


MARK YOUR CALENDAR - OCTOBER 2006

S	M	T	W	T	F	S
1	2	3 AAYLA Board Meeting 12:00 p.m., Sprouse Law Firm	4 AABA Board Meeting 11:45 a.m., Amarillo Club	5	6	7
8	9	10	11 Bar Luncheon 11:45 a.m., Amarillo Club	12 Young Lawyer Day	13	14
			Advanced Criminal Law CLE Eagle Center			
15	16	17	18	19	20	21
22	23	24	25	26	27	28
Daylight Saving Time Ends 29	30	Happy Halloween 31 				

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*A Publication of the Amarillo Area Bar Association*

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A Publication of the Amarillo Area Bar Association

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OCTOBER 2006

www.amarillobar.org

Meet Your President:  
Mark D. White

AMA-LAW sat down with the new Amarillo Area Bar Association President, Mark White, and found some interesting things:

A-L: Just how long have you been practicing?  
MW: Only since 1982, when I started at Culton, Morgan, Britain & White on the 16th floor of the old Bank One building.

A-L: How much were you paid?  
MW: \$28,000 a year.

A-L: Tell me about your first jury trial.  
MW: Believe it or not, I represented the plaintiff. Jay Harvey represented the defendant. It was a subrogation case involving a waitress from the Amarillo Club who had run into the old



Mark D. White

Trailways Bus Station when leaving work. Amarillo lawyer Dorothy Kinney was a juror. The trial resulted in a hung jury.

A-L: Well, did you do better next time?  
MW: My second case was against my law school classmate Marty Rowley, and he won. But only because my father, who was on the jury panel, was excused.

A-L: What was your most memorable case?  
MW: An industrial exposure case for Pantex. We literally had world-class testifying experts. What I really remember is the expert from Albuquerque who had served as the United States team leader for follow-up to the Chernobyl nuclear accident. We broke for lunch in the middle of his direct examination and went to the only restaurant in Panhandle, the

Butter Churn. Sitting at a table with the judge and jurors, my expert and a juror fought over the last piece of butterscotch pie. But we still won.

A-L: We hear you just finished three years as chairman of the Texas Commission for Lawyer Discipline. Are you glad you did it?  
MW: Yes and no. It gave me a real appreciation for how lawyers around the state conduct themselves and what their practices are like. But it sure is nice to spend some time in my office and less time on Southwest Airlines.

A-L: Tell me about Terry and the kids.  
MW: Well, Terry still practices at Perdue, Brandon, Fielder, Collins & Mott, prosecuting delinquent ad valorem tax suits. I hope she does this until the kids are out of college! Courtney is a sophomore at Wake Forest University, and Hillary is a junior at Amarillo High School. And yes, they both run.

A-L: Speaking of running, any marathons in your future?  
MW: I get to do the New York City Marathon in November. It will be my third this year.

A-L: How will you celebrate your 50th birthday?  
MW: On that weekend in December, I am going to try to run a Boston-qualifying time at the White Rock Marathon in Dallas. But, we'll see; getting older and faster at the same time is not natural.

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## President's Corner

by  
**Mark D. White**

### Preserving Memories

Executive Director Jo Ann Holt's office is cluttered with many fascinating historical documents and photographs about the Amarillo Bar Association. I have seen handwritten ledgers showing the payment of dues by members many, many years ago. There are newsletters, photographs, minutes of meetings, and even fixed fee schedules from a time gone by.

Jo Ann has recently applied for a grant from the Texas Bar Foundation to enable her to purchase the necessary materials to properly archive our memories. This is a great project, and even if the Bar Foundation grant does not come through, we need to take this on as a project and fund it ourselves.

If you would like to help with this cool project, please let me know. More importantly, if you have old scrapbook-type items about our Bar Association—letters, invitations, photographs, nearly anything—please get those to Jo Ann so they can be added to our treasure chest.

You might even see some of these items on display at future Bar functions. Upcoming editions of AMA-LAW will feature some samples of historical facts about our Bar. I applaud Jo Ann for being interested in this and can't wait to see what our members can find in their desk drawers or attics!

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Check out the Amarillo Area Bar Association's website at [www.amarillobar.org](http://www.amarillobar.org).



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#### Contact Us

For more information about your local area bar association or for address changes, contact Jo Ann Holt, Executive Director, at:

Amarillo Area Bar Association  
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Amarillo, Texas 79101  
e-mail: [amabar@arn.net](mailto:amabar@arn.net)

Phone: 806-371-7226

Also visit our website at [www.amarillobar.org](http://www.amarillobar.org) for information and links to both local and state-wide legal resources.



## Legal Yarns

### The President White Trilogy

By Lee Ann Reno (in consultation with President White)

**A Wayne Sturdivant Story:** About ten or eleven years ago, Wayne Sturdivant and I [Mark White] represented codefendants in a trucking case. The truck driver, on meth, had rear-ended, at highway speed, a bus full of daycare children. Perryton lawyer Bob Lemon represented all the children. We convened a week-long mediation in Perryton to try to settle all of the claims. Wayne had young lawyer Todd Lafferty with him. After the first day of mediation, we determined to call off the mediation when we convened the next morning. We packed our bags and put them in the cars. After an hour or so at mediation, it was determined that we could continue for the week, but Wayne sent Todd back to Amarillo. Unfortunately, Todd forgot to return Wayne's suitcase and drove back to Amarillo with it. Wayne was so unhappy with Todd that he would not let Todd drive his bags back up to Perryton, making Todd feel worse. I had to take Wayne around shopping in Perryton to buy toiletries and stuff for the week. Wayne wore the same suit all week.

**A Jerry McLaughlin Story:** Several years ago, I [Mark White] was deposing Jerry McLaughlin's client in a car wreck

case. This guy had a criminal background and was pretty scary. Going through prior injuries, he mentioned that he had received, some years ago, an injury to his "privates." I shouldn't have, but I asked for further details: "What happened?" His reply was succinct: "Shot a hole in it." This was a man of few words. For the first time ever, I saw court reporter Dana Moreland completely lose her composure, as did Jerry and I. The three of us laughed so hard that we thought Jerry's client (who was not laughing) would probably kill us on the spot.

**A Warren Clark and Walter Wolfram Story:** Many years ago, Warren Clark and I [Mark White] represented codefendants in a civil case involving the most interesting of facts. It seems that my company's manager (who was Warren's client) was good at hypnosis. He hypnotized a young lady at the office and convinced her to take her clothes off several times. Some days later, she realized what she had done and filed suit. Walter Wolfram was her lawyer and did a great job at trial. However, there was one scary moment. While demonstrating to the jury how this young lady pulled her sweater over her head while under the "spell," Walter took his glasses off, unbuttoned his coat and started pulling it over his head. Warren and I were scared to death that Walter was going to undress right there in the courtroom!

\*\*\*

*Note from James Wester: Like President White, I know there are several more of you that have been unable to resist the urge to ask that one question that you knew better than to ask. What was it? Let me know at [James.Wester@uwlaw.com](mailto:James.Wester@uwlaw.com).*

### Archive Project

Needed: All old records of the Amarillo Area Bar Association. Over the next three years, the AABA will be attempting to archive 100 years' worth of bar records in preparation for our centennial in 2010. We need photos, remembrances, stories, and any other memorabilia that might be stored away in dusty boxes in attics and basements, file cabinets, and shelves. If you have historical tidbits to contribute, or stories to share in AMA-LAW, please contact the AABA office.

#### A Bit of History:

The Amarillo Bar Association was "organized for the purpose of securing a Court of Civil Appeals in Amarillo" in 1910. "After several months of strenuous work, the Association was successful in seeing legislation signed into law on April 3, 1911, creating the Seventh Supreme Judicial District of Texas comprised of 47 counties and providing for the organization of a Court of Civil Appeals which began holding its sessions in the City of Amarillo on October 1, 1911, in the Eakle building. Prior to 1911 the court of Civil Appeals serving this part of Texas was located in Fort Worth.

"Following this initial activity, the Association began to meet annually to elect officers and to host an annual banquet for its members. At the December 1911 annual business meeting at the Potter County Courthouse, the question of amending the bylaws of the Association precipitated a rather stormy session." (To be continued...)

*Taken in part from "A History of the Amarillo Bar Association" published in previous AABA directories.*

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## AAYLA UPDATE

By Dusty Stockard

I would like to begin this article by reminding each of you of "Young Lawyer Day" which falls this year on October 13<sup>th</sup> (yes, a Friday). This is the day that all lawyers who have "graduated" from young lawyer to "mature" lawyer takes time out of their day to take a young lawyer to lunch, or better yet, give the young lawyer money, gift certificates, etc. for the purchase of lunch and an afternoon of fun. While this is not an official date and, in fact, is the first of its kind, I am certain that it will receive national recognition on our calendars very soon.

The AAYLA welcomed the new

lawyers who participated in the AAYLA's new lawyer orientation this past month. AAYLA welcomes the following new lawyers to Amarillo: Thomas Feighny, Joshua Craven, Heath Hendricks, Belinda Arroyo, Steven Leary, Nicholas Hamilton, and Paul Theiss. Thank you to all who participated and attended the reception following the orientation.

I would like to give a special thanks to Joni Kleinschmidt of Gwinn & Roby and Justin Myers of SandersBaker for all their

hard work in putting on this year's new lawyer orientation. On behalf of the young lawyers and the attendees of the orientation, I would also like to thank all the judges who took time out of their busy schedules to meet with our newest lawyers.

Remember, it's never too early to start thinking about Vegas. The annual CLE in Vegas is only six short months away. Keep watching your AMA-LAW for details.



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Justin Myers

October's Young Lawyer of the Month is Justin Myers, an associate with SandersBaker, P.C. Justin has been with the firm since August of 2004 and devotes the majority of his practice to the firm's Health Care Cost Recovery Group.

Justin grew up in the rural town of Fowler, Illinois. He graduated high school from Unity High School with a graduating class of 52. After having his fill of small school life, Justin left home for the greatest place on earth—Purdue University.

After graduating with Political Science and History majors, Justin was destined for law school. Being his lifelong desire to live in a city where it blows dirt and rains mud, he packed his bags and made the long haul to Lubbock, Texas, to attend Texas Tech University School of Law. Largely because there is nothing else to do in Lubbock, he graduated law school *magna cum laude*.

While in Lubbock, Justin met his future

## Young Lawyer of the Month

wife, Kristi. Although apprehensive about marrying a Yankee, Kristi finally caved in and decided to marry Justin on April 9, 2005. Along with their black lab Quincie, they now reside in Amarillo.

Justin first traveled to Amarillo when he was in high school for the Texas State Shoot (trap shoot). That year he went on to become the Junior Champion of the Grand American Handicap—the sport's largest event of the year. He was later named to the Amateur Trapshooting Association's

Junior All American team.

Justin now spends his Saturdays in the fall watching college football. Although Purdue's football record for the 2005-2006 season was somewhat disappointing, Justin contends that the Purdue program is going to turn back around and become a real contender much like it was during the Drew Brees era. He also spends his spare time playing poker and he hopes to some day attend the World Series of Poker.

## Legal Briefs



• **Jeremi K. Young** announces the formation of The Young Law Firm, A Professional Corporation. Mr. Young has a civil trial practice, with a focus in personal injury, professional malpractice, employment law, and business disputes. For information about the firm, visit [www.youngfirm.com](http://www.youngfirm.com) or call 806-331-1800.

• Names drawn from the fishbowl at the September luncheon were **Jack Ritchie** (\$25), **Arnold Miller** (\$50), and **Darin Mitchell** (\$75). Unfortunately, these members were not present to claim their prizes.

**If you have news, we want to hear from you. Send your information to the AABA: email [director@amarillobar.org](mailto:director@amarillobar.org), fax 379-9259, or call 371-7226.**

## New Dispute Resolution Policy

Please take note of the following new policy adopted by the Dispute Resolution Center Advisory Board for those attending mediations through the Center: "No subpoena, summons, complaints, citations, writs, or other process may be served upon any person at or near the site of any mediation session or upon any person entering, attending, or leaving the session. Failure to abide by this policy will result in that attorney losing mediation privileges at the Dispute Resolution Center."

This policy became effective September 11, 2006.

## October Bar Luncheon Speaker

Texas Supreme Court Justice Phil Johnson will speak at the bar luncheon on Thursday, October 12. Justice Johnson will provide attendees with "An Insider's Look at the Texas Supreme Court."

Justice Johnson was appointed to the Court in 2005 by Governor Rick Perry. He served on the Seventh Court of Appeals beginning in 1998, and he was elected chief justice in 2002, a position he held until the time of his appointment.

A 1975 graduate of Texas Tech University School of Law, Justice Johnson is board certified in civil trial law and personal injury trial law. He practiced law from 1975 until 1998 with the Lubbock law firm of Crenshaw, Dupree & Milam, L.L.P.

## Upcoming CLE

### Advanced Criminal Law 2006

will be offered from 8:30 a.m. to 5:00 p.m. on October 11-13, 2006, at the second floor training room of the Eagle Center, 112 W. 8<sup>th</sup> Ave., in Amarillo. The course costs \$400 and is approved for up to 25 hours of CLE credit including up to 3.75 hours of Ethics. For more information, contact Laura Hamilton at 371-7002 or [attorney@arn.net](mailto:attorney@arn.net).

A course entitled **Impeach Justice Douglas** will be offered in November, and **Advanced Family Law 2006** will be offered in December.



# Impeach Justice Douglas

November 17, 2006, 2:00 p.m. to 5:00 p.m.

The video course will be held at the 2<sup>nd</sup> Floor Training Room of the Eagle Center, 112 W. 8th Ave.,

Amarillo, Texas 79101

(parking available in the Eagle Center parking garage)

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Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Civil Appellate Law, Personal Injury Trial Law, and Civil Trial Law

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Call Laura Hamilton at 371-7002 or e-mail attorney@arn.net if you have any questions.



## A SPECIAL THANK YOU FROM DON AND NANCY REAVIS

*We wish to thank the Amarillo Area Bar Association and sponsoring law firms for hosting the retirement reception at the Amarillo Club on September 7th. A special note of gratitude to President Mark White, President-Elect Michele Fortunato, and Executive Director Jo Ann Holt for making this a memorable event.*



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## Amarillo Area Estate Planning Council

The AAEPCC will meet at 11:45 a.m. on November 10, 2006, at the Amarillo Club. Michelle D. Monse, President of the Carl B. & Florence E. King Foundation in Dallas, will speak on "Foundation Do's and Don'ts." The cost is \$15; attendees receive .45 hours of MCLE.