

MONTHLY BULLETIN

Mobile Bar Association 153 Government Street Mobile, Alabama 36602 (251) 433-9790

President's Comments

“GOD BLESS AMERICA”



MIKE DRUHAN, PRESIDENT
MOBILE BAR ASSOCIATION



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2014 OFFICERS

- President – J. Michael Druhan
- President Elect – Brian P. McCarthy
- Vice President – Peter S. Mackey
- Secretary – Ruthie F. Alexander
- Treasurer – Ginger P. Gaddy
- Assistant Treasurer – Bess P. Creswell
- President Young Lawyers – Kaisee S. Heisterhagen
- Executive Director – Barbara C. Rhodes
- Editor – Ferrell S. Anders

Many of us have had the great good luck at one time or another to have had the opportunity to meet and enjoy a conversation with a Mobile native, and genuine American hero. I speak of former **U.S. SENATOR JEREMIAH A. DENTON, ADMIRAL DENTON.**

I have met and served with many men who are or were genuine American heroes in peacetime and in war, but none really seem to me to be on the level at which I rate Jerry. He and I shared a Vietnam past that kind of makes those of us of that era somewhat like brothers, but maybe more, comrades-in-arms.

Truthfully, combat is as bad as you might imagine it to be, but surviving it is far more euphoric than you can imagine. I have always thought that what Jerry endured for seven years in hell was not survivable mentally. The fiendish captivity he endured didn't crush him or his spirit but made him a giant. Surviving really does make you believe that the rest of your life is "gray".

I was fortunate to have had the honor of representing the Admiral for four decades and it has been a very interesting chapter in my life book. You can't fathom how wordlessly embarrassed you can be made to feel when a man like Jerry tells you "*God, I respect you infantry guys, doing that stuff you did day after day.*" The man never really appreciated how badly he was treated. **JEREMIAH DENTON** died March 28, 2014, but what a statement he made for God and country as the first returning prisoner of war off the plane when he said "*God bless America.*" The likes of Jerry Denton will not pass our way again.



Browsing the Bar - *With Barbara*



The weather has calmed down somewhat, Mardi Gras has come and gone and many of the MBA Committees and Sections are meeting - **PROBATE, BANKRUPTCY, ARCHIVES & HISTORY, GRIEVANCE, BENCH & BAR, LAW DAY, WORKER'S COMP, WOMEN LAWYERS** – and many of these are luncheons with speakers that offer 1.0 hr. MCLE Credit. The **CONTINUING LEGAL EDUCATION COMMITTEE** will be meeting in the very near future so if you have any suggestions for a seminar, please let us know.

The **ARCHIVES AND HISTORY COMMITTEE** is attempting to build on a project that was begun back in the late 1980s by interviewing and recording for posterity the history and remembrances of some of our senior lawyers. Last week **MR. ROBERT DENNISTON** and **MR. TOM HAAS** (who have been practicing law since 1941 and 1952 respectively) joined the Committee for lunch and with the able assistance of **DONNA HENDERSON, HENDERSON COURT REPORTERS, INC.**, we recorded their remembrances. We hope to continue this program all year, so if you know of someone who might be willing to share, please let us know.

We are slowly adding to our web site but we still need your assistance. Please view MobileBarAssociation.com and give us your feedback. There are still a number of photographs missing; however, if you will drop by the Headquarters we will be glad to take your photo and fill in the blank space – will not take five minutes!



PROGRAM

THERE WILL NOT BE A
LUNCHEON IN APRIL
THE NEXT MEETING WILL BE
FRIDAY, MAY 16, 2014, 11:45 AM
BATTLE HOUSE HOTEL MOONLIGHT BALLROOM
THIS IS OUR **ANNUAL LAW DAY LUNCHEON**
AND THE SPEAKER WILL BE OUR OWN
JUSTICE CHAMP LYONS
WE WILL ALSO RECOGNIZE THE
ESSAY CONTEST WINNERS • LIBERTY BELL WINNER

NEW MEMBERS



EDWARD BARRETT HAILS,
UNIVERSITY OF ALABAMA SCHOOL OF LAW 2012;
ALABAMA STATE BAR 2012;
WITH LUTHER, COLLIER, HODGES & CASH, LLP

TYLER N. SCOTT,
THOMAS GOODE JONES SCHOOL OF LAW IN 2008;
ALABAMA STATE BAR 2008;
WITH PAULUS NATIONAL CLOSING SERVICES, INC.

NICHOLAS McCULLOUGH RAYBURN,
SAMFORD UNIVERSITY,
CUMBERLAND SCHOOL OF LAW 2013;
ALABAMA STATE BAR 2013;
WITH DISTRICT ATTORNEY'S OFFICE.

DAVID W. BUNT,
UNIVERSITY OF MISSISSIPPI IN 2013;
ALABAMA STATE BAR 2013;
WITH STARNES DAVIS FLORIE.

JESSICA L. WELCH,
UNIVERSITY OF ALABAMA SCHOOL OF LAW 2011;
ALABAMA STATE BAR 2011;
WITH JOHNSTONE ADAMS, LLC

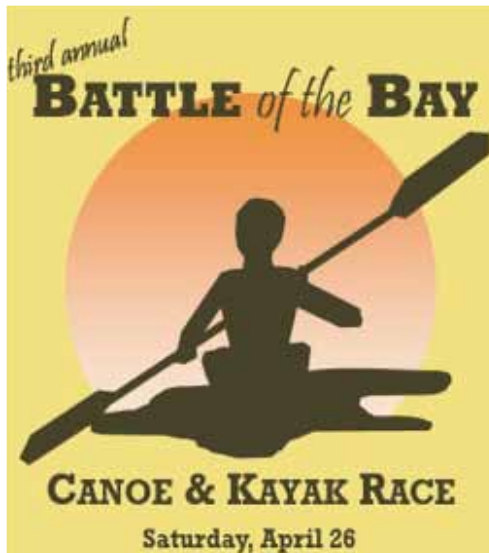
EMILY ALLISON CROW,
UNIVERSITY OF ALABAMA SCHOOL OF LAW 2013;
ALABAMA STATE BAR 2013;
WITH JOHNSTONE ADAMS, LLC



SAVLP

SOUTH ALABAMA VOLUNTEER LAWYERS

ARIANA H. MOORE, ASSOCIATE DIRECTOR



Mark your calendars for **BATTLE OF THE BAY**, April 26th at the **BLUEGILL**. Register to paddle in the canoe or kayak race or join us for brunch and a morning of fun on the deck. This year we will have a 3 mile course for the competitive racers and a 1 mile fun paddle for those who would prefer to spend a little less time on the water. Make sure you stay long enough to bid on the Stand Up Paddleboard donated by **DAUPHIN ISLAND STAND UP PADDLEBOARDS**. Help your firm win the “**BEST OF THE BAY**” award by sponsoring, volunteering or participating in the race. This is a great event for all ages. Check out www.savlp.org for more details! See you at the **BLUEGILL**. Thanks to our sponsors:

Sponsored by: **ANDY CITRIN INJURY ATTORNEYS, ARCADIA ICR GROUP: A PROFESSIONAL CONSTRUCTION SERVICES COMPANY, ADAMS & REESE, DAUPHIN ISLAND STAND UP PADDLEBOARDS, FREEDOM COURT REPORTING, FAIRHOPE BOAT COMPANY, JONES WALKER, LLP, PROLEGAL COPIES, RE-ELECT MICHELLE THOMASON, THOMPSON REUTERS, BURR FORMAN, LLP,**

FAIRHOPE BREWING COMPANY, GINGER POYNTER FOR DISTRICT JUDGE, HENDERSON COURT REPORTING, HOLSTON VAUGHAN LLC, JAMES ELLISON OF TORRES PROTECTION GROUP, JOJO SCHWARZAUER, CIRCUIT CLERK-MOBILE COUNTY, LOIS ROBINSON COURT REPORTING, MICHAEL UPCHURCH, MH3 PRINTING, MOBILE COUNTY CIRCUIT JUDGES, OEC- OFFICE EQUIPMENT CO., REGGIE COPELAND, JR., SERDA’S COFFEE COMPANY, SERVIS1ST BANK, SOURCE ONE LEGAL COPY, SOUTHEAST ROOFING & CONSTRUCTION

IMPORTANT DATES IN APRIL:

April 7, 2014- Limited legal advice clinic at Prodisce Pantry, Spanish Fort

April 9, 2014- Limited legal advice clinic at the Clarke County Courthouse, Grove Hill

April 10, 2014- Limited legal advice clinic, Mobile County Courthouse, Mobile

April 16, 2014- FREE CLE for SAVLP attorneys sponsored by the Practicing Law Institute “Limited Scope Representation 2014: Ethical & Practical” (2.20 hours of MCLE credit-1.40 hours of ethics) Live Webinar CONTACT SAVLP FOR DETAILS

April 17, 2014- Free CLE sponsored by Legal Services Alabama (LSA) and Alabama Coalition Against Domestic Violence (ACADV) “Risk Assessment” (1.5 hours CLE) Live Webinar CONTACT SAVLP FOR DETAILS

Special thanks to the attorneys who accepted or closed a case in February: **JOHN G BAYLOR JR., PAUL T BECKMANN, BILLY C BEDSOLE, RUSSELL E BERGSTROM, WESLEY H BLACKSHER, BRINA I BOLDEN, JOHN E BOLTON, HENRY H BREWSTER, PETER F BURNS, HENRY A CALLAWAY III, ROBYN R CANNON, KENNETH PAUL CARBO JR., L. BRIAN CHUNN, F. LUKE COLEY JR., GREGORY S COMBS, BRYAN COMER, JUDSON E CRUMP, BRENT T DAY, SONDR A DEMPSEY, SCOTT E DENSON, REBECCA DING, BRYAN G DUHE’, BEN FORD, BARRY A FRIEDMAN, JOSH D FRIEDMAN, JONATHAN P GARDBERG, JOSHUA M GRANTHAM, MARY A HAMPTON, THOMAS E HARRISON, JESSICA HATCHER, TIMOTHY A HEISTERHAGEN, CHRISTINE C HERNANDEZ, R. SCOTT HETRICK, TOSCA HIEFTJE, HERNDON INGE III, MATTHEW R JACKSON, VIVIAN G JOHNSTON V, ANDREW M JONES, CHRISTOPHER KERN, CAROL M LOWELL, JAMES H McDONALD JR., S. C. MIDDLEBROOKS, JENNIFER S MORGAN, NICHOLAS F MORISANI, CLEVELAND M PATTERSON, IAN D ROSENTHAL, STEVEN SCIPLE, HENDRIK SNOW, MARY ELIZABETH SNOW, T. JEFF STEIN, SCOTT D STEVENS, BRYAN A THAMES, AND MICHAEL A WING.**





SIGNIFICANT DECISIONS



In a case of first impression, the Court of Civil Appeals in *Keeling v. Keeling*, No. **2120612** (Ala., Jan. 17, 2014), held that Ala. Code § 43-2-354, which mandates the taxing of costs against an unsuccessful claimant against an estate, did not authorize the assessment of attorneys' fees incurred by the estate against the claimant.

In another case of apparent first impression, the Court of Civil Appeals in *Terry v. Terry*, No. **2120814** (Ala., Jan. 10, 2014), held that a trial court, which had previously entered a divorce decree that was then on appeal, nevertheless had jurisdiction to consider a petition to modify the decree if based on changed circumstances.





LAWYERS IN THE NEWS

BY SANDY G. ROBINSON

LEGAL MILESTONES:

DIED: MBA MEMBER MAURY FRIEDLANDER DIED ON MARCH 6, 2014. HE PRACTICED LAW IN MOBILE FOR OVER FIFTY-FIVE YEARS WITH **MARR & FRIEDLANDER, P.C.** HE IS SURVIVED BY HIS WIFE, **MARY ANN JONES FRIEDLANDER** (LONG-TIME COURT REPORTER FOR **JUDGE ROBERT KENDALL**), THREE CHILDREN, TWO GRANDCHILDREN AND MANY OTHER RELATIVES AND FRIENDS.

DIED: MBA MEMBER LESTER BRIDGEMAN DIED ON MARCH 6, 2014. HE HAD PRACTICED LAW IN MOBILE SINCE 1987. IN 1943, WHILE ATTENDING **LOUISIANA STATE UNIVERSITY**, HE VOLUNTEERED FOR THE ARMY AND WAS ASSIGNED TO THE **12TH ARMORED DIVISION**. DURING THE **BATTLE OF THE BULGE**, HE WAS WOUNDED IN FRANCE AND AWARDED THE **BRONZE STAR** AND THE **PURPLE HEART**. HE RECEIVED HIS LAW DEGREE FROM **COLUMBIA UNIVERSITY**. BEFORE COMING TO MOBILE, HE PRACTICED LAW IN WASHINGTON, D. C. FOR OVER 30 YEARS. HE WAS AN AVID SAILOR. HE IS SURVIVED BY HIS WIFE, ATTORNEY **ANN BRIDGEMAN**, TWO DAUGHTERS AND MANY OTHER RELATIVES AND FRIENDS.

CONGRATULATIONS! MBA MEMBER JIM YANCE WAS HONORED FOR HIS YEARS OF SERVICE TO THE **UNIVERSITY OF SOUTH ALABAMA** WITH A LIFE-SIZED PORTRAIT AND THE TITLE OF **“CHAIR PRO TEMPORE EMERITUS.”** HE EARNED HIS UNDERGRADUATE DEGREE IN POLITICAL SCIENCE IN 1970, JUST SEVEN YEARS AFTER **USA** WAS FOUNDED. HE HAS SERVED ON THE **USA BOARD OF TRUSTEES** SINCE 2006 AND HAS SERVED THE **UNIVERSITY** IN MANY CAPACITIES. CONGRATULATIONS, JIM!





ANNOUNCEMENTS

The Law Firm of **CONRAD & BARLAR** is pleased to announce that **KRISTINE McCULLOCK** has become a partner of the firm. The firm name has changed to **CONRAD, BARLAR & McCULLOCK**.

FRAZER GREENE UPCHURCH & BAKER, L.L.C. is pleased to announce that **JAY N. ROBINSON** has become a partner of the Firm effective January 1, 2014.

NEW OFFICE ADDRESS for **BILL C. MESSICK**, 4321 Downtowner Loop North, Suite 207, Mobile, Alabama; telephone and post office box remain the same.

The law firm of **MAYNARD COOPER & GALE PC** is pleased to announce the addition of **BRYAN A. THAMES** to its General Corporate and Mergers & Acquisitions practices. Thames will be working out of the firm's Mobile office.

ASSOCIATE POSITION AVAILABLE with **HARE, WYNN, NEWELL & NEWTON, LLP**. Three to five years experience, high academic achievement required, federal clerkship desirable. Trial, oral argument and/or deposition experience required. Brief writing experience in state/federal courts required. Please send resumes to: **HIRING COMMITTEE, HARE, WYNN, NEWELL & NEWTON, LLP, 2025 3RD AVENUE NORTH, SUITE 800, BIRMINGHAM, AL 35203**

LEGAL SECRETARY with 10 years experience at local bankruptcy firm seeks full-time employment. Trustworthy, hard-working and reliable, good references available upon request. Call Tajuana at 251.423.2412.



NOTICE FROM

MOBILE MUNICIPAL COURT

The Court is encouraging attorneys to consider becoming Court Appointed Attorneys for the Mobile Municipal Court. If anyone is interested in this opportunity please contact court secretary, **MS. WANDA NEWBERRY** at 251.208.7179 to schedule an appointment with Presiding **JUDGE HOLMES WHIDDON** and **JUDGE SHEL BONNIE HALL**.

YOUNG LAWYERS ——— KASEE HEISTERHAGEN, *PRESIDENT*

The Young Lawyers would like to thank **BURR FORMAN** for hosting the March meeting at **ROYAL STREET TAVERN**. **BURR FORMAN** is a long-time supporter of the **YOUNG LAWYERS** and we appreciate their contributions.

The April YL meeting will be held on Thursday, April 17 from 5:30 to 7:30. The April meeting will be hosted by **MOBILE BAY REPORTING** and **SOURCE ONE**, location TBA - so watch for an email update. All are welcome!

FUN FEST AT ST. MARY'S HOME

The annual **YOUNG LAWYERS FUN FEST** at **ST. MARY'S HOME** will be on Saturday, April 5. Please consider coming out to spend a few hours playing and talking with the residents. This is always one of our best events and the kids have a wonderful time - all ages welcome!

If you would like to get involved with **FUN FEST** or the **GOLF TOURNAMENT**, are interested in sponsoring an upcoming meeting or if you have any questions, concerns, or comments please e-mail me (ksparks@burr.com), Vice President Jonathan Maples (jmaples@carrallison.com), or Treasurer Russ Johnson (rjohnson@law-alabama.com).





MOBILE BAR FOUNDATION

PLEASE GIVE

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Phone: _____ E-mail: _____

I want to make a donation to the Mobile Bar Foundation.

In honor/memory of: _____

Acknowledgement to: Name _____

Address _____

I want to become a member of the Mobile Bar Foundation.

Check enclosed

Bill my credit card \$_____ Visa/Master Card/Amex # _____

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Partner (\$500 or more)

Associate (\$100 or more)

Regular Member (\$50 - \$99 annually,
or if member of MBA practicing 5 years or less \$25 - \$99)

I would like information on including the Foundation in my estate planning.

Signature _____ Exp. _____

Mail to: Mobile Bar Foundation, P.O. Drawer 2005, Mobile, AL 36652

MEMORIALS

HAMP UZZELLE

WILLIAM "BILL" LAUTEN

MONICA KNIGHT

BY

CAINE O'REAR, III

MAURY FRIEDLANDER

BY

CHARLES J. FLEMING

AND M. KATHLEEN

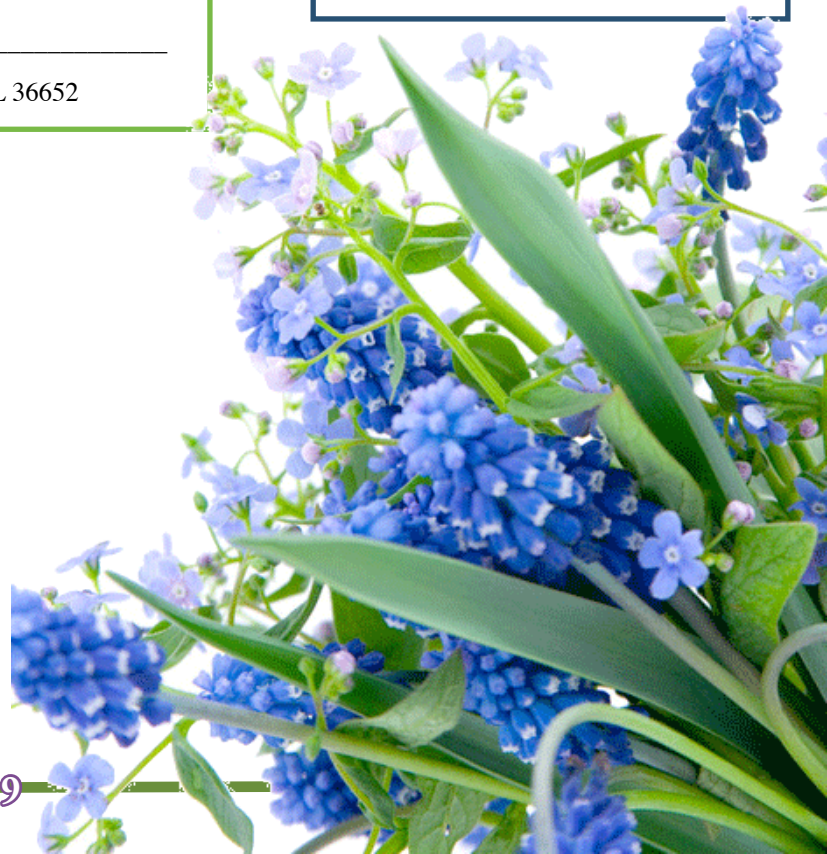
MILLER

MAURY FRIEDLANDER

LESTER M. BRIDGEMAN

BY

JOHN N. LEACH, JR.



April



APRIL 1 - TUESDAY
WOMEN LAWYERS LUNCHEON, MIDTOWN KITCHEN

APRIL 4 - FRIDAY
BENCH & BAR COMMITTEE LUNCHEON,
11:30 AM, FELIX'S

APRIL 5 - SATURDAY
ANNUAL YOUNG LAWYERS
FUN FEST AT ST. MARY'S HOME

APRIL 10 - THURSDAY
EXECUTIVE COMMITTEE MEETING,
12 O'CLOCK NOON, ADMIRAL SEMMES

APRIL 11 - FRIDAY
ANNUAL DO'S AND DON'TS SEMINAR WITH THE JUDGES,
1:30 – 4:45 PM,
ADMIRAL SEMMES

APRIL 17 - THURSDAY
YOUNG LAWYERS,
5:30 PM, AT THE HABERDASHER

APRIL 24 - THURSDAY
GRIEVANCE COMMITTEE MEETING,
12 O'CLOCK NOON, MBA HEADQUARTERS

APRIL 24 - THURSDAY
WORKER'S COMP SECTION MEETING,
12 O'CLOCK NOON, ADMIRAL SEMMES VIP2

APRIL 26 - SATURDAY
ANNUAL SAVLP BATTLE OF THE BAY

CONTINUING LEGAL EDUCATION



APRIL 11, 2014 - FRIDAY
ANNUAL DO'S & DON'TS
WITH THE JUDGES
1:30 – 4:45 PM,
ADMIRAL SEMMES HOTEL