staffers are reviewing hundreds of pages of documents they've received from Superior Court Judge Steve Jones in preparation for his confirmation hearing as a federal judge.

The Athens native filled out a 58-page Senate Judiciary Committee questionnaire, which also required Jones to submit reams of supplemental information that says bare a legal career that began 23 years ago.

"The questionnaire is intended to provide the committee with an overview of a nominee's record, and a confirmation hearing is an opportunity for a nominee to answer specific questions from members about their record and perspectives on the role of a judge," said Erica Chabot, a judiciary committee spokeswoman.

Jones, 53, has been a Superior Court judge for the Western Judicial Circuit since then-Gov. Zell Miller appointed him in 1995. The circuit serves Clarke and Oconee counties.

President Obama nominated Jones in July to fill a judgeship in U.S. District Court for the Northern District of Georgia that's been vacant since December 2008.

Although Jones' hearing has not been scheduled, University of Georgia law professor Ron Carlson believes Jones will earn confirmation easily.

"Steve Jones has labored long and hard and in a valuable way, both in the courts and in Athens, and that record of service serves him very well," Carlson said. "He will be well-received by both Republicans and Democrats, I predict."

Chabot has no idea when Jones might appear before the judiciary committee, which has a backlog of more than 30 nominations, one that's been pending for nearly a year.

U.S. District Court nominees are less likely to be subjected to partisan questioning about ideology than are other judicial nominees, Carlson said.

"Usually, it's courts of review confirmation hearings that give rise to that kind of controversy, especially for Supreme Court nominees," he said.

But judiciary committee members want to be certain about the person they are confirming because district court judges still a wide immense power.

"When Harry Truman wanted to nationalize steel mills in the 1950s, a single district court judge enjoined him," Carlson said. "Foreign leaders were shocked how one judge could stop the president of the United States from doing that."

Jones has presided over more than 25,000 court cases. But he's also been very active in the community throughout his career, serving on boards of several nonprofits and chairing OneAthens, an organization that seeks to reduce poverty.
The judiciary committee asks nominees to provide notes, transcripts or recordings of every speech they've given, but Jones told them it wasn't possible because he's been so involved.

"Since becoming a judge, I have made it my practice to speak frequently within the community about the work of the courts and issues facing the criminal justice system, as well as legal, professional and other service careers," Jones wrote in the questionnaire.

"I have spoken with groups of students at all levels, from elementary to graduate and law school, and have not retained any record of many of those visits and conversations," he said.

But Jones did find notes from several speeches he saved, one from 1998 when he gave an address to fellow judges. He provided the committee with nearly 150 news articles in which he was quoted. He also summarized criminal and civil cases he presided over that were reversed on appeal, disclosed personal finances, and gave copies of public writings he made, including letters to the editor.

Judiciary committee members thoroughly vet nominees not just for qualifications to serve, but to protect themselves politically, Carlson said.

"They want complete disclosure, first and foremost, because they want proper and appropriate people to be U.S. District Court judges," the law professor said. "Secondly, the senators don't want to give someone a lifetime appointment only to later find out there was a skeleton in the closet, some remark made by a person who they confirmed as a judge that would be embarrassing to them in a re-election campaign."
Multi State Push to Give Ultimate Protection to Hunting includes Tennessee

Monday, October 25th, 2010, by Blake Farmer

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Roy Duncan of Hermitage aims his bow and arrow at a hay bale target.

It's not just deer season this that has hunters excited this fall. This election season sportsmen are being drawn to the polls by one of the quietest campaigns this year.

Voters in four states, including Tennessee, will decide if hunting and fishing are just a privilege or more than that, a constitutional right.

Retirees Charles Dukes and Roy Duncan spend most afternoons tromping around this wooded archery range in Hermitage, nocking arrows and taking aim at deer and turkeys made out of hay bales.

"Problem with getting older, you get shakier and shakier," Dukes says as his arrow misses the kill-area of the target.

"'Bout over where you usually are, aren't you Charles?" Duncan asks jokingly.

These two aging sportsmen have been around long enough to watch hunting decline in popularity. That's one of the issues prompting hunters to seek constitutional protection.

Hunting Declines Nationwide

Less than half a million people in Tennessee have hunting and fishing licenses, a figure that's declined nearly 10% from its high point a decade ago. And as fewer people spend their weekends stalking bucks and sitting in duck blinds, Dukes says the remnant hunters and fishermen have to be more proactive. He's already witnessed how changing demographics have altered the way
society views weapons.

"When I grew up, people didn’t think much about a person who had a gun and now they practically call out the SWAT team," Dukes says. "It seems like the more urbanized America becomes, the more prevalent that attitude becomes too."

The National Rifle Association is behind the coast-to-coast push for pro-hunting amendments.

But the argument for constitutional protection is about more than people moving off the farm and forgetting their firearms. Outdoorsmen feel animal rights organizations like People for the Ethical Treatment of Animals have made some inroads in places like California. PETA has argued hunting for sport is cruel and unnecessary.

"The hunters and fishermen in Tennessee want to make a statement," says Tony Dolle, spokesman for Memphis-based Ducks Unlimited. "I think this is a good way to do that, not only to ensure our abilities and rights to hunt and fish, but the hunting heritage is continued forever."

**Hunters Support, So Do Lawmakers**

The lone no-vote when the Tennessee Legislature approved putting the constitutional amendment on the ballot came from Memphis Democrat Johnnie Turner.

"We don’t have a problem. It’s almost, if it’s not broke, don’t fix it," she said.

Even Turner made sure to say she has nothing against hunting or fishing. After all, they’re a $2.4 billion industry in the state.

Legal experts like Peter Appel also get the feeling, though, pro-hunting amendments are a solution in search of a problem.

**Amendments Give More Weight to Hunters**

Appel’s a law professor at the University of Georgia, which is one of the ten states that already has the right to hunt in its constitution. He says the amendments themselves could become the problem, as hunters gain more legal standing to question hunting and fishing regulations.

"To the extent that it gives people more of an opportunity to go into court and to second guess what their legislature or their executive branch is doing, again, when there doesn’t seem to be a really big problem, as far as I can tell, I don’t think that it’s a wise exercise of amending the constitution," Appel says.

In Appel’s view, constitutional amendments should be reserved for civil rights and religious freedom. Groups like PETA make the same point but more sarcastically, asking "are we also going to protect shopping and golf?"

**Some Still Hunt for Sustenance**

True, hunting is now more about recreation and less about putting food on the table. But Kenny Parker, who is unemployed, says hunting isn’t solely for sport.

"Things are tight, bro, things are tight," he says as he works to sight in his crossbow. "So yeah, I’m trying to make sure I have meat for the winter."

Parker says he doesn’t always vote, but he’ll make it to the polls November 2nd, if only to vote “yes” and add his right to hunt to the state’s founding document.

In order to be ratified, an amendment to the state constitution must get at least half as many votes as are cast in the governor’s race. That means voting for the top of the ticket and skipping the hunting amendment has the same effect as voting “no.”

If voters approve, the following clause would be added to the constitution immediately in Article XI, Section 13:

"The citizens of this state shall have the personal right to hunt and fish, subject to reasonable regulations and restrictions prescribed by law. The recognition of this right does not abrogate any private or public property rights, nor does it limit the state’s power to regulate commercial activity. Traditional manners and means may be used to take non-threatened species."
Brenau University issued the following news release:

The Brenau University Board of Trustees voted unanimously to name all of its graduate programs after former U.S. District Judge Sidney O. Smith Jr. and to launch the process for creating its first doctoral degree-granting program.

Smith, who is a fourth generation member of the governing board of the 132-year-old Gainesville, Ga.-based institution, received the honor in part because of his work that helped Brenau gain full university status by expanding its academic offerings into graduate studies. Significantly, it was Smith who made the motion at the fall meeting of the Brenau board to approve the creation of a Doctor of Nursing Practice degree at Brenau.

Pending approval of regulatory and accreditation bodies, the university plans to admit its first students into that program next fall.

The vote on both issues occurred on Friday, Oct. 22, during the trustees' fall meeting, which was held at Atlanta's High Museum of Art.

"This movement toward the doctoral degree is the most significant step the university has taken in its academic evolution in decades," said Brenau President Ed Schrader. "As the first initiative of what is now the Sidney O. Smith Jr. Graduate School this is the beginning of the realization of the strategic plan and long-term mission of Brenau University."

Schrader said that in many instances colleges and universities reserve the naming of strategically important programs for large donors, many times in negotiated "naming rights" agreements. Although Smith has over the years made significant financial contributions to Brenau, Schrader said those are eclipsed by his "leadership contributions."

"Brenau is everything that it is today because of Sidney Smith," said long-time Smith friend and fellow trustee John W. Jacobs Jr. "Likewise, what it will be in the future will have his indelible stamp. Graduate education will be the lynchpin that drives Brenau's success."

Smith was born and raised in Gainesville, Ga., where in 1878 his great-grandfather, Reconstruction-era Congressman William Pierce Price of Dahlonega, Ga., was a member of the founding board of what is now Brenau.

Price's son-in-law and Smith's grandfather, William Arthur Charters, was on the board in 1911 when Brenau became a chartered institution of higher learning. Also, Smith's father and mother, Isabelle Price Charters Smith, served simultaneously on the Brenau board.

Following service in World War II, Smith graduated cum laude from Harvard, where he played on the football team with future U.S. Attorney General and U.S.
Sen. Robert Kennedy. He graduated magna cum laude from the University of Georgia law school. After private law practice and service as a Georgia superior court judge, President Lyndon Johnson appointed him to the U.S. District Court for the Northern District of Georgia, where he served for nine years, including six years as chief judge.

His service to both public and private education began as chairman of the Gainesville Board of Education. Including his service on the Brenau board, including a period as chairman, he also served on the state Board of Regents, the governing body for Georgia's public colleges and universities.

Although he offered to step down from the Brenau board to remove possible conflict of interest questions, members of both bodies collectively dissuaded him.

Although Brenau historically is a women's college, the trustees in the 1970s expanded its charter to also offer coeducational programs in Gainesville and on other campuses. In the 1990s, Smith was instrumental in expanding graduate programs and approving Brenau's university status. The vote on the nursing doctorate continues that legacy.

Smith's motion to approve the program received a "second" from Trustee Robin Smith Dudley, a 1978 Brenau nursing graduate.

Technically, Brenau already has one "terminal" degree - the highest degree attainable in an academic discipline or profession. In the fall the university seated its first class for a Master of Fine Arts in Interior Design.

Graduate Dean Gale Starich said the nursing doctorate program must first win approval by the university's main accrediting board, the Southern Association of Colleges and Schools. Then, the university will notify the Commission on Collegiate Nursing Education and the Georgia Board of Nursing of its intentions to offer the advanced degree. Barring unforeseen circumstances, Brenau should seat its first students for the program in August.

"This is a clinical doctorate," Starich said. "It focuses on the advanced clinical aspects of nursing rather than the purely academic doctorate in the field."

The SACS action essentially changes the character of Brenau, elevating it from a master's degree-granting institution to a doctoral degree-granting university.

Starich said that, while it is looking at the proposed DNP program, SACS is also considering proposals for additional doctorates at the university - an interdisciplinary Ph.D. in adult education and a doctorate in occupational therapy, both of which could be implemented as early as 2012. The OT and nursing degrees fall under Brenau's College of Health & Science. The adult education program, however, will involve that college as well as the colleges of Education, Business & Mass Communication, and Fine Arts & Humanities.

Brenau currently enrolls about 2,800 students, more than 900 of which are enrolled in coeducational master's degree- and specialist-level graduate programs in its four colleges. The implementation of the university's strategic plan calls for increasing enrollment to about 5,000 students by 2025 with most of the growth's occurring in graduate programs.

The historical Brenau Women's College, which falls under the university's Undergraduate School, will maintain an enrollment of between 900 and 1,000 students.

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Deficit of Trust Threatens U.S. Future

Atlanta, Ga. (Vocus) October 28, 2010

A Business Insider article about government's betrayal of the American people's trust, published October 18, 2010, was headlined, "The Loss of Trust and the Great Unraveling to Come." When William DeMersseman began writing about America's integrity deficit, the political culture of corruption, and the consequent epidemic of distrust debilitating the U.S. at every level of society, he never dreamed it would become so suddenly, crushingly personal. The same morning his editor completed her work on the manuscript, DeMersseman received word that his brother David had been brutally murdered when an armed gunman held up a Waffle House restaurant in Baton Rouge, La.

Dissed Trust: America's Crisis of Truth, Faith, and Freedom (published by WestBow Press), examines the groundswell of distrust, and its roots, currently reshaping America's landscape. According to DeMersseman, the lack of integrity in society, especially in the federal government, requires a response from citizens who want to see the nation restored to constitutional governance, sound fiscal policy, and an earned level of trust.

"Because trust issues resonate in every person's life every day, I believe the theme of integrity is an interesting one for a wide range of readers," said DeMersseman. "Likewise, as the federal government expands and wields ever greater power, Washington's corruption increasingly impacts all Americans and threatens the financial and political security of future generations."

In Dissed Trust, DeMersseman, a United Methodist pastor and former attorney, analyzes the political, economic and social upheavals fueling the Tea Party movement, which include: the insanely escalating national debt, the subversion of the Constitution and the rule of law, the arrogant failure of political leadership and the pervasive assault on truth, trust, honor, faith, freedom and civility. This book is for anyone who senses that America is in a fight for its survival as a land of freedom and opportunity for all, and that at the core of that fight is the battle for truth and integrity.

About The Author
William DeMersseman is one of six children raised in the south in a close-knit family. His parents' Christian faith and their active participation in the local United Methodist church were central to his upbringing. DeMersseman's dissatisfaction in the legal profession prompted a
self-examination leading to his transition from attorney to pastor. He is an honors graduate of both the University of Georgia School of Business and the University of Georgia School of Law. DeMersseman, who also holds a Master of Divinity from Asbury Theological Seminary, lives in Georgia with his wife and two children. William can be visited on the Web at www.dissedtrust.com.

About WestBow Press
WestBow Press is a strategic self-publishing alliance of Thomas Nelson, the world's premier Christian publisher, and Author Solutions, Inc. (ASI), the world leader in the fastest-growing segment of publishing. For more information, visit www.westbowpress.com.

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For the original version on PRWeb visit: www.prweb.com/releases/prwebDissedTrust/DeMersseman/prweb4705804.htm

http://sfgate.com/cgi-bin/article.cgi?f=/g/a/2010/10/28/prwebprweb4705804.DTL
**Campaigns & Elections**

**THURSDAY, OCTOBER 28, 2010 11:32 AM**

**Olen's ahead in latest Ga. AG poll**

BY JESSICA KARMASEK

ATLANTA (Legal Newsline) -- With five days left until Tuesday's general election, Georgia's Republican attorney general candidate Sam Olens looks likely to defeat his Democratic opponent, according to the newest poll results.

According to a SurveyUSA poll of all statewide races on Monday, Olens leads his rival and former prosecutor Ken Hodges by 13 points in the open-seat fight. The survey found Olens, the former Cobb County Commission chairman, with exactly 50 percent of the vote and Hodges with 37 percent.

Meanwhile, Libertarian candidate Don Smart was found taking 7 percent of the vote overall, 26 percent among independents and 18 percent among liberals.

The polling company said a Nov. 30 runoff election is "possible, but unlikely."

The poll, by SurveyUSA exclusively for WXIA-TV and W103-FM in Atlanta and WWX-AM in Macon, showed Republican candidates defeating their Democratic opponents in each of the five contests polled — governor, U.S. Senate, lieutenant governor, attorney general and school superintendent.

After serving as a district commissioner, Olens was elected chairman of the Cobb County Commission in August 2002. In December 2004, he was elected chairman of the Atlanta Regional Commission.

A graduate of Emory University School of Law, Olens received his bachelor's and master's degrees from the American University in Washington, D.C. He has practiced law in Georgia for more than 25 years, representing clients in both state and federal courts.

A graduate of the University of Georgia School of Law, Hodges received his bachelor's degree in political science and sociology from Emory University.

After law school, Hodges worked at an Atlanta firm before returning to his hometown of Albany, Georgia, where he successfully ran as district attorney in 1996.

Hodges served as district attorney for 12 years and was re-elected in both 2000 and 2004 by wide margins.

The two candidates are vying for the seat left open when incumbent Thurbert Baker decided to launch an unsuccessful campaign for governor.

**SEND US YOUR COMMENTS ON THIS ARTICLE:**

No comments have been posted in the last 15 days!
The Final Chapter of the Troy Davis Case

I shall ask for the abolition of the punishment of death until I have the infallibility of human judgment presented to me.—Marquis de Lafayette

It must be as much [the] duty [of a prosecutor] to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one.—U.S. Supreme Court Justice George Sutherland

It is the general habit of the police never to admit to the slightest departure from correctness.
—Patrick Davis

The Troy Davis case is one of the best known and most important Georgia criminal cases in history. The case is now a cause celebre all around the world. There is a Troy Davis website.

In 1991 after a 12-day trial and two hours of deliberation, a jury convicted Troy Davis of the 1989 murder of Mark MacPhail, an off-duty Savannah police officer shot three times with a handgun in a parking lot while working a late-night, part-time security job at a Greyhound bus station in downtown Savannah. Davis, who has maintained his innocence since his arrest, has been on death row nearly 20 years.

Both Troy Davis and an acquaintance named Sylvester Coles, Jr., were present in the parking lot at the time the policeman was murdered. Both men enjoyed a reputation for violence. Both men had been involved in the murder, one of them pistol-whipped, a homeless man who had just bought some beer. Both men each possessed a handgun the night of the murder. Both men fled the scene. One of them almost certainly killed the officer. The question is, which one? Was it Davis who took the stand at his trial and testified that Coles shot MacPhail? Or was it Coles, who testified at the trial and as one of the chief witnesses for the prosecution fingered Davis?

At that trial, the prosecution's theory, was based on eyewitness identification testimony, that the two individuals who accomplished the homeless man in the parking lot were wearing white and yellow shirts, respectively; that these two individuals were Davis and Coles; that it was the individual in the white shirt who struck the homeless man in the head with a handgun; that shortly afterward the same individual in the white shirt shot and killed Officer MacPhail; that the man in the yellow shirt did not do any of the shooting; and, finally, that it was Davis who was wearing a white shirt and Coles who was wearing a yellow one.

In 2009, the U.S. Supreme Court, in response to a habeas corpus petition in behalf of Davis filed originally in that Court, unaniomously and surprisingly ordered that Davis be given an evidentiary hearing in the federal district court in Savannah so that he could produce the evidence which he said would show that he is an innocent person who has been sentenced to death for a crime he did not commit. Justices Scalia and Thomas dissented vociferously, claiming that the district court was being sent "on a fool's errand."

The evidentiary hearing mandated by the Supreme Court took place last June 23 and 24, with U.S. District Judge William T. Moore, Jr., presiding. Davis and his pro bono attorneys were present, as were lawyers from the Georgia attorney general's office, who represented the state and opposed Davis' claim of innocence.

Judge Moore's Decision

On August 24, Judge Moore handed down his 172-page decision, which rejected Davis' claim of innocence and denied all relief. The judge concluded devastatingly:

"Mr. Davis vastly overstates the value of his evidence of innocence... While Mr. Davis' new evidence
Judge Moore's Decision

On August 24, Judge Moore handed down his 172-page decision, which rejected Davis' claim of innocence and denied all relief. The judge concluded devastatingly:

"Mr. Davis vastly overstates the value of his evidence of innocence… While Mr. Davis' new evidence casts some doubt on his conviction, it is largely smoke and mirrors. The vast majority of the evidence at trial remains intact… The Court is left with the firm conviction that while the State's case may not be ironclad, most reasonable jurors would again vote to convict Mr. Davis of Officer MacPhail's murder… Mr. Davis is not innocent."

Judge Moore did, however, in a key portion of his decision, importantly rule that it would be a violation of a provision of the Bill of Rights, the Cruel and Unusual Punishments Clause of the Eighth Amendment, to execute an innocent person. On this issue after lengthy discussion the judge announced:

"[T]he execution of those who can make a truly persuasive demonstration of innocence fails [the constitutional test]. It can be said, then, that executing the "actually innocent" violates the cruel and unusual punishment clause of the Eighth Amendment of the United States Constitution."

But, the judge further ruled, such an Eighth Amendment claim can succeed only if the death row inmate satisfies an extraordinarily heavy burden: he must prove by clear and convincing evidence that no reasonable juror would have convicted him of the murder in light of the newly discovered evidence. It was this burden, Judge Moore determined, that Troy Davis had failed to meet. Habeas corpus relief was therefore denied.

In holding that executions of the innocent are unconstitutional, Judge Moore acted courageously and humanely, and deserves our praise.

In officially deciding that the Bill of Rights bars executing the innocent Judge Moore became the first federal court to so hold. Amazingly, the U.S. Supreme Court has so far never decided the question of whether it is unconstitutional to convict and then either execute or imprison an innocent person. It has, however, hinted that if a case properly presented the issue it might well conclude that putting innocents to death is unconstitutional. On the other hand, Justices Scalia and Thomas have over the years stubbornly clung to the position that executing the innocent is constitutionally permissible. In a 1991 case they even wrote: "There is no basis in text, tradition, or even in contemporary practice (if that were enough) for finding in the Constitution a right to demand judicial consideration of newly discovered evidence of innocence brought forward after conviction." Their cynical view is that our Constitution is not perfect and that "the unhappy truth [is] that not every problem was meant to be solved by the United States Constitution, nor can be." Yes, they really said that. The "problem" of executing innocent people is not meant to be "solved" by the Bill of Rights!
Remaining Options For Troy Davis

Now that Judge Moore has made his ruling, Troy’s Davis’ case is entering its final phase. The case now goes back to the U.S. Supreme Court, which after reviewing Judge Moore’s decision almost certainly will dismiss Davis’ habeas petition with prejudice and dissolve any existing federal court stays of Davis’ execution. This probably will occur within a month or so. Once that happens, Troy Davis will find all courts, federal and state, deaf to any further requests to postpone his execution. The Superior Court of Chatham County, where Davis was tried, convicted and sentenced, will then fix an execution date and around two weeks later Davis will be put to death by lethal injection. Right now it appears doubtful that Troy Davis will be among the living on January 1, 2011.

There is one nonjudicial avenue still open to Davis—the Georgia Board of Pardons and Paroles, which has power to commute his death sentence to life imprisonment. The Board previously denied Davis clemency, however, and will probably do so again. The Board is not sympathetic to the claims of prisoners. In an example of the regulatory capture which permeates the criminal justice system, the five-member Board, which is supposed to protect against law-enforcement abuses, is loaded with law-enforcement types. Its chairman, James E. Donald, is a former Commissioner of Georgia’s Department of Corrections; Albert Murray, the vice chairman, is a former Deputy Commissioner of the Alabama Department of Corrections and former Commissioner of Georgia’s Department of Juvenile Justice; Gale Buckner is a former police officer and GBI agent; Robert Keller is a former district attorney and former executive counsel for the Prosecuting Attorneys Council of Georgia; and Terry Barnard is a former Georgia legislator who oversaw bills affecting the Georgia Department of Corrections and was the guiding force behind this state’s Sex Offenders Registry and its Sexual Predators Review Board.

As Troy Davis’ options narrow, as his rendezvous with death approaches, as it increasingly appears that no court or government agency will now step in to block his execution, what are some of the conclusions to be drawn about the Troy Davis case?

Problems With Judge Moore’s Decision

I question Judge Moore’s decision to deny relief to Troy Davis. First, I am concerned about the judge’s practice of methodically accepting the police versions of disputed events while simultaneously rejecting citizens’ versions of these events. This verges on what is called “copsuckery”—slavish or excessive deference to law enforcement personnel—and may be another manifestation of regulatory capture in the criminal justice system, under which many judges view themselves not as protectors of the rights of citizens but as cheerleaders for police and prosecutors. The judge also seems not to have given adequate consideration to the corrupting influence of evident law enforcement misconduct on the entire case against Troy Davis.

Second, Judge Moore strangely underestimates the significance of the numerous confessions to killing Officer MacPhail that Sylvester Coles has allegedly made over the
years to various persons. The judge also, without hearing from Coles, inexplicably suggests that even if Coles did make the confessions of murder, he probably was not telling the truth. Now how could the judge possibly know that?

Third, despite the errors of Davis’ lawyers, the judge should have reopened the evidentiary hearing to permit Sylvester Coles to be put on the witness stand. The judge should never have decided the case in the absence of testimony by Coles, whatever the blunders of Davis’ attorneys.

Fourth, the judge should not have excluded the testimony of witness Quiana Glover, who sought to take the stand and tell the judge that Sylvester Coles, not Troy Davis, murdered Officer MacPhail. (Judge Moore excluded Glover from testifying because Davis’ attorneys had failed to put Coles on the stand.)

**Chatham County Police and Prosecutors**

Everyone should be aware that since the death penalty was reinstated in 1973, it is indisputable that here in Georgia a total of five innocent persons have been sentenced to death for a murder they did not commit, and two of them, Earl Charles and Gary X. Nelson, were convicted in Chatham County, the county where Troy Davis was convicted. Troy Davis was tried and sentenced to death in a county with a proven record of sentencing innocent persons to death, the county where 40 percent of Georgia’s exonerated death row inmates were convicted. Moreover, two of Georgia’s recent (noncapital) DNA exonerates—Samuel Scott and Douglas Echols—had been convicted in Chatham County. (Charles, Nelson, Scott, and Echols are, like Davis, black men.) It is undeniable fact that police and prosecutors in Chatham County have sought and obtained convictions of innocent people. It is not fanciful to suggest that in the investigation and prosecution of Troy Davis the Savannah police and the Chatham County district attorney’s office may have made a calamitous mistake once again.

**Weak Circumstantial Evidence Against Davis**

The evidence that Troy Davis murdered Officer MacPhail is and always has been weak, and Judge Moore was understating it when he acknowledged that the state’s case against Davis is not “ironclad.” Davis has always denied committing the murder. He made no confession to the police. There is no physical evidence he is guilty. There is no blood or DNA evidence tying him to the crime. There is no ballistics evidence linking him to the firearm used to kill the policeman, and the weapon itself was never located. There is no fingerprint evidence. The case against Davis is entirely circumstantial. It rests on eyewitness testimony and on incriminating statements Davis allegedly made to acquaintances.

**The Eyewitness Testimony**

Eyewitness identification testimony is notoriously unreliable, and mistaken eyewitness testimony is universally recognized as one of the chief causes of convicting the innocent.
These misidentifications nearly always result from police identification procedures which are unfair in that they are conducted suggestively. Sometimes the suggestiveness is unintended; sometimes it is deliberate.

When people experience an important event they do not record the event in memory like a camcorder. The human sensory apparatus is fallible, and everyone is subject to being persuaded that he or she saw something that in fact never occurred. Numerous studies show that the accuracy and completeness of eyewitness testimony is affected by factors relating to (1) the duration and circumstances of the event and the effects the event had on the observer, (2) the length of time between the event and the identification, and the effects on the identification of post-event information which the observer becomes aware of, and (3) the techniques used by investigators to obtain the identification from the observer.

American police routinely ignore the dangers of what psychologists call the Experiment Expectancy Effect by suggesting to a witness, usually covertly, which suspect they want identified or which suspect they think the witness should have identified. If the police are in fact wrong about whether that suspect is guilty, their conduct may have the effect of erasing the witness’ previous memory, with the result that the witness actually comes to believe in good faith that his or her identification, although in actuality mistaken, is reliable. And when police display confidence in this mistaken identification, the result is the Confidence Malleability Effect—the tendency of the eyewitness to enhance his or her confidence that the misidentification was correct, making it extremely likely that a trial jury will convict.

Suggestive police identification procedures, whether unintentional or in bad faith, may induce an observer to make a positive but erroneous identification of a suspect—and the books are full of examples of this type of thing happening. Samuel Scott and Douglas Echols were both tried together and wrongfully convicted of a rape based principally on mistaken eyewitness testimony which may well have been induced by suggestive identification procedures (including photo displays) conducted by Savannah police.

In the Troy Davis case there are disturbing indications that the testimony of the innocent bystander eyewitnesses implicating Davis—and these witnesses, it needs to be emphasized, did not know Davis or Coles at the time of the murder—is questionable.

* Witness Harriett Murray admitted at Davis’ trial that (as Judge Moore puts it) “she was a little near-sighted and had trouble seeing long distances without her glasses, which she was not sure she was wearing that night.” When police first showed her a photo spread, she did not recognize any of the individuals pictured; only later, at a second photo spread, did she identify Davis as the man who shot the policeman.

* Witness Antoine Williams admitted at the murder trial that he identified Davis at a photo spread only after seeing a wanted poster of Davis. Williams, who at the trial claimed to have seen the murder from inside his car, testified at the recent federal hearing that once the shots had been fired, he ducked. “‘I was in my car ducking and peeking,’ he
testified, adding that it was hard to see anything because it was dark and his car had three shades of limousine tint on the windshield,” according to the Associated Press.

- Witness Dorothy Ferrell admitted at the state trial that she identified Davis at a photo spread only after seeing Davis on television and after seeing a photograph of Davis in a police car.

- Larry Young, the homeless man accosted by Davis and Coles on the night of the murder, picked out the wrong man when shown a photo spread by police, and then later told police his earlier identification had been erroneous.

Furthermore, as explained below, at Davis’s trial various witnesses testified that their identifications of Davis in statements they gave to police were false and resulted from police pressure. There was similar testimony at the recent federal court hearing.

**Police And Prosecutorial Misconduct**

Quite apart from the flawed identification evidence, there are suspicious indications of police and prosecutorial misconduct in the Troy Davis case. This is unsurprising. Horrific crimes, such as the killing of a police officer, not infrequently motivate police and prosecutors to cut corners and abuse their power in order to convict the person they believe—perhaps erroneously—to be guilty of the terrible crime. The conducting of suggestive lineups, showups, and photo displays to persuade witnesses to identify a particular suspect who police believe is the perpetrator is one such abuse, and this, as previously noted, may have occurred in Davis’ case.

- In the Davis case there appears to be a pattern of improper law enforcement tactics to secure testimony against Davis. It includes but is not limited to the following: Larry Young, the homeless man accosted by Davis and Coles, submitted a recantation affidavit to the federal court saying that his murder trial testimony was false and that police refused to allow him medical treatment. He alleged that in his trial testimony he simply stated what police wanted him to say. (At the evidentiary hearing Young was on the witness list of Davis’ attorneys, who decided, however, not to call Young to testify.)

- Witness Dorothy Ferrell submitted an affidavit to the federal district court saying that her murder trial testimony that she saw who shot the policeman was coerced, apparently by prosecutors. (Davis’ attorneys failed to call Ferrell to the stand at the evidentiary hearing even though she was sitting just outside the courtroom waiting to be called to testify. According to Judge Moore, Ferrell “should have been [Davis’] star witness.”)

- At Davis’ murder trial witness Darrell Collins testified that police pressured him into identifying Davis as the gunman in an aggravated assault that occurred elsewhere in Savannah about two hours before the MacPhail murder. (At his trial Davis was convicted not only of murdering MacPhail but also of the aggravated assault.) Collins testified that the police pressure included threatening to charge him as an accessory to murder and give him a 10 to 12 year prison sentence. Collins also testified that police told him what to put
in his pretrial statement to police. He stated he was taken to the police station, told that he was a suspect, provided no opportunity to call an attorney, threatened with jail time, and questioned prior to his parent’s arrival. (He was 16 years old at the time.) He said he told the police what they wanted to hear because he was scared and did not want to go to prison. At the hearing in federal court, Collins claimed that some of his murder trial testimony had been false and the result of police coercion. He testified that he simply parroted what the police wanted him to say. “I was scared [of being accused as an accessory]. That’s what they wanted me to say. I thought that was the only way I could get out of it,” he testified. He announced that all his prior testimony incriminating Troy Davis was now presumptively false in his mind.

• At Davis’ murder trial witness Craig Young testified that in his pretrial statement to the police regarding the aggravated assault charge he only repeated what police told him to say. He said police were yelling at him and coaching him on what to put in his statement.

• Witness Kevin McQueen, the jailhouse snitch who testified at Davis’ trial that Davis had confessed to him, later testified at the recent evidentiary hearing in federal district court, not only that his trial testimony was entirely fabricated, but that he received favorable treatment from prosecutors to induce him to give his testimony. Davis “never told me nothing like this,” McQueen said in federal court. “He never confessed to shooting anybody to me.” He added: “There’s no truth in it [referring to his own trial testimony that Davis confessed to him]. The man did not tell me he shot anybody, period.” Although he rejected McQueen’s claims of prosecutorial abuse, Judge Moore did find that McQueen’s trial testimony had been completely false. (At his trial Davis had denied confessing to McQueen; here, at least, it can be seen that in regard to the jailhouse snitch’s testimony Davis gave truthful testimony whereas the prosecutor’s snitch witness did not. The McQueen incident also reveals that at least part of the prosecution’s case consisted of perjured testimony.)

• Witness Jeffrey Sapp, who at the murder trial testified that Davis had confessed murdering the policeman to him, also testified that two days after the murder police came and pounded on the door of his house at 2 a.m.: “Yeah, beating on my door, woke me up, so you know, I just said a lot of stuff that I ain’t even meant.” Sapp subsequently recanted his claim that Davis confessed, saying that he fabricated the entire confession due to police harassment. At the federal court hearing he testified that he falsified Davis’ entire confession due to police pressure. “I was so scared I told them anything they wanted to hear,” Sapp testified at the federal court hearing. “Just say Troy told you. Just say Troy told you,” police said to him, Sapp added. At that federal hearing, according to the Associated Press, Sapp testified that “he gave false testimony [at Davis’s trial] because irate police officers pressured him on what to say and he was worried that he’d be charged for dealing drugs if he didn’t.”

• Another man, Monty Holmes, who did not testify at the murder trial, subsequently recanted a statement he gave to police which claimed that Davis had confessed murdering MacPhail to him. In his recantation Holmes said that the statement resulted from police coercion.
Problems In Proving Lawlessness In Law Enforcement

Judge Moore dismissed as unfounded the allegations of police and prosecutorial misconduct, in part because at the evidentiary hearing various Savannah police officers and prosecutors took the stand and solemnly denied everything. This is the typical result when citizens are victimized by police and prosecutorial misbehavior. Police who make illegal arrests, conduct illegal searches, coerce confessions, carry out suggestive identification procedures, threaten witnesses, plant evidence, use excessive force, or just plain beat up suspects, rarely admit the truth when they testify in court.

Similarly, prosecutors who practice invidious racial discrimination, intimidate witnesses, destroy or suppress exculpatory evidence, or manufacture or use false evidence—and these and other abuses committed by district attorneys and their assistants occur far more frequently than most people realize—hardly ever fess up in court. (Chatham county prosecutors, it bears noting, have a track record not only of convicting the innocent but also of intimidating witnesses in the process. In the Scott/Echols case, for example, prosecutors told defendant Echols that if he didn’t turn state’s evidence and testify against Scott, he was “going to have to ride the bus” with Scott. Echols, of course, was innocent and knew that Scott also was innocent. Yet Chatham County prosecutors threatened an innocent man with a long prison sentence—which in fact was later imposed—because he would not help those prosecutors convict another innocent man. The prosecutorial intimidation failed, but the innocent man who refused to succumb to the intimidation spent years in prison as a result, as did his equally innocent codefendant.)

The Dirty Little Secret

Corrupt police engage in what scholars call “the dirty little secret” of criminal procedure—“testifying,” which is the widespread practice of police who have violated the rights of citizens to systematically commit perjury in court denying the truth of what they did or what happened. There is plenty of scholarly literature on police perjury. It demonstrates that police who violate the law typically lie in court about what happened, furnishing a false version of the facts which gives their conduct an appearance of legality. (This is by no means asserting all police lie in court; most police officers are honest and truthful. There are, however, far too many police who routinely lie about their improper conduct.) Much police activity occurs under what scholars call conditions of low visibility, with only the police and the subject present, and the issue of police misbehavior usually boils down to what is known as the swearing contest. Police who have misbehaved give a plausible but false version of the facts, the suspect or witness gives a different version, and the courts almost always resolve such credibility disputes in favor of law enforcement. At the recent federal court hearing, as previously noted, Judge Moore resolved every disputed factual dispute between a Savannah law enforcement official and a citizen in favor of the police or prosecutorial version of events.

Lawless Law Enforcement And The Troy Davis Case
Was Judge Moore correct in believing police and prosecutorial denials of citizen claims of law enforcement abuses? One of the truths of the Troy Davis case is that there is a suspiciously large number of witnesses saying that police and prosecutors did commit excesses. Here the smoke suggests fire. It is likely that misconduct did occur and that the misconduct contributed to Troy Davis’ conviction. Moreover, other misconduct may have occurred about which we now know nothing.

I suspect that there has been police and prosecutorial misconduct in the Troy Davis case—perhaps a lot of it—which we have not yet heard of.

Davis' Alleged Confessions To Associates

At Davis’ trial, the state put on the stand two witnesses who claimed that Davis had told each of them that he had killed Officer MacPhail. One of these witnesses was Jeffrey Sapp, who at the federal court hearing testified that he falsified Davis’ entire confession due to police pressure. The other witness was Kevin McQueen, the jailhouse snitch, who at the federal court hearing testified that his trial testimony resulted from (police or prosecutorial) pressure and was entirely fabricated. (Judge Moore found that McQueen’s testimony had in fact been false.)

Doubleplus Ungood Lawyering

Troy Davis’ attorneys plumbed the depths of ineptness at the hearing in the district court in Savannah. I will not repeat what I already said on this topic in my short June 30 Flagpole article “The Stupidest Lawyering Ever.” I will say that, having read Judge Moore’s decision, which fills in the details of what those attorneys did or omitted doing at the hearing, it is patent that the able, experienced, hard-working attorneys from the Georgia attorney general’s office ran rings round Davis’ hapless attorneys.

It is true that Davis’ defense team commendably did convince Judge Moore to hold as a matter of law that executions of the innocent are unconstitutional. This was a notable legal victory. But otherwise the story is grisly. The catastrophic error in failing to subpoena Coles. The disastrous failures to put available witnesses on the stand. The shocking incompetence, the inexplicable blundering, the foolish assumptions, the disastrous tactical and strategic lapses, the innumerable missteps, and the almost preternaturally bad judgment of Davis’ lawyers is (to borrow a powerful metaphor) as obvious as a tarantula on an angel food cake. These are the lawyers who thought it sensible not to subpoena Sylvester Coles, not to put him on the stand, and not to vigorously examine him! Their performance at times bordered on moronic. The harm they did to their poor client is colossal. There is reason to believe that Troy Davis may be innocent and that the truth about this has not come out because of the sheer stupidity of his own lawyers. With the best of intentions, surely, and without fully realizing the lethal consequences of their wrong decisions, they veered in the direction of helping dig their own client’s grave—the most unpardonable, the most unforgivable, the most indefensible sin any defense lawyer can commit as a lawyer.
In Orwell's Newspeak, Troy Davis' postconviction counsel's performance would be called doubleplus ungood.

**Executing Persons Whose Guilt Is Not Certain**

As we watch the death penalty continue along its course of irreversible decline, as we witness its growing unrespectability, and as we ponder the significance of the astonishing recent exonerations of innocent death row inmates, some of whom came within an eyelash of being executed, I say we have reached the point in this country that no one should be put to death unless the evidence of their guilt is certain. Proof beyond a reasonable doubt may be sufficient to convict someone of a capital crime, but it is no longer adequate to support executing the convicted person. Refusing to permit capital punishment where guilt is not a matter of certainty greatly reduces the possibility of executing the innocent.

Putting to one side the question of whether Troy Davis' guilt of murdering Officer MacPhail has been proved beyond a reasonable doubt, I say unquestionably and unequivocally that it is not certain that Troy Davis is guilty of the murder. Assuming that there was adequate evidence to convict him in the first place, life imprisonment, not death, is the appropriate punishment for Troy Davis.

Of course, our U.S. Supreme Court disagrees with the view that absolute certainty should be required before there can be an execution. As Judge Moore wrote in his decision:

"If state prosecutors in Georgia are comfortable seeking the death penalty in cases of heinous crimes where their proof creates less than an absolute certainty, and the people of Georgia, through their validly enacted laws, allow such a system knowing that it may occasionally result in the erroneous imposition of punishment, [recent U.S. Supreme Court decisions suggest] that the Constitution will not interfere."

Such is the sorry state of affairs in regard to the views of the death penalty held by members of our nation's highest court.

**Life Imprisonment For Troy Davis**

Imprisoning Troy Davis for life in a high-security prison will, under the circumstances, constitute adequate punishment. If it later turns out that he is innocent, he can be released. If, on the other hand, he is executed and his innocence later is demonstrated, what then? What will those who sought, obtained, or applauded his execution say then? But even if his exoneration never occurs, he will remain in prison for his entire life, and we will have the satisfaction that results from adhering to a civilized rule that in the long run will significantly reduce the likelihood, as long as capital punishment persists, that innocent people will be put to death.

The Vatican supports commuting Troy Davis' sentence. In July 2007 an envoy for Pope Benedict XVI sent a letter to Georgia Gov. Sonny Perdue urging consideration of the
special circumstances in the case, specifically that Davis’ “conviction was not based on any physical evidence, and the murder weapon was never found.”

The envoy added: “The Pope continually exhorts all people, and especially those men and women who serve in government, to recognize the sacredness of all human life.”

The envoy’s letter was forwarded to the Georgia Board of Pardons and Paroles, which rejected the Pope’s earnest request for mercy.

**The Guilt Of Troy Davis Is Not Certain**

The tragic murder of lamented police officer Mark MacPhail was a sudden, violent, startling event that occurred unexpectedly around 1 a.m. and lasted only seconds. Punctured disorientingly by the loud popping of gunshots, the shock of explosive concussion waves, and the haze of smoke clouds, it was an unreal, unusual occurrence.

The bystander eyewitnesses, not all of whom claimed to have witnessed the murder, did not know Davis or Coles. The police investigating the murder were (understandably) overexcited and inclined to rush to judgment. Prosecutors doubtlessly felt it necessary to support the police, whatever investigatory mistakes had been made. No scientific or physical evidence of Davis’ guilt was ever procured. The eyewitness testimony against him is suspect. The entire case against him was circumstantial and less than compelling, and many of the witnesses who testified against him at his trial subsequently recanted in whole or in part. The evidence that Davis confessed to acquaintances is not believable. Part of the prosecution’s case was perjured jailhouse snitch testimony. Police and prosecutorial abuses—committed for the purpose of building a case against Davis—appear to have occurred. Judge Moore appears to have given insufficient weight to the strong evidence that Sylvester Coles is violence-prone and on several occasions with different people has confessed to shooting Officer MacPhail. Despite never hearing from Coles, Judge Moore’s decision also is curiously wedded to the notion that even if Coles did make the confessions, Coles was probably not telling the truth! Finally, the lawyers for Davis tasked with the job of adducing the evidence of his innocence botched it.

Judge Moore himself must think that Troy Davis’ guilt is not certain. He stated in his decision that the case against Davis was not ironclad. He acknowledged that “Davis’ new evidence casts some doubt on his conviction.” Also, he found that as a result of the newly discovered evidence “most reasonable jurors would again vote to convict Mr. Davis of Officer MacPhail’s murder.” Stated differently, the judge thinks that now in light of the new evidence at least some of Davis’ jurors, acting reasonably, might not again vote to convict. Is this not an indication that in the eyes of Judge Moore Troy Davis’ guilt is not certain? And if some of the reasonable jurors, based on the new evidence, would no longer vote to convict, is this not proof that Davis’ guilt is not certain?

Taking all this into consideration, should Troy Davis, based on the trial jury’s verdict, be imprisoned for the murder of Officer MacPhail? Yes, I suppose, even though I suspect
the jury erred in finding Davis guilty beyond a reasonable doubt. But should Troy Davis be strapped down and lethally injected? No! *Troy Davis' guilt is not certain.*

Donald E. Wilkes, Jr.

Donald E. Wilkes, Jr. is Professor of Law in the University of Georgia School of Law.
Election Q&A with Roy Barnes and Nathan Deal

October 28, 2010 by MIMI ENSLEY
Filed under News, Politics

Why should a University student vote for you?

DEAL

Deal: As governor, I want to make sure that our educational system, including the University System, remains strong and competitive. I want to create an economic environment that will bring more jobs to Georgia and would allow graduates of the University of Georgia to stay in Georgia and find a career and start a family.

Barnes: Though UGA students may not be focused on more than passing their next exam or beating Florida this weekend, every Georgian needs to be thinking about the future. This election is about our children and our grandchildren. It’s about education, about jobs, about Georgia and its future. My first priority as governor will be restoring adequate funding to our state’s public education system.

What is your position on getting a student representative on the Board of Regents?

Deal: I believe that our current board provides representation from across the state. While I would not change the makeup of the board, I would consider creating an advisory position.

Barnes: I think it’s a very good one. I’m in favor of getting a student representative on the Board of Regents. Some of the best ideas that I have seen in every campaign and while I served in public life have come from college campuses.

How will you handle the budget cuts facing the state with relation to higher education?

Deal: Of all the priorities of state government, education must be among the highest. We need to prepare university students to compete in a global economy. At the same time, we are facing uncertain times in terms of the state budget. I will do everything in my power to limit the adverse impact on our public colleges.
BARNES

**Barnes:** Higher education is the key that unlocks a prosperous future for individual students, including jobs, and it is a key piece of my vision of economic development, job creation and prosperity for Georgia.

The first thing that needs to happen in Georgia is the General Assembly and the Office of the Governor needs to fund higher education. Last year, our University System was being funded at 1998 levels. That has a negative effect on our great colleges and universities as well as effectively draining the HOPE Scholarship.

**Do you have any affiliation with UGA?**

**Deal:** My son, Jason, is a graduate of the UGA law school and my daughter-in-law, Denise, earned her undergraduate degree from UGA.

**Barnes:** The first time I was ever in Athens was when my father dropped me off for freshman orientation. I earned my undergraduate degree at the University of Georgia, and went straight through another three years and earned my law degree from UGA as well. I currently serve on the Board of Visitors for the law school.

**What is your most memorable college moment?**

**Deal:** On a break from school, I went home and a high school classmate introduced me to her college roommate. Her name was Sandra and that blind date has turned into 44 years of marriage.

**Barnes:** In my senior year at UGA, I went on a blind date with a beautiful, intelligent young lady named Marie. We've been married 40 years now and I love her with all of my heart. We live close to our three children and six grandchildren.

Tags: Interview, Mimi Ensley, Nathan Deal, Roy Barnes

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Candidates present views, backgrounds

By Andrew Nelson | Thursday, October 28, 2010

Roy Barnes

Roy Barnes, the Democratic nominee for governor, is the former governor of Georgia. Barnes grew up in Cobb County and earned his undergraduate and law degree of the University of Georgia in six years. Returning to Cobb County after college, he opened a law firm until his election to the Georgia State Senate in 1974 at the age of 26—the youngest state senator at the time.

After 18 years serving in this capacity, he was elected to the Georgia State House of Representative in 1992, serving for six years as member of the Rules and the Banks and Banking Committees, Vice Chairman of the Judiciary Committee and Chairman of the Subcommittee on General Law.

In 1999, he was elected governor of Georgia, but he returned to a law career after a failed reelection bid. He now practices at his specialty litigation firm Barnes Law Group with his family in Marietta. He is also a member of the Teaching Commission, the Chair of the National Board of Professional Teaching Standards and Chair of the Institute of Education Leadership.

Barnes' plans include rural and agricultural development, high-tech education and research and investment in renewable and efficient energy sources. He would reduce the property tax, develop economic activities in rural areas and reduce long-term energy costs by retrofitting state-controlled buildings for energy efficiency. Barnes is strongly in favor of maintaining heterosexual-only marriages.

He has supported funding to intensify anti-drug trafficking operations and to provide drug education and prevention programs. Education, especially educators, is another hot point for Barnes, who would not support teacher furloughs or renege salary obligations and would reduce school days dedicated to standardized testing. He also believes in bridge high schools and post-secondary education via access to college classes and increasing vocational education options in high schools.

John Monds

John Monds, the Libertarian nominee for governor, is the president of the Grady County NAACP branch and member of public service boards. Monds halls from Grady County and earned his undergraduate degree in banking and finance at Morehouse College in Atlanta in 1981. Before graduating, he had a job with Lehman Brothers Holdings, Inc. and continued working as a finance officer. He is also a 20-year member of the Omega Psi Phi fraternity and has held various positions with the fraternity as well as winning the Man of the Year and Superior Service awards in 2003.

As president of the Grady County NAACP branch, he has held financial literacy classes for a local summer program, and he is a member of the Grady County Planning Commission, Grady County Habitat for Humanity chapter, Grady County Fine Arts Project and Executive Committee of the Libertarian Party of Georgia.

The Georgia Libertarian Party unanimously nominated him as their gubernatorial candidate earlier this year, and he thus became the first African-American candidate for Georgia governor appearing on the general election ballot.

Monds' campaign basis is relieving government power, lowering taxes and focusing on individual rights. He would use his office to reduce taxes and eliminate the state income and property tax in favor of a consumption tax. His administration would push zero-based budgeting and veto any funding measures past basic governmental functions.

He also recently made headlines supporting marriage equality, as a libertarian, he believes in government intervention only for legal matters. He would also ask the General Assembly to rescind minimum laws for drug offenders and reexamine currently incarcerated offenders' cases. For education, he would encourage charter schools and a tax credit for those attending private schools or homeschool. He would shift control of education systems to local communities and oppose federal mandates like the No Child Left Behind Act.

Nathan Deal

Nathan Deal, the Republican nominee for governor, is a former thirteen-year representative from Georgia. Hailing from east-central Georgia, Deal earned his undergraduate and law degrees from Mercer University in six years. After college, he served as a captain in the Army and JAG Corps for two years, while in service, he could not serve in combat operations due to insufficient eyesight, so he taught law to military police. He then went on to a ten-year law career as private practice lawyer in Gainesville, Ga. assistant district attorney of the northeastern judicial circuit and juvenile court judge of Hall County.

In 1981, he was elected to the Georgia State Senate as a Democrat until 1995, including time as speaker pro tempore; when he was elected to Congress as a representative and then affiliated with the Republican party. In Congress, he was a member of the Energy and Commerce Committee and chaired the Subcommittee on Health. After declaring intentions to resign, he decided to postpone that to vote against the Patient Protection and Affordable Care Act—the health reform bill making headlines this year. He resigned his representative seat this March and has been working on his gubernatorial campaign since.

Deal's major campaign push is via his five-point plan focused on job creation and growth and restructuring the tax code. He is a strong proponent of the fair tax system and intends to implement it at the federal level, and he would reduce taxes for families and small businesses and eliminate the corporate tax.
Deal has come out against homosexual marriages and civil unions, and he opposes all federal support for LGBT programs. He is a strong proponent of family values and has received endorsements from the National and Georgia Right to Life Committees. His family's teaching history makes education a major subject for Deal, who would strengthen the Teachers' Retirement System, fund universal pre-kindergarten education, and strengthen math and science education.

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Oct. 28--TIPTON -- Democrat Ken Hodges said Wednesday that his record as a prosecutor best qualifies him for the job of the state's attorney general.

Hodges, an Albany native, served as district attorney there for 12 years. He said that when he was elected to the position in 1996, there were some defendants who had been in jail over seven years waiting for their cases to go to trial. He said a backlog of cases were tried during his tenure and the judicial circuit was named one of the top five efficient circuits in the state.

Hodges said he has the support of 125 district attorneys and Georgia sheriffs and that he has prosecuted sheriff's and other law enforcement agents and a death penalty case.
"An attorney general has to be the attorney general for all of Georgia," Hodges said. "I have more Republican district attorneys supporting me than my opponent does."

Hodges described himself as fiscally responsible and a "law and order conservative."

"The public has to have faith in elected officials and public servants," he said.

Hodges will face Republican Sam Olens and Libertarian Don Smart in Tuesday's general election.

Hodges lives in Atlanta with his wife, Melissa, and their daughter. He received his bachelor's degrees in political science and sociology from Emory University in 1988 and his law degree from the University of Georgia School of Law in 1991.

To contact reporter Angie Thompson, call 382-4321.

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The following information was released by the University of Georgia:

Laurie Fowler, associate dean of the University of Georgia Odum School of Ecology, recently received the Ogden Doremus Award for Excellence in Environmental Law from the non-profit public interest legal group GreenLaw.

GreenLaw established the Ogden Doremus Award for Excellence in Environmental Law in 2006. The late Doremus, a pioneer in environmental law in Georgia, was co-founder of GreenLaw and one of the first trustees of the Georgia Conservancy in the 1970s. This award recognizes the role that lawyers play in protecting Georgia's natural resources.

"Laurie has been a role model and inspiration to her students and lawyers everywhere for her dedication to protecting our environment," said Justin Thompson, executive director of GreenLaw. "Her dedication to educating young lawyers to protect our state's resources has been a driving force in making this state a better place to live."

Laurie currently serves as associate dean of the University of Georgia Odum School of Ecology and as environmental practicum director in the UGA School of Law. She also is a member of the conservation ecology and water resources faculties. A law graduate of the university, she also holds an LL.M. from the University of Washington School of Law.

Before moving to UGA, Laurie was a co-founder and co-director of the Legal Environmental Assistance Foundation, the state's first public interest environmental law firm. Her cases addressed the National Environmental Policy Act, pesticides, nuclear licensing, whistleblowers, and water quality issues. Her clients included citizens of Taylor and Talbot counties who were successful in stopping the local siting of a state-run hazardous waste incinerator while also creating an office of Pollution Prevention in the Georgia Department of Natural Resources. She also served as the executive director of the Georgia Environmental Policy Institute where she helped draft state and local legislation on solid and hazardous waste reduction and on siting waste facilities (addressing environmental justice issues) and promoted the development of land trusts and use of conservation easements around the state.

Laurie's current research and leadership center on water protection strategies. She was among the first in the state to recognize the enormous impact that local land use policies have on water quality and to develop and promote model ordinances and incentive programs to manage growth and avoid adverse impacts. These models have been used extensively in the state of Georgia as well as in other states and countries.

Laurie has led programs that integrate the latest scientific research with development of management policies to protect water quality and biodiversity. These include coordinating the development of the Etowah Aquatic Habitat Conservation Plan and drafting the implementation piece for multi-jurisdictional
plans to protect the Alcovy River in Georgia and the Upper Cahaba River in Alabama. She has been integrally involved in the development of the land protection strategies and associated legislation enacted by the last three Georgia governors. She involves law students, ecology students, and those from other programs in every aspect of her work through an innovative interdisciplinary practicum. Additionally, she counsels other universities on the creation of similar programs.

Among the many honors and awards Laurie has received for her work are the Annual Merit Award from the Georgia Chapter of the Soil and Water Conservation Society, the Regional Director's Award from the U.S. Fish and Wildlife Service, the Outstanding Environmental Educator Award from the Georgia Association of Environmental Educators, the Eugene Odum Award from the Georgia Environmental Organization, the Walter B. Hill Award for Outstanding Achievement in Public Service and Outreach from UGA, a Gubernatorial Commendation from former Gov. Roy Barnes, the Dean's Award for Professional Achievement from the Odum School of Ecology, and Public Interest Attorney of the Year by the UGA School of Law.

"It is an honor to work with Laurie," said John Gittleman, dean of the Odum School. "She is tireless in explaining why the environment is critical to enriching our lives, always passionate in helping others—especially students—understand the importance of ecology, and makes sure that in the process of learning about environmental issues we have fun! The Odum School of Ecology and UGA are very lucky to have Laurie Fowler."

GreenLaw is a non-profit public interest legal group dedicated to preventing air and water pollution that endangers human health and degrades Georgia's natural resources by providing free high quality legal and technical assistance to environmental organizations and community groups throughout Georgia.
District 5 candidates focused on growth and spending

By BLAKE AUDE - blake.aude@onlineathens.com
Published Saturday, October 30, 2010

Development and taxes are the top issues in a hotly contested District 5 Athens-Clarke Commission race.

ATHENS-CLARKE COMMISSION
DISTRICT 5 (Nonpartisan)

Jared Bailey
Age: 51
Address: 145 Marsha Court
Education: MBA in business management; associate's degree, marketing management
Profession: Executive director, AthFest Inc
Political experience: Member of citizen advisory boards
Campaign website: www.jared-atc5.com

Thomas Ellis
Age: 35
Address: 160 Cohen St.
Education: Graduate, University of Georgia Terry College of Business, 1998
Profession: Self-employed in historic restoration, construction and property management
Political experience: None
Campaign website: ellisfor5.com

Dave Hudgins
Age: 53
Address: 160 Del Air Drive
Education: BBA, University of Georgia; law degree, University of Georgia
Profession: Attorney
Political experience: Ran for Clarke County Board of Education, 1996; Athens-Clarke Hearings Board, 2000-2007; currently on Athens-Clarke Planning Commission
Campaign website: None

For more information about the upcoming election including candidate bios and past articles, visit www.onlineathens.com/election.

But a bizarre whisper campaign against one of the candidates, Jared Bailey, involving anonymous letters, harassing calls from pay phones and people lurking outside his girlfriend's Waynesville home has somewhat overshadowed the issues.

"I've been trying to focus on my campaign on getting my message out and not be worried about any shenanigans or anything," Bailey said.

Bailey, lawyer Dave Hudgins and builder Tom Ellis are competing for the District 5 seat. Commissioner David Lynn is not running for re-election.

The district is a diverse one. It includes politically active in-town neighborhoods Normaltown, Cobbham and Boulevard, the largely Hispanic Garnett Ridge neighborhood, suburban areas along Jefferson Road and rural farms near the Jackson County line. Residents' concerns vary inside and outside the Athens Perimeter.

Hudgins, an Athens resident since 1964, attended the University of Georgia law school but took an eight-year break and worked as a contractor for financial reasons, passing the bar in 1990. He now practices mostly divorce law.

"The commission, in making policy, it gets a little sticky," he said. "You have to build consensus. I have those skills. That's what I can do."

Hudgins served on the Athens-Clarke Hearings Board, which decides on requests for zoning variances, from 2000 to 2007 and now serves on the Athens-Clarke Planning Commission.

He has taken some heat from some of his votes as a planning commissioner,
SECTION: METRO; Pg. B05
LENGTH: 166 words
HEADLINE: ELECTION 2010;
GEORGIA U.S. HOUSE

BODY:

* incumbent
10th District
PAUL BROUN*
Republican
AGE: 64
EDUCATION: Bachelor's degree, University of Georgia; MD, Medical College of Georgia
OCCUPATION: Congressman, physician
POLITICAL BACKGROUND: U.S. representative, 10th District, 2007-present

RUSSELL EDWARDS
Democrat
AGE: 28
OCCUPATION: Self-employed consultant
EDUCATION: Bachelor's degree, University of North Carolina-Asheville; law degree, University of Georgia School of Law
POLITICAL BACKGROUND: none

12th District
RAYMOND MCKINNEY
Republican
AGE: 48
EDUCATION: Attended University of Georgia and Savannah Technical College
OCCUPATION: Mechanical services manager
POLITICAL BACKGROUND: Candidate, United States House of Representatives, District 12, 2008; candidate, president of the United States, 2008

JOHN BARRON*
Democrat
AGE: 55
OCCUPATION: Congressman, attorney

EDUCATION: Bachelor's degree, University of Georgia; Juris Doctor from Harvard University


LOAD-DATE: November 2, 2010

JESSE STONE
Republican
AGE: 28

EDUCATION: Bachelor's degree, University of North Carolina-Asheville; juris doctor, University of Georgia School of Law

OCCUPATION: Attorney

POLITICAL BACKGROUND: Former Waynesboro mayor

DIANE EVANS
Certified write-in
AGE: 49

OCCUPATION: Pastor, CEO C&E Water Testing

EDUCATION: Bachelor's degrees, Georgia Southern University, University of Georgia; master's and doctor of ministry, Erskine College

POLITICAL BACKGROUND: Former city clerk of Wadley

LOAD-DATE: November 2, 2010