

# MONTHLY BULLETIN

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

## President's Comments



**MICHAEL E. UPCHURCH, PRESIDENT**  
MOBILE BAR ASSOCIATION

There are lawyers among us who might deserve an extra measure of our respect and admiration.

There is a husband and father whose wife is battling a devastating, relentless, progressive disease. Actually, the whole family is battling it. This disease attacks its victims without mercy and there is no cure. It can destroy the spirit of a family. But not this family. Every day - every single day - this lawyer and his wife and their children fight the frustration and feelings of helplessness and hopelessness that this disease breeds. And they overcome them. His wife never gives up. She remains spirited and upbeat. She devotes herself to keeping her family strong and positive. Their children enjoy a normalcy and stability that few families achieve. Trying to help a spouse fight off this insidious enemy in addition to facing the challenges and strains of being a lawyer, would, for most of us, be more than we could handle. Yet this lawyer does it, day after day, with unwavering determination and good humor. Despite the exponentially greater demands on his energy and resolve at home, this lawyer maintains a grueling, pressure-packed law practice. Yet he excels at his job and treats his family, his staff, his opponents and everyone

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### 2013 OFFICERS

- President – Michael E. Upchurch
- President Elect – J. Michael Druhan
- Vice President – Brian P. McCarthy
- Secretary – S. Joshua Briskman
- Treasurer – Meegan B. Nelson
- Assistant Treasurer – Ginger P. Gaddy
- Pres Young Lawyers – Josh D. Friedman
- Executive Director – Barbara C. Rhodes
- Editor – Ferrell S. Anders

## PROGRAM

THE MARCH MONTHLY LUNCHEON WILL BE  
 FRIDAY, MARCH 15, 2013,  
 11:45 AM IN THE  
 MOONLIGHT BALLROOM  
 OF THE BATTLE HOUSE HOTEL  
 GUEST SPEAKER  
 WILL BE J. D. CROWE  
 50 YEAR LAWYERS HONORED  
 BILLY C. BEDSOLE  
 G. PORTER BROCK, JR.  
 JERRY A. McDOWELL  
 AUGUSTINE MEAHER, III  
 HAROLD D. PARKMAN





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# *Browsing the Bar*

## *- With Barbara*



A friendly reminder to our Senior Lawyers that we NEED mentors. We have several new lawyers who have requested mentors and our list has long been exhausted. Please call us and Volunteer for this most needed and rewarding program within the MBA. Many of you signed up several years ago and may be ready to sign on again if you have graduated your mentee! Call Tammy or Barbara at 251.433.9790.

The Lawyer Referral Service is alive and well but we can always use additional panel members. You can sign for as many different panels as you wish – the rules require that you carry malpractice insurance, that you will give the client a thirty-minute consultation for \$30.00 and return ten percent (10%) of your fee over \$100.00 to the MBA.

Approximately two (2%) per cent of you have not sent in your 2013 Dues. Please check to make sure you are not part of that 2% and if you are, your check would be appreciated. Your dues are the primary source of income needed to run the MBA (which includes my salary).

The “Mobile Bar Association” was thoughtful enough to send a Bay Catering lunch to my home following my mother’s death. Thank you – my two grandsons were here and they have hollow legs! And, if that wasn’t enough, you also sent a beautiful bouquet of flowers. We took them home with us and enjoyed them for several days following the service. As I said last month, lawyers are great people and I count it a privilege to have been associated with each one of you though the years. Thank you from the bottom of my heart.





## President's Comments *continued from page 1*

else with warmth, courtesy and patience.

There is a lawyer who has devoted her career – really her life – to raising up those who are under-served, under-represented and unfairly treated. She does this as an attorney and as the holder of an important local political office. She does it quietly, without fanfare. In her political realm, she often seems to be the only adult in the room. She never seeks attention or takes credit. She listens much, and speaks little. When she does talk, however, her soft voice carries a force and truth that educates and illuminates. She is diplomatic, but steadfast. She is polite, but firm. She is willing to cooperate and she is willing to confront. She somehow just knows which road to travel. She has grace, wisdom and courage, and an inner strength that few possess. She gives lawyers a good name.

There is a lawyer, now retired, who helped build the most successful and respected plaintiff firm in our region. In some ways, he is a contradiction. As a trial lawyer, he was tough as nails. A fierce and tenacious advocate. He prospered financially but endured overwhelming tragedy within his family and lost two sons. Rather than succumb to despair and anger, he became one of the greatest benefactors and philanthropists in our community. His compassion and generosity know no limits. He has helped more people in our area than can be counted. He never talks about what he has given, and asks nothing in return. He is, literally, the man sitting in the last row in church, not there to be seen.

There is a lawyer who suffered a severe spinal cord injury in his youth that would have unraveled most of us. He cannot even stand without a cane. Just walking around a conference room table is a struggle. Travel is a nightmare. Not that he would admit any of this. Despite the incredible difficulties caused by his injury, he never complains. He keeps a mischievous smile on his face and remains unrelentingly upbeat. His sense of humor is exceeded only by his gritty determination and quiet toughness. He makes his disability disappear for those who spend even a small amount of time around him. He inspires, without intending to.

There is a lawyer in the twilight of a long, distinguished career. He cherishes the law and loves being a lawyer. He is not cynical. He is proud of his profession. He has worked hard for over 50 years and by himself tried more cases than some entire firms. It has come at a cost, however. He has faced repeated severe health setbacks. During one intense, high stakes trial, his heart failed him and ultimately had to be replaced. That, by itself, would have driven almost anyone else to the sidelines. Not him. Energized by an iron will, he has bounced back repeatedly and continues to be a gifted and passionate advocate for his clients. He is a shining example of professionalism and gentlemanly behavior. He exudes kindness, but possesses a ferocious fortitude. Now, as before, he asks for nothing more than another day to practice the profession he loves.

These are the stories of but a few of the remarkable lawyers who populate our membership. Every now and then it is worthwhile to pause for a moment, look around, and appreciate those whom we have the privilege of calling colleagues.





# SAVLP

## SOUTH ALABAMA VOLUNTEER LAWYERS

**ARIANA H. MOORE, ASSOCIATE DIRECTOR**

Do you want to volunteer but feel like you don't have enough time? Sign up for SAVLP's limited legal advice clinics in Mobile and Baldwin counties. Mobile clinics are held the second Thursday of every month at the Mobile County courthouse. Dates and locations in Baldwin County rotate each month. We have a particular need for attorneys who can answer questions on family, consumer and collections matters. These cases are closed at the clinic so you won't take work back to the office. If you are interested, please contact SAVLP at 433-6693.

**April 27th at 9:00 am  
Bluegill Restaurant**



**Entry forms at [www.savlp.org](http://www.savlp.org)  
Sponsored by PNC Bank, Arcadia ICR Group,  
Prolegal Copies, and Freedom Court Reporting**

**SECOND ANNUAL EVENT • three mile paddle in beautiful Mobile Bay • family friendly fun  
• entertainment • shrimp and grits brunch • prizes • costume contest • kids activities • AND MORE.  
Boat rentals are available with pre-registration.**

Special thanks to the following attorneys who accepted or closed cases in January: JOSEPH ALTADONNA, JOSHUA J BATES, JOHN G BAYLOR JR., PAUL T BECKMANN, RAYMOND L BELL JR., RUSSELL E BERGSTROM, JAIME W BETBEZE, HENRY H BREWSTER, PAUL D BROWN, ASHLEY E CAMERON, CRAIG CAMPBELL, WALTER G CHAVERS, C. S. CHIEPALICH, JAMES P COLEMAN, MICHAEL DASINGER III, THOMAS DASINGER, MARGARET F DEMERANVILLE, DANIEL A DENNIS IV, JACQUELINE FLEMING BROWN, BEN FORD, JOSH D FRIEDMAN, THOMAS J GLIDEWELL, TANYA HALLFORD, SIDNEY M HARRELL JR., CHRISTINE C HERNANDEZ, KATHERINE A HERNDON, R. SCOTT HETRICK, RYAN P HOLLOWAY, SCOTT W HUNTER, GEORGE R IRVINE III, ANDREW M JONES, GREGORY R JONES, KATHLEEN COBB KAUFMAN, R. EDWIN LAMBERTH, THOMAS LOPER, MELINDA LEE MADDOX, E. RUSSELL MARCH III, PHILLIP E MASON, JENNIFER E McDONALD, JACOB B McNIEL, AUGUSTINE MEAHER III, S. C. MIDDLEBROOKS, PAMELA K MILLSAPS, JENNIFER S MORGAN, PAUL BRADLEY MURRAY, MEEGAN NELSON, S. WESLEY PIPES V, LAKELIA P POWELL, IAN ROSENTHAL, AND STEVEN SCIPLE.



# NEW MEMBERS

**MELODY MARIE ZEIDAN,**  
**VANDERBILT UNIVERSITY LAW SCHOOL 2007;**  
**ALABAMA STATE BAR 2007;**  
**WITH JOHNSTONE ADAMS**

**FARAHBIN A. MAJID,**  
**UNIVERSITY OF ALABAMA SCHOOL OF LAW 2011;**  
**ALABAMA STATE BAR 2011;**  
**WITH LEGAL SERVICES OF ALABAMA**

**THOMAS MATTHEW LOPER,**  
**UNIVERSITY OF ALABAMA SCHOOL OF LAW 2005;**  
**ALABAMA STATE BAR 2005; DC STATE BAR 2006;**  
**WITH THE GARDNER FIRM, PC**

**DAVID “TYLER” PRITCHETT,**  
**JONES LAW SCHOOL 2012;**  
**ALABAMA STATE BAR 2012;**  
**LAW CLERK FOR JUDGE JOHN R. LOCKETT**

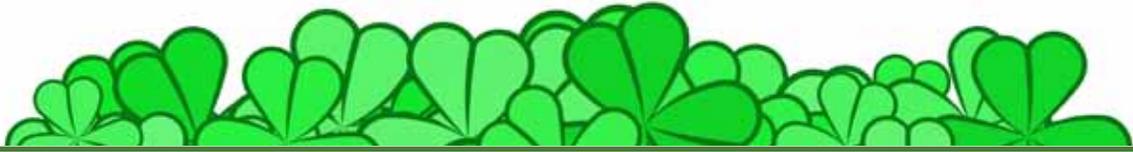
**JAMES CRAWFORD “J.C.” MILLER,**  
**CUMBERLAND SCHOOL OF LAW 2012;**  
**ALABAMA STATE BAR 2012;**  
**WITH CARR ALLISON PUGH HOWARD OLIVER & SISSON, PC**

**JOHN ANDREW WENZEL,**  
**UNIVERSITY OF WESTERN ONTARIO 2011;**  
**ALABAMA STATE BAR 2012;**  
**WITH CALDWELL WENZEL, P.C.**

**PATRICK MATTOX HYNDMAN,**  
**CUMBERLAND SCHOOL OF LAW 2012;**  
**ALABAMA STATE BAR 2012;**  
**SOLE PRACTITIONER**

**HERMAN FINHOLD “FINN” COX,**  
**CUMBERLAND SCHOOL OF LAW 2010;**  
**ALABAMA STATE BAR 2010;**  
**WITH VICKERS RIIS MURRAY AND CURRAN, LLC**





## LAWYERS IN THE NEWS

BY SANDY G. ROBINSON

### LEGAL MILESTONES:

**DIED: JOSEPH MARCINE BOLTON, JR.**, father of MBA member **JOE BOLTON**, died on February 12, 2013. He served in the U.S. Army in Korea and was awarded the Purple Heart, Bronze Star, and other citations for his bravery while serving in the 1st Cavalry Division. He was an active member of St. Dominic Catholic Church and a Fourth Degree Knight of Columbus. He is survived by his wife, his son, and 2 grandchildren.

**DIED: AUDREY ELIZABETH TAYLOR MITCHELL**, grandmother of MBA member **ROBERT MITCHELL**, died on January 12, 2013 after a long illness. She attended the University of Alabama and earned a B.S. degree in education in 1941. She worked for many years as a librarian, and was active in many civic activities, including Daughters of the American Revolution. She is survived by four children and six grandchildren.

**ARTS NEWS:** MBA member **BARNEY MARCH** played the role of one of Society Shell's Griffith brothers in the Tom Perez play "Don't Frack With Society Shell," sequel to the 1986 play "Society Shell." The play also included a character loosely based on friend of the MBA **SUZANNE CLEVELAND** ("Suzanne Cincinnati").

## YOUNG LAWYERS

*JOSHUA D. FRIEDMAN, PRESIDENT*

I would first like to thank **McDOWELL KNIGHT ROEDDER & SLEDGE** for a great February meeting at **MOE'S ORIGINAL BBQ** on February 21st. **McDOWELL KNIGHT** has always been a generous sponsor of the **YOUNG LAWYERS**, and we appreciate their continued support.

The March meeting is being sponsored by **BURR FORMAN** and will be held at **T.P. CROCKMIERS** beginning at 5:30 on March 21st. **T.P. CROCKMIERS** is located on the corner of Dauphin Street and North Joachim Street.

I would also like to remind everyone that the **YOUNG LAWYERS** will again be sponsoring **FUN FEST** at **SAINT MARY'S ORPHANAGE**. Due to a date conflict, the Young Lawyers will be changing the date of this event, which was originally scheduled for April 27th, and we will provide an update as soon as one becomes available. We are still in need of volunteers and sponsors. **FUN FEST** is always a great fundraising success as well as a wonderful time for the children and volunteers. **CHRIS CONTE** and **SCOTT STEVENS** have been the co-chairs of the **FUN FEST** committee for the last three years, and they deserve to be commended for their work and dedication to the Young Lawyers and St. Mary's. If you would like to get involved with **FUN FEST**, please email **CHRIS CONTE** ([ctc@helmsinglaw.com](mailto:ctc@helmsinglaw.com)), or **SCOTT STEVENS** ([sstevens@starneslaw.com](mailto:sstevens@starneslaw.com)). Also, if you are interested in sponsoring an upcoming meeting, charity event, or have any other questions, please e-mail me ([josh@bafmobile.com](mailto:josh@bafmobile.com)), **KASEE HEISTERHAGEN** ([kasee.heisterhagen@burr.com](mailto:kasee.heisterhagen@burr.com)), **JONATHAN MAPLES** ([jmaples@carrallison.com](mailto:jmaples@carrallison.com)).



# ANNOUNCEMENTS

**S. RUSS COPELAND** has joined the **CITRIN LAW FIRM, P.C.**, 1703 Main Street, Daphne, AL, 251.380.7520

**ESTABLISHED LAW OFFICE BUILDING FOR SALE** on terms by owner in midtown area. Ideal for self-starter. Call 251.473.5553 for details.

**THE ADMINISTRATIVE OFFICE OF COURTS,** 334.954.5000, announces that the **GUARDIAN AD LITEM CERTIFICATION AND RE-CERTIFICATION COURSES** have been scheduled. Register online at: <http://conferences.alacourt.gov>.



## PLEASE GIVE

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

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

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 # \_\_\_\_\_

Life Member (\$5000, paid in up to 5 annual installments)

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



# MARCH 2013

MARCH 6 - WEDNESDAY

**SOLO AND SMALL FIRM SECTION MEETING,**  
12 O'CLOCK NOON , MBA HEADQUARTERS

MARCH 7 - THURSDAY

**EXECUTIVE COMMITTEE MEETING,**  
12 O'CLOCK NOON, BIENVILLE BUSINESS CLUB

MARCH 15 - FRIDAY

**MARCH MONTHLY LUNCHEON,**  
11:45 AM, MOONLIGHT BALLROOM THE BATTLE HOUSE HOTEL

MARCH 15 - FRIDAY

**"THE MODERN LAW OFFICE" SEMINAR,**  
1:30 – 4:45 PM, MOONLIGHT BALLROOM THE BATTLE HOUSE HOTEL

MARCH 28 - THURSDAY

**MBA GRIEVANCE COMMITTEE MEETING,**  
12 O'CLOCK NOON, MBA HEADQUARTERS

## CONTINUING LEGAL EDUCATION

**MARCH 15 - FRIDAY**

THE MODERN LAW OFFICE,  
3.0 HRS . MCLE CREDITS  
INCLUDING 1.0 HRS. ETHICS CREDIT

**APRIL 19 - FRIDAY**

JUDGE'S PANEL DISCUSSION  
3.0 HRS . MCLE CREDITS

