

50 Years of Advancing the Civil Defense Bar



**GEORGIA DEFENSE LAWYERS ASSOCIATION
1967-2017**

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1967-2017

GEORGIA DEFENSE LAWYERS ASSOCIATION PAST PRESIDENTS

John D. (Jack) Capers* 1968-1969	Melburne D. (Mac) McLendon* 1984-1985	F. Gregory (Greg) Melton* 2000-2001
Willis J. (Dick) Richardson* 1969-1970	Douglas Dennis* 1985-1986	Walter B. McClelland 2001-2002
Ferdinand Buckley* 1970-1971	Paul W. Painter, Jr.* 1986-1987	Jerry A. Buchanan 2002-2003
Oscar M. Smith* 1971-1972	E. Davison (Dave) Burch 1987-1988	Richard A. (Rick) Rominger* 2003-2004
William G. (Bill) Scrantom, Jr. 1972-1973	Richard A. Marchetti* 1988-1989	Grant B. Smith 2004-2005
Glenn Frick* 1973-1974	Patrick J. (Pat) Rice 1989-1990	John A. (Johnny) Foster 2005-2006
Frank Love, Jr.* 1974-1975	Wilbur C. Brooks 1990-1991	Warner S. Fox 2006-2007
Gould B. Hagler 1975-1976	Morton G. (Salty) Forbes 1991-1992	Robert M. (Bob) Travis 2007-2008
James A. Dunlap* 1976-1977	J. Bruce Welch 1992-1993	James E. (Jimmy) Singer 2008-2009
Hubert Howard 1977-1978	Hendley V. Napier* 1993-1994	N. Staten Bitting, Jr. 2009-2010
John M. Gayner* 1978-1979	David T. Whitworth 1994-1995	Edward M. (Bubba) Hughes 2010-2011
Albert H. (Al) Parnell 1979-1980	R. Clay Porter 1995-1996	W. Melvin (Mel) Haas, III 2011-2012
S. Edgar (Ed) Kelly, Jr.* 1980-1981	David H. Hanks 1996-1997	Lynn M. Roberson 2012-2013
Eugene P. (Bo) Chambers, Jr. 1981-1982	Joseph H. (Joe) Chambless 1997-1998	Theodore (Ted) Freeman 2013-2014
Eugene G. (Gene) Partain* 1982-1983	Steven J. Kyle 1998-1999	Kirby G. Mason 2014-2015
George C. Grant* 1983-1984	George E. Duncan, Jr. 1999-2000	Matthew G. (Matt) Moffett 2015-2016

**indicates deceased*

HISTORY OF THE GEORGIA DEFENSE LAWYERS ASSOCIATION

By Morton G. (Salty) Forbes
GDLA President, 1991-1992

The Georgia Defense Lawyers Association was founded 50 years ago.

In the spring of 1967, five lawyers from across Georgia came together and formed the Georgia Defense Lawyers Association. They were Jack Capers of Augusta, Dick Richardson of Savannah, Ed Lane of Decatur, John David Jones of Atlanta and Mead Burns of Atlanta. The mission was to foster collegiality and professionalism within the civil defense bar. Without these visionaries, there would not be a Georgia Defense Lawyers Association.

Years later, we created a formal mission statement, which can be found on our website. In essence, it states that we are an association devoted to improving the practice of law as conducted by lawyers who devote most of their professional time to the handling of litigated matters where they are representing defendants.

Following the spring of 1967, a meeting was held at the Travel Lodge Motel in Atlanta at which Jack Capers and Dick Richardson were the moderators. Attending the meeting were Ferd Buckley, Oscar Smith, Bill Scrantom, Glenn Frick, Frank Love, Gould Hagler, James Dunlap, John Gayner, Ed Lane, John David Jones and Mead Burns.

Dick Richardson drafted the Association's first bylaws, and the Association was officially recognized under Georgia law.

There are little or no surviving records of the early years of the Association, due to the "shoebox" method of the passing of the files from one President to the next. Annual Meetings were held at Port Royal on Hilton Head Island, South Carolina and then at the Sea Palms Resort in Brunswick until it was destroyed by fire. Thereafter, the Annual Meetings moved to Ponte Vedra Inn and Club and occurred there every third year.

John D. (Jack) Capers was the first President of the Association, and he served from 1968-1969.

Willis J. (Dick) Richardson succeeded Jack, serving as President from 1969-1970.

Ferdinand Buckley served as President from 1970-1971.

Oscar M. Smith was President from 1971-1972. William G. (Bill) Scrantom, Jr. was President from 1972-1973.

Glenn Frick was President from 1973-1974.

Frank Love, Jr. was President from 1974-1975.

Gould B. Hagler was President from 1975-1976.

James Dunlap was President from 1976-1977.

During these years, the *Law Journal* was published and Annual Meetings were held, but the Annual Meetings were more social than educational events. As the Association grew, the Annual Meetings became more educational, but even today they remain social occasions where lawyers and their spouses/guests can meet and enjoy each other's company and camaraderie.

In 1977-1978, Hubert Howard was our President, and with his leadership, we increased membership in GDLA by over 20 percent.

In 1978-1979, John Gayner became our President. Paul Hawkins and Howell Hollis provided an in-depth look at the opportunities to get summary judgments based on expert opinions in professional negligence cases.

In 1979-1980, Al Parnell was elected President. Al's wife, Kathleen, referred to him as the "Grand High Purple Lizard." Incidentally, she also defined the process by which the elected members of GDLA went upward through the offices as the "Monkey Move-Up." Al was a representative to DRI's 13th Annual Local Association meeting in Denver, Colorado. He outlined our methods and programs, so other defense groups might choose to incorporate them in their respective states. Al began the custom of presenting a mint julep cup to the outgoing President.

In 1980-1981, Ed Kelly was our President, and the first Trial Academy was founded in 1980 by Mac McClendon and held at Pine Isle. The Board of Directors endorsed another Trial Academy for the summer or early fall of 1981. The Academy has continued to occur to this day. It would eventually be renamed the GDLA Melbourne (Mac) McClendon Trial Academy—and in recent years has added

a mediation component to become renamed the Trial & Mediation Academy.

Eugene (Bo) Chambers became our President in 1981-1982. He said “the Association is alive and well,” having grown to 250 members. The Second Annual Trial Academy at Pine Isle was attended by 37 lawyers.

The Association co-sponsored an intensive 8-day course on trial advocacy at the Georgia Center for Continuing Education in Athens. Bo attended the 15th Annual National Defense Lawyers Conference held in New York City.

In 1982-1983, Gene Partain was our President. Gene, in his wordsmith way, recognized Dick Richardson for his indefatigable dedication as our de facto “Commander-in-Chief in Perpetuity” (later adapted to be “Commander-in-Chief in Perpetuity”). Gene Partain served as Executive Vice President when Bo Chambers was President. Both were practicing law in Atlanta and, at one of the Board Meetings, one of the members told a story about Bo and Gene trying a case together. Well, not together: Gene represented Delta Air Lines in a lawsuit that Bo was defending. After Gene had finished his opening statement, Bo addressed the jury by saying initially, “don’t he talk purty?” which of course cracked up the entire meeting.

In 1983-1984, George Grant was President, having been elected at the Annual Meeting in 1983 in Acapulco, Mexico, our first trip abroad. Bermuda had been the first choice, but because the United States Treasury Department had ruled that you could not deduct a trip to Bermuda as a business expense, it was changed to Mexico.

With the Continuing Legal Education (CLE) requirements inaugurated by the Georgia Supreme Court effective January 1, 1984, we were able to have the Trial Academy approved for credits.



GDLA Past Presidents are pictured at the 1983 Fall Meeting.

George congratulated Dick Richardson for competently arranging of all of our meetings and keeping an overall surveillance on our activities in general.

The Fall Board Dinner was held at the Biltmore Forest Country Club in Asheville, North Carolina. The Board were guests of one of our members, George Ramsey, who was a member of the club. Following the dinner, Wilbur Brooks recited “Gunga Din” to the enjoyment of all.

Mac McClendon was President in 1984-1985. Wilbur Brooks was in charge of the Trial Academy, which was held at Lake Lanier. The Association helped pass House Bill 630, which prohibited a plaintiff from dismissing a case after submission to the jury.

In 1985-1986, the dapper Doug Dennis was our President. The Board of Directors voted to sponsor a one-day seminar in Atlanta on “Current Developments in Defense Law.” This was held on February 14, 1986. John Marshall, Ben Weinberg and Doug Stewart were among the speakers. The Association filed three amicus briefs in cases from Cobb and Chatham Counties.

Paul Painter, Jr. was President from 1986-1987. As President of the Association, Paul was invited by Governor Joe Frank Harris to serve with two other lawyers and various lay members on his Tort Reform Advisory Committee. Paul was also asked

by State Bar President Bob Brinson to serve on a similar committee formed by the State Bar of Georgia. The GDLA Board held a special meeting in the fall of 1986 in Macon to offer guidance and recommendations on the positions they felt the Association should take on the various tort reform proposals which were expected to be introduced in the 1987 General Assembly. As Paul recapped in his *Law Journal* President's Message, "I am proud to say that the tort reform package passed in 1987 largely reflects the Board's position and hopefully will provide all civil litigants in Georgia with a fairer and more economical justice system."

The 1987 Annual Meeting was held on Hilton Head Island, where Dave Burch assumed the Presidency.

Jerry Blackstock chaired the 1988 Trial Academy at Pine Isle. The 1988 Annual Meeting was held at Ponte Vedra, and our perennial Convention Chairman was Dick Richardson. The Association received the Defense Research Institute's Exceptional Performance Award for State Defense Organizations.

The 1988 Annual Meeting was held in St. Thomas, Virgin Islands, where a snorkeling trip was planned, and our esteemed Commander-in-Chief in Perpetuity was late getting to the boat. Once he arrived, he explained that he could not get out of his room because of the "room maid." It seems that Dick had on his swimming trunks and no shirt when the maid knocked on the door. He opened the door, and the maid dropped to her knees and started calling him the "Anointing One" and asking for his blessing. Dick did not understand why she kept dropping down to her knees every time he told her to get up. He finally asked her why she was calling him the "Anointing One," and she said the "hairs on the chest formed the Cross. You have been anointed. Bless me." After Dick's story, the boat was sent out to sea for snorkeling. A barracuda followed Lee Forbes in her flowery bathing suit. She never swam so fast in all of her life to get back to the boat and had to be pulled up onto the boat.

Rick Marchetti was President in 1988-1989. The Association had grown to 350 defense attorneys. The Trial Academy had 36 attendees at Callaway



Acclaimed Savannah portraiture artist Lee Forbes, wife of Past President Salty Forbes, designed our first logo, pictured below, in 1991.



Advancing the Civil Defense Bar®

Gardens. The Board of Directors authorized a more extensive effort to monitor legislation which impacts our practice. This enabled the Association to lend its first-hand experience to educate legislators regarding matters of great concern to the civil defense bar.

The 1989 Annual Meeting was held in Bermuda at the Princess Hotel in Hamilton.

Pat Rice was President of the Association from 1989-1990. The Association increased its dues to \$55.00. The Trial

Academy was held at Callaway Gardens. We lost Ed Lang and Bob Cleveland, and their memories and contributions will long to be cherished by the Association.

In 1990-1991, Wilbur Brooks was President. He attended the National Defense Organization's meeting sponsored by DRI at the Salishan Lodge on the Oregon coast. He also attended the National Leaders Conference held in Williamsburg, Virginia. The Trial Academy was held at Callaway Gardens, and the Association celebrated its Silver Anniversary year at the Annual Meeting in Ponte Vedra in April. Wilbur convinced Lee Forbes to create a logo for GDLA, which she did. She was later recognized by President Johnny Foster for her assistance to GDLA and presented with a plaque at the 2006 Annual Meeting.

Salty Forbes was President in 1991-1992. In just 25 years, the Association had grown from five members to 398 members. The Board of Directors authorized the employment of an Executive Secretary to publish a newsletter three times a year, to coordinate the Expert Witness Bank, to print the *Journal*, and to assist with the Trial Academy. David Whitworth was the editor of the first newsletter. The Trial Academy was chaired by Charlie Goetz. Dick Richardson continued to be

our Commander-in-Chief in Perpetuity and Chairman of the Membership Committee and the Program Committee. The Association was involved with the formation of the DRI State & Local Defense Organizations (SLDO). This Committee would speak on behalf of state and local defense organizations as to matters which concerned the organizations. The Committee was to nominate its own chair and vice chair who would attend all DRI Board Meetings.

We now had a paid staff position of Executive Secretary, and the first was Greg Spicer. He expanded the newsletters and the *Law Journal*, while at the same time doing it more inexpensively than in the past.

The 1992 Annual Meeting was held at The Homestead, a legendary resort in the mountains of Virginia. The annual dues were increased to \$125.00. The head golf pro at The Homestead at the time was Sam Snead. This was right after Sam had his accident in Augusta and was being represented by Past President Pat Rice. It seems on the way to The Homestead, Mr. Snead's car ran out of gas, and Wiley Wasden and Rick Marchetti gave him a ride to The Homestead. Mr. Snead reciprocated by inviting both to dinner with him at The Homestead on Friday night. At the same time, Richard Gere and Jodi Foster were filming the movie "Somersby." Kathleen Parnell's brother, Joe Barrow, a defense lawyer in Savannah, and his wife were also at The Homestead, as was the Parnells' daughter, Catharine. Joe and Catharine were horribly embarrassed when Kathleen saw Richard Gere and announced loudly to the table that she was going to go over and compliment him on a risqué film ("Internal Affairs" with Andy Garcia). She sat with Gere and his group for about 20 minutes.



GDLA Past Presidents at the 25th Annual Meeting in 1991: (front row): Gould Hagler, Doug Dennis, George Grant, James Dunlap, Mac McLendon and Bo Chambers; (back row) Pat Rice, Paul Painter, Bill Scrantom, Frank Love, Dick Richardson, Al Parnell, John Capers, Wilbur Brooks, Hubert Howard, Dave Burch and Rick Marchetti.

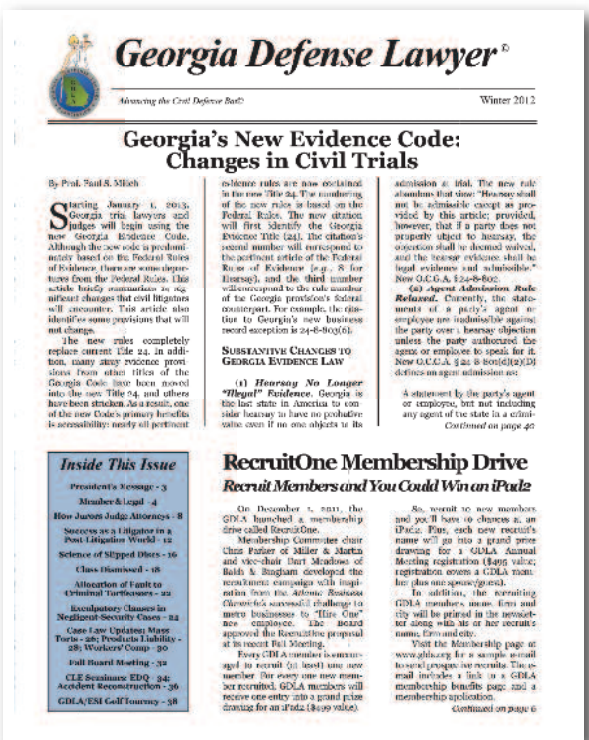
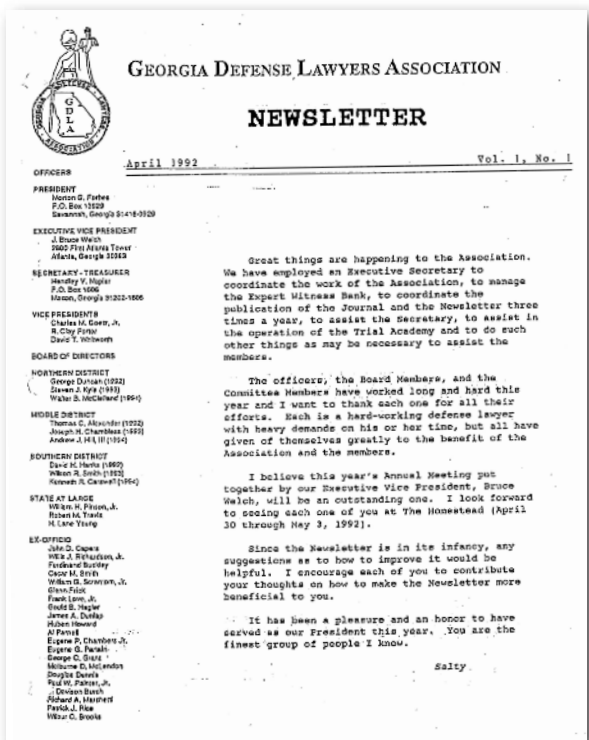
One of our members brought a stripper from The Gold Club as his date to the Thursday night cocktail party. Not one of the ladies of GDLA members would speak to or be near her. The only member brave enough to talk to her other than her date was the one and only Dick Richardson. She and her GDLA member left during the night and were not seen again. All in all, it was a memorable Annual Meeting. The membership expanded to 418, an all-time high.

Bruce Welch served as GDLA President from 1992-1993.

The Trial Academy was successful again. We held our first annual fall CLE luncheon in Macon, which was well attended. The Association contributed financially to the ICLE Trial Academy and to the National High School Mock Trial Championship competition held in Atlanta.

The Annual Meeting in 1993 was again held at the Hamilton Princess in Bermuda.

The Association sent three officers to the National Association of Defense Bar Leaders Conference held in San Francisco. The Association participated in the state and local defense organizations meeting. Information sharing through DRI



GDLA published its first newsletter in 1992 (above left). We later transitioned to color and an updated layout.

equips our officers with the skills and knowledge necessary to help us face the challenges confronting our evolving profession.

In 1993-1994, Henley Napier was elected President of the Georgia Defense Lawyers Association.

Our second annual CLE program was held in December of 1993 in Macon and chaired by Charlie Goetz. The Trial Academy was held at Callaway Gardens, and chaired by Jerry Buchanan. Forty-six students attended the Academy.

The Association presented Dick Richardson with a mint julep cup at the 1994 Annual Meeting. The Board of Directors unanimously recognized the long-standing and continuing contribution that Dick Richardson made to GDLA.

David Whitworth was elected President for 1994-1995. The Association membership stood at a record level of 450.

In 1995-1996, Clay Porter was elected President of GDLA. At this point, the Association newsletters were a product of hard work by Salty Forbes. Steve Kyle continued to maintain and promote the Expert Witness Bank.

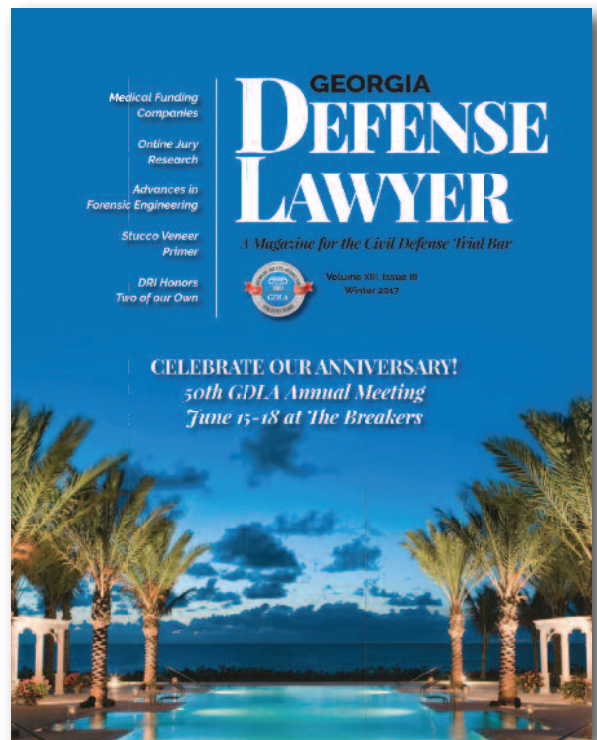
David Hanks assumed the Presidency from 1996-1997. At the Annual Meeting, with the assistance of Sandy Owens, the issues of tentative fee arrangements were frankly and helpfully addressed by lawyers and corporate counsel.

President Hanks appointed a Long-Range Planning Committee composed of Joe Chambless, Steve Kyle, Greg Melton, Bob Travis, Kay Deming, Salty Forbes, Bruce Welch, David Whitworth and Dick Richardson. They were charged with reviewing the goals, objectives and operation of the Association.

Joe Chambless served as President of the Association in 1997-1998.

GDLA held its first sponsored Professionalism Seminar at the Colony Square Hotel in Atlanta,

Over the past three years, our officers had greatly appreciated the opportunity to meet annually with the officers of the defense associations of Florida and Alabama at the Southeast Regional Meetings of DRI State & Local Defense Organizations to discuss matters of common interest. The Trial Academy was held at Callaway Gardens.



In 2014, a revised masthead unveiled our new logo. In 2017, we debuted a magazine format and 50th logo.

Passed was the following Resolution by the Georgia Defense Lawyers Association upon the death of Hendley V. Napier:

WHEREAS, Hendley V. Napier, distinguished Past President of Georgia Defense Lawyers Association died May 9, 1997, at the age of 78, and his death constitutes a sad loss to this Association, but affords an opportunity for expression and appreciation for his distinguished service to this Association and to the many other organizations and endeavors touched by his long and useful life, and it is fitting that this Association take notice of his passing and adopt a memorial to his life and service.

The Resolution was authored by George Grant and the tribute was to be included in the *Law Journal*, and delivered to his wife Del. She was invited to the Annual Meeting the next year at the expense of the Association.

Steve Kyle was President of the Association from 1998-1999. His achievements included initiating our first Internet presence at www.gdla.org. At that time, it was a members' only page. Jerry Buchanan was Editor of the *Law Journal*. We started communicating by blast e-mail with all of the members. The total membership was 458.

Kay Deming served as the Chair of the Trial Academy and 70 members attended.

However, President Kyle's term was not all bright and happy. Dick Richardson suffered a severe heart attack in April of 1999 and later died. Steve said in his President's Address, "Dick chose each of us who have served as President and words cannot express our heartfelt admiration and love for this man. We have all heard the statement that a person is not appreciated until he is no longer available. No truer words could be spoken of this man. This Association was Dick's life and he set the standard for all of us to follow." As a result of Dick's death, Steve Kyle became the Meetings Chairman and Salty Forbes became the Membership Chairman.



Founding member Dick Richardson served as President from 1969-70, and was later deemed "Commander-in-Chief in Perpetuity." This photo captures his incomparable joie de vivre.

George Duncan was President from 1999-2000. In October of 1999, he stated:

When the Georgia Defense Lawyers Association was founded 33 years ago by Dick Richardson, Ed Lane, Mead Burns, John Capers and others, the mission was to foster collegiality and professionalism within the defense bar. The need for collegiality and professionalism is perhaps stronger today than it has ever been and that portion of the mission of our Association remains unaltered. That aspect of our mission is, though, only a portion of what our Association strives to do. Why do I feel that membership in the Georgia Defense Lawyers Association is an important part of my practice? First and perhaps most basically, it is a sense of identity. The second reason why I believe in membership in the Georgia Defense Lawyers Association is because of what we do and what we offer to members.

We traditionally have had the best, if not the only, CLE in the state directed exclusively to defense practitioners. The most significant reason why I believe in the Georgia Defense Lawyers, however, is the opportunity it provides for professional service. Service in GDLA is unique in several respects. First, there are opportunities for participation in service at all levels of time commitment.

Few of us will ever achieve the level of commitment of Dick Richardson, who throughout his professional career has considered camaraderie with his colleagues and fostering the Association as

one of the prime missions of his life. Neither will many of us be able to equal the hard work and vision of Steve Kyle, our outgoing President, or Salty Forbes, who has served our Association in many capacities and is now Regional National Director of the DRI for 1999-2001. Nevertheless, there is a place for service for those who have a few hours or even a few minutes to devote.

The newsletter included notice of Dick's passing with this tribute:

WILLIS J. (DICK) RICHARDSON, our Commander-in-Chief in Perpetuity, passed away on Sunday, October 10, 1999, after a long illness.

Dick practiced law in Savannah for 45 years. During his professional life, he was elected to the Georgia House of Representatives in 1963 and served for 6 years on the Rules Committee during the administration of Governor Carl Sanders. Dick was Chairman of the Chatham County Board of Elections for more than 20 years.

Dick graduated from Savannah High School and played football for the University of Georgia Bulldogs. He was a member of the 1941 National Championship team and played in the Rose Bowl in 1941. He won the lottery and had a dinner date with Betty Grable while the team was in Los Angeles for the Rose Bowl.

He graduated from University of Georgia with a Bachelor's Degree and a Law Degree.

He served during World War II as a navigator on a B17.

Dick will be sorely missed by our Association and each of its respective members.



GDLA Past Presidents at the 2002 Annual Meeting: Bruce Welch, David Whitworth, Wilbur Brooks, Rick Marchetti, Frank Love, Salty Forbes, Clay Porter, Steve Kyle, David Hanks, Joe Chambless and Walter McClelland.

The Trial Academy was held at Callaway Gardens in December of 1999.

When Greg Spicer left GDLA, Al Shirley became our part-time Executive Director. Salty Forbes became the Editor of the newsletter and served in that capacity until October 1999, when Johnny Foster took over. Johnny served until a new Executive Director was employed.

Greg Melton was President of the Association from 2000-2001. GDLA held a mid-year CLE seminar in Atlanta, which was chaired by Wiley Wasden. The 2000 Trial Academy was held on November 30-December 2 at Callaway Gardens Resort in Pine Mountain, Georgia.

GDLA was incorporated on February 4, 2000 by Salty Forbes.

The Association held a CLE Winter Program, which was chaired by Warner Fox. A Technology Committee, *Amicus Curiae* Committee, Legislative Committee, Long-Range Planning Committee, Ethics and Professionalism Committee, Alternate Revenue Committee, Membership Committee and Recent Developments Committee were active that year.

Walter McClelland was elected to serve from 2001-2002 as President of the Association.

The Association held its 34th Annual Convention at Sandestin Golf and Beach Resort in July of 2001—the first GDLA Annual Meeting held in the summer.

David T. Whitworth was elected as the second Georgia DRI State Representative.

Proposed Formal Advisory Opinion Request No. 99-R2 (PFAO) concerning legal guidelines was a focus of AIG, The American Insurance Association and Zurich US submitted formal comments to the Georgia Supreme Court. GDLA submitted an *Amicus*

Curiae Brief to the Supreme Court on the status of the PFAO regarding litigation guidelines and auditing of bills by third parties. It was not adopted as a proposed opinion and did not give any guidance as to why the opinion was not adopted. A Motion for Reconsideration was filed by the Formal Advisory Opinion Board and the Association was kept advised of this important issue. Our member, John Marshall of Powell Goldstein, argued. After the oral argument, Zurich and AIG filed supplement briefs as did GDLA. We argued against negotiating a compromise position and against further fact development.

A scholarship was established in Dick Richardson's name for the most outstanding student in trial practice at the University of Georgia. The scholarship awards the recipient \$500.00, and has been presented annually.

GDLA had over 450 members and had a membership drive to increase the membership by 150 by the Summer of 2002. The Board of Directors provided a copy of the *Law Journal* to each member of the Association, as well as all state and federal judges and the state law school libraries.

Rusty Gunn chaired GDLA Trial Academy for 2001 at Callaway Gardens. The first "Skits, Suds

and CLE” was held on November 8, 2001, at Manuel’s Tavern on North Highland Avenue in Atlanta. It was the brainchild of former President George Duncan and Jo Jagor.

Glenn Frick, our sixth President, died in March of 2002.

Jerry Buchanan served as President from 2002-2003.

The Trial Academy was held at Callaway Gardens in December of 2002.

The 2002 Annual Meeting was held at Ponte Vedra and was the most well-attended Annual Meeting to date. The number attending the banquet Saturday night was over 200. And for the first time ever, we enjoyed a live dance band after dinner. At this point, the Annual Meeting was a many generation family affair with many members bringing their children to enjoy the beach. Wilbur Brooks recited “Gunga Din” for all in attendance.

The photograph of all the Past Presidents attending the meeting was published in the newsletter. The Association presented an engraved clock to each of the Past Presidents in attendance.

GDLA changed its Bylaws and was now not limited to “insurance defense lawyers.” Steve Kyle continued to serve as Meeting Chairman for the Association. Salty Forbes finished his three-year term as Georgia’s first Southeast Regional Director of the Defense Research Institute (DRI). Luanne Clarke served as Editor for the *Law Journal*. The Association continued to promote the Younger Lawyers Section at GDLA. In March of 2003, our first color newsletter was published. (See pages 8-9 for its evolution.)

Rick Rominger was President of GDLA in 2003-2004. For many years, Marie Laverne (Al) Shirley served as our part-time Executive Director. Rick Rominger appointed Past Presidents Steve Kyle, George Duncan, Walter McClelland, Jerry Buchanan as well as Board Member Clay Ratterree and Mel Haas to identify our new Executive Director.

The Association arranged a get-together at the Commerce Club with the Supreme Court, Georgia Court of Appeals, superior court judges, state court judges, U.S. District Court for the Northern District of Georgia and the Eleventh Circuit Court of Appeals for a reception on February 5, 2004. This would become our first judicial reception.



Wilbur Brooks recites “Gunga Din” during the 2002 Annual Meeting. This would become a favorite tradition at meetings.

GDLA’s 16th President George Grant died.

The Association expanded the opportunities for direct participation in the Association for those members interested in serving on committees, participating in CLE programs, sending younger lawyers to attend our Trial Academy, and getting involved in a newly-minted Workers’ Compensation Academy.

The Annual Meeting was held at the Hilton Sandestin Beach Golf Resort and Spa in Florida in August of 2004.

During Rick Rominger’s Presidency, 64 new members joined the Association.

Grant Smith served as President of the Association from 2004-2005. The GDLA *Law Journal* was published online for the first time.

Jim Elliott was the Chair of the Trial Academy in December of 2004 at Callaway Gardens. More than 35 younger lawyers from across Georgia attended.

Past President Al Parnell was honored at the 2004 DRI Annual Meeting with the DRI Louis D. Potter Lifetime Professional Service Award, honoring an individual who exemplifies the highest professionalism and service to the legal profession.

GDLA hosted the Second Annual Judicial Reception at the Capital City Downtown Club on February 10, 2005.

The Annual Meeting was held at Ponte Vedra Inn and Club on July 16-July 19, 2005. The Board was strongly considering holding the 2006 Annual

Meeting in Bermuda. The Board met in Bermuda in the Spring of 2005 to evaluate potential sites and plan the 2006 Meeting.

The Association welcomed more than 100 new members during Grant Smith's term of office.

Johnny Foster served as President of GDLA from 2005-2006.

James A. Dunlap, our ninth President, passed away in 2005.

The Trial Academy was chaired by Tom Magill. The Second Workers' Compensation Academy was a success due to Staten Bitting and Luanne Clarke, and assisted by Lisa Wade. Staten also served as an Editor of our new and improved newsletter, "The Georgia Defense Lawyer." The newsletter kept getting better and better. Kirby Mason and David Nelson worked on the website to include a Tort Reform Database, Brief Bank and discovery tools. Bob Travis helped the Association through the process of selecting an appropriate insurance package and incorporated appropriate exculpation and indemnification language into our Articles of Incorporation on May 31, 2006.

Our Membership Committee chaired by Salty Forbes kept getting busier and busier; for several years running, we had continued to break previous records for the number of new members who applied for and were approved for membership in the Association. One big reason that this was another record-breaking year was Hall McKinley, who brought in 20 new members at one time. He was presented a plaque for his recruitment efforts.

One of the smartest things that this Association's founding fathers did was to structure the leadership of this organization so as to continue our Past Presidents as ex officio members of our Board of Directors. Their wisdom, experience and guidance are invaluable to the Association.

Two projects were taken up in 2006: the creation of a Judicial Relations Committee and the reinvigoration of our Substantive Law Committees. Lynn Roberson, with help from Warner Fox, came up with our new slogan, "Advancing the Civil Defense Bar." Thanks to another Lynn Roberson idea, the GDLA lapel pin would soon be available. Salty Forbes' idea for GDLA golf shirts came to fruition. This year, for the first time since 1993, we were off to Bermuda for our Annual Meeting.

GDLA hosted its first Savannah Judicial Reception honoring then Senior Judge Frank Cheatham of the Eastern Judicial Circuit Superior Court.

The 2006 Annual Meeting in Bermuda at the Southampton Princess was attended by 45 GDLA members plus spouses, significant others, speakers and other special guests. A highlight for those in attendance was a sunset dinner cruise on Saturday.

It was pointed out that the seal and logo were the idea of Past President Wilbur Brooks and Salty Forbes' wife, Lee, an accomplished artist, had been asked to create the logo. She was recognized with a framed enlarged version of the logo.

Ted Freeman located a quaint island hangout known as King Henry VIII. It seemed to have a strange effect on some of our members, but remember we were in the Bermuda Triangle. Also remember our new slogan, "Advancing the Civil Defense Bar."

Warner Fox served as President of the Association in 2006-2007. That year, the Annual Meeting was held in Florida at the Amelia Island Plantation from June 7-June 10, 2007.

Salty Forbes chaired the Membership Committee from 1999-2008. When he stepped down, Warner Fox became Membership Chairman.

Bob Travis served as President of the Association from 2007-2008. As he noted then, "One of the most telling signs that the Georgia Defense Lawyers Association is increasing its visibility and role in statewide matters of importance to the civil defense bar is that our Board meetings are now stretching to four-hour, jam-packed work sessions with more than 20 attorneys from across the state gathering to discuss dozens of items that affect the practices of lawyers in our area of the profession."

Around this time, the Georgia Judicial Nominating Commission (JNC) began to ask that GDLA review judicial candidates and participate in the screening process, including appearing before the Commission. Hence the establishment of the Judicial Relations Committee, which Doug Stewart first chaired. Later, Past Presidents Walter McClelland and Bob Travis each would serve as Chair, leading that effort for many years. Today David Marshall continues their important work by e-blasting judicial candidates to the membership and reporting our findings to the JNC.

Evelyn Fletcher Davis became our second DRI Regional Director in October of 2007.

On June 14, 2008, Bob Travis awarded Salty Forbes the President's Award for his work for the Association.

Jimmy Singer served as President of GDLA from 2008-2009. He expressed no doubt that the Georgia Defense Lawyers Association would be here, not only five, but also 50 years down the road. The reason is the commitment of its members to each other and to service beyond self. Jimmy said, "I have observed, over the past 20 years, the continued presence of the Past Presidents at meetings and other functions. I have seen first-hand the incredible amount of 'behind the scenes' work constantly performed by the Board of Directors, led by Past Presidents, and especially to this Association."

Ironically, Jimmy came to embody that quote, since he took on the role of Executive Director for the three months before we hired Jennifer Davis. He, too, led the search committee that resulted in her joining the Association.

In November of 2008, the second Judicial Reception in Savannah was held at the Chatham Club. Former GDLA member, Charles B. Mikell, Chief Judge of the Court of Appeals, attended.

Jennifer Davis was elected as our Executive Director in March of 2009.

Staten Bitting was President of GDLA from 2009 to 2010.

The DRI Southeast Regional Meeting was held at Charleston Place Hotel in Charleston, South Carolina, on April 24, 2009. The GDLA Board of Directors held its Spring Meeting in conjunction with that event by meeting the following day. Everyone enjoyed networking at a joint reception and dinner with fellow defense lawyers from Alabama and Florida, in addition to DRI President Marc Williams and other national leaders. The Board convened for its Fall Meeting in October 23-25, 2009, at Brasstown Valley Resort in Young Harris, Georgia. The annual Trial Academy shifted from December to January at Callaway Gardens, and Chair Lynn Roberson assembled an impressive faculty.

For the first time in January of 2010, GDLA participated with the Alabama Defense Lawyers Association and Florida Defense Lawyers Associ-

ation in a "Ski CLE" in Big Sky, Montana. This was part of the DRI Southeast Regional Meeting.

The Annual Judicial Reception was held on February 4, 2010, at the 191 Club in Atlanta. As had become custom, the Board held its Winter Meeting the following day; Hawkins Parnell Thackston & Young, hosted everyone.

The third Judicial Reception in Savannah was held on April 22, 2010, overlooking the river in the Bohemian Hotel rooftop bar. The following day, Ellis Painter Ratterree & Adams hosted the Board for its Spring Meeting.

The 2010 Annual Meeting was held at Ponte Vedra Inn and Club. The number of sponsors continued to grow, offering members tools and resources for helping their clients.

Edward M. (Bubba) Hughes served as President of GDLA from 2010 to 2011. He was elected at the 43rd Annual Meeting of the Association at Ponte Vedra Inn and Club.

The Blue Ridge mountains were once again calling for the Board's Fall Meeting, held October 15-17, 2010 at the Grove Park Inn in Asheville, North Carolina. GDLA received a congratulatory plaque from the resort commemorating our many years of gathering there.

The 2011 Trial Academy was again chaired by Lynn Roberson. She implemented a vice-chair position, which was filled by Matt Moffett, to ensure seamless succession. Once Matt took over in 2012, each chair and vice-chair would serve two years, then the vice-chair would become chair.

On January 21, 2011, GDLA's 30th President, Gregory Melton, succumbed to cancer. Under Greg's leadership, the Association abandoned the "shoebox mentality" of simply passing records from one President to the next in a shoebox and emerged into a multi-faceted association.

The 8th Annual Judicial Reception was held on February 3, 2011 at the 191 Club in Atlanta. The Board again convened at Hawkins Parnell for its Winter Meeting the next day.

The Board headed south from April 1-3, 2011 for its Spring Meeting at the King & Prince on St. Simons Island. The Board headed back to the Grove Park Inn from October 21-23, 2011, for its Fall Meeting.

The Annual Meeting was held at Amelia Island Plantation in June of 2011. That year, we transitioned Meetings Chair from Steve Kyle to Staten Bitting. Together they planned the 2011 Annual Meeting, after which time Staten took the reins for planning all future Annual Meetings and Board Meetings.

The Board's Fall Meeting was held October 19-22, 2011, at Brasstown Valley Resort.

Mel Haas served as President from 2011-2012, and led the Association in what can only be described as a robust year.

GDLA was honored to receive the 2011 Best Newsletter Award as presented by the State Bar of Georgia. Our Executive Director, Jennifer Davis, who still pulls everything together today, led the Association to this award by nominating us the first time.

Then-Supreme Court Presiding Justice George Carley, who was on-hand when we received the award at the State Bar Annual Meeting and thereby learned of our publication, suggested we add the appellate judges to the newsletter circulation, which the Association did. So now both the *Law Journal* and the newsletter are received by the bench statewide. This visibility continues to benefit the Association and its members.

GDLA launched a membership drive called RecruitOne, which ran December 1, 2011, to May 1, 2012. Membership Committee Chair Dart Meadows developed the recruitment campaign with inspiration from the *Atlanta Business Chronicle's* successful challenge to metro businesses to "Hire One" new employee. This effort more than tripled the number of applications GDLA received during that timeframe the year before.

November 9-15, 2012

Atlanta's rising business and community leaders
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PEOPLE IN THE NEWS

November 9-15, 2012 • Page 29A

DRI, the national association for the civil defense bar, has named the **Georgia Defense Lawyers Association** as outstanding defense bar of 2012. This honor is given annually to one state or local defense group in the country. In particular, DRI commended the GDLA's membership recruitment campaign, RecruitOne, which was inspired by Atlanta Business Chronicle's Hire One challenge to area businesses. The larger the membership, the greater the voice of the civil defense bar. During the DRI Annual Meeting Awards Luncheon last month, DRI President **Mary Massaron Ross**, left, presented the DRI Janata Award for Outstanding Defense Organization to GDLA immediate past president **Mel Haas** and GDLA Executive Director **Jennifer M. Davis**.

GDLA was honored in 2012 by DRI with the Janata Award for Most Outstanding State & Local Defense Organization in the country. Our win was featured in the *Atlanta Business Chronicle*.

The 9th Annual Judicial Reception was held at State Bar Headquarters in February of 2012. The Board met at Hawkins Parnell the following day for its Winter Meeting.

Matt Moffett took over as Trial Academy Chair and Sally Akins served as Vice-Chair; the program was at Callaway Gardens from January 19-21, 2012.

Deposition Boot Camp was revamped to include pre-trial discovery and was offered in August of 2012 under the leadership of Jason Willcox. GDLA also reinvigorated the popular Skits & Suds CLE program created 10 years ago by GDLA Past President George Duncan and Jo Jagor.

The Mills House in Charleston, South Carolina, was the site for the Board's 2012 Spring Meeting from April 13-15.

Lynn Roberson was elected 2012-2013 President of the Association, becoming the first woman to



In 2013, DRI honored then-GDLA Immediate Past President Lynn Roberson (right) with the Fred H. Sievert Outstanding Bar Leader Award during the DRI Annual Meeting. Outgoing DRI President Mary Massaron Ross presented it.

lead GDLA. She was installed during the 45th Annual Meeting at Ponte Vedra Inn & Club. Not only did she serve as GDLA President, but she was also President of the Atlanta Bar Association. The *Atlanta Business Chronicle*, spotlighted her landmark achievement in an August 2012 article, “First Woman to Head Lawyers Group Paid Dues.” It explained the secret to her success wasn’t being a woman—it was hard work.

In October of 2012, during the DRI Annual Meeting in New Orleans, GDLA was honored to receive the DRI Rudolph Janata Award for outstanding defense organization. GDLA’s achievement was spotlighted with an article and photos in both the *Atlanta Business Chronicle* (see previous page) and the *Daily Report*.

Ted Freeman served as President of the Association in 2013 to 2014.

Lynn Roberson took over as Diversity Chair upon conclusion of her term as President. At her suggestion, GDLA Executive Committee approved joining several other bar associations and law firms in sponsoring the Annual Judicial Reception of the Gate City Bar Association and Georgia Association of Black Women Attorneys (GABWA) in August of 2013. We have sponsored that reception every year since.

In October of 2013, Lynn proposed to GDLA Board of Directors that we apply for membership in the Multi-Bar Leadership Council (MBLC), which the Atlanta Bar created in 2001 to foster and improve relationships among the members of local bar associations, while focusing on diversity and inclusion. Our membership application was approved the next month, enabling GDLA to become part of a larger statewide effort to promote diversity. MBLC members include the following, which meet monthly except during summer months: Atlanta Bar Association, Cobb County Bar Association, DeKalb Bar Association, DeKalb Lawyers Association, Gate City Bar Association, Georgia Asian Pacific American Bar Association, Georgia Association for Women Lawyers, Georgia Association of Black Women Attorneys, Georgia Hispanic Bar Association, Georgia Trial Lawyers Association, Gwinnett County Bar Association, Henry County Bar Association, North Fulton Bar Association, South Asian Bar Association of Georgia, State Bar of Georgia Diversity Program, State Bar of Georgia Young Lawyers Division and Stonewall Bar Association.

It’s no wonder that DRI honored GDLA Immediate Past President Lynn Roberson with the 2013 Fred M. Sievert Outstanding Bar Leader Award during the DRI Annual Meeting in October in Chicago.

Matt Moffett chaired the Trial Academy, ultimately changing its name to Trial & Mediation Academy, to focus on mediation strategies as fewer and fewer cases go to trial. Douglas Burrell served as vice-chair for the program held at Callaway Gardens from January 24-26, 2013.

The 10th Annual Judicial Reception was held on February 7, 2013, for the first time at State Bar Headquarters. The Board also gathered there the day after for its Winter Meeting.

The Board held its Spring Meeting at the Ritz-Carlton Reynolds Plantation in Lake Oconee from April 26-28, 2013.

GDLA held its 46th Annual Meeting at the Breakers in Palm Beach, Florida in June of 2013. During the business meeting, a proposed bylaw amendment that would have allowed captive insurance firm lawyers and government attorneys to become members failed to pass by a two-thirds majority vote.

The newsletter won the Best Newsletter Award from the State Bar for the third consecutive year; it was presented during the State Bar's 2013 Annual Meeting.

The Fall Meeting was held October 25-27, 2013, at Barnsley Gardens Resort in Adairsville, Georgia.

With the advent of a new year in January of 2014, we launched a new website and introduced a new logo to refresh our brand. As previously stated, the first GDLA logo was created by Lee Forbes, wife of Past President Salty Forbes. Her design served us well for almost a quarter-century with the addition of the tagline "Advancing the Civil Defense Bar" in recent years. Lee's contribution during the infancy of GDLA represents the "all hands on deck" mentality of our founding members, their office staff and even spouses, who worked together to establish the foundation of success on which we continue to build.

GDLA's lady justice logo served the Association for 23 years. The Summer 2014 *Georgia Defense Lawyer* newsletter debuted the new logo.

Douglas Burrell chaired the Trial & Mediation Academy with assistance from Vice-Chair Bill Casey. The conference was again held at Callaway Gardens from January 23-25, 2014.

The 12th Annual Judicial Reception was held at State Bar Headquarters in Atlanta on February 6, 2014, and more than 150 members and judges enjoyed the evening. The Board's Winter Meeting was held the next day at the State Bar.

The Board found its way back to its roots by holding its 2014 Spring Meeting on Hilton Head Island at the newly-opened Royal Sonesta from April 25-27.

At the 47th GDLA Annual Meeting held at Ponte Vedra Inn & Club in 2014, during the business meeting on Saturday, two proposed bylaw amend-



In 2014, Past President Bubba Hughes (center) received the DRI Kevin Driskill Outstanding State Representative Award during the DRI Annual Meeting. Then-DRI President John Parker Sweeney (left) and Executive Director John Kouris congratulate Bubba.

ments passed: (1) changing the title Executive Vice President to President-elect and (2) opening membership to government lawyers who do defense work. GDLA membership then exceeded 700 members.

Kirby Mason served as President in 2014-2015, becoming the second woman to lead GDLA.

GDLA participated in the MBLC Diversity Celebration and Cook-Off Competition at Grant Park on April 26, 2014. The event pits MBLC bar associations against each other in a "master chef" style competition that is judged by real trial and appellate court judges. GDLA placed second in the entrée category with a Thai dish.

GDLA won the State Bar's Best Newsletter Award for the fourth consecutive year at the 2014 State Bar Annual Meeting.

Barnsley Gardens lured the Board back again from October 17-19, 2014, for the Fall Meeting.

DRI honored GDLA Past President Edward M. (Bubba) Hughes with the 2014 Kevin Driskill Outstanding State Representative Award on October 23, 2014, during the DRI Annual Meeting in San Francisco.

Douglas Burrell and Bill Casey served their second terms as Chair and Vice-Chair, respectively, of



In 2014, GDLA updated its website and debuted a new logo, pictured above.



GDLA Past Presidents were honored at an inaugural luncheon in February of 2016: (front row) Bubba Hughes, Lynn Roberson, Clay Porter, Bruce Welch, Steve Kyle, Kirby Mason and Walter McClelland; back row) then-President Matt Moffett with Past Presidents Staten Bitting, David Whitworth, Warner Fox, Jimmy Singer, Ted Freeman, Grant Smith, Bob Travis and George Duncan.

the Trial & Mediation Academy at Callaway Gardens from January 22-24, 2015.

The 12th Annual Judicial Reception was held on February 5, 2015, at the State Bar. The Board's Winter Meeting was held there the day after.

The Board's Spring Meeting was held April 24-26, 2015, at Wild Dunes Resort on the Isle of Palms, South Carolina.

GDLA held its 48th Annual Meeting at Hammock Beach Resort in Palm Coast, Florida in June of 2015. During that meeting, the membership approved amending the Bylaws to expedite the admissions process so prospective members do not have to wait for the Board to convene quarterly to be admitted. Applicants are now approved monthly by e-mail. This change allows new members to more immediately reap the benefits of membership following submission of their application and dues. By summer 2015, GDLA had grown to almost 800 members.

Matt Moffett served as President from 2015-2016. In the June 24, 2015 *Daily Report* article, "New Defense Bar President to Focus on Image and Growth,' Matt explained his chief goals. The first was expanding GDLA's visibility by actively dispelling the misperception that we are either solely insurance defense lawyers or we are the criminal defense bar. The next was working to expand our ranks, and thereby, strengthen our voice. He also planned to open the lines of communication with our adversaries in the Georgia Trial Lawyers Association (GTLA). Thanks to his tireless commitment to his mission, GDLA has become recognized as the organized voice of the civil defense bar and increased its membership.

In February of 2015, Immediate Past President Ted Freeman's idea for long-range planning came to fruition when the Strategic Planning Committee held a retreat at Serenbe outside of Atlanta. Former DRI Board member John Trimble moderated the two-day session.

Gene Partain, our 15th President, died in March of 2015. Past President Bob Travis penned a memorial tribute that ran in the newsletter.

In August of 2015, we lost long-time Board member and Trial Academy faculty mainstay Robert R. (Rusty) Gunn II to a two-year battle with cancer, and the Board of voted to honor his memory by establishing a GDLA Rusty Gunn Award at Mercer Law School. The inaugural award was presented by Past President Jerry Buchanan on May 13, 2016, during the Mercer Law Senior Dinner, to Kyle Owenby. The award will annually honor a Mercer law student whose professionalism is his/her badge of honor, and who quietly leads with strength, intelligence and good humor. The recipient should be held in the highest regard by his or her fellow students and the faculty, and be someone whom others aspire to emulate. Rusty's wife, Brent, and their sons, Robert and Sam, were on-hand for the inaugural presentation.

GDLA participated in the 2015 MBLC Diversity Celebration and Cook-Off, held at Grant Park in Atlanta in April. We did not place that year and are sure it was rigged!

GDLA was honored by the State Bar of Georgia with the Best Newsletter Award for the fifth consecutive year during its 2015 Annual Meeting.

In October 2015, as part of its commitment to diversity, GDLA co-sponsored the Georgia Hispanic Bar Association's Judicial Reception at Emory University School of Law to celebrate the appointment of Judge Dean Bucci as the first Hispanic to sit as a superior court judge in Georgia.

The Ritz-Carlton at Lake Oconee again hosted the Board for its Fall Meeting from October 16-19, 2015.



GDLA held the first-ever happy hour with GTLA in September of 2015. Bringing both sides together outside of the courtroom was a goal of then-President Matt Moffett. Coverage in the *Daily Report* was a bonus.

The Trial & Mediation Academy was held on January 21-23, 2016, at Callaway Gardens with Bill Casey rotating into the Chair's seat. Carrie Christie served as Vice-Chair. Bill invited a GDLA Platinum sponsor, who is a jury consultant, to offer her valuable perspective to the students.

The 13th Annual Judicial Reception was held at the State Bar Center on February 4, 2016. The Board of Directors held its Winter Meeting there the following day and enjoyed a special presentation by DRI Executive Director John Kouris on the state of the national defense bar.

Our esteemed former leaders were honored at the inaugural GDLA Past Presidents Luncheon held the following day at the Capital City Club in downtown Atlanta (photo on opposite page). That event was then-President Matt Moffett's brainchild to pay tribute to those who laid the foundation for our success.



GDLA's Jennifer Davis (right) and Douglas Burrell were honored with awards during the 2016 DRI Annual Meeting. Then DRI President Laura Proctor is at left.

From April 15-17, 2016, the Board experienced the newly-opened Westin Jekyll Island for its Spring Meeting. Also that month, GDLA took second place in the entrée category during the MBLC Diversity Celebration and Cook-Off. Diversity Chair Candis Jones and Young Lawyers Chair Zach Matthews were our winning chefs, making southern brisket barbecue and homemade slaw.

In September of 2015, realizing President Mofett's vision, GDLA and GTLA held the first-ever networking happy hour. We repeated that successful event in April of 2016. Also that month, we partnered with GTLA and the *Daily Report* to present the Fulton County Superior Court Candidates Forum. This event, which was free and open to all State Bar members and the public, was the brainchild of GDLA Legislative Chair Jake Daly

Thanks to then-Secretary Hall McKinley, GDLA partnered with GTLA and the State Bar of Georgia, Atlanta Bar Association, Georgia Association for Women Lawyers and Georgia Asian Pacific American Bar Association, to co-host the American Bar Association's Tort Trial & Insurance Practice Section (TIPS) Second Annual Conference held in Atlanta in May of 2016. As part of the educational

In December 2016, GDLA launched a branding campaign by running this ad in the *Daily Report*.

programming, we joined with GTLA and also GDLA Platinum Sponsors BAY Mediation and Miles Mediation to present "Bridging the Divide: Plaintiff and Defense Counsel, Ethics, Civility & Mediation Summit."

Peter Muller was installed as President for 2016-2017 during the 49th Annual Meeting at the Omni Amelia Island Plantation in June of 2016. Sarah B. (Sally) Akins was elected President-elect. She will be sworn-in as President during our 50th anniversary year, which is significant as she becomes the third woman to hold that post while our founders were all male.

For the first time ever, the Board ventured to Greenville, South Carolina, for its Fall Meeting from October 7-9, 2016. With Hurricane Matthew causing mandatory evacuations in coastal Georgia, the historic Westin Poinsett was a convenient "shelter" for President Peter Muller, First Lady Lisa, and First Dog Daisy; President-elect Sally Akins; and Past President Bubba Hughes and his wife, Debbie, until the state of emergency was lifted.



The Second Annual GDLA Past Presidents Luncheon in 2017 gathered: (front row) Bo Chambers, Bruce Welch, Bubba Hughes, Salty Forbes, Bill Scrantom, Bob Travis, Walter McClelland, Staten Bitting and Wilbur Brooks; (back row) President Peter Muller with Past Presidents Mel Haas, Kirby Mason, Warner Fox, Al Parnell, Jerry Buchanan, David Whitworth, Pat Rice, Jimmy Singer and George Duncan.

The 2016 DRI Annual Meeting in Boston in October was a banner event for GDLA. Former GDLA Trial & Mediation Academy Chair Douglas Burrell was selected DRI Secretary-Treasurer, in addition to winning the Richard H. Krochock Award for mentoring young lawyers. GDLA Executive Director Jennifer M. Davis was honored by DRI with its State & Local Defense Organization (SLDO) Executive Director Award, recognizing exceptional service to the cause of the defense bar and her SLDO. This was only the second time that prestigious award was bestowed.

In December of 2016, GDLA embarked on a branding campaign by running 10 quarter page ads in the *Daily Report* (see opposite page). Thanks to an in-kind partnership with the ALM publication, the ads ran for free (as we, in turn, ran ads for them in our newsletter).

Bill Casey and Carrie Christie completed their second terms as Chair and Vice-Chair, respectively, of the Trial & Mediation Academy at Callaway Gardens from January 18-21, 2017.

The first edition of the newsletter for 2017 revealed a redesign of the layout and a shift to a

magazine format. We also abandoned the envelope, opting for a self-mailer version so it will be seen immediately when it hits members' desks.

The 14th Annual Judicial Reception was held on February 2, 2017, at the State Bar Center with the Board of Directors holding its Winter Meeting there the next day. DRI Executive Director John Kouris again gave a presentation on issues of interest and how we can work together.

The Second Annual GDLA Past Presidents Luncheon was held on February 3, 2017, at the Capital City Club in Atlanta. Eighteen past presidents were there, including two from the “dark side”—David Whitworth and Bo Chambers.

Frank Love, our seventh President, died on January 24, 2017. His memorial service was held the weekend of the Second Annual Past Presidents Luncheon, so several of Frank's GDLA friends, including Past Presidents Bo Chambers and Bill Scrantom, were able to attend and pay tribute.

Rick Marchetti, our 21st President, died in March of 2017.

The Board's Spring Meeting was held March 31-April 1, 2017, at the King & Prince. Later in April,



In 2015, GDLA won its fifth consecutive Best Newsletter Award from the State Bar of Georgia. At the State Bar’s 2017 Annual Meeting in early June, GDLA will be honored with our sixth award.

our chef team of Candis Jones and Zach Matthews entered the dessert category at the 5th Annual MBLC Diversity Celebration and Cook-Off at Grant Park in Atlanta, and won second place for their homemade ice cream cookie sandwiches.

In May of 2017, the second GDLA Rusty Gunn Award was presented to Anelise Codrington at Mercer Law School.

Immediate Past President Matt Moffett was nominated by GDLA in the category of Distinguished Leaders as part of the *Daily Report’s* annual Professional Excellence Awards. We learned in April that he will receive that honor during an awards dinner on June 29, 2017.

The *Amicus Curiae* program, which began during GDLA’s early years, really ramped up in the last 10 years with our having filed 28 briefs before the state and federal appellate courts. In the last year alone, we have filed 13, and we have two more pending. Our Amicus Committee was chaired for many years by the late Rusty Gunn. We are now in great hands with Chair Marty Levinson and Vice-Chair Garret Meader.

A notable “win” for our *amicus* program was when the Georgia Court of Appeals in June 2013 requested both GDLA and GTLA submit amicus briefs concerning the issue of whether to enforce an alleged settlement agreement on a tort case in *Graham, et al. v. HHC St. Simons, Inc. d/b/a St. Si-*

mons by the Sea (Case No. A13A0454). The Court issued its order on July 5, 2013, essentially adopting GDLA’s arguments and affirming the trial court’s denial of the plaintiff-appellant’s motion to enforce the purported settlement; the Court held there was no mutuality and also acceptance was not made within a “reasonable time” based on the circumstances of the offer. Amicus Chair Marty Levinson authored that brief.

Also noteworthy was GDLA’s involvement in the 11th Circuit Court of Appeals case *Grange Mutual Casualty Company v. Woodard, et al* (Case No: 15-13295-CC). Amicus Vice-Chair Garret Meader not only authored the brief in September 2015, but also participated in oral argument before the court.

Our most recent *amicus* victory came on May 30, 2017, when the Supreme Court of Georgia reversed the Court of Appeals and affirmed Fulton County State Court Judge Jane Morrison on an issue of key importance to litigators throughout the state. In *Resurgens v. Elliott*, (Docket No. S16G1214), for which GDLA filed an amicus brief, the Supreme Court held that the trial judge had not abused her discretion by excluding a treating nurse as a witness where the plaintiff had not identified the nurse as a potential witness in his discovery responses and had not listed the nurse as a “may call” witness in the parties’ pretrial order. Marty noted, “This is a good decision for all litigators, not just

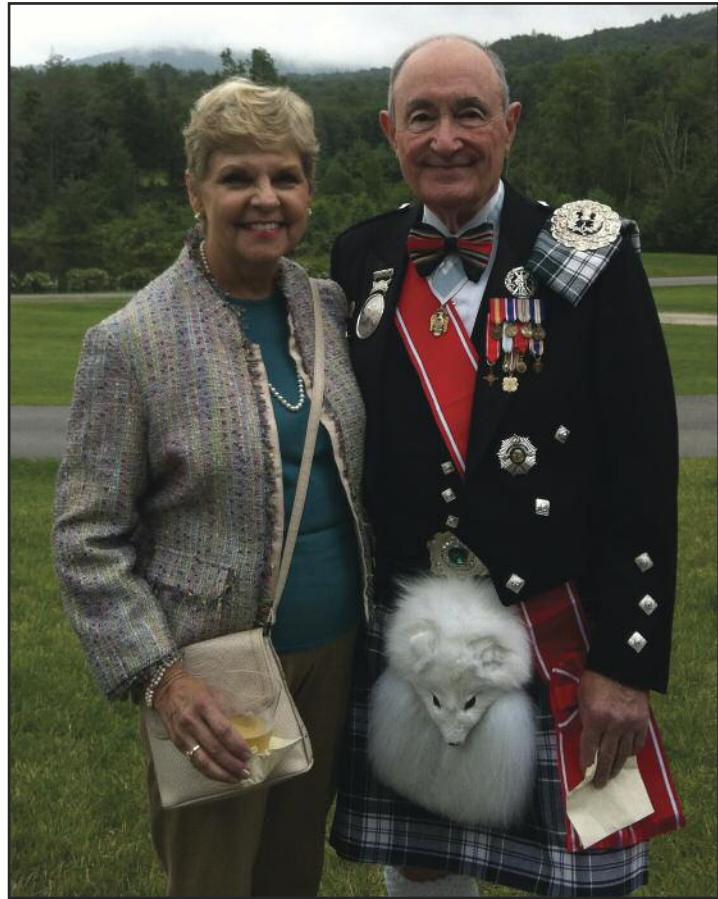
the defense bar—as Justice Hunstein said in the opinion, this should never even come up.”

GDLA will receive our sixth Best Newsletter Award from the State Bar of Georgia during the Bar’s 2017 Annual Meeting in Jekyll Island in June. Having won it five times straight before GTLA took last year’s honors, we are especially thrilled to bring the award rightfully back to our side of the “v.” (We compete in the category of voluntary bars with 500+ members, so we also have bested other elite bars, including the Atlanta Bar). Our award-winning editors have been: Evelyn Fletcher Davis, 2010; Peter Muller, 2011 and 2012; Sally Akins, 2013, 2014 and 2015; and Jeff Ward, 2017.

Paul Painter, our 19th President, passed away on May 27, 2017. Being the dedicated servant-leader he was, Paul compiled his memories for this history during the final month of his hard-fought battle with cancer. His mentee and our President-elect, Sally Akins, delivered the eulogy at his memorial service. Many GDLA leaders, including Past President Pat Rice, were there to bid farewell to their dear friend.

From June 15-18, 2017, GDLA will celebrate its Golden Anniversary at The Breakers in West Palm Beach, Florida. In recognition of this milestone, Governor Nathan Deal issued a proclamation designating June 17, 2017 be celebrated as Georgia Defense Lawyers Association 50th Anniversary Day in Georgia (see page 54).

At our Golden Anniversary Gala on Saturday evening, Peter Muller will present a President’s Award to both Marty Levinson and Garret Meader for their extraordinary efforts in leading our *Amicus Curiae* program over the last couple of years. Past President Salty Forbes will also receive the inaugural GDLA Distinguished Award. The award, which will be presented annually as a surprise, honors meritorious and extended service to the mission and goals of the Association. (Obviously the author of this history did not know



Salty Forbes, who served as President from 1991-1992, will be honored with the inaugural GDLA Distinguished Service Award during the 50th Annual Meeting at The Breakers. He is pictured above with his wife, Lee, who designed the first GDLA logo. Salty has long been considered the GDLA historian and we are grateful that he volunteered his time to pen this history. GDLA is indebted to him for his tireless commitment to advancing the Association and the civil defense bar. It is extremely fitting that he would be the inaugural recipient. We congratulate Salty and thank him for helping to nurture and shape the Association that he and Lee both so clearly cherish.

about this part, but we salute the incomparable Salty Forbes for everything he has done for this great Association that he helped to shape.)

And with that final chapter in our first 50 years having been written, this completes a synopsis of the history of the Georgia Defense Lawyers Association since its founding in 1967. It began with five members and now has more than 900 members. A pretty good achievement in and of itself.

PAST PRESIDENTS' MEMORIES



William G. Scrantom, Jr.
*Page Scrantom Harris &
Chapman, Columbus (Retired)*
1972-1973

How did you become involved with GDLA?

I received an invitation to attend an organizational meeting at the Travel Lodge Motel in Atlanta. Previously a small group had met and come up with the idea of an association. When I arrived at the motel, I saw a lot of my friends; the meeting was led by Jack Capers and Dick Richardson. That's when we put the Association together. I was honored to serve as the fifth President.

What is your favorite GDLA memory?

In the beginning, Annual Meetings were held at Port Royal Resort on Hilton Head Island. We took over most of that particular resort, which was on the water but also had a golf course. When I found out I couldn't break 120, I quit playing golf! John Gayner and our wives always reserved our rooms together—either as a two-bedroom suite or adjoining rooms. At Port Royal, our rooms were on the 18th hole. We bought beer and when people would come off the course, they'd come to our porch and have a cold beverage. Port Royal is where it all began and we met there for several years, and then Dick Richardson began to shop around for other venues.

Wherever we were, we followed that model: after the main dinner, everyone would generally gather in the Gayners' and our rooms. We would sit in the living room and start telling jokes. George Grant was the king of joke tellers. Jim Hill was also there in the early years, and was very much a part of the defense lawyers group before going on to serve as an 11th circuit federal judge. Our joke sessions would go on until 2 a.m. at least—and we weren't drinking milk! Cubbedge Snow and Frank Love were regular fixtures then, too, with their wives.

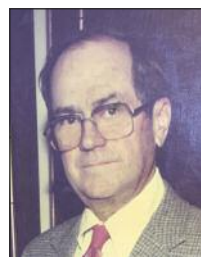
One time we went to Hounds Ears, North Carolina, for a meeting and snow skiing. Frank was

not very adept on skis and neither was my wife, Polly. Once those two were coming down the beginner slope and crashed into each other. That ended their skiing careers!

I also fondly recall trips to Amelia Island and the Biltmore Country Club in Asheville. At the latter, I remember playing tennis with Marcia Welch, Bruce's wife. She was a great tennis player, who also happened to do all my Atlanta deposition work. I believe we played with Dick Richardson or Jack Capers.

Anything else you would like to share?

GDLA has always been very a fraternal group—everyone was close. For example, Frank and Libby Love came down to visit Polly and me on several occasions, and the four of us met up in France one time. As fate would have it, Frank's funeral was on Saturday after we had our Past Presidents Luncheon this past February. I stayed with Bo Chambers and his wife, and we went to the memorial service. It was wonderful to see so many of my old GDLA friends there.



Gould B. Hagler
*Fulcher Hagler,
Augusta (Retired)*
1975-1976

How did you become involved with GDLA?

Some 50 years ago several Georgia defense lawyers began discussing the formation of a statewide organization. Among others, that group included Jack Capers, Dick Richardson and me. A meeting was held and the Georgia Defense Lawyers Association was formed.

What is your favorite GDLA memory?

I especially enjoyed our meeting in Bermuda. The business attire of the locals interested me. On my return to Augusta, I went to the office dressed in a sport jacket, dress shirt, tie, walking shorts and



Past, present and future leaders attended the 2017 Spring Meeting at the King & Prince in St. Simons. Front row: Past presidents Steve Kyle, Kirby Mason, Salty Forbes and President Peter Muller. Back row: Past Presidents Matt Moffett, Staten Bitting, Ted Freeman, Mel Haas, Lynn Roberson, President-elect Sally Akins and Past President Walter McClelland.

knee high socks, as did the professionals in Bermuda. This fashion did not catch on in my hometown, but did seem to amuse the lawyers and staff at the firm. I did not chance a courtroom appearance in this attire.



Albert H. (Al) Parnell
Hawkins Parnell
Thackston & Young, Atlanta
1979-1980

How did you become involved with GDLA?

I started the practice of law in 1968 Neely Freeman & Hawkins. I was a “hippie” with very long hair, arm band and beads. I was much more interested in civil rights activism and developing a rock band promoter business with Alex Cooley than I was in being an attorney. Neely Freeman & Hawkins was a very conservative defense law firm, and the partners, Edgar A. Neely, Jr., Joe Freeman and

Paul Hawkins, were extremely good and successful trial lawyers who were also very conservative. I know they were shocked at my liberalism as they learned more about me, but while in my practice, I covered my beads, left off my arm band and wore a decent hair style when I was in court. I am sure that I stayed with the firm only because I was extremely successful in my court and trial appearances. In addition, unknown to either Paul or Joe, Alex and I were actively planning to continue his rock concert business and open the Electric Ballroom. I was planning to leave the law practice and join Alex.

The year 1974 was pivotal. In March, my son, Brendan (now also a lawyer), was born and his mother, Frances, and I, decided to separate. That put an end to my excess money and an end to rock concerts and Electric Ballroom plans. Along the way, even though I was successful in court and trials, Paul, particularly, noticed I was doing more socially outside business hours with my beginning concert business and my activism than attempting to produce new business for the law firm. I did not

know that I had a responsibility to produce business because that had never been one of the subjects directed by either Joe or Paul. In June 1974, Paul Hawkins, uncharacteristically, invited me to his office. When I entered, he shut the door. Then, again, uncharacteristically, he placed one hand on either shoulder and began actively shaking me. At the same time (exact language withheld) he said: “Hippie, cut your ____ hair, act like a lawyer and produce business. You have six months to produce or your ____ is fired. I left the room devastated. I did not know what to do.

Later that week, I had recovered enough to ask Paul to lunch and he accepted. I remember that he wanted to go to the Commerce Club, which meant he had to pay and not me. During lunch, I asked for advice on how to produce business, and Paul had many thoughts, most of which centered around social settings, asking people for work, continually entertaining, and always buying the alcohol. Among the suggestions that he made was that I become active in GDLA. I cannot honestly remember whether I was already a member or whether I joined as a result of his conversation. I do remember that I was 32 at the time of the conversation. Paul told me that I would be one of the youngest members, and that I could learn about business and entertaining by watching and learning from the older members. Finally, he told me that if I wanted to use GDLA as a vehicle for business that I should volunteer for everything that could be done for the officers. I did exactly that and quickly moved up the office ladder to become the youngest President to date in the history of the organization.

What is your favorite GDLA memory?

I do not have a single memory that would be a place, an event, or an activity. My memory is generally of the Board of Directors and how much I learned about the social aspects of entertaining from each of them. At the time, each of the Board members, as I remember, was male. All had been brought up in the South and exemplified a Southern politeness and respect that has seemingly vanished over time, but which made a great impression on me. In addition, I learned a great deal about life from the places that the Board chose to visit. I grew up without money and never, prior

to being a GDLA member and on the Board, had experienced places like Sea Island, Ponte Vedra, Asheville and various distant country clubs. Together, the people and the places educated me greatly about entertaining, social interplay and capitalizing on the benefits of status.



Eugene P. (Bo) Chambers, Jr.*
Chambers & Aholt, Decatur
 1981-1982

How did you become involved with GDLA?

I believe Bill Scrantom suggested that I would enjoy the many benefits of GDLA, especially the camaraderie among the membership.

What is a GDLA favorite memory?

There are many, but I believe the most enduring was the Board Meeting we had at the Asheville Biltmore golf club. We all stayed at the club and Rhett Dennis, Doug’s wife, would play the piano and we would have great sing-alongs. Of course, our voices were greatly enhanced by a few, very weak alcoholic beverages.



Paul W. Painter, Jr.
Ellis Painter Ratterree & Adams Savannah (Deceased)
 1986-1987

How did you become involved with GDLA?

My first Annual Meeting was spring 1976 at Ponte Vedra. I was two years out of law school and was told the trip was a reward for a case I’d worked on. In those days, all the great civil trial lawyers did insurance defense work along with everything else, and even the big Atlanta firms had insurance clients.

So then—perhaps more than now—trial lawyers from all over Georgia knew each other and regularly crossed paths at courthouses in big towns and small where everyone spent a lot of time. The

**Bo is now on the dark side. We mourn his “loss.”*

Association membership was made up of those lawyers.

Judi and I had a little cabin right on the beach, where we were surrounded by the wonderfully kind people from the prominent defense firm of Dennis Webb Corry & Carlock, a fun-loving group who adopted us.

The meeting was terrific. We met and talked to some of the great legends of that era—lawyers like Frank Love, John David Jones, Gene Partain and Messrs. Freeman and Hawkins—and became friends with people closer to our age who would become legends, like Tommy Carlock, Dave Burch and Pat Rice. The collegiality was extraordinary. Dick Richardson, our benevolent dictator, loved the Association and put his heart and soul into it. The group dinners he planned were sumptuous and elegant affairs, with both men and women dressed fashionably, even when resort casual was the dress.

After the planned evening activities, most couples continued to mix and party, and Rhett (Mrs. Doug) Dennis nearly always found a piano and could play almost any song by heart while we all sang along. It was great, boisterous fun that lasted late into the evening. Unlike today, children did not attend.

Although some today may believe the Association of that era was merely a social organization, the Annual Meeting's educational programs were excellent, often featuring as speakers our own renowned members—people like Ben Weinberg and others who were among America's finest trial lawyers. And from its earliest days at Lake Lanier, Callaway Gardens and similar spots, the Trial Academy was a big hit and professionally run.

What is your favorite GDLA memory?

Judi and I attended pretty much every Annual Meeting from 1976 until around 1995. We loved them all, even the one in Acapulco where everyone got Montezuma's Revenge. But our favorites were those at Ponte Vedra where it all began for us.

Anything else you would like to share?

GDLA has had 50 wonderful years thanks to an impressive membership of kind and highly professional lawyers and their supportive spouses. May the next 50 be just as wonderful.



Patrick J. Rice
Hull Barrett, Augusta
1989-1990

How did you become involved with GDLA?

I was first introduced to the Georgia Defense Lawyers by Gould Hagler, an early President. Interestingly, he was a senior, managing partner of another law firm in Augusta, the Fulcher Hagler firm, which represented more insurance companies than any firm in Augusta at that time. Gould's firm often had conflicts, and he would refer one of the conflicted insurance companies to me.

Eventually, he sponsored my membership in GDLA and introduced me to everyone in the organization from all corners of the State. His wife, Mary, did the same with the wives of the members and introduced my wife, Susie, to all of them. I could not have had anyone better to sponsor me. Everyone loved Gould.

What is your favorite GDLA memory?

My early memories of GDLA centered around all the great places where the meetings were held. Neither Susie nor I had ever been to such grand venues as Bermuda, the Biltmore Forest, the Grand Hotel on the Gulf coast, Ponte Vedra, Sea Island and many, many more. Early on, I also was fortunate to speak on a variety of litigation topics at GDLA meetings and to contribute to the *Law Journal*. I thought I was "hot stuff."

I have lots of stories about some of our famous members and their antics but those are best reserved for another time.

One that can be repeated took place on the beach at Sea Island. Several of us were lounging around on the beach while our wives had gone shopping. We were enjoying a few "cool ones". In the distance, we saw a young lady with a two-piece bathing suit (a little scandalous at the time) who appeared to be a true "10." Just as she came alongside our position on the beach, and a few whistles and "flattering" remarks were beginning to emerge from our group, I recognized this mermaid as a young lady who had been a neighbor in my youth and was now the wife of one of Augusta's most

prominent and successful businessmen. He, also, was one of my firm's best business clients!

Well, it was too late to silence a bunch of well-watered defense lawyers and the damage had been done. It took years to emerge from that dog house!

My participation in the GDLA has been a true highlight in my legal career. I have made life-long friends and learned so much by virtue of that association. I would not trade that relationship for all the defense verdicts in the world. Thanks folks. It has been a wonderful ride!



Wilbur C. Brooks
Atlanta (Retired)
1991-1992

How did you become involved with GDLA?

During the time that Bill Scrantom was President (1972-1973), I was working as an associate at Henning Chambers & Mabry in Atlanta. The three name partners, Ed Henning, Bo Chambers and Speer Mabry, went to the 1973 GDLA Annual Meeting. During that meeting, Bill appointed Bo, with whom he was close friends, to the Board of Directors. When the trio returned to the office, they said, "This [Annual Meeting] is a good thing and you, associates, can learn from it. Next year, you're all going."

So, Walter McClelland, Pete Kintz, Ward Hull and I went to the 1974 Annual Meeting, and I've been a GDLA member ever since.

When George Grant from Macon was President (1983-1984), he appointed me to the Board of Directors. I served for a period of years and then became President in 1990. GDLA celebrated its 25th Anniversary during my tenure at the 1991 Annual Meeting in Ponte Vedra.

What is your favorite GDLA memory?

We held meetings at special places like the Grove Park Inn, when I was President, and later at Ponte Vedra and The Cloister on Sea Island. We had a good time, but we also learned things. We had a high degree of camaraderie in the whole organization and it was just a kind group of men—and women, too. We didn't get women in right

away, but we did eventually, and they were just as much a part as any of us.

At our meetings, when the whiskey was flowing freely, someone would request that I recite "Gunga Din," so I did that and it became a tradition. We also had some good dancing. I was somewhat younger then than I am now and I really enjoyed jitter-bugging.

Anything else you'd like to share?

One of the things that I'm proud of is that GDLA put into effect a system of education long before the State Bar made CLE mandatory. We had been doing it on a voluntary basis, because we thought that the younger lawyers in our firms could benefit from the knowledge of more seasoned GDLA members, who we knew were the cream of the crop. Finally, GDLA was just a great organization to be in and I thoroughly enjoyed all of my years there.



Morton G. (Salty) Forbes
Forbes Foster & Pool, Savannah
1991-1992

How did you become involved with GDLA?

I became a member of GDLA when Dick Richardson told me I was to join and the rest is history.

What is your favorite GDLA memory?

My memories of GDLA are in the History in these prior pages.



J. Bruce Welch
Hawkins Parnell Thackston & Young, Atlanta (Retired)
1992-1993

How did you become involved with GDLA?

I was introduced to GDLA by my partners, Joe Freeman and Paul Hawkins, who expounded on the fun and camaraderie of the organization.

What is your favorite GDLA memory?

A few of my favorite memories are of the war stories and jokes of Dick Richardson and the piano sessions with Rhetta Dennis late at night after partying (maybe a little too much). I recall the meeting in Hilton Head when we hosted the group at our beach house, and after several rounds of cocktails, we all gathered outside to sing some rather off key and loud songs much to the delight (chagrin) of our neighbors. Bo Chambers ended up crashing in our bedroom.



David T. Whitworth*
Whitworth & McLelland,
Brunswick
 1994-1995

How did you become involved with GDLA?

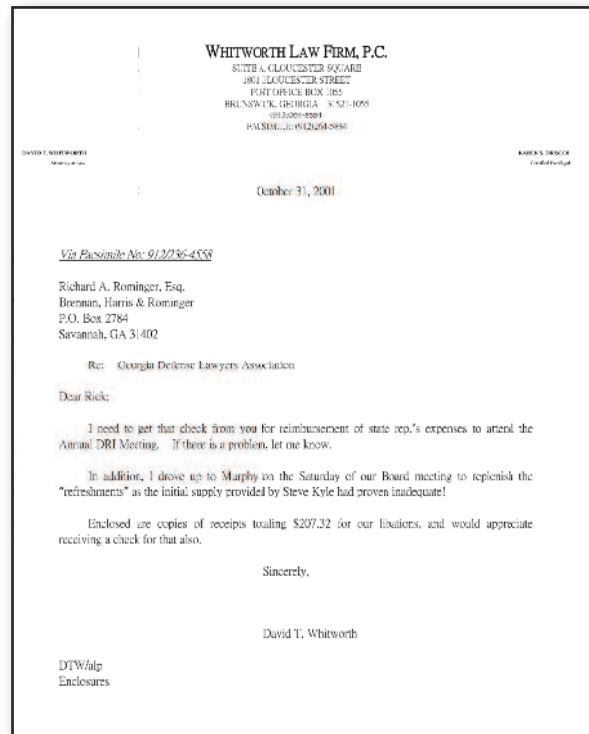
Jennifer has been kind enough to tell me that my President's Message from the 1995 *Journal* will be included in this publication, and some of what I would say here is already there. I was introduced to GDLA when I had been in practice barely more than two years, encouraged by my later-to-become partner, Albert Fendig, to attend the 1980 Trial Academy at Pine Isle. That was the first year of the Academy and it was a heady experience. The outstanding trial lawyers who led the Academy that year are named in my President's Message to which I referred (see page 40). I suppose that makes me the first GDLA President to have graduated from its Trial Academy.

I became a member of the Association when George Grant of Macon was President in 1983-84, attending my first meeting, as I recall, at Ponte Vedra. I certainly could not have imagined then that some 10 years later I would have the distinct honor to be President of the Association and, later, Georgia's State Representative to DRI.

What is a favorite GDLA memory?

I have so many great memories of GDLA that to select from among them is daunting. But, a couple do stand out. First is the fantastic Board Meetings that were held for a time at the Biltmore Forest Country Club. This was such a quaint and intimate

**David is now on the dark side. We mourn his "loss."*



Hospitality suite refreshments are serious business! No telling how Kyle was able to climb the ladder to President after his performance described above by then-DRI State Rep Whitworth.

locale that one really felt he was able to connect with those attending and their spouses. Standing out in my memory are Doug and Rhetta Dennis. After dinner, Rhetta, in all her elegance, would sit down at the grand piano and we would stand alongside Doug and sing into the wee hours! We had the run of the house and came to know many of the superb staff.

Second, I can never forget meetings at the Grove Park Inn. My family had a special connection to that place, as my mother and father had their honeymoon there cancelled, during World War II, as it had become an internment camp for Axis diplomats! My siblings and I sent them back there for their 25th anniversary in the 1960s. So, it was certainly rich for Barbara and me to see our three children drinking hot chocolate on the massive front porch and making discreet appearances during the marvelous dinners!

Anything else you would like to share?

If I remember correctly (which is certainly questionable), the original newsletter and creation of substantive law committees occurred during my tenure. The first hiring of a paid Executive Director, debated for years, occurred while I was on the Board. I mention those things not because I deserve credit for them in any way, but rather to communicate to younger members that not so long ago, there was neither newsletter nor email. And, EVERYTHING was done by volunteers; most notably, the late Dick Richardson. GDLA was a superlative organization back then and surely is now, dependent only on the willingness of caring folks to give of their time and talents.

Nearing the end of my legal career (I hope!) as a plaintiffs' and claimants' lawyer, I am more grateful than ever when I encounter a GDLA member, now on the other side of the case; for I know that if they have caught the essence of GDLA, as imbued in me, I will have a consummate professional with whom to deal.



Steven J. Kyle
Bovis Kyle Burch & Medlin,
Atlanta
 1998-1999

How did you become involved with GDLA?

My first involvement with GDLA was attending an Annual Meeting in the early 1980s, when the keynote speaker was an attorney by the name of Guy Kornburg from San Francisco. He was involved in DRI with Al Parnell, and Al persuaded him to speak on an emerging trend of plaintiff's bringing bad faith lawsuits against insurance companies for failure to honor time limit demands. Little did we know but in 1992, that principle would be enunciated in *Holt v. Southern General*. I left the meeting with the belief that I was in an elite group of lawyers who were on the cutting-edge of what was developing in the practice of law.

I recall returning from that convention with a copy of the *Law Journal*. The articles were insightful, in-depth and informative. I have kept all my

Law Journals over all these many years and refer to them frequently.

What is your favorite GDLA memory?

There are so many that come to mind, but please allow me to share two experiences. The Board of Directors voted to hold a convention at the Southampton Princess Hotel in Hamilton, Bermuda. This island is awesome and renowned for its beauty and scenery. As the event coordinator, I scheduled an evening boat ride around the island of Bermuda in lieu of a formal banquet dinner for all members and their spouses. It was breathtaking to watch the sun set as we sailed around the west side of the island. The feeling of camaraderie that the members experienced that evening will forever remain in my memory.

A second experience involved my role as Secretary-Treasurer and the first time I attended the DRI State & Local Defense Organization (SLDO) meeting in Chicago, Illinois. Our President and Executive Vice President had conflicts with their schedule, so I was the only person to represent GDLA. We met in a break-out session with representatives from Alabama and Florida, who were part of our region. Florida had well over a dozen members present, and Alabama had their three officers and their Executive Director present. We went around the room introducing ourselves and telling the group about the achievements of our Associations. When it came to Georgia, I introduced myself and told them about our Annual Meetings and our Trial Academy, but I concluded my remarks by saying that our lawyers just enjoy the friendship, camaraderie and collegiality of each other. Social interaction and networking were critical to our members.

I can recall vividly that at the conclusion of the meeting people came up to me and told me how envious they were of the way GDLA operated. The Florida contingent bemoaned the fact that they were all business and no play.

Following that meeting, the ties between Alabama and Georgia grew stronger, and today we receive inquiries from the Alabama Defense Lawyers Association seeking insight into physicians, experts and other related items, and we graciously allow them to send use our blast e-mail system.

Anything else you would like to share?

During the time of the 1990 Annual Meeting, I was involved in the appeal of a judgment involving the interpretation of O.C.G.A. § 51-12-5.1(g). Two plaintiffs had brought an action for bodily injury and wrongful death against two defendants. After a jury trial which resulted in a \$14 punitive damage verdict, the trial court judge entered a judgment for the plaintiffs and awarded \$500,000 to each plaintiff as punitive damages.

The plaintiff's attorney challenged the constitutionality of this code section and wanted the trial judge to award the full amount of punitive damages award. During the Annual Meeting, I brought this to the attention of the membership and asked if anyone knew of a lawyer in their firm who had significant background experience in constitutional law issues to assist with this appeal. Drew Hill, from the Blasingame Burch firm in Athens, suggested the former Dean of the UGA law school, J. Ralph Beard, who was a specialist and taught constitutional law. Dean Beard had recently become associated with their firm.

As a result of this networking opportunity, Dean Beard was an invaluable source, and we were able to prevail and withstand the attack on the constitutionality of the statute and to get a clarification that the amount to be awarded "in the case" meant that \$250,000 was the maximum amount of money that the fact finder could award to any one plaintiff as punitive damages, regardless of the number of defendants and regardless of the number of theories of recovery being asserted.

When I served as President, we implemented the blast e-mail system, which allows our members to send internal e-mails to other members requesting assistance with transcripts, experts, reputation of judges, reputation of plaintiff's attorneys and other critical defense-oriented inquiries. The genesis of the blast e-mail concept was this networking opportunity that I encountered in April of 1990.



George E. Duncan, Jr.

*Dennis Corry
Smith & Dixon, Atlanta
1999-2000*

How did you become involved with GDLA?

The practice of law was very different when I joined GDLA. All the finest trial lawyers in the state fought to do defense work and represent insurance companies. The Association, which included as its members lawyers of the stature of Ed Kelly, Frank Love, George Grant, Gene Partain, Doug Dennis, Sonny Seiler and others, had a great deal of appeal to a budding defense trial lawyer. Continuing legal education was not mandatory, but GDLA sponsored outstanding (and tax deductible) programs at fine resorts. The combination of meeting with outstanding and collegial trial lawyers on tax-deductible trips to first-rate resorts proved irresistible.

What is your favorite GDLA memory?

Although we have had many outstanding Annual Meetings and first-rate CLE programs, the most memorable was probably in 2000 when Vice President Greg Melton chaired the CLE program at our Annual Meeting at Amelia Island. Greg enlisted a doctor to actually dissect a human neck as part of the CLE program.

The Board meeting in New Orleans was likewise memorable, but no stories from that meeting will be repeated.

Anything else you would like to share?

GDLA has always had first-rate programs and activities. Most notably, the Trial Academy is envied and emulated by defense lawyer associations throughout the country. For years, however, the Association had difficulty in gaining traction in membership, particularly among younger lawyers and lawyers in larger firms. The Association had what has been described as the "shoebox mentality," meaning that the records and archives of the Association would generally be passed from President to President in a shoebox.

To those of us who were involved in the transition of GDLA from essentially a social organiza-

tion to a true professional association, it is thrilling to see what the organization has become. We all owe a debt of gratitude to Jennifer Davis who has helped make the Association what we all dreamed that it could be.



Walter B. McClelland
Mabry & McClelland, Atlanta
 2001-2002

How did you become involved with GDLA?

Although I cannot remember the exact year I joined, my decision to join GDLA was influenced greatly by all the other members of my firm who were members, and who shared, with great delight, tales of great fun and camaraderie, especially at the Annual Meetings. Bo Chambers, President from 1981 to 1982, was certainly the primary influence in my decision to join GDLA. It was a great decision, as I have thoroughly enjoyed my involvement.

What is your favorite GDLA memory?

When I first joined the organization, Kathy and I had three young children. We always made it a priority to attend the Annual Meeting (relying on the grandparents to babysit), and we used the Annual Meeting as our vacation since the meeting would always be at a desirable location. My favorite memories would be to attend the Annual Meetings as a young lawyer, and stay up late at night visiting with many of the finest lawyers in the state, reveling in their tales of cases they handled and soaking in their philosophy concerning the profession of law. Many of my most treasured friendships have evolved as a result of my membership in GDLA. When I was a young lawyer, I loved to sit around and listen to the more seasoned lawyers telling “war stories.” Now, however, I find that I am the one telling the war stories. To my knowledge, my firm was the first firm to have three members who served the organization as President: Bo Chambers in 1981-1982; Wilbur Brooks in 1990-1991; and me in 2000-2001.



Jerry A. Buchanan
Buchanan & Land,
Columbus
 2002-2003

How did you become involved with GDLA?

Rick Marchetti called me around 1982 or so and said they needed an additional faculty member for GDLA Trial Academy, and asked if I would like to join GDLA and become involved. I agreed to do that, and I got addicted to the Trial Academy and have done it ever since.

What is your favorite GDLA memory?

It was being with George Duncan, Sandy Owens, Rusty Gunn, Tom Magill, Dick Willis, and all the other great faculty members at the Trial Academy, and learning more about how to try lawsuits from those great lawyers, and from the students as well, over the years.

Carolyn and I also enjoyed being able to host the President’s Reception cocktail party at our home in Ponte Vedra during the Annual Meeting a few years ago.



Grant B. Smith
Dennis Corey
Smith & Dixon,
Atlanta
 2004-2005

How did you become involved with GDLA?

Past presidents Clay Porter and Doug Dennis encouraged me to get involved in GDLA.

What is your favorite GDLA memory?

One of my favorite memories is participating in the sand castle building contest when my girls were little. This is particularly true because when I first started attending meetings Holly and the girls did not attend, and it was good to prove I actually had a wife and children.



Anything you would like to share?

In terms of people, Doug Dennis is most memorable to me because he and his wife, Ms. Rhetta, were the prototypical Southern gentleman and lady. Greg Melton and Rusty Gunn are my most memorable members who have passed away. I remember playing golf with Greg, and he was a joy to be around. Rusty was a great guy and a terrific mediator.



John A. (Johnny) Foster
Forbes Foster & Pool,
Savannah
2005-2006

How did you become involved with GDLA?

At the time I started, in order to be eligible for membership, you had to have at least three years of practice under your belt. As soon as I had the requisite three years, which I think was 1991, my senior partner, Salty Forbes, handed me a membership application and a registration form for the Annual Meeting, which was in Ponte Vedra, and directed me to fill both out and return them to him, forthwith. I attended the Trial Academy in Callaway Gardens, as well.

What is your favorite GDLA memory?

This was during my year as President: The Spring Meeting that year was held in the Federal Reserve Room of the Jekyll Island Club Hotel. The hotel had posted a sign outside the room which said, "Georgia Defense Lawyers Association Meeting Federal Reserve Room 9 a.m." At some point in time while we were meeting behind closed doors, an unknown passerby posted a smaller, handwritten and less formal sign at the bottom of the hotel's sign. It consisted of a circle with a slash through it, and inside the circle was the phrase, "Please don't feed the sharks."

I found this particularly ironic due to the fact that, in addition to the usual laughter and jokery interspersed with discussions of when and where future meetings would be held, as I recall, there was also a lengthy discussion of if, and under what circumstances, the Association could make mon-

etary donations to charities which had touched the lives of our members or their close family members. Sharks, indeed!



Warner S. Fox
Hawkins Parnell
Thackston & Young, Atlanta
2006-2007

How did you get involved with GDLA?

My firm, then known as Freeman & Hawkins, always encouraged its young lawyers to get involved in GDLA. Both Al Parnell and Bruce Welch were very active and became Presidents. Both encouraged me to volunteer and work my way up the "chain" so to speak.

What is your favorite GDLA memory?

I have so many, but I think my favorite would be the last time we were at the Breakers in 2013. I had my entire family with me. My daughter had recently passed the bar, and on the first day of the GDLA Annual Meeting, she came running out to the pool where we were spending the late afternoon. She had a huge smile on her face and yelled, "I got a job!" Many of our GDLA friends were there, and we all celebrated together. The organization is, after all, all about friends and family. And continuing our family tradition, Leah's job was at a defense firm so she quickly joined GDLA and now attends Annual Meetings as a member.



Robert M. (Bob) Travis
Bryan Cave, Atlanta
(Retired)
2007-2008

How did you become involved with GDLA?

Jerry Blackstock asked me to attend; Salty Forbes and Al Parnell kept me there.

What is your favorite GDLA memory?

I remember one meeting in particular at Ponte Vedra with James McElhaney, two meetings in

Bermuda during which Kyle was dressed like the waiters at our restaurant, and both meetings when Ted Freeman led the charge at the Henry VIII pub.



James E. (Jimmy) Singer
Bovis Kyle Burch & Medlin,
Atlanta
 2008-2009

How did you become involved with GDLA?

In 1992, the Annual Meeting was at The Homestead. Steve Kyle was placed on trial and unable to present his CLE topic, so he asked me to cover for him. I knew nothing of GDLA and knew only a handful of members. However, Greg Melton sought me out and asked if I would like to join him for golf. I gave the CLE presentation and did not get laughed off the stage. Everyone at the banquet was gracious and hospitable, and encouraged me to get involved.

None of the above is the real reason, though. The real reasons are: 1) Patti saw Richard Gere, 2) I heard the stories about Wiley Wasden's meeting Sam Snead, and 3) a lawyer from Atlanta brought a dancer from the Gold Club as his date. And then there was one heck of a cocktail party! I figured this was the type of lawyer group I needed to join. The rest is history.

What is your favorite GDLA memory?

There are literally too many memories to recount. How does one choose between sipping a Dark and Stormy on a dinner cruise as the moon rises over the Bay of Bermuda, and watching the sun set over the Caribbean from a sailboat off Grand Cayman? How does one compare a Slippery Nipple at Henry VIII crowded four deep around the piano, to Salty and Dick Richardson needling each other in the pauses between Jerry Buchanan's jokes? And certainly, I will never forget the excitement of each of my children getting up at daybreak to find sharks' teeth at Ponte Vedra, and, in recent years, watching the children compete in the sand-castle contest.

Anything else you would like to share?

Through membership in GDLA, many of us have forged indelible bonds throughout the state and even the country. It began with a common commitment to foster exceptionalism in the practice of law, and at the same time to have fun. I have learned much from my fellow members. I am thankful to those who went before who made the Association what it is. I am thankful to those who come after who will continue to grow the Association in reputation, character and membership. Mostly, I am thankful for the time shared, the laughter, and the tremendous friendships.



N. Staten Bitting, Jr.
Fulcher Hagler, Augusta
 2009-2010

How did you become involved with GDLA?

I became involved in GDLA on the invitation of my partner (now retired) and former GDLA President, David Hanks. He suggested I join and attend the Annual Meeting. At the meeting, he and Betty included Cindy and me in their dining plans and made sure we were introduced to the members and their spouses. We were made to feel welcome by everyone in attendance. That was over 25 years ago.

What is your favorite GDLA memory?

My favorite memory is from the 2013 Annual Meeting at The Breakers in West Palm Beach when Cindy mistook Lane Young—who was dressed in flip-flops, a t-shirt and running shorts—for a street person trying to crash our party.



Edward M. (Bubba) Hughes
Ellis Painter Ratterree & Adams, Savannah
 2010-2011

How did you become involved with GDLA?

I got involved with GDLA as a result of joining a law firm where all lawyers were members. It did not hurt that Dick Richardson's office was right upstairs and we would pass in the halls constantly. He was truly an enthusiast and an excellent promoter of great trips for meetings.

What is your favorite GDLA memory?

I have many great memories of participating in GDLA events, especially Annual Meetings. I will never forget the Bermuda cruise when Steve Kyle, after happy hour, announced that the next trip would be to Paris. The boat rocked with enthusiasm, but, of course, we never made it to Paris, but Grand Cayman was a great substitute and the fishing was better anyway.

Anything else you would like to share?

I have made many great friends through GDLA. I have learned a great deal and worked with many fine lawyers as a result. When I started practicing, I was doing general work and had not yet joined the firm with all the GDLA members that I mentioned above, as I was doing mostly plaintiff's work then. Within a couple of years, I had lost cases consistently to GDLA members, including Paul Painter, Salty Forbes, Sonny Seiler, Steve Kyle, Jim Thomas and Martin Kent. I started wondering what they knew that I did not and later learned of their common membership in GDLA. So, when I began doing defense work and the opportunity to join presented itself, I did not hesitate. The Association has a large group of great lawyers who do not take themselves too seriously, and if you ever doubt that send a blast e-mail on a late afternoon asking if anyone has had any experiences with a possible expert named Barry White. I unwittingly did just that and learned some of the membership had life changing experiences while hearing songs such as "Can't get enough of your love, babe," etc.



W. Melvin (Mel) Haas III
Constangy Brooks Smith & Prophete, Macon
 2011-2012

How did you become involved with GDLA?

I was asked to speak at a conference and met Steve Kyle. That did it.

What is your favorite GDLA memory?

Enjoying grandchildren when they were little at the beach during our Annual Meetings.

Anything else you would like to share?

Neat to see the organization has remained robust over the years as a result of Jennifer's guidance!



Lynn M. Roberson
Swift Currie McGhee & Hiers (Retired-now Miles Mediation)
 2012-2013

How did you become involved with GDLA?

I first got involved with GDLA through their CLE and once was lucky enough to be invited to speak at an Annual Meeting at Ponte Vedra. If you were a speaker, my firm would pay the travel expenses so my husband and I received a nice vacation in Florida.

What is your favorite GDLA memory?

I think my favorite memory from my year as President was convincing the Multi-Bar Leadership Council to admit GDLA (and GTLA) as participating members. This participation gave GDLA a much higher profile among many diverse bar groups and assisted us with our outreach to improve the diversity of our own membership. I am proud to have served as GDLA's first Diversity Chair and to have passed the baton on to the next generation of leaders.



Theodore (Ted) Freeman
Freeman Mathis & Gary
(Retired)
2013-2014

How did you become involved with GDLA?

I wish I could tell you where I was —it may well have been at a DRI Annual Meeting, although I can't be certain of that —but I do remember it was at a cocktail party and Walter McClelland and Jerry Buchanan were there. Somehow, we got on the subject of GDLA, and they both said I “needed” to join. I had known JB since law school (which, in hindsight, should have made me reject his suggestion out of hand), but Walter seemed to be a solid citizen who was reasonably sober, and so, I decided to take them up on their offer. If memory serves me correctly, I filled out an application the following week.

What is your favorite GDLA memory?

While I have many good memories, my clear favorite is the night in Bermuda when we led a crew down the hill from the Southampton Princess to the Henry VIII. Dave Bootle was the “Piano Man” that year, and he did not disappoint. The entire GDLA contingent was out on the dance floor raising the roof, partaking of a few Slippery Nipple shots from time to time, and all feeling like we were back in college again. It was such a memorable night, capped off by our own James Brown, Peter Muller, doing his rendition of “I Feel Good,” like only Peter can.

For some unknown reason (I do not deny that alcohol may have entered into the equation), Mary and I decided we would walk back to the hotel when the place closed. The road was deserted; there were no street lights, and we could hear dogs barking from the nearby homes. All of which meant nothing to us, except maybe that we could walk from one side of the street to the other without looking. After about a half mile (it seemed so much CLOSER when we walked down there....), a taxi came by, and the driver stopped and suggested that we let him drive us back to the hotel. Thankfully, we took the ride.

We have come a long way in 50 years, and there is much for which we should be proud.

But two things have not changed, and that is the character and reputation of the organization and its members.

Times may change, the faces may change, but the heart of GDLA has not changed. We still are made up of the finest defense lawyers in the state, and we still have members of integrity who genuinely care about each other. And, we still have fun together!

*—Ted Freeman
2013-2014 President*

Anything else you would like to share?

Where to begin? It goes without saying that GDLA has changed a LOT in the years since I first joined. We are significantly larger, more diverse, and more professional. We no longer operate on a shoestring and, instead, have a healthy cash reserve. We have an award-winning “newsletter, which is now so much more than a newsletter. We are respected by our appellate judges who value our opinions on the important legal issues facing the Bar. We have members who now hold leadership positions in DRI. And we now have an Executive Director who is the envy of every other State & Local Defense Organization in the country. We have come a long way in 50 years, and there is much for which we should be proud.

But two things have not changed, and that is the character and reputation of the organization and its members. Times may change, the faces may change, but the heart of GDLA has not changed. We still are made up of the finest defense lawyers in the state, and we still have members of integrity who genuinely care about each other. And, we still have fun together!

For me personally, it is the friendships I have made over the years that have been the most rewarding thing about my membership in GDLA. We have shared so many good times in so many fabulous venues. Nowhere could I find a finer group of people to be with and call my friends.

Thank you to all our Past Presidents for what you have done to bring us to this momentous 50th Annual Meeting. Each of you is truly to be congratulated!



Kirby G. Mason
Hunter Maclean Exley & Dunn, Savannah
2014-2015

How did you become involved with GDLA?

I became involved in GDLA by attending the Annual Meeting. I was welcomed and included in the activities, which were family-friendly. As an attorney with young children, travel usually meant separation. I enjoyed being able to combine time with other attorneys and time with my family in a fun place.

What is your favorite GDLA memory?

I know that there are many others, but my fond memories include:

Steve Kyle dressed in Bermuda shorts (in Bermuda) looking just like the restaurant staff.

Bob Travis offering me support when my mother was dying.

Jimmy Singer teaching my family how to locate shark's teeth on the beach at Ponte Vedra.

Douglas Burrell being welcoming, supportive, and willing to lend a hand at DRI to help GDLA.



Matthew G. Moffett
Gray Rust St. Amand
Moffett & Brieske, Atlanta
2015-2016

How did you become involved with GDLA?

My long-time mentors, Walter McClelland and Steve Kyle, recruited me into this group. And Kyle's beautiful wife got me out of fourth grade (and the principal's office, too).

What is your favorite GDLA memory?

I remember going to my first Annual Meeting in Amelia where we had the trial professor, James McElhaney. I took a lot of notes. None of my mentors did. I just figured they knew all of it, and I never considered that they might just be hung over. Ponte Vedra is what I remember most. It's where we brought our kids to play and grow up. Also, Kyle always had a new Hawaiian shirt. What a great transition when we ended the ballroom banquet for a beach BBQ! However, Peter Muller's James Brown impersonation is better executed in a ballroom.

I remember my first judicial reception. Grant Smith was our President, and I was impressed when I saw him. Of course, I first had to get by some guy out front with a disheveled look and briefcase handing out name tags and wise cracks to those arriving. I can't remember his name, but I know Jimmy Singer will.

And nothing beats Jerry Buchanan at Trial Academy—demonstrative skills by day and piano player jokes and Shakespearean entertainment by night. And if fellow thespian Dick Willis shows up, it is a standing room only crowd requiring Billy Harrison to implement crowd control and at times restore context if not sanity. We truly have the best Trial Academy in the country. And, we have the best faculty (Bill Casey, Carrie Christie, Billy Harrison, Jerry Buchanan, Philippa Ellis, Brad Marsh and Jeff Ward (plus former recent faculty members Douglas Burrell, Dick Willis, Lynn Roberson, Sally Akins, and our departed friends Rusty Gunn and Sandy Owens). But, what happens at Trial Academy stays at Trial Academy!

GEORGIA DEFENSE LAWYERS ASSOCIATION

LAW JOURNAL

PRESIDENT'S MESSAGES

Up until 2008, the President's Message, included as a preface to the Law Journal, served as an opportunity for that year's leader to recount the successes of his administration. Below are messages from those years; the firms listed are the respective President's affiliation at the time of publication. Please note those included are the only Law Journals in the GDLA archives or online; some issues may have become lost over time.

PRESIDENT'S MESSAGE

1986

Paul W. Painter, Jr.

Painter Ratterree Connolly & Bart
Savannah, Georgia

It has been an honor and privilege to serve as the Association's President during 1986-87. The job has been especially memorable this year because of the role the Association's President was asked to play in the tort reform activities about which so much has been written.

At the Annual Meeting held on Hilton Head Island in the spring of 1986, two of our speakers urged the Association to take an active role in the tort reform movement. The members attending that meeting responded favorably and enthusiastically and encouraged the Board of Directors to let the Association's voice be heard.

As President of the Association, I was invited by Governor Joe Frank Harris to serve with two other lawyers and various lay members on his Tort Reform Advisory Committee. I was also asked by State Bar President Bob Brinson to serve on a similar committee formed by the State Bar of Georgia. At a special meeting of the Board of Directors held last fall in Macon, I received the guidance and recommendations from our directors on the positions they felt the Association should take on the various tort reform proposals which were expected to be introduced in the 1987 General Assembly. I am proud to say that the tort reform package passed in 1987 largely reflects the Board's position and hopefully will provide all civil litigants in Georgia with a fairer and more economical justice system.

The Association has continued to grow and to provide activities for its members. We now have more than 300 members from throughout Georgia. I have long felt that we have the finest lawyers in any single group in this state.

In December of 1986, the Association held its annual Trial Academy at Pine Isle. Sanders Carter did a superlative job entirely from our membership, consisted of Jerry Blackstock, Gary Blasingame, John Dickerson, Bill Norwood, Dee Sams and Terry Sorrells. The Academy was given rave reviews by the young lawyers who attended it, and we owe it to our young associates to send all of them to the Academy during the early years of their careers.

The Association contributed in other ways to continuing legal education and to trial excellence for Georgia lawyers. In the spring of 1987, the Association made a charitable contribution of \$1,500.00 to the Georgia Institute of Trial Advocacy. Many of our members contributed their time as faculty members at the week-long Institute which was held this year in Athens.

I shall always look back with great fondness on the time I have spent serving as a director and officer of the Association. I extend my gratitude to the entire Board of Directors for their help and guidance this year and especially to Dave Burch, our Executive Vice President, and Rick Marchetti, our Secretary-Treasurer. I also extend my thanks to Salty Forbes for his time-consuming efforts in putting together an outstanding *Journal*.

Last, and most assuredly not least, let me thank Dick Richardson who was so aptly described by wordsmith Gene Partain as our "Commander-in-

Chief in Perpetuity.” Dick has done another exceptional job planning our Annual Meeting which will be held this year in St. Thomas. I extend a special thank you to Dick not only for his tireless efforts on behalf of the Association, but also for the assistance and guidance he has given to me since I first became a member of the Association.

PRESIDENT’S MESSAGE

1992

Salty Forbes

Forbes & Bowman
Savannah, Georgia

Our Georgia Defense Lawyers Association has grown and prospered over the past 25 years. We have grown from 5 members to 398. The Board of Directors authorized the employment of an Executive Secretary to publish a newsletter three times a year, to coordinate the Expert Witness Bank and the *Journal*, to assist with the Trial Academy and such other duties as the board directs. I am certain the association will continue to grow, prosper, and excel.

The Newsletter Committee, the Amicus Committee, the Legislative Committee, the By-Law Revision Committee, the Membership Committee, the Trial Academy Committee, the Budget Committee and the Long-Range Planning Committee have all functioned ably. Greg Melton has put together an outstanding *Journal*, and I want to thank him for all of his work on behalf of the Association.

I would also like to thank David Whitworth, Clay Porter, David Hanks, Paul Painter, Kenny Carswell and Steve Kyle for chairing their respective committees and to praise them for the outstanding work that their committees have performed this year. A special thanks to Rick Marchetti for his work this year. The Trial Academy, chaired by Charlie Goetz, was very successful. The faculty this year included Jerry Buchanan, George Duncan, Ken Moorman, Jim Owens, Paul Painter, Wilson Smith, Mike Thornton, David Whitworth and, of course, Chairman Goetz. It was an outstanding program in which the attendees learned a great deal.

It has been said each and every year for the past 14 years that Dick Richardson, our “Commander-in-Chief in Perpetuity,” has done an outstanding

job. He is the Chairman of the Membership Committee and “is” the Annual Meeting Committee. I don’t know how to thank him for all of the work he has done to help this organization. He is the glue which holds us together. Dick, thank you very much for all of your help and your dedication to this Association.

Thanks also goes to Bruce Welch, our Executive Vice President, who has put together an outstanding program for the Annual Meeting and Hendley Napier, our Secretary-Treasurer, who has chaired both the Budget and Long-Range Planning Committees.

As a result of the Long-Range Planning Committee and the Budget Committee, we have employed an Executive Secretary, who will be publishing a newsletter three times a year, and publishing the *Journal* once a year.

The Association has been very much involved in the proposed amendments to the Federal Rules of Civil Procedure and has filed comments with the Standing Committee and has urged the State Bar of Georgia to take a similar position.

Our Association has been involved with the formation of the DRI State & Local Defense Organization (SLDO). This is a committee which will speak on behalf of the state and local defense organizations as to matters which concern these organizations. The SLDO Committee will coordinate and combine the efforts of the SLDOs by furnishing them the opportunity to work more closely with each other and DRI. The SLDO Committee will serve as a clearinghouse for information valuable to DRI and the SLDOs, especially with regard to legislative matters on both a national and local basis. The Committee will nominate its own chair and vice chair who will attend all DRI meetings. The Committee will participate in the development of a DRI legislative agenda, distribute a newsletter and other publications, and develop a program for assisting the SLDOs who require such.

It has been a very exciting and eventful year and I am very pleased to have served as your President. I hope that we can continue to grow and build upon the foundation which was laid by our association’s founding members, Jack Capers, Dick Richardson, Ed Lane, John David Jones and Mead Burns.

PRESIDENT'S MESSAGE

1993

J. Bruce Welch

Hawkins & Parnell

Atlanta, Georgia

The Georgia Defense Lawyers Association has fared well during its 26 years of existence. It has been extremely gratifying to me to be President of the organization during its first year under the new Bylaws and to work with Greg Spicer, our Executive Secretary, a newly-created position. Despite the fears of some of the Board, the Association not only survived a dues increase, but our membership expanded to 418, an all-time high. We also have several applications pending which should be approved at the Fall Board Meeting. From my personal observations, interest in Georgia Defense Lawyers is growing throughout the state.

As I mentioned, this year was the first to utilize a paid staff position of Executive Secretary. I would like to thank and compliment Greg Spicer for a job well done. Greg's ability and computer expertise has reduced the workloads for the individual officers immeasurably and enabled the organization to enjoy our newsletters and the *Journal* much more inexpensively than in the past. It is also beneficial to have a single address and phone number for the organization which will remain constant as the officers change.

I would like to take this opportunity to express my thanks and that of the organization to Dick Richardson who really deserves the title of "Mr. Georgia Defense Lawyer." Dick serves our organization well as Chairman of the Membership Committee, as well as handling all the arrangements for the Annual Meeting and the Board Meetings. I know it has been said many times before, but I do not know how the association could function without him. Thanks again, Dick.

The Trial Academy this year was the most successful ever. Ken Moorman served as Chairman and assembled a most talented group of faculty consisting of George Duncan, Charles Goetz, Sandy Owens, Stephen Cotter, Michael Thornton, Clay Ratterree and Jerry Buchanan, who will serve as next year's Chairman. All of these gentlemen contributed their time and efforts to make the Academy a success, and we are most appreciative.

A questionnaire completed by the attendees indicated that they felt the program to be valuable. Also in the continuing legal education vein, Hendley Napier chaired our first annual fall CLE luncheon in Macon which was well-attended in spite of inclement weather. Thanks are due to members Emmitte Griggs and Wallace Miller who served as speakers along with Judge Jack Etheridge. Our Association also contributed financially to the ICLE's Trial Academy and to the National High School Mock Trial championship competition held this year in Atlanta.

I would also like to thank Steve Kyle, Kip Loggins, Clay Porter, and Ken Carswell for their work on their respective committees. It is a pleasure to work with members who are always willing to take on another task and admirably see it through to completion. Hank Scudder has done a yeoman's job of putting together this year's *Journal* in a timely fashion, and he, too, is deserving of the gratitude of the organization.

I am personally indebted to my fellow officers, Executive Vice President Hendley Napier and Secretary-Treasurer David Whitworth, for all of their support and assistance. David has done an excellent job managing our largest budget ever and maintaining a rein on our burgeoning membership. Hendley is to be commended for putting together an outstanding program for our Annual Meeting. I would also like to express my appreciation to Wilbur Brooks and Salty Forbes who, along with the other officers, comprise the Executive Committee, and without whose advice my job would have been much more difficult. Our fine attendance at the Fall and Winter Board Meetings in Asheville and Charleston is indicative of the unselfish contributions of all the board members, both elected and ex-officio.

The Association sent its three officers to the National Association of Defense Bar Leaders Conference in San Francisco where we had the opportunity to discuss common problems of the defense bar with other lawyers from around the country. It was an eye-opening experience to hear the problems and changes which are confronting the defense practice as we know it. The insights gained through our participation in the State & Local Defense Organization Committee of the DRI will allow your officers for next year, with the as-

sistance of Salty Forbes as State Chair, to provide the leadership necessary to enable us to face these challenges to our changing profession.

My thanks to all of you for allowing me the honor of being President of this great Association.

PRESIDENT'S MESSAGE

1994

Hendley V. Napier

Martin Snow Grant & Napier
Macon, Georgia

It has been my pleasure to serve as the President of the Georgia Defense Lawyers Association during its 27th year. I am grateful for the support and help which I have had from David T. Whitworth, Executive Vice President, R. Clay Porter, Secretary-Treasurer and Greg Spicer, our Executive Secretary, who maintains the only paid position in the organization. Greg's expertise in the handling of the newsletter, his ability to be of aid to Joe Chambless who is responsible for the *Law Journal*, as well as his availability to other committees has been invaluable.

Dick Richardson is the person who handles the arrangements for our two board meetings and our Annual Meeting. He has done this throughout the lifetime of the organization. He does it well and with an expertise which comes from his years of experience. He and his committee also handle the recommendations for membership of those who make applications. He has never failed us in his devotion to any assignment which he has agreed to undertake.

Our second annual CLE program, which was held on December 9th in Macon was ably handled by Charles Goetz, Kenneth Moorman and Joe Watkins. While the attendance was somewhat off as compared with the year before, the program nevertheless was well received by those who attended and is a great service to our members.

The Trial Academy was held at Callaway Gardens and chaired by Jerry Buchanan, assisted by faculty members George Duncan, Sandy Owens, Steve Carter, Kay Deming, Harry Bassler and Michael Thornton.

They brought different perspectives to the program. The one constant was their level of preparation and their willingness to work hard to help the

students and to make the Academy a success. Given the quality of the faculty and the amount of time dedicated to this project, the students got a bargain. Mary Mendel Katz and Wilson Smith had been listed on the faculty but due to last minute trial commitments and illnesses were unable to attend. Nevertheless, the time they devoted to this project and their willingness to serve is appreciated. The 46 students attending took the matter very seriously. Their subsequent reports indicate the success of the Academy.

Steve Kyle has continued to work hard on his perennial assignment to the Brief Bank and Expert Witness Bank and, from all reports, progress is being made and the membership is beginning to become aware of its existence.

Other committees also have worked hard. Hank Scudder has been keeping up with the Legislative Committee and following the activities of our legislative body, keeping us informed of developments of which we might have some concern.

Many others have served the organization well and perhaps naming a few results in leaving out many. Our thanks should go to all of those who have served, particularly those who have worked with David Hanks on the newsletter, Ken Moorman on the Long-Range Planning Committee, Bill Hardegree on the *Amicus Curiae* Committee, George Duncan on the Membership Committee.

I am particularly pleased that the *Journal* is being completed in advance of the end of my presidency. Joe Chambless and his committee have done a superb job getting this done.

I feel that I have been very privileged to have served in this capacity and am thankful for the opportunity to serve the Georgia Defense Lawyers Association composed of the finest lawyers in the State of Georgia.

PRESIDENT'S MESSAGE

1995

David T. Whitworth

Fendig Taylor Mclemore & Whitworth
Brunswick, Georgia

While composing this "President's Message" I have reviewed a number of such messages in recent Georgia Defense Lawyers Association *Journals*. It appears great latitude has been the norm, luckily

for me! I have recently reread a brief address delivered on my behalf to the attendees of the 1994 GDLA Trial Academy, and since some liberty is afforded the President in this, I want to relate part of those thoughts to the reader here. It is about the best I can do at articulating the importance of GDLA to me:

I will not take up too much of your time reminiscing, but there is a bit of nostalgia I should share.

The Academy has special significance to me, because I am a product of the first Georgia Defense Lawyers Trial Academy conducted at Pine Isle in October of 1980. I had been in practice two years and four months. I certainly could not imagine then that fourteen years later I would be President of the Association, the first to have been a graduate of its Trial Academy.

At that time the President of the Association was Ed Kelly. The members of the committee who formed that first Academy were Mac McClendon of Atlanta, Weymon Forrester of Gainesville, and my later-to-become partner, Albert Fendig. The faculty members were among the finest trial lawyers in the state and included John Jones, Ben Weinberg and Glenn Frick of Atlanta, Hugh Kemp of Dalton, Rowland Dye of Augusta, John Gayner of Brunswick, Bob Struble of Toccoa and Bill Scrantom of Columbus.

I admit to being intimidated. I had no way of knowing when I arrived at Pine Isle on that Thursday what a rich experience that first Trial Academy would prove to be. More than one of the closest friendships I have had with other practicing attorneys was formed at that Academy, and the relationships started not just with the attendees who are my contemporaries, but also with the older members of the Association have been the most rewarding aspects of my career in law.

I hope these thoughts may encourage you to dive into the Trial Academy with commitment and enthusiasm. Just as I was, you are here with some of the best trial lawyers in the state, who get nothing out of their participation in the Academy except the pleasure of sharing their knowledge and experience with you. In addition, you are gaining exposure to what is, in my opinion, simply the best organization of lawyers that exists. Georgia Defense Lawyers Association members are not out to impress anybody; we just enjoy each other's company! War stories absolutely are permitted!

Often this column has been used to express appreciation to those who have contributed significantly to the Association throughout the year. That is a worthy endeavor. But, with Association membership now at the record level of 450, and the number of functioning committees higher than ever also, I fear omission of individuals who have labored well would be inevitable if I commenced a list. I must at least reiterate, though, my appreciation to the committee chairmen, and to my fellow officers and board members, who have performed exceptionally this year. As you have heard me say elsewhere, the work of our committees is not mere "make-work" but is genuinely worthwhile, contributing to the profile and effectiveness of the Association, as well as to our awareness of, and effect upon, the legal system.

Some years ago a political science work (the name of which I have forgotten) referred to certain highly influential Congressmen as the "whales of the Congress." Their presence was noteworthy, and their contribution unmistakable. For me, there are a number of GDLA "whales" without whose friendship and guidance I would never have held this office. Among them are: my partner, Albert Fendig, who suggested that I attend my first meeting, and was kind enough to pay my way; George Grant, who was President when I became a member; Dick Richardson, Doug Dennis, Mac McClendon and other mentors who proposed me for this Board. I want to express appreciation to all of them, and to the membership for affording me this privilege.

Finally, while I have not seen him in several years, I should doubtless thank Gene Partain, too, for setting the precedent of having a GDLA President with a moustache!

PRESIDENT'S MESSAGE

1996

R. Clay Porter

Dennis Corry Porter & Gray
Atlanta, Georgia

As the legal profession assumes greater business characteristics at the expense of professionalism, there is some comfort in belonging to an association devoted to many of the long-standing traditions of the defense practice. The Association's annual *Journal* and Trial Academy exemplify this devotion.

Over the years Association members have become accustomed to scholarly legal analysis and careful draftsmanship in the Georgia Defense Lawyers Association *Journal*. This year's edition, organized and edited by Rick Rominger (Savannah), maintains those standards of excellence and I extend my hardest thanks to Rick and all of the contributing authors for their hard work.

The Trial Academy may not be as widely observed as the *Journal*, but its impact is no less significant. In addition to learning fundamental trial skills, the students gain an appreciation for many of the professional responsibilities and customs that appear to be fading as the business element of the practice increases. The preservation of these values is dependent, in large measure, upon the survival of a sense of community within the profession. The Trial Academy emphasizes this sense of community among lawyers from both rural and metropolitan perspectives. To Sandy and the Trial Academy faculty, thank you for all your contributions. The faculty included: James S. (Sandy) Owens, Nall Miller Owens, Hocutt & Howard, Atlanta; Kay Deming, Troutman Sanders, Atlanta; Jerry Buchanan, Buchanan & Land, Columbus; Hezekiah Sistrunk, Jr., Sistrunk & Associates, Atlanta; Mary Mendel Katz, Chambless Higdon & Carson, Macon; Harry W. Bassler, Crim & Bassler, Atlanta; and Michael T. Thornton, Atlanta.

The Association newsletters are a product of the hard work of Salty Forbes (Savannah). Steve Kyle (Atlanta) continues to maintain and promote the Expert Bank, and it has become a useful resource, although more data input from members is needed. Hank Scrudder (Atlanta), Chairman of the **Amicus Curiae** and Legislative Committees, represented the Association in supporting the expansion of the Georgia Court of Appeals and opposing a Constitutional Amendment to permit civil trial juries of less than 12 in the Superior Courts. Neal Dickert (Augusta), with the help of Emmitte Griggs (Macon), Jim Purcell (Augusta), Arnold Gardner (Atlanta) and Steve Kyle, produced a high quality Winter CLE Seminar on expert witnesses. (This program was made available to firms of Association members at no charge.) Your Board of Directors met diligently in the fall and the winter to attend to the business of the Association. The joint GDLA/GTLA seminar on professionalism and lawyer cooperation, spearheaded by George Duncan (Atlanta), is still to come.

I appreciate all of the work of the committee chairpersons and Board members throughout the year. I particularly appreciate the efforts of Joe Chambless (Macon) as Secretary-Treasurer and David Hanks (Augusta) as Vice President. Of course, as all past presidents know, the person that keeps this organization moving is Dick Richardson (Savannah). To him the Association will forever be indebted.

This brief message does not mention all the efforts expended by various members in serving this Association over the past year. To those who think that the Association needs to do more, please attend the annual meetings and voice your opinions. I hope most members recognize that those few projects undertaken by this Association are motivated in the highest tradition of our defense practice and that these projects are carefully tended. In every function of the Association the fraternal interaction among fellow defense lawyers throughout the state helps maintain our sense of community in the practice. Some value this aspect of our Association above all else. I strongly hold to that view and urge the Association not to dilute it for the sake of becoming more competitive with our plaintiff counterpart.

It has been an honor to serve as President of this Association, an honor which I dedicate to Doug and Rhett Dennis.

PRESIDENT'S MESSAGE

1997

David H. Hanks

Fulcher Hagler Reed & Harper
Augusta, Georgia

During this year, your Association has continued to offer opportunities to further professional skills, to establish friendships with lawyers around the state, and to consult with each other concerning the changes affecting our practice. At our Annual Meeting last spring, through the assistance of Sandy Owens, the issues of alternative fee arrangements were frankly and helpfully addressed by lawyers and corporate counsel who have been directly and successfully involved in developing and responding to changes in that area of our practice.

After our Fall Board Meeting, I appointed a Long-Range Planning Committee to review the goals, objectives and operation of the Association. Members of this important committee are Joe Chambless, Steve Kyle, Greg Melton, Bob Travis, Kay Deming, Salty Forbes, Bruce Welch, David Whitworth and Dick Richardson. I encourage you to give them your thoughts and suggestions concerning your Association's future.

Plans for a joint GDLA/GTLA seminar on professionalism, hopefully at an Atlanta area law school, are underway with George Duncan leading that effort. Over these last three years, your officers have greatly appreciated the opportunity to meet annually with the officers of the defense associations of Florida and Alabama at the southeastern regional meeting of the State & Local Defense Organizations (SLDO) and to discuss matters of common interest.

The Association operates through committees, and I am thankful for the efforts of all who have served on our committees this year. Special thanks are due to Sandy Owens and Kay Deming for planning and directing the Association's annual Trial Academy at Callaway Gardens. Comments from the students praised the high quality of the instruction. Kay has graciously agreed to serve as Chair for the Academy in 1997.

Thanks to Wiley Wasden for his willingness to serve as editor of the Georgia Defense Lawyers *Journal*. He and those who have written for this 1997 edition have provided us with practical articles which can be use regularly and beneficially.

Thanks also to Greg Melton for his hard work in putting together the mid-year CLE program which was helpful and we received. We particularly appreciate the contributions of Judge Fran Eldridge on the topic, "Professionalism in the Modern Trial Practice."

Dick Richardson, one of the five founding members of the Association, has done his usual fine job as Meetings Chair for the Board Meetings and the Annual Meeting. Thank you, Dick. We are indebted to our Executive Vice President, Joe Chambless, for the fine program presented this year at our Annual Meeting. Working this year with Joe and with Steve Kyle, our Secretary-Treasurer, has been a pleasure.

I am thankful to Gould Hagler for having invited me to attend my first GDLA meeting years ago. Betty and I enjoyed that first trip with Gould and Mary, and we have enjoyed every meeting since.

Thank you for the privilege of serving as President of this Association.

PRESIDENT'S MESSAGE

1998

Joseph H. Chambless

Chambless, Higdon & Carlson
Macon, Georgia

As I approach the end of my term as President of GDLA, I must say that the experience has been both rewarding and satisfying, not from a financial standpoint but in a personal and professional way. I have come to meet and know many of you who I had previously known only by name but who I had never had the opportunity to meet and work with on any matter. I have worked with an energetic group of officers and board members, committee chairmen and committee members who have taken on the responsibility of giving direction to the business of our Association. I can say without reservation that our group of lawyers forms the nucleus of the best examples one can find in our profession who exhibit the high standards that all lawyers should aspire to in their professional lives.

Regardless of what you may hear from time to time, you defense lawyers work long and hard hours and do so with a sense of responsibility to do a good job for your clients. The fruits of your labor most often are good results or at least a fair result for your client. However, our struggle still continues in an effort to show our insurance clients that the bottom line from our standpoint is a good job for our assigned clients and not how much we earn in doing a good job. All of us must work towards re-establishing that trust and confidence that existed in the past between the lawyer and the claims examiners and their supervisors.

Those of us who have been “insurance defense lawyers” for more than 25 years have seen the changes that have occurred which have created an atmosphere of distrust or suspicion. When our insurance clients reach the point where it is felt that our file records should be subject to audit to make sure that we have done the work, then “wake up time” has arrived, and it is important that all of us make an extra effort to do what is necessary to find the cause of the problem and the solution to the problem. A committee has been appointed to look into these issues and to make recommendations to the Board of Directors and to the membership. Please provide your thoughts and suggestions to the committee chairman, Bob Travis. The important thing for us to remember is to continue to do our job for our clients in an ethical and professional manner. Now, let me get off this soapbox and make the following comments.

The Association needs each of you to take an active role as a member. Attending the Annual Meeting, participating in the Winter CLE Seminar which the Association underwrites with no expense to you, encouraging and sponsoring new members, participating in committee work, and making suggestions and recommendations to the officers and Board of Directors so that the Association can be more responsive to your concerns, will keep GDLA healthy. There is always room to grow and change, and you can be a moving force in encouraging that growth and change.

I appreciate all of the hard work that the officers, board members and committee chairpersons and committee members have contributed this year. Special thanks go to Kay Deming (Atlanta), Chair-

person of the Trial Academy Committee, and her faculty for a highly successful Academy which has earned them accolades; to Bob Monyak (Atlanta), Chairperson of the Legislative Committee, who has done an excellent job in keeping his committee and the Board apprised of legislation being submitted that impacts on the litigation process; to Walter McClelland (Atlanta), Chairperson of the *Journal* Committee, who has shouldered the burden of putting together a cadre of authors who have created another excellent *Journal* which will continue to be well received by Judges we deal with every day; to Bob Brinson (Rome), Chairperson of the Seminar Committee, and to Jimmy Singer (Atlanta), Vice-Chair, for an excellent CLE seminar at the Colony Square Hotel in Atlanta; to Tom Alexander (Macon), Chairperson of the *Amicus Curiae* Committee, and his committee members and volunteers who put together three excellent Amicus briefs; to Salty Forbes (Savannah), Chairperson of the Newsletter Committee, and his committee members for the hard work of putting together the quarterly newsletter and for his sage advice to me as the year progressed; to George Duncan (Atlanta), Secretary-Treasurer and Chairperson of the Professionalism Committee, for his counsel to me and for his excellent work in putting together GDLA's first sponsored professionalism seminar at the Colony Square Hotel in Atlanta, which by all accounts was a resounding success; to Steve Kyle (Atlanta), Executive Vice President and Chairperson of the Expert/Brief Bank, who was always available to me for his advice and the person responsible for the excellent program for the Annual Meeting; to Bob Travis, Chairperson, and to the members of the Long-Range Planning Committee for the hard work in two lengthy meetings resulting in recommendations to the Board about changing our membership Bylaws and changing the Annual Meeting to the summertime; to David Whitworth (Brunswick). Chairperson of the Bylaws Committee, who used his uncanny legal talent to let us know how to amend the Bylaws; to Dick Richardson (Savannah), as the Chairperson of the Membership Committee and the perennial guru who arranges our Board Meetings and Annual Meeting and whose advice and counsel has helped every President and would-be President of this or-

ganization stay on track; to all of the board members who made that special effort to attend meetings and to actively participate in the decision-making process that gives direction to the Association; to all of you who responded when called upon to help or to give advice.

And finally, but not least, my thanks to Al Shirley, our Executive Secretary and my personal secretary, whose friendly smile and voice and conscientious devotion to her duties for the Association has endeared her to all who have had the occasion to talk to her and get her assistance. She works long and hard hours in getting all *Journal* articles in camera ready form each year to be printed and in sending multiple mailings to the members, all without complaint.

I appreciate the opportunity and privilege to have served as President of this Association and to have had the opportunity to work with so many attorneys and to develop new friendships. In closing, I suggest that the fraternity of attorneys in GDLA can be an important asset to you in your practice and recommend that you take advantage of the opportunity to become a real partner in that fraternity.

PRESIDENT'S MESSAGE

1999

“ON THE DOORSTEP OF THE MILLENNIUM”

Steven J. Kyle

Bovis, Kyle & Burch

Atlanta, Georgia

As we approach Y2K, the practice of insurance defense law is rapidly changing, and your Georgia Defense Lawyers Association is keeping pace with that change.

During the past year, we have placed our web page on the Internet and it can be accessed at www.gdla.org. With one click of the mouse, you can have instant access to the officers' and directors' names and addresses, quickly determine how to reach our Executive Secretary, learn about the Association's calendar of events and locate any member listed alphabetically or by city. We have a "members' only" page that allows you to learn of recent developments within our seven Substantive

Law Committees. When you join the Association, we give you that password.

The ability to access information through the Internet is staggering. We have included a series of legal links on our web page that give you sites where you can obtain information that just a year ago were figments of our imagination. Log on and surf the web and see what this web page offers you!

I would like to thank Jerry Buchanan for his outstanding work this year in creating our web page and also agreeing to serve as editor of this year's *Law Journal*. When I asked Jerry to accept this assignment at last year's annual convention at The Cloister, within 15 days Jerry had obtained commitments from 12 of our writers to submit articles. Without question, this year's *Journal* is our most outstanding publication to date. It is with a great deal of pride that we distribute this *Journal* to every appellate and trial judge throughout the State of Georgia. The articles are thought-provoking, insightful and reflect a reasoned approach from the defense standpoint.

It is my fervent belief that the ability to communicate is the foundation to any good association. With the advent of the Internet and e-mail, we have made a concerted effort to obtain your e-mail address. To date, we have over 200 members whose addresses we have added to our "GDLA mailing list." As an example, during the month of April, a decision came out which had a profound effect on punitive damages. We were able to download this decision and send it on to those 200 members via the computer. It is my desire that before we reach the millennium, every member of this Association has an e-mail address so that we can communicate with you instantly when something of interest develops that affects your practice.

Just imagine—if you want to know about a particular expert, wouldn't it be valuable to have the ability to broadcast a message to all 458 members asking them whether they know of this expert and whether they have trial transcripts or deposition transcripts to assist in impeachment efforts? Wouldn't it be a valuable and powerful tool if you suspect that a particular plaintiff's attorney uses a particular expert on a repetitive basis, and you send out such an inquiry to all 458 members? What if you have a legal question that stumps you?

Would you like to have the ability to get input from 458 of your fellow insurance defense lawyers? All this power will be available to you at absolutely no cost, save your membership fee to this Association.

This is the epitome of networking and provides you powerful defense tools that up to this point in time were otherwise unavailable.

I am happy to report that the Georgia Defense Lawyers Association is well managed and financially stable. George Duncan has served as our Executive Vice President and this past year has planned an excellent program at our annual convention in Ponte Vedra. George began planning this program in April of 1998 and has followed the tradition of having outstanding speakers to educate, entertain and help us become better insurance defense lawyers.

Our Secretary-Treasurer, Greg Melton, has taken a very active role this year and has accepted my appointment to lead a committee to determine alternative sources of revenue for the Association. Greg's committee is looking into the possibility of allowing certain functions to be sponsored by non-lawyer associations such as book publishers, structured settlement agents and other vendors to the legal community. This additional revenue will allow us to do more without a dues increase.

The Trial Academy has long been recognized as one of the most valuable contributions we make to the practice of insurance defense. Kay Deming has served as Chairman for our Trial Academy for the past three years and has done yeoman's service. Her faculty members (Jerry Buchanan, George Duncan, Jim Elliott, Rusty Gunn, Greg Hodges, Mary Katz, Greg Melton, Wade Monk, Jim Owens and Gordon Smith) have taken two and a half days from their practice to teach young lawyers how to try a lawsuit. Many of you have gone through this Trial Academy and realize how it has contributed to your development as a trial lawyer.

The Winter CLE Seminar was chaired by Jimmy Singer and it was a resounding success. Jimmy decided to hold this year's seminar in Atlanta and more than 70 members attended which was an all-time high. Jimmy was able to offer six hours of CLE credit and personally devised a program that focused on pertinent and significant legal issues.

It is GDLA's goal to allow you to complete all our ICLE credits by attending GDLA functions. The hours offered during our annual convention and at our Winter CLE Seminar will not only emphasize issues unique to our practice of the law, but give you the opportunity to network.

This Association is unique among associations. We are truly blessed to have a cadre of Past Presidents who remain involved and continue to participate in the Board of Directors. They not only attend the meetings, but also they actively participate in the committee work and offer guidance to our officers. I thank each of these individuals for the service they gave as President and the service they continue to give to the Board of Directors.

By now, most of you know that one of the founding fathers of this Association, Willis J. (Dick) Richardson, Jr., suffered a severe heart attack in April, 1999. Dick Richardson was and is the heart and soul of this Association. Dick hand-picked each of us who have served as President and words cannot express our heartfelt admiration and love for this man. We have all heard the statement that a person is not appreciated until he is no longer available. No truer words could be spoken of this man. This Association was Dick's life and he set the standard for all of us to follow. Dick, we wish you a rapid recovery, and we promise to carry on the standards you have established over the past 33 years.

The future of any association lies in its youth and its new members. This year we have instituted a format change regarding the annual convention.

Instead of holding it during the fourth weekend of April, we are changing the time to June 17-20 to encourage more members to attend, to bring their spouses or significant others, and to bring their children and grandchildren. Hopefully, our older members will encourage and sponsor the younger members of their law firms to join the Association and get involved as we progress toward the millennium. We have started a Younger Lawyers Section. David Dekle and Stewart Duggan have agreed to serve as Co-Chairs.

Despite all of this year's accomplishments, one attribute remains constant—the camaraderie among insurance defense lawyers. Although the practice of law may change, friends remain. For

those of you who have worked as officers, directors, committee chairs and committee members, and have given unselfishly of your time and effort, let me express my appreciation to you and personally tell you that your friendship means a great deal to me. Thank you for allowing me the privilege of serving as your President.

PRESIDENT'S MESSAGE

2002

Walter B. McClelland

Mabry & McClelland

Atlanta, Georgia

This year the Annual Meeting of the Georgia Defense Lawyers Association was held in one of our favorite spots, Ponte Vedra, Florida, from July 18-21. We celebrated our 35th Anniversary, and the Saturday night banquet was highlighted by a ten piece band and a tribute to all of our Past Presidents. This past year was an exciting time in the life of our Association, and it has been a privilege to serve as its President.

GDLA could not be as successful as it is without the hard work and dedication of many of its members, and particularly the members of the Board of Directors. At this year's Annual Meeting, the Board held "open meetings" for those who expressed an interest in serving on the Board. In the event you were not able to attend the Annual Meeting and have interest in serving on the Board of Directors in the future, I would ask that you let Salty Forbes know of that interest.

As is the custom, I want to take this opportunity to highlight the year's activities and to specifically thank certain members for their extraordinary work and dedication to the Association. The Association returns to Ponte Vedra, Florida every third year, and has done so for many years. This is indeed a five star location, and is one of the best venues we attend. This year's Annual Meeting was exceptional, thanks to the efforts of our Meetings Chairman, Steve Kyle. For those of us who always thought that Steve was very "straight-laced," it was a revelation to see him on stage with the band on Saturday night. I hope that Johnny Foster got some good pictures of Steve for the newsletter.

Our newly-elected President, Jerry Buchanan, put together an excellent program to highlight our Annual Meeting. Dr. Bill McCallister and Michael Boutot presented the Association with many valuable ideas to make our law practices more efficient and profitable. Of all the speakers that we have ever had, these two were certainly the most energetic, and Jerry is to be commended for an excellent program.

Warner Fox, as Editor of the *Law Journal*, has put together yet another in a long line of excellent *Journals*, consisting of scholarly and timely legal articles, with emphasis on issues helpful to the defense practice.

Following last year's Annual Meeting at Destin, the officers held a retreat where we established as one of our primary goals the solicitation of new members. While my original goal of new members was not met, I am pleased to announce that we did obtain over 50 new members during the last year. I am confident that this number will grow quickly as a result of the solicitation campaign that moved into high gear during the last few months under Jerry Buchanan's leadership. I urge each of you to be on the lookout for prospective new members, and to encourage them to join our organization.

As you know, GDLA has established the Willis J. (Dick) Richardson, Jr. Scholarship Fund at the University of Georgia. This Fund will provide an annual award and scholarship for excellence in Georgia Practice and Procedure to the outstanding student in the Georgia Practice and Procedure course. This is indeed a fitting memorial to our "Commander-in-Chief in Perpetuity" and good friend, Dick Richardson, who passed away in 1999.

My good friend and Past President, Salty Forbes, continues to serve as unofficial "parliamentarian" at the Board meetings, and makes it a point to attend each and every meeting to make sure that nothing gets passed which is in conflict with the Bylaws. I appreciate Salty keeping me straight during the last year. In addition, Salty continues to serve on the DRI Board of Directors, and has been instrumental in keeping GDLA apprised of matters of importance to the defense bar on a national level. David Whitworth, another one of our Past Presidents, served as the DRI State Representative, where he acted as the liaison between the DRI and GDLA.

Jimmy Singer was actively involved this year as Chairman of the Amicus Committee. The Georgia Defense Lawyers Association submitted amicus briefs in at least two cases of common interest to the defense bar.

Johnny Foster did an excellent job in publishing several informative Newsletters throughout the year. In addition, he took charge of coordinating our sponsorship program and disseminating information to the Association's sponsors, who have grown considerably under his leadership. Our sponsors are an important source of supplemental income to the Association, and they deserve our thanks and patronage.

In November, 2001, the Association sponsored a combination social hour and professionalism seminar, which was organized by Jo Jagor and Karen Raby, with help from George Duncan. This was the first time the Association had held such an event, and it was a smashing success, filling Manuel's Tavern with attendees.

From November 29 to December 1, 2001, the Association conducted its annual Trial Academy at Callaway Gardens, under the leadership of Rusty Gunn and a "cast of thousands." This undoubtedly is one of the highlights of the services that the Association provides, and is an excellent opportunity for firms to send their younger lawyers to an intense training session. The Trial Academy was well attended, and I send special thanks to Rusty and the faculty who made the Academy a success.

On February 15, 2002, the mid-year seminar was put on in Atlanta by Staten Bitting and Luanne Clarke. This year's seminar deviated from the usual format, in that it contained a joint session with a breakout session concentrating either on trial tactics or workers' compensation issues. The seminar was very well received with over 85 attendees, and many thanks to Staten and Luanne for all of the time and effort they put into making this one of the best seminars we have sponsored.

On May 29, 2002, GDLA sponsored another social get together in Atlanta. This was spearheaded again by Jo Jagor and George Duncan, and concentrated primarily on welcoming new members to our Association, and encouraging perspective members to join our ranks. We hope to expand these gatherings throughout the state.

As you can see, this was a busy and productive year for the Georgia Defense Lawyers Association. I, like all those before me, want to express my special appreciation to our Executive Secretary, Al Shirley, for all that she does for the Association. Al truly works "behind the scenes" and is directly responsible for keeping us moving in the right direction.

In closing, let me say that it has been an honor to be your President this year, and I wish the current officers, Jerry Buchanan, Rick Rominger and Grant Smith, continued success. We elected several new and energetic members to the Board of Directors at the Annual Meeting, and I know that this will be another productive year. I intend to stay active in the affairs of the Association, and look forward to helping GDLA continue to grow and to enhance and improve the services which it provides to its membership.

PRESIDENT'S MESSAGE 2006

Johnny Foster

Forbes & Bowman
Savannah, Georgia

It has been an honor, a pleasure, and a privilege to serve as the Georgia Defense Lawyers Association 2005-2006 President. I have gotten to know many of you whom before I only knew by name, but now, as a result of this position, I have had the opportunity to actually meet you face-to-face *and/or* work with you. I believe that the lawyers who compose this Association represent the best of the best in terms of competence, professionalism, and ethics. This organization is the best organization for lawyers that I have been exposed to.

I am pleased to report that the Georgia Defense Lawyers Association is well managed and financially stable. There are many to thank.

My first thanks go out to Bubba Hughes for agreeing to serve as Editor of this *Journal* and to Clay Ratterree for serving as Vice-Editor. They have done a fabulous job putting together this excellent *Journal* in a short period of time. Thanks also to the authors published in this *Journal* who donated their time, talent and knowledge to enlighten and educate all of us who are members of this Association.

Our Trial Academy continued to be a success this year due to the hard work of Tom Magill and the Trial Academy faculty which consisted of: Jerry Buchanan, Richard W. Fields, Mary Katherine Greene, William D. Harrison, Sandy Owens, Lynn Roberson and Richard H. Willis.

Our second Workers' Compensation Academy was successful as well due to the efforts of Staten Bitting who took the lead on this effort and Luanne Clarke and Lisa Wade who assisted him. Thanks also to the Honorable Viola Drew, the Honorable David Imahara, the Honorable Richard Thompson, Kevin Gaulke, David R. Smith, Jennifer H. Chapin and Larry N. Hollington who participated as faculty members.

In fact, Staten also served as Editor of our new and improved newsletter, the *Georgia Defense Lawyer*. Our newsletter just keeps getting better and better.

Also getting better and better is the Substantive Law portion of our website which includes our tort reform database, brief bank, and discovery tools. Kirby Mason and David Nelson are to thank for those improvements.

Bob Travis is another who has worn more than one hat during the past year. Not only has Bob done a great job as Secretary-Treasurer, but he is also leading us in an ongoing effort to increase our membership numbers. And if that were not enough, Bob and his Powell-Goldstein partner, Tom Richey guided us expertly in the past year through the process of selecting and obtaining an appropriate insurance package and incorporating appropriate exculpation and indemnification language into our Articles of Incorporation.

One committee that seems to get busier and busier every year is our Membership Committee chaired by Salty Forbes. The reason it gets busier and busier each year is that, for several years running, we have consistently broken previous records for the number of new members who have applied for and been approved for membership in this Association. One big reason that this was another record breaking year is Hall McKinley who brought us twenty new members at one time.

One of the smartest things that this Association's founding fathers did was to structure the leadership of this organization so as to include our Past

Presidents as *ex officio* members of our Board of Directors. We are blessed with a nucleus of Past Presidents who continue to endeavor to attend our Board of Directors' meetings whenever they can and actively participate in the business of this Association. Their wisdom, experience, and guidance are invaluable.

I extend my heartfelt thanks to each of these of gentlemen. You know who you are.

Two of the new projects we have taken up this year are a Judicial Relations Committee and the re-establishment of our Substantive Law Committees. Many thanks to Doug Stewart for agreeing to serve as the first Chair of our Judicial Relations Committee and to Lynn Roberson and David Whitworth for agreeing to serve as a steering committee that will ensure that our Substantive Law Committee program takes flight and remains airborne. Other new ideas warrant mention as well. Thanks to Lynn Roberson who, with a little help from Warner Fox, came up with our new slogan, "Advancing the Civil Defense Bar." Thanks to another of Lynn Roberson's ideas, GDLA lapel pins will soon be available. Salty Forbes took Lynn's idea a step further and, through his efforts, GDLA polo shirts are now available.

Thanks also go out to Barry Fleming for serving as our Legislative Liaison, Ted Freeman for chairing our Amicus Committee, Bruce Welch for serving as our DRI State Representative, and Clay Ratterree for chairing our Sponsorship and Exhibitors program. Special thanks also go out to Steve Kyle for setting up our meetings for this year and the previous six years, as well. Most of us probably don't realize how much time and talent is required to make our meetings occur and to make them run smoothly. This is Kyle's job and he performs it superbly.

This year, for the first time since 1993, we are off to Bermuda for our Annual Meeting. Our Executive Vice President, Warner Fox, has done a great job putting together what I believe will be a truly excellent Continuing Legal Education program.

This is not intended to be a comprehensive list of all of those who have served this organization within the past year and who deserve our thanks; indeed, such a list would probably be impossible to compile.

We still face challenges. As mentioned above, we need to increase our membership. We need more diversity in both our membership and our leadership. We need more diversity not only along the traditional lines of gender, ethnicity, race or national origin, but we also need more diversity as to the practice areas of our members. By that I mean that we need to have more to offer to those Georgia lawyers whose practice is civil litigation defense, but whose practice may not be what has traditionally been known as “insurance defense.” And we need to be able to offer to all of our members more information that will help them in their practice. This information needs to be timely and it needs to be easily accessible. While these goals have not yet been accomplished, I am happy to say that plans are in place and efforts are well underway to achieve these goals.

I believe that this Association benefits its members in numerous ways. Perhaps the most valuable of these is simply the friendship, camaraderie, and fraternity shared by our members. To paraphrase what Joe Chambless said in this column several years ago, the fraternity of attorneys in this Association can be an important asset to each member in his or her professional life, and I hope that each member will take full advantage of the opportunity to be a real partner in that fraternity.

PRESIDENT’S MESSAGE

2007

Warner S. Fox

Hawkins & Parnell
Atlanta, Georgia

I appreciate the opportunity to have served as the 2006-2007 President of the Georgia Defense Lawyers Association. Frankly, the President’s job may be the easiest one within the organization. We have done a very good job over the years of creating a system where many of the labor-intensive duties required to run this organization are handled by those in positions below the Presidency. Serving as GDLA President then becomes a simple task so long as you have the ability to run a meeting and make a few decisions. Obviously, this only happens when the members and other officers assume their duties and fulfill them as required. I have been very

fortunate since everyone in these positions has surpassed these expectations and has done everything that I could have asked for. This dedication is what makes this Association such a vibrant organization.

Our Association continues to grow. Our finances are secure and there is absolutely nothing to impede the organization’s efforts to continue to grow and to serve its membership.

Our mission statement, which can be found on our website at www.gdla.org, in essence states that we are an association devoted to improving the practice of law as conducted by lawyers who devote most of their professional time to the handling of litigated matters where they are representing defendants. Anyone who has been actively involved in the organization can readily see that. However, we have many members who, likely because of time constraints, have not been actively involved, although they thankfully continue to maintain their membership. I would like to invite those members who have not actively participated to do their best to become more active in the organization. Please consider attending this year’s Annual Meeting which has been put together by Executive Vice President, Robert (Bob) M. Travis.

This meeting will be held at the Amelia Island Plantation from June 7-10, 2007. Bob has done a remarkable job of putting together an incredible meeting that will certainly serve as a benchmark for those that follow. The CLE will be interesting and entertaining, but more importantly, the meeting will provide an opportunity for fellowship among the lawyers that attend. With each meeting, new friendships are established that will last a lifetime and increase one’s enthusiasm for the practice of law.

One of my goals this year was to increase the diversity within the organization. We are making strides in that direction, and I would like to encourage everyone within the organization to keep that goal in mind as we move forward. We have now established a number of substantive law committees which are chaired by various lawyers around the state. These committees can be viewed on our website. Additionally, I would like to encourage anyone with a desire to work with the organization to view these committees, contact either

the Chair or Vice-Chair, and get involved. Only through that involvement will these committees grow and, as the committees grow, increase our ability to diversify the organization.

Another goal this year was to increase our membership among the “large” Atlanta law firms. We have begun a path to achieve that by meeting with various members of those firms; in particular, individuals who are heads of their firm’s litigation sections in order to explain the benefits of GDLA membership and to encourage them to consider having lawyers within their firm join the organization. As we all know, some Atlanta firms have grown incredibly large and provide a deep, talent-rich pool for potential members of this organization. Over the next few years we expect numerous lawyers from those firms to join the Association as members. That will do two things. It will allow the organization to expand its membership and it will also bring in members specialized in areas of law in which the organization currently has few members.

Some of the improvements that I hope you will notice this year are a revamped GDLA website that is more user-friendly and informative. Contained within the Resources link of the website are various members’ areas that provide valuable information including a Brief Bank and discovery tools. One of the most valuable tools for members of the organization is the blast e-mail capability that can be employed by members through the website. I am sure most of you have received a number of e-mails from fellow members asking for information about experts, opposing counsel, judges, and other important information. The ability of our organization to communicate cohesively is a valuable tool.

If you are reading this message, you obviously are reading it through another valuable benefit of the organization, *GDLA Law Journal*. The insightful and informative articles contained within this *Journal* and the ones that have preceded it, are brought to you only by the hard work of our members who take the time to write the articles. Once written, those articles must be compiled into the actual *Journal*, and we were fortunate this year to have that task assigned to Mel Haas who serves as one of our Vice Presidents. I would like to thank all that contributed to the *Journal* this year, and, in

particular, note a very interesting article authored by Amy Snell and Leigh Hicks devoted to appellate advocacy. GDLA would like to especially thank the Honorable Justice Benham and the Honorable Judge Barnes for providing their time and valuable insight to the authors.

There are many other members that I could thank for their hard work on behalf of the organization this year. However, rather than do that, I would invite each of you to take a look at our revamped website where you can explore what contributions various members of the organization are making. One final mention regarding our website. It contains a link to various sponsors of this organization. I will not name them in this message, but our sponsors provide valuable services and financial support to the organization. Please consider utilizing our sponsors when the need arises. They have been an integral part in allowing the organization to provide some of its benefits and programs. We want to do our best to thank them for their involvement in the organization by continuing to support them where we can.

The current officers below the President are all very capable and dedicated to the organization. With their and your help, the organization will continue to grow, thrive and prosper. None of this can take place without time being volunteered by the organization’s members, and I would once again encourage each of you to try and find time to become more involved in GDLA. You will find it a rewarding professional experience and will see that it has valuable social aspects, as well. Given the contentious and stressful nature of our practices, the ability to make long-lasting friendships with other lawyers who are experiencing the same things that you are is an opportunity that shouldn’t be missed. Once again, thank you for the privilege of serving as your President this year, and I will leave this organization in the more than capable hands of Bob Travis.

PRESIDENT'S MESSAGE

2008

Bob Travis

Powell Goldstein Frazer & Murphy
Atlanta, Georgia

One of the most telling signs that the Georgia Defense Lawyers Association is increasing its visibility and role in statewide matters of importance to the civil defense bar is that our board meetings are now stretching to four-hour, jam-packed work sessions with more than 20 attorneys from across the state gathering to discuss dozens of items that affect the practices of lawyers in our area of the profession.

From responding to tort reform, adding more training for younger lawyers, filing amicus briefs in important matters before our appellate courts, increasing our face-to-face social contacts with the judiciary, improving opportunities for women and minorities to participate in the Association, creating a vibrant younger lawyers section, providing more specific practice area information via our Substantive Law Committees, building a database of expert witnesses and trial work product ... GDLA is becoming known today as a very strong and more respected voice of the civil defense bar in Georgia.

In recent years, Georgia's Judicial Nominating Commission has begun requesting that GDLA review the applications of potential candidates and participate in the screening process, including appearing before the Commission.

Membership is increasing each year, as more and more Georgia lawyers learn about the breadth and quality of the benefits we offer to their practice ... and renew their memberships after they've liked what they've seen.

Industry vendors are approaching us in record numbers to work with us on CLE seminars, provide articles for our newsletter and to provide speakers at our academies and meetings.

More and more judges are attending our cocktail receptions in cities across the state and getting to hear our voices.

Our relationship with DRI remains strong, as Georgia appoints its next Southeast Region representative for a three-year term.

We are even making inroads with the one group of attorneys who have traditionally not participated in GDLA—those who practice at the “mega firms” in Atlanta. These firms have traditionally viewed GDLA as insurance defense lawyers, and have had little to no knowledge of what the Association actually does.

Recently, the perception of GDLA at these firms has begun to change, and they are learning about the value of GDLA membership for their associates, including our invaluable blast e-mail system which connects an attorney with close to 600 of his or her peers across the state for case research at the touch of a button.

While many associations ask their members to “support the association,” the GDLA Board of Directors has worked hard in recent years to ensure that the Association supports the members.

If we can get you involved with GDLA, you will not simply be supporting your Association, but rather helping your peers advance the civil defense bar in Georgia. Never before has there been a time when the possibilities for you to make your mark on the profession have been this great.

Please visit www.gdla.org and click on the “About Us” button to see how you can make a substantive contribution to the profession in our state.

We look forward to continuing to serve you and hope you will join us in pursuing the mission of GDLA—“Advancing the Civil Defense Bar” in Georgia.



BY THE GOVERNOR OF THE STATE OF GEORGIA

A PROCLAMATION

GEORGIA DEFENSE LAWYERS ASSOCIATION 50TH ANNIVERSARY DAY

- WHEREAS: The Georgia Defense Lawyers Association is a statewide organization comprised of Georgia lawyers engaged primarily in the practice of civil defense litigation; and
- WHEREAS: The Georgia Defense Lawyers Association and its members are dedicated to providing an opportunity for attorneys to exchange ideas, develop professional relationships, support the state and federal judiciary, and share resources and information for civil defense practice; and
- WHEREAS: The Georgia Defense Lawyers Association and its members are committed to improving the adversarial system of jurisprudence in our courts, working for the elimination of court congestion and delays in civil litigation, and advancing the justice system; and
- WHEREAS: For 50 years, the Georgia Defense Lawyers Association has worked to elevate the standards of trial practice and has provided a platform of support for civil defense lawyers licensed in the state; now
- THEREFORE: I, NATHAN DEAL, Governor of the State of Georgia, do hereby proclaim June 17, 2017, as GEORGIA DEFENSE LAWYERS ASSOCIATION 50TH ANNIVERSARY DAY in Georgia.

In witness thereof, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed this 1st day of June in the year of our Lord two thousand seventeen.



Nathan Deal

GOVERNOR

ATTEST

Chris W. Pety

CHIEF OF STAFF



SPECIAL ACKNOWLEDGMENT

GDLA extends special thanks to the following spouses, and former First Ladies, for their efforts in helping make our 50th anniversary celebration especially memorable:

Cindy Bitting
Debbie Hughes
Kathy McClelland
Mary Peironnet

CELEBRATING

50
Years



The Voice of the
Defense Bar

DRI congratulates GDLA on its Golden Anniversary and on the many other successes that preceded this milestone:

- 2004** DRI Louis D. Potter Lifetime Professional Service Award
Past President Albert H. Parnell
- 2012** DRI Rudolph Janata Award for Outstanding Defense Organization
- 2013** DRI Fred M. Sievert Outstanding Bar Leader Award
Past President Lynn M. Roberson
- 2014** DRI Kevin Driskill Outstanding State Representative Award
Past President Edward M. (Bubba) Hughes
- 2016** DRI State & Local Defense Organization Executive Director Award
Executive Director Jennifer M. Davis

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