

Diversity Matters

Valuing Race and Gender

Summer 2012

Catching up with Nancy A. Vincent

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Nancy Vincent is of counsel in the Nashville office of Baker Donelson. She is a very skilled lawyer who brings a wealth of experience in the business arena to her legal practice. Nancy received her undergraduate degree in Electrical Engineering Technology from Western Kentucky and her MBA from the University of Kentucky. After receiving her MBA, Nancy worked as an economist for Northrop Aircraft Division. In 1990, Nancy entered law school at Vanderbilt University School of Law, from which she graduated in 1993.

Over the years, Nancy has been counsel in more than 30 jury trials and countless bench trials in a myriad of commercial, employment and personal injury disputes, including recently as lead counsel in a \$40 Million Dollar dispute arising under the Telecommunications Act of 1996. Nancy was listed as one of the 101 Top Middle Tennessee Lawyers by Nashville Post (2011).

Q: You currently practice law in Nashville, which has seen a lot of growth over the past ten years. Are you a native of Nashville?

A: I was born in Akron, and grew up for the most part in Ft. Lauderdale. After my mother's untimely death in a plane

crash, my three siblings and I returned to Nashville to live with my father, where I graduated from a Nashville public high school.

Q: After receiving an MBA and beginning a career as an economist, why did you return to law school?

A: I always had an interest in the legal profession. My father David Lee Vincent, Jr. was a 1957 graduate the University of Michigan Law School, and my older brother David Lee Vincent III graduated from the University of Wisconsin Law School and is now a Judge in St. Louis County, Missouri. With a downturn in the economy starting around 1989, I thought it was as good a time as any to return to school and become a lawyer.

Q: What was your first job after law school?

A: Following law school, I had the opportunity to clerk for the late Tennessee Supreme Court Justice Adolpho A. Birch, Jr. With an engineering undergraduate degree along with an MBA and a business background, my next position was with a medium-sized full-service firm in Nashville, and my initial practice primarily included general counsel representation of airports and utilities.



Q: Where did your career go after your first law firm?

A: Over several years, I expanded my practice at two large regional law firms to enhance my complex commercial and employment litigation experience, following which I was appointed as Vice President of Legal Affairs & Government Relations for the Metropolitan Nashville Airport Authority.

Q: How was working for an airport authority different from private practice?

A: I was the first and then the only in-house attorney for the Airport Authority. In private practice, I had provided services to many clients of various constructs and which had a variety of legal issues. As the in-house attorney for the Airport Authority, I had many internal clients from various departments and the work was just as complex.

Catching up with Nancy A. Vincent, *continued*

There, I served as primary counsel for all regulatory and legal issues arising under state and federal law, covering the areas of procurement, solicitations, contracts, finance, construction, board governance, employment, municipal financing and public safety. I also was the Airport Authority's primary local and federal lobbyist.

Q: How do your clients benefit from your time as an in-house counsel?

A: As in-house counsel, I worked with outside counsel who I could trust to handle my matters proficiently and efficiently. Thus, I understand that clients want efficient, tailored legal services for each and every matter. I generally try to create an open dialogue with my clients, to encourage frank feedback to me as to the performance of our attorneys, our billing practices, and any other

performance parameter. Specifically, when staffing a matter, I consider the expertise and level of expertise required and the communication style or personality desired for the particular representation. Then I hand-pick the attorney, based upon his or her expertise and level, and his or her ability to effectively communicate with the particular client. I also scrutinize each invoice to ensure that such reflects efficient services. On an ongoing basis, I keep in touch with the client, so that she or he remains comfortable with giving me feedback on our performance.

Q: Is your current practice different from when you were in private practice before your stint at the Airport Authority?

A: I returned to private practice at Baker Donelson almost seven years ago. I continue to represent airport authorities

and have resumed my representation of utilities and other commercial institutions in areas including complex commercial and employment litigation, government procurement, bid protests, municipal financing, telecommunications, and administrative law. I also provide services as a local lobbyist.

Q: What do you do in your spare time?

A: I enjoy spending time with my husband, Mark Baugh, and our boys Rocky and Striker (labradoodles, ages three and four), either at the beach or on long walks in the lovely Warner Parks of Nashville. I also enjoy reading and weight lifting.

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Leadership Council on Legal Diversity



LEADERSHIP
COUNCIL
ON LEGAL
DIVERSITY

Baker Donelson's commitment to diversity led the Firm's CEO and Chairman, Ben Adams, to join the Leadership Council on Legal Diversity (LCLD) when the organization was formed in 2009. Since then, Baker Donelson has remained involved in LCLD, which focuses on developing strategies to increase diversity in the legal profession.

Baker Donelson attorneys Mark Baugh, Nancy Vincent, Charles Grant, Jim DeLanis, Matt Sweeney, Erica Mason, Floyd Gaines and Shameak Belvitt mentor diverse law students as part of

the LCLD Individual Mentoring Program in cities throughout the Firm's footprint. The Firm is also involved in the Group Mentoring Program that entails overseeing two events per semester at Vanderbilt Law School. In addition, the Firm is also taking part in LCLD's 1L Scholars Program by hiring three diverse first-year students for summer positions. This program gives students a rare opportunity to work side-by-side with attorneys and other legal professionals on a variety of legal issues.

Ms. Mason, a shareholder in Baker Donelson's Atlanta office, is one of 134 attorneys from across the country who

have been selected for the 2012 LCLD Fellows Program. Inaugurated in 2011, the program is a highly-structured mentoring program designed to identify high-potential attorneys from diverse backgrounds and place them in the path of those who can teach them to lead their organizations. Over the course of the year-long fellowship, each honoree will embark on a learning program that includes in-person conferences, virtual training on the fine points of legal practice, peer group projects to foster collaboration and build relationships, and extensive contact with LCLD's top leadership, as well as managing partners and general counsel volunteers who discuss professional experiences and setbacks.

CSX Corporation Stays On Track with Diversity

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CSX's operations date back to the early nineteenth century when the Baltimore and Ohio Railroad Company (B&O) – the nation's first common carrier – was chartered in 1827. Since then, numerous railroads have combined with the former B&O through mergers and consolidations to create what we now know as CSX, a company with about 21,000 route miles of track in 23 states, the District of Columbia, and the Canadian provinces of Ontario and Quebec.

Ten years ago, the demographic of CSX's workforce was nearly all white men with an average age of late forties. This was the result of a two-decade policy that generally discouraged new hiring and used attrition to right-size its workforce. CEO Michael Ward knew that this reality jeopardized its most valuable resource – its people – and embarked on a mission to make diversity and inclusion a corporate imperative.



Susan Hamilton, CSX's Assistant Vice President of Diversity

CSX's action plan in 2002 started with naming Susan Hamilton as Assistant Vice President of Diversity. The next step was hiring a consultant to identify best practices regarding diversity and inclusion across other industries, and developing a three-year plan to implement best practices at CSX.

The diversity and inclusion program they created is comprehensive. In addition to race and gender, CSX's program is specifically inclusive of disabled persons and members of the GLBT community. Today, CSX has 32,000 employees. One-half of the management employees hired by CSX over the past three years have been diverse. Almost one-third of CSX's board of directors is diverse, and 50 percent of its executive team is diverse.

Not only does CSX offer domestic partner benefits, it participates in the Corporate Equality Index and had a 2011 rating of 85 (out of 100).

Inclusion at CSX means to foster a culture where people feel respected, safe, and valued, regardless of their differences. They've created 45 "Inclusion Councils" and groups across the company, half of which are based on geography and the other half on diversity. Each Inclusion Council or group has goals that include development of a business imperative, identification of charitable or philanthropic outreach in a certain demographic area, and employee engagement designed to tie diversity/inclusion training into employee

activities, like a family day or a service project.

Five years after they started their inclusion efforts, CSX began winning national awards for its programs. To date, CSX has earned numerous awards, including a Top 23 ranking in 2012 by DiversityInc; and Top 50 rankings in 2008, 2009 and 2011 by DiversityInc; Top 10 in Supplier Diversity by DiversityInc; a Top 50 ranking by G.I. Jobs; a Top 50 ranking by Diversity MBA; a Top 50 ranking by Black MBA; a Top 60 ranking by Hispanic Business; 2011 and 2012 recipient of "National Disability Matters" award; and twice the recipient of the "Freedom Award."

Susan Hamilton says that the success of CSX's diversity and inclusion program is a result of its leadership:

"Our CEO, Michael Ward, demanded that we develop a strategy for hiring persons with disabilities. CSX was the first national corporate partner to the Wounded Warrior Project, through which we have hired interns and have hired for permanent positions wounded warriors.

The fostering of diversity and inclusion has been the right thing to do. We are a far stronger company today than when we started our diversity journey."

CSX is headquartered in Jacksonville, Florida. It provides rail and intermodal transportation services accessible by more than two-thirds of Americans.

Celebrating Women's History: Wonder Girl

Donna Thiel

For those of us who came of age before Title IX mandated equality in sports, the school sports opportunities for girls were limited – mostly to cheerleading and field hockey. There were few competitive college women's team sports and no professional women's sports teams. But that did not mean those boomers didn't throw a softball, shoot hoops or have big athletic dreams. Women then did not have a Michael Jordan or a Tiger Woods, but we did have Babe.

Although her name may be unfamiliar to a young generation of sports fans, Babe Didrikson Zaharias was perhaps America's greatest all-around athlete, male or female. Don Van Natta Jr., author of *Wonder Girl: The Magnificent Sporting Life of Babe Didrikson Zaharias*, described her thus:

No athlete excelled at more sports and games than Didrikson. She was an all-American basketball player, a two-time Olympic track and field gold medalist and a golf champion who won 82 tournaments, including an astonishing 14 in a row. One of the 13 founding members of the L.P.G.A., Didrikson became the first woman to play against men in a PGA Tour event and the first American to win the British Women's Amateur Championship.

She was also an outstanding baseball, softball, tennis and billiards player, diver and bowler.

Mildred Ella Didrikson was the sixth of seven children born in the coastal oil city of Port Arthur in southeastern Texas. Her mother, Hannah, and her father, Ole, were immigrants from Norway. She claimed to have acquired the nickname "Babe" (after Babe Ruth) upon hitting five home runs in a childhood baseball game. Although the story is likely a fiction, it is clear she set out from a young age to become the greatest athlete of all time – male or female!

Even though Babe wasn't limited by her gender – she even tried boxing – she found women's opportunities to compete limited. As a result, Babe left high school to work for a company called Employers Casualty Insurance and to play for their basketball team, the Golden Cyclones. While at Employers Casualty she took up track and field, and within a year and a half, Employers Casualty sent her to Chicago to compete for a spot on the Olympic team at the AAU amateur track and field championships in Evanston, Illinois, on July 16, 1932, the qualifying meet for the 1932 Olympics.

In *Wonder Girl*, Van Atta describes this as Didrikson's most spectacular athletic achievement. "As a one-woman track team, Babe Didrikson won five events: broad jump, baseball throw, shot put, javelin, and 80-meter hurdles, all within three hours. In the competition, she accumulated 30 points; the second-place Illinois Women's Athletic Club, which included 22 athletes, accumulated 22 points. She single-handedly won the national track team championship."

Zaharias's performance was arguably the most amazing feat by any athlete, male or female, in track and field history.

In the process, she qualified for three Olympic events: the 80-meter hurdles, high jump and javelin. Ironically, women were only allowed to enter three Olympic events at that time because they were considered too weak to compete in more than that number.

Not surprisingly, Zaharias was a favorite to win at the 1932 Olympic Games at Los Angeles, and she did. She won gold medals in the javelin and the 80-meter hurdles, and a silver medal in the high jump. In winning these medals, she broke four world records. Zaharias also made a world-record high jump, but because she went over the bar head first instead of leading with her feet, the jump was disqualified. (Current high jumpers all jump head first; Zaharias was later given credit for tying for first place in the event.)

Almost overnight, she became the most famous female athlete in the world. In the press reports of the time, she was nicknamed the "Iron Woman," the "Amazing Amazon," and "Whatta Gal Didrikson."

Celebrating Women's History Month: Wonder Girl, *continued*

Donna Thiel

Although just five feet five inches tall, she was physically strong and unabashedly proud of her prowess. Didrikson was reported to show up in the clubhouse before a tournament and bellowed to her female competitors: "The Babe's here! Who is going to finish second?" "What seemed boastful to some," said Harry Paxton, in Babe's 1955 autobiography, *This Life I've Led*, "were plain statements of the truth as she saw it." Her boldness and braggadocio were qualities that endeared Babe to her fans.

But she had her detractors as well. These same traits aggravated critics who perceived her outspoken self-confidence as arrogant and unladylike.

It would be much better if she and her ilk stayed at home, got themselves prettied up and waited for the phone to ring.

This remark by Joe Williams, sportswriter for New York World-Telegram, typified the attitude of some toward Babe who, with her square jaw, short cropped hair, man-style clothing and machismo, did not fit the traditional ideals of femininity. In addition to an androgynous personal style, Zaharias defied other gender stereotypes. She was financially independent and remained single, supporting herself and earning a great deal of money – more than most men – through endorsements, stunts and appearances—including a stint in Vaudeville.

The more notoriety she achieved as a single independent woman, the more reporters denounced her as "boyish," "mannish," "unfeminine," "unpretty," "not-quite female" and a "Muscle Moll." Whisper campaigns suggested she was a lesbian.

At first Babe had been indifferent to what people thought or said about her, preferring to let her athletic achievements speak for themselves. But following the Olympics, there were few venues in which she could compete and thus ward off the personal barbs. According to Susan E. Cayleff, author of *Babe: The Life and Legend of Babe Didrikson Zaharias*, the comments "wounded Babe deeply and helped precipitate her rejection of all things masculine."

In the mid-1930's, Babe began transforming her image, donning hats, dresses, lipstick, perfume and nail polish. She denied ever having boxed and refused to discuss her accomplishments as an All-American basketball player and Olympic track and field star. She gave up the single life and married a professional wrestler, George Zaharias, known as "The Crying Greek from Cripple Creek."

When Babe was 21, she started seriously playing golf – a more "ladylike" sport – the sport she is best remembered for

today. She would drive as many as 1,000 balls a day, take lessons for five or six hours, and play until her hands were blistered and bleeding.

Not long after, she was winning championships. In January 1938, she competed in the Los Angeles Open, a men's PGA (Professional Golfers' Association) tournament, a feat no other woman would even try until Annika Sörenstam, Suzy Whaley and Michelle Wie almost six decades later.

She went on to become America's first female golf celebrity and the leading player of the 1940s and early 1950s. She would go on to win three U.S. Opens. By 1950, she had won every golf title available, and was the first American to win the British Women's Amateur Championship. Eventually, she was one of the 13 founding members of the L.P.G.A.

Zaharias had her greatest year in 1950 when she completed the Grand Slam of the three women's majors of the day: the U.S. Open, the Titleholders Championship and the Women's Western Open. That year, the Associated Press, which had chosen her as the "Female Athlete of the Year" six times for track and field and for golfing, named her the "Greatest Female Athlete of the First Half of the Century."

Celebrating Women's History Month: Wonder Girl, *continued*

Donna Thiel

In 1952, she had a cameo role in the Spencer Tracy-Katharine Hepburn film "Pat and Mike." Hepburn played a college physical education teacher who excels at just about every sport there is. The film carries a powerful feminist message as the athlete rejects the fawning fiancé who would rather have her stick to being "the little woman" and forget about succeeding. Babe would have approved that message.

Zaharias was diagnosed with colon cancer in 1953. After undergoing cancer surgery, she made a comeback in 1954. She took her tenth and final major with a U.S. Women's Open championship one month after cancer surgery.

With typical dedication, Didrikson became a crusader against cancer. She spoke openly about her illness in an era when public figures preferred to keep

theirs a secret. Her cancer recurred in 1955, and despite her limited schedule, she managed to gain her last two wins in competitive golf.

The brash, tough-talking Texan who spent her life hurdling obstacles placed in her way by chauvinistic sports fans, sexist reporters and class-conscious golfers could not overcome this last hurdle. On September 27, 1956, Zaharias died of her illness at age forty-five.

On the morning she died, President Dwight D. Eisenhower honored her:

She was a woman who, in her athletic career, certainly won the admiration of every person in the United States, all sports people all over the world, and in her gallant fight against cancer, she put up one of the kind of fights that inspire us all.

Her legend, as they say, lives on. The Associated Press followed up its 1950 declaration by voting Zaharias the "Woman Athlete of the 20th Century" in 1999. In 2000, Sports Illustrated magazine also named her second on its list of the Greatest Female Athletes of All Time, behind Jackie Joyner-Kersey. Babe is the highest ranked woman, at number ten, on ESPN's list of the 50 top athletes of the 20th century.

You can celebrate women's history by checking out more about Babe, including photos at:

[ESPN SportsCentury](#) and [Babe Didrikson Zaharias' website](#).

Autobiography: *This Life I've Led*, My Autobiography (1955)

Baker Donelson Attorneys in the News, Involved

Baker Donelson Expands to Texas and Florida

In October 2011, Baker Donelson merged with the Houston law firm of Spain Chambers, marking Baker Donelson's entry into Texas with a major step in the Firm's continuing strategic growth. Baker Donelson then expanded into Florida with the November 2011 merger with the Orlando law firm of Litchford & Christopher Professional Association. The Firm's Texas growth continued with a second Houston merger, this time with

Drucker, Rutledge & Smith, LLP, in February 2012.

Firm Achievements

Baker Donelson was listed among *Law360's* Employment 100 and Real Estate 100, which ranks law firms with the largest labor and employment and real estate practice groups, respectively.

Baker Donelson was honored to receive a third consecutive ranking in *FORTUNE* magazine's "100 Best Companies to Work For" list.

In May, *MultiCultural Law* named us to the "Top 100 Law Firms for Women" for the fifth consecutive year. We were also ranked among the "Top 25 Law Firms for African Americans" for the second year in a row.

Attorney Accomplishments

Chief Justice Adolpho A. Birch Jr. passed away in August 2011. He held numerous judicial positions in Tennessee, including being the first African American Chief Justice for the Tennessee Supreme Court. "A Man

Baker Donelson Attorneys in the News, Involved, *continued*

Who Inspired Many: A Tribute to Chief Justice A.A. Birch," by **Nancy Vincent** (Nashville), was published as the lead article in the October Issue of the Nashville Bar Journal. Nancy had a long history and a close bond with Chief Justice Birch, and her article provides personal insight into his life.

To read more, please visit the Nashville Bar Journal's website [here](#).

Imad Abdullah (Memphis) was named President/Vice-President of the Ben Jones Chapter of the National Bar Association.

Nancy Degan (New Orleans) will assume the role of vice chair of the ABA Section of Litigation in August 2012 at the conclusion of the ABA Annual Meeting. She will serve as vice chair from 2012 to 2013, and as chair-elect from 2013 to 2014. Upon conclusion of the 2014 ABA Annual Meeting, she will begin a one-year term as the chair of the ABA Section of Litigation.

Defero Law, a UK-based legal networking group, included **Doreen Edelman**'s (Washington, D.C.) blog entitled "An Eye on Asia: Sanctions updates for Burma and Thailand" in their Best of the Week's Blog Posts section in their weekly newsletter. You can find Doreen's blog at www.exportcompliancematters.com.

La'Verne Edney (Jackson) has been elected as a member of the Mississippi Board of Bar Commissioners.

Barry Ford (Jackson) has been listed as a leader in Litigation (General Commercial) in the 2012 edition of *Chambers USA: America's Leading Lawyers for Business*.

Monica Frois (New Orleans) was asked to serve on the International Association of Defense Counsel's Diversity Committee. Ms. Frois was selected by *New Orleans CityBusiness* for inclusion in the 2012 Leadership in Law class. Leadership in Law recognizes 50 legal professionals who have helped move the legal community forward with energy, innovative ideas, achievements and a commitment to excellence.

Charles Grant and **Natasha Campbell** received the *Nashville Bar Journal's* 2011 Article of the Year Award at the Nashville Bar Association Annual Banquet held on December 8, 2011. Their article, "The Freedom Rides: Making the Law Apply to All," was the cover story in the September issue.

Charles Huddleston (Atlanta) was featured in the January 27 issue of the *Daily Report* in an article titled "All Court Transformation." Charles serves as director of the Georgia Metros girls basketball club, a nonprofit organization fielding all-star teams for girls ages 9 to 18. Half of the girls in this group obtain basketball scholarships to go to college.

To read more, please visit the *Daily Report's* website [here](#).

Rodney Moore (Atlanta) participated in The State Bar of Georgia Diversity Program's 2012 Business Development Symposium on February 2, 2012. Mr. Moore was a panelist for a discussion on "The Partners' Perspective."

Jerry Redmond (Houston) was named among the "20 Nationwide Leaders in Employment Law" in *Newsweek* magazine's January 30 issue. Mr. Redmond was also selected as one of Houston's Top Lawyers in Labor & Employment and Immigration for 2012 by *H-Texas Magazine*.

Baker Donelson would like to thank **Nicole James** (Nashville) for serving as President and **Shameak Belvitt** (Nashville) as Recording Secretary for the Napier Looby Bar Association this past year.

In support of Black History Month, Baker Donelson underwrote Nashville Public Television's Black History Month programming. On February 7, a screening of the PBS documentary "Underground Railroad – The William Still Story" was presented to a group of 30 clients and attorneys at the Nashville office. The screening was followed by a panel discussion moderated by **Charles Grant** (Nashville) and featured Dr. Richard Blackett with Vanderbilt University and Dr. Reavis Mitchell with Fisk University. Doctors Blackett and Mitchell gave additional in-depth information on William Still and the Underground Railroad.

Baker Donelson Attorneys in the News, Involved, *continued*

Baker Donelson sponsored the first anniversary celebration of Les Femmes du Monde on February 18, with a meeting coordinated by **Shameak Belvitt** (Nashville). Les Femmes du Monde, which is French for "Women of the World," is a professional networking group in Nashville started by women who wanted to give advice and guidance to young, black female professionals ages 25-35, as well as provide the women an opportunity to network and get to know one another. The group's membership consists of women in a variety of fields, including law, medicine, business and education.

Firm Sponsors CABA Diversity CLE and Reception

The Firm was a platinum sponsor of the Capital Area Bar Association's (CABA) Diversity CLE and reception. CABA is the largest voluntary bar association in Mississippi. Jennifer Hall (Jackson) is a member of its board of directors and David Maron (Jackson) is president-elect.

The diversity panel discussion provided an excellent forum for candid dialogue on a topic important to the profession and to the Firm. The Firm was well-

represented and recognized. Consistent with Baker Donelson's established commitment to diversity and its national recognition as one of the "Top 100 Law Firms for Diversity" by MultiCultural Law magazine, the CABA CLE event provided a great opportunity for our lawyers to engage and show leadership on this important issue both during the CLE and the social event afterwards.

Proceeds from the event supported CABA's minority scholarships established at Mississippi College and Ole Miss law schools.