

the **Association** *press*



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PRESIDENT'S MESSAGE

Gordon Broom (IL)



What a wonderful time we all had in Dublin. Being in Ireland was exciting. The hotel was fantastic and the venues for our different events were truly special. But Ireland, Dublin, City Hall, the Book of Kells, and the friendly pubs only served as backdrop for the real purpose of the meeting - the gathering of old and

new friends. The ADTA is a special group of people – who in essence have selected each other to be their professional and traveling companions. Those of you who have attended an ADTA meeting know what I am talking about and those of you who have yet to attend our annual meeting should make plans now to be in Galveston and enjoy one of the real benefits of membership. The annual meetings of the ADTA are truly special.

In my years as a member of the executive council and an officer, there is one other aspect of ADTA which makes it special. We are still basically a volunteer organization. That is, we do not have a full time executive director. We are ably assisted by a part time assistant to the secretary and a travel planner, but most of what we do is done by volunteers. While it is mostly a labor of love, it is still a commitment of time, energy and resources which could just as easily be put to other uses.

This year's annual meeting in Dublin turned out to be a time when a number of volunteers turned over their "labor of love" to a new set of volunteers. **Jim (and Lynn) Gauthier (NY)** stepped down as our secretary. Jim has spent countless hours and bundles of energy these last five years as our secretary. During that time, he moved the ADTA

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into the computer age as well as the digital camera age. To his surprise and our delight, his years of service were recognized by being awarded the rarely presented **Paul Gibbs Outstanding Member Award**. Jim thanked those assembled and then praised his wife, Lynn, for supporting him in his career all these years. A great moment! **George** (and **Carolyn**) **Walker** (AL) has stepped up and was elected secretary. A new beginning.

Steve (and **Melinda**) **Crislip** (WV) has served as our membership chair for the last seven years. The ADTA really has no way to adequately say thank you for Steve's successful efforts in keeping our ranks filled with the best people in our profession. However, ADTA acknowledged his contribution by nominating him (and Melinda) to the vice presidency of the ADTA. Being the happy volunteer he is, he (they) accepted the nomination. As a result of Steve's seven plus years of labor, he gets to continue to volunteer for four more years. A person truly committed to the ADTA. **Glenn** (and **Betsy**) **Morgan** (VT) has assumed the membership chair. We are in good hands.

Holly and I have had the pleasure of second chairing **Jerry** and **Kathy Weedon's** (FL) stewardship of our ADTA this last year. The end of their term as president is the culmination of many years of service to the ADTA. ADTA has been blessed with many excellent ambassadors, who not only represent the ADTA, but also the defense bar, to the outside world. Jerry and Kathy are at the top of the list. A job well done.

Other volunteers who make this Association work are **Tom** (and **Debbie**) **Sandenaw** (NM), who again organized the CLE accreditation for the members at the Dublin meeting. Tom, at the executive council's request, has re-upped to assume an even larger role as the newly created chair for all aspects of our CLE program. A true volunteer. Members **Robert Jones, III** (AR) and **Bobby Hood** (SC) volunteered and made excellent presentations at the CLE in Dublin. **Kevin** and **Gail Kelly** (NY) have completed their successful term as our meeting chair of the annual meeting at Dublin, and **Lou** (and **Colleen**) **Scotfield** (TX) is now working hard on the Galveston meeting. The torch is passed. **Lou** (and **Alice**) **Leonatti** (MO), **Richard** (and **Maxine**) **Harris** (GA), and **Adrienne** (and **Robert**) **Baumgartner** (LA) have graduated from the executive council and have been replaced by three new volunteers, who are described in detail elsewhere in this newsletter. Each of our retiring council members made positive and lasting contributions to the ADTA during their three year terms and they will continue to do so.

My point is simple and one well known to all of us who have become involved with this Association - we could not be what we are or do what we do without the involvement of people like those I have mentioned. As these volunteers move on,

others will move in to take their place. I hope those who have recently joined the ADTA and those who have yet to volunteer will do so and will become involved – it is worth it. Let me know if you want to become a volunteer. **I will find a good place for you.**

Being a member of our profession is not just about billable hours. In fact, I can assure you that your memories of your good times with your ADTA friends at the ADTA annual meetings will be with you much longer than the testimony given at any deposition or any memories you have of writing an Appellate brief. Enjoy your membership in the ADTA. It is one of the rewards you give yourself for all of your hard work. You have earned your ADTA membership, the good times the ADTA has to offer, and the opportunity to associate with the great people of our profession. Become involved. Plan now to come to our annual meeting next April. We are going to have a great time in Galveston!



MARKETING REPORT

Stephen English (OR)

The Marketing Committee continues to focus its efforts on regional marketing meetings. The theme of these meetings is captured by their title "Marketing the ADTA and Its Members." Our next meetings are:

"Marketing, Networking and Raising the Visibility of Your Practice: What Works and What Doesn't" in Framingham, Massachusetts on Friday, September 24, 2004.

San Francisco – October 29 – Duayne Grummer.

St. Louis – Lou Leonatti.

As you know, our organization was created and continues to survive and flourish because it does not have a critical mass of lawyers in any given specific city or area. Therefore, our biggest stretch is to be able to continue having regional meetings and offer opportunities to our members, but creating a sufficient group to make the meetings meaningful and worthwhile. In this regard, Wendy Lane of Lane Marketing and P.R. has created a twelve week out template and checklist so that each moderator putting on a program knows exactly what to do and when to do it. The template includes sample announcements and the like. Mark your calendar to hold the date for the meeting nearest you. These are great opportunities for practice development and we encourage you to share these opportunities for with other members of your firm and clients. We look forward to seeing you at one of these meetings in the future.



MEMBERSHIP OUTLOOK

Glenn S. Morgan (VT)

When I agreed to follow in Steve Crislip's footsteps, I knew I not only had big shoes to fill, but the whole wardrobe. Even after one year of mentorship from Steve, I still find the task daunting at times. Consequently, I want to take this opportunity to reach out to the entire membership for assistance in making this transition as smoothly as possible.

I plan to continue Steve's practice of rotating the State Chairs periodically. If a member is interested in acting as a State Chair, please let me know of your interest in serving as a State Chair. If you would like to be more involved in our organization, I can use your help in finding new defense attorneys and locations within your state and province.

In the past ADTA has met only once a year at great venues. However, this year ADTA has scheduled several regional meetings. The Marketing Committee, in conjunction with the Membership Committee, will offer regional meetings at such destinations as New Orleans, Boston, San Francisco, Portland, Oregon and St. Louis. These meetings have been scheduled for the latter part of the week so members can take advantage of the venue after attending a buffet luncheon and a three and one-half hour presentation on such subjects as: Media Relations, Strategies for Defense Attorneys, Trying Your Case in the Court of Public Opinion: The Effect of Media and Public Relations Campaigns on Jury Verdicts, The Use of Media and Public Relations to Your Client's Advantage in High Profile Litigation, and Ethical boundaries on the Use of Media and Public Relations in Business Development and Litigation. The topics may vary from region to region.

This is a great opportunity for members who are unable to attend the Annual Meeting to stay in touch with other ADTA members. We hope attending members will bring potential new members or clients who can learn more about our organization.

I also plan to ask each of the prime members to add at least one associate member in each office. We will also be targeting five states each year for membership growth. These states will rotate every year or so, depending on our success in adding new members. I hope to see you at a Regional Meeting or in Galveston.



NATIONAL LEGAL ISSUES COMMITTEE

John Clifford (CA)

There has been a significant amount of recent activity concerning items of interest for ADTA members occurring in Washington, D.C. Renewed attempts to pass the Medical Malpractice and Class Action Reform as well as purported reforms to limit attorneys fees have been unsuccessful. However, in June, 2004, a new piece of tort reform legislation was introduced by Representative Lamar Smith, R-Texas, entitled the "Lawsuit Abuse Reduction Act of 2004" (H.R. 2471).

The Class Action Fairness Act (S2062) stalled once again in the Senate in July, 2004. The principal effect of this bill would have resulted in a shift of class action suits from state court to federal court and a limit on attorneys fees. A different version of this legislation passed the House and had general Senate approval. The bill was frozen when Senate Majority Leader Bill Frist, R-Tenn., informed the Democrats that he would limit amendments to the bill. On July 8, 2004 the U.S. Senate voted 44-43 against invoking Cloture.

Attempts to reform Medical Malpractice litigation have also been unsuccessful at the Federal level. However, in 2003 at least 34 states were considering various measures to reform medical malpractice litigation and a few states have passed laws in this field. Arkansas enacted legislation that affects the burden of proof and mandates the use of medical experts in the same field as the defendant doctor. The Nevada Legislature passed several bills focused on the high cost of medical malpractice insurance in an effort to assist physicians whose insurance carriers have decided to exit the state. The Texas Legislature approved a bill that will place a cap on non-economic damages.

The new piece of reform Legislation entitled the "Lawsuit Abuse Reduction Act of 2004" is aimed at strengthening Federal Rules of Civil Procedure, Rule 11 and to limit forum shopping. Concerning the Rule 11 component, the bill is aimed at reversing the 1993 Amendments to Rule 11 that made sanctions discretionary as opposed to mandatory. Additionally, the 1993 Amendments added a 21 day window to withdraw frivolous lawsuits and avoid sanctions, which would be eliminated by this new bill. This proposed legislation would also reverse

the 1993 amendments to Rule 11 that prohibited monetary sanctions for discovery abuses. The other portion of this bill addresses forum shopping. The bill would require suit to be filed where plaintiff resides at the time of filing or at the time of the injury, the place where the circumstances giving rise to the injury occurred, and also at defendant's principal place of business.

On the ABA front, our ABA representative, Wade Baxley (TX) has informed us that the House of Delegates is meeting this month in Atlanta, Georgia. Wade has informed us that there are three items of potential interest to ADTA members which involve (a) Malpractice insurance disclosure to clients; (b) Civil discovery standards/electronic discovery; and (c) Medical liability issues. Wade will continue to keep us apprised of events from the ABA.

During the Annual Meeting held in Dublin this year, the Executive Council requested the National Legal Issues Committee and the Continuing Legal Education Committee to coordinate their activities and to focus on key issues on the national stage that would be beneficial to our members for our next annual meeting in Galveston, Texas. We are currently reviewing past seminars in an effort to focus on new issues to address and we invite your input on topics you would like presented. Please forward your comments to Daniel R. Formeller at dformeller@tsmp.com, Stephen R. Crislip at scrislip@jacsksonkelly.com, or John R. Clifford at jclifford@dcmwhlaw.com.



DUBLIN 2004

Gerald Weedon (FL)

The Westin Dublin in the heart of bustling charm of the city was the perfect setting for the ADTA's annual meeting in May, 2004. About 100 delegates, their spouses and guests were treated to a real Irish experience by convention hosts Gail and Kevin Kelly. The Kellys with the help of Glenn and Betsy Morgan planned a pre-trip to the countryside which provided endless stories in the Hospitality Suite of the great adventure shared by the touring and golf participants before the meeting began.

The Westin is built on the site of the Allied Irish



Bank originally constructed in 1863. The elegantly appointed Banking Hall served as the venue for the President's Reception and the CLE program.

Dan Formeller and his committee, Jim Ryan, Kevin Kelly and Matt Bailey, presented the CLE Program-"When the Luck O' The Irish is not enough-New Tools for the Trial Lawyer." Bruce Morrison discussed bad faith in coverage disputes, David



NEW MEMBERS

- Robert J. Noe - Moline, IL
- Lann D. Leslie - Eugene, OR
- Kenneth R. Murno - Despoines, IA
- Jeffrey G. House - San Antonio, TX
- John C. Gray - Sioux City, IA
- James, "J" A. Vander Stoep - Chehalis, WA
- Jeffrey S. Hebrank - Edwardsville, IL
- Marvin L. Tyler - Rock Springs, WY
- J. Christopher Callahan - Springfield, VT
- Patrick A. Long - Santa Ana, CA



Arntsen gave a presentation on spoliation of evidence and Bobby Hood told the group about D&O liability in the current litigation climate. Bobby Jones discussed successful mediation techniques, Professor Ed Ohlbaum lectured on the art of advocacy and Steven Price of QBE updated the group on the state of the risk market from a European view.

The social events were outstanding and employed venues from the rich historical heritage of the Dublin area. Besides the President's Reception, the group enjoyed an evening in the Rotunda of City Hall. Another evening was designated as a pub crawl and ADTA members found their way to some of Dublin's finest drinking establishments. The first "ADTA Green-Tie Gala" was the final evening event of the meeting. All the men wore their favorite green tie in honor of our Irish locale. This event was held at the Royal Hospital Kilmmainham, thought by most to be the finest 17th-century building in Ireland. Set on 48 acres, with formal gardens, it was restored by the Irish Government in 1984 (its 300th



anniversary) and opened as the Irish Museum of Modern Art. On this night, it became the scene of another great ADTA party with a terrific band that kept everyone wanting more time on the dance floor.

Daytime events included tours of the near countryside, the Boyne Valley, Glendalough, the Wicklow Mountains and the Powerscourt Gardens, tours of Trinity College and the Book of Kells and a tour of the National Gallery of Ireland. A stalwart band of golfers braved the elements at the annual golf tournament held at St. Margaret's Golf Club. Bill Powell of Charleston, West Virginia won the tournament.

of Charleston, West Virginia won the tournament.

At the annual meeting of the ADTA, the Executive Council presented Jim Gauthier with the Paul C. Gibbs Outstanding Member Award for his selfless service to the ADTA, serving as its secretary for the past 5 years, hosting with his wife, Lynn, the 1997 Annual Meeting in Bermuda and serving on the Executive Council since 1995. Service Awards were also presented to Richard

Harris, Adrienne Baumgartner and Lou Leonatti for their efforts on the Executive Council.





ADTA COMMITTEES



ANNUAL MEETING: GALVESTON APRIL '05

Internet & Technology Committee	2005 Galveston Program & CLE Committee	Mandatory CLE Compliance Committee
Thomas P. Burke, II – Chair (AZ) Russell H. Roberts – Co-Chair (VA) Joseph J. Bosick (PA) Gary J. Clendening (IN) James D. Gauthier (NY) Philip C. Graham (MO) Glenn S. Morgan (VT) Robert E. Tait (OH)	Daniel R. Formeller – Chair (IL) Matthew W. Bailey (LA) Patrick G. Cullen (MD) Kevin J. Kelly (NY) James F. Ryan (PA)	Thomas A. Sandenaw, Jr. – Chair (NM) Kevin F. Amatuzio (CO) Scott E. Blinks (WA) John R. Brown (PA) James D. Gauthier (NY) Vincent R. K. Orchard (BC) James F. Ryan (PA) Patrick J. Sauter (MN) William H. Staples (CA) George M. Walker (AL) J. Fred Waltz (MO)
Publications Committee	National Membership Committee	National Legal Issues Committee
Matthew W. Bailey – Chair (LA) Adrienne L. Baumgartner (LA) Michael W. Brennan (NM) Gordon R. Broom (IL) Richard B. Collins (FL) Patrick G. Cullen (MD) James D. Harris, Jr. (KY) J. Frank “Jeff” Kinsel, Jr. (TX) Steven C. Mitchell (CA) Bruce W. Robinson (FL)	Glenn R. Morgan – Chair (VT) John R. Clifford – Western Region Chair (CA) Patrick G. Cullen – Eastern Region Chair (MD) Mariam Decker (MO) Louis J. Leonatti – Central Region Chair (MO) Gary D. D. Morrison – Northern Region Chair (QC)	John R. Clifford – Chair (CA) Michael F. Aylward (MA) Wade H. Baxley (AL) Robert W. Brown (SC) Morris A. Chochla (ON) Robert L. Ferguson, Jr. (MD) Duane W. Grummer (CA) James L. Hiller (OR) Bruce Keplinger (KS) Russell H. Roberts (VA) James W. Smith (MI)
New Member Sub-Committee	Marketing Committee	Women and Minorities Committee
Jennifer Lee Parish – Chair (VA) William B. Alverson, Jr. (AL) Edward L. Birk (FL) Richmond M. Enochs (KS) Stephen J. Heine (IL) Timothy G. Kerrigan (NH) Robert W. Murnane (MN) Steven H. Pratt (OR) J. Burruss “Buzzy” Riis (AL) Steven S. Tervooren (AK) Vincent H. Venker II (MO) Bruce L. Walker (IA) David W. Zizik (MA)	Stephen F. English – Chair (OR) F. Daniel Balmert (OH) Barry N. Beck (TX) Pierre Cantin (QC) Dennis M. Day (MI) Patrick D. DeRouen (LA) Daniel R. Formeller (IL) Duane W. Grummer (CA) Phyllis M. Hix (CA) Louis J. Leonatti (MO) William O. Luckett, Jr. (TN) Glenn S. Morgan (VT) Samuel J. Pace, Jr. (PA) Anthony J. Tunney (IL)	Mariam Decker – Chair (MO) Patricia O’Connell Alvarez (TX) Adrienne L. Baumgartner (LA) Maureen M. Deskins (FL) Jeffrey R. Glass (IL) Richard E. Harrison (TX) Gail M. Kelly (NY) Karen L. Kendall (IL) R. Alan Lemons (OH) Glenn S. Morgan (VT) Jill Haavig Stone (WA) Charles C. Wehner (CA) Yeulin V. Willett (CO)
2005 Annual Meeting Galveston	2006 Annual Meeting Puerto Rico	2006 Puerto Rico Program & CLE Committee
Lou Scofield – Chair (TX) John Eckel – Co-Chair (TX) Fred Raschke – Co-Chair (TX)	Francisco J. Colon-Pagan – Co-Chair (PR) Bruce Keplinger – Co-Chair (KS)	Steve Crislip – Chair (WV) Tom Burke II (AZ) Douglas Johnson (WI) William Luckett, Jr. (MS)
Ad-hoc Committee	2008 Site Committee	2009 Site Committee
Patrick G. Cullen – Chair (MD) W. Michael Flood (AZ) James W. Jennings, Jr. (VA) Gail M. Kelly (NY) Robert E. Tait (OH) Gerald W. Weedon (FL)	James W. Jennings, Jr. – Chair (VA)	Steven R. Enochian – Chair (CA)

Lou Scofield (TX)

Mark your calendars for the annual meeting April 6-10, 2005. The venue this year is a place you have never been before: Galveston, Texas. Allow me to list for you a few reasons to come:

1. Recently touted as a premier destination in *ENDLESS VACATION* magazine, Galveston is a Texas Gulf Coast jewel which for many years went undiscovered, but now is touted as “America’s newest hot spot.” We have arranged to stay at the The San Luis Resort Spa & Conference Center [www.sanluisresort.com]. The 4 diamond accommodations and service are first rate. Every room has a balcony that overlooks the Gulf of Mexico. The Spa San Luis offers an Aveda Salon and a state-of-the-art fitness facility.

2. If tropical warming from the winter’s chill is your preference, surrey riding along the seawall, laying out on the beach, or hanging out at the swimming pool under custom poolside cabanas, should do the trick. The weather will be beautiful, sunny and in the low 80’s.

3. If drinking is your strong suit the hospitality suite offered by the San Luis will become legendary among ADTA members inclined to do the usual drinking, pool shooting, talking big and telling lies (all in moderation of course!).

4. All of this is at a remarkably reasonable cost. The ADTA has negotiated a room rate with The San Luis which is less than half what our members are accustomed to paying for comparable accommodations at our annual meetings.

5. Galveston Island is far more than a beach resort. It has a fabulous historic district and wonderful homes (including homes that survived the great hurricane). The Moody Botanical Gardens and Aquarium, the tall ship *Elissa* (where we will have one of our gatherings), the historic Strand District, wicked shopping and top drawer dining are all trademarks.



The Bishop's Palace among the top 100 homes in the nation for its architectural significance.

6. Galveston Island has become the playground of wealthy Houstonians. Many own and have restored second homes on the island and their spring time flower gardens abound.



Elissa at Sail

7. A half hour drive from the island is the Johnson Space Center, where we have reserved the public portion of the NASA facility for our exclusive enjoyment Thursday evening, April 7.

8. For the competitive minded we will have a golf tournament, fishing tournament, tennis tournament, and the usual amateur drinking contest.

9. At the historic Galveston Opera House, the ADTA is bringing Bob Newhart to Galveston for a command performance just for the ADTA.



The Grand 1894 Opera House

10. If the organized activities, contests, tours and entertainment are not enough for you, and you desire to strike out on your own, Galveston offers diverse opportunities for your own little corner of interest. The Lone Star Flight Museum features vintage World War II aircraft including a rare operating B-17. A short drive will take you to the Natural History Museum, just north of the Hermann Zoo. It offers one of the finest mineral displays in the US. A short ferry ride across to the Bolivar Peninsula, and a 20 minute drive will get you to "High Island," possibly the premier birding location in the United States.

11. Transportation to Galveston is through Houston (Intercontinental Airport or Hobby). Hobby is easiest and cheapest with Southwest Airlines offering ridiculously low round trip fares. Hobby is only 40 minutes from the hotel.

If you haven't figured out that this is the most economical, yet first rate, ADTA meeting that you will have a chance to attend, I will say it in so many words: This is the most economical yet first rate ADTA meeting you will attend. It is in a first rate hotel, first rate venue, with first rate planned events, and last, but not least, it will have first rate continuing legal education.

In short, the Galveston meeting is a personal and professional opportunity for you. Furthermore, it has features both in and out of the hotel that make it an interesting venue for the entire family, regardless of the age of your children. It is a rare opportunity to bring the whole family along.

So shake off the winter with us in Galveston, Texas at a beach resort built in a city famous for its Texas hospitality. John and Susan Eckel, Fred and Kim Raschke, Jack and Maria Brock, Gordon and Holly Broom and Colleen and I take pleasure in hosting you at the 2005 annual meeting. If you miss it, you will regret it!



ABOUT OUR MEMBERS



Betty Cullen, wife of Patrick G. Cullen (MD) spends a fair amount of time working with their three golden retrievers, all show dogs. Recently, one of them, Finagin, won his championship for confirmations. He is now eligible to compete at Westminster in Madison Square Garden.

Steve Heine (IL) became President of the Illinois Association of Defense Trial Counsel on June 25 in Chicago.

Michael Kronlund (CA) and his wife, Barbara, are the proud parents of Bethany Rebecca born February 16, 2004. Bethany was welcomed home by her older brother Christopher, age 3.

Harold E. Eaton, Jr. (VA) was appointed to the Superior Court Bench effective April 16, 2004.

James "Blackie" Holmes (TX) was elected Texas Super Lawyer in 2003 and 2004. He was recently sworn in as the mayor of University Park, Texas.

George Walker (AL) took and passed the Florida Bar in February.



STORIES FROM MEMBERS ATTENDING THEIR FIRST ADTA MEETING

Michael A. Montgomery (VA) Kathryn and I attended our first ADTA meeting in Dublin. It was wonderful from beginning to end. We experienced wonderful people, a great seminar and wonderful tours. We are looking forward to Galveston in 2005, and hoping my father, C. Michael Montgomery, an ADTA member in Denver, will join us there.

Peter R. Casey, III (OH) Peter not only was a first time attendee at the Dublin meeting, but also made the pre-meeting trip. Quoting Peter, "You folks sure know how to throw a party!" Peter and his wife, Peggy, congratulate everyone on insuring they had an absolutely wonderful time, and felt they were very welcomed.

Luis Martinez-Llorens (PR)

From Puerto Rico to Ireland
My wife Pat and I travel
To attend our first meeting
And a weather which was rather "chilly"
First order of business, no doubt
Was to drink a pint of Guinness Stout
Then off we went to meet new friends
With the help of my mentor, Jennifer
No business discussion was ever allowed
This fun bunch partied all around town
To calm my boss, some lectures were heard
But no information really stuck in my head
And so the days came and went
And as all good things, it came to an end
But no time for worries or sorrows
As Galveston's as close as tomorrow.

James "J." A. Vander Stoep (WA) My first ADTA meeting in Dublin, Ireland was quite memorable. I met and was able to spend time with many first rate people. Dublin was a beautiful venue for the meeting, and my mentors, Doug and Ann Johnson, took very good care of me.

Jeffery S. Hebrank (IL) Jeffery and his wife, Brenda, really enjoyed their trip as they made their first ADTA meeting. They both appreciated everything that their mentor, Jennifer Parish, did with them and for them.

David Zizik (MA) With the help of my able "mentor" George Walker, I had a wonderful time in Dublin at my first meeting. As a new member, what

impressed me most was the many close friendships which had developed over the years among the members, and at the same time, the willingness of long time ADTA'ers to welcome me. To say that I enjoyed myself immensely is an understatement - I cannot wait to see everyone in Galveston.

Martin F. Hayes (NY) Dublin was great to see old friends and to meet new ones. The format of the meeting was perfect for CLE and socializing. Many thanks go to Gail and Kevin Kelly for their hospitality.



GOLF ON THE EMERALD ISLE

Jeff Kinsel (TX)

Golf and Ireland. Hand and Glove. Body and Soul. Two things that go so well together! We spent almost two years anticipating a week in Ireland playing golf, and Ireland did not disappoint. The group arrived in Shannon, Ireland (about two hours west of Dublin - no town, just the airport and golf course, of course) and immediately got into buses to Galway. Galway is on the west coast of Ireland and the views from the bus on the way were just more than we expected - spring is the lamb season, and pastoral vistas of sheep grazing in green pastures, lambs frolicking, framed by dramatic views of the ocean and bays were simply stunning - and relaxing, helping to put us into an Irish frame of mind. We drove past Lahinch (I will tell you more about it later) and saw the flag sticks being blown over by the wind, and we knew we were there.

We stopped to view the Cliffs of Mohr (cliffs on the edge of the Atlantic over 800 feet tall) and then we arrived in Galway. The next day 8 of us played golf at Connemara Golf Club, Ballyconneely, County Galway. Now we did not know it when we started, but we were in for a two hour bus ride just to get to the course. We turned up a very narrow road and there was the coast line, sand dunes everywhere, and right in the middle a slamm country club house. As the Irish say, we were in "the back of beyond." The course was a "links" course and was everything we had dreamed of. The wind blew, it rained (but only for about 3 holes), and of course it was cold. By the 10th tee, we were wearing every layer we owned trying to stay warm.

The first hole was a dog leg into a 40 mile an hour breeze. (A wee bit of wind as the caddie would say.) The wind did not die all day, and often we were hitting into a "5" club wind. (Instead of hitting an 8 iron (my usual club for 135 yards), I had to hit a three iron to cover the same 135 yards, and I was

not long all day. The course was built on sand dunes with the rough being very thick high grass and gorse, and the greens were tucked between the bunkers, and usually above the fairway which made them very dry and extremely hard. The flag sticks (only five feet tall in Ireland) were almost parallel to the ground due to the wind.

Did I mention that it sleeted on us while we played the 10th, but the sleet and rain had completely stopped by the time we reached the green at the 11th. This intermittent rain followed us during most of the trip. It allowed us to say we played in the cold, wind and rain, and no one need know that most of the time it was clear and dry, but windy. (If this sounds miserable, all I can say is you should have been there, it was wonderful!)

LAHINCH

Now this is a course that one imagines in one's mind when thinking about a links course in Ireland. The wind was blowing and made it a perfect day. The fourth hole is a little par five with a mound about 130 yards from the green. As we were about to hit our third shots (did I mention it is a blind shot) a man in a tweed hat stepped out of a hut (which was on top of the mound) waving a red flag. I got ready to hit, and aimed at the red flag, at which time my caddie said "stop, the red flag is to allow players on 17 to cross the 4th fairway and you can not hit until the man goes back into his hut." When I was able to hit my shot, the caddie said "aim at the white rock on the hill." He then told me that the white rock is moved everyday to mark the hole location on the fourth green.

The fifth hole is a short par three with a different mound and a different white rock, but the same idea. Aim at the white rock and hope.

KILLARNEY GOLF AND FISHING CLUB

We finally found a course that reminded us of home. A beautiful "parks" course with water everywhere. The greens were hard and fast, and it was very difficult. Beautiful, lush surroundings, with lichens, wild iris, yew trees (from the bark of which the breast cancer drug tamoxifen is made), bluebells, rhododendrons, nettles, and clematis, to name just a few, not to mention our own ancient castle right there on the edge of the golf course. Lou Leonatti and I traveled back to our hotel via "jarvey," i.e. horse and buggy.

WATERVILLE

Waterville is another links course that Ireland is famous for. Waterville is at the top of the Ring of Kerry, and is framed by cliffs dropping dramatically away into the ocean. More stunning scenery and more amazingly fresh seafood. To get there, you have to pass by what amounts to an open-air museum, complete with Celtic crosses, Ogham stones, and the ruins of stone houses formerly occupied by Irish tenant farmers who either starved or emigrated to the U.S. during the potato famine of the late 1800's. An area rich with history, Waterville is also currently the golf course Tiger Woods favors to warm up for the British open. The winds blew (much harder than at Lahinch), and oftentimes we had to aim 20 yards left of the green when the wind was blowing left to right! We played a net skins and the women won just about every hole. Next time I want more strokes!

ST. MARGARET'S

St. Margaret's, 10 minutes outside of Dublin, was the home of the ADTA Ireland 2004 Golf Classic. We played a net stableford in a very strong wind with rain that came down sideways for a couple of holes. On one par four I hit a very long drive, a huge three wood, and "only" had a full wedge to the green. (Did I mention it was a par four??) David O'Sullivan is the Head Professional, and he and his staff did a wonderful job hosting the tournament.

In spite of wind, rain and cold, Ireland proved to be an altogether delightful experience. The Irish are warm, welcoming, and even on the most prestigious golf courses, like Lahinch and Waterville, are more than happy to accommodate American tourists, even those with handicaps like ours. We had a lot of fun, and if you missed it, I'm "sorry fer ya," as the Irish would say.



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NEW EXECUTIVE MEMBERS

WILLIAM O. "BILL" LUCKETT, JR. (TN)



William O. "Bill" Lockett, Jr. is a native of Clarksdale, Mississippi. He is a 1966 graduate of Clarksdale High School, and a 1970 graduate of the University of Virginia, where he received a Bachelor of Arts degree in American government. He served as a commissioned officer in the Mississippi National

Guard, during which his last duty was commanding a construction detachment.

A 1973 graduate of the University of Mississippi Law School, he practices with Lockett Tyner Law Firm, P.A. in Clarksdale, Mississippi, and Rossie, Lockett, Parker and Ridder, P.C. in Memphis, Tennessee. He specializes in litigation, representing corporate, insurance and individual clients. He is a frequent lecturer for attorney seminars and professional education classes.

His father, William O. Lockett, was a long-time member and past president of ADTA. Bill vividly recalls that his father was president when the group met at the Royal Sonesta Hotel in New Orleans in the 1970s. The hotel commented that in its history they had never had to supply as many glasses to a hospitality suite as they did during that particular ADTA event.

Lockett's work also extends to real estate development and restaurant ownership. He is responsible for the restoration and preservation of many Clarksdale-area properties, as well as owning and maintaining residential and business rental properties in Clarksdale and Memphis. Along with actor Morgan Freeman, he is co-owner of Madidi, a nationally-known fine dining establishment in Clarksdale, and Ground Zero Blues Club, a restaurant/live music "juke joint" venue located on Blues Alley next to the Delta Blues Museum.

He serves on the Board of Directors of the Mississippi Restaurant Association, the AmSouth Bank local advisory board, Clarksdale Beautification Committee, the Clarksdale-Coahoma County Planning Commission and the Clarksdale-Coahoma County

Airport Board. He is a lifetime member of the NAACP.

He is a veteran private airplane pilot with his multi-engine instrument rating, and he frequently flies to events throughout the country. Along with Freeman, Lockett co-owns several aircraft.

Married to Francine G. Lockett, the couple has four children: Oliver Lockett, Whitney Lockett, Douglas Dunavant and Glenn Poole; and six grandchildren.

DOUGLAS M. JOHNSON (WI)



Doug grew up in Cleveland, Ohio and graduated from Denison University in 1968, a small school in central Ohio. After a hitch in the Navy, he returned to Cleveland and obtained his law degree from Case Western Reserve University in 1974. It was then go west young man, but after only one year of practicing in Denver,

Doug landed in Eau Claire, Wisconsin. Having grown up near the Nuyahoga River, it was comforting to see water in Wisconsin, which was not on fire.

Doug has practiced in Eau Claire since 1975 with the firm of Garvey, Anderson, Johnson, Geraci & Mirr, S.C., bearing the name of James E. Garvey, a past ADTA National Membership Chairman. After a harrowing year or two in general practice, Doug has concentrated his efforts in the area of insurance defense. In addition to his memberships in the DRI, ABA and Civil Trial Counsel of Wisconsin, Doug serves as the Chairman of the District 8 Investigative Committee for Wisconsin's Office of Lawyer Regulation.

Doug is the proud father of a young chemical engineer (his son Nathan) and a daughter (AnneElise) who has just completed her second year of law school at Doug's alma mater. Ann Johnson entered Doug's life 14 years ago and their wedding anniversary has fallen during two ADTA Annual Meetings. Ann chose to spend their 10th anniversary in Portland, with the ADTA, over a return trip to Hawaii, where they honeymooned. Ann is a practicing attorney, herself, and her experience as a former District Attorney, together with her present concentration in family law, keeps Doug in line. Ann

and Doug have shared the experience of raising her daughter, Erin (who is now off the New York City for a career in the fashion industry) and son, Collin (in college in Minneapolis this fall). Doug and Ann are now empty nesters and looking forward to Doug's service on the Executive Council and their continuing opportunity to develop and renew friendships in the ADTA.

THOMAS P. BURKE (AZ)



Thomas Burke obtained his undergraduate degrees (BS in Political Science and Economics) from the University of Arizona, and his law degree from the University of Arizona. He has been practicing law in Phoenix, Arizona since.

Tom is currently a partner in the firm of Burke, Panzarella and

Rich in Phoenix, Arizona. Tom was the President of the Arizona Association of Defense Counsel from 1998-1999, and has been on the Board of Directors of DRI since 2001.

Married to Mary Burke, the couple has two children, Max (15) and Samantha (13). In addition to practicing law and enjoying his family, Tom enjoys playing golf and basketball as well as coaching his daughter's teams.



SAN DIEGO – 2007

At the annual Meeting in Ireland, the Executive Council announced that it selected San Diego, California, as the site for the 2007 meeting. Pam and John Clifford (San Diego, California) will host the event. The meeting will be held adjacent to the Torrey Pines Preserve and famous Torrey Pines Golf Course, which will be the host of the U.S. Open in 2008. San Diego, in addition to its fabulous weather, has many wonderful attractions for us to explore including the famous San Diego Zoo and Wild Animal Park, Sea World and the revitalized Gaslamp District in downtown San Diego. We look forward to seeing you all in San Diego.



PRE-CONVENTION TRIP THROUGH IRELAND

James D. and Jean Harris, Jr. (KY)

An enthusiastic bunch of lawyers and spouses touched down at Shannon airport Wednesday morning on April 28 and after we sorted ourselves out and bought as many Euros as our spouses demanded, we took off in two buses with two drivers full of conversation toward the Cliffs of Moher where the wind blew in gale force about a spectacular scene — the cliffs rising hundreds of feet over the Atlantic Ocean and a watch tower reaching even higher. Refreshed from the stout breeze, we pressed on toward Galway. Sitting in the front seat of the bus, Jean and I leaned into our Irish journey, but one of the most interesting sights was looking back (and you can ask Tony Tunney, who was seated across from us, to confirm this), at the various angles of repose assumed by the jet-lagged lawyers.

We stayed at the Galway Great Southern Hotel and regrouped that evening. Next morning, after a hearty Irish breakfast, we traveled into the predominantly Gaelic speaking region of the Connemara Mountains where we saw peat diggers at work and nature's beautiful display of some major rocks. I understand that in this tough country, farmers sometimes draw a bucket of rocks up from their wells. But to continue on, and after a stop for Irish coffee, we then pulled up at Kylemore Abbey, the monastic home of the Irish Benedictine Nuns and a well-known international girls' boarding school. The Abbey tour and the gardens were exceptional and there was a beautiful home, lakeside, with a hundred or so rooms for the long ago summer dalliance of a mine owner of some note and his wife.

On Friday, we left Galway in a southerly direction and passed through Limerick, Ireland's third largest city and birthplace of Frank McCourt, author of "Angela's Ashes," a Pulitzer Prize winner. We visited Adare with its picturesque thatched cottages and then continued to Killarney through a green, beautiful area. After browsing the quaint streets and perhaps drinking a pint or so of Guinness, we came to rest at the Killarney Plaza Hotel.

We did the Ring of Kerry on Saturday, looking at some coastal scenery of exceptional grandeur and beauty. On the way around, we stopped off for a sheepdog demonstration during which we were greatly entertained by two fabulously efficient bor-

der collies and a sheepman of great wit and mirth. We saw a number of Norman towers — not a great place to live in the old days but apparently hard to get into if you were on the wrong side. Completing the tour, we went back to Killarney and sampled the town's memorable cuisine.

Full of zeal, we set off on Sunday for the Dingle Peninsula and another magnificent coastal vista. Many of the meadows were separated by old rock walls and bore signs of potato farming from before the famine. We visited a very old and very ruined abbey with its cemetery and then drove into the charming fishing village of Dingle, on the way, looking at Great Blasket Island — once, but no longer inhabited. While we lunched, I heard the strains of fifes and drums and observed a delightful, blue-clad, marching band parading down the main street with banners flying. Seems they were celebrating the expansion of the EU. A bit later, the band marched back down the street — apparently the only one in town suitable for such festivities. Finally, as we walked about the village, I heard them again and allowed to Jean that they were playing "Jesus Loves the Little Children." As we neared the sound, we came to O'Flanery's Pub and lo and behold, the band was in there playing its heart out. I thought they were trying to drum the sinners out of the pub, as it was Sunday, but I was disabused with the realization that they were merely fueling themselves up for another pass down the street. A great day.

On Monday, our last day, we headed toward Dublin. The first stop was The Rock of Cashel, a limestone mount on the edge of Cashel bearing a fourth century fortress along with a roofless Abbey and a twelfth century Romanesque chapel. Sort of a Rock of Ages complete with howling wind. Remarkable. We journeyed on to The Irish National Stud (farm) where we saw some truly beautiful stallions, one of whom was said to have had earned over 300,000 Euros in one day for his services to the mares. Someone remarked, "Just imagine, standing around grazing all day and having beautiful girls brought to see you." Sounded like Dan Quinn to me, but, anyway, its nice work if you can get it. Adjacent to the horse farm were striking Japanese gardens. With our arrival at Ireland's one thousand plus year-old capital, Dublin, our wonderful pre-convention trip came to a close, full of memories and strengthened friendships and to borrow from the Scots, we were enchanted with the feeling of auld lang syne. A good time was had by all.



THINGS YOU DID NOT KNOW ABOUT THE NEW VICE PRESIDENT

Stephen Crislip (WV)



Most of you have been written to, called, or e-mailed over the years by Steve Crislip in his previous role as Membership Chair. You knew he was proud to be from West Virginia, but you may not know that his family was one of the earliest settlers, having come there in 1789 with a land grant for military service in the Revolutionary War. In fact, the last reported Crislip defense verdict was a beautifully handwritten 1792 verdict in favor of one Jacob Crislip involving a dispute over the rental of a mule and a small boy (read plow operator here).

You knew he was with a firm there in Charleston, but you may not know it has been in existence since 1824 when James Monroe was President and that it has fourteen (14) offices in five (5) states. Steve serves as its General Counsel in charge of professional and legal matters in all five jurisdictions.

You may not have seen the latent athletic ability in him. However, his two sons were the West Virginia State Champions in the 800-meter and 1600-meter track events and were both varsity college athletes. Their first "competitive" run was at the Williamsburg ADTA Fun Run in 1994. One is now a second-year law student at the University of Tennessee and the other is a first-year medical student at West Virginia College of Medicine. If you do not think he is proud of them, just ask him.

He is not new to management, having served as the President of the Defense Trial Counsel of West Virginia and as the Chair of the Visiting Committee at the West Virginia College of Law. He has been the Chairman of the Board of the 8,500-member Charleston YMCA and the Chairman of the Board of Trustees of the \$100 million Greater Kanawha Valley Foundation. He now serves on the West Virginia Alzheimer's Board of Directors and has served on all his firm's management committees while trying to earn a living for himself and his partners at the same firm for thirty-one (31) years. He is listed in *The Best Lawyers in America* in legal malpractice law and personal injury litigation, but does business, construction and general litigation as well.

He was a Rhodes Scholar finalist and graduated Phi Beta Kappa from West Virginia University in 1970 and its College of Law in 1973, Order of the Coif.

You will be surprised to learn that he was born without the rhythm gene. Although Melinda loves to dance, their efforts to take dance lessons resulted in the chief instructor refunding their enrollment fee after three weeks, through no fault of Melinda. Skiing and tennis have now given way to physics ($\text{weight}_{\text{knee}} \times \text{velocity} = \text{negligence}$). His friends have done an intervention and he does not play golf with clients, or in public any longer, as a result.

Despite these handicaps, Steve and Melinda look forward to representing the ADTA. Following his election in Dublin, Steve said: "This organization is well-respected among the defense groups because of the quality of its members and its highly selective nature. Melinda and I plan to represent us in the classy style established by our past officers." We can all take comfort knowing that he will be working when attending any meetings of the other defense groups, and not out dancing away the Association's time.



SECRETARY'S REPORT

George Walker (AL)

In this my first report as Secretary, I would be remiss if I did not pay homage to Jim Gauthier and to the tremendous job that he did as my predecessor. He has left me some rather large shoes to fill, and I can only hope that when my term is done the members of our organization will look as favorably upon my performance as Secretary as we all view Jim's service in the position.

Having praised Jim, I must also quickly mention Lynnette Baldwin and remind each of you of the tremendous job that Lynnette does for the ADTA. In my short tenure as Secretary, I have quickly learned that while the position carries a variety of tasks and duties, most of the work is either done or facilitated by Lynnette. I am certain that this information will be received with much relief by those of you who have been heretofore unimpressed with my intellect, my penmanship, and/or my organizational skills. I am looking forward very much to working closely with Lynnette on ADTA matters, and I want to thank Lynnette in advance for the mistakes that she is going to keep me from making and for the mistakes that I am sure to make that she is going to help me to correct.

Now that I have made it clear to you who it is that does the hard work, here's what I hope to accomplish in the coming year:

1. Organize, publish, and distribute the ADTA directory to members and to insurance industry and corporate representatives.

Getting our membership directory in the hands of our members and in the hands of potential clients and business referrers is a major priority for me. I intend to review our outside mailing list for currency and impact, and I invite any suggestions from any of you with regard to ways in which we can best utilize the directory for the benefit for all of our members. I also invite your views for directory content and format. I am happy with the current content and format, but if you are not, then I am the one to whom to address your comments.

2. Report on the executive council's fall meeting.

As most of you know, the ADTA Executive Council meets in November at the site of the next annual meeting. I will be providing a report in a later edition of *The Association Press* updating the membership on the meeting in Galveston this November. I will probably include a country and western soundtrack to peak your interest for next year's meeting.

3. Preparation of CLE certificate of attendance forms.

Yes, someone has to do it, and I recently learned that it is me. I look forward to working with my good friend Tom Sandenaw to make certain that each of you who attends our CLE programs is able to get credit for your attendance.

4. Photography.

I am going to do my best to convince Jim to continue to be the official photographer for the ADTA. Failing that, you will see me sneaking around at CLE programs, receptions, dinners, and other events to take photographs of each you in your most embarrassing moments.

There are other tasks to be performed, but these are the things that I am thinking about now. I am also thinking about this – I am profoundly honored that you selected me for this position, and I am going to do my best to perform in a way that will justify the expectations that you had when you voted for me. Carolyn and I cherish the life-long friends – both personal and professional - that we have made in my 18 years as an ADTA member, and it will be my utmost goal in my term as secretary to do whatever I can to ensure that those who come along later will have the same opportunities to develop lasting friendships, develop professional relationships, and to develop their professional talents, through our fine organization.



A WORD FROM LOU

Lou Scofield(TX)

This is *The Bear Story*. It begins innocently enough in the summer of 1974. Graduation from the University of Michigan with a starched B.S. in Geology (and some nepotism ala my father) landed me a job as a field geologist with Mobil (now Exxon/Mobil). After a brief stay in Denver studying the geology of the Alaska Peninsula, I found myself on a 707 flying to Anchorage, with a Party Chief, John, and an aging geologist, Chuck. John had been to Alaska. Chuck had not. As a matter of fact, I came to later suspect that Chuck had never before ventured further from his home than a short leash of urban domesticity would allow. *En route* John insisted I read a varied stack of torn out magazine articles describing the grizzly (if you'll pardon the pun) deaths of people in Alaska killed and eaten by bears. From the articles it appeared to me that the victims were always nature-loving photographers. They must be the tastiest of us. The worst of the tales described one corpse where the bear had merely disabled its victim before later returning to munch on him, alive.

So when Mobil issued us holstered "44 magnum" pistols, you can imagine the enthusiasm with which I determined to become a crack shot. I did not . . . for two reasons. First, shooting a "44 magnum" pistol is much like holding an "ACME bomb" in a *Roadrunner* cartoon. After the explosion and flame you blink once and walk off camera with ears ringing. Hitting a target is out of the question. Aim, flinch, shoot, shake, is the usual sequence. Second, John told me that if I shot a bear with a 44 it would only make him mad. If, in self defense, we "really had to" shoot a bear, Mobil gave us a shotgun with some form of "magnum" shell that supposedly would do the job . . . at point blank range.

Equipped with these guns, large tents, food and equipment, John, Chuck and I were transported by float plane to a glacial lake on the Alaska Peninsula, literally 200 miles from any other humans. There we set up camp in a small clearing. We were joined by a helicopter and its pilot/mechanic and his helicopter, and for the next six weeks we embarked on the considerable task of locating and mapping "reservoir rock" for oil. In the wild, dangerous, and indescribable beauty of that place, we made and recorded our discoveries. We rarely saw any bears, and when we did we gave them wide berth.

When we were done, owing to the volume of our camp gear and the limited size of our float plane, we had to break camp over two days. The first day we loaded the helicopter and airplane full as proverbial ticks, stuffed ourselves in as well, and flew

to Homer, Alaska for the night. We left behind considerable equipment and a standing tent. Our low rank elected Chuck and me to return the next day to complete the camp disassembly. The plan was to load the plane full. It would travel to Homer and unload while Chuck and I broke down the rest of camp. Then the plane would return for us and the last load.

That morning, as we circled the camp preparing to land, we saw the damage. A bear had mauled much of the gear and had furiously dug holes at every place of food scent. But we saw no bear, so we landed and loaded the plane. As planned, Chuck and I stayed behind as the pilot taxied out to the center of the lake and struggled under the load to get airborne. Chuck and I stood there watching as a light cold drizzle began to fall. Then we saw the bear. Our futile yells followed the plane as it lifted off. The pilot, being full of concentration on the task of flight, did not see our frantic waves. So there we stood, as the sound of the plane faded away, a useless urbanite and a frightened 22 year old, marooned in a small clearing with a huge Alaska brown bear at hand.

The bear had emerged from a brace of alders and studied us at a distance. I pulled my pistol and fired into the air. The blast did the trick. The bear moved back into the alders.

With this success, Chuck and I turned to completing the disassembly of camp. Because of the persistent drizzle we left the last tent standing, into which we stowed the remaining mauled and unmauled gear. We must have looked comical, as we completed our work, constantly looking over our shoulders like cautious bandits.

Then there was nothing to do but wait. We did so inside the last tent. After a long while, and due, in part to the incessant drizzle, nature called and I stepped outside the tent, found a spot and was standing there in the midst of business, when I saw movement. There, only 100 feet away, ankle deep in the shallows of the lake was the bear, looking at me.

Even in my youth I wasn't much at multitasking, so I'm sure I completed what I had started before I pulled the pistol and once again fired into the air. This time though, the bear only blinked. I called to Chuck: "Bring out the shotgun, the bear is back."

After an unreasonable lapse of time, poor Chuck stumbled out of the tent. Somehow in the drizzle and quick call to action, his glasses had fogged. He looked for all the world like a confused wet hound as he wheeled about, nearly sightless, looking for the bear. By then I had decided some new noise might help. So I grabbed a shovel and began banging it on our propane tank (don't question the wisdom of this, it worked). Chuck quickly joined the effort and the cacophony forced the bear to retreat again into the scrub. But now I was truly afraid.

The drizzle deepened and drove us into the tent. As we desperately listened for some sound of the airplane I reminded Chuck of the importance of the shotgun: the only thing we had that would stop a bear. As time oozed by, Chuck frequently looked out the tent flap. Then:

"Oh no." He groaned. "Oh no."

"What?" I thought or said.

"On no. He's coming this way!"

"What! Get the gun Chuck!"

"Oh no" he whispered, frozen at the flap, looking to his right.

At that point I experienced a moment of intellectual clarity. Chuck couldn't save me and I did not want to be in a tent with a bear.

I grabbed the shotgun, pushed by Chuck and stepped out, looking to my right. There he was. Twenty feet away. Right there on me. Two strides for a bear rush. A huge, top-of-the-food-chain predator. We both froze. He seemed surprised to see me. Then he stood up on his hind legs. Twelve feet tall (o.k. so he was only ten feet tall). Calling on something I had read or heard, I waved the shotgun above my head to give the illusion of size. The bear seemed to study on it. Thinking back now I suspect he was looking me over for photography equipment. Seeing none he moved his shoulders slightly as if to turn away. At that something changed, and from within me, from somewhere

deep in the DNA, from somewhere so far back that only Neanderthals or Cro-Magnons could tell the source, came a strange, angry, fearful, guttural growl.

The bear turned and ran! Full speed, with me in chase. As he crashed into the alders I stopped at their edge, leveled the shotgun at the tops of the scrub and fired. I felt no recoil but I saw an explosion of shattering splinters and leaves fly up ahead, enhancing the effect of my pursuit.

I turned. There stood Chuck in front of the tent, open mouthed. I walked directly to him, handed him the shotgun and said, "Here. It's your turn." and retreated into the tent. To his credit, Chuck stood guard until the plane returned. The bear did not return. To the astonished amusement of the pilot, we had not been killed.

* * * * *

True story, every word. Only my personal heroism has been enhanced by the sharper recollection provided by passing decades. This is the 30th anniversary of those events. And what is the moral, the lesson for us all?

We all have our bear story. Courtroom lawyers are a strange lot, but with many qualities in common. Some might suggest that courage is among those. Of course courage may be nothing more than a willingness to do that which is necessary at the time. For a courtroom a willingness to do that which is necessary is not a bad quality, which, when coupled with blind luck, can yield considerable success.

MEMBERSHIP NOMINATION

I would like to nominate _____ for (prime)(associate) membership in
(proposed members' name)

the ADTA. Please send an application to _____
(name)

at _____, _____, _____
(city) (state) (zip)

Office telephone: _____ Office fax: _____

Year admitted to practice in my state: _____

Name of Member (Print)

Signature of Member

Return to:

Glenn S. Morgan, Ryan, Smith & Carbine; Mead Building, 98 Merchants Row, P.O. Box 310, Rutland, VT 05702

Tel.: (802) 786-1045;

Fax: (802) 748-8502;

Email: gsm@rsclaw.com

Membership Requirements

A trial lawyer doing principally defense work in insurance and self-insurance activities, with more than five (5) years defense trial experience is eligible.

Prime Members: *The first lawyer member from a firm is the prime member. There can only be one Prime Member from any town, city, or metropolitan area of less than a million population. One additional Prime Member is allowed for each additional one million population, or portion thereof, for a city or metropolitan area.*

Associate Member: *Partners or associates of a Prime Member are eligible and encouraged for membership as Associate Members, at the will of the Prime Member.*



BOOK REVIEW

Patrick G. Cullen (MD)

Kennedy, Johnson and the Quest for Justice, by Jonathon Rosenberg and Zachary Karabell, W.W. Norton & Co., 2003. \$27.95.

A key factor in the Watergate Scandal was a series of secret tape-recordings of conversations in the Oval Office. Transcripts of those sessions gave insight into what was actually said - what the speakers were thinking. Previous presidents also made recordings. This book on the Quest for Justice, a part of U. Va.'s Miller Center of Public Affairs Presidential Recordings Project, contains actual transcripts. The recording in question are conversations involving, during their respective presidencies, Presidents Kennedy and Johnson. Their telephone conversations and office conferences concern the civil rights movement during 1962 through

1965 as seen through the eyes of those presidents. Through the transcribed recordings, the reader becomes, as the book says, a "fly on the wall of history."

The events recalled are the integration of Old Miss, the desegregation of Birmingham, the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965. Presidential conversations with Cabinet Members, politicians, the press and civil rights leaders are set in clear historical perspective by the two Harvard Ph.D. authors. Names, organizations and events are revisited in one's memory. Readers are reacquainted with that portion of the weaving of our national tapestry which, as we all know, "is never done."

In some ways, it seems that the civil rights "events" of the early 60's were just yesterday. In other ways, it is hard to remember the many facets of segregation as they then existed. The transcribed recordings with proper historical framing make for very interesting reading.

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