

THE BENCH & BAR

A Publication of The Lawyers Association of St. Louis

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September 2008

Judicial Appreciation Dinner/Reception - Thurs. Sept. 25 Westin Hotel - Downtown

Each fall The Lawyers Association of St. Louis hosts its annual Judicial Appreciation dinner/reception to honor all Judges in the metropolitan St. Louis area. Special recognition is given at this time to those members of the Bench celebrating their 25th year on the bench in 2008.

The dinner/reception will be held at the Westin Hotel - Downtown beginning at 5:30 p.m. on September 25th. The featured speaker will be the Honorable Nannette Baker of the Missouri Court of Appeals, Eastern District.

Judges being given special recognition will be:

The Honorable Booker T. Shaw, Missouri Court of Appeals, Eastern District
Hon. Bernhardt C. Drumm, 21st Judicial Circuit
Hon. Lucy Rauch, 11th Judicial Circuit
Hon. Gary P. Kramer, 23rd Judicial Circuit

Special recognition will also be given to the Hon. Michael Calvin, who recently retired from the 22nd Judicial Circuit.

Reservations may be made by contacting Jim Susman at susgrp@charter.net or 314/991-LAWS.

The cost is \$50 per person. There is no charge for Judges.

Checks should be made payable to: The Lawyers Association of St. Louis and mailed to: P.O. Box 411122, St. Louis, MO 63141.

Judicial Appreciation Sponsors are listed at the end of this column.

President's Column William S. Thomas



I do not like conflict. For a trial lawyer that may seem an interesting affliction. A conundrum, without the use of pun of course (because it is the lowest form of humor). But still, there it is, and here I am, a trial lawyer who hates conflict. What is the paradox for me is that many of us as trial lawyers feel like our jobs and very lives depend on conflict; thrive on it. No doubt our work lives are driven by "versus." Plaintiff versus defendant. Him versus me, lawyer against lawyer, mano e mano, pitted in a cage match to the death where "two men enter, one man leaves." It doesn't have to be that way.

For many years I have enjoyed my membership in this organization. I think I have made more meaningful relationships with other lawyers and judges from my membership in this organization than any other. It is my great privilege to serve as the president of the association this year. My hope for the year, and one of my goals, is to try to expand our membership and reinvigorate our current members, infusing them with the sense of ownership we all have in this fantastic trial bar here in St. Louis. Every time we make a phone call, or file a motion or stand up in court, we should not lose sight of the fact that we either build up the reputation, public perception and standing of lawyers of all stripes, or we tear it down.

I am so grateful to have been able to work under the supervision of and direction of some of the best trial lawyers in town. They learned their craft by trying hundreds of cases over their careers. They have seen so many things, if you just raise

New Executive Committee Members

New Executive Committee members are:
Amanda Hazleton (Burns, Vandover & Godfrey, PC), Kristi Pfothenauer (Baker, Sterchi, Cowden & Rice, LLC), Lyndon Sommer (Sandberg, Phoenix and von Gontard), and Tracy Zuckett (Moser & Marsalek)



Pictured above (l-r) are: Zuckett, Pfothenauer and Sommer.

Beer Dinner -- Thurs. October 16 *Limited Seating*

The Lawyers Association of St. Louis will host its first Beer Tasting Dinner on Thursday, October 16th at the Newstead Pub, 4353 Manchester (east of Kingshighway at Newstead). A Beer Dinner is focused on the art of pairing beer with food by the course. Some of the breweries that support the Beer Dinners are Schlafly, O'Fallon, Boulevard and New Belgium. A representative of a brewery often attends the beer dinners to speak about the beer and brewery. Similar to a wine tasting dinner, the beer tasting dinner will match different types of beer to different types of dinners.

The cost of the dinner will be \$40 per person. Reservations will need to be made by Friday, October 10th.

Please reserve your dinner space by e-mailing Jim Susman at susgrp@charter.net or by calling 314/991-LAWS.

Members News

[Gerald R. Ortals](#) has joined Bryan Cave, LLP as Of Counsel. Gerry is a past president of the Lawyers Association and an Award of Honor recipient.

Executive Committee Member [John R. Gunn](#) was appointed to The Missouri Bar Board of Governors as the representative of The Missouri Bar's Young Lawyer's Section. He and his wife Monica are also expecting their second child in early February.

an issue, they have an answer. The process of trials has not changed much, other than the addition of fancy courtroom technology. But what you learn is that it is really a craft, an art form. Trials are not just eliciting testimony, or being an "evidence mechanic," as one of my law partners likes to jokingly call himself. There is so much more to it. And like in base ball or football, there are lawyers here in town we would consider to be "Hall of Famers." Nearly every one of them are members of this organization, past presidents or winners of the Award of Honor. I am sure they all have something to share about what we do.

Things were different, I am told, before I started practicing law. There were fewer lawyers, yet more cases getting tried. More camaraderie. There was a feeling that no matter what happened the person on the other side of the case would cut you a break and you could both move on, no matter how serious or damaging the issue was for either side.

This feeling of community and unity in the bar has diminished greatly, I am told over recent years. I have known no other way. I have lived in the era of motions for sanctions, motions to strike pleadings and letters to the other side to confirm every verbal understanding. Lawyers who will use every advantage, advance any argument, seek any redress, just because it is "in the best interests of their clients" and may be convenient or "by the book," even though it is taking advantage of someone else. It doesn't have to be that way.

Maybe in the age of "cyber lawyering" and economic downturns and tort reform, there is no more room for cooperation. Who needs professional courtesy? Why bother with a favor to another lawyer, you will not get one in return, right? We are all focused on "what is best for the client" we forget that the client's needs, as well as all of our needs, are dependent on a fair, non-partisan judiciary, on a system of justice that allows each side to have their case heard, on a jury system that decides the case on the facts, not through loophole jumping, trick pulling or influence peddling.

I hope to strengthen the bond we all share as lawyers. Together we can make St. Louis a great place to work. Only together can we make the difference it is going to take to change the course we are on. I hope you will join me in becoming more active in this organization. Come to meetings and share your unique perspectives. Get to know other people you practice with or against. Bring new people with you. We will only spread the good work and tradition of this group if we have enough interest to see it grow. Take the time to mentor the younger lawyers in your office. Make an impression on them like the one that was made on

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The Bar Plan

The Gunn Law Firm

The Hullverson Law Firm

me. Work as a lawyer can be hard. It doesn't have to be that way.

Gridiron Dinner & Show Chase Park Plaza Hotel Friday, November 21

The 53rd Gridiron Dinner & Show will be held on Friday, November 21, 2008 at the Chase Park Plaza Khorassan Room. Tickets will be \$100 per person and will be on sale shortly. Highstepper sponsorships and advertising opportunities are still available.



Information about becoming a Highstepper or advertising in the program book may be obtained by contacting Jim Susman at 314/991-5297 or my e-mail at susgrp@charter.net.

Information regarding becoming a Gridiron member can be obtained by contacting Bill Thomas at 314/421-5545 or by e-mail at Thomas@rabbittlaw.com. Rehearsals begin on Tuesday, October 7th.

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Save The Date

Thursday, Sept. 25
Judicial Appreciation

Thursday, Oct. 16
Beer Dinner

Friday, November 21
Gridiron Dinner & Show

Wednesday, December 10
(Date Subject to Change)
Holiday Party

Thursday, January 22
Date Subject to Change)
Annual Bowling Tournament

Thursday, February 19, 2009
Black History Month Dinner

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