

Diversity Matters

Valuing Race and Gender

The Diversity Newsletter of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Spotlight on Robert Tom

Fall 2011

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Although born in Dallas, Texas, Robert Tom traces his roots back to China, the homeland of both his maternal and paternal grandparents. After coming to the U.S., his paternal grandparents settled in Arcola, Mississippi, where they had a small grocery store, while his maternal grandparents lived in Helena, Arkansas, where they also had a small grocery store. The oldest of three boys, Robert was raised in Memphis, Tennessee. After graduating from Memphis University School, he moved to Atlanta, Georgia to attend college at Emory University. Then, it was on to law school at Tulane University in New Orleans. Upon graduation from law school in 2004, Robert relocated again to join a full-service firm in Tampa, Florida, where he practiced in the area of commercial litigation with a focus on banking litigation.

In 2007, Robert accepted a job in Baker Donelson's Memphis office. So he returned home, bringing with him his wife Margaret, a physician, whom he had known since college and married while in Florida. At Baker Donelson, Robert has focused his practice on commercial litigation with an emphasis on financial services litigation. His practice involves defending financial institutions and other businesses, handling business litigation cases centered on contract disputes, representing the creditors' rights of both special servicers and financial institutions, and defending actions involving business torts and class

actions. Meanwhile, Margaret, who is a child psychiatrist, is currently working on a fellowship at the University of Tennessee which she expects to complete in July 2012.

One of Robert's most successful cases came through his representation of The Board of Education of the Memphis City Schools. In that case, The Board was sued by a bus contractor who claimed \$4.5 million in damages resulting from wrongful termination of a contract. Robert, in conjunction with Bruce McMullen and other attorneys from the Memphis office, tried the case before a Shelby County jury in 2010. In less than two hours, the jury returned a verdict in favor of the Board, and the opposing bus contractor recovered nothing. Robert's tireless advocacy was critical to the successful representation.

In the five years since he began working at Baker Donelson, Robert has served as a role model and mentor for other attorneys, both diverse and non-diverse.

Robert is Chair of the Associate Advisory Board at Baker Donelson and serves on the Memphis Recruiting Committee. Robert is Secretary to the Tennessee Asian Pacific Bar Association.

Robert's commitment to the legal profession, which is evident in his active leadership and service, is attributable to his drive and dedication, but it may also have some genetic basis. With an aunt, uncle and brother who also are attorneys, Robert comes from a family that seems to



Robert Tom

have an innate passion for the law.

Outside of the office, Robert can be found working out, playing basketball for the firm's lawyer-league team and fishing.

KUDOS EARNED BY BAKER DONELSON

- Ranked 50th on FORTUNE magazine's "100 Best Companies to Work For" in 2011
- Ranked in the Top 20 law firms nationally by Vault, Inc in the categories of firm culture, hours, formal training, satisfaction and informal training
- Ranked in the "Top 100 Law Firms for Diversity" by *Multicultural Law Magazine* since 2005
- Ranked in the "Top 25 Law Firms for African-Americans" by *Multicultural Law Magazine* 2011
- Ranked in the "Top 100 Law Firms for Women" by *Multicultural Law Magazine* since 2008
- Nashville office named "Best Place to Work" by *Nashville Business Journal*
- Birmingham office named "Best Place to Work" by *Birmingham Business Journal*
- Memphis office named "Best Place to Work" by *Memphis Business Journal*
- Jackson office named "Best Place to Work" by *Mississippi Business Journal*
- Earned a score of 85 in the Human Rights Campaign's Corporate Equality Index 2012

Baker Donelson's Commitment to Respect and Fairness for All

Natalie Bolling, Birmingham, 205.244.3802, nbolling@bakerdonelson.com

Baker Donelson recently rolled out a new aspect of its diversity training program in each of its offices across the Southeast and Washington, DC, which focuses on Gay, Lesbian, Bi-Sexual and Transgender ("GLBT") issues. This training fosters an increased awareness of the GLBT community and the important business reasons for companies to commit to GLBT employee equality. This effort is certainly not meant to force any personal values or beliefs on anyone. Rather, the ultimate goal is to enhance communication between GLBT and non-GLBT employees and the clients we serve.

Baker Donelson's GLBT training is a complement to other existing tangible benefits Baker Donelson offers to its employees who identify as GLBT. Specifically, Baker Donelson offers health, vision and dental benefit options to employees' domestic partners/spouses. The typical benefit structure includes coverage for the employee, their opposite-sex spouse and their children. A "spouse," for purposes of benefit coverage with Baker Donelson, includes a domestic partner, who is generally defined as an individual of the same sex and in a committed relationship with his or her partner/employee who meets other eligibility requirements of the plan. Moreover, once a person qualifies as a domestic partner of an employee, any children of that domestic partner can also be covered under Baker Donelson's various benefit plans.

These types of benefits are not offered by all companies. Sara Turner, a new Shareholder in the Birmingham office commented:

"Moving to Alabama from Minnesota was a big change in many ways, but I feel very fortunate to have joined a firm that shares the values of inclusion and equality that I feel strongly about. While no place is perfect, Baker Donelson works hard to get close. I have seen the ongoing inclusion training serve as a mechanism to open dialog about issues that are important to our firm, employees and clients. This dialog has been instrumental in bridging gaps and fostering an environment that is more than tolerant of diversity - one that seeks to embrace it."

Sara is not the only person who feels so strongly about the importance of Baker Donelson's most recent efforts. Jenna Bedsole, a recent lateral to Birmingham's Labor & Employment Department, shares:

"Diversity training is important to emphasize that no two people are the same - each brings different viewpoints,

experiences and beliefs. By valuing the individual, we are stronger as a whole. I am thankful to be a part of such a strong team."

Damany Ransom, an associate in Baker Donelson's Atlanta office said: "I was well pleased with the Firm's roll out of the GLBT training. GLBT issues are often overlooked, and the roll out demonstrates a true commitment from senior management to create an inclusive corporate culture. It is extremely helpful to discuss various GLBT issues, and to evaluate and dispel myths and stereotypes about those who identify GLBT."

Baker Donelson does not work hard to maintain an inclusive working environment for the accolades. Baker Donelson does it because it is necessary and important to the continued success of the firm as a whole, to the individual employees, and to the first-class client service Baker Donelson strives to provide. It is axiomatic that employees who are happy and secure in their jobs, and who do not spend time hiding who they are for fear of reprisal, perform their jobs better and more efficiently. Realizing and working towards an environment where diversity is embraced is the most important step towards that end goal.

Our Non-Discrimination Policy

At Baker Donelson, we strive to create a welcoming and inclusive environment for all our employees. We welcome people of all races, genders, ages, languages, ethnicities, cultural backgrounds, disabilities, sexual orientations, gender identity, marital status and religious beliefs, to assist our clients in achieving their legal goals. We understand and salute the unique perspectives and approaches that are provided by differences in educational background, socio-economic background, personality profile, geographic location, job duties, and marital and family status.

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A Fraiche Perspective

Donna D. Fraiche, Chair, Women's Initiative, New Orleans, 504.566.5201, dfraiche@bakerdonelson.com



Teri Fontenot

The Women's Initiative at Baker Donelson is a concerted effort to help advance women in our Firm. Among the many events, programs and committees is BakerReads, a book club, brown-bag, lunch-time chat of sorts which brings together nearly 200 women by open invitation from each office to share observations, reading a pre-chosen book, usually on the topic of women in leadership. Chaired by Courtney Gilmer, who recently advanced to Shareholder, these quarterly video conferences have become as inspired as Oprah's book clubs.

Instead of a book on women in leadership, our last BakerReads meeting featured Teri Fontenot, a nationally acclaimed woman leader and CEO of our client, Woman's Hospital in Baton Rouge, Louisiana. Teri is the incoming chair of the American Hospital Association, which is a national association of 11,000 member facilities that includes a number of the Firm's hospital and hospital system clients. Teri has served on a number of prestigious boards, including the Sixth District Federal Reserve Bank where she chaired its audit committee, and she also served as Chair of the Advisory Committee on Research on Women's Health for the National Institute of Health. She was recently named by *Modern Health Care* as one of the 100 most influential persons in health care in the United States.

Teri could, perhaps should, write a "how to" book with lessons for leadership for aspiring women. Her practical and spot-on suggestions were enthusiastically received by participants from each office, who both complimented Teri's achievements and focused on trying to fathom how she was able to balance family and a successful corporate ladder-climb. Teri provided tips about the importance of excelling not only at the job you are given, but also for the jobs to which you really want to ascend. She suggested that women and men who also want to succeed need to out-work, out-produce and out-result their peers. It also helps to dress for the job you want. She believes strongly in mentoring others and building a collaborative team inclusive of supportive male leaders. She also enthusiastically endorsed making healthy lifestyle choices and wellness as part of every business's health care benefit structure, a concept that particularly caught the attention of a number of women in the Firm who also sought to follow up on implementing programs and suggestions. She sent the link <http://www.aha.org/aha/issues/Health-for-life/culture.html>, with a PowerPoint presentation for each of our offices.

The leadership and inspiration of Teri Fontenot, the interaction of our talented women professionals and the affirmation that women can be anything they want to be culminated in an unforgettable BakerReads.

La'Verne Edney Joins the Firm's Jackson, Mississippi, Office



La'Verne Edney

Ms. Edney, who joins as a shareholder and a member of Baker Donelson's Product Liability & Mass Tort Practice Group, previously served as General Counsel for the Mississippi Volunteer Lawyers Project (MVLP). A joint venture between The Mississippi Bar and Mississippi's two Legal Services Programs, MVLP provides pro bono legal assistance and equal access to justice for Mississippians of low income and limited means. During her two-year tenure as the organization's general

counsel, Ms. Edney worked to significantly expand the pro bono delivery system in Mississippi through maximizing pro bono participation and client service, recruiting and retaining pro bono attorneys actively participating in MVLP, and coordinating and implementing monthly continuing legal education training sessions for pro bono volunteers.

Prior to working with MVLP, Ms. Edney was a partner at Brunini, Grantham, Grower & Hewes, PLLC, in Jackson, Mississippi, where for 11 years she maintained a general litigation practice with an emphasis on matters related to mass tort litigation, product liability, employment discrimination, medical malpractice and personal injury.

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La'Verne Edney Joins the Firm's Jackson, Mississippi, Office, *continued*

A 1996 graduate of the Mississippi College School of Law, Ms. Edney is actively involved in Leadership Jackson, the Capital Area Bar Association, the Metro Jackson Black Women Lawyers Association and the Mississippi Bar Association. She serves as a member of various boards including the Mission Mississippi Resource & Development Committee and Mississippi Children Home Services and is on the Board of Trustees of Mississippi College. Her numerous accolades include being named the Mississippi College Black Law Student Association's 2010 Alumni of the Year, receiving the Capital Area Bar Association's 2010 Outstanding Service Award, being honored as the Outstanding Woman Lawyer of the Year by the Mississippi Women Lawyers Association in

2011 and being recognized as one of Mississippi's 50 Leading Business Women by the Mississippi Business Journal in 2007.

"Beyond being an exceptional attorney, La'Verne has demonstrated an outstanding level of service to her profession and her community through her work with the MVLP and her active leadership in numerous legal and civic organizations," noted Carter Thompson, leader of Baker Donelson's Product Liability & Mass Tort Practice Group and a shareholder in the Firm's Jackson office. "She exemplifies the ideal of service to clients and community that are the foundation of Baker Donelson's culture. We're proud to welcome her as a member of our team."

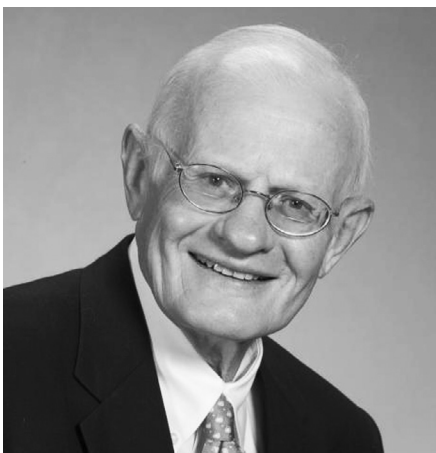
Maurice Wexler Appointed to Board of American Bar Association Center for Human Rights

In an appointment by the president of the American Bar Association (ABA), Maurice Wexler, a shareholder in the Memphis office of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, has been named a member of the board of the ABA Center for Human Rights.

The Center for Human Rights leads the ABA's efforts to address critical human rights issues. It works both within and beyond the ABA to develop policy, projects and educational initiatives to further human rights both nationally and internationally. Current Center projects include atrocity prevention, prevention and prosecution of human trafficking, business ethics and human rights, and the teaching of human rights in U.S. school systems.

Mr. Wexler concentrates his practice in labor and employment and general corporate law, focusing his representation on the broad variety of labor and employment issues faced by employers. He has been selected by his peers for

inclusion in *The Best Lawyers in America*® since 2005 and has been selected for inclusion in *Mid-South Super Lawyers* since 2007, including being named among the top 50 attorneys in Memphis and the top 100 attorneys in Tennessee in 2008. A Fellow of



Maurice Wexler

the College of Labor and Employment Lawyers, Mr. Wexler served as president of the College in 2009, has served on the organization's Board of Governors since 2003 and is the current Chair of the Board's Credentials Committee.

In 2006, members of the Equal Employment Opportunity Committee of the American Bar Association's Section of Labor and Employment Law established a fund honoring Mr. Wexler. The Maurice Wexler Fund is used by the National Civil Rights Museum for a series of educational programs and lectures exploring and discussing the impact of the law and lawyers on society in general and the Civil Rights Movement in particular.

Baker Donelson Announces 2011 Diversity Scholarship Program Recipients

The law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, has announced that the 2011 recipients of the Baker Donelson Diversity Scholarship are law students **Sharonda Childs, Jervonne Newsome and Bobbi Roquemore**.

Ms. Childs is in her second year at the University of Alabama School of Law and will clerk in the Firm's Birmingham office next summer. She is a graduate of Columbia University and served in the U.S. Peace Corps for two years in Mozambique. Previously, Ms. Childs was a Congressional Intern for the office of U.S. Congressman Arthur Davis in Washington, D.C.

Ms. Newsome is in her second year at the University of Arkansas School of Law and will be a summer associate in the Firm's Memphis office. A cum laude graduate of Arkansas State University, she served as a judicial clerk in the U.S. District Court Eastern District of Arkansas for U.S. District Judge D.P. Marshall Jr.

Ms. Roquemore, who is in her second year at Loyola University New Orleans College of Law, will be a summer associate in the Firm's New Orleans office. She received her Bachelor of Arts in Journalism from Marquette University and was a journalist for ten years at prominent publications prior to entering law school.

The three recipients were selected from 185 applicants attending 87 law schools across the country, including Duke University School of Law, Emory University School of Law, Georgetown University Law Center, University of Virginia School of Law and Wake Forest University School of Law.

Established in 2008, the Baker Donelson Diversity Scholarship Program awards annual scholarships to diverse law school students who have completed their first year of law school. Each recipient receives a salaried second year summer associate position in one of the Firm's offices. Upon completion of the

summer position, the recipients also receive a \$10,000 scholarship.

"We're proud to have three such outstanding students selected for our Diversity Scholarship Program this year," said Mark A. Baugh, Chair of Baker Donelson's Diversity Committee. "With the number of qualified applicants increasing every year, we are extremely gratified to play a small part in meeting a clear need for greater opportunities for minorities and women pursuing the legal profession."

Since the launch of the Diversity Initiative in 2002, Baker Donelson's diverse attorney population and the number of minority shareholders have more than quadrupled, far outpacing the Firm's overall growth. The recruitment and retention of female attorneys and the representation of women in leadership positions at the Firm have improved as well.

Baker Donelson Attorneys In the News, Involved

The *Chambers USA* rankings for the 2011 edition have been released. Congratulations to Baker Donelson's 65 attorneys and 22 practices areas that are ranked this year.



Kim Vance was included on the *Nashville Business Journal's* 2011 Best of Bar honorees.



Charles Huddleston is serving his fifth year as Chair of the State Bar of Georgia's Diversity Program. Four years ago, the Program started a High School Pipeline Program to encourage talented minority students in Metro Atlanta to consider law school and a legal career by introducing them to lawyers in law firms, corporate legal departments, and Judges' Chambers, while also attending classes at John

Marshall Law School on writing skills, grammar, and oral advocacy. The Program concludes with an oral argument in front of a Panel of Lawyer-Judges and a brief-writing competition. Baker Donelson hosted the students for a lunch and learn on "Selecting Your College and Beyond."



(L to R) Bob Johnson, Masae Okura, Consul Aoba (standing), Consul General Hiroshi Sato, Mr. Hisanori Maeda, Consul (Economic and Business Affairs)

Masae Okura held a seminar on August 25 at the Japanese Consul General's residence in the suburbs of Nashville. The seminar turned out to be a great success, drawing 30 Japanese corporate clients from Tennessee and Kentucky.

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

Consul General Sato introduced Baker Donelson as a reputable law firm known for Senator Howard Baker, former U.S. Ambassador to Japan.

In addition to a brief discussion of the key provisions of the Illegal Immigration Reform and Enforcement Acts enacted mainly in the southern states, other business immigration developments were highlighted relating to the employment of foreign nationals under H-1B, L-1, E-1/E-2, J-1, H-3, B-1 and other issues related to Japanese companies conducting business in the United States.



Donna Fraiche has accepted an offer to join the board of directors of the Louisiana Health Care Quality Forum (LHCQF). Twenty-three candidates applied for four open seats on the Board. LHCQF is a private, not-for-profit organization dedicated to reshaping health care for everyone in the state. Led by a volunteer board of directors, LHCQF serves as a neutral convener, bringing providers, purchasers, payers and consumers together to drive improvements in health care quality, safety and value for all Louisiana residents.



Christy Crider was profiled in the *Nashville Business Journal* as one of the NBJ's 2011 Health Care Heroes. Christy and the other winners were honored at a luncheon on August 18.



Justin Stephens (Baton Rouge) has been appointed as the Membership Subcommittee Co-Chair for the 2011-2012 LGBT Litigator Committee of the ABA Section of Litigation. The mission of the LGBT Litigator Committee is to help educate the Litigation Section on legal issues affecting the gay, lesbian, bisexual and transgender community and to help the LGBT litigators with the unique issues they face within their practices.



Jennifer Hall (Jackson) took office as president of the Young Lawyers Division of the Mississippi Bar at the Annual Bar Convention in July.



The *Atlanta Business Chronicle* announced **Linda Klein** (Atlanta) as one of the inaugural recipients of

the "Fastcase 50" award. Fastcase recognized 50 individuals across the country who are visionaries, leaders, advocates and innovators.



The *Mississippi Business Journal* noted that **Barry Campbell** (Jackson) was named the Firm's Jackson Pro Bono Attorney of the Year.



Sherry Dolan (New Orleans) has been invited to become a Fellow of the Louisiana Bar Foundation. This is a significant honor that has been bestowed in recognition of Sherry's many important contributions to the legal profession and to access to justice.

Baker Donelson was a sponsor of the **National LGBT Bar Association Lavender Law Conference and Career Fair** held September 8-10 in Hollywood, California.

Baker Donelson is a Gold sponsor of the **Georgia Stonewall Bar Association's Annual Award Dinner** to be held on October 27, 2011. Jeff Breloski (Atlanta) will represent the Firm at this event.

LCLD The 2nd Annual Leadership Council of Legal Diversity was held September 14 – 16 in Washington, DC. Ben Adams and Mark Baugh attended this conference of corporate chief legal officers and law firm managing partners. Keynote speakers this year were the Honorable Cory Booker, Mayor of Newark, NJ, and John E. Pepper, Jr., Former Chair and CEO of Procter & Gamble. The theme of this year's conference was "BUILD." LCLD Chair Rick Palmore explained the "BUILD" initiative's purpose was to expand the investments made in the Fellows Program (Clarence Risin is a member of this inaugural group) along with other LCLD initiatives.

MCCA The 12th Annual Creating Pathways to Diversity Conference was held September 26th in New York with Mark Baugh, Nancy Vincent and Rodney Moore attending on behalf of the Firm. This is a one day conference that is attended by general counsel and law firm attorneys. Various panels are held throughout the day on diversity best practices and innovative ideas.

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

The Nashville office hosted the Nashville GLBT Chamber of Commerce for their Fourth Friday Mixer on August 26th. Approximately 40 members of the Chamber along with several Baker Donelson attorneys attended this networking mixer.

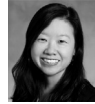
The Nashville office hosted the Nashville Black Chamber of Commerce for a members meeting on September 15th with approximate 30 of their members attending. Keynote speaker was Raul Regalado, President and CEO of the Nashville Metropolitan Airport Authority. Mr. Regalado talked about completed projects at the airport and future plans. He then had several questions posed concerning the screening process. **Nicole James** (Nashville) is on the Board of the Chamber.



Mark Baugh



Jeff Breloski



Shazi Jiang



Taeho Lee



Maesa Okura



Robert Tom

Baker Donelson was proud to sponsor the national Asian Pacific American Bar Association’s 23rd Annual Convention that was held November 17-20 in Atlanta, Georgia. Attorneys representing Baker Donelson were **Mark Baugh**, Shareholder & chair of Diversity, Nashville; **Jeff Breloski**, Atlanta; **Shazi Jiang**, Washington, DC; **Taeho Lee**, Nashville, TN; **Maesa Okura**, Atlanta, Georgia and **Robert Tom**, Memphis.

Mark Baugh was part of a panel discussing the present state of Asian Pacific American lawyers today, including their promotion to partnership, perceived ability to develop internal firm relationships and success at building books of business.

Diversity Matters Editor



Nancy A. Vincent, of counsel in the Nashville office of Baker Donelson, is a member of the Firm’s Corporate group and concentrates her practice in the areas of government contracts, including state and federal procurement transactions and administrative law. Ms. Vincent also represents governmental and private entities in administrative matters and complex litigation, including matters involving telecommunications.

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