

MESSAGE FROM THE PRESIDENT

M. GRAY STYERS, JR.



DAFFODIL BULBS

ONE OF MY FAVORITE ASPECTS of living in North Carolina is the four distinct seasons that we enjoy. I find comfort that “to every thing there is a season, and a time to every purpose under the heaven” and am re-energized by the changing view through my office window.

In the season of this issue of the *Wake Bar Flyer*, I enjoy the annual display of daffodils that announce the arrival of Spring. I am also reminded of a story about “Ms. Jarrett,” as I heard told by UCC Minister

Lillian Daniel:

Ms. Jarrett was known throughout the county for her elaborate parties – characterized by her impeccable taste and flawless execution. She planned her parties months in advance, and the upcoming party, celebrating the first day of spring, was no exception. The previous November, she had planted hundreds of daffodils throughout the natural landscaped areas of her yard. She visualized with anticipation the sight of hundreds of bright yellow daffodils in full bloom, as guests arrived for her party the following March.

She did not, however, anticipate that the winter would be colder than usual, that it would drag long past February, with unseasonably cool and dry weather delaying the sprouting of her many daffodil bulbs. The first of March arrived only three weeks prior to the party – with nary a sprout in sight. She began to panic; how could she host a spring garden party without a yard full of flowers?

When the day of the party arrived, the guests “oohed” and “ahhed” at the sudden appearance of a yard covered with bright, yellow daffodils. No other spring flowers could be seen anywhere in town . . . except in Ms. Jarrett’s yard. Her guests were amazed at all the flowers welcoming the first day of spring, especially after such a long cold winter.

The next day, however, the daffodils all started to wilt, and their flowers were not as bright as on the day of the party. That night – if anyone had ventured into Ms. Jarrett’s yard – they might have seen her, flashlight in hand, frantically gathering all of the cut daffodils that she had purchased from the wholesale florist and stuck over chopsticks sticking up from the ground. There were, in fact, no live daffodils blooming in Ms. Jarrett’s yard, but rather several hundred cut, greenhouse blossoms carefully arranged to create the illusion that she had intended.

In our careers, we may be tempted, like Ms. Jarrett, to create the illusion of success by doing the equivalent as sticking cut, greenhouse daffodils over chopsticks. We may see others whose practices appear to be thriving with showy blossoms for all to admire.

It is not, however, the seasonal blossoms that will sustain a career over a

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Upcoming Events

WCBA LUNCHEON • April 1
Hear from outgoing District Attorney Colon Willoughby as he reflects on his more than 25 years as District Attorney. Woman’s Club, 12:15 p.m.

WCBA SOCIAL • April 3
Join us at the outdoor space of Wine & Design/Bickett Market at 219 Bickett Blvd. for some outdoor socializing - music, drinks and food and hopefully some beautiful spring weather. 5:30 - 8 p.m.

BREAKFAST DISCUSSION • April 16
Disability Rights NC presents a one-hour CLE on an introduction to the American Disabilities Act. Sign up online. 7:30 a.m. at Campbell Law School.

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WAKE BAR FLYER

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Message from the President, continued

course of a lifetime, but rather the hardy bulb – unseen and underground – that sustains the flower, year-end and year-out, through cold weather and hot, through drought and flood, waiting for the right conditions to push their sprouts toward the sunlight, but dependably producing flowers year after year.

Like that bulb, the sustaining, fundamental principles that nourish our law practices may not be the showiest part of the plant. They are, I believe, comprised of our core values as attorneys – our credibility and candor to the court; our independent judgment and ability to tell clients what they sometimes don't want to hear; our pro bono representation and commitment to public service; our reputation – hopefully, for fairness, civility, and sound judgment. Like the bulb below the surface of the ground, these characteristics don't attract a lot of attention, don't grab headlines, don't make for exciting television, and probably won't bring us fame and fortune. But like the relationship of the perennial bulb to the seasonal flower, they are essential for long-term happiness and success over a long career. Without them, I do not believe we can withstand, in the long run, changing economic climates, the pressures of demanding clients, and the temptation of short-term gains that are inevitably part of everyone's career choices.

I am pleased that we have committees of the Wake County Bar Association that help nurture those "bulbs" – our Professionalism Committee, Public Service Committee, Summer Programs Committee, just to name a few – cultivating the soil for them to thrive in. Many of our programs of our other committees – the swearing-in ceremony for new attorneys, our CLEs, our lunch and breakfast programs, our endowment scholarships, our professionalism award – provide fertilizer, water, and sunshine to enable those bulbs to sprout and bloom.

As you drive to and from your office and see the many daffodils, tulips, and other spring flowers bringing color to our landscape, remember "Ms. Jarrett"... and the bulbs beneath the ground...and the values that bring meaning and long-term success to our careers as attorneys. **WBF**



NC Representative Paul "Skip" Stam and NC Senator Josh Stein, both Wake County lawyers and WCBA members, spoke about the issue of funding the courts at the March WCBA luncheon. Join us next month as we hear from Colon Willoughby about his more than 25 years as the Wake County District Attorney, April 1 at 12:15 p.m. **WBF**

NEXT BAR FLYER DEADLINE: APRIL 15, 2014

BEYOND THE J.D.: SAM FLEDER – A BREWER'S BARRISTER

BY CARA WILLIAMS AND LAUREN REEVES | SMITH DEBNAM NARRON DRAKE SAINTSING & MYERS LLP

AS LAWYERS, we identify ourselves and our colleagues by what type of law the other practices, or with which firm they practice. We sometimes forget that behind the label of “civil litigator,” “criminal defense attorney” or “family lawyer,” some of us have interests outside the practice and are able to use those interests or hobbies to gain unique perspective to the profession.

Sam Fleder is one of those lawyers. Fleder practices in the creditors' rights section at Smith Debnam Narron Drake Saintsing & Myers, LLP. He represents creditors in North Carolina and South Carolina and concentrates his practice in lender liability defense, commercial litigation, real property litigation, foreclosures, collateral recovery and creditor bankruptcy and has been named a Rising Star in North Carolina SuperLawyers.

Among a list of accolades, Fleder is also an avid beer brewer and a rising star in the local home brewers' world. He gave us a look inside this world and we want to share some of his thoughts with our readers:

1. WHY BEER?

Well, why not? Among its many fine qualities, I find beer to be a great medium for interacting with other people. Beer is something that most folks can relate to in some way, or have some experience with, and it is often a great conversational jumping-off point to get to know a person better. I worked for a beer distributor in college, and people are always at their friendliest when they see the beer truck drive up. Learning how to brew my own beer seemed like a natural evolution from my general interest in beer, and brewing has in turn exposed me to a world of experiences with different people and cultures. Plus, every once in a while, a conversation about beer with a friend turns into actually drinking a beer with a friend.

2. WHEN DID YOU BEGIN BREWING?

December 2010. My starter kit was a Christmas present from my wife. Our neighbor has won a few competitions with his beers, and



“Above all else, I have learned that lawyering is a people business – and homebrew is, without exception, always best enjoyed with others,” Sam Fleder.

I observed him brewing in his driveway a few times that winter. It looked like a wonderful way to spend a cold winter morning, outside on the driveway with all manner of steaming pots and tubes and pumps running every which way, and that inspired me to put the kit at the top of my Christmas list.

3. HOW WAS THE FIRST BATCH?

Terrible, at least for the first 6 months. I brewed inside on the kitchen stove. Beer has a tendency to foam up and violently “boil over” the sides of your kettle as it rises to boiling point, and I learned that lesson twice in the first five minutes of the first brew. Scraping dried, hardened, sticky sugar-water residue off the kitchen stove makes for neither a fun afternoon nor a peaceful domestic situation, so my brewing endeavors were quickly removed to the garage. The first batch was an effort at an American porter, but after making up all of the liquid beer volume lost to our

kitchen floor with plain water, I called it a “dark ale” and went with it. After 6 months or so in the bottle, it actually became halfway drinkable. Things have improved markedly since then.

4. BOTTLE OR KEG?

Everyone starts with bottling; how quickly you progress to kegs is simply a question of how much you like washing and sanitizing 50 beer bottles at a time. I started kegging a few years ago. Our former kitchen refrigerator now resides in our garage with four taps drilled through the front door; one of my prouder home-improvement achievements.

5. RECIPES ONLY OR CREATIVE TOUCHES?

I generally start off with a given recipe and then add my own tweaks. Half of my batches are usually efforts to brew styles of beer that I haven't tried before or have only sampled once or twice; the other half are efforts to re-brew prior recipes, with slight tweaks and improvements.

6. DO YOU NAME YOUR BEERS?

Occasionally. When entering a competition, definitely. “Festivus Miracle,” “Uncle Kep's Oat Stout” and “What the Helles” are a few of my favorites.

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FLEDER

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7. WHEN DID YOU START COMPETING?

Early 2013. I am proud to report that my “Festivus Miracle” took third place in the American Amber Ale category in the 2013 CARBOY Shamrock Open XVIII. My ribbon hangs above the taps on the garage refrigerator. There is plenty of room for more ribbons on the fridge door...here’s hoping.

8. BIGGEST FAILURE, OR WORST BEER BATCH?

Honestly, probably the first brew we did; cleaning the kitchen took far longer than anticipated. I try to be meticulous about my brewing, without being unreasonable; good sanitation practices and planning for overly active fermentations have kept me out of the hospital and allowed me to avoid any major disasters thus far.

9. WHAT IS THE ODDEST INGREDIENT YOU’VE EVER BREWED WITH? HOW’D THAT GO?

Our homebrew club, the Cary-Apex-Raleigh Brewers of Yore (“CARBOY”) hosts an annual “Iron Brewer” competition, à la the “Iron Chef” TV series, where everyone teams up and brews on a Saturday morning using a surprise secret ingredient. The ingredient for 2012 was tarragon. Yikes. I can’t say it was my favorite result. If you like chicken salad-flavored beer, I’ve still got a few bottles lying around that you’re welcome to take off my hands.

10. DO YOU HAVE A FAILSAFE OR GO-TO BREW?

No. It depends on the season more than anything. I have a pumpkin ale that I’ve brewed for 3 years in a row now as soon as pie pumpkins hit the grocery store shelves in mid-October, which makes for a great, crisp fall quaffer.

11. WHAT’S YOUR ALL-TIME FAVORITE BEER?

A beer I haven’t tried yet.

12. DID YOUR VIEW OF BEER CHANGE AFTER YOU STARTED BREWING?

Absolutely. I spend a great deal more time trying to identify ingredients and flavors in the beer I’m tasting, which I find makes each new beer a much more enjoyable experience. It’s no longer “I’m going to buy beer” – it’s “I’m going to do research.”

13. ANY COMPETITIONS COMING UP?

One or two...but in the event that the Bar Flyer readership includes some BJCP-certified beer judges, I won’t be specific. Ex parte communications are frowned upon in more than just legal circles.

14. DO YOU HAVE FUTURE PLANS TO EXPAND YOUR BREWING CAPACITY?

Probably not. I generally brew five gallon batches, which works out to about two cases of beer per batch. I don’t drink much myself, but there are always opportunities to bring a growler or a few six packs along to a social event to share my efforts and receive comments and critiques. I’m more interested in brewing different styles of beer, instead of having cases and cases of any one particular style.

15. IS BREWING MORE AN ART OR A SCIENCE?

Very much both. My high-school level interest in chemistry and physics is always piqued by the brewing processes: figuring out thermodynamic predictions in order to determine how to heat and hold a certain volume of grain and water to a specific temperature for a certain period of time, pumping volumes of liquid against the force of gravity while avoiding cavitation, and the fascinating biochemical reactions through which natural enzymes convert grain starches to short and long chain sugars (mashing) and then yeast cells convert sugars to alcohol and carbon dioxide (fermentation). But at the same time, you’re trying to hit a taste target, and what tastes best to you is not an objective determination. It’s best to approach brewing with an eye towards both art and science, while placing great emphasis on not taking things too seriously.

16. HOW DOES BREWING MAKE YOU A BETTER LAWYER?

In all sorts of ways: You learn the importance of paying attention to detail, and of learning from your past mistakes. I make a point of keeping detailed records of each of my brew sessions, which I routinely reference in making decisions on recipe formulation and improving my own internal processes. Being able to think creatively in addressing complicated problems helps. Accepting constructive criticism from discerning critics and using it to improve your future efforts – believe me, there is no higher praise than having one of your beers impress a Smith Debnam creditor’s rights litigator!

After talking with Fleder, it’s easy to see why good homebrewers make good lawyers and vice versa. According to Fleder, “above all else, I have learned that lawyering is a people business – and homebrew is, without exception, always best enjoyed with others.” **WBF**

NEW BOARD MEMBERS NAMED

GOTTSEGEN, REEVES AND SZYMANKIEWICZ FILL SEATS ON WCBA AND TENTH BOARD OF DIRECTORS

AT THE FEBRUARY 20 BOARD MEETING, members Adam Gottsegen of Nicholls Crampton PA, Lauren Reeves of Smith Debnam Narron Drake Saintsing & Myers LLP and John Szymankiewicz of the Law Office of John Szymankiewicz PLLC were elected by the Board to represent both the Wake County Bar Association and the Tenth Judicial District Bar as a director of each Board. Gottsegen and Szymankiewicz will complete two-year terms and Lauren Reeves will complete a one-year term.

The spots were vacated by B. Keith Faulkner and Michelle Co-field, who left the district for new professional opportunities at Campbell University’s School of Business and North Carolina Central University’s School of Law, respectively, and Ashley H. Campbell of Ragsdale Liggett, PLLC, who was elected to the officer position of secretary of the Board. **WBF**

ETHICAL TRAPS FOR IN-HOUSE COUNSEL IN BUSINESS LITIGATION

BY MARK FINKELSTEIN | SMITH MOORE LEATHERWOOD & PRESIDENT-ELECT, TENTH JUDICIAL DISTRICT BAR

A KEY ASPECT OF REPRESENTING BUSINESSES in North Carolina is assisting in-house counsel avoid the myriad of ethical landmines they confront every day. Three issues our in-house client representatives confront regularly are: (1) the effects of mixing business and legal advice on the attorney/client privilege; (2) the tendency of employees to think they are the client when, in fact, the corporation, not the employee, is the client; and (3) the mistaken belief that in-house counsel not admitted in North Carolina can defend depositions of corporate officers in North Carolina.

PRIVILEGE

Lawyers who graduated from law school before the 1990s are regularly surprised at the relative lack of deference courts now give many communications with in-house counsel. The attorney/client privilege applies in North Carolina if: (1) the relation of the attorney and client existed at the time the communication was made; (2) the communication was made in confidence; (3) the communication relates to a matter about which the attorney is being professionally consulted as a lawyer; (4) the communication was made in the course of giving or seeking legal advice for a proper purpose (while litigation need not be contemplated for the privilege to apply, the privilege does not apply to communications regarding business advice or communications with counsel for purely informational purposes); and (5) the client has not waived the privilege. *See In re Miller*, 357 N.C. 316, 335, 584 S.E.2d 772, 786 (2003).

Many corporate employees and in-house counsel believe that the protections of the attorney/client privilege attach if in-house counsel are included as a recipient of the communication. This is simply not true. Communications with counsel that seek business advice or that appear to be for purely informational purposes are not privileged. *See Isom v. Bank of America, N.A.*, 177 N.C. App. 406, 411, 628 S.E.2d 458, 462 (2006).

It is well settled here and in most other American jurisdictions that a corporation cannot insulate its files from discovery simply by copying in-house counsel. Similarly, the mere fact that an in-house attorney attended a meeting does not render privileged everything said or done

at that meeting. *Isom v. Bank of America, N.A.*, 177 N.C. App. 406, 628 S.E.2d 458, (2006).

IDENTITY OF THE CLIENT

Employees of corporations regularly believe that in-house counsel are their counsel, rather than the company's counsel. This mistaken belief leads employees to believe the attorney/client privilege attaches to all their communications with in-house counsel, rather than just those communications seeking legal advice on behalf of the corporation within the employee's course and scope of employment. This misconception often results in a cavalier attitude in emails with in-house counsel. These cavalier emails can be costly when discovered in the course of litigation.

Lawyers representing a corporate client have an ethical duty to ensure that employees of the corporate client know that the lawyer represents the corporation, not the employee, should a potential conflict develop. NC Rules of Professional Conduct, Rule 1.13(f). Failure to do so may result in disqualification of the lawyer and disciplinary action by the State Bar.

APPEARANCE AT DEPOSITION BY THOSE NOT ADMITTED IN NORTH CAROLINA

An appearance at a North Carolina trial or deposition by counsel not admitted in North Carolina is the unauthorized practice of law. *See* N.C.G.S. 84-4 and 84-5. Unauthorized practice of law is a misdemeanor in North Carolina. *Id.* Protect your in-house counsel colleagues who are not admitted to practice in North Carolina from sanctions by ensuring that he or she is admitted *pro hac vice* prior to the time that any appearance at trial or in deposition is made. Recent rule changes have made *pro hac vice* admission more expensive and time consuming than it used to be, but this remains a hurdle that must be jumped in order to protect your in-house client representative who is not admitted in North Carolina. *See* N.C.G.S. 84-4.1. **WBF**

ARE YOU INSPIRED BY THE PIECE ABOVE OR ANY OF OUR OTHER ARTICLES?

Tired of writing briefs and motions? Take a break to show off your creative side as a writer for the Bar Flyer. **THE BAR FLYER IS SEEKING WRITERS** to help with articles on the activities and impact of the Wake County Bar Association.

Writing provides a great way to get to know the WCBA and its members, and the only requirement is a willingness to serve. Even if you're only interested in writing one or two articles a year, we would love to have you involved.

IF INTERESTED, PLEASE E-MAIL LAUREN REEVES at LReeves@smithdebnamlaw.com.

DISPELLING MENTORING MYTHS

BY CAMILLE STELL AND MONISHA YOWELL



CAMILLE STELL is the Director of Client Services for Lawyers Mutual. Selected as a Lawyers Weekly "Leaders in the Law" award recipient, Camille has more than 20 years of experience in the legal field, as a paralegal, legal recruiter and business developer. Contact Camille at 800.662.8843 or Camille@lawyersmutualinc.com.

MONISHA YOWELL joined Lawyers Mutual in 2013 as Marketing Coordinator. Camille and Monisha enjoy mentoring each other in their respective areas of expertise.

SHOW ME A GREAT ATTORNEY and I'll show you someone who had a great mentor behind them. Mentoring is an important part of the legal profession. Mentoring relationships help further the profession beyond what is taught in classrooms and builds life-long relationships. Those who would argue the relevance of mentoring in the profession have perhaps bought into some of the following myths about mentoring:

MYTH: MENTORING IS TIME CONSUMING

In fact, many who participate in mentoring relationships say it takes less time than they expected. Often being available to answer specific questions is a part of mentoring that is beneficial to the mentee and does not require a lengthy time commitment from the mentor. Mutually beneficial relationships often grow out of mentoring relationships. In those cases the time commitment can increase. Mentor and mentee spend more time socializing and getting to know one another. The mentor often finds unexpected benefit – knowledge about a new subject matter, someone who can offer technology advice, or just a new way to see old problems.

MYTH: NO ONE IN MY COMMUNITY NEEDS MENTORING

This myth relies on the idea that the mentor and the mentee must be in the same location. Years ago, several of our paralegal programs across the state began offering e-mentoring opportunities. Experienced paralegals from anywhere in the state could volunteer to mentor new paralegals or paralegal students from anywhere through the ease of their computer. I was able to participate in the program and found myself reviewing resumes, offering interviewing tips and critiquing cover letters of paralegal students. It was a great way to connect with new people and offer guidance which I enjoyed sharing and was welcomed by the students.

MYTH: I DON'T KNOW ENOUGH TO SHARE

Experienced mentors are greatly needed. But often, someone with even a brief time in practice can provide guidance to a newbie. You forget how great your learning curve is. Within your first year, you already have learned how to set fees and navigate client relationships. This can be very helpful to someone just hanging their shingle.

It's often difficult to start a conversation with your mentor. Ask questions.

- What is the most important career advice you ever received?
- What do you wish you knew when you started?
- Is there anything different you would do in your career?
- What do you consider your greatest success?

Mentors, your mentees are not always going to be younger than you, but in some cases they may be and as a result, some generational differences often crop up. Here are a few tips for you to keep in mind about our youngest group of lawyers, the millennials, and their strengths:

- Millennials value teamwork
- Millennials are technology savvy and enjoy social networking
- Millennials are accustomed to multi-tasking
- Millennials exhibit a strong work ethic but want to see a tangible pay-off
- Millennials have a healthy perspective on collaboration and teamwork
- Millennials have an entrepreneurial spirit

There are many resources available to those interested in becoming mentors as well as those who are looking for a mentor. The following are great starting points:

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MENTORING MYTHS
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- Campbell's Connections program, a joint project of Campbell Law School and the Tenth Judicial District Bar, which helps Campbell law students and newly licensed lawyers in the district no matter where they attended law school: <http://law.campbell.edu/page.cfm?id=617&n=mentorship-program> or contact Zeke Bridges at bridges@law.campbell.edu.

- NCBA Mentorship Program: <http://www.ncbar.org/about/ncba-mentorship-program>

- NC Court System website: This website offers a guide to mentoring programs in NC as well as a guide to developing a mentoring plan: <http://www.nccourts.org/Courts/CRS/Councils/Professionalism/Mentoring.asp>

- NC Law Schools: Many offer mentoring opportunities some are limited to alumni/ student relationships and others offer local bar association involvement

- Risk management handout on mentoring available at the Lawyers Mutual website: <http://www.lawyersmutualnc.com/risk-management-resources/risk-management-handouts>

If you have experience, share it by serving as a mentor. If you are new to the profession, reach out to find a mentor. Mentoring perpetuates growth in the legal field; mentees often go on to become great mentors and both go on to become great attorneys. **WBF**

UPCOMING SOCIALS FOR WCBA

- **APRIL 3** - OUTDOOR SPACE AT WINE & DESIGN, 219 BICKETT BLVD., RALEIGH, 5:30 - 8 P.M. MUSIC, FOOD AND DRINKS
- **MAY 15** - CAROLINA ALE HOUSE IN CARY, 2240 WALNUT STREET, 5:30 - 7 P.M.
- **JUNE 12** - PLAYERS RETREAT IN RALEIGH, 105 OBERLIN ROAD, 5:30- 7 P.M.
- **SEPTEMBER 5** - FAMILY PICNIC AT PULLEN PARK, 4-7 P.M.
- **OCTOBER 9** - MEMBERS' ONLY OYSTER ROAST, HAYWOOD HALL, 5:30 P.M. UNTIL DUSK

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MEMBER NEWS

Governor Pat McCrory has appointed Smith Moore Leatherwood attorney **SAMUEL O. SOUTHERN** as Chairman of the U.S.S. North Carolina Battleship Commission. The Commission was established by the General Assembly in 1960 to provide an organization whose charter was to oversee the administration and operation of the USS NORTH CAROLINA (BB55), the most decorated Battleship of World War II, as a permanent memorial and exhibit for the State's veterans. Southern currently practices health law and trial and appellate practice in Raleigh, although his law firm also maintains an office in Wilmington, where the Battleship has been berthed since 1961.

ULMER ZACK "ZEKE" BRIDGES III was promoted to assistant dean of administration at Campbell University's School of Law.

The law firm of McAngus Goudelock & Courie is pleased to announce that among their seven attorneys who have been selected for inclusion in the 2014 North Carolina *Super Lawyers* magazine is Raleigh attorney **JD KEISTER**, who was selected as a Rising Star.



Pishko

The Law Office of David Pishko has announced the addition of **MARGARET PISHKO**, a 2009 graduate of Duke University and a 2013 graduate of the University of North Carolina School of Law. Pishko will serve as an associate at the firm's new Raleigh office located on Annapolis Drive. She will focus her practice in the areas of medical malpractice, nursing home neglect and other civil litigation.

SMITH MOORE LEATHERWOOD is pleased to announce that 23 members of the firm have been selected by their peers as part of *Business North Carolina's* 2014 Legal Elite. *Business North Carolina* magazine's *Legal Elite* is compiled annually based upon a poll of North Carolina attorneys. The attorneys selected are considered by their peers to be the best practitioners in their respective fields. Attorneys in Smith Moore Leatherwood's Raleigh office include:

- **MATTHEW NIS LEERBERG**, *Young Guns (Best Under 40)*
- **STEPHEN W. PETERSEN**, *Criminal*
- **THEODORE C. EDWARDS II**, *Construction*
- **GEORGE J. OLIVER**, *Employment (Hall of Fame)*
- **DAVID M. KRASNOW**, *Intellectual Property (Hall of Fame)*

Additionally, members of the firm were named to the North Carolina *Super Lawyers* in 2014 including:

- **JONATHAN BERKELHAMMER**, *Business Litigation*
- **MARK FINKELSTEIN**, *Business Litigation*
- **BRETT HANNA**, *Real Estate*
- **PATRICIA MARKUS**, *Health Care*
- **GEORGE (JERRY) OLIVER**, *Employment & Labor*
- **BRADLEY RISINGER**, *General Litigation*
- **ELIZABETH BROOKS SCHERER**, *Appellate*
- **SAMUEL SOUTHERN**, *Health Care*
- **ROBERT WILSON JR.**, *Health Care*

The Smith Moore Leatherwood attorneys honored as North Carolina's *Rising Stars* of 2014 are:

- **MATTHEW LEERBERG**, *Business Litigation*
- **DAVID NEILL**, *Real Estate*
- **ERIC SNIDER**, *Business Litigation*

Two Raleigh-based **SMITH MOORE LEATHERWOOD** attorneys have been elected to the partnership, effective Jan. 2014. The new partners include **ERIN JOCHUM ROBERTS** and **MATT LEERBERG**. Roberts is an attorney in the firm's Raleigh and Wilmington offices, who concentrates her practice exclusively in health law. She represents a wide array of health care providers, including health systems, home care providers, and physicians, and her proficiency extends to health care mergers and acquisitions, health care operational and regulatory issues, and fraud and abuse compliance matters. Leerberg is an attorney in the firm's Raleigh office, who focuses his practice on appellate litigation as well as state and federal court litigation involving business and employment disputes. He also regularly represents clients in the North Carolina appellate courts and in the Fourth Circuit Court of Appeals.



Smyth

THEODORE (TED) B. SMYTH of Cranfill Sumner & Hartzog LLP's Raleigh office and past president of the Tenth Judicial District Bar served as a contributing author for the recently released book titled *Uninsured and Underinsured Motorist Insurance in North Carolina*, First Edition. The book, which was edited by C. Douglas Maynard, Jr., is a publication of the North Carolina Advocates for Justice and LexisNexis. Smyth wrote the second chapter of the book, "The Insuring Agreement—Who Is Covered." The book is a compilation of chapters written primarily by members of the North Carolina Advocates for Justice and is designed to serve as a resource for information related to motorist insurance in North Carolina. **WBF**

WELCOME NEW MEMBERS

THE WCBA APPROVED 69 NEW MEMBERS AT THE FEBRUARY 20 BOARD OF DIRECTORS MEETING.

JAMES ADCOCK

Cumalander Adcock & McCraw, LLP

FRED AMOS, II

KEVIN BOXBERGER

Boxberger Law Firm PLLC

WILLIS BRANTLEY

EDWARD BREITSCHWERDT

McGuire Woods LLP

J. CLARK BREWER

DAVID BROYLES

Bode Hemphill, LLP

BRIAN BUMGARDNER

Ogletree Deakins Nash Smoak & Stewart PC

KELLEY CASH

Wake Family Law Group

VALERIA CESANELLI

The Law Offices of Valeria Cesanelli, PLLC

COURTNEY CHACOS

Wyrick Robbins Yates & Ponton LLP

OKSANA CODY

Kurtz & Blum PLLC

TARA CORN

Morris Russell Eagle & Worley PLLC

CARSON CROOMS

WILLIAM CUMALANDER

Cumalander Adcock & McCraw LLP

MORGAN DAVIS

Hatch Little & Bunn LLP

RODNEY DAVIS, JR.

Gene Davis Law, PLLC

ROBERT DESMOND

Smith Anderson Blount Dorsett Mitchell & Jernigan LLP

REBECCA DOBUCKI

DAVID DONOVAN

RYAN EPPENBERGER

State of North Carolina

LAURA ESSEESSE

Montgomery Family Law

JENNIFER EVANS

ERICA FERRANTI

Parker Poe Adams & Bernstein LLP

CLELIA FRY

JOANNA GAUGHAN

PHILIP HACKLEY

Wyrick Robbins Yates & Ponton, LLP

JOANNA HASAPIS

Parker Poe Adams & Bernstein LLP

ALAN HOAL

T. SHAWN

Howard Maginnis Law, PLLC

CHERYL HOWELL

UNC School of Government

ERIC IVERSON

KATHRYN JAGODA

ROBERT JERNIGAN

Waterkeeper Alliance

LINDSEY KABBES

Coolidge Law Firm, PLLC

QUAN KIRK

NC Education Lottery

DAVID KREEGER

EDWARD MAGINNIS

Maginnis Law, PLLC

CLAY MARTIN

Wyrick Robbins Yates & Ponton, LLP

GARFIELD MCCLURE

Oxendine, Price & Associates PLLC

JOHN MCKNIGHT

Hatch Little & Bunn LLP

JAMES MCLAUGHLIN

Campbell University School of Law

SIDNEY MINTER

Teague Campbell Dennis & Gorham LLP

LEAH MOORE

Wyrick Robbins Yates & Ponton LLP

NGONIZDAISHE MUFUKA

Synergy Legal Professionals

TARA MULLER

Teague Campbell Dennis & Gorham LLP

JAMES O'NEILL

Murphy Bilak & Homiller PLLC

DAVID PETERS

BRITTANY PINKHAM

DEBRA PINKSTON

Legal Aid of NC

JOHN PURRINGTON

MARK RICHARDSON, III

GlaxoSmithKline Legal Dept

VINSTON ROZIER, JR.

Wake County District Court Judge

JESSE SCHARFF

Scharff Law Firm PLLC

CRAIG SCHAUER

Brooks Pierce McLendon Humphrey & Leonard LLP

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NEW MEMBERS, CONT. FROM PG. 10

GRANT STEADMAN

Wilson & Ratledge, PLLC

MARTHA SVOBODA

Poyner Spruill LLP

ANNA SZAMOSI

BRIAN TARR

Wilson and Ratledge, PLLC

APRIL TAYLOR

Wake County District Attorney's Office

ALICE TEJADA

City of Raleigh

RACHEL THOMASSON

Rachel Lane Thomasson, Attorney at Law
PLLC

BRETT THOMPSON

Thompson Estate Planning & Elder Law

CHELSEA UHLMAN

Sessoms & Rogers, PA

JEANNE WASHBURN

Law Office of Jeanne Washburn

ALEXANDER WILSON

Wyrick Robbins Yates & Ponton LLP

PAUL YOKABITUS

Stephenson Law LLP

ROBERT YOUNG

Wyrick Robbins Yates & Ponton LLP

RICHARD ZECHINI

Williams Mullen

A WINDOW INTO THEIR TIMES

HISTORICAL NOTES FOR THE WAKE COUNTY BAR



CARROLL W. WEATHERS WAS A LEADER in the Wake County Bar for more than 20 years, from the early 1930's to the mid-1950's. Born in Shelby in 1901, he practiced law in Raleigh for 17 years, with a focus on real estate law.

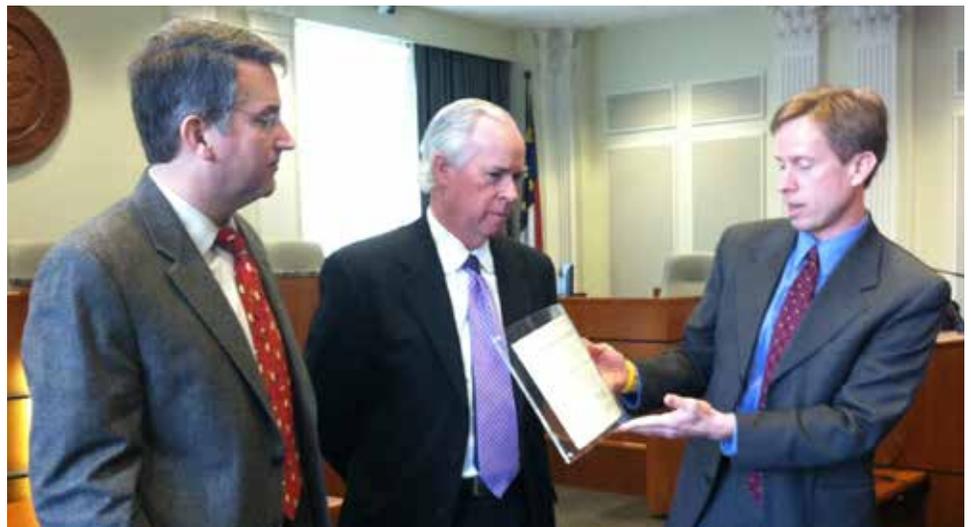
Weathers was elected to the North Carolina Senate in 1935, and served as President of the Wake County Bar Association in 1943. In May 1950, he became the Dean of the School of Law at Wake Forest College, at a time when Wake Forest was still located in Wake County, but already preparing for its move to Winston-Salem.

Long remembered for his leadership of the Law School from 1950 to 1970, Dean Weathers exemplified a high standard of ethics and professional service. His remarks at the dedication of the new Law Building in Winston-Salem in April 1957, captured his

Weathers

expectation for all lawyers: to seek justice and to find meaning and purpose in a life lived for others. "It is not only [the lawyer's] privilege", he said, "but his duty to use his influence and position on behalf of a better social order and to live as a worthy example for others." **WBF**

[Sources: Bynum Shaw, Vol. III of The History of Wake Forest College (1988).]



At the March Professionalism Committee, Melvin J. Wright, Jr., the executive director of the Chief Justice's Commission on Professionalism was recognized for his service to promoting professionalism in Wake County and around the state.

2014 WCBA LUNCHEONS

APRIL 1 - WOMAN'S CLUB

MAY 6 - MORDECAI PARK

JUNE 3 - WOMAN'S CLUB

JULY 8 - NORTH RALEIGH HILTON

AUGUST - NO MEETING

SEPTEMBER - NO MEETING

OCTOBER 7 - NORTH RALEIGH HILTON

NOVEMBER 4 - WOMAN'S CLUB

DECEMBER 2 - TENTH J.D. BAR ANNUAL

MEETING - NORTH RALEIGH HILTON