November 11, 2016
The Sheraton Hotel | Birmingham, Ala.

6 CLE hours, includes 1 ethics hour

JERE F. WHITE, JR.
TRIAL ADVOCACY INSTITUTE
PROCEEDS FUND THE JERE F. WHITE, JR. FELLOWS PROGRAM

Keynote Speaker: Fred D. Gray

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

Walter W. Bates
Starnes Davis Florie LLP
Birmingham, Alabama

Harlan I. Prater IV
Lightfoot, Franklin & White, LLC
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
Rushton, 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: David H. Marsh
  Defendant Perspective: Michael E. Upchurch

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

10:30 a.m. Networking Break

10:45 a.m. Drawing for Highlands Bar and Grill Gift Certificate*

“FACEBOOK FRENNEMIES” – 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
  C. Rufus Pennington III
  Chilton D. Varner
  Samuel H. Franklin
  Michael W. Smith
  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

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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.

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.
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.
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)

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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