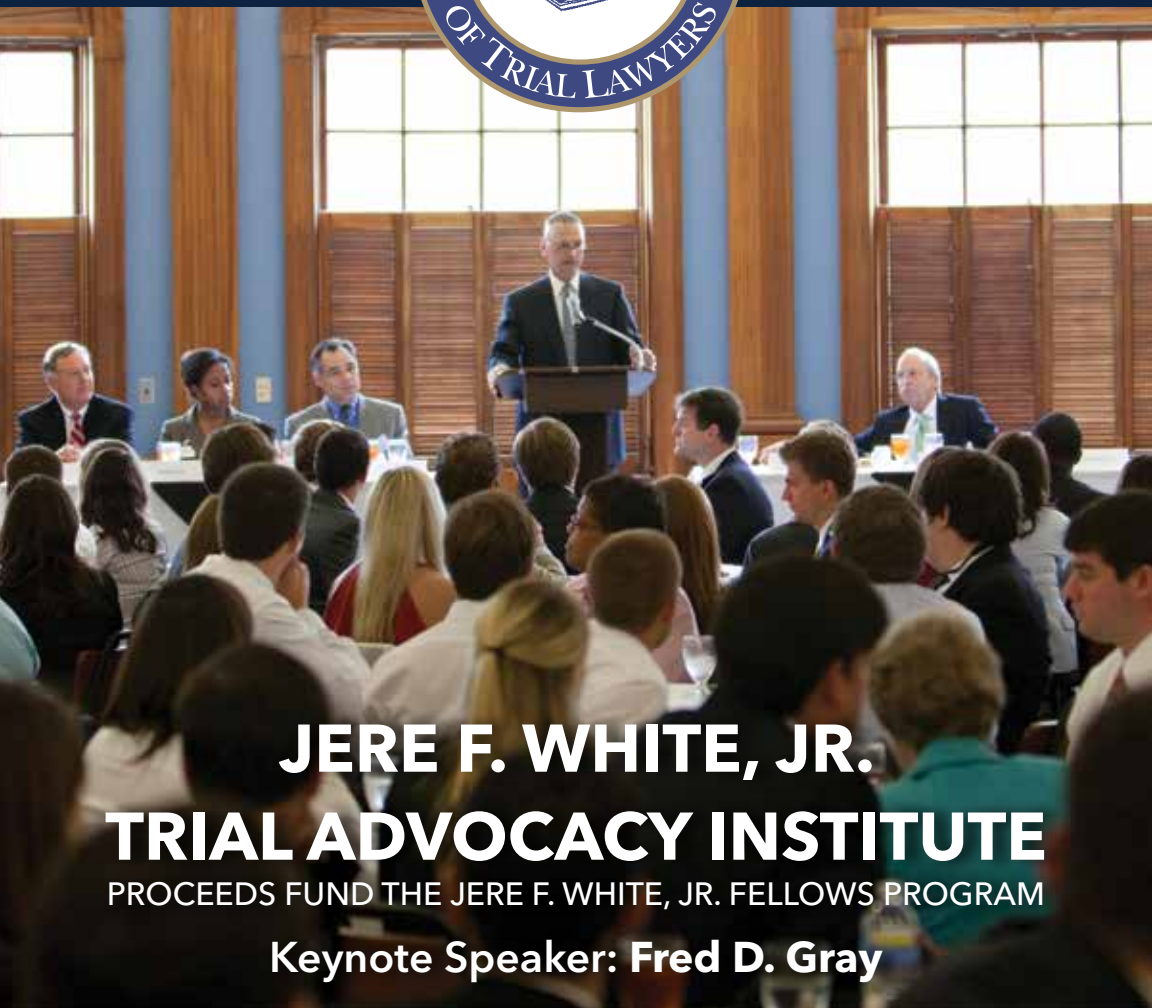


PRESENTED BY



CUMBERLAND
SCHOOL OF LAW
S A M F O R D U N I V E R S I T Y™



JERE F. WHITE, JR.

TRIAL ADVOCACY INSTITUTE

PROCEEDS FUND THE JERE F. WHITE, JR. FELLOWS PROGRAM

Keynote Speaker: Fred D. Gray

November 11, 2016

The Sheraton Hotel | Birmingham, Ala.

6 CLE hours, includes 1 ethics hour

Every attendee receives a signed copy of Fred Gray's book *Bus Ride to Justice*. Each attendee's name will be entered for drawings for two tickets to the 2016 SEC Championship Football Game, two tickets to the 2016 Iron Bowl Game and other prizes.

Planning Chairs

Samuel H. Franklin

Lightfoot, Franklin & White, LLC
Birmingham, Alabama

Harlan I. Prater IV

Lightfoot, Franklin & White, LLC
Birmingham, Alabama

Walter W. Bates

Starnes Davis Florie LLP
Birmingham, Alabama

Robert P. MacKenzie III

Starnes Davis Florie LLP
Birmingham, Alabama

Faculty

D. Leon Ashford

Hare Wynn Newell & Newton, LLP
Birmingham, Alabama

S. Allen Baker, Jr.

Balch & Bingham LLP
Birmingham, Alabama

Walter W. Bates

Starnes Davis Florie LLP
Birmingham, Alabama

Gregory B. Breedlove

Cunningham Bounds, LLC
Mobile, Alabama

S. Greg Burge

Burr & Forman LLP
Birmingham, Alabama

William N. Clark

Redden, Mills, Clark & Shaw LLP
Birmingham, Alabama

Bartholomew J. (Bart) Dalton

Dalton & Associates
Wilmington, Delaware

Joseph C. Espy III

Melton, Espy & Williams, P.C.
Montgomery, Alabama

Samuel H. Franklin

Lightfoot, Franklin & White, LLC
Birmingham, Alabama

Honorable Callie V. S. Granade

U.S. District Court
Southern District of Alabama
Mobile, Alabama

Fred D. Gray

Gray, Langford, Sapp, McGowan,
Gray & Nathanson
Tuskegee, Alabama

Honorable R. Bernard Harwood, Jr.

Rosen Harwood, P.A.
Tuscaloosa, Alabama

Anthony A. Joseph

Maynard, Cooper, & Gale P.C.
Birmingham, Alabama

M. Christian King

Lightfoot, Franklin & White, LLC
Birmingham, Alabama

Warren B. Lightfoot

Lightfoot, Franklin & White, LLC
Birmingham, Alabama

David H. Marsh

Marsh Richard & Bryan, PC
Birmingham, Alabama

Tabor R. Novak, Jr.

Ball, Ball, Matthews & Novak, PA
Montgomery, Alabama

Honorable Donna S. Pate

23rd Judicial Circuit
Huntsville, Alabama

C. Rufus Pennington III

Coker, Schickel, Sorenson, Posgay,
Camerlengo & Iracki
Jacksonville, Florida

Harlan I. Prater IV

Lightfoot, Franklin & White, LLC
Birmingham, Alabama

Nicholas B. Roth

Eyster Key Tubb Roth Middleton
& Adams LLP
Decatur, Alabama

Gaynor L. St. John

St. John & St. John, LLC
Cullman, Alabama

Michael W. Smith

Christian & Barton LLP
Richmond, Virginia

Dean Henry C. (Corky) Strickland

Cumberland School of Law
Birmingham, Alabama

Honorable Marc T. Treadwell

U.S. District Court
Middle District of Georgia
Macon, Georgia

Fred W. Tyson

Rushon, Stakely, Johnston & Garrett
Montgomery, Alabama

Michael E. Upchurch

Frazer, Greene, Upchurch & Baker, LLC
Mobile, Alabama

Chilton D. Varner

King & Spalding, LLP
Atlanta, Georgia

Program

7:45 a.m. Registration and Continental Breakfast

8:25 a.m. Welcome: Fred W. Tyson

Morning Session Moderator: Walter W. Bates

8:30 a.m. **VOIR DIRE**
➤ When and How to Use Jury Research
➤ Determining Which Jurors to Strike
Plaintiff Perspective Defendant Perspective
David H. Marsh Michael E. Upchurch

9:30 a.m. **OPENING STATEMENT**
➤ Determining Your Goal in Opening
➤ Establishing Your Theme
Plaintiff Perspective Defendant Perspective
Gregory B. Breedlove Harlan I. Prater, IV

10:30 a.m. Networking Break

10:45 a.m. [Drawing for Highlands Bar and Grill Gift Certificate*](#)
"FACEBOOK FRENEMIES" – SOCIAL MEDIA IS THE NEW ETHICAL MINEFIELD
➤ Cyberstalking Jurors and Witnesses on Facebook
➤ Controlling the Outcome of the Trial Through Media Posts
➤ Can You be Facebook Friends with the Judge?
Bartholomew J. (Bart) Dalton Samuel H. Franklin
C. Rufus Pennington III Michael W. Smith
Chilton D. Varner Moderator: Gaynor L. St. John

11:45 a.m. **The Jere F. White, Jr. Fellows Program and Tribute to Jere F. White, Jr.**
Dean Henry C. Strickland Samuel H. Franklin

12:05 p.m. [Drawing for a Harrison Limited Custom Suit*](#)

12:10 p.m. **Luncheon**
Invocation: William N. Clark
Introduction of Speaker: Warren B. Lightfoot
Speaker: Fred D. Gray

1:10 p.m. Networking Break

Afternoon Session Moderator: S. Allen Baker, Jr.

1:25 p.m. [Drawing for 2016 Iron Bowl Tickets*](#)

1:25 p.m. **WHAT JUDGES WANT FROM COURTROOM LAWYERS (AND WHY IT CAN'T ALWAYS BE DONE)**
S. Greg Burge Hon. Callie V. S. Granade
Hon. Donna S. Pate Hon. R. Bernard Harwood, Jr.
M. Christian King Hon. Marc T. Treadwell
Moderator: Nicholas B. Roth

- 2:25 p.m. [Drawing for One Year of Complimentary CLE from Cumberland School of Law CLE*](#)
- Networking Break
- 2:40 p.m. **CROSS-EXAMINATION**
- Start by Getting the Good Evidence
 - Decide How to Attack and Take Risks
- Plaintiff Perspective Defendant Perspective
Joseph C. Epsy III Anthony A. Joseph
- 3:40 p.m. **CLOSING ARGUMENTS**
- Empowering the Jury to Find for Your Client
 - It Begins Long Before the Defense Rests
- Plaintiff Perspective Defendant Perspective
D. Leon Ashford Tabor R. Novak, Jr.
- 4:40 p.m. [Drawing for 2016 SEC Championship Football Tickets*](#)
- 4:45 p.m. Adjourn
- * Must be present to win*

Special Appreciation to Our Generous Sponsors

EYSTERKEY
ATTORNEYS | MEDIATORS

BALCH
& BINGHAM LLP

TROTTER  TECHNOLOGIES



NEWSOUTH BOOKS

STARNES | DAVIS FLORIE LLP

BALLBALL

BALL BALL MATTHEWS NOVAK P.A.
ATTORNEYS AT LAW

LAW OFFICES OF
FRAZER GREENE
FRAZER, GREENE, UPCHURCH & BAKER, LLC



COPELAND FRANCO

BURR FORMAN LLP
results matter



LANIER FORD
Attorneys at Law
www.LanierFord.com

LIGHTFOOT
LIGHTFOOT FRANKLIN WHITE, LLC
TRIAL & APPELLATE COUNSEL

CUNNINGHAM
BOUNDS, LLC

MAYNARD
COOPER GALE



RUSHTON ♦ STAKELY

HARE | WYNN
NEWELL & NEWTON

Chason & Chason, P.C.

Bradley

Melton, Espy & Williams, P.C.

JHWK
JAFFE, HANLE, WHISONANT & KNIGHT, P.C.

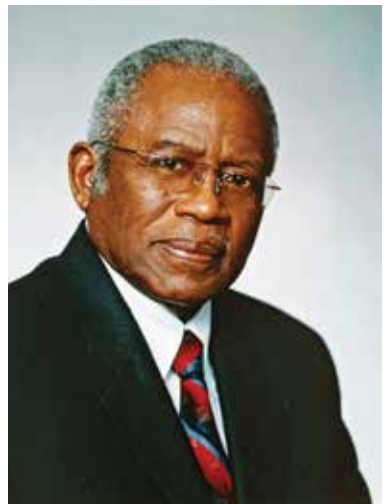


Jere F. White, Jr. will long be recognized as one of the most outstanding lawyers in the country. More importantly, he will be remembered as a great person, friend and mentor. A graduate of the University of Georgia and the Cumberland School of Law, Jere was a founding member of Lightfoot, Franklin & White, LLC, in Birmingham, Ala. Jere held himself and others to the highest standard of the practice of law. A third-generation lawyer, he was truly a lawyer's lawyer. He cherished his relationships with the Bench and lawyers on both sides of the Bar. Jere balanced his success as a lawyer with an even stronger devotion to his faith, family, friends and community. Prior to his death on October 3, 2011, Jere and his wife, Lyda, established the

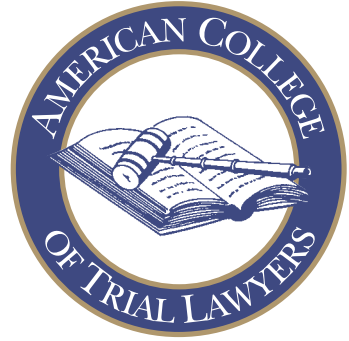
Jere F. White, Jr. Fellows Program at the Cumberland School of Law. The Fellows Program seeks to recruit not only outstanding students with strong academic credentials, but also a history of leadership and commitment to service, thereby promoting the development of lawyers who share the ideals that were so important to Jere.

Fred Gray is a native of Montgomery, Alabama and he studied law at Case Western before defending Claudette Colvin and Rosa Parks in the quest to desegregate his home city's bus lines. He became a key figure in African-American voting rights and school integration. Mr. Gray also filed suit against the government on behalf of the men exploited by the Tuskegee Syphilis Study. He was one of the first Blacks in the Alabama Legislature since Reconstruction from 1970 to 1974.

Mr. Gray was educated at the Nashville Christian Institute, Alabama State University, and Case Western Reserve University. He is a Fellow of the American College of Trial Lawyers. After earning his law degree in 1954, the energetic and enthusiastic young attorney was thrust into the national spotlight in 1955 when he represented Rosa Parks after her arrest for refusing to give up her seat on a Montgomery city bus. The incident sparked the Montgomery Bus Boycott. Gray went on to serve as Dr. Martin Luther King, Jr.'s first civil rights attorney. With a legal career that has spanned more than half a century, Mr. Gray's landmark civil rights cases include: *Browder v. Gayle*, which integrated the buses in the city of Montgomery, 1956; *Gomillion v. Lightfoot*, which opened the door for redistricting and reapportioning legislative bodies across the nation and laid the foundation for the concept of "one man, one vote," 1960; *William v. Wallace*, which resulted in the court's ordering the State of Alabama to protect marchers as they walked from Selma to Montgomery to present grievances as a result of being unable to vote, 1965; *Mitchell v. Johnson*, one of the first civil rights actions brought to remedy systematic exclusion of blacks from jury service, 1966; and *Lee v. Macon*, which integrated all state institutions of higher learning in Alabama, as well as most elementary and secondary school systems.



The Alabama Fellows of the American College of Trial Lawyers are pleased to be a cosponsor with the Cumberland School of Law for the Jere F. White, Jr., Trial Advocacy Institute. We are proud that Jere, a Cumberland alumnus, was a member of our group. The American College of Trial Lawyers was founded in 1950. The mission of the College has been to maintain and improve the standards of trial practice, the administration of justice, and ethics of our profession. The Fellows represent plaintiffs and defendants, and are from all parts of the trial bar. The College is proud that its Fellows include every member of the Supreme Court of the United States and the Supreme Court of Canada.



The Alabama Fellows of the American College of Trial Lawyers are dedicated to carrying out the mission of the College as was epitomized by Jere, and are proud supporters of the **Jere F. White, Jr. Fellows Program**.

Hon. W Harold Albritton III	James W. Gewin	Tabor R. Novak, Jr.
M. Clay Alspaugh	Richard H. Gill	Hon. Donna Sanders Pate
D. Leon Ashford	Hon. Callie V. S. Granade	Adam K. Peck
W. Michael Atchison	Fred D. Gray	W. Lee Pittman
S. Allen Baker, Jr.	Robert B. Harwood, Jr.	Scott A. Powell
Walter W. Bates	Broox G. Holmes	Harlan I. Prater IV
Randy H. Beard	Wilbor J. Hust, Jr.	W. Stanley Rodgers
Gloria A. Bedwell	Edward R. Jackson	Alan T. Rogers
Michael L. Bell	Richard S. Jaffe	Nicholas B. Roth
Richard Bounds	Anthony A. Joseph	S. Shay Samples
Gregory B. Breedlove	Thomas Howard Keene	John D. Saxon
S. Greg Burge	Fred W. Killion, Jr.	Robert D. Segall
Joe C. Cassidy	M. Christian King	Henry H. Self, Jr.
Allan R. Chason	Michael D. Knight	Randal H. Sellers
Thomas W. Christian	George E. Knox, Jr.	Charles E. Sharp
William N. Clark	John N. Leach, Jr.	Clarence M. Small, Jr.
Ralph D. Cook	Warren B. Lightfoot	Finis St. John IV
Robert T. Cunningham, Jr.	Jack Livingston	Gaynor L. St. John
Hon. John V. Denson II	Louis B. Lusk	Charles A. Stakely
William J. Donald	Robert P. MacKenzie III	Frank J. Stakely
Michael L. Edwards	David H. Marsh	W. Stancil Starnes
Joe Espy III	Brian P. McCarthy	Robert G. Tate
George W. Finkbohner III	Jerry A. McDowell	Fred W. Tyson
Michael A. Florie	Crawford S. McGivaren, Jr.	Michael E. Upchurch
George P. Ford	Walter E. McGowan	Joe R. Whatley, Jr.
Samuel H. Franklin	Hobart A. McWhorter, Jr.	James E. Williams
A. Danner Frazer, Jr.	Harvey B. Morris	E. Hamilton Wilson, Jr.
Charles P. Gaines	John H. Morrow	James A. Yance

Registration

To Attend In-person

Online registration: <http://samford.edu/go/cle> (check or credit card)

Phone: 1-800-888-7454 or 205-726-2391

Fax: 205-726-2616

Mail: Cumberland School of Law CLE, P.O. Box 293759 Birmingham, AL, 35229

To View on Your Computer by Live Webcast (counts as live CLE credit), go to: <http://cumberland.inreachce.com>

Jere F. White, Jr. Trial Advocacy Institute

November 11, 2016

- \$325 **Early Registration** (includes code to download and print course materials 48 hours prior to the seminar)
- \$339 **Late Registration** (after November 4/includes course materials on a flash drive)
- \$50 **I cannot attend.** Please send me the course materials on a flash drive.

Mr./Ms. (please circle)

First name _____ Last name _____

ASB/Other State Bar ID No. _____

Firm/Agency _____

Address _____

City _____ State _____ ZIP _____

Phone _____

E-mail _____

Cumberland School of Law Alumni Yes No

Check enclosed (payable to Cumberland School of Law CLE) Check # _____

Visa MasterCard Discover

Card # _____

Exp. Date _____ Security Code _____

(3-digit code in signature panel)

Name as it appears on card _____

Signature _____

CLE credit: Approved for 6.0 hours, including 1.0 ethics hour, of CLE credit in Alabama, Mississippi and Tennessee. In Florida, approved for 7.0 General hours, 1.0 Ethics hour, and 7.0 Certification Credits in Business Litigation, Civil Trial, and Criminal Trial Law. In Georgia, approved for 6.0 Regular CLE hours, 1.0 Ethics hour and 5.0 Trial hours.

Cancellations and refunds: Prepaid registration fees will be refunded, upon request, up to 48 hours before the beginning of the seminar. Arrangements for substitutions may be made anytime prior to the seminar.

Directions: 2101 Richard Arrington, Jr. Boulevard North, Birmingham, AL 35203

Go to: <http://www.sheratonbirmingham.com/transportation>