

Professional Legal Services Questionnaire

A. Person or Firm Name & Principal Address:

James M. Garner
 Sher Garner Cahill Richter Klein & Hilbert, LLC
 909 Poydras Street - Suite 2800
 New Orleans, LA 70112
 jgarner@shergarner.com

B. Name, Title, & contact information of Firm Representative, as defined in Section 2-926 of the Jefferson Parish Code of Ordinances, who is licensed to practice law in the State of Louisiana with a minimum of five (5) years' experience:

James M. Garner
 Co-Managing Member
 Sher Garner Cahill Richter Klein & Hilbert, LLC
 909 Poydras Street - Suite 2800
 New Orleans, LA 70112
 jgarner@shergarner.com

C. Location of the principal:

Orleans Parish

D. Please check the legal field or fields in which Firm is qualified to perform services for Jefferson Parish and include the number of years of experience in that particular field. See Attached Exhibit A

<input checked="" type="checkbox"/> Bond Services (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Science & Technology Law (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Elections (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> State & Local Government Law (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Administrative & Regulatory (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Taxation (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Antitrust Law (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Tort Trial & Insurance Practices (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Business Law (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Complex Litigation (including asbestos litigation) (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Criminal Justice (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Securities (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Dispute Resolution (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Ethics Law (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Environmental, Energy & Resources (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Civil Service Matters (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Health Law (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Civil Rights & the Constitution (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Intellectual Property (Years: <u>Ex. A</u>)	<input checked="" type="checkbox"/> Municipal Representation (including liability & intergovernmental conflicts) (Years: <u>Ex. A</u>)
<input type="checkbox"/> International Law (Years: <u>n/a</u>)	<input checked="" type="checkbox"/> Code Enforcement Matters (Years: <u>Ex. A</u>)
<input checked="" type="checkbox"/> Labor & Employment Law (Years: <u>Ex. A</u>)	
<input checked="" type="checkbox"/> Public Contract Law (Years: <u>Ex. A</u>)	

Professional Legal Services Questionnaire

<input checked="" type="checkbox"/> Public Utilities Law (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Communications Law (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Transportation Law (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Property (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Trust & Estate Law (Years: <u>Ex. A</u>) <input type="checkbox"/> Other/specific project as required by the advertisement (Years: <u>n/a</u>)	<input checked="" type="checkbox"/> Oil Spill Litigation (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Public Finance (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Land Use, Planning & Zoning Law (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Economic Development (Years: <u>Ex. A</u>) <input checked="" type="checkbox"/> Construction Law (Years: <u>Ex. A</u>)
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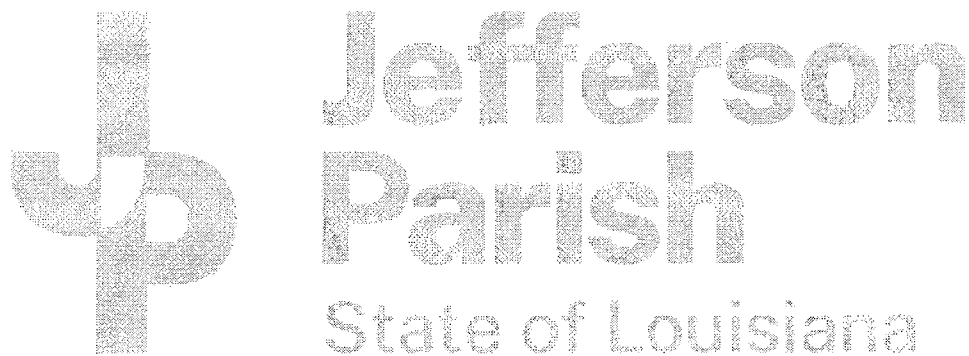
E. List all subcontractors anticipated for this Project. Please note that all subcontractors must submit a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement. See Jefferson Parish Code of Ordinances, Sec. 2-928(a)(3). Please attach additional pages if necessary.

Name & Address:	Specialty:	Worked with Firm Before (Yes or No):
1. none	n/a	n/a
2. none	n/a	n/a
3. none	n/a	n/a
4. none	n/a	n/a

Professional Legal Services Questionnaire

F. Professional Training and experience in relation to the type of work required for the outside legal services.

Please see the attached firm resume booklet.



G. Size of Firm and capacity for timely completion of newly assigned work considering the number of professional and support personnel required to perform the type of outside legal services tasks and the Firm's current unfinished workload.

Sher Garner, a full-service law firm located at 909 Poydras Street, was founded in January 1999, with twenty-five lawyers and has since grown to a firm of 37 lawyers, consisting of 23 members (partners), 11 associates, 3 Of Counsel, and 1 Special Counsel. Sher Garner's staff consists of 17 paralegals, 11 secretaries, one full-time LAN consultant, and an accounting and human resources department.

Professional Legal Services Questionnaire

i. Please specify the total number of support staff that may assist in the completion of a matter for each area of the law selected above: <u>28</u>		
ii. List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary.		
Name:	Legal Field:	Years of Experience in Legal Field:
1. Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.
2. Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.
3. Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.
4. Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.
5. Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.	Please see attached spreadsheet Exhibit A.

Professional Legal Services Questionnaire

H. Past performance by person or Firm on Parish contracts. Please attach additional pages if necessary.

1. Boh Brothers Construction Co., LLC v. Parish of Jefferson. 18LT000165. Boh Bros. claims that it had to perform additional work for milling and removal of base and subgrade, additional stone base over exposed unstable subgrade, and additional asphalt paving over exposed unstable subgrade to ensure compliance with the technical specifications for three Submerged Roads Projects. Boh Bros. was seeking to recover from the Parish more than \$4.5 million in contractual payments and damages. All claims have been settled and this matter has been dismissed with prejudice.

2. Jefferson Community Health Care Centers, Inc. v. Jefferson Parish Government, et al. Ref. No. 16LT000353. Plaintiff claimed Jefferson Parish Council's adoption of two resolutions that terminated the plaintiff's contracts with the Parish were unlawful acts of retaliation against plaintiff. The trial judge partially granted plaintiff's request for preliminary injunction. After granting the Parish's request for expedited consideration, the U.S. Fifth Circuit Court of Appeals held in favor of the Parish and reversed the preliminary injunction. All claims were settled and dismissed with prejudice.

3. We investigated an alleged claim of sexual harassment involving two employees of Jefferson Parish. Due to the confidential nature of the investigation, we have not included the names in our response. Our investigation has concluded. This matter was not in litigation at the time and no reference number was assigned.

4. Eva James and Gangi Shrimp Company, LLC v. Jefferson Parish; Louisiana and AT&T Corp. (f/k/a American Telephone and Telegraph Company); Road District No. 1, Parish of Jefferson; BellSouth Telecommunications, LLC; Utilipath, LLC; and Amerisure Insurance Company. Ref. No. 11LT000339. James was operating a truck owned by Gangi when the vehicle's front tires allegedly sunk into a sinkhole, causing physical injuries to the driver and property damage to an unoccupied vehicle. Discovery revealed significant comparative fault. All claims against Road District No 1, Parish of Jefferson were settled below authority and dismissed with prejudice.

5. Michael L. Schmitt v. Parish of Jefferson and Jefferson Parish Department of Streets. Ref. No. 10LT000430. Plaintiff was riding his bicycle when it struck an alleged defect in the roadway. All claims were settled below authority and dismissed with prejudice.

I. Adversarial legal proceedings between the Parish and the person or Firm performing professional services, in which the Parish prevailed, and excluding those instances or cases where the person or Firm was added as an indispensable party, or where the person or Firm participated in or assisted the public entity in prosecution of its claim. In the event that the person or Firm fails to provide accurate and detailed information regarding legal proceedings with the Parish, including the absence of legal proceedings, the person or firm shall be deemed unresponsive with regard to this category, and zero (0) points shall be awarded. Please attach additional pages if necessary.

None.

Professional Legal Services Questionnaire

J. Prior successful completion of projects of the type and nature of legal services, as defined, for which Firm has provided verifiable references. (List no more than 10 projects.)

1.

Sher Garner obtained a stay from the Louisiana Supreme Court, avoiding house arrest for then Mayor Mitch Landrieu. On behalf of the City of New Orleans, Mayor Mitch Landrieu, and the City Council, the Firm successfully obtained from the Louisiana Supreme Court a stay of a judgment of contempt that would have placed Mayor Landrieu under house arrest for not having paid a \$75 million (\$142 million with interest) judgment in favor of a class of New Orleans firefighters. The district court had granted plaintiffs' motion for contempt against the City, Mayor, and the City Council, and ordered that if the City did not resolve the issue of paying the underlying judgment within one week, Mayor Landrieu would be placed under house arrest every weekend from 5:00 p.m. on Friday to 5:00 p.m. on Sunday. In an effort to protect the Mayor and the Council members from the effects of the contempt judgment, the Firm filed two notices of intent to seek supervisory writs of review in the Louisiana Fourth Circuit Court of Appeal and the Louisiana Supreme Court, two petitions for suspensive appeal of the judgment, and a motion to stay the judgment pending appellate review, the same day that the contempt judgment was issued. Minutes before the 5:00 p.m. house arrest deadline, the Supreme Court granted the writ of mandamus, reversed the Fourth Circuit's decision, stayed the entire contempt judgment (including the house arrest sanction), and ordered the district court to grant the City an appeal that suspends all effects of the contempt judgment.

2.

Sher Garner wins \$6.8 million jury verdict in Hotel Investors, LLC v. State of Louisiana, Department of Development and Transportation.

The Firm successfully obtained a \$6.8 million jury verdict for Hotel Investors, LLC, the owner of the Hampton Inn located at 2730 North Causeway Boulevard, in an inverse condemnation suit against the State of Louisiana, Department of Development and Transportation ("DOTD"). Hotel Investors in Metairie, Louisiana. As part of the DOTD's multi-year construction project in the I-10/Causeway Boulevard/Veterans Boulevard interchange, the DOTD constructed an elevated fly-over bridge within ten yards of the hotel and closed a U-turn that had allowed guests exiting I-10 at Causeway Boulevard to reach the hotel without having to cross Veterans Boulevard. After a three-week trial, a Jefferson Parish jury found that the DOTD's road construction project had constitutionally "taken" Hotel Investors' property, and awarded Hotel Investors \$6,874,646.00 for physical damage and economic losses.

3.

Sher Garner successfully defends the St. Bernard Port, Harbor & Terminal District's expropriation of the Violet Port. In December 2010, the St. Bernard Port expropriated approximately 70 acres along the Mississippi River for Port expansion and development needs. The landowners challenged the constitutionality of the expropriation and the amount of the fair market value. At trial, the Firm successfully defended both the constitutionality of the expropriation and the fair market valuation of the property.

4.

Sher Garner wins \$1.4 million judgment for Future Property Investments and Kenner Plumbing. The Firm successfully obtained a \$1,428,176 award for Future Property Investments, the landowner, and Kenner Plumbing, the lessee, against DCL Development, the owner of an adjacent building, for damages sustained in a 2006 fire that consumed Kenner Plumbing's building, inventory, and contents. At the trial in the 24th Judicial District Court, the Firm ultimately proved that DCL Development's lessee started the fire in the alley under the defendants' exclusive control.

5.

Sher Garner successfully defends the City of New Orleans in Taxicab Reform Case. In Dennis Melancon, Inc. et al. v. City of New Orleans, the Firm successfully defended the City of New Orleans in a two-day preliminary injunction trial wherein taxicab stakeholders sought to preliminarily enjoin the City from enforcing regulations designed to improve the local taxicab industry. The Court refused to enjoin the City from imposing maximum vehicle age requirements on taxis and also refused to enjoin the City from requiring taxicabs to be equipped with credit card machines, security cameras, and global positioning systems. Following an appeal, the United States Court of Appeals for the Fifth Circuit affirmed the denial of a preliminary injunction, stating that taxicab certificates of public necessity and convenience (CPNCs) were not property rights and that the transfer of CPNCs was discretionary and that taxicab CPNCs are privileges granted by the City rather than a constitutionally protected form of property. The United States Supreme Court denied the taxicab plaintiffs' petition for a writ of certiorari.

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6.

Paratech, LLC v St. Bernard Parish Government, No. 14,1331, c/w No. 16-0969, 17-0236, 17-0995, 17-004, 34th JDC, St. Bernard Parish; this consolidated matter involved allegations of breach of contract, defamation, and other tort claims that was brought in the 34th Judicial District Court for the Parish of St. Bernard. The Sher Garner team, including Mr. Kottle drafted numerous exceptions and motions and oppositions that they argued in the trial court as well as having prepared briefs and argued before the Fourth Circuit Court of Appeal. In May 2021, Sher Garner tried this matter for one week before ad hoc Judge Robert Burns who ruled in favor of the St. Bernard Parish Government and dismissed with prejudice plaintiffs' consolidated suits. Plaintiffs did not appeal.

7.

Angelicare, LLC v. St. Bernard Parish, et al., C.A. No. 17-360 United States District Court, Eastern District of Louisiana, c/w USA v St. Bernard Parish, Louisiana, No. 18-12667; this fair housing matter concluded in federal court. The Sher Garner team included Mr. Garner and Mr. Freedman. Sher Garner prepared numerous motions and argued same and appeared for many conferences before the district judge and magistrate judge. Sher Garner team members also met on a regular basis with the St. Bernard counsel during executive session to keep them closely apprised of the litigation. This matter was ultimately resolved by settlement.

8.

Warren Riley v. Latoya Cantrell, et al. C.A. No. 19-13950, Section "S" (2) USDC, EDLA; Plaintiff Warren Riley brought suit in the United States District Court for the Eastern District of Louisiana arising out of the rescission of an at-will offer of employment between Plaintiff and then Mayor-Elect Cantrell. Plaintiff alleges that by letter dated April 22, 2018, prior to taking office, Mayor-Elect Cantrell offered Plaintiff the unclassified position of Director of Public Safety and Homeland Security for the City of New Orleans for an annual salary of \$180,000. At the time of the offer, Plaintiff alleges that he was employed at the Federal Emergency Management Agency ("FEMA") in Georgia. Plaintiff alleges that he accepted the offer on April 22, 2018 and that Mayor-Elect Cantrell received his acceptance on April 23, 2018. As a result, Plaintiff alleges that an employment contract was formed between Plaintiff and Defendants for the position (the "Contract"). Plaintiff originally sought to recover monetary damages for breach of contract, detrimental reliance, unjust enrichment, and attorney fees. The City filed various pre-trial motions, which resulted in dismissing all but Plaintiff's claim for detrimental reliance. Discovery is complete and this matter has twice been fixed for trial, and continued due to COVID and then Hurricane Ida. This matter was resolved by a favorable settlement.

9.

Sharon Schaefer v. St. Bernard Parish Government, No. 2:16-CV-17784, United States District Court, Eastern District of Louisiana; Mr. Garner, Ms. Fischman, and Mr. Freedman represented the Parish of St. Bernard in this federal court action brought under various federal statutes including Title VII of the Civil Rights Act and 42 USC 1981, et seq. The Sher Garner team filed dispositive motions that resulted in many of the claims being dismissed by the court. Prior to trial, the court granted summary judgment in favor of the St. Bernard Parish Government on all remaining claims and dismissed plaintiff's suit with prejudice. Plaintiff appealed the dismissal to the United States Fifth Circuit Court of Appeals, which in a 3-0 per curiam affirmed the dismissal of plaintiff's suit.

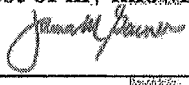
10.

Susan Lafaye, et al. v. City of New Orleans C.A. No. 20-41, Section E(3) USDC, EDLA; Plaintiffs filed a federal class action seeking to assert a takings claims based on claims litigated to a state court judgment (specifically, a February 21, 2018 judgment that ordered the City to "refund to the Class Plaintiffs Subclass 1 all ATES fines and fees paid by the Class Plaintiffs Subclass 1 for ATES tickets issued for the period January 1, 2008, through November 3, 2010, in the amount of \$25,612,690.32, together with judicial interest."). The City filed a Motion to Dismiss Plaintiffs' Complaint, arguing the Court lacked subject matter jurisdiction, federal courts may not enforce state court judgments against governmental entities, and Plaintiffs' claims are precluded under the doctrine of res judicata which was denied. Sher Garner appealed, which was argued by Mr. Kottle. Sher Garner obtained a reversal by the United States Fifth Circuit Court of Appeals and this case has been dismissed.

Professional Legal Services Questionnaire

K. Use this space to provide any additional information or description of resources supporting Firm's qualifications for the proposed project.

L. To the best of my knowledge, the foregoing is an accurate statement of facts.

Signature: 

Print Name: James M. Garner

Title: Co-Managing Member

Date: June 7, 2024

State of Louisiana

EXHIBIT A

A		B	C	D
<input checked="" type="checkbox"/>	Practice Area	Total # Years	# Qualified Attorneys	Qualified Attorneys
<input checked="" type="checkbox"/>	Bond Services	70	3	Sher (46), Richter (10), Klein (14)
<input checked="" type="checkbox"/>	Elections	86	6	Garner (32), Curtis (24), Balhoff (8), Marcello (9), Coker (8), Kottle (5)
<input checked="" type="checkbox"/>	Administrative & Regulatory	297	13	Sher (46), Garner (37), Cahill (37), Richter (32), Klein (41), Curtis (24), Kling (22), Force (16), Miester (24), Marcello (37), McAllister (10), Keay (6), Kottle (5)
<input checked="" type="checkbox"/>	Antitrust Law	84	5	Garner (32), Kling (12), Madigan (20), Keay (6), Dearman (14)
<input checked="" type="checkbox"/>	Business Law	459	18	Sher (46), Cahill (37), Richter (40), Klein (41), Moore (37), Curtis (24), Kling (29), Balhoff (26), Miester (29), Adams (20), Madigan (20), Morrow (19), Cerise (16), Airey (15), Beaton (8), McAllister (40), Freedman (8), Claire St. Germain (4)
<input checked="" type="checkbox"/>	Criminal Justice	4	1	Kottle (4)
<input checked="" type="checkbox"/>	Dispute Resolution	238	12	Sher (37), Garner (37), Curtis (32), Force (17), Madigan (20), Kessler (20), Luminals (15), Marcello (12), Coker (16), Airey (20), Freedman (8), Kottle (4)
<input checked="" type="checkbox"/>	Environmental, Energy & Resources	161	10	Sher (36), Kling (28), Force (15), Madigan (16), Kessler (8), Harris (11), McAllister (14), Freedman (6), Keay (3), Dearman (24)
<input checked="" type="checkbox"/>	Health Law	83	3	Sher (32), Moore (27), Miester (24)
<input checked="" type="checkbox"/>	Intellectual Property	76	4	Garner (32), Adams (20), Airey (20), Kottle (4)
<input checked="" type="checkbox"/>	International Law	130	4	Sher (46), Klein (41), Kling (22), Madigan (21)
<input checked="" type="checkbox"/>	Labor & Employment Law	134	6	Garner (44), Curtis (26), Kessler (22), Freedman (9), Dearman (22), Kottle (11)
<input checked="" type="checkbox"/>	Public Contract Law	165	8	Sher (37), Garner (37), Richter (27), Curtis (24), Miester (12), Marcello (18), Freedman (6), Kottle (4)
<input checked="" type="checkbox"/>	Science & Technology Law	51	2	Garner (27), Curtis (24)
<input checked="" type="checkbox"/>	State & Local Government Law	116	6	Garner (37), Richter (40), Francis (22), Freedman (7), Keay (6), Kottle (4)
<input checked="" type="checkbox"/>	Taxation	52	3	Klein (41), Freedman (7), Kottle (4)
<input checked="" type="checkbox"/>	Tort Trial & Insurance Practices	294	15	Garner (42), Curtis (32), Force (30), Balhoff (26), Madigan (20), Kessler (17), Luminals (17), Marcello (7), Coker (16), Schenck (16), Harris (14), Airey (18), Keay (6), Dearman (25), Kottle (8)
<input checked="" type="checkbox"/>	Complex Litigation	312	18	Garner (42), Curtis (32), Force (30), Balhoff (26), Madigan (20), Kessler (17), Luminals (17), Francis (22), Cerise (10), Coker (12), Schenck (14), Harris (14), Airey (20), Freedman (8), Keay (8), Dearman (25), Kottle (5), Case (4)
<input checked="" type="checkbox"/>	Securities	137	5	Sher (46), Garner (37), Curtis (12), Kling (22), Balhoff (20)
<input checked="" type="checkbox"/>	Ethics Law	89	5	Garner (32), Marcello (37), Coker (8), Freedman (7), Kottle (5)
<input checked="" type="checkbox"/>	Civil Service Matters	16	2	Marcello (11), Kottle (5)
<input checked="" type="checkbox"/>	Civil Rights & the Constitution	147	9	Garner (37), Force (17), Madigan (21), Kessler (20), Marcello (11), Freedman (6), Keay (6), Dearman (25), Kottle (4)
<input checked="" type="checkbox"/>	Municipal Representation	135	8	Garner (43), Richter (18), Kessler (12), Francis (22), Coker (12), Airey (17), Freedman (7), Kottle (4)
<input checked="" type="checkbox"/>	Code Enforcement Matters	115	6	Curtis (8), Miester (24), Marcello (19), McAllister (40), Cerise (16), Coker (8)
<input checked="" type="checkbox"/>	Public Utilities Law	26	2	Sher (17), Marcello (9)
<input checked="" type="checkbox"/>	Communications Law	57	2	Garner (37), Adams (20)
<input checked="" type="checkbox"/>	Transportation Law	97	4	Garner (42), Force (30), Dearman (21), Claire St. Germain (4)
<input checked="" type="checkbox"/>	Property	364	16	Sher (46), Cahill (37), Richter (40), Klein (41), Moore (27), Kling (29), Miester (29), Madigan (21), Holzenthal (32), Cerise (16), Airey (15), Beaton (8), Freedman (6), Keay (8), Kottle (5), Claire St. Germain (4)
<input checked="" type="checkbox"/>	Trust & Estate Law	85	3	Klein (41), Miester (29), Airey (15)
<input checked="" type="checkbox"/>	Oil Spill Litigation	137	9	Garner (22), Curtis (13), Force (16), Balhoff (20), Madigan (13), Luminals (15), Schenck (11), Freedman (6), Dearman (21)
<input checked="" type="checkbox"/>	Public Finance	828	3	Sher (46), Cahill (27), Kling (15)
<input checked="" type="checkbox"/>	Land Use, Planning & Zoning Law	335	13	Sher (46), Cahill (37), Richter (40), Moore (27), Kling (29), Miester (24), Marcello (37), Cerise (14), McAllister (40), Airey (15), Freedman (7), Beaton (8), Kottle (11)
<input checked="" type="checkbox"/>	Economic Development	247	9	Sher (46), Garner (27), Cahill (37), Richter (17), Klein (41), Kling (29), Miester (24), Cerise (16), Airey (10)
<input checked="" type="checkbox"/>	Construction Law	325	14	Sher (46), Garner (32), Cahill (37), Richter (40), Curtis (24), Balhoff (20), Miester (24), Adams (20), Madigan (17), Kessler (15), Cerise (16), Harris (8), Airey (20), Freedman (6)

Law Offices of
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² MEMBER OF LOUISIANA & TEXAS BARS

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⁴ MEMBER OF LOUISIANA

& CALIFORNIA BARS

⁵ MEMBER OF LOUISIANA & MISSISSIPPI BARS

⁶ MEMBER OF LOUISIANA & NEW YORK BARS

⁷ BOARD CERTIFIED TAX ATTORNEY

LOUISIANA BOARD OF LEGAL

SPECIALIZATION

⁸ MEMBER OF LOUISIANA AND N.

CAROLINA BARS

⁹ MEMBER OF NEW YORK BAR

¹⁰ MEMBER OF CALIFORNIA BAR

ALL OTHERS LOUISIANA BAR

Sher Garner Cahill Richter Klein & Hilbert, L.L.C., located in New Orleans, Louisiana is a nationally renowned full-service law firm recognized for commercial litigation and transactions.

Our talented team of attorneys provides our clients with the astute knowledge of a large firm practice, but with responsiveness, personal attention and sensible staffing of a smaller firm, all while delivering quality legal services effectively and efficiently. Clients receive the benefit of the firm's proficiency across all disciplines, through hand-selected, integrated teams of experienced transactional and litigation lawyers.

The hallmark of our service is our attention to the needs of our clients that goes beyond the rules of professional responsibility. When representation requires litigation, we are aggressive trial lawyers, who are not afraid to fight to protect our clients' rights. We also believe in reasonableness and cooperation, however, and adjust our representation to suit the needs of any particular client. A client who brings us a transactional matter can expect an honest and accurate appraisal of the matter and a resolution in the most practical, direct and economically feasible manner.

LITIGATION

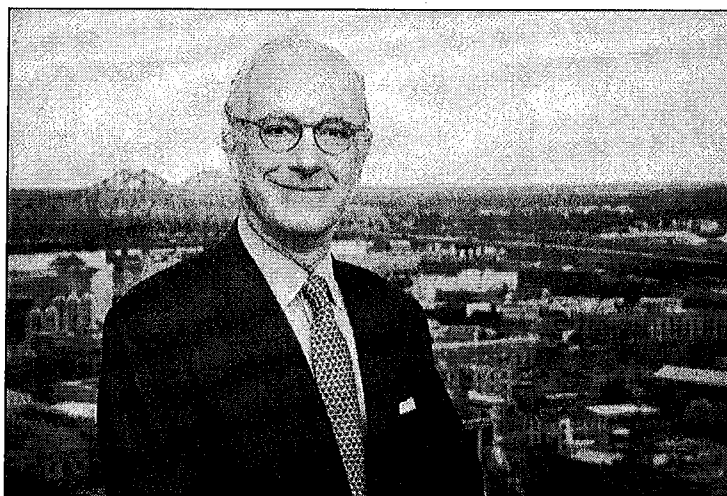
Sher Garner attorneys focus on the litigation of complex business disputes, disputes involving insurance, environmental law and regulation, government-related matters, and labor and employment matters. We also represent defendants in personal injury lawsuit defense. Examples of areas of litigation include: commercial litigation, bet-the-company litigation, mass torts, professional liability insurance, maritime and admiralty law, creditors' rights and foreclosures, energy and environmental law, toxic torts, subrogation and recovery for marine and nonmarine insurers, trademarks and patents, product and premises liability, construction, class actions, bankruptcy, insurance defense and Racketeer Influenced and Corrupt Organizations Act (RICO) violations.

- Complex Commercial Litigation
- Toxic Tort and Environmental Litigation
- Professional Liability Litigation
- Insurance Litigation
- Bankruptcy and Foreclosure Litigation
- Premises Liability
- Securities Litigation
- Automobile Liability
- Construction Litigation
- Commercial Disputes
- Higher Education
- Professional and Products Liability
- Collections
- Tax Litigation
- Bad Faith Insurance
- BP Oil Spill Claims
- Appeals
- Admiralty and Maritime Law
- Complex Insurance Defense
- Coverage Law
- Commercial and Construction Arbitration
- Energy Law
- Personal Injury Litigation
- Environmental Class Action Litigation
- Real Estate Litigation
- Employment Litigation or Labor & Employment
- Medical Products/Malpractice
- Trademarks/Patents
- White Collar Criminal Defense

TRANSACTIONS

For issues that demand expertise in a variety of legal areas, Sher Garner provides single-source convenience. The extensive experience of its transactional attorneys includes business and corporate and real estate legal matters involving leasing, acquisitions, commercial and maritime finance, construction and development, subdivision and zoning, taxation, creditors' rights, corporate and general business advice, intellectual property, governmental relations, bankruptcy, banks and banking, and many other concerns.

- Commercial Real Estate
- Contracts
- Business and Finance Law
- Foreclosures & Alternatives
- Creditors' Rights
- Commercial Bankruptcy
- Disaster Recovery
- Arbitration and Mediation
- Corporate
- Mergers and Acquisitions
- Entrepreneurial/Start-Up Businesses
- Intellectual Property
- Outside General Counsel Services
- Title Litigation
- Retail Development
- Restaurant Law
- Shopping Center Development
- Commercial Finance & Leasing
- Zoning and Land Use
- Maritime Construction
- Construction
- Lending & General Commercial Transactions
- Banking & Finance Law
- Landlord / Tenant
- Construction and Development
- Governmental Relations
- Secured Financing Transactions
- Real Property & Personal Property Leasing



Leopold Z. Sher

Co-managing Member

AREAS OF PRACTICE

Commercial Real Estate
Business and Finance Law
Commercial Litigation
Creditors' Rights
Workouts and Foreclosures
Commercial Bankruptcy
Disaster Recovery
Arbitration and Mediation

Mr. Sher is a business lawyer whose practice is concentrated in commercial real estate and business and finance law. He also practices in the areas of: commercial litigation, health care, creditors' rights, workouts and foreclosures, commercial bankruptcy, disaster recovery, arbitration and mediation, administrative and public law, secured finance and asset based lending. Along with his practice, Mr. Sher is actively involved with many professional and trade organizations, including the American College of Real Estate Lawyers, where he served as Treasurer and a member of the Executive Board; The Association for Real Property and Infrastructure (ARPI) an organization limited in its membership to the top 50 real estate practitioners in the United States and the top 50 real estate practitioners in the United Kingdom; where he served as Treasurer and a member of the Governing Board; the Real Property Section of the American Bar Association, where Mr. Sher has served in many positions, including the Section's governing Council and as the Section Delegate to the ABA House of Delegates; the American College of Commercial Finance Lawyers, which selects its members (fellows) from those attorneys in the United States who serve the asset based lending industry; the American College of Mortgage Attorneys; the Business Section of the American Bar Association, particularly the Commercial Financial Services Committee of the Section; and the American Law Institute, where he is currently serving as a member of the Consultative Group, Restatement of the Law Corporate Governance, The U.S. Law of International Commercial Arbitration and as a member of the Consultative Group, Principles of the Law, Compliance, Enforcement, and Risk Management for Corporations, Nonprofits, and Other Organizations. Mr. Sher is an arbitrator for the American Arbitration Association, with a special designation for arbitrating Commercial Disputes. Mr. Sher also serves on the Tulane Law School Dean's Advisory Board, whose purpose is to serve as an advisory and consultative group to the Dean of the Law School, bringing the perspective of alumni and other friends of the Law School to bear on matters of Law School policy, activities, programs and goals, and acts as an advocate to assist the Dean in advancing the interest of the school. He also is currently a member of the International Council of Shopping

BAR ADMISSIONS

Louisiana, 1976
U.S. District Court Eastern District of Louisiana, 1976
U.S. District Court Middle District of Louisiana, 1976
U.S. District Court Western District of Louisiana, 1976
U.S. Court of Appeals 5th Circuit, 1976
U.S. Supreme Court

EDUCATION

Tulane Law School,
New Orleans, Louisiana, J.D.
Honors: Moot Court

Tulane University, New Orleans, LA
B.A., *cum laude* 1974
Honors: Phi Beta Kappa
Major: Political Science

CONTACT

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504.299.2301 (fax)

Centers, a trade association that represents the interests of those involved in the shopping center industry, including lenders, tenants, owners and developers. From 1986 to 1999, Mr. Sher was also a member of the Lenders' Counsel Group of the American Land Title Association (ALTA), a group limited to 75 lending lawyers who met in conjunction with the ALTA, the title insurance industry trade association.

Over the years, Mr. Sher has been actively involved in virtually every type of major business, real estate and finance transaction representing various and diverse interests as follows: major lenders, including life insurance companies, banks, finance companies and other asset based lenders, savings and loans and other lenders such as Real Estate Investment Trusts (REITS), Real Estate Mortgage Investment Conduits (REMICS) [conduit lending], and CMBS (Commercial Mortgage Backed Securities) lenders for all categories of loans and lending arrangements including private and public financing, industrial development bond financing, public/private partnerships, New Markets Tax Credits financing, and Urban Development Action Grants); commercial developers, including developers of shopping centers, hotels, office buildings, apartment complexes, free standing retail establishments, industrial properties, condominiums, golf courses, Planned Unit Developments, historic rehabilitations, mixed-use projects, conversions, parking lots and garages, warehouses, and other traditional and nontraditional (facade donations, air rights transactions, etc.) real estate projects; businesses, including representation related to the buying and selling of businesses, structuring transactions, joint ventures and other combinations, general business advice and major contracts; landlords and tenants, which representation includes drafting of form leases and negotiation of lease agreements, construction, operation and reciprocal easement (servitude) agreements and other agreements that affect real property; owners and purchasers, which representation includes drafting and negotiation of purchase and sale agreements, construction contracts, development agreements, and acquisition and disposition in bulk of multiple properties. Mr. Sher has also represented major national and international clients in the food service, hospital, title insurance and oil and gas industries.

Mr. Sher serves as Adjunct Professor of Law for Tulane Law School where he teaches a course called "Contract Drafting." This is a three-hour, graded course, introducing students to the principles, processes and techniques for drafting standard commercial business contracts. Mr. Sher is teaching students how to translate business deals into typical contracts, emphasizing how transactional attorneys aim to manage risks, minimize ambiguity, and draft with clarity.

On behalf of clients of the firm, Mr. Sher regularly practices before and works closely with political entities and public administrative boards and agencies, at the local, parish (county), state and national levels.

Mr. Sher has spoken extensively, both locally and nationally, on many diverse subjects including marine pollution/offshore oil leak disasters, capital markets, real estate finance, government bailouts, disaster recovery, insurance, zoning, land use, expropriation/condemnation/eminent domain, environmental law, limited liability companies, workouts, leases, title insurance, asset based lending, lending, lender liability, civil forfeiture, distressed real estate, brokerage agreements, arbitration and other areas related to his practice. Since Hurricane Katrina, Mr. Sher has spoken extensively all over the country to various business groups, professional organizations, and trade associations on disaster recovery, disaster planning and disaster management. Mr. Sher participates annually in the Tulane Law School Intersession "Transactional Boot Camp" program. He also regularly speaks on ethics and professionalism at the New Orleans Bar Association Procrastinator's CLE Program.

Mr. Sher is active in the New Orleans community, currently serving as a board member of the Arts Council of New Orleans and the New Orleans Opera Association, where he served as Secretary from 2015-2017.

Classes/Seminars Taught:

- New York, New York: A Multi-Topic CLE Seminar, "Issues with Arbitration Clauses," and "Choice of Law vs. Forum Selection", Louisiana State Bar Association, November 19, 2016 - November 21, 2016
- Mr. Sher has spoken on the following topics: Expropriation/Condemnation/Eminent Domain, Capital Markets,

Leopold Z. Sher, Co-managing Member (cont'd)

Ethics, Real Estate Finance, Government Bailouts, Asset Based Lending, Disaster Recovery, Environmental Law, Limited Liability Companies, Workouts, Leases, Title Insurance, Lender Liability, Civil Forfeiture, Distressed Real Estate, Brokerage Agreements and Arbitration.

- Mr. Sher participates annually in the Tulane Law School Intersession "Transactional Boot Camp" program.
- He also regularly speaks on ethics and professionalism at the New Orleans Bar Association Procrastinator's CLE Program.

Honors and Awards:

- Lawyer of the Year, Best Lawyers in America, 2011, 2012, 2014-2022
- Best Lawyers in America since 2006 with special designations, during 2023 or a prior year, in Administrative / Regulatory Law, Banking and Finance Law, Commercial Finance Law, Commercial Litigation, Corporate Compliance Law, Corporate Governance Law, Corporate Law, Eminent Domain and Condemnation Law, Equipment Finance Law, Financial Services Regulation Law, Franchise Law, Land Use and Zoning Law, Litigation - Banking and Finance, Litigation - Land Use and Zoning, Litigation - Municipal, Litigation - Real Estate, Mortgage Banking Foreclosure Law, Municipal Law, Nonprofit / Charities Law, Project Finance Law, Real Estate Law and Securitization, Structured Finance Law and Project Finance Law, 2006-2023
- Lawdragon 500 named Mr. Sher one of its Leading Lawyers in America, 2007-2021 and one of its Top Managing Partners You Need to Know for 2008. Lawdragon named Mr. Sher a Lawdragon Legend in 2016, and in 2021, he was inducted to the Lawdragon 500 Hall of Fame. Lawdragon's 500 Leading Litigators in America member for 2024.
- Louisiana Super Lawyers 2007-2023, recognized in the New Orleans Top 50 (2013-2023), Louisiana Top 10 (2007-2012, 2014-2023) and Louisiana Top 50 (2007-2023)
- Chambers and Partners 2004 - 2023 USA Rankings in Real Estate (Band 1) – Chambers sources stated that "The well-respected Leopold Sher has a varied business practice with a strong focus on finance and commercial real estate. He has a strong track record in representing banks, REITs, insurance companies and real estate developers." Furthermore, 2016 Chambers sources wrote, "Leopold Sher focuses his practice on commercial real estate matters for a broad clientele. He has experience in project financing, drafting agreements and title insurance issues." Sources name him "a strong, good lawyer and a smart guy."
- New Orleans Magazine's 2018 Top Lawyers List for Corporate Law, International Arbitration and Securities Regulation
- Albert Nelson Marquis Lifetime Achievement Award, 2017
- Nation's Top One Percent, National Association of Distinguished Counsel, 2016
- Who's Who Legal Real Estate Directory - Leading Real Estate Lawyer, 2015
- New Orleans City Business has awarded Mr. Sher the first annual Leadership in Law Award for 2005, as one of the top 50 Lawyers in New Orleans, 2005

Professional Associations and Memberships:

- American Law Institute, Member, Consultative Group for Compliance, Enforcement, and Risk Management for Corporations, Nonprofits, and Other Organizations, 2016
- Super Lawyers Advisory Board, Member, 2014 - Present
- American College of Real Estate Lawyers, Board of Governors, Treasurer, Member
- American College of Mortgage Attorneys, Member
- American Arbitration Association, Panel of Arbitrators, Member
- Anglo American Real Property Institute, U.S. Group, Treasurer
- American College of Commercial Finance Lawyers, Member

Leopold Z. Sher, Co-managing Member (cont'd)

- American Law Institute, Member; Member Consultative Group for Rest. Third, The U.S. Law of International Commercial Arbitration
- Tulane Law School Dean's Advisory Board, Member
- Arts Council of New Orleans, Board of Directors, 2010 - Present
- New Orleans Opera Association, Secretary - Present
- Lender's Counsel Group of the American Land Title Association (ALTA), Member
- American Bar Association, Real Property Section, Governing Counsel, Section Delegate to the House of Delegate, Member
- American Bar Association, Special Committee on Disaster Response and Preparedness, 2011 - Present
- Section of Real Property, Trust and Estate Law's Task Force on Real Property Law School Curriculum Committee, 2009-2010
- American Bar Association Judicial Division, Member, 2009 - Present
- American Bar Association, Business Section, Commercial Financial Services Committee, Member
- American College of Mortgage Attorneys, Member, 2000 - Present
- International Council of Shopping Centers, Member
- American Bar Foundation, Member
- Academy of Hospitality Industry Attorneys, Member
- Association of Commercial Finance Attorneys, Inc., Member
- American Bankruptcy Institute, Member
- Federal Bar Association, Member
- New Orleans Bar Association, Member
- CCIM, Louisiana Chapter Commercial Real Estate, Member
- Louisiana Land Title Association, Member
- Louisiana Bankers Association, Member

Past Employment Positions:

- McGlinchey Stafford Law Firm, Member, 1976 – 1999

Pro Bono Activities:

- New Orleans Bar Association's representative to The Pro Bono Project

Leopold Z. Sher, Co-managing Member (cont'd)



James M. Garner

Co-managing Member

AREAS OF PRACTICE

Complex Commercial Litigation
Toxic Tort & Environmental Litigation
Professional Liability Litigation
Insurance Coverage Litigation
Bankruptcy & Foreclosure Litigation
Contracts
Business

Mr. Garner, a Member of the firm is a trial lawyer specializing in commercial, complex and class action litigation. He has been lead counsel in cases in New Mexico, California, West Virginia, Kansas, Arizona, Indiana, Arkansas, Mississippi, Louisiana and Texas, involving litigation ranging from insurance coverage, asbestos exposure, benzene exposure, mass closings of big box retailers, noise pollution, commercial, banking, bankruptcy and financial litigation. He is admitted to practice before the federal courts in Arkansas and all courts in Texas and Louisiana. He serves as regional counsel for several companies.

Mr. Garner has extensive appellate argument experience by regularly arguing before the U.S. Fifth Circuit Court of Appeals in New Orleans, the Louisiana Courts of Appeal and the Louisiana Supreme Court. He was unanimously appointed by the Tulane Faculty to Adjunct Professor of Law in the Fall 2020 semester, and teaches Advanced Appellate Advocacy at Tulane University School of Law, along with Contemporary Issues in Legal Ethics in the Spring Semester.

While attending Tulane Law School, Mr. Garner served as a member of the Board of Editors for 1987-1988 and managing editor of the Tulane Law Review for 1988-1989. He is also a member of the Order of the Coif. As an undergraduate at Tulane, he was a member of the Tau Beta Pi, Phi Eta Sigma, Omega Chi Epsilon, and Omicron Delta Kappa honorary societies.

Professional and civic activities include: American (member); Louisiana (member) and Federal (Director, Membership Chair, Recording Secretary, Treasurer, President Elect and Vice-President, President and National Council Delegate, member) Bar Associations; Defense Research Institute (member); Louisiana Association of Business and Industry (member); Louisiana Bankers Association (member); Holy Cross High School (Board Member); Our Lady of Holy Cross College (Development Board); Tulane University (Admissions Council and Externship Committee); Tulane Law Review Board of Advisory Editors; St. Catherine of Siena Cub Scout Pack 230 Den Leader.

BAR ADMISSIONS

U.S. Supreme Court, 1993
Louisiana, 1989
Texas, 1994
U.S. Court of Appeals 5th Circuit, 1989
U.S. Court of Appeals 11th Circuit, 2002
U.S. Court of Appeals Federal Circuit, 2009
U.S. District Court W.D. La., 1989
U.S. District Court E.D. La., 1989
U.S. District Court M.D. La., 1989
U.S. District Court N.D. Tex., 1992
U.S. District Court W.D. Tex., 1992
U.S. District Court S.D. Tex., 1992
U.S. District Court E.D. Tex., 1992
U.S. District Court E.D. Ark., 1992
U.S. District Court W.D. Ark., 1992
Federal Claims Court, 2006

EDUCATION

Tulane Law School, J.D., 1989
magna cum laude, Order of the Coif
Law Review: Tulane Law Review, 1987 - 1989

Tulane University, B.S.E., 1986
summa cum laude, Valedictorian,
With Honors
Major: Chemical Engineering

CONTACT

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504.299.2302 (fax)

Representative Cases

- Spell v. Edwards, WL 131249 (M.D. La. 2022)
- Jones v. Administrators of Tulane Educational Fund, 2021 WL 5097769 (E.D. La. 2021)
- McDonnell Group, L.L.C. v. Starr Surplus Lines Insurance Company, 15 F.4th 343 (La. App. 5th Cir. 2021)
- Lexon Insurance Company, Incorporated v. Federal Deposit Insurance Corporation, 7 F.4th 315 (La. App. 5th Cir. 2021)
- Riley v. Cantrell, 2021 WL 2680211 (E.D. La. 2021)
- Spell v. Edwards, 849 Fed.Appx. 509 (La. App. 5th Cir. 2021)
- Sullivan v. Feldman, WL 1517903 (S.D. Tx. 2021)
- 910 E. Main LLC v Edwards, WL 786388 (W.D. La. 2021)
- Spell v. Edwards, WL 3287239 (La. App. 5th Cir. 2020)
- Spell v. Edwards, F. Supp. 3d, (U.S.M.D. 2020)
- Porto v. TBC Grand Bayou, LLC, So. 3d. (La. App. 1st Cir. 2020)
- Rain CII Carbon, LLC v. Turner Industries Group, LLC, So. 3d. (La. App. 3rd Cir. 2020)
- St. Bernard Parish Government v. Perniciaro, So. 3d. (La. App. 4th Cir. 2020)
- Deep South Center for Environmental Justice v. Council of City of New Orleans, 292 So. 3d 973 (La. App. 4th Cir. 2020)
- Texas Brine Co., LLC v. Naquin, So. 3d. (La. Supp. Ct. 2020)
- Violet Dock Port Inc., LLC v. Heaphy, WL 6307945 (E.D. La. 2019)
- Schaefer v. Peralta, WL 5191000 (E.D. La. 2019)
- Roy Anderson Corporation v. 225 Baronne Complex, L.L.C., 280 So. 3d. 730 (La. App. 4th Cir. 2019)
- Rain CII Carbon, L.L.C. v. Recon Engineering, Inc., 270 So. 3d. 785 (La. App. 4th Cir. 2019)
- Alexander v. Englade, WL 1578099 (La. App. 1st Cir. 2019)
- Alexander v. Blue Williams, So. 3d. (La. App. 4th Cir. 2019)
- CCNO McDonough 16, LLC v. R4 MCNO Acquisition, LLC, So.3d 0490 (La. App. 4th Cir. 2018)
- Ryan v. Calcasieu Parish Police Jury, 2018 WL 4610583 (La. App. 3rd Cir.)
- Board of Supervisors of Louisiana State University v. Southern Electronics, Inc., 2018 WL 3736855 (La. App. 4th Cir.)
- Vieux Carre Commission Foundation v. City of New Orleans, 2018 WL 651668 (La. App. 4th Cir.)
- City of Walker v. Louisiana through Department of Transportation and Development, 877 F.3d 563, 2017, La. App. 5th Cir.
- 429 Bourbon Street, LLC v. RMDR Investments, Inc., 230 So.3d 256, 2017, La. App. 4th Cir.
- Ripoll v. Dobard, 2017 WL 4803878, 2017, La. App. 5th Cir.
- City of Walker v. Louisiana through Department of Transportation and Development, 2017 WL 3430575, 2017, U.S. M.D.
- Yorsch v. Morel, 223 So.3d 1274, 2017, La. App. 5th Cir.
- City of Walker v. Louisiana Through Department of Transportation and Development, 2017 WL 3431922, 2017, U.S. M.D.
- Rasier, LLC v. City of New Orleans, 222 So.3d 806 , 2017, La. App. 4th Cir.
- 800 Iberville Street Limited Partnership v. V Restaurant Group, L.L.C., 221 So.3d 205, 2017, La. App. 4th Cir.
- St. Bernard Port, Harbor and Terminal District v. Guy Hopkins Construction Co., Inc., 220 So.3d 6, 2017, La. App. 4th Cir.
- Jefferson Community Health Care Centers, Incorporated v. Jefferson Parish Government, No. 16-30875, 2017 WL 744017, 2017, U.S. App. 5th Cir.

James M. Garner, Co-managing Member (cont'd)

- St. Bernard Port, Harbor & Terminal District v. Violet Dock Port, Inc., LLC, Nos. 16-0096, 16-0262, 16-0331, 2016 WL 7238987, 2016, La. App. 4th Cir.
- St. Paul Fire & Marine Insurance Company v. Renegade Super Grafix, Inc., 2016 WL 4926190, 2016, S.D. Miss.
- Louapre v. Booher, WL 4555716, 2016, La. App. 4th Cir.
- Riccio v. Luminais, 192 So.3d 858, 2016, La. App. 4th Cir.
- Zeigler v. Housing Authority of New Orleans (Hano), 192 So.3d 175, 2016, La. App. 4th Cir.
- M.R. Pittman Group, L.L.C. v. Plaquemines Parish Government, 182 So.3d 312, 2015, La. App. 4th Cir.
- Kenner Plumbing Supply, Inc. v. Rusich Detailing, Inc., 175 So.3d 479, 2015, La. App. 5th Cir.
- Hanover Ins. Co. v. Plaquemines Parish Government, 2015 WL 3953145, E.D. La.
- Louisiana Pigment Co., L.P. v. Air Liquide America, L.P., 149 So.3d 997, 2014, La. App. 3rd Cir.
- First Bank and Trust v. Redman Gaming of Louisiana, Inc., 131 So.3d 224, 2013, La. App. 5th Cir.
- First Bank & Trust v. Treme, 129 So.3d 605, 2013, La. App. 5th Cir.
- Smoothie King Franchises, Inc. v. Southside Smoothie & Nutrition Center, Inc., 516 Fed.Appx. 362, 2013, 5th Cir.
- Tolmas v. Parish of Jefferson, So.3d, 2013, La. App. 2nd Cir.
- U.S. Fire Ins. Co. v. Housing Authority of New Orleans, F.Supp.2d, 2013, E.D. La.
- Dennis Melancon, Inc. v. City of New Orleans, 703 F.3d 262, 2012, 5th Cir.
- Rain CII Carbon, LLC v. ConocoPhillips Co., So.3d, 2012, La. App. 4th Cir.
- In re Katrina Canal Breaches Litigation, 696 F.3d 436, 2012, 5th Cir.
- Marshall v. Air Liquide-Big Three, Inc., So.3d, 2012, La. App. 4th Cir.
- Dennis Melancon, Inc. v. City of New Orleans, F.Supp.2d, 2012, E.D. La.
- Rain CII Carbon, LLC v. ConocoPhillips Co., 674 F.3d 469, 2012, 5th Cir.
- Crews & Assoc.'s, Inc. v. Nuveen High Yield Mun. Bond Fund, 783 F. Supp. 2d 1066, 2011, E.D. Ark.
- Safeguard Storage Properties, L.L.C. v. Donahue Favret Contractors, Inc., 60 So.3d 110, 2011, La. App. 4th Cir.
- Public Citizen Inc. v. Louisiana Attorney Disciplinary Bd., 632 F.3d 212, 2011, 5th Cir.
- Wede v. Niche Marketing USA, LLC, 52 So.3d 60, 2010, La.
- In re Katrina Canal Breaches Litigation, 495 F.3d 191, 2010, 5th Cir.
- Versai Management Corp. v. Clarendon America Ins. Co., 597 F.3d 729, 2010, 5th Cir.
- Jeansonne v. New York Life Ins. Co., 11 So.3d 1160, 2009, La. App. 3d Cir.
- Royal Cloud Nine, L.L.C. v. Lafayette Ins. Co., 987 So. 2d 355, 2008, La. App. 4th Cir.
- Sher v. Lafayette Ins. Co., 988 So. 2d 186, 2008, La.
- In re Katrina Canal Breaches Litigation, 495 F.3d 191, 2007, 5th Cir.
- Cambridge Toxicology Group, Inc. v. Exnicios, 495 F.3d 169, 2007, 5th Cir.
- Historic Restoration, Inc. v. RSUI Indemnity Company, 955 So.2d 200, 2007, La. App. 4th Cir.
- Larroquette v. Cardinal Health 200, Inc., 466 F.3d 373, 2006, 5th Cir.
- Touro Infirmary v. Sizeler Architects, 947 So.2d 740, 2006, La. App. 4th Cir.
- Dillard University v. Lexington Ins. Co., 466 F. Supp. 2d 723, 2006, E. D. La.
- City of New Orleans' Dept. of Finance v. Touro Infirmary, 905 So.2d 314, 2005, La. App. 4th Cir.
- In re Crutcher-Tufts Resources, Inc., 347 B.R. 189, 2005, Bkrtcy.E.D.La.
- Memorial Hall Museum, Inc. v. University of New Orleans Foundation, 847 So. 2d 625, 2002-1810, 2003, La. App. 4th Cir.
- M.K.L. Development, L.L.C. v. City of New Orleans, 772 So. 2d 797, 2000, La. App. 4th Cir., 2001061380
- Walls v. American Optical Corp., 740 So.2d 1262, 1999, La., 1999207097
- Estate of Patout v. City of New Iberia, 738 So.2d 544, 1999, La., 1999157913
- Dumas v. Angus Chemical Co., 728 So.2d 441, 1999, La. App. 2 Cir., 1999029309
- Williams v. AKZO Nobel Chemicals, Inc., 999 S.W.2d. 836, 1999, Tex. App. - Tyler, 1999155679

James M. Garner, Co-managing Member (cont'd)

- Earl J. Adams et al. v. J.E Merit Construction, Inc., 712 So.2d 88, 1998, La, 1998111127
- Simmons v. Templeton, 723 So.2d 1009, 1998, La. App. 4 Cir., 1998236810
- TGX Corp. v. Simmons, 62 F.3d 666, 1995, 5th Cir. (La.), 1995168871
- U.S. v. Eighty-Three Rolex Watches, 992 F.2d 508, 1993, 5th Cir. (Tex.), 1993109488
- Cole v. Celotex Corp., 599 So.2d 1058, 1992, La., 1992104280

Classes/Seminars Taught:

- New York, New York: A Multi-Topic CLE Seminar, "Jury Selection and Mock Trials - The Processes and the Law, Parts I & II," Louisiana State Bar Association, November 18-21, 2023
- Louisiana State Bar CLE Event, "How Consistency of the Courts Attract Businesses to Louisiana" at Disney's Grand Floridian Resort and Spa on February 21, 2023
- Attempt the Summit: 2022 LSBA Annual Meeting & LJC / LSBA Joint Summer School - Insurance Bad Faith, Louisiana State Bar Association, June 8, 2022
- Dazzling Disney! A Multi-Topic CLE Seminar, "Standard of Review of Appellate Courts - How Much Deference is Given to the Trial Court? Are Appellate Courts 'Super' Trial Courts or Courts of Review for Error? PARTS 1 & 2," Louisiana State Bar Association, February 15-17, 2021
- New York, New York: A Multi-Topic CLE Seminar, "Jury Selection and Mock Trials - The Processes and the Law, Parts I & II," Louisiana State Bar Association, November 23-26, 2019
- Appellate Practice 2019, Panel Member for the Presentation: Precedential Value of Writs and "Law of the Case," Louisiana State Bar Association, October 3, 2019
- Evaluation of the Profession: LJC / LSBA Joint Summer School & 2019 LSBA Annual Meeting, "Learning to Grasp the Big Picture – Depositions: What You Always Wanted to Know, But Didn't have Time to Research," Louisiana State Bar Association, June 2-7, 2019
- Experience the Charm of Quebec: A Multi-Topic CLE Seminar, "Writs" and "Summary Judgments," Louisiana State Bar Association, March 27-29, 2019
- New York, New York: A Multi-Topic CLE Seminar, "A Goldilocks Problem: Motions In Limine - Judges Wishes?," and "Effective Mediation and Settlement Techniques," Louisiana State Bar Association, November 17-20, 2018
- Voodoo CLE: "A Jury Trial Haunting" a Presentation on "Enchanting Incantations – Persuasive Opening Statements," Louisiana State Bar Association, October 26, 2018
- LJC/LSBA Joint Summer School & 2018 LSBA Annual Meeting, "Blowing In the Wind" The Perils of Arbitration, Louisiana State Bar Association, June 4, 2018
- New York, New York: A Multi-Topic CLE Seminar, "Experts: Practice Points & Legal Issues," Louisiana State Bar Association, November 18, 2017 - November 21, 2017
- Voodoo CLE: "Anatomy of a Jury Trial;" a Presentation on "Hocus Pocus: Closing Statements that Convince the Jury," Louisiana State Bar Association, October 27, 2017
- Federal Practice CLE Series - Drafting Effective Complaints and Answers, Federal Bar Association - New Orleans Chapter, March 9, 2017
- Jury Instructions and Jury Verdict Form: A Trial Practice CLE, Louisiana State Bar Association, December 13, 2016
- New York, New York: A Multi-Topic CLE Seminar, "Issues with Arbitration Clauses," and "Choice of Law vs. Forum Selection," Louisiana State Bar Association, November 19-21, 2016
- Encore at Wynn Las Vegas: A Multi-Topic CLE Seminar, Louisiana State Bar Association, September 12-14, 2016
- Advanced Appellate Practice, Louisiana Bar Association, August 26, 2016, Co-Chair and Speaker
- The Asbestos Mock Trial Program - Direct and Cross of Witness & Closing Arguments, Boston, MA, Perrin Conferences on behalf of Resolute Management, Inc., May 5, 2016

James M. Garner, Co-managing Member (cont'd)

- The Asbestos Mock Trial Program - Direct and Cross of Witness & Closing Arguments, Dover, NH, Perrin Conferences on behalf of Resolute Management, Inc., May 4, 2016
- The Asbestos Mock Trial Program - Direct and Cross of Witness & Closing Arguments, Chicago, IL, Perrin Conferences on behalf of Resolute Management, Inc., April 26, 2016
- The LSBA Uncorked: A CLE Adventure in California's Wine Country, Louisiana State Bar Association, February 29 - March 2, 2016
- New York, New York: A Multi-Topic CLE Seminar, "The Traditions, Evolution and Pros & Cons of the Jury Trial," and "Juries-To What Extent Has the Role of the Jury Been Eroded?," Louisiana State Bar Association, November 21-23, 2015
- Voodoo Festival Seminar - Bewitching Trial Techniques: "The Final Ghoulish Feast: Closing Statement," Louisiana State Bar Association, October 30, 2015
- Workers' Compensation Law and Practice, Sterling Education Services, Inc., December 4, 2015
- A City Below Sea Level Rises Above: Exploring the Legal Impacts of Katrina Over the Last Decade – Post Disaster Litigation Strategies Panel, Loyola Law Review Symposium, October 16, 2015
- LSBA Summer School: Arbitration: "The Pitfalls, Problems, and Shortcomings: When Can/Should a Court Step In?" Louisiana State Bar Association, June 8, 2015
- New York, New York: A Multi-Topic CLE Seminar, Does Spoliation Constitute an Independent Cause of Action? - Louisiana State Bar Association, November 22-24, 2014
- Adjunct Lecturer in Law, Advanced Appellate Advocacy, Tulane University School of Law
- LSBA Uncorked: Are there Unveiled UM Waivers Anymore? - Louisiana State Bar Association, March 24, 2014
- Landlord-Tenant Law Seminar - Leases, Evictions, Litigation and Settlements, Sterling Educational Services, Inc., December 12, 2013
- 8th Annual Workers' Compensation Law & Practice Seminar, Sterling Education Services, Inc., December 3, 2013
- New York, New York: A Multi-Topic CLE Seminar, Louisiana State Bar Association, November 23-25, 2013
- Voodoo Festival Seminar – Jury Mock Trial, Louisiana State Bar Association, November 1, 2013
- Magnum PI: Winning the Big Personal Injury Case - Defending the Big Case from Start to Finish, Louisiana State Bar Association, October 11, 2013
- The Challenges of Handling High Profile Cases - Bench Bar Conference, New Orleans Bar Association, April 19-21, 2013
- New York, New York -- A Multi-Topic CLE Seminar -- What Makes the Witness A Qualified Expert?, Louisiana State Bar Association, November 17-19, 2012
- Louisiana Water Laws and Regulations, Half Moon Seminars, June 13, 2012
- The LSBA Uncorked--A CLE Adventure in California Wine Country: Recusals At The Trial and Appellate Court Levels, Louisiana State Bar Association, March 5-7, 2012
- New York, New York A Multi-Topic CLE -- Reconciling Conflicting Opinions of the Courts of Appeal, Louisiana State Bar Association, November 19-21, 2011
- 17th Annual Continuing Legal Education Seminar, CLE of Louisiana and LA Judicial Council/NBA, July 8-14, 2011
- 9th Annual Landlord-Tenant Law Symposium, Sterling Education Services, Inc., May 11, 2011
- Emerging Issues in Healthcare Law - 12th Annual Conference, American Bar Association Health Law Section, February 23-26, 2011
- New Claims on the Horizon: The Aftermath of the Deepwater Horizon Spill, New Orleans Bar Association, December 22, 2010
- 8th Landlord-Tenant Law Symposium, Sterling Education Services, Inc., November 30, 2010

James M. Garner, Co-managing Member (cont'd)

- Oil in the Gulf -- Litigation and Insurance Coverage, Avoiding Fraud Concerns in the Claims Process, HB Litigation Conference, November 4-5, 2010
- New Claims on the Horizon: The Aftermath of the Deepwater Horizon Spill, The National Forum for Environmental & Toxic Tort Issues, September 28-October 1, 2010
- Current Issues in Storm Water Regulation, National Business Institute, July 28, 2010
- The Intersection of Federal and State Law Issues, Jamaican Sunset CLE, July 8-15, 2010
- Litigating Bad Faith Insurance Claims, National Business Institute, March 25, 2010
- Issues Addressed In High Profile Cases: Talking to the Press & Invocation of the 5th Amendment, New Orleans Bar Association, December 23, 2009
- Master Land Use and Planning Processes, National Business Institute, May 4, 2009
- 2009 Bench Bar Conference: Changes to Court Rules, New Orleans Bar Association, March 13-15, 2009
- Trying the Bad Faith Insurance Case, American Bar Association, March 5-9-2009
- Crafting the Key Documents in Insurance Coverage Litigation -- California Coverage Dreaming on a Winter's Day, American Bar Association, Insurance Coverage Litigation Committee's Mid-Year Meeting, February 26-28, 2009
- Landlord-Tenant Law, Sterling Education Services, January 7, 2009
- Boundary Disputes: Resolving Client Conflicts, National Business Institute, November 13, 2008
- Insurance Litigation in Louisiana Related to Hurricanes Katrina and Rita, Defense Research Institute, October 23, 2008
- Handling Toxic Mold Disputes: A Guide to Recent Developments and Effective Litigation Strategies, Lorman Education Services, August 15, 2008
- Sher Post-Mortem, Jamaican Sunset CLE, August 7-14, 2008
- The Warranties Within: A Comparative Look at the Warranties Implied in the Sale of Goods under U.S. Law with an Emphasis on European and International Influences Thereon, Tulane Law School Summer Abroad, London, England, July 21-August 2, 2008
- Annual Meeting and Flood Recovery Seminar, Linn County Bar Association, June 26, 2008
- Mastering Land Use and Planning Processes, National Business Institute, June 10, 2008
- 2008 Bench Bar Conference -- Never Say Never Again: Surviving the Second Storm of Litigation, New Orleans Bar Association, April 11-13, 2008
- Real Estate Law: Advanced Issues and Answers, National Business Institute, March 13, 2008
- Hurricane Katrina: Surviving the Storm of Insurance Litigation, New Orleans Bar Association, December 28, 2007
- Katrina Insurance Litigation, The Greater New Orleans Louis A. Martinet Society, December 12, 2007
- Hot Topics in Insurance Law, Louisiana State Bar Association, September 28, 2007
- Landlord-Tenant Law: Beyond the Basics, Sterling Education Services, Inc., September 25, 2007
- Litigating the Multi-Party Construction Defect Case: Representing the Owner, Louisiana State Bar Association, September 21, 2007
- Circuits Gone Haywire Part II--Splits in the Louisiana Appellate System, Jamaican Sunset CLE, July 12-19, 2007
- Show Me the Money -- Hurricane Katrina Insurance Issues, Jamaican Sunset CLE, July 12-19, 2007
- Hurricane Relief Seminar for Evacuees and Volunteers, National Bar Association, April 26, 2007
- Insurance Law: Third Party Coverage, National Business Institute, February 22, 2007
- 2006 Bench Bar Conference -- Hurricane Katrina: A Personal Perspective, Lafayette Parish Bar Association, October 5-7, 2006
- The Warranties Within: A Comparative Look at Warranties Implied in the Sale of Goods Under US Law, Tulane

James M. Garner, Co-managing Member (cont'd)

Law School Summer Abroad, London, England, July 23-August 6, 2006

- Fourteenth Annual Alvin B. Rubin Symposium -- The Attorney Client Privilege: A Pandora's Box, Federal Bar Association of New Orleans, May 18, 2006
- Confronting Present and Future Stormy Challenges, Louisiana Judicial Council/NBA, March 2-4, 2006
- Thirteenth Annual Alvin B. Rubin Symposium -- Lawyer and Judge Misconduct, Federal Bar Association of New Orleans, May 12, 2005
- The Mold Challenge in Louisiana, National Business Institute, March 15, 2005
- Solving Mold Contamination & Water Intrusion Claims, Sterling Education Services, October 13, 2004
- Twelfth Annual Alvin B. Rubin Symposium -- Attorney Disqualification and Judicial Recusal: The New Frontier, Federal Bar Association of New Orleans, May 5, 2004
- Emerging Issues in Louisiana Indoor Air Quality and Toxic Mold Litigation, National Business Institute, April 24, 2003
- Water Intrusion and Toxic Mold Claims in Louisiana, Sterling Education Services, L.L.C., October 28, 2003
- Tenth Annual Alvin B. Rubin Symposium -- What Judges Will and Will Not Tolerate, Federal Bar Association of New Orleans, April 18, 2002
- Hotel/Motel Premises Civil Security Liability, Defense Research Institute, 1997

Honors and Awards:

- Best Lawyers in America since 2006 with special designations, during 2023 or a prior year, in Appellate Practice, Commercial Litigation, Construction Law, Education Law, Eminent Domain and Condemnation Law, Litigation - Construction, Litigation - Environmental, Litigation - Securities, Mass Tort Litigation / Class Actions - Defendants, Mass Tort Litigation / Class Actions - Plaintiffs, Medical Malpractice Law - Plaintiffs, Mortgage Banking Foreclosure Law, Personal Injury Litigation - Defendants, Personal Injury Litigation - Plaintiffs, Product Liability Litigation - Defendants, Product Liability Litigation - Plaintiffs and Professional Malpractice Law - Defendants, 2006-2023
- Louisiana Super Lawyers 2007-2023, recognized in the New Orleans Top 50 (2013-2023), and Louisiana Top 50 (2007-2013, 2015-2023)
- Lawdragon 500 Leading Lawyers in America, 2006-2023; Lawdragon Legend, 2016; Lawdragon's 100 Managing Partners You Need to Know, 2014, Lawdragon's 500 Leading Litigators in America, 2024
- Chambers and Partners 2007 - 2020 USA Rankings in Litigation -- Key Individuals: "Market commentators consider James Garner of Sher Garner Cahill Richter Klein & Hilbert LLC to be "phenomenally responsive" and a "strong advocate" for his clients. He has a solid trial practice with extensive experience defending clients at state and federal level."
- New Orleans Magazine, Top Lawyers, 2016
- New Orleans CityBusiness Leadership in Law Honoree, 2004, 2016
- Global Law Experts Oil & Gas Tort Litigation Attorney of the Year in the USA
- Top Rated Lawyer for Energy, Environmental and Natural Resources, Martindale-Hubbell, 2013
- Benchmark: The Definitive Guide to America's Leading Litigation Firms and Attorneys, Local Litigation Star
- Gerson Lehrman Group, GLG Leader
- New Orleans City Business Power Generation

Professional Associations and Memberships:

- Tulane Law School, Adjunct Professor in Law, 2020 - Present
- Tulane Law School, Adjunct Assistant Professor in Law, 2014 - 2020

James M. Garner, Co-managing Member (cont'd)

- Louisiana Bar Foundation, Education Committee, 2016 - 2017
- Federal Bar Association, New Orleans Chapter, 2009 – 2010 Immediate Past President and National Council Delegate
- Tulane Alumni Association Board, 2009 - Present Board Member
- Class Action, Mass Tort & Complex Litigation Section -- Louisiana State Bar Association, 2009 - Present Vice Chair
- Federal Bar Association, New Orleans Chapter, 2008 – 2009, President and National Council Delegate
- Fore!kids Foundation, September 29, 2011 - Present
- Xavier University of Louisiana, 2007 – 2011 - Board of Trustees
- Federal Bar Association, New Orleans Chapter, 2007 – 2008 President-Elect and First Vice-President
- Xavier University Board of Visitors, 2006 - Present Member
- Federal Bar Association, New Orleans Chapter, 2006 – 2007, Treasurer
- Federal Bar Association, New Orleans Chapter, 2005 – 2006, Recording Secretary
- Federal Bar Association, New Orleans Chapter, 2004 – 2005, Membership Chair
- Federal Bar Association, New Orleans Chapter, 2001 – Present, Director
- Tulane Law Review Board of Advisory Editors, 2001 – Present
- Holy Cross High School, 1997 – 2004, Director
- American Lung Association of Louisiana, 1998 – 2002, Director
- Tulane University Internship Committee, 1991 – Present
- Tulane University Admissions Committee, 1991 – Present
- Louisiana Association of Business and Industry Environmental Quality Counsel Hazardous Waste and Solid Waste Subcommittees
- Environmental Law Committee for the Defense Research Institute
- Our Lady of Holy Cross University Internship Committee
- A.P. Tureaud American Inn of Court
- Fellow, Louisiana Bar Foundation

Past Employment Positions:

- McGlinchey Stafford Law Firm, Member, 1989 – 1999

Published Works

- James M. Garner, Darnell Bludworth, Kevin M. McGlone & Melissa R. Harris, Chambers Global Practice Guide, eDiscovery & Disclosure – USA Law & Practice (2019)
- The Status and Evolution of First-Party Property Insurance Bad Faith Claims After Hurricane Katrina, 62, Loy. L. Rev. 25, 2016
- Congressional Welcome to Federal Courts--The Class Action Fairness Act: Has the Party Just Begun, 80 Tul. L. Rev. 1669, 80, 2006
- Federal Bar Association, New Orleans Chapter, Advocate, Volume 12, 2002
- Medical Monitoring: The Evolution of a Cause of Action, 30 ENVTL. L. REP. 10024, 2000
- The Louisiana 1988 Products Liability Reform Act: The Changes and Their Effects, 5 Tul. Civ. L. Forum 129, 5, 1990
- The Public Documents Hearsay Exception for Evaluative Reports: Fact or Fiction?, 63 Tul. L. Rev. 121, 63, 1988

James M. Garner, Co-managing Member (cont'd)



Elwood F. Cahill, Jr. Member

AREAS OF PRACTICE

Commercial Real Estate
Business and Finance Law
Creditors' Rights
Foreclosures
Commercial Bankruptcy
Commercial Transactions

Mr. Cahill is a member of the Firm's Business Group whose practice is concentrated in commercial real estate, business and finance law, as well as creditors' rights, workouts and foreclosures and commercial bankruptcy and other commercial transactions. Mr. Cahill practices before and works closely with political entities and public administrative boards and agencies at the local, parish (county) and state levels. Mr. Cahill is also a licensed title insurance agent in the State of Louisiana.

As part of his practice, Mr. Cahill is actively involved with many professional and trade organizations, including the American Bar Association's Section of Business Law where he previously served as Chair of the Real Estate Financing Subcommittee of the Commercial Finance Committee, the ABA's Real Property Probate & Trust Law Section (where he previously served as a Supervisory Council Member of the Section's Governing Council, as well as Chair of the Section's Diversity Committee), the ABA's Torts and Insurance (TIPS) Section (where he has served as Vice Chair of that Section's Title Insurance Litigation Committee), the American College of Real Estate Lawyers, the American Bankruptcy Institute, and the International Council of Shopping Centers, a trade association that represents the interests of those involved in the shopping center industry. Mr. Cahill is a past president of the Louisiana Bar Foundation, as well as a past member of the Board of Directors of the New Orleans Bar Association. Mr. Cahill also serves on the Loyola Law School Visiting Committee, whose purpose is to serve as an advisory and consultative group to the Dean of the Law School, bringing the perspective of alumni and other friends of the Law School to bear on matters of Law School policy, activities, programs and goals, and acts as an advocate to assist the Dean in advancing the interest of the school.

Mr. Cahill is actively involved with many civic and charitable organizations, having served as Chair member of the Board of Directors of Children's Hospital in New Orleans, and on the Board of Directors of Louisiana Appleseed. He served as Co-Chair of the University of New Orleans Business Alumni Council, whose purpose is to serve as an advisory group to the Dean of the Business School to assist the Dean in advancing the interests of the School.

BAR ADMISSIONS

Louisiana, 1980
Louisiana, 1980
U.S. District Court Eastern
District of Louisiana, 1980
U.S. District Court Middle District
of Louisiana, 1982
U.S. District Court Western
District of Louisiana, 2004
U.S. Court of Appeals 6th Circuit,
1981

EDUCATION

Loyola University New Orleans
School of Law, New Orleans,
Louisiana
J.D. - 1980
Law Review: Loyola Law Review,
Casenote Editor, 1978 - 1980
University of New Orleans, New
Orleans, LA B.S. - 1977
Honors: Dean's List, 1975-1977
Major: Accounting

CONTACT

ecahill@shergarner.com
504.299.2103 (office)
504.299.2303 (fax)

Mr. Cahill has taught as an Adjunct Professor (1993) and as a Skills Instructor (1992-2007) at Loyola Law School in New Orleans. He has spoken at numerous seminars, conventions and meetings throughout the country, including the American College of Real Estate Lawyers, American College of Mortgage Attorneys, American Bar Association, Louisiana State Bar Association, the New Orleans Bar Association, Louisiana Land Title Association and Louisiana Bankers Association, among other professional and trade groups.

Representative Bankruptcy Matters Handled:

- In re Harvest Oil & Gas/Saratoga (Middle District of La.) Co-counsel for Secured Creditor
- In re Eagle, Inc. (Eastern District of La.) Co-counsel for Interested Party United States Fire Insurance Company
- In re New Orleans Auction Gallery (Eastern District of La.) - Counsel for First Bank & Trust as secured and unsecured creditor
- In re C & O Enterprises (Eastern District of La.) - Counsel for Hancock Bank as primary secured creditor
- In re Chrysler, LLC (Southern District of N.Y.) – Louisiana counsel for affected dealer
- In re Delphi Corp., et al. (Southern District of N.Y.) – represented Gulf Coast Bank and Trust, assignee with claim against Delphi as account debtor on factored accounts
- In re Noble International Ltd. (Eastern District of Mi.) – representing Gulf Coast Bank and Trust, defendant in adversary preference action
- In re O’Flaherty Construction and Development, LLC (Eastern District of La.) – represented Komatsu Financial limited Partnership, secured creditor holding security interest in equipment
- In re Daniel Express (Southern District of Ga.) - represented Gulf Coast Bank and Trust, assignee with claim against Daniel Express as account debtor on factored accounts
- In re Pilgrim’s Pride (Northern District of Tx.) – Louisiana counsel for Debtor in post-petition financing
- In re Realco Ltd. (Western District of La.) represented Komatsu Financial limited Partnership, secured creditor holding security interest in equipment
- In re David Wayne Greer (Western District of La.- Ch. 13) – represented Caterpillar Financial Services Corporation, secured creditor holding a security interest in equipment
- In re FF Acquisition Corp. d/b/a Flexible Flyer (Northern District of Ms.) – represented Academy Ltd., defendant to adversary proceeding.
- In re Crutcher-Tufts Corporation (Eastern District of La.) – counsel for shareholder
- In re Riverside Healthcare Liquidating Trust (Middle District of La.) - Louisiana local counsel for Liquidating Trustee
- In re Evans Industries (Eastern District of La.) - Co-counsel for Frost Bank as DIP lender
- In re Riverside Healthcare (Middle District of La.) - Co-counsel for Unsecured Creditors Committee
- In re Jitney Jungle Supermarkets (Eastern District of La.) – Louisiana local counsel for Second DIP lender
- In re Entergy New Orleans (Eastern District of La.) - Louisiana local Counsel for Deutsche Bank as secured Bondholder
- In re Behavioral Hospital of Baton Rouge (Middle District of La.) - Counsel for First Bank & Trust as primary secured creditor
- In re Babcock & Wilcox (Eastern District of La.) – Louisiana local counsel for Asbestos Insurance companies
- In re Kenner Plaza Associates (Eastern District of La.) - Counsel for second lien mortgagee as secured creditor
- In re Torch (Eastern District of La.) Counsel for Restech defending preference action
- Served as Counsel for Murphy Oil & Lykes Lines on defense of numerous preference actions in LA, MS, KY, NJ, DE

Elwood F. Cahill, Jr., Member (cont’d)

Classes/Seminars Taught:

- Speaker and Participant, Land Boundaries, Surveys and Access Rights, Half Moon Seminars, to be presented in New Orleans, LA, March 12, 2013
- Organizer and Moderator, Bankruptcy Roundtable Discussion with the Louisiana Bankruptcy Bench at Seminar presented by Louisiana Turnaround Management Association (Louisiana Chapter), October 2012
- Speaker and Participant, Land Boundaries, Surveys and Access Rights, presented by Half Moon Seminars, Baton Rouge, LA, October 2012
- Organizer and Moderator, Bankruptcy Roundtable Discussion with the Louisiana Bankruptcy Bench Louisiana Turnaround Management Association (Louisiana Chapter) seminar, October 2011
- Organizer and Moderator, Views from the Bench Judge's Panel at Bankruptcy Seminar presented by Louisiana Turnaround Management Association (Louisiana Chapter), October 2009
- Organizer and Moderator, Judge's Panel at Bankruptcy & Consumer Law Seminar for Non- Specialists, presented by FBA (New Orleans Chapter), December 4, 2008
- Speaker and Participant, Understanding Land Surveys, Descriptions and Boundaries, presented by Half Moon Seminars – October 2008
- Moderator: Diversity Luncheon, ABA Annual Meeting, August 2004
- Speaker and Participant, Ethics, NOBA Bar Conference, 2004
- Speaker and Participant, Beware the Bankrupt Tenant: What You Don't Know Will Hurt, ACREL Mid-Year Meeting, 2004
- Speaker and Participant, "Beware the Bankrupt Tenant: What You Don't Know Will Hurt", ACREL Mid-Year Meeting, 2004
- Speaker and Participant, "Professionalism & Ethics," New Orleans Bar Association, June 2004
- Speaker and Participant, Ethics, New Orleans Bar Association Bench Bar Conference, 2004
- Speaker and Participant, "Professional and Legislative Update: Louisiana," Chicago Title Insurance Company Underwriting Seminar, May 2003
- Speaker and Participant, "Current Issues in Real Estate Law", Destination Disney Multi-Topic CLE Seminar, Louisiana State Bar Association, February 2001
- Speaker and Participant, Chicago Title Insurance Company Underwriting Seminar, March 2001
- Speaker and Participant, Real Estate Transactions from A-Z, Loyola University Institute for Continuing Legal Education, November 1999
- Speaker and Participant, Handling the Multistate Transaction, Chicago Title Insurance Company, Orange Beach, CA, March 1997
- Adjunct Professor, Business Organizations, Loyola School of Law, 1993
- Instructor, Real Estate Skills Course, Loyola School of Law, 1992 - Present
- Speaker and Participant, Real Estate Transactions from A-Z, Loyola University Institute for Continuing Legal Education
- Speaker and Participant, Handling the Multistate Transaction, Chicago Title Insurance Company, Orange Beach, CA
- Speaker and Participant, Representing the Seller and Purchaser from Beginning to End, Loyola University Institute for Continuing Legal Education
- Speaker and Participant, The Fundamentals of Curing Title Defects, Loyola University Institute for Continuing Legal Education
- Speaker and Participant, Boundary Law in Louisiana, National Business Institute, Fall, 1990

Elwood F. Cahill, Jr., Member (cont'd)

Honors and Awards:

- Lawyer of the Year, Best Lawyers in America, 2021-2022
- Best Lawyers in America since 2010 with special designations, during 2023 or a prior year, in Litigation – Real Estate, Real Estate Law, 2010-2023
- Louisiana Super Lawyers 2007-2023, recognized in the New Orleans Top 50 (2013-2023), Louisiana Top 10 (2010-2012, 2020-2023) and Louisiana Top 50 (2007-2023)
- Chambers and Partners 2008-2010, 2012- 2015 & 2017-2021, and 2023 USA Rankings in Real Estate – Key Individuals: Elwood Cahill is a “practical and business-oriented attorney” focusing on commercial real estate, financing and general business law. “He is smart and he can work towards finding a reasonable solution to something while still representing his client well” asserts one impressed interviewee.
- Who’s Who Legal Real Estate Directory - Leading Real Estate Lawyer, 2015
- Outstanding Alumnus of UNO College of Business, 2002
- Pro Bono Publico Award, Louisiana State Bar Association, 1989
- Beta Alpha Psi National Honor Accounting Fraternity
- R.O.S.E. Award - Friends of NORD

Professional Associations and Memberships:

- American Bar Association, Real Property, Probate and Trust Law Section, Chairperson, Diversity Committee, 1999-Present; Member, Real Property Division Advisory Board, 1999- Present, Chairperson, 1999 - 2004
- University of New Orleans Business Alumni Council, Founding Board Member; Co-chair, 2003 - Present
- Co-Chair, Business Series Committee, 2000 - 2003
- Algiers Economic Development Foundation (AEDF), having served as President for 2000 and 2001
- American Bar Association, Section of Business Law, Member, Developments in Business Financing Committee
- American College of Real Estate Lawyers (ACREL)
- Children's Hospital of New Orleans Board of Directors
- American Bar Foundation
- Young Lawyer Division of American Bar Association, Fellow
- Louisiana Bar Foundation, Board of Directors
- New Orleans Bar Association, Board of Directors
- International Council of Shopping Centers

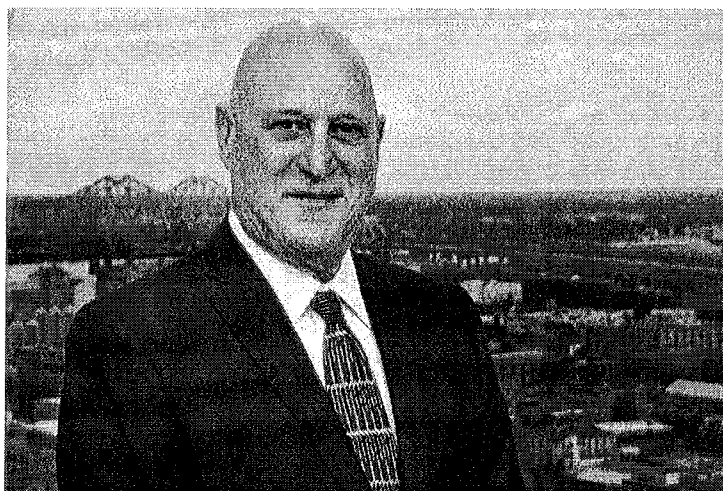
Past Employment Positions:

- McGlinchey Stafford, Member, 1985 - 1999
- McGlinchey Stafford, Associate, 1980 - 1984

Pro Bono Activities:

- Louisiana Appleseed, Secretary, 2009 - 2011
- Louisiana Appleseed, Board Member
- United Way of Greater New Orleans, Member of Tocqueville Society
- New Orleans Pro Bono Project, 1987 – 1993, Founding Board Member
- New Orleans Pro Bono Project, Chairperson
- Dominican High School, Parent Annual Giving Drive, Co-Chair, 2003 - 2004
- Friends of NORD, Member, Board of Directors, 1999 - 2003
- St. Andrew School Foundation, President, 1994 – 1996 Justice For All Ball, benefitting New Orleans Pro Bono Project, Co-Founder and Fund-raising Chair, 1989 - 1991

Elwood F. Cahill, Jr., Member (cont'd)



Richard P. Richter

Member

AREAS OF PRACTICE

Real Estate Law
Construction and Development
Zoning and Regulatory Matters
Governmental Relations
Commercial Finance
Business Transactions

Richard Richter is a founding Member of the Sher Garner Cahill Richter Klein & Hilbert law firm in New Orleans, Louisiana. His practice primarily includes real estate law, construction and development, zoning and regulatory matters, governmental relations, commercial finance and business transactions.

Mr. Richter has an educational background in engineering and in law. He attended Tulane University and received a Bachelor of Science in Civil Engineering Degree (BSCE) in 1968. He pursued graduate Engineering studies at Tulane University Graduate School from 1968 until 1970, when he entered active service in the United States Army. In May 1982, he graduated from Loyola University School of Law, where he received his Juris Doctorate degree. He graduated in the top 10 percent of his class and was a member of the Loyola Law Review.

From 1968 to 1970, and again from 1970 until 1976, Mr. Richter worked as a Civil Engineer with the U.S. Army Corps of Engineers in New Orleans. He served as a project manager for several water resource, navigation and flood control projects in Louisiana and Texas, including the Lake Pontchartrain Hurricane Protection Project. From 1976 to 1978, Mr. Richter acted as a real estate development consultant in Tampa, Florida. In September 1978, he returned to New Orleans to serve as vice president of Dormal Corporation, a company owned by Malcolm Woldenberg. In that capacity, he was directly involved with the administration of a diversified real estate and securities portfolio and with various business investments. He was also directly responsible for the day-to-day operation and administration of the Dorothy and Malcolm Woldenberg Charitable Foundation.

Mr. Richter is presently a member of the Louisiana Bar Association, the Louisiana Bar Foundation, and the New Orleans Bar Association. He has been involved in numerous civic and neighborhood activities and associations and has participated in the Metropolitan Area Committee Leadership Forum, the East Jefferson Council of the New Orleans Chamber of Commerce and in the Loyola University Institute of Politics. Mr. Richter served as a member of the Board of Levee Commissioners of the East Jefferson Levee District from 1988 to 1992 as

BAR ADMISSIONS

Louisiana, 1982
U.S. District Court Eastern
District of Louisiana, 1982

EDUCATION

Loyola University New Orleans
School of Law, New Orleans,
Louisiana
J.D., 1982
Honors: Loyola Law Review,
1981-1982

Tulane University, New Orleans,
Louisiana
B.S., 1968
Honors: Dean's List
Major: Civil Engineering

CONTACT

rrichter@shergarner.com
504.299.2104 (office)
504.299.2304 (fax)

an appointee of Governor Buddy Roemer. He also participates in several trade and professional organizations including the International Council of Shopping Centers, the Commercial Investment Division (CID) and Certified Commercial Investment Managers (CCIM) of the Greater New Orleans Board of Realtors.

Honors and Awards:

- Best Lawyers in America since 2007 with special designations, during 2023 or a prior year, in Construction Law, Land Use and Zoning Law, Real Estate Law, 2007-2023
- Louisiana Super Lawyers 2007 - 2023

Professional Associations and Memberships:

- Louisiana Bar Association, 1982 - Present
- Louisiana Bar Foundation, 1982 - Present
- New Orleans Bar Association, Real Property Committee Chair, 2004 - 2006
- Metropolitan Area Committee Leadership Forum, 1983 - 1984
- Loyola University Institute of Politics
- East Jefferson Levee District, Board of Levee Commission
- International Council of Shopping Centers (ICSC)
- Affiliate Member of Urban Land Institute (ULI)
- Certified Commercial Investment Managers (CCIM) and Commercial Investment Division (CID) of the Greater New Orleans Board of Realtors, Affiliate Member

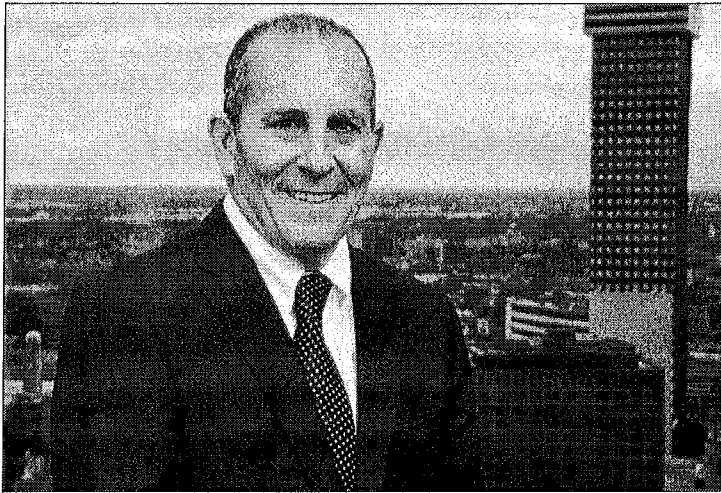
Past Employment Positions:

- McGlinchey Stafford Law Firm, Member, 1976 – 1999
- McGlinchey Stafford, New Orleans, Louisiana, Member, 1982 - 1999
- Dormal Corporation, New Orleans, Louisiana, Vice President, 1978 - 1982
- Rosen-Richter Properties, Tampa, Florida, Development Consultant, 1976 - 1978
- U.S. Army Corps of Engineers, New Orleans, Louisiana, Project Manager, 1971 - 1976
- U.S. Army, Engineering Corps, Ft. Belvoir, Virginia and New Orleans, Louisiana, 1st Lieutenant, 1970 - 1971
- U.S. Army Corps of Engineers, New Orleans, Louisiana, Project Planner, 1968 - 1970

Published Works:

- The Subject Matter Analysis for Computer-Related Processes-A Matter of Characterization, Loy. L. R., 31, 1982

Richard P. Richter, Member (cont'd)



Steven I. Klein

Member

AREAS OF PRACTICE

Business/Corporate Law
Personal Injury Defense
Real Estate Law
Environmental and Natural Resources Law
Government, Municipalities & Elections
Foreign Corrupt Practices Act
The False Claims Act

Honors & Awards:

- Best Lawyers in America since 2007 with special designations, during 2023 or a prior year, in Business Organizations (including LLCs and Partnerships) Closely Held Companies and Family Businesses Law, Franchise Law, Litigation - Real Estate, Litigation - Trusts and Estates, Litigation and Controversy - Tax Non-Profit / Charities Law, Real Estate Law, Tax Law, Trusts and Estates, 2007-2023
- Lawyer of the Year, Best Lawyers in America, 2013, 2015-2023
- Louisiana Super Lawyers (2007-2023), Top 50 Louisiana Lawyers (2008, 2012) and Top 50 New Orleans Lawyers (2013)
- Chambers and Partners 2004 - 2022 USA Rankings in Louisiana, Corporate/M&A: Tax (Band 2) – Key Individuals: “Steven Klein of Sher Garner Cahill Richter Klein & Hilbert LLC is a well-regarded tax lawyer based in New Orleans. Commentators particularly praise his federal taxation practice, and note his knowledge of Subchapter S laws.”
- American College of Tax Counsel, Fellow

Certified Legal Specialties:

- Tax Attorney, Louisiana State Bar Association Specialization Board-Taxation, 1985

Classes/Seminars Taught:

- Adjunct Professor, Natural Resources Taxation, Tulane University, 1989 to 2000
- The Jobs and Growth Tax Relief Reconciliation Act of 2003: Effects on S Corporation, American Bar Association. Tax Section meeting, S Corporations Committee, 2000 to 2000
- Coggins Automotive Corporation: Is LIFO Recapture a Dead Letter?, American Bar Association Tax Section Meeting, S Corporations Committee, 2003 to 2003
- Subchapter S Modernization Act of 2001, American Bar Association Tax Section Meeting, S Corporations Committee, 2002 to 2002

BAR ADMISSIONS

Maryland, 1975
New Jersey, 1976
Louisiana, 1981
U.S. District Court Eastern District of Louisiana
U.S. District Court Middle District of Louisiana
U.S. District Court Western District of Louisiana
U.S. Court of Appeals 5th Circuit
U.S. Tax Court

EDUCATION

New York University School of Law,
New York, New York
LL.M. (Taxation) - 1980
University of Maryland School of Law,
Baltimore, Maryland
J.D.

Honors: Order of the Coif
Honors: Joseph Berstein Prize
Honors: With Honors
Law Review: University of Maryland Law Review, Notes and Comments Editor, 1973 - 1975

CONTACT

sklein@shergarner.com
504.299.2105 (office)
504.299.2305 (fax)

- Special Considerations in Taxable and Non-Taxable Acquisitions Involving S Corporations, American Bar Association Tax Section Meeting, S Corporations Committee, 2002 to 2002
- IRS Position on Back-to-Back Loans and Similar Financing Structures, S Corporation Election for Limited Partnerships and Changes in Tax Years Prior to S Corporation Elections, American Bar Association, Tax Section, S Corporations Committee, 2000 to 2000
- The Temporary Section 338 Regulations-Effects on S Corporations, American Bar Association Tax Section Meeting, S Corporations Committee, 2000 to 2000
- Current Topics-S Corporations, Louisiana State Bar Association Tax Section Meeting, 1999 to 1999
- Taxable Dispositions of S Corporations-Issues and Planning Techniques, Including Section 338 (h)(10) Elections, Taxable Pooling Transactions, Installment Sales Reporting, and Use of QSubs, American Bar Association Tax Section Meeting, S Corporations Committee, 1999 to 1999
- Tax Free Spin Offs by S Corporations-A Primer, American Bar Association Tax Section Meeting, S Corporations Committee, 1999 to 1999
- Federal Income Taxation of Qualified Subchapter S Subsidiaries and Single-Member LLCs, Including Their Use in Acquisitions, American Bar Association, Tax Section Meeting, S Corporations Committee, 1999 to 1999
- S Corporations-Current Developments, Tulane Tax Institute, 1998 to 1998
- Final Continuity of Interest Regulations-Special S Corporation Considerations, American Bar Association Tax Section Meeting, S Corporations Committee, 1998 to 1998
- Topical Issues under SBJPA and TRA '97-Relief for Inadvertent Invalid Elections and Late Elections, Self-Employment Tax Aspects of S Corporations vs. Partnerships and LLCs, and Miscellaneous Issue, American Bar Association Tax Section Meeting, S Corporations Committee, 1998 to 1998
- Using S Corporations in International Transactions, American Bar Association, Tax Section Meeting, S Corporations Committee, October 2000, 2000 to 2000
- S Corporations and International Transactions, American Bar Association Tax Section Meeting, Tax Section Programs, August, 1997
- Divorce of the S Corporation Shareholder- Effect of 1041 Transfers on Suspended Losses and Other Issues, American Bar Association Tax Section Meeting, S Corporations Committee, August 1997
- Conducting International Activities Through Partnerships, LLCs and C Subsidiaries, American Bar Association Tax Section Meeting, S Corporations Committee, May 1997
- Planning for S Corporations After the Small Business Job Protection Act of 1996, American Bar Association Tax Section Meeting, Tax Section Programs, January 1997

Professional Associations and Memberships:

- American Bar Association, S Corporations Committee, Chairman, 2002 to 2004
- Louisiana State Bar Association, Member, 1981 to 2003
- Business Entities (Warren Gorham & Lamont), Board of Advisors and Department Heads, 1999 to 2003
- Journal of S Corporation Taxation (Warren Gorham & Lamont), Board of Advisors and Contributors, 1995 to 1999

Past Employment Positions:

- Internal Revenue Service-District Counsel, Attorney, 1975 to 1980
- McGlinchey Stafford, P.L.L.C., Member, 1981 to 1998

Pro Bono Activities:

- New Orleans Bar Association's representative to The Pro Bono Project

Steven I. Klein, Member (cont'd)



Marie A. Moore

Member

AREAS OF PRACTICE

Commercial Real Estate
Commercial and Residential Leasing
Real Estate
Construction
Lending & General Commercial
Transactions

Marie A. Moore, a member of the Firm, received her B.A. degree from the University of Alabama in 1975 and her J.D. degree from the University of Alabama in 1978, where she was a member of Order of the Coif and associate editor of the Alabama Law Review. She then served as a law clerk to the Honorable Robert S. Vance of the U.S. Court of Appeals for the 5th Circuit. Ms. Moore is a licensed member of the Louisiana and Alabama State Bars. Ms. Moore is a Fellow in the American College of Real Estate Lawyers and is a past chair of the Louisiana District Council of the Urban Land Institute, she was the inaugural president of New Orleans CREW. She is also the Real Property Vice Chair of the American Bar Association's Real Property Trust & Estate Section, and is a past chair of the Leasing Group and the Corporate Sponsorship Committee. She practices in the areas of commercial leasing and real estate, construction, lending and general commercial transactions. She served as a member of the Louisiana State Law Institute's Committee for the Revision of the Louisiana Civil Code Articles on Lease. Ms. Moore is the co-founder and the inaugural President of New Orleans CREW. She frequently speaks at the ICSC Law Conference, Louisiana and Alabama CLE, ABA Real Property Trust & eCLE's and CLE's, and other seminars on the topics of lease, indemnity, insurance and other real estate matters. Ms. Moore has been named one of Louisiana's Best Lawyers in the areas of real estate law, real and personal property leasing, commercial leasing and business law.

Honors and Awards:

- Louisiana Super Lawyers 2007-2023
- Best Lawyers in America since 2010 with special designations, during 2023 or a prior year, in Land Use and Zoning Law, Real Estate Law, 2010-2023
- Chambers and Partners 2012 - 2023 USA Rankings in Real Estate (Band 3) – Key Individuals: "Business and real estate lawyer Marie Moore has developed an excellent reputation in the commercial leasing area. Sources reserve particular praise for her deep knowledge of the real estate environment." In 2016 interviewees stated that

BAR ADMISSIONS

Louisiana, 1981
Alabama, 1978

EDUCATION

The University of Alabama
School of Law, Tuscaloosa,
Alabama
J.D., With Honors - 1978
Law Review: Alabama Law
Review

University of Alabama,
Tuscaloosa, Alabama
B.A. - 1975

CONTACT

mmoore@shergarner.com
504.299.2108 (office)
504.299.2308 (fax)

Marie Moore is “an excellent lawyer;” and “a pleasure to work with.” In 2021, interviewees mention how impressed they are with her ability to “come up with solutions to problems.” Her practice encompasses leasing, construction and real estate finance matters.

- Lawyer of the Year, Best Lawyers in America, 2020
- Who’s Who Legal Real Estate Directory - Leading Real Estate Lawyer, 2015

Professional Associations and Memberships:

- Louisiana State Bar Association
- Alabama State Bar Association
- American College of Real Estate Lawyers, previously on the Board of Governors
- American Bar Association, Real Property Trust & Estate Section, Current Real Property Vice-Chair, former Chair of the Leasing Group, Vice-Chair of the Affordable Housing Committee within the Residential, Multi-Family, and Special Use Group, Vice Chair of the Continuing Legal Education Committee, Member of the Diversity & Inclusion Committee and the Planning Committee
- New Orleans CREW (Co-Founder and Inaugural President)
- Urban Land Institute, Louisiana District Council (Past Chair)
- New Orleans Bar Association

Published Works:

- Probate & Property Magazine, “The Last Word,” 2012-2023
- “Lease Work Letters, Part One: When the Landlord Performs the Work,” Probate & Property Magazine, Volume 37, No. 3, May/June 2023
- “Lease Work Letters, Part One: When the Landlord Performs the Work,” Probate & Property Magazine, Volume 37, No. 4, July/August 2023
- “Risky Drafting: Practical Tips for Lease Liability Insurance Requirements,” Probate & Property Magazine, Volume 34, No. 4, July/August 2020
- “Building a Strong Firewall, Special Property Insurance Coverages,” Probate & Property Magazine, Volume 30, No. 4, July/August 2016
- “Overlapping Insurance – Who Pays When both Landlord and Tenant Have Liability?” Retail Law Strategist, V
- “Windstorms, Tornadoes, and Floods, Oh My!” Probate & Property Magazine, Volume 26, No. 5, September/October, 2012
- “Lease Co-Tenancy Provisions - Protecting Retail Tenants While Giving Landlords a Fair Chance to Maintain Vibrant, Tenanted Centers,” Probate & Property Magazine, Volume 25, No. 1, January/February 2011
- “Construction Contract Anti-Indemnity Statutes: Roadblocks to Risk Allocation,” Retail Law Strategist, March 2011
- “Landlord Lease Remedies: What Are a Landlord’s Default Rights and What Can It Recover?” Probate & Property Magazine, Volume 23, No. 6, November/December 2009
- “Indemnification Provisions in Leases: What We Ask for and What Really Matters,” Probate & Property Magazine, September/October 2008
- “Sublease: A Necessary Solution?” Retail Law Strategist, Volume 9, Issue 5, May 2009
- “Defaults and Remedies in Retail Lease,” Retail Law Strategist, Volume 9, Issue 4, April 2009
- “Keeping Co-Tenancy from Becoming No Tenancy,” Retail Law Strategist, Volume 8, Issue 9, 2008
- “Avoiding the “Gotcha” - Build-to-Suit Construction Issues,” Retail Law Strategist, Volume 8, Issue 5, 2008

Marie A. Moore, Member (cont’d)

- Contributing Author (Author to Chapter entitled, "Operations, Management, and the Lease"), Retail Development, ULI Development Handbook Series, 5th Edition, 2008
- "The Flip Made Easy (or Easier) - Part 2 Preparing for Sale - The Seller's Concerns," Retail Law Strategist, Volume 7, Issue 10, 2007
- "The Flip Made Easy (or Easier) - Part 1 Preparing Your Shopping Center Leases and Operation for Sale," Retail Law Strategist, Volume 7, Issue 9, 2007
- "Risky Business: Do Waiver and Indemnification Provisions Work?" Retail Law Strategist, Volume 7, Issue 5, 2007

Marie A. Moore, Member (cont'd)



Martha Y. Curtis

Member

AREAS OF PRACTICE

Bad Faith Insurance
BP Oil Spill Claims
Business & Commercial Law
Insurance Defense
Insurance Law
Litigation & Appeals

Martha Y. Curtis is a member (partner) of Sher Garner Cahill Richter Klein & Hilbert, L.L.C. Ms. Curtis was one of the founding members of Sher Garner law firm when it opened its doors in January, 1999. It has since grown into one of the top New Orleans law firms with over 40 attorneys and more than 80 employees. She earned her Bachelor of Arts degree, *summa cum laude*, from Vanderbilt University and her Juris doctorate, *summa cum laude*, from Tulane Law School where she served as Senior Managing Editor of the Tulane Law Review.

Ms. Curtis has extensive appellate advocacy experience, having argued before the United States Fifth and Tenth Circuit Court of Appeals, the Louisiana Supreme Court, and numerous appellate courts in Louisiana and Texas. She also has significant trial experience, serving as first chair for jury trials taken to verdict and bench trials taken to judgment. Ms. Curtis is a FINRA arbitrator.

Before beginning private practice, Ms. Curtis clerked for Honorable W. Eugene Davis on the United States Court of Appeals for the Fifth Circuit from 1990 to 1991. Ms. Curtis was appointed by the Louisiana Supreme Court to serve as an assistant Bar Examiner from 1997 to 2000. She also served as an appointee of the Louisiana Supreme Court on the Louisiana State Bar Association's Committee on Uniform Judicial Rules Committee.

Ms. Curtis has been involved in numerous other community and legal organizations, including the following: Tulane Law Review, Board of Advisory Editors; Tulane Alumni Association, Board of Directors; Louisiana Bar Foundation, Fellow; Association for Women Attorneys; and Federal Bar Association. She has received numerous recognitions including: 2015-2017 Louisiana Super Lawyers (Insurance Coverage), 2013-2017 Best Lawyers, 2013 Women of the Year Honoree from New Orleans CityBusiness, "Local Litigation Star" in Louisiana recognition by Benchmark Litigation Guide to America's Leading Litigation Firms & Attorneys (2012); New Orleans City Business's 2010 Leadership in Law Award; New Orleans Magazine's recognition as one of the Top Lawyers in New Orleans (2009); Martindale-Hubbell A-V rated since 1999; Rittenberg-Weinstein Award, Tulane Law Review (1990); and Harry S. Truman Scholar from Louisiana

BAR ADMISSIONS

Louisiana, 1990
Texas, 2000
U.S. District Court W.D. La., 1991
U.S. District Court E.E.D. La., 1991
U.S. District Court M.D. La., 1991
U.S. District Court N.D. Tex., 1992
U.S. District Court S.D. Tex., 1992
U.S. District Court E.D. Tex., 1992
U.S. District Court W.D. Tex., 1993
U.S. District Court N.D. Miss., 1997
U.S. District Court of the District of Columbia, 2013
U.S. Court of Appeals 5th Circuit, 1991
U.S. Court of Federal Claims, 2006
U.S. Supreme Court, 2003

EDUCATION

Tulane Law School, New Orleans, Louisiana
J.D., *summa cum laude*, 1990
Honors: Order of the Coif
Honors: John Minor Wisdom Award
Tulane Law Review, 1988 - 1990

Vanderbilt University, Nashville, TN
B.A., *summa cum laude*, 1987
Honors: History Honors
Honors: Phi Beta Kappa Honor Society
Majors: English & History

CONTACT

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504.299.2311 (fax)

(1985). Ms. Curtis also has authored several scholarly articles and has been a faculty member on numerous Continuing Legal Education panels for both the legal profession and the judiciary.

Representative Cases:

- Palermo v. Century Indemnity Company, 248 So.3d 462, 2018, La. App. 3rd Cir.
- Texas Brine Company, LLC and Occidental Chemical Corporation, 879 F.3d 1224, 2018, 10th Cir.
- Crosstex Energy Services, LP v. Texas Brine Company, LLC, 240 So.3d 1024, 2017, La. App. 1st Cir.
- Claimant ID 100128765 v. BP Exploration & Production, Incorporated, 2017 WL 4310087, 2017, 5th Cir.
- Claimant ID 100247288 v. BP Exploration & Production, Incorporated, 688 Fed.Appx. 265, 2017, 5th Cir.
- Florida Gas Transmission Co. v. Texas Brine Co., No. 2015-1331, 2016 WL 7407344, 2016, La. App. 1st Cir.
- Florida Gas Transmission Co. v. Texas Brine Co., No. 2015-1332, 2016 WL 7407345, 2016, La. App. 1st Cir.
- ART Janitorial Services, L.L.C. v. Progressive Waste Solutions of Louisiana, Inc., No. 2016-01292, 2016 WL 7155884, 2016, E.D. La
- Louapre v. Booher, So.3d, 2016, La. App. 4th Cir.
- Smith v. Regional Transit Authority, 827 F.3d 412, 2016, La. App. 5th Cir.
- Louisiana Crawfish Producers Association—West v. Amerada Hess Corp., 2015 WL 12781021, 2015, W.D. La.
- Morvant v. Maryland Cas. Co., No. 2014-226, 2014 WL 2739423, 2014, E.D.La
- In re Deepwater Horizon, 744 F.3d 370, 2014, La. App. 5th Cir.
- In re Deepwater Horizon, 579 Fed.Appx. 256, 2014, 5th Cir.
- 727 Toulouse, L.L.C. v. Bistro at the Maison De Ville, L.L.C., 122 So.3d 1152, 2013, La. App. 4th Cir.
- Carmen Group Inc. v. Xavier University of Louisiana, 2014 WL 3015228, 2014, App. D.C. Cir
- Daigle v. Tallow Creek, LLC, No. 2012-1656, 2013 WL 2487746, 2013, La. App. 1st Cir.
- Burrus Mortg. Portfolio Partnership III v. Northern Bank Ltd., No. 2012-1445, 2013 WL 2250151, 2013, E.D. La
- U.S. Fire Ins. Co. v. Housing Authority of New Orleans, 917 F.Supp.2d 581, 2013, E.D. La
- Brooks v. Zulu Social Aid and Pleasure Club, Inc., 110 So.3d 703, 2013, La. App. 4th Cir.
- Rain CII Carbon, LLC v. Kurczy, 2012 WL 3577534, 2012, E.D. La.
- Jefferson Door Co., Inc. v. Cragmar Const., L.L.C., 81 So.3d 1001, 2012, La. App. 4th Cir.
- Spence v. Cassano, 2011 WL 5419710, 2011, La. App. 1st Cir.
- Bisso Marine Co., Inc. v. Marine Response Consultants, Inc., 2011 WL 4381576, 2011, E.D. La.
- Koch v. Lamulle Const., L.L.C., 2009 WL 1270440, 2009, La. App. 1st Cir.
- Khalil v. Ebrahim, 2008 WL 8921976, 2008, La. App. 4th Cir.
- Nassar v. Academy Sports and Outdoors, 227 Fed.Appx. 392, 2007, Miss.
- Touro Infirmary v. Sizeler Architects, 948 So.2d 261, 2006, La.App. 4 Cir.
- Touro Infirmary v. Sizeler Architects, 947 So.2d 740, 2006, La.App. 4 Cir.
- Fergusson v. Allstate Property and Cas. Ins. Co., Not reported in F. Supp. 2d., 2006, S.D. Miss.
- Touro Infirmary v. Sizeler Architects, 900 So.2d 200, 2005, La.App. 4 Cir.
- Exposition Partner, L.L.P. v. King, LeBlanc & Bland L.L.P., 869 So.2d 934, 2004, La.App. 4 Cir.
- Ackel v. Academy Louisiana Co., 821 So.2d 109, 2002, La.App. 5 Cir.
- Estate of Patout v. City of New Iberia, 813 So.2d 1248, 2002, La.App. 3 Cir.
- Squirrel Run Inv. Group, Inc. v. City of New Iberia, 813 So.2d 1253, 2002, La.App. 3 Cir.
- Brown v. Manhattan Life Ins. Co., 791 So.2d 74, 2001, La.
- Squirrel Run Investment Group, Inc. City of New Iberia, 791 So.2d 748, 2001, La.App. 3 Cir.
- Estate of Patout v. City of New Iberia, 791 So.2d 741, 2001, La.App. 3 Cir.
- Smith Barney, Inc. v. Henry, 775 So.2d 722, 2001, Miss.

Martha Y. Curtis, Member (cont'd)

- Coalition for Good Government v. Louisiana Dept. of Environmental Quality, 772 So.2d 715, 2000, La.App. 1 Cir.
- M.K.L. Dev., L.L.C. v. City of New Orleans, 772 So.2d 711, 2000, La. App.4 Cir.
- Specialty Food Systems, Inc. v. Reliance Ins. Co. of Illinois, 45 F Supp.2d 541, 1999, E.D. La.
- Walls v. American Optical Corp., 740 So.2d 1262, 1999, La. Sup. Ct., 1999207097
- Estate of Patout v. City of New Iberia, 738 So.2d 544, 1999, La. Sup. Ct., 1999157913
- Adams v. J.E. Merit Constr., Inc., 712 So.2d 88, 1998, La. Sup. Ct., 1998111127
- TGX Corp. v. Simmons, 62 F.3d 666, 1995, U.S. 5th Cir., 1995168871
- Young v. Bichan Partnership, 709 So.2d 794, 1997, La. App. 5 Cir., 1997139712
- Jones v. Hyatt Corp., 681 So.2d 381, 1995, La. App. 4 Cir., 1995155952
- Henning Constr. v. First E. Bank & Trust, 635 So.2d 273, 1994, La. App. 4 Cir., 1994065328
- United States v. 83 Rolex Watches, 992 F.2d 508, 1993, U.S. 5th Cir., 1993109488
- Cole v. Celotex Corp., 599 So.2d 1086, 1992, La. Sup. Ct., 1992104281

Classes/Seminars Taught:

- Louisiana Coverage Issues, Perrin Conferences, June 14, 2016
- Construction CPM Conference EnProMaC Construction CPM Conference in New Orleans, February 1, 2016
- A City Below Sea Level Rises Above: Exploring the Legal Impacts of Katrina Over the Last Decade Loyola University, College of Law in New Orleans, October 16, 2015
- Martinet End of Year CLE, Louis A. Martinet Legal Society, New Orleans Chapter, December 4, 2012
- Appellate Judges Education Institute Summit Southern Methodist University/Appellate Judges Education Institute in New Orleans, November 15, 2012
- Procrastinators' Programs, New Orleans Bar Association, December 15, 2011
- An Ethical Christmas Carol: Ghosts of Christmas Past, Present, and Yet-to-Come, New Orleans Bar Association, Procrastinators Program, 2011
- Civil Court Judicial Forum: Advanced Discovery and Trial Practice, NBI, 2011
- Appeals, Appeals, Appeals, Expert of the Bar & Bench, LA State Bar Association, 2010
- "May it Please the Court", Effective Case Presentation at Trial, NBI, 2010
- Trying the Bad Faith Insurance Case, A Requiem on Hurricane Cases, Coverage Litigation Committee, American Bar Association, 2009
- Drafting the Key Documents in Insurance Coverage Litigation, California Coverage Dreaming on a Winter's Day, 17th Annual Tort and Insurance Practice Section, Insurance Coverage Litigation Meeting, American Bar Association, 2009
- Bench Bar Conference, 2008 is NOBA's License to Practice, NOBA, 2008
- Third Party Coverage, NBI, 2007
- Trial Academy, Louisiana Association of Defense Counsel, 2006
- Police Indiscretion Litigation and Claims Avoidance Strategies, Lorman Business Center Inc., 2005
- Insurance Law: Third Party Coverage in LA, NBI, 2003
- Insurance Bad Faith Claims in LA, NBI, 2003
- D & O Liability and Insurance in the New World, Loyola University School of Law, 2002
- Adjusting the Automobile Injury Claim in LA, NBI, 2001
- Insurance Coverage Law in Louisiana, National Business Institute, 1999
- Defending Hotel/Motel Negligent Security Claims, Defense Research Institute, 1997

Martha Y. Curtis, Member (cont'd)

Honors and Awards:

- Best Lawyers in America since 2013, with special designations in Insurance Law and Personal Injury Litigation – Plaintiffs, 2013 - 2023
- American Institute of Personal Injury Attorneys, 10 Best Personal Injury Female Attorney, 2019
- Lawdragon's 500 Leading Litigators in America, 2024
- Louisiana Super Lawyers, 2015 - 2023
- Local Litigation Star – Plaintiffs in commercial, insurance and tort litigation, Benchmark Plaintiff Litigation Guide to America's Leading Litigation Firms & Attorneys, 2012-2014
- New Orleans CityBusiness - 2013 Women of the Year Honoree
- New Orleans CityBusiness - 2010 Leadership in Law Honoree
- New Orleans Magazine - Named one of the Top Lawyers in New Orleans, 2009.
- Martindale-Hubbell A-V rated since 1999
- Senior Managing Editor, Tulane Law Review
- Rittenberg-Weinstein Award, Tulane Law Review
- Harry S. Truman Scholar from Louisiana, Harry S. Truman Scholarship Foundation

Professional Associations and Memberships:

- Federal Bar Association, New Orleans Chapter – Board Member
- FINRA Arbitrator, 2019 - Present
- GNO Federal Credit Union, Member of the Board of Directors, 2016
- Tulane Law Review, Board of Advisory Editors, Member, 1992 to Present
- Tulane Alumni Association, Board of Directors Representing Law School, Member, 1995 to 1997
- Louisiana Bar Foundation, Fellow, 2008 to Present
- Association for Women Attorneys
- New Orleans Association of Defense Counsel

Past Employment Positions:

- McGlinchey Stafford, Partner, 1998 to 1999
- McGlinchey Stafford, Associate, 1991 to 1997
- U.S. Fifth Circuit Court of Appeals, Judge W. Eugene Davis, Law Clerk, 1990 to 1991

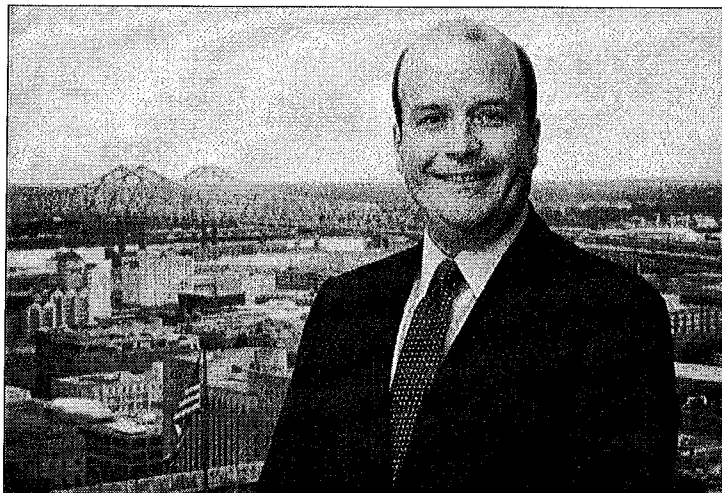
Pro Bono Activities:

- Tulane Law School Alumni, Chair of Class of 1990 Reunions for 5th (1995), 10th (2000), 15th (2005) and 20th (2010) years
- New Orleans Spring Fiesta Association, Legal Advisor on Advisory Board, 2012 to Present, 2012 to Present
- Corresponding Secretary, Society of the Founders of the City of New Orleans, 2011 to Present, 2011 to Present
- New Orleans Vanderbilt Club, President, 1998–2000; Alumni Recruiting Chairperson, 1992–1995; Member of Reunion Committee Class for 25th Reunion, 2012
- Active member of the Mercy Academy Alumnae Association, former President and Board Member
- Jefferson Dollars for Scholars, Vice Chair, Scholarships, 06/2003 to 06/2005
- Catholic Charities New Orleans, Former Member of Advisory Board
- Former Board Member, Spirit of '76 Chapter, Daughters of the American Revolution
- Volunteer at her children's past and present schools, St. Catherine of Siena; St. George's Episcopal School; St. Mary's Dominican High School

Martha Y. Curtis, Member (cont'd)

Published Works:

- The Status and Evolution of First-Party Property Insurance Bad Faith Claims After Hurricane Katrina, 62, Loy. L. Rev. 25, 2016
- Tort Law Desk Reference: A Fifty-State Compendium, Contributing Editor, 2015
- The Salem Witch Trials 300 Years Later, 64 Tul. L. Rev. 235, 1989
- Giepert v. Wingerter: Mandatory Retirement Delayed for Incumbent Louisiana Judges, 63 Tul. L. Rev. 1197, 1989
- Two Recent 5th Circuit Cases Liberally Apply Sherman Antitrust Act, 40 La. B.J. 130, 1992
- Western District Finds Illegal Tying Agreement in Sugar Cane Leases, 40 La. B.J. 242, 1992



Neal J. Kling

Member

AREAS OF PRACTICE

Secured Financing Transactions
Real Estate Transactions
Real Property and Personal Property Leasing
Maritime Construction & Finance
Commercial Transactions

Neal J. Kling, a Member of the firm, received his undergraduate degree in Business and Public Administration from Louisiana State University and his law degree from Louisiana State University Law Center where he graduated Order of the Coif and was a member of the Louisiana Law Review. He represents clients in the areas of secured financing transactions, real estate transactions, real property and personal property leasing, maritime construction and finance and other commercial transactions.

Mr. Kling is a Fellow in the American College of Commercial Finance Attorneys, a Member of the American College of Real Estate Lawyers, a Fellow in the American College of Mortgage Attorneys, a member of Louisiana State Bar Association and the American Bar Association's and Section of Business Law, Section of Real Property, Probate and Trust Law and a Proctor Member of the Maritime Law Association. In the ABA's Section of Business Law serves on the Section's Council. He is a member of the Maritime Financing Committee of the Maritime Law Association. He is also an Adjunct Professor of Law at Tulane Law School. He has been a frequent speaker at numerous American Bar Association and other meetings.

Honors and Awards:

- Best Lawyers in America since 2010 with special designations, during 2023 or a prior year, in Litigation - Real Estate, Real Estate Law, 2010-2023
- Louisiana Super Lawyers, 2007 - 2023
- Who's Who Legal Real Estate Directory - Leading Real Estate Lawyer, 2015
- Chambers and Partners 2004-2010, 2012 - 2015 USA Rankings in Real Estate (Band 3) – Key Individuals: Neal Kling has a mixed business practice which includes real estate transactional, leasing and finance work. Sources praise his courteous approach, and say: "He is knowledgeable and very practical in his understanding of clients' strengths and weaknesses."
- American College of Commercial Finance Attorneys, Fellow

BAR ADMISSIONS

Louisiana, 1993
U.S. District Court Eastern
District of Louisiana, 1999

EDUCATION

Louisiana State University Law
Center,
Baton Rouge, Louisiana
J.D. - 1993

Honors: Order of the Coif
Honors: LSU Hall of Fame
Law Review: Louisiana Law
Review, 1991 - 1993

Louisiana State University,
Baton Rouge, LA
B.S. - 1989

CONTACT

nkling@shergarner.com
504.299.2112 (office)
504.299.2312 (fax)

- American College of Real Estate Lawyers, Member
- American College of Mortgage Attorneys, Fellow
- Order of the Coif, 1993
- Louisiana Law Review, Member, 1993
- Louisiana State University Law Center Hall of Fame

Professional Associations and Memberships:

- Adjunct Professor of Law, Tulane Law School (teaching Vessel Documentation and Finance) (2006-)
- Council Member, American Bar Association Section of Business Law (2016-)
- Fellow, American College of Commercial Finance Attorneys (Member, Board of Regents, 2013-)
- Fellow, American College of Real Estate Lawyers
- Fellow, American College of Mortgage Attorneys
- Chair, American Bar Association Section of Business Law Commercial Finance Committee (2013-2016), Vice Chair (2007-2013)
- Faculty Member, Tulane Law School Summer Abroad Program – Rhodes, Greece (teaching Vessel Documentation and Finance) (Summer 2014 and Summer 2016)
- Instructor, Drafting Corporate Documents Skills Course, Loyola University of New Orleans, School of Law (2000-2006)
- Instructor, Transactional Documentation Skills Course, Loyola University of New Orleans, School of Law, (1996-2005)
- Proctor Member, The Maritime Law Association of The United States (2001 -); Member, Marine Financing Subcommittee
- Member, American Bar Association Section of Business Law: Commercial Financial Services Committee (Chair – Real Estate Financing Committee (2004-2007), Vice Chair - Real Estate Financing Subcommittee (2001-2004), Subcommittees on Loan Documentation and Maritime Financing), UCC Committee (Subcommittee on Secured Transactions); Liaison From Commercial Finance Committee to Membership Committee (2010-2013); Liaison From Commercial Financial Services Committee to Diversity Committee (2004 - 2010); Representative From Commercial Financial Services Committee to Synergy Group (2007 - 2010); Liaison from Section of Business Law to Section of Real Property, Trust and Estate Law (2011-2013)
- Member, American Bar Association Section of Real Property, Probate and Trust Law: Group Chair (2007-2009); Chair - Uniform Laws Committee (2006-2008) (Co-Chair - 2002-2006); Chair - Mortgage Loan Structure and Origination Committee (1997-2002); Vice Chair - Mortgages and Other Debt Financing Committee (1996-1997); Member - Standing Committee on Continuing Legal Education (2004 - 2008); Member - Real Property Division Continuing Legal Education Committee (2004-2008); Member – Standing Committee on Committees; Opinions Committee

Classes/Seminars Taught:

- Speaker, The World's First Interactive Mortgage Financing Program, American Bar Association, 1995
- Program Chair and Moderator, The Second Annual World's Best Mortgage Financing Program, American Bar Association, 1996
- Speaker, Revised UCC Articles 8 and 9, First National Banker's Bank, 1996
- Instructor, Transactional Documentation Skills Course, Loyola University School of Law, 1996 - Present
- Panelist, Business Plan Evaluation Program for Entrepreneurship Program, University of New Orleans, 1996 - 1999
- Guest Lecturer, Choice of Business Entities for Entrepreneurship Program, University of New Orleans, 1996 -

Neal J. Kling, Member (cont'd)

1999

- Program Chair and Moderator, The Third Annual World's Best Mortgage Financing Program, American Bar Association, 1997
- Program Chair and Moderator, The Fourth Annual World's Best Mortgage Financing Program, American Bar Association, 1998
- Program Chair and Moderator, Burning Issues: The Role of Insurance in a Real Estate Transaction, American Bar Association, 1998
- Program Chair and Moderator, The Sixth Annual Mortgage Financing Program, American Bar Association, 2000
- Instructor, Corporate Documentation Skills Course, Loyola University School of Law, 2000
- Program and Chair Moderator, The Seventh Annual Mortgage Financing Program, American Bar Association, 2001
- Program Chair and Moderator, Revised Article 9 - What Every Real Estate Lawyer Needs To Know, American Bar Association, 2001
- Speaker, What's New in New Article Nine? An Overview of Revised Article 9 In Connection With Commercial Transactions, Loyola School of Law Continuing Legal Education Seminar, 2001
- Speaker, Revised Article 9 and Its Impact on Real Estate Lending, National CLE Conference, 2002
- Program Chair and Moderator, Section of Business Law, Real Estate Financing Subcommittee Program, 2004 - 2007
- Adjunct Professor of Law, teaching Vessel Documentation and Finance, Tulane Law School, 2006 - Present

Civic and Community Involvement:

- Chair, Board of Trustees, Academy of the Sacred Heart (a member of the Network of Sacred Heart Schools) (2014-), Vice Chair (2014-16), Secretary (2013-14), Executive Committee (2013-), Head Search Committee (2013-14), and Board Member (2012-)
- Chair, Board of Trustees, Stuart Hall School for Boys (2008-2010), Corporate Secretary (2004-2008), Executive Committee (2004-2012), and Board Member (2003-2012)
- Member, Board of Directors, Spirit of Charity Foundation (formerly known as Medical Center of Louisiana Foundation) (2008-)
- Member, St. Dominic Parish Family Advisory Council (2007-2010)
- Graduate, Metropolitan Area Committee's Young Leadership Forum (program to promote community involvement and awareness) (2000)
- Executive Board, New Orleans Area Council, Boy Scouts of America (1997-1999)
- Board of Directors, KNOCO, Inc. (local governing board of Knights of Columbus) (1995-1997)
- Graduate, United Way's BoardsWork! Training Program (program to train individuals for service on non-profit boards of directors) (1997)
- Member, Knights of Columbus, Third Degree (1990-)
- Member, Young Leadership Council (1994-1996; 2000-2002)

Past Employment Positions:

- McGlinchey Stafford, A Professional Limited Liability Company, Member, January, 1999
- McGlinchey Stafford, A Professional Limited Liability Company, Associate, August, 1993 - December, 1998

Published Works:

- Ramirez v. Fairgrounds Corporation-The Harm in Holding Harmless, 52 La. Law Rev. 1061, 52, 1992
- Vessel Documentation and Finance, Course Materials – Tulane Law School (annually since 2007)

Neal J. Kling, Member (cont'd)



Joshua S. Force

Member

AREAS OF PRACTICE

Commercial Litigation
Admiralty
Complex Insurance Defense
Coverage Law

Mr. Force practices in the areas of commercial litigation, admiralty, and complex insurance defense and coverage law and has represented clients at both the trial and appellate levels. Mr. Force is admitted to practice in Louisiana, Texas, and California and has practiced with law firms in each of those states. Mr. Force is a member of the Maritime Law Association of the United States, having served on its Board of Directors and as Chair of the MLA's Practice and Procedure and Young Lawyers Committees. He is the Editor-in-Chief of *Benedict on Admiralty* and *Benedict's Maritime Bulletin*, and the Secretary/Treasurer of the Tulane Admiralty Law Institute as well as a member of its Program and Planning Committees and National Advisory Board. Mr. Force is an Adjunct Professor of Law at Tulane Law School and teaches a course in Marine Pollution. Mr. Force received his Juris Doctor degree from Harvard Law School and a Bachelor of Arts degree from Haverford College. Upon graduating from law school, Mr. Force served as a law clerk to the Honorable W. Eugene Davis of the United States Court of Appeals for the Fifth Circuit.

Representative Cases:

- *Big Tyme Investments, L.L.C. v. Edwards*, 985 F.3d 456 (App. 5th Cir. 2021)
- *Cangelosi v. Edwards*, WL 6449111 (E.D. La. 2020)
- *910 E Main LLC v. Edwards*, 481 F.Supp.3d 607 (W.D. La. 2020)
- *Spell v. Edwards*, 962 F.3d 175 (App. 5th Cir. 2020)
- *Texas Brine Company, L.L.C. v. American Arbitration Association, Incorporated*, 955 F.3d 482 (App. 5th Cir. 2020)
- *Violet Dock Port Inc., LLC v. Heaphy*, WL 6307945 (E.D. La. 2019)
- *Veritext Corporation v. Bonin*, 901 F.3d 287 (5th Cir. 2018)
- *St. Bernard Port, Harbor & Terminal District v. Violet Dock Port, Inc., LLC*, 239 So.3d 243 (La. 2018)
- *City of Walker v. Louisiana through Department of Transportation and Development*, 877 F.3d 563 (La. 2017)
- *City of Walker v. Louisiana through Department of Transportation and Development*, WL 3431922 (M.D. La. 2017)

BAR ADMISSIONS

Texas, 1991
Louisiana, 1992
California, 1995
U.S. Supreme Court, 1995
U.S. Court of Appeals 5th Circuit, 1991
U.S. Court of Appeals 9th Circuit, 1995
U.S. District Court S.D. Tex., 1992
U.S. District Court E.D. Cal., 1995
U.S. District Court N.D. Cal., 1995
U.S. District Court C.D. Cal., 1995
U.S. District Court S.D. Cal., 1996
U.S. District Court E.D. La., 2000
U.S. District Court W.D. La., 2001
U.S. District Court M.D. La., 2001
U.S. Court of Appeals 11th Cir., 2002
U.S. Court of Federal Claims, 2007
U.S. Court of Appeals Fed. Cir., 2009

EDUCATION

Harvard University Law School,
Cambridge, Massachusetts
J.D., 1991
Honors: Addison Brown Prize
Law Review: *Harvard International Law Journal*, 1989-1991, Recent Developments Editor, 1990-1991

Haverford College, Haverford, PA
B.A., 1988
Honors: Phi Beta Kappa
Major: Russian (With Honors)

CONTACT

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504.299.2130 (office)
504.299.2330 (fax)

- Cedar Lodge Plantation, L.L.C. v. CSHV Fairway View I, L.L.C., 768 F.3d 425 (App. 5th Cir. 2014)
- Jackson v. City of New Orleans, 144 So.3d 876 (La. 2014)
- Offshore Service Vessels, L.L.C. v. Surf Subsea, Inc., WL 5183557 (E.D. La. 2012)
- Public Citizen Inc. v. Louisiana Attorney Disciplinary Bd., 632 F.3d 212 (App. 5th Cir. 2011)
- Morrell v. Alfortish, WL 4668429 (E.D. La. 2010)
- Versai Management Corp. v. Clarendon America Ins. Co., 597 F.2d 729, 2010, 5th Cir.
- Morrell v. Alfortish, No. 10-924, WL 4668429, 2010, E.D. La.
- Safety Nat'l Cas. Corp. v. Certain Underwriters at Loyd's, London, 587 F.3d 714, 2009, 5th Cir.
- Canal 66 Partnership v. United States, 87 Fed. Cl. 722, 2009
- Jeansonne v. New York Life Ins., 11 So. 3d 1160, 2009, La. App. 3 Cir.
- Doe v. Tangipahoa Parish School Board, 494 F.3d 494, 2007, 5th Cir.
- Poteet v. American Bankers Insurance Co., WL 3124699, 2007, E.D. La.
- Travelers Cas. & Sur. Co. of America v. Wright Ins. Agency Inc., 404 F.3d 927, 2005, 5th Cir.
- LaSalle Bank, N.A. v. Mobile Hotel Properties, LLC, 367 F. Supp. 2d 1022, 2004, E.D. La.
- Gravolet v. Fair Grounds Corp., 878 So. 2d 900, 2004, La. App. 4 Cir.
- Warn v. M/Y MARIDOME, 169 F.3d 625, 1999, 9th Cir.
- Warn v. M/Y MARIDOME, 961 F.Supp. 1357, 1997, S.D. Cal.
- Lecy v. Bayliner Marine Corp., 973 P.2d 1110, 94 Wash.App. 949, 1999, Wash. Ct. App.
- Bender Shipbuilding & Repair Co. v. Vessel DRIVE OCEAN V, 2000 A.M.C. 1958, 1998, S.D. Cal.

Classes/Seminars Taught:

- Adjunct Professor of Law, Tulane University School of Law, 2017 to Present
- Adjunct Associate Professor of Law, Tulane University School of Law, 2014 to 2017
- Adjunct Assistant Professor of Law, Tulane University School of Law, 2010 to 2014
- Adjunct Lecturer in Law, Tulane University School of Law, 2004, 2007 to 2010
- "Evolution of Marine Pollution Law, 1966-2016," Tulane Admiralty Law Institute, October 28, 2016
- "General Principles of Indemnity and Contribution Under the General Maritime Law of the United States: Charter Parties and Other Maritime Contracts," Tulane-Oslo-Southampton Colloquium on "Indemnities, Recourse and Collaterals in Chartering," October 2-3, 2012, Oslo, Norway
- "Marine Pollution," Tulane Maritime Law Smorgasbord, December 10-11, 2009
- "State Attachment and Garnishment Procedures in Maritime Matters," Pacific Admiralty Seminar, The Bar Association of San Francisco, California, October 6, 2006
- "The Preemption Doctrine and Maritime Law," 20th New Orleans Fall Maritime Law Seminar, Tulane Law School, October 18, 2002
- "High Court Reviews Death from Boat Propeller," NPR Radio Interview, October 15, 2002
- "Ship Arrest and Attachment in the U.S.," Ship Arrest Seminar, Lloyd's List Events, Lloyd's Maritime Training Programme, 2001
- "Allocation and Trigger in the Context of Long-Tail Litigation," Insurance Law in Louisiana, Lorman Education Series, 2000
- "'Default Remedies,' Evictions: Residential and Commercial in Louisiana," Lorman Education Series, 2000
- "Recent Developments in Marine Insurance Law," Maritime Law Association, Fall Meeting, October 14, 1999

Joshua S. Force, Member (cont'd)

Honors and Awards:

- Best Lawyers in America since 2008 with special designations, during 2023 or a prior year, in Admiralty and Maritime Law, Commercial Litigation, Insurance Law, Banking and Finance Litigation, Real Estate Litigation, 2008 - 2023
- Louisiana Super Lawyers, 2008 - 2023
- Lawyer of the Year, Best Lawyers in America, 2014, 2016, 2017
- Lawdragon's 500 Leading Litigators in America, 2024
- Monte M. Lemann Award for Excellence in Adjunct Teaching, Tulane Law School, 2017
- CityBusiness Leadership in Law Honoree, 2014
- Anne Goldsmith Hanaw and J. Jerome Hanaw Tikkun Olam Award for Campaign Excellence, 2011, Jewish Federation of Greater New Orleans
- Daniel R. Ginsberg Leadership Award, 2008, Anti-Defamation League
- Margot and Herbert J. Garon Young Leadership Award, 2007, Jewish Federation of Greater New Orleans
- Barney D. Mintz Leadership Award, 2005, Anti-Defamation League, South Central Region

Professional Associations and Memberships:

- Certificate in Civil/Commercial & Employment Mediation Training, Mediation Institute, 2017
- Maritime Law Association of the United States, 1994 to Present
- Maritime Law Association of the United States, Board of Directors, 2009 to 2012
- Maritime Law Association of the United States, Marine Insurance and General Average Committee, Secretary, 1998 to 2004
- Maritime Law Association of the United States, Practice and Procedure Committee, Chair, 2008 - 2012, Vice Chair, 2004 to 2008
- Maritime Law Association of the United States, Young Lawyers Committee, Chair, 2001- 2003, Secretary, 1999-2001
- Tulane Admiralty Law Institute, National Advisory Board 2005 - Present; Planning and Program Committees, 2007 - Present; Secretary/Treasurer, 2014 - Present
- Southeastern Admiralty Law Institute, 1993 to Present
- Houston Mariners Club, 1993 to 2008
- American Maritime Cases, Editorial Fellow, 1999 to 2017
- Benedict's Maritime Bulletin, Editorial Board, 2003 – 2012; Managing Editor, 2009 – 2012, Editor-in-Chief, 2012 - Present

Past Employment Positions:

- Hancock Rothert & Bunshoft, LLP, Partner, 1999-2000
- Hancock Rothert & Bunshoft, LLP, Associate, 1997-1998
- Lane Powell Spears Lubersky LLP, Associate, 1995-1997
- Vinson & Elkins L.L.P., Associate, 1992-1995
- United States Court of Appeals for the Fifth Circuit, Hon. W. Eugene Davis, Law Clerk, 1991-1992

Published Works:

- Evolution of Marine Pollution Law, 1966-2016, 91 Tul. L. Rev. 1009 (2017) (with Antonio J. Rodriguez, Michael A. Harowski, and David A. Freedman)
- The Criminalization of Marine Pollution Under U.S. Law, 15 Benedict's Maritime Bulletin 1, (2017)

Joshua S. Force, Member (cont'd)

- Deepwater Horizon: Removal Costs, Civil Damages, Crimes, Civil Penalties and State Remedies in Oil Spill Cases, 85 Tul. L. Rev. 889 (2011) (with Profs. Robert Force and Martin Davies)
- State Attachment and Garnishment Procedures in Maritime Matters: A Primer, 20 U.S.F. Mar. L.J. 1 (2007-2008)
- Sprietsma v. Mercury Marine: The Supreme Court Misses the Boat on Maritime Preemption, 27 Tul. Mar. L.J. 389 (2003)



John T. Balhoff, II

Member

AREAS OF PRACTICE

Commercial Litigation
Title Litigation
Foreclosures
Environmental and Toxic Tort
Insurance Defense
Premises Liability
Securities Litigation
Construction Litigation
Automobile Liability

John T. Balhoff, II, a member of the firm, was born in Baton Rouge, Louisiana in 1971. He attended college at the University of Notre Dame and graduated from there, cum laude, in 1993, receiving a Bachelor of Business Administration degree in finance. Mr. Balhoff received his Juris Doctor degree from the Paul M. Hebert Law Center at Louisiana State University in 1996.

Mr. Balhoff presently is admitted to the Louisiana Bar and he also is admitted to practice before all United States District Courts in Louisiana as well as the United States Fifth Circuit Court of Appeals. Mr. Balhoff has experience in trial before Louisiana district courts and in oral arguments before Louisiana's district and appellate courts, including the Louisiana Supreme Court, and before various federal courts, including the United States Fifth Circuit Court of Appeals. Mr. Balhoff also has experience in arbitration. His legal practice includes the areas of title litigation, commercial litigation, foreclosures, environmental and toxic tort, insurance defense, premises liability, securities litigation, construction litigation and automobile liability. He is a member of the Federal, New Orleans, Louisiana State and American Bar Associations.

Mr. Balhoff is a member of the Board of Directors of the New Orleans Chapter of the Federal Bar Association, and he has been an active member of the Young Lawyers Section of the New Orleans Bar Association. He also is a member of the American Bar Association Title Insurance Litigation Committee. Mr. Balhoff is also an active member of St. Stephen Parish, and an officer in the Notre Dame Club of New Orleans. Mr. Balhoff enjoys spending time with his wife and three children.

BAR ADMISSIONS

Louisiana, 1996
U.S. Supreme Court, 2013
U.S. Court of Appeals 5th Circuit, 1996
U.S. District Court Eastern District of Louisiana, 1996
U.S. District Court Middle District of Louisiana, 1996
U.S. District Court Western District of Louisiana, 1996
U.S. District Court Eastern District of Arkansas, 2010
U.S. District Court of the District of Columbia, 2012
U.S. District Court Western District of Tennessee, 2013

EDUCATION

Louisiana State University Law Center,
Baton Rouge, Louisiana
J.D., 1996

University of Notre Dame,
Notre Dame, IN
B.B.A. *cum laude*, 1993
Major: Finance

CONTACT

jbalthoff@shergarner.com
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504.299.2321 (fax)

Representative Cases:

- Seilham v. Commonwealth Land Title Ins. Co., 360 F. Supp. 3d 412 (E.D. La. 2018)
- CCNO McDonough 16, LLC v. R4 MCNO Acquisition, LLC, 259 So. 3d 1077 (La. App. 4th Cir. 2018)
- In re LeBlanc, 593 B.R. 734 (Bankr. E.D. La. 2018)
- Mooring Tax Asset Group, L.L.C. v. James, 156 So. 3d 1143 (La. 2014)
- Breaux v. Cozy Cottages, LLC, 151 So. 3d 183 (La. App. 3d Cir. 2014)
- Carmen Group, Inc. v. Xavier Univ. of La., 41 F. Supp. 3d 8 (D.D.C. 2014)
- Martin v. Fidelity Nat'l Title Ins. Co., 537 F. App'x 597 (5th Cir. 2013)
- Green Trails, LLC v. Stewart Title of La., Inc., 111 So. 3d 14 (La. App. 1st Cir. 2012)
- Chase Bank USA, N.A. v. Webeland, Inc., 98 So. 3d 823 (La. 2012)
- In re Katrina Canal Breaches Litig., 696 F.3d 436 (5th Cir. 2012)
- First Nat'l Bank, USA v. DDS Constr., LLC, 91 So. 3d 944 (La. 2012)
- Aberta, Inc. v. Atkins, 89 So. 3d 1161 (La. 2012)
- Crews & Assoc.'s, Inc. v. Nuveen High Yield Mun. Bond Fund, 783 F. Supp. 2d 1066 (E.D. Ark. 2011)
- Wede v. Niche Marketing USA, LLC, 52 So. 3d 60 (La. 2010)
- In re Katrina Canal Breaches Litig., 620 F.3d 455 (5th Cir. 2010)
- Boudreaux v. Able Supply Co., 19 So. 3d 1263 (La. App. 3d Cir. 2009)
- Walker v. Avondale Indus., Inc., 999 So. 2d 735 (La. 2009)
- Brown v. Manhattan Life Ins. Co., 791 So. 2d 74 (La. 2001)
- Waguespack, Seago & Carmichael (APLC) v. Lincoln, 768 So. 2d 287 (La. App. 1st Cir. 2000)
- Rineheart v. Ciba-Geigy Corp., 190 F.R.D. 197 (M.D. La. 1999)
- Adams v. J.E. Merit Constr., Inc., 712 So. 2d 88 (La. 1998)
- Young v. Bichan P'ship, 709 So. 2d 794 (La. App. 5th Cir. 1997)

Classes/Seminars Taught:

- Presented "Examination of Curative Actions Available to Obtain Clear Title" and "Application of Corrective Tools to Obtain Marketable Title", National Business Institute Seminar on Examining and Resolving Title Issues, October 2010
- Presented and authored "Coverage Issues," "Initial Considerations for the Adjuster," and "Settlement Issues," National Business Institute Seminar on Handling the Automobile Injury Claim in Louisiana, January 2002

Honors and Awards:

- Best Lawyers in America since 2012 with special designations in Commercial Litigation, Mortgage Banking Foreclosure Law, Mass Tort Litigation / Class Actions – Plaintiffs, Personal Injury Litigation – Plaintiffs, 2012-2023
- Louisiana Super Lawyers, 2017-2023
- Lawdragon's 500 Leading Litigators in America, 2024

Professional Associations and Memberships:

- Louisiana State Bar Association, Member, 1996
- American Bar Association, Member, 1996
- American Bar Association, Title Insurance Litigation Committee, Member, 2009
- Federal Bar Association, New Orleans Chapter, Member, 2009
- Federal Bar Association, New Orleans Chapter, Board of Directors, 2009

John T. Balhoff, II, Member (cont'd)

- New Orleans Bar Association, Member, 2002
- New Orleans Bar Association Young Lawyers Section, Director, 2002 to 2006
- St. Thomas More Catholic Lawyers' Association, 2010
- National Institute of Trial Advocacy, Graduate, 2000

Past Employment Positions:

- McGlinchey Stafford, Associate, 1996 to 1999

Pro Bono Activities:

- New Orleans Pro Bono Project-Volunteer



Alvin C. Miester, III

Member

AREAS OF PRACTICE

Commercial Real Estate
Business Law
Construction and Design Law
Leasing
Retail Development
Restaurant Law
Shopping Center Development
Commercial Finance
Zoning and Land Use and Title Insurance

Alvin C. Miester, III is a Member in the New Orleans law firm of Sher Garner Cahill Richter Klein & Hilbert, L.L.C. where he practices in the areas of Commercial Real Estate; Business Law; Construction and Design Law; Leasing; Retail Development; Restaurant Law; Shopping Center Development; Commercial Finance; Zoning and Land Use and Title Insurance. He received his B.S. degree in economics from the University of New Orleans, New Orleans, Louisiana in 1990 and his J.D. degree from the Louisiana State University Law Center, Baton Rouge, Louisiana in 1993, where he was on the Louisiana Law Review from 1991 – 1993. Mr. Miester is a member of the American Bar Association, Louisiana State Bar Association and New Orleans Bar Association.

Mr. Miester is a member of the Real Property Committee of the New Orleans Bar Association and the Real Property, Probate and Trust Law Section of the American Bar Association. From 2002-2003 He served as Vice-Chair of the Young Lawyers Division, Real Property, Probate and Trust Law Committee for the American Bar Association. Currently, he is Secretary/Treasurer of the Trust, Estate, Probate and Immovable Property Law Section of the Louisiana Bar Association.

Mr. Miester represents a variety of corporate and individual clients in the areas of commercial real estate development, land use planning and zoning regulation, real estate sales and leasing and real estate finance.

Mr. Miester frequently speaks at seminars on the topics of title, leasing and other real estate issues. Some classes/seminars taught include: Zoning and Land Use Planning, National Business Institute, 1999; Keys to Success in a Real Estate Transaction, National Business Institute, 2000; Evictions: Residential and Commercial in Louisiana, Lorman Educational Services, 2000; Mastering Real Estate Titles and Title Insurance in Louisiana, National Business Institute, 2002 – 2003; Louisiana Real Estate Title Law: Problems and Solutions, National Business Institute, 2004; Boundary Law, Lorman Educational Services, 2008, Louisiana Leases, Lorman Educational Services, 2009; Louisiana Leases, Stirling Educational Services; New Orleans Bar Association, Procrastinators Program, New Orleans Master Plan and Comprehensive Zoning Ordinance

BAR ADMISSIONS

Louisiana, 1993
U.S. District Court Eastern
District of Louisiana, 1995

EDUCATION

Louisiana State University Law
Center,
Baton Rouge, Louisiana
J.D. - 1993
Law Review: Louisiana Law
Review, 1991 - 1993

University of New Orleans,
New Orleans, Louisiana
B.S. - 1990
Honors: Dean's List
Major: Economics

CONTACT

amiester@shergarner.com
504.299.2125 (office)
504.299.2325 (fax)

2009, 2010 and 2012; Chicago Title Insurance Company Agents' Seminar, Louisiana Update 2007 and 2008.

Mr. Miester has an AV overall peer rating through Martindale.com and has been recognized in Best Lawyers in America in the areas of Real Estate Law and Real Estate Litigation.

Mr. Miester is a member of the Knights of Columbus; the Urban Land Institute; the Boy Scouts of America, the Project Homecoming Project Development Committee and the Hynes Charter School Corporation, a Type III Charter School in Orleans Parish where he is President of the Board of Directors.

He is married with three children.

Representative Cases:

- Chambers v. Pig Feet, Inc., 677 So.2d 1038 (La. App. 4 Cir. 1996)
- Russell v. Illinois Central, 683 So.2d 772 (La. App. 5 Cir. 1996)

Classes & Seminars Taught:

- Louisiana Real Estate Title Law: Problems and Solutions, National Business Institute, 2004
- Mastering Real Estate Titles and Title Insurance in Louisiana, National Business Institute, 2002 - 2003
- Evictions: Residential and Commercial in Louisiana, Lorman Educational Services, 2000
- Keys to Success in a Real Estate Transaction, National Business Institute, 2000
- Land Use Planning CLE, National Business Institute, 1999

Honors and Awards:

- Best Lawyers in America since 2010 with special designations, during 2023 or a prior year, in Litigation - Real Estate, Real Estate Law, 2010-2023
- The Louisiana Appleseed Good Apple Award, 2013

Professional Associations and Memberships:

- American Bar Association
- Louisiana State Bar Association
- Knights of Columbus, 1998 - Present
- New Orleans Bar Association
- Urban Land Institute
- Young Leadership Council
- Toastmasters International

Past Employment Positions:

- Person & Miester, Partner, 1996 - 1998

Alvin C. Miester, III, Member (cont'd)



Ryan D. Adams

Member

AREAS OF PRACTICE

Corporate
Mergers and Acquisitions
Entrepreneurial/Start-Up Businesses
Intellectual Property
Commercial Real Estate
Business and Finance Law
Outside General Counsel Services
Commercial Litigation

Mr. Adams represents clients in various types of business transactions and in commercial litigation matters. He also regularly assists both privately-held companies and start-up businesses with formation, financing, and operations issues.

He received his undergraduate degree in Accounting from the University of New Orleans where he graduated Cum Laude and near the top of his class, and his law degree from Loyola University of New Orleans College of Law where he was a Member of the Loyola Law Review.

Mr. Adams is a frequent instructor at Loyola where he teaches a course on business entity documentation as part of the Skills curriculum and lectures on Business Entities for Loyola's bar exam preparation supplemental lecture series. He has also presented materials on Advanced L.L.C. Issues to attorneys and business professionals and is a contributing author to Foreign Investment in Real Estate: Louisiana State Q&A, Practical Law by Thomson Reuters.

Mr. Adams serves as a member of Loyola Law School's College of Law Visiting Committee. He also volunteers as a mentor of students for the Entrepreneurship Project at Loyola and has chaired the Business Transactions Law Committee of the New Orleans Bar Association.

BAR ADMISSIONS

Louisiana, 2002
U.S. District Court Eastern
District of Louisiana, 2002
U.S. District Court Middle District
of Louisiana, 2002
U.S. District Court Western
District of Louisiana, 2002
U.S. Court of Appeals 5th Circuit,
2002

EDUCATION

Loyola University New Orleans
School of Law, New Orleans,
Louisiana
J.D., 2002
Law Review: Loyola Law Review,
2000 - 2002

University of New Orleans,
New Orleans, Louisiana
B.S. *cum laude*, 1999
Honors: Dean's List
Major: Accounting

CONTACT

radams@shergarner.com
504.299.2118 (office)
504.299.2318 (fax)



Thomas J. Madigan, II Member

AREAS OF PRACTICE

Commercial
Business
Bankruptcy
Creditors' Rights
Maritime
Real Estate Litigation
Commercial and Construction Arbitration

Mr. Madigan's practice involves a wide range of subject matters, including commercial, business, bankruptcy, creditors' rights, maritime, and real estate litigation, as well as commercial arbitration. He received his J.D. cum laude from Tulane Law School, where he served on the *Tulane Law Review*. He received his B.A. in History from the University of Alabama. He is admitted to practice in Louisiana and Mississippi state courts, and the United States Court of Appeal for the Fifth Circuit, the United States District Courts for all Districts in Louisiana and Mississippi, and all Bankruptcy Courts in Louisiana and Mississippi. Before starting his practice with Sher Garner, Mr. Madigan clerked for the Honorable John M. Roper, Chief United States Magistrate Judge for the Southern District of Mississippi. Mr. Madigan is listed in *Best Lawyers*.

Representative Cases:

- Greenfield Commercial Credit, L.L.C. v. Catlettsburg Refining, L.L.C., 03-3391, 2007 WL 97068, 2007, E.D. La. Jan. 9
- Liberty Surplus Ins. Corp. v. Patriot Asphalt, LLC, 06-0456, 2009 WL 455600, 2009, S.D. Ala. Feb. 20
- Rain CII Carbon LLC v. ConocoPhillips Co., 09-4169, 2011 WL 2565345, 2011, E.D. La., Jun. 27
- Houck v. Creditors Fin. Group., 10-1268, 2011 WL 4703056, 2011, W.D. La., Oct. 4
- Great American Ins. Co. of New York v. CIMA Companies, Inc., 04-1363, 2011 WL 6180030, 2011, E.D. La., Dec 12
- Rain CII Carbon, LLC v. ConocoPhillips Co., 674 F.3d 469, 2012, 5th Cir.

Classes/Seminars Taught:

- New York, New York: A Multi-Topic CLE Seminar, "Jury Selection and Mock Trials - The Processes and the Law, Parts I & II," Louisiana State Bar Association, November 23-26, 2019

BAR ADMISSIONS

Louisiana, 2002
Mississippi, 2003
U.S. Court of Appeals 5th Circuit, 2003
U.S. Court of Appeals 11th Circuit, 2009
U.S. District Court Northern District of Mississippi, 2003
U.S. District Court Southern District of Mississippi, 2003
U.S. District Court Western District of Louisiana, 2003
U.S. District Court Middle District of Louisiana, 2003
U.S. District Court Eastern District of Louisiana, 2003

EDUCATION

Tulane Law School, New Orleans, Louisiana

J.D., *cum laude*

Law Review: Tulane Law Review, 2000 - 2002

University of Alabama, Tuscaloosa, AL

B.A.

Honors: Dean's List

Major: History

CONTACT

tmadigan@shergarner.com

504.299.2132 (office)

504.299.2332 (fax)

- Evaluation of the Profession: LJC / LSBA Joint Summer School & 2019 LSBA Annual Meeting, "Learning to Grasp the Big Picture – Depositions: What You Always Wanted to Know, But Didn't have Time to Research," Louisiana State Bar Association, June 2-7, 2019
- New York, New York: A Multi-Topic CLE Seminar, "A Goldilocks Problem: Motions In Limine - Judges Wishes?," and "Effective Mediation and Settlement Techniques," Louisiana State Bar Association, November 17-20, 2018
- Voodoo CLE: "A Jury Trial Haunting"; a Presentation on "Enchanting Incantations – Persuasive Opening Statements", Louisiana State Bar Association, October 26, 2018
- LJC/LSBA Joint Summer School & 2018 LSBA Annual Meeting, "Blowing In the Wind" The Perils of Arbitration, Louisiana State Bar Association, June 4, 2018
- New York, New York: A Multi-Topic CLE Seminar, "Experts: Practice Points & Legal Issues," Louisiana State Bar Association, November 18, 2017 - November 21, 2017
- Voodoo CLE: "Anatomy of a Jury Trial"; a Presentation on "Hocus Pocus: Closing Statements that Convince the Jury", Louisiana State Bar Association, October 27, 2017
- New York, New York: A Multi-Topic CLE Seminar, "Issues with Arbitration Clauses," and "Choice of Law vs. Forum Selection", Louisiana State Bar Association, November 19-21, 2016
- Voodoo CLE: "Ghoulis Trial Skills," a Presentation on Cross-Examination, Louisiana State Bar Association, October 28, 2016
- New York, New York: A Multi-Topic CLE Seminar, "The Traditions, Evolution and Pros & Cons of the Jury Trial," and "Juries-To What Extent Has the Role of the Jury Been Eroded?", Louisiana State Bar Association, November 21-23, 2015
- Loyola University, College of Business - Delivered three-hour semester opening seminar to MBA students, providing an overview of the litigation process with a focus on depositions, including preparing for and sitting for mock depositions, August 2015
- LSBA Summer School: Arbitration: The Pitfalls, Problems, and Shortcomings: When Can/Should a Court Step In?, Louisiana State Bar Association, June 8, 2015
- Louisiana State Bar Convention 2014: The Brand New Louisiana Business Corporations Act - Delivered CLE presentation and prepared materials at Louisiana State Bar Convention in Sandestin, Florida, with repeat presentation in New Orleans, December 2014
- New York, New York: A Multi-Topic CLE Seminar, What is "Spoliation"? Once found, what are the consequences? - Louisiana State Bar Association, November 22-24, 2014
- LSBA Uncorked: Are there Unveiled UM Waivers Anymore? - Louisiana State Bar Association, March 24, 2014
- Voodoo Festival Seminar - Jury Mock Trial, Louisiana State Bar Association, November 1, 2013
- Moderated panels of appellate Judges and counsel regarding expert witnesses, recusal, and writ practice, New York LSBA CLE, November, 2013
- Moderated panels of appellate Judges and counsel regarding expert witnesses, recusal, and writ practice, New York LSBA CLE, November, 2012
- Landlord-Tenant Law Seminar - Intersection of Lease and Bankruptcy Law, Sterling Educational Services, Inc., December 12, 2013
- Louisiana Water Laws and Regulations, Half Moon Seminars, June 13, 2012

Honors and Awards:

- Best Lawyers in America, 2012 - 2023
- CALI Excellence for the Future in Federal Trial Practice & Procedure (Highest Grade)

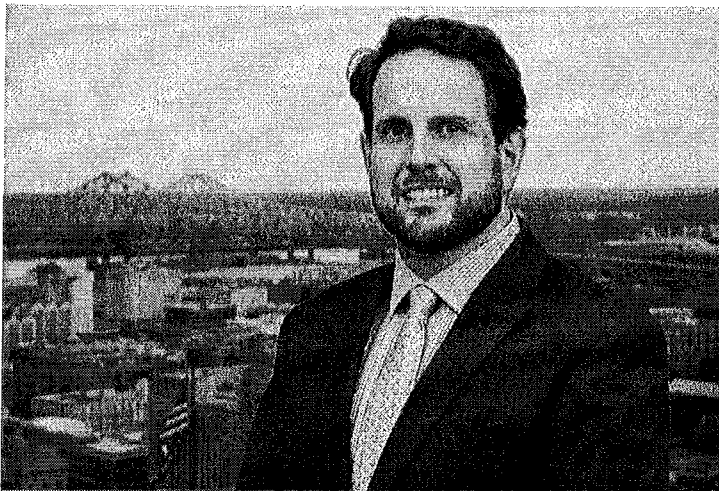
Thomas J. Madigan, II, Member (cont'd)

Past Employment Positions:

- Hon. John M. Roper, Chief United States Magistrate Judge, U.S. District Court for the Southern District of Mississippi, Law Clerk, 2002 to 2003

Published Works:

- Co-authored The Brand New Louisiana Business Corporations Act: Driving Into Act 328, 62 Louisiana Bar Journal 356-359, Feb./Mar., 2015



Chad P. Morrow

Member

AREAS OF PRACTICE

Corporate
Banking & Finance Law
Business & Commercial Law
Business Organizations
Contracts
Foreclosures & Alternatives
Landlord / Tenant
Real Estate Law
Real Property & Leasing
Secured Financing Transactions

Chad P. Morrow, a Member of the firm, received his undergraduate degree in Political Science from Tulane University and his law degree from Louisiana State University Law Center, where he was on the Moot Court Board. He represents clients in all areas of commercial transactions, with a focus on secured financing transactions, real estate transactions, factoring, and commercial real estate leasing.

Chad has been recognized for many years by Best Lawyers and Super Lawyers for his work in Real Estate Law, and was twice selected as a Rising Star in Real Estate by Legal Media Group (2015 and 2017). He has been a frequent speaker on a wide range of legal topics, including title insurance, UCC rights and remedies, real estate leasing, bankruptcy matters and local counsel opinion practice. He has also served as an Assistant Examiner for the Louisiana State Bar Exam since 2015. Chad is a frequent volunteer for the Homeless Experience Legal Profession (HELP) Program. He has been frequent coach and volunteer for his daughters' sports teams at Mel Ott Park in Gretna, Louisiana.

Honors & Awards

- US News & World Report Lawyer of the Year, 2022
- "Lawyer of the Year" in Commercial Finance Law, New Orleans, 2022
- Best Lawyers "Lawyer of the Year" with special designations in Project Finance Law, Administrative/Regulatory Law and Corporate Compliance Law, 2022
- Best Lawyers in America since 2014 with special designations in Commercial Finance Law and Real Estate Law, 2013 - 2023
- Louisiana Super Lawyers Rising Star, 2017-2018
- Legal Media Group's Expert Guides "Rising Star" in Real Estate, 2015 (only 11 in U.S.) and 2017 (only 14 in U.S.)

Professional Associations & Memberships:

- Member, ABA Business Law Section
- Member, ABA Business Law Section Leadership Academy
- Member, Louisiana Bankers Association Bank Counsel Committee
- Member, Turnaround Management Association
- Member, New Orleans Bar Association – Real Estate Committee
- Co-Chair, ABA YLD Business Law Committee (2013)

BAR ADMISSIONS

Louisiana, 2003

EDUCATION

Louisiana State University Law Center,
Baton Rouge, Louisiana
J.D., 2003
Honors: Moot Court Board

Tulane University, New Orleans, LA
B.A. *cum laude*, 2000
Honors: Dean's List

CONTACT

cmorrow@shergarner.com
504.299.2129 (office)
504.299.2329 (fax)

Classes and Seminars Taught:

- Speaker, Settlement & Mediation In Insolvency, Presented by the Turnaround Management Association of Louisiana, December 2020
- Speaker, "Protect Your Commission" Roundtable Presented by Louisiana CCIM Chapter, July 2020
- Speaker, Asian American Hotel Owners Association (AAHOA) Successful Multi-Brand Hotel Development Workshop, February 2020
- Speaker, Landlord-Tenant Law, December 2015
- Speaker, Michigan State Bar Real Property Law Section Winter Conference, March 2013
- Speaker, Landlord-Tenant Law: Surviving in a Difficult Storm (Sterling Educational Services), December 2012
- Speaker, ABA RPTE Community Outreach Program, October 2012
- Speaker, Landlord-Tenant Law (Sterling Educational Services), March 2012
- Speaker, Landlord and Tenant Law (Lorman), February, 2012; (also: November 2008, June, 2008, November 2007)
- Co-Speaker, NOBA Real Property Committee, Local Counsel Opinion Practice, August 2011
- Speaker, Home Builders Association of Greater New Orleans, Landlord-Tenant Relations, July 2011
- Speaker, Landlord-Tenant Law From A to Z (National Business Institute), November 2010
- Speaker, Negotiating Commercial Leases (Sterling Educational Services), August 2009 (also: July 2009)
- Co-Presenter, ABA Leasing Group Conference Call – "Nuts and Bolts" Series Regarding Percentage Rent Leases, September 2008
- Speaker, Revised UCC Article 9 Secured Transactions (National Business Institute), April 2007
- Speaker, Louisiana Real Estate Title Problems (National Business Institute), April 2005
- Speaker, Revised UCC Article 9 (National Business Institute), October, 2004
- City of New Orleans Law Department, Recent Developments in Real Estate Law (March 2004)

Published Works:

- Author of "Recent Legislative Update" article for Louisiana Bar Journal, August 2011
- Author of "Recent Development in Real Property Law" for Louisiana Bar Journal, June 2010 (also April 2010 and December 2009)

Chad P. Morrow, Member (cont'd)



Jeffrey D. Kessler Member

AREAS OF PRACTICE

Complex Commercial Cases
Environmental Class Action Litigation
Real Estate Litigation
Insurance Litigation
Employment Litigation
or Labor & Employment

A native Michigander, Jeff graduated magna cum laude from Duke University in 1998, where he was inducted into Phi Beta Kappa, and he graduated from the University of Virginia School of Law in 2002. At Virginia, he was inducted into the Order of the Coif, was a Lile Moot Court quarterfinalist, served as an Articles Editor for the Virginia Sports and Entertainment Law Journal, and won the Earle K. Shawe Labor Relations Award. Jeff practiced in New York City prior to moving to New Orleans in the fall of 2005.

Licensed to practice in Louisiana and New York, Jeff handles a wide variety of commercial litigation disputes. He has handled several labor and employment matters, including but not limited to claims of discrimination, retaliation, noncompetition agreements, and wage payment claims. In addition, his practice also includes complex commercial cases, environmental class action litigation, real estate litigation, insurance litigation involving claims for property damage and business interruption losses, and various forms of alternative dispute resolution, including arbitration and mediation. Jeff has experience in oral argument before various state and federal courts including the US Fifth Circuit Court of Appeals. Jeff has also lectured on the public accommodations requirements under the Americans with Disabilities Act before the Academy of Hospitality Industry Attorneys, on employee hiring and firing issues for the Louisiana Medical Group Managers Association, and antitrust implications of tax lien auctions for Bespoke Capital Markets Group.

BAR ADMISSIONS

New York, 2003
Louisiana, 2005
U.S. Court of Appeals 5th Circuit,
2006
U.S. District Court Eastern
District of Louisiana, 2006
U.S. District Court Middle District
of Louisiana, 2006
U.S. District Court Western
District of Louisiana, 2006

EDUCATION

University of Virginia School of
Law, Charlottesville, Virginia
J.D.
Honors: Order of the Coif
Law Journal: Virginia Sports &
Entertainment Law Journal,
2000 - 2002

Duke University, Durham, North
Carolina
B.A., *magna cum laude*
Honors: Phi Beta Kappa
Major: Political Science

CONTACT

jkessler@shergarner.com
504.299.2124 (office)
504.299.2324 (fax)

Representative Cases:

- Sullivan v. Feldman, 2023 WL 2392746 (S.D. Tex. 3/7/2023)
- Sullivan v. Feldman, 2022 WL 17822451 (S.D. Tex. 12/20/2022)
- Twiggs v. University of Holy Cross, 2021 WL 3077363 (E.D. La. 7/21/2021)
- Sullivan v. Feldman, 2021 WL 1517903 (S.D. Tex. 4/16/2021)
- Sullivan v. Feldman, 2020 WL 7129879 (S.D. Tex. 12/4/2020)
- Florida Gas Transmission Co. v. Texas Brine Company, LLC, 275 So.3d 226 (2019)
- Crosstex Energy Services, LP v. Texas Brine Company, LLC, 255 So.3d 587 (2018)
- Ripoll v. Dobard, 618 Fed.Appx. 188 (5th Cir. 2015)
- LeBlanc v. Texas Brine Co., LLC, WL 6927501 (E.D. La. 2020)
- Porto v. TBC Grand Bayou, LLC, 303 So.3d 1060 (La. App. 1st Cir. 2020)
- Cohan v. Fresh Market, Inc., 2019 WL 2372972, (E.D. La. 2019)
- LeBlanc v. Texas Brine Co., LLC, 2018 WL 9801527, (E.D. La. 2018)
- Marchand v. Texas Brine Company, LLC, 2018 WL 4520093, (La. App. 1st Cir. 2018)
- LeBlanc v. Texas Brine Co., LLC, 2018 WL 3439653, (E.D. La. 2018)
- Pontchartrain Natural Gas System v. Texas Brine Company, LLC, 255 So.3d 644, (La. App. 1st Cir. 2018)
- Labarre v. Occidental Chemical Company and Texas Brine Company, LLC, 251 So.3d 1092, (La. App. 1st Cir. 2018)
- Florida Gas Transmission Company, LLC v. Texas Brine Company, LLC, 2016 WL 7407345, (La. App. 1st Cir. 2016)
- Ripoll v. Dobard, 2014 WL 1389659, E.D. La.
- Gulf States Real Estate Services of La., L.L.C.v. Dominion Centre, L.L.C., 2010 WL 2265243, E.D.La
- Touro Infirmary v. Travelers Prop. Cas. Co. of America, 2008 WL 3975605, E.D.La
- Sauce It Up, L.L.C. v. Murphy Oil USA, Inc., 2008 WL 1711545, E.D.La
- Sauce It Up, L.L.C. v. Murphy Oil USA, Inc., 2008 WL 544181, E.D.La
- Kreger v. General Steel Corp., 2008 WL 544517, E.D.La
- Nassar v. Academy Sports & Outdoors, 227 Fed.Appx.392, 2007, 5th Cir.

Classes/Seminars Taught:

- Americans with Disabilities Act - Compliance for Construction, New Orleans Bar Association, October 14, 2015
- Antitrust Implications of Tax Lien Auctions, Bespoke Capital Markets Group, June 24, 2015

Honors and Awards:

- Earle K. Shawe Labor Relations Award

Professional Associations and Memberships:

- North Rampart Community Center, Member of the Board of Directors

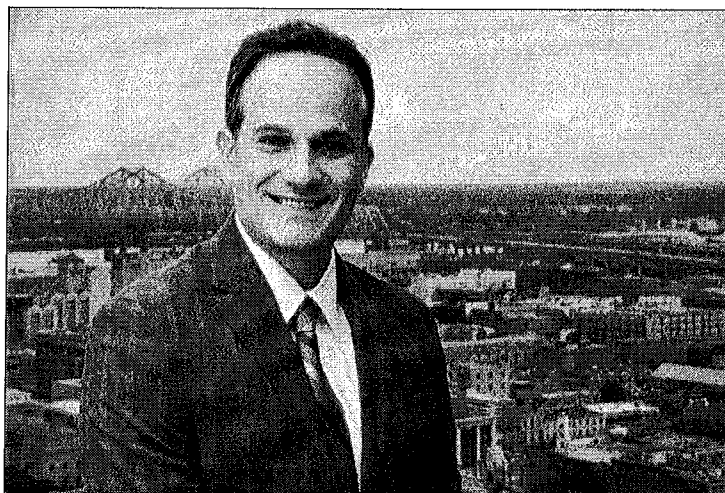
Past Employment Positions:

- Proskauer Rose LLP, Associate, 2002 to 2003
- Feldman Hay & Ullman LLP, Associate, 2004 to 2005

Published Works:

- Interim Measures in the United States in Aid of Arbitration, Juris Publishing, Inc., 2022
- Dollar Signs on the Muscle, the Ligament and Ulnar Nerve: Institutional Liability Arising from Injuries to Student Athletes, 3 Va. J. Sports L. 80, 2001

Jeffrey D. Kessler, Member (cont'd)



Ryan O. Luminais Member

AREAS OF PRACTICE

Commercial Litigation
Collections
Complex Commercial Litigation
Devices
Medical Malpractice
Medical Products
Personal Injury
Premises Liability
Professional and Products Liability

Ryan is a member of the firm. He joined the firm in 2007 after practicing with the firm of Brunini, Grantham, Grower, & Hewes, PLLC in Jackson, Mississippi. In 2002, He received his Bachelor's degree Magna Cum Laude in Political Science from the University of New Orleans where he received honors for graduating with the highest GPA in his graduation class and was a Phi Beta Kappa member receiving the Phi Beta Kappa Club Award. In 2005, he received his Juris Doctorate and Bachelor of Civil Law degree from the Paul M. Hebert Law Center at Louisiana State University, where he was a recipient of the River Parish Claimants Scholarship and the Louisiana Board of Supervisors' Scholarship. Ryan was also named to the Chancellor's List while attending law school at Louisiana State University from 2003-2005.

Ryan is admitted to practice before all Louisiana and all Mississippi state and federal courts, in addition to the United States Fifth Circuit Court of Appeals. Ryan is a trial lawyer with extensive plaintiff and/or defense experience in the following areas: commercial and complex litigation; personal injury, including motor vehicle accidents; products liability; legal disputes involving trusts, successions, wills and estates; construction disputes; complex insurance defense; collection matters; real estate disputes; real estate brokerage disputes; real estate franchise disputes; real estate agent disputes; residential and commercial lease disputes; premises liability; contract disputes; professional malpractice and liability; medical malpractice and commercial transactions.

Ryan has been recognized for his legal achievements by the following publications: 2009, Future Star, Benchmark Magazine; 2011 Top Lawyers in Louisiana, New Orleans Magazine; 2012-2021 Best Lawyers in America; 2014-2020 Rising Star, Super Lawyers.

BAR ADMISSIONS

Louisiana, 2006
U.S. District Court Eastern
District of Louisiana, 2006
Mississippi, 2005
U.S. District Court Northern
District of Mississippi, 2005
U.S. District Court Southern
District of Mississippi, 2005
U.S. Court of Appeals 5th Circuit,
2005

EDUCATION

Louisiana State University Law
Center,
Baton Rouge, Louisiana
J.D., B.C.L., 2005
Honors: Chancellor's List (2005,
2004, 2003)
Honors: Appellate Advocacy Co-
Chairman, Moot Court Board

University of New Orleans,
New Orleans, Louisiana,
B.A. Political Science
magna cum laude, 2002

CONTACT

rluminais@shergarner.com
504.299.2106 (office)
504.299.2306 (fax)

Representative Cases:

- Alexander v. Blue Williams, L.L.P., So.3d (La. App 4th Cir. 2019)
- Villenurve v. New River Shopping Center, LLC, WL 3848408 (M.D. La. 2018)
- New River Shopping Center, LLC v. Villenurve, WL 665146 (M.D. La. 2018)
- 429 Bourbon Street, LLC v. RMDR Investments, Inc., 230 So.3d 256 (La. App 4th Cir. 2017)
- Villenurve v. New River Shopping Center, LLC, WL 5147153 (M.D. La. 2017)
- Villenurve v. New River Shopping Center, LLC, WL 5147659 (M.D. La. 2017)
- 800 Iberville Street Limited Partnership v. V Restaurant Group, L.L.C., WL 2464095 (La. App 4th Cir. 2017)
- Villenurve v. New River Shopping Center, LLC, WL 1056577 (M.D. La. 2016)
- Kirby v. Poydras Center, LLC, 176 So.3d 601 (La. App 4th Cir. 2015)
- 800 Iberville Street Ltd. Partnership v. V Restaurant Group, L.L.C., 171 So.3d 1016 (La. App 4th Cir. 2015)
- Boyce v. Tyler, WL 2451772 (La. App 1st Cir. 2015)
- Camillus Specialty Hosp., L.L.C. v. Riccio, 133 So. 3d 287, (La. App 4th Cir. 2014)
- First Bank & Trust v. Redman Gaming of La., Inc., 131 So. 3d 224, (La. App 4th Cir. 2013)
- Martin v. Fidelity Nat'l Title Ins. Co., 537 F. App'x 597, (5th Cir. 2013)
- 727 Toulouse, L.L.C. v. Bistro at the Maison De Ville, L.L.C., 122 So. 3d 1152 (La. App 4th Cir. 2013)
- Aberta, Inc. v. Atkins, 89 So. 3d 1161 (La. 2012)
- Regions Bank v. Breland, 2011 WL 9165416 (La. App 4th Cir. 2011)
- Sturdy Built Homes, L.L.C. v. Carl E. Woodward L.L.C., 82 So. 3d 473 (La. App 4th Cir. 2011)
- 800 Canal Street Ltd. P'ship v. Storyville Dist. New Orleans, LLC, 75 So. 3d 958 (La. App 4th Cir. 2013)
- Storyville Dist. New Orleans, LLC v. Canal Street Dev. Corp., 785 F. Supp. 2d 579 (E.D. La. 2011)
- Wede v. Niche Marketing USA, LLC, 52 So. 3d 60 (La. 2010)
- Stall v. State Farm Fire & Cas. Co., 995 So. 2d 670 (La. App 4th Cir. 2008)

Classes/Seminars Taught:

- Landlord-Tenant Law Seminar - Leases, Evictions, Litigation and Settlements, Sterling Education Services, Inc., December 12, 2013

Honors and Awards:

- Best Lawyers in America since 2012, with special designations, during 2023 or a prior year, in Personal Injury Litigation – Plaintiffs, 2012 – 2023
- Louisiana Super Lawyers - Rising Star in General Litigation, 2014-2020
- Benchmark: The Definitive Guide to America's Leading Litigation Firms and Attorneys, Future Star
- Lawdragon's 500 Leading Litigators in America, 2024

Professional Associations and Memberships:

- Mississippi Bar Association
- Louisiana State Bar Association
- American Bar Association
- Jackson Young Lawyers Association
- American Association for Justice

Past Employment Positions:

- Brunini, Grantham, Grower & Hewes, PLLC, Associate, 2005 to 2006

Ryan O. Luminais, Member (cont'd)

Ryan O. Luminais, Member (cont'd)



Ashley Gremillion Coker Member

AREAS OF PRACTICE

Commercial Litigation
Insurance Litigation
Professional Liability
Breach of Contract Claims

Ashley Gremillion Coker was born in Natchez, Mississippi and raised in Zachary, Louisiana. She graduated summa cum laude from Louisiana State University in 2002 with a Bachelor of Arts in French and a Bachelor of Arts in Political Science. She then received her Juris Doctorate and Bachelor of Civil Law from Louisiana State University.

Ashley is admitted to practice before all Louisiana State Courts. She is also admitted to practice before the United States District Court for the Eastern, Middle and Western District of Louisiana and the United States Fifth Circuit Court of Appeals. Ashley has experience in trial and in oral arguments. Her legal practice includes the areas of expropriation, commercial litigation, insurance litigation, professional liability, and breach of contract claims. She is a member of the Louisiana State Bar Association and the American Bar Association.

Representative Cases:

- St. Bernard Port, Harbor & Terminal District v. Violet Dock Port, Inc., LLC, So.3d (4th Cir. 2016)
- National Union Fire Ins. Co. of Pittsburgh, P.A. v. Smith Tank & Steel, Inc., F.Supp.3d (M.D. La. 2014)
- Offshore Service Vessels, L.L.C. v. Surf Subsea, Inc., F.Supp.2d (E.D. La 2012)
- Smoothie King Franchises, Inc. v. Southside Smoothie & Nutrition Center, Inc., 516 Fed. Appx. 362 (5th Cir. 2013)
- In re Katrina Canal Breaches Litig., 696 F.3d 436 (5th Cir. 2012)
- Green Trails, LLC v. Stewart Title of La., Inc., 111 So. 3d 14 (La. App. 1st Cir. 2012)
- Smoothie King Franchises, Inc. v. Southside Smoothie & Nutrition Center, Inc., 2012 WL 1698365 (E.D. La. 2012)
- Smoothie King Franchises, Inc. v. Southside Smoothie & Nutrition Center, Inc., 2012 WL 630010 (E.D. La. 2012)
- St. Bernard Port, Harbor & Terminal Dist. v. Violet Dock Port, Inc., LLC, 2011 WL 3746418 (E.D. La. 2011)
- In re Katrina Canal Breaches Litigation, 620 F.3d 455 (5th Cir. 2010)

BAR ADMISSIONS

Louisiana, 2006

EDUCATION

Louisiana State University Law Center,
Baton Rouge, Louisiana
J.D.
Honors: Dean's List

Louisiana State University,
Baton Rouge, Louisiana
B.A. *summa cum laude*
Honors: Dean's List
Major: French
Major: Political Science

CONTACT

acoker@shergarner.com
504.299.2127 (office)
504.299.2327 (fax)

Honors and Awards:

- Louisiana Super Lawyers Rising Star (Class Action) 2015-2019

Professional Associations and Memberships:

- Louisiana Association of Defense Council, Board Member



Jonathan B. Cerise Member

AREAS OF PRACTICE

Commercial Real Estate Transactions
Business & Finance Law
Land Use & Zoning
Commercial Leasing
Real Estate Development
Secured Financing Transactions
Administrative Law and Regulatory Practice
Commercial Litigation

Jonathan Cerise is a Member of the Sher Garner Cahill Richter Klein & Hilbert, L.L.C. law firm. Since joining the firm in 2006, he has developed a broad practice in the areas of real estate, commercial financing, land use, and commercial litigation. Jonathan has over a decade of experience representing individuals and businesses in the purchase and sale of real estate, lease transactions, development and zoning issues, title issues, and other real estate matters, including:

- Representing both landlords and tenants in negotiation of leases for commercial real estate, including ground leases, shopping center leases, office leases, and restaurant leases
- Advising closely-held businesses in the acquisition and financing of commercial real estate, including hotels and Class-A office buildings around the country
- Representing local lenders in financing transactions and serving as local counsel to out-of-state lenders with transactions in Louisiana
- Advising developers on issues related to redevelopment of property, including zoning issues, resubdivisions, neighborhood disputes, and negotiation of AIA construction contracts
- Representing clients in complex, multi-forum, bet-the-company litigation arising from contract disputes

Jonathan attended Jesuit High School in New Orleans and Davidson College in North Carolina before receiving his J.D. from the Paul M. Hebert law center at LSU, where he was a member of the Louisiana Law Review. He is presently a member of the Real Property Committee of the New Orleans Bar Association, the American Bar Association and the Louisiana Bankers Association. He is a frequent speaker on several legal topics, including commercial leasing, land/use and zoning issues, and title insurance, and was recognized by Super Lawyers as a "Rising Star" in Real Estate law from 2013 to 2020.

BAR ADMISSIONS

Louisiana, 2006

EDUCATION

Louisiana State University Law
Center,
Baton Rouge, Louisiana
J.D.

Davidson College,
Davidson, North Carolina
B.A.

Major: History
Minor: Mathematics

CONTACT

jcerise@shergarner.com
504.299.2131 (office)
504.299.2331 (fax)

Classes/Seminars Taught:

- Leases: An Ounce of Prevention, Sterling Education Services
- Ethical Considerations in Landlord - Tenant Law, Sterling Education Services
- Landlord and Tenant Obligations, Sterling Education Services
- Avoiding Surprises During the Planning Process, NBI Seminar
- Title Issues in Bankruptcy, Half Moon Seminars
- The Public Records Doctrine in Louisiana and Its Effects Upon the Examination of Title, Lorman
- Problem Tenants, Sterling Education Services

Honors and Awards:

- Super Lawyers Rising Star 2013-2020

Professional Associations and Memberships:

- New Orleans Bar Associations, Real Property Committee
- American Bar Association
- Louisiana Bankers Association

Published Works:

- Practical Law, State Q & A, Real Estate Ownership: Louisiana (co-author)
- Practical Law, State Q & A, Real Estate Leasing: Louisiana (co-author)
- Practical Law, State Q & A, Managing Commercial Real Estate Leases: Louisiana (co-author)
- Title Insurance Regulatory Survey: Louisiana, American Land Title Association (co-author)
- Louisiana Bar Journal, Recent Developments in Trusts, Estate, Probate & Immovable Property Law



Amanda Russo Schenck Member

AREAS OF PRACTICE

BP Oil Spill Claims
Business & Commercial Law
Insurance Law
Litigation & Appeals

Amanda Russo Schenck obtained her undergraduate degree in Mass Communications from Louisiana State University in 2003 and her law degree from Loyola University of New Orleans School of Law in 2006. While at Loyola, Amanda was the Vice-president of the Student Bar Association, a Student Practitioner in the Family Law Section of the Loyola Law Clinic, and a teaching assistant in the Research and Writing Lab. Amanda was also the Case Note and Comment Editor of the Loyola Law and Technology Annual and wrote "Ashcroft v. ACLU: Congress's Latest Attempt to Get COPA Passed Depends on the Effectiveness and Restrictiveness of Filtering Software," 6 Loy. L. & Tech. Ann. 83 (2006).

Amanda is admitted to practice in all state and federal courts in Louisiana. She is also admitted to practice before the United States District Court for the Northern District of Texas, the United States Court of Federal Claims, and the United States Court of Appeals for the Federal Circuit. Amanda is a member of the Louisiana State Bar Association, Federal Bar Association, Association of Women Attorneys, and New Orleans Bar Association.

Honors and Awards:

- Best Lawyers in America since 2013 with special designations in Personal Injury Litigation - Plaintiffs, 2013 - 2023

Professional Associations and Memberships:

- Federal Bar Association
- Louisiana State Bar Association
- New Orleans Bar Association
- Association for Women Attorneys
- New Orleans Association of Defense Council, Board Member

Published Works:

- Ashcroft v. ACLU: Congress's Latest Attempt to Get COPA Passed Depends on The Effectiveness and Restrictiveness of Filtering Software, Loyola University New Orleans College of Law and Technology Annual, Vol. 6 No. 1, 2006

BAR ADMISSIONS

Louisiana, 2006
U.S. Court of Appeals 5th Circuit, 2006
U.S. District Court Eastern District of Louisiana, 2006
U.S. District Court Western District of Louisiana, 2006
U.S. District Court Middle District of Louisiana, 2006
U.S. Court of Federal Claims, 2009
U.S. Court of Appeals Federal Circuit, 2009
U.S. District Court Northern District of Texas, 2009

EDUCATION

Loyola University School of Law,
New Orleans, Louisiana
J.D., 2006

Louisiana State University,
Baton Rouge, Louisiana
B.A., 2003
Honors: Dean's List
Major: Mass Communication

CONTACT

aschenck@shergarner.com
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504.299.2319 (fax)



Travis A. Beaton

Member

AREAS OF PRACTICE

Business & Commercial Law
Real Estate Transactions
Commercial Transactions
Real Property & Leasing

Travis Beaton is a Member of the Firm's Business Section. Mr. Beaton's principal areas of practice include all aspects of commercial real estate transactions, leasing, land use, finance, and general corporate matters. His experience includes representation of clients in connection with purchase and sale agreements, acquisitions and dispositions of real property, negotiated asset purchases, financing transactions, title and survey matters, commercial and retail leases, real estate development, and general commercial contracts. Mr. Beaton is also a licensed title insurance producer in the State of Louisiana, and an authorized agent for several title insurance underwriters. As a member of the Firm's title agency, Capdevielle Title Corporation, Mr. Beaton's extensive familiarity with title matters is a key component of his routine handling of estate transactions involving all types of properties, including multi-family residential, industrial, hospitality-based, mixed-use, apartment complexes, office buildings, luxury retail, shopping centers, and convenience centers. Mr. Beaton also has substantial experience with specialized telecommunication facilities leases, easements and related agreements, and frequently assists clients with federal trademark applications and registrations.

Mr. Beaton earned his undergraduate degree from Emory University, majoring in International Studies and minoring in Japanese. He earned his law degree from Tulane University Law School, graduating magna cum laude. While at Tulane, Mr. Beaton served as a Notes & Comments Editor for the Tulane Law Review, and as a Senior Fellow for the Legal Research & Writing Department. During law school, Mr. Beaton also served as an extern for Judge Susie Morgan of the United States District Court for the Eastern District of Louisiana. He was awarded an academic scholarship, as well as the CALI Award for Excellence in Louisiana Successions, Donations & Trusts.

Mr. Beaton is a member of the Louisiana Bar Foundation's Development Committee, and has been a member of the American Bar Association's Real Property, Trusts & Estates Section since 2015, currently serving as a co-editor of the Section's Probate & Property Magazine and the Chair of the Retail Leasing Committee, and was a past vice-chair of the Commercial Real Estate Transactions' Group's committee on Easements, Conditions, and Restrictions. Mr. Beaton frequently authors articles and prepares presentations relating to real property issues for various organizations and publications, and has been annually recognized by Best Lawyers for his work with Business Organizations, Corporate Law, and Real Estate law since 2021, and recognized by Louisiana Super Lawyers as a Rising Star in Real Estate since 2020.

BAR ADMISSIONS

Louisiana, 2014
U.S. District Court Middle District
of Louisiana, 2014
U.S. District Court Eastern
District of Louisiana, 2014
U.S. District Court Western
District of Louisiana, 2014
U.S. Court of Appeals 5th Circuit,
2014

EDUCATION

Tulane Law School, New Orleans,
Louisiana
J.D., *magna cum laude*, 2014
Law Review: Tulane Law Review,
2012 - 2014

Emory University, Atlanta,
Georgia
B.A. - 2011
Major: International Studies
Minor: Japanese

CONTACT

tbeaton@shergarner.com
504.299.2116 (office)
504.299.2316 (fax)

Honors and Awards:

- Best Lawyers "Ones to Watch" 2023
- Louisiana Super Lawyers Rising Star, 2020-2023
- CALI Award for Excellence: Louisiana Successions, Donations, and Trusts
- Academic Scholarship

Classes & Seminars Taught

- 13th Annual Landlord-Tenant Law: Lease Agreements, Defaults, and Collections Seminar: "Lease Agreements, Tenant Issues, and Documentation" (SES Sterling Education Services, December 2016) (prepared and presented seminar)
- "Historical Titles – Part II: Batture History & Title Issues" (Louisiana Land Title Association Presentation, December 2016) (prepared and moderated presentation)
- "Historical Titles – Part II: Railroad History & Title Issues" (Louisiana Land Title Association Presentation, December 2016) (prepared and moderated presentation)
- "Toiling in the Vineyards of Real Estate and Finance: A Vintage Blend of Recent Legal Updates" (Louisiana State Bar Association CLE Presentation, March 2016) (prepared presentation)
- "Title Insurance and the Commercial Real Estate Transaction: What You Need to Know" (Louisiana Land Title Association Presentation, December 2015) (prepared and assisted in presentation)
- "Sovereigns, Surveys, and State Land Office: Supplemental Sources of Private Land Titles in Louisiana" (Louisiana Land Title Association Presentation, December 2015) (prepared and assisted in presentation)
- "Keeping the 'Pro' in Professionalism" (New Orleans Bar Association CLE Presentation, December 2015) (prepared presentation)
- The TRIA's Reauthorization and What it Means for the Real Estate Industry, American Bar Association, Business Law Today, Volume 24, Issue 7, March 2015 (co-author)
- "More Than the Minimum: Aspiring to Standards of Professionalism" (New Orleans Bar Association CLE Presentation, December 2014) (co-author)
- Railroad Rights of Way Issues in the Face of High Speed Rail (American Bar Association, Real Property Trusts & Estates Section 31st Annual National CLE Conference, Boston, MA, May 10, 2019) (prepared and presented CLE seminar)
- "Lease or Cell: 21st Century Legal Issues in Leases and Easements for Cell Tower Facilities" (American Bar Association, Real Property, Trusts & Estates Section's 32nd Annual RPTE National CLE Conference, May 14, 2020 (prepared and co-presented CLE Seminar)

Professional Associations & Memberships:

- Louisiana Bar Association, Member
- Federal Bar Association, Member
- Louisiana Bar Foundation, Development Committee, Member
- American Bar Association, Section of Real Property, Trusts and Estates Law, Commercial Real Estate Transaction Committee: Easements, Covenants & Restrictions Subcommittee, Vice Chair
- Probate & Property Magazine, Associate Editor

Published Works:

- Practical Points From Practitioners: "Federal Court Ruling Holds Pipeline Operators Liable for Damages to Wetlands," Probate & Property, Volume 32, No.5, September/October 2018.

Travis A. Beaton, Associate (cont'd)

- Tacit v. Statutory Dedication and Preservation of the Entirety of a Servitude, La. Bar J., Vol. 63, No. 6, Mar./Apr., 2016
- Elwood F. Cahill, Jr. and Travis A. Beaton have co-authored "The TRIA's Reauthorization and What It Means for the Real Estate Industry" for the ABA's "Business Law Today" Section, Business Law Today, Volume 24, Issue 7, 2015
- Elwood F. Cahill, Jr. and Travis A. Beaton have co-authored "Sifting Through the Ruins, Advising Clients in A Post-Disaster Settlement", GPSOLO, Volume 33, Number 2, 2016
- Staying on Track with Trains and Title Issues: Ownership and Use of American Railroad Rights-of-Way, Probate and Property, Volume 33, No. 6 Nov./Dec., 2019



Melissa Rome Harris Member

AREAS OF PRACTICE

Litigation & Appeals
Toxic Torts
Environmental Law
Insurance Law
Bad Faith Insurance
Personal Injury - Defense

Melissa joined Sher Garner Cahill Richter Klein & Hilbert, L.L.C. in 2008. She received her Bachelor's degree magna cum laude in Sociology from Loyola University New Orleans in 2003. She then attended Loyola University School of Law in New Orleans and graduated cum laude with a Juris Doctor in 2006. While at Loyola, Melissa served as a member of Phi Alpha Delta Law Fraternity.

Melissa is admitted to practice in all state and federal courts in Louisiana. She primarily handles matters involving commercial litigation. She is a member of the Louisiana State Bar Association, the New Orleans Bar Association, the Federal Bar Association, and the Association for Women Attorneys.

Representative Cases:

- *Thomas W. Tubre v. Clark McCarthy Healthcare Partners, a Joint Venture*, No. 2014-1149, WL 6469414 (E.D. La. 2014)
- *Safeguard Storage Properties, L.L.C. v. Donahue Favret Contractors, Inc.*, WL 1226419 (La.App. 4 Cir. 2011)
- *First Bank and Trust v. Treme*, 129 So. 3d 605 (La. App. 5 Cir. 2013)
- *CCNO McDonogh 16, LLC v. R4 MCNO Acquisition, LLC*, 259 So. 3d 1077 (La. App. 4 Cir. 2018)
- *Pontchartrain Nat. Gas Sys. v. Tex. Brine Co.*, 317 So. 3d 715 (La. App. 1 Cir. 2020)
- *Shargian v. Shargian*, 591 F. Supp. 3d 100 (E.D. La. 2022)
- *Shargian v. Shargian*, 2023 WL 4624742 (E.D. La. 2023)

BAR ADMISSIONS

Louisiana, 2006
U.S. District Court Eastern
District of Louisiana, 2008
U.S. District Court Middle District
of Louisiana, 2008
U.S. District Court Western
District of Louisiana, 2008
U.S. Court of Appeals 5th Circuit,
2008

EDUCATION

Loyola University School of Law,
New Orleans, Louisiana
J.D., *cum laude*

Loyola University, New Orleans,
Louisiana
B.A. Sociology, *magna cum laude*

CONTACT

mharris@shergarner.com
504.299.2113 (office)
504.299.2313 (fax)

Classes/Seminars Taught:

- Louisiana State Bar Association, Panelist, *Discovery: The Path from Petition to Trial*, 2013
- National Business Institute CLE — *Unleashing the Power of Microsoft Office and Adobe for Lawyers: Tech-Savvy Tips for a More Efficient Law Practice*, 2015
- National Business Institute CLE — *The Latest E-Discovery Precautions, Risks and Advice*, 2017
- National Business Institute CLE — *Microsoft PowerPoint for Courtroom and Client Presentations*, 2017
- National Business Institute CLE — *How to Get Your Social Media, Email and Text Evidence Admitted (And Keep Theirs Out)*, 2018
- National Business Institute CLE — *Jurisdiction and Service of Process*, 2018
- New Orleans Bar Association, Bench Bar Conference, Panelist, *Game On: Keeping ESI From Taking Over Your Case*, 2018

Professional Associations & Memberships:

- Louisiana State Bar Association, Member, 2006 - Present
- New Orleans Bar Association, Member, 2008 - Present

Past Employment Positions:

- Delta Title Corporation, Attorney, 2007 - 2008

Publications:

- Chambers Global Practice Guide, eDiscovery & Disclosure – USA Law & Practices (2019)



David A. Freedman

Member

AREAS OF PRACTICE

Commercial Litigation

David Freedman joined the litigation section of Sher Garner Cahill Richter Klein & Hilbert in 2015. After receiving his Bachelor of Arts Degree in Political Science from Washington University in Saint Louis, David served with the United States Peace Corps in Morocco.

David obtained his Juris Doctorate from Tulane University Law School, graduating Order of the Coif and Magna Cum Laude. During law school, he received four CALI Excellence for the Future Awards, the David L. Herman Award, and Honors in Trial Advocacy. Additionally, he served on the executive board of the Tulane Maritime Law Journal, as an Honorary Member of Tulane's Moot Court Board, and as the President of Tulane's Po' Boy Appreciation Society.

Honors and Awards:

Best Lawyers "Ones to Watch" 2021 -2023

Published Works:

- Evolution of Marine Pollution Law, 1966-2016, 91 Tul. L. Rev. 1009, 2017

BAR ADMISSIONS

Louisiana, 2015

EDUCATION

Tulane University Law School,
New Orleans, Louisiana
J.D. 2015

Washington University, St. Louis,
MO

B.A. 2008

Major: Political Science

CONTACT

dfreedman@shergarner.com

504.299.2151 (office)

504.299.2351 (fax)



Stuart D. Kottle

Member

AREAS OF PRACTICE

Appellate Litigation
Complex Commercial Litigation
Civil Property Law
Legal Ethics
Municipal Law

Stuart served as a judicial clerk at the Louisiana Supreme Court and now practices appellate litigation and commercial litigation. Stuart previously worked at an international law firm, and his litigation experience spans multiple jurisdictions in both state and federal courts. Stuart also is an adjunct lecturer in law at Tulane Law School, where he teaches Advanced Appellate Advocacy. Stuart received his law degree from the University of Arizona College of Law, where he served as Editor-in-Chief of the Arizona Law Review. Before law school, Stuart was a Fulbright Scholar in China and the lead singer of a rock band. Stuart was born in Shreveport, Louisiana

Representative Cases:

- Mestayer v. City of New Orleans, Case No. 19-14432 (E.D. La. 2020)
- Fifth Amendment Takings Litigation - Lafaye v. City of New Orleans, 35 F.4th 940 (5th Cir. 2022)
- Election Dispute - Panepinto v. Smith, 2022-01218 (La. 8/19/2022), — So. 3d —, 2022 WL 3575729
- Class Action/Traffic Violations - Mestayer v. City of New Orleans, No. 19-14432, 2020 WL 3429826 (E.D. La. June 23, 2020)
- Open Meetings Law - Deep S. Ctr. for Envtl. Justice v. Council of City of New Orleans, 292 So. 3d 973. (La. App. 4 Cir. 2020)
- Breach of Contract/Governmental Code of Ethics – St. Bernard Par. Gov't v. Perniciaro, 2019-0604 (La. App. 4 Cir. 3/11/2020), 2020 WL 1173569
- Servitudes/Trespass - W&T Offshore, L.L.C. v. Texas Brine Corp., 2018-0950 (La. 6/26/2019), 319 So. 3d 822, 823; 2019 WL 2896773

BAR ADMISSIONS

Arizona, 2013
U.S. District Court District of
Arizona, 2014
Louisiana, 2016

EDUCATION

The University of Arizona James
E. Rogers College of Law, Tucson,
Arizona
J.D. 2013
Honors: *cum laude*, Dean's List,
Perry Rogers Scholar, Ralph W.
Aigler Memorial Award,
Outstanding Performance in
Oral, Advocacy Award
Law Review: Arizona Law
Review, Editor-in-Chief, 2012 -
2013

Brandeis University, Waltham,
Massachusetts
B.A. *cum laude* 2007
Honors: Dean's List
Major: Economics and
Mathematics

CONTACT

skottle@shergarner.com
504.299.2135 (office)
504.299.2335 (fax)

Classes & Seminars:

- Evaluation of the Profession: LJC / LSBA Joint Summer School & 2019 LSBA Annual Meeting, "Learning to Grasp the Big Picture – Depositions: What You Always Wanted to Know, But Didn't have Time to Research," Louisiana State Bar Association, June 2-7, 2019

Honors & Awards:

- Best Lawyers in America "Ones to Watch" since 2021 with special designations, during 2023 or a prior year, in Appellate Practice, Eminent Domain and Condemnation Law and Insurance Law
- Louisiana Super Lawyers Rising Star, 2023

Professional Associations:

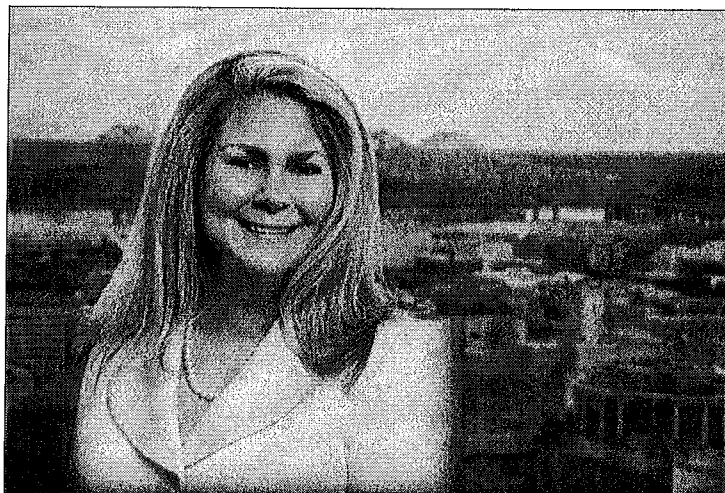
- Adjunct Associate Professor of Law, Tulane University, 2018 to Present
- Touro Infirmary Board Member

Past Employment Positions:

- Louisiana Supreme Court, Judicial Clerk, 2016 - 2018
- Squire Patton Boggs, Associate, 2015 - 2016
- Polsinelli, Associate, 2013 - 2015

Publications:

- Hon. Scott J. Crichton, James M. Garner & Stuart D. Kottle, *La. Appeals & Proc.: Advanced Appellate Advocacy* (2d ed. 2021) (unpublished course materials, Tulane Law School)
- Scott Crichton & Stuart Kottle, *Appealing Standards: Louisiana's Constitutional Provision Governing Appellate Review of Criminal Facts*, 79 La. L. Rev. 369 (2018)



Karen T. Holzenthal

Associate

AREAS OF PRACTICE

Title Insurance

Ms. Holzenthal is a staff attorney in the business section of the firm whose practice is concentrated in title insurance. She primarily works with the firm's title agency, Capdevielle Title Corporation. Ms. Holzenthal obtained her B.A. degree in English from the University of New Orleans, her paralegal certificate from Tulane University College, and her J.D. from Loyola University Law School. She is also a licensed title agent for several title insurance underwriters.

Honors & Awards:

- Best Lawyers in America since 2012, with special designations, during 2023 or a prior year, in Land Use and Zoning Law, Real Estate Law, 2012 – 2023

Pro Bono Activities:

- Legal Advice to Homeless with New Orleans Pro Bono Project, 1995 - 1999

BAR ADMISSIONS

Louisiana, 1990

EDUCATION

Loyola University New Orleans
School of Law, New Orleans,
Louisiana
J.D. - 1990

University of New Orleans, New
Orleans, LA

B.A. - 1981

Honors: Dean's List

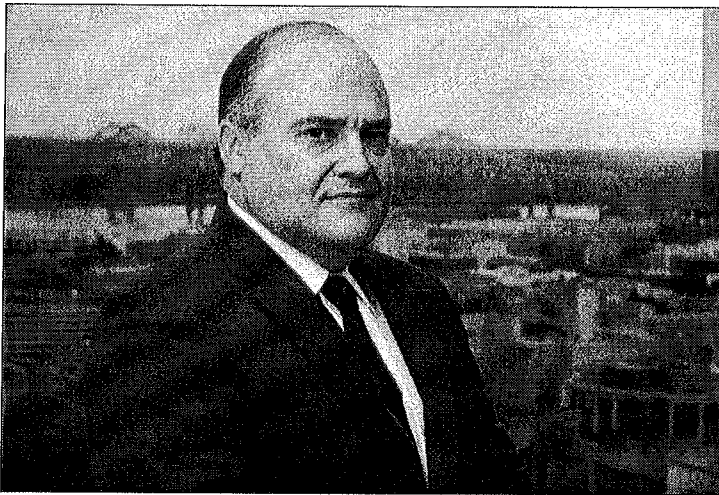
Major: English

CONTACT

kholzenthal@shergarner.com

504.299.2115 (office)

504.299.2315 (fax)



Jacob A. Airey Of Counsel

AREAS OF PRACTICE

Complex Litigation
Insurance Coverage Litigation/
Insurance Policy Review
Bankruptcy and Foreclosure Litigation
Contracts
Risk Management
Succession and Probate Matters
Admiralty

Mr. Airey has a broad base of experience, representing a wide array of both domestic and international clients. His litigation experience includes acting as lead trial counsel in federal and state court and before arbitration panels, and performing appellate work in the U.S. Supreme Court, U.S. Court of Appeals for the Fifth Circuit, and all Louisiana Appellate courts. In addition to his trial work, Mr. Airey provides business advice and legal guidance to clients regarding business operation and formation, employment matters, mergers, real estate transactions, and risk management. As a former licensed Coast Guard Captain, Mr. Airey also has extensive knowledge of admiralty and maritime matters. In 2019 he was elected unopposed as St. Tammany Parish Councilman for District 13. He also serves on the board for St. Tammany Communication District No. 1, as well as holding executive positions on a number of civic organization boards.

Representative Cases:

- Thomas W. Tubre v. Clark McCarthy Healthcare Partners, a Joint Venture, No. 2014-1149, WL 6469414 (E.D. La. 2014)
- USA Disaster Recovery, Inc. v. St. Tammany Parish Government, et al., 145 So.3d 235 (La. 2012)
- In re Succession of Thomas, WL 5549035, 2010, La. App. 1st Cir.
- Padilla v Schwartz, 11 So.3d 6 (La. App. 4 Cir. 2009)
- Safety Nat. Cas. Corp. v. Certain Underwriters at Lloyds London, 558 F.3d 599 (5th Cir. 2009)
- Marmac LLC v. Meridian Resource & Exploration, LLC, WL 1651977 (Ed. La. 2007)
- Marquette Transp. Co. v. Trinity Marine Products, Inc., WL 2349461 (E.D. La. 2006)
- Scarborough v Clemco Indus., 391 F.3d 660 (5th Cir. 2004)

BAR ADMISSIONS

Louisiana, 2002
U.S. District Court Eastern
District of Louisiana, 2003
U.S. District Court Western
District of Louisiana, 2003
U.S. District Court Middle District
of Louisiana, 2003

EDUCATION

Louisiana State University Law
Center,
Baton Rouge, Louisiana
J.D., 2002
Honors: Hermann Moyse Senior
Scholarship Recipient,
Chancellor's List, Law Review

Louisiana State University Law
Center,
Baton Rouge, Louisiana
BA Civil Law Studies - 2002
Louisiana State University
Political Science, 1997

CONTACT

Jairey@shergarner.com
504.299.2122 (office)
504.299.2322 (fax)

Classes/Seminars Taught:

- In and Outs of Louisiana LLCs, January 5, 2012
- Veteran's Aid and Attendance Benefits Seminar, Multiple Dates
- Succession Law Update, 2010 to 2010

Professional Associations & Memberships:

- Slidell Bar Association
- Inns of Court

Past Employment Positions:

- Slidell Youth Soccer Club, Board Member, 2011-present. Current Vice-President (Past President, Treasurer)
- Volunteer Youth Soccer Coach, 2010- present (licensed through United Soccer Coaches and US Youth Soccer)
- St. Tammany Communication District No. 1, Board Member, 2020-present
- Military Road Alliance, Inc.- Executive Board Member, 2014 to 2020
- River Oaks Home Owners Association, Past President



Brandon W. Keay

Associate

AREAS OF PRACTICE

Commercial Litigation
Eviction
Premises Liability
Toxic Torts
Bad Faith Insurance Litigation
Collections and Foreclosures

Brandon Keay joined the litigation section of Sher Garner Cahill Richter Klein & Hilbert, L.L.C. in 2015. He is a native of the New Orleans area. Brandon received a Bachelor of Arts in Political Science from Southeastern Louisiana University, graduating magna cum laude and with honors, where he was the recipient of the 2012 Harold Leu Award in Political Science. In 2015, he obtained his Juris Doctorate and Civil Law Certificate from Tulane Law School, graduating cum laude. While studying at Tulane Law School, he served for two years on the Tulane Maritime Law Journal and the Tulane Moot Court Board, and served as an assistant instructor, teaching Legal Research and Writing to international L.L.M. students.

Representative Cases:

- Alexander v. Blue Williams, L.L.P., WL 302078 (La. App. 4th Cir. 2019)
- Veritext v. Bonin, 901 F.3d 287 (5th Cir. 2018)
- 429 Bourbon Street, LLC v. RMDR Investments, Inc., 230 So. 3d 256 (La. App. 4 Cir. 2017)

Classes & Seminars:

- Attempt the Summit: 2022 LSBA Annual Meeting & LJC / LSBA Joint Summer School, "Commercial Leases: Drafting and Enforcement Mistakes to Avoid," Louisiana State Bar Association, June 7, 2022

Honors & Awards:

- Harold Leu Award in Political Science, 2012

Pro Bono Activities:

- Entertainment Law Legal Assistance, 2013-2014

BAR ADMISSIONS

Louisiana, 2015

EDUCATION

Tulane Law School, New Orleans,
Louisiana

J.D., *cum laude* 2015

Civil Law Certificate

Tulane Maritime Law Journal

Tulane Moot Court Board

Southeastern Louisiana

University, Hammond,

Louisiana

B.A., *magna cum laude* 2012

Major: Political Science

CONTACT

bkeay@shergarner.com

504.299.2140 (office)

504.299.2340 (fax)



Laurie A. Dearman

Associate

AREAS OF PRACTICE

Business/Corporate Law
Personal Injury Defense
Real Estate Law
Environmental and Natural Resources Law
Government, Municipalities & Elections
Foreign Corrupt Practices Act
The False Claims Act

Laurie Dearman is a senior associate with the firm. Laurie was raised in Natchitoches, Louisiana. She earned her Bachelor of Arts degree, magna cum laude, from Louisiana State University and her Juris doctorate, magna cum laude, from Tulane Law School, where she served as Senior Articles Editor of the Tulane Law Review. She graduated Order of the Coif and received the Rufus C. Harris award her senior year at Tulane. While at Tulane, Ms. Dearman worked for legendary civilian scholar Professor A.N. "Thanassi" Yiannopoulos. In that role, she assisted Professor Yiannopoulos in drafting updates for the Louisiana Civil Law Treatise, editing the Louisiana Civil Code and drafting the Civil Code for the Republic of Estonia.

In her legal career, Ms. Dearman has represented insurers, for-profit businesses, and non-profits in commercial and tort litigation. She has represented and counseled clients in the areas of maritime, energy, labor and employment, antitrust, toxic torts, intellectual property, and banking. Ms. Dearman has argued motions and tried cases in state and federal courts in North Carolina, Texas and Louisiana. Ms. Dearman is licensed in Louisiana, Texas and North Carolina.

Before beginning private practice, Ms. Dearman clerked for the Honorable Morey L. Sear on the United States District Court for the Eastern District of Louisiana. Later in her career, while living in North Carolina, she clerked for the Honorable P. Trevor Sharp, Magistrate Judge, on the United States District Court for the Middle District of North Carolina.

Ms. Dearman has been involved in numerous community and legal organizations, including the American Heart Association, the Youth Leadership Council, the New Orleans Film Society, the Tulane Alumni Association, the Federal Bar Association, and the New Orleans Pro Bono Project. She has been Martindale-Hubbell A-V rated since 2008. Ms. Dearman also has authored several scholarly articles and has been a faculty member on Continuing Legal Education panels for both the legal profession and the judiciary. She taught a Federal Rules of Civil Procedure course at Tulane Law School with Chief Judge Sear between 1996 and 2000.

BAR ADMISSIONS

Louisiana, 1993
North Carolina, 2001
Texas, 2017

EDUCATION

Tulane Law School, New Orleans,
Louisiana
J.D., *magna cum laude* 1993

Louisiana State University, Baton
Rouge, Louisiana
B.A., *magna cum laude* 1988

CONTACT

ldearman@shergarner.com
504.299.2137 (office)
504.299.2337 (fax)

Honors:

- Magna Cum Laude
- Order of the Coif
- Rufus C. Harris Award

Professional Associations:

- Federal Bar Association
- American Bar Association
- Louisiana State Bar Association

Professional Associations:

- Phelps Dunbar
- Baker Donelson, Smith Moore LLP (NC)
- Pusateri, Johnston, Guillot and Greenbaum

Pro-Bono Activities:

- New Orleans Pro Bono Project
- Justice for All Ball, Board Member
- Tulane Alumni Association – Free Legal Clinic for Veterans



Curtis J. Case Associate

AREAS OF PRACTICE

Commercial Litigation

Curtis J. Case was born and raised in South Louisiana. He earned his Juris Doctor from Loyola University-New Orleans School of Law where he graduated summa cum laude and served as the Managing Editor of Substance and Citation for the Loyola Law Review. During law school, he studied in the criminal defense field representing clients in both Jefferson and Orleans Parish and clerking at the Orleans Criminal District Court. Prior to law school, he earned a B.A. in History from the University of New Orleans where he researched and wrote on New Orleans history. In his spare time, he enjoys spending time with his cats, building his home gym, and following local sports.

Published Works:

- State ex rel. Esteen v. State: Fairness, Freedom, and a ..., 65 Loy. L. Rev. 431, Summer, 2019

BAR ADMISSIONS

Louisiana, 2020

EDUCATION

Loyola University New Orleans
School of Law, New Orleans,
Louisiana

J.D. 2020

Honors: *summa cum laude*

Honors: William L. Crowe Sr.
Scholar

Honors: Loyola Law Review,
Managing Editor of Substance
and Citation

University of New Orleans
B.A.

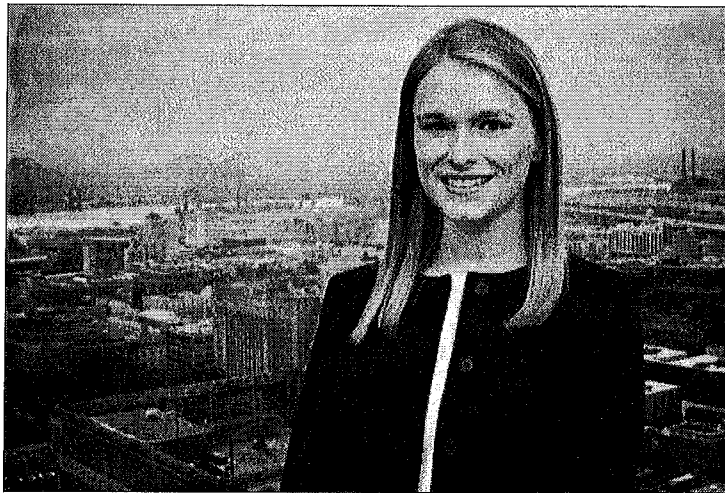
Major: History

CONTACT

ccase@shergarner.com

504.299.2117 (office)

504.299.2317 (fax)



Claire Schnell St. Germain

Associate

AREAS OF PRACTICE

Banking & Finance Law
Business & Commercial Law
Contracts
Real Estate Law

Claire Schnell joined the business section of Sher Garner Cahill Richter Klein & Hilbert, L.L.C. in 2020. She attended Louisiana State University where she graduated Magna Cum Laude with a Bachelor of Science in Management in 2017. In 2020, Claire received her Juris Doctorate and Diploma in Comparative Law from Louisiana State University Paul M. Hebert Law Center, graduating Magna Cum Laude and Order of the Coif. During law school, she served as Senior Editor of the Louisiana Law Review. Claire also received CALI Excellence for the Future Awards in four courses: Legal Research and Writing I, Criminal Law, Matrimonial Regimes, and Toxic Torts. She was appointed a 2021 Junior Member of the Louisiana State Law Institute.

Published Works:

- There Must Be a Better Way: Analyzing Louisiana's Sales Tax System in the Wake of *South Dakota v. Wayfair, Inc.*, 80 La. L. Rev. (2020)

BAR ADMISSIONS

Louisiana, 2020

EDUCATION

Louisiana State University, Paul
M. Hebert Law Center, Baton
Rouge, Louisiana

J.D., D.C.L. – 2020

Honors: *magna cum laude*

Honors: Order of the Coif

Louisiana State University, Baton
Rouge, Louisiana

B.S. – 2017

Honors: *magna cum laude*

Honors: Rucks Fellow

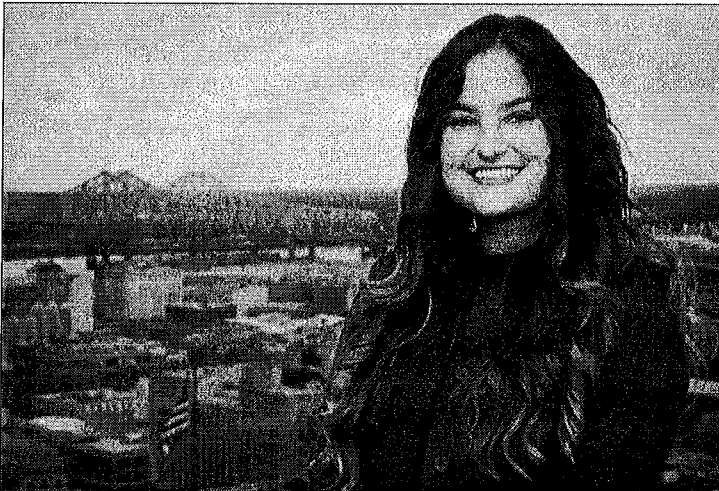
Major: Management

CONTACT

cstgermain@shergarner.com

504.299.2144 (office)

504.299.2344 (fax)



Alexis Friedman-Benton

Associate

AREAS OF PRACTICE

Banking & Finance Law
Business & Commercial Law
Contracts
Real Estate

Alexis Friedman-Benton joined the business section of Sher Garner Cahill Richter Klein & Hilbert, L.L.C. in 2021. Alexis is a native of Buras, Louisiana in Plaquemines Parish. Prior to attending law school, she attended Louisiana State University where she graduated with a Bachelor of Science in Child and Family Studies and a minor in Psychology in 2018. Alexis received her Juris Doctorate and Diploma in Comparative Law from Louisiana State University Paul M. Hebert Law Center, graduating Magna Cum Laude and Order of the Coif in 2021.

BAR ADMISSIONS

Louisiana, 2021

EDUCATION

Louisiana State University Law
Center, Baton Rouge, Louisiana
J.D., D.C.L., 2021

Honors: *magna cum laude*

Honors: Order of the Coif

Louisiana State University,
Baton Rouge, Louisiana

B.S., 2018

Major: Child & Family Studies

Minor: Psychology

CONTACT

afriedman-benton@shergarner.com

504.299.2110 (office)

504.299.2310 (fax)



Hannah L. Brewton

Associate

AREAS OF PRACTICE

Business & Commercial Litigation

Hannah Lampo Brewton joined the litigation section of Sher Garner Cahill Richter Klein & Hilbert L.L.C. as an associate in 2021. She attended Tulane Law School where she obtained her Juris Doctorate and Civil Law Certificate, graduating cum laude. There, she served as a Managing Editor of the Tulane Maritime Law Journal and a student attorney in the Domestic Violence Clinic. For her work as a student attorney in court, Hannah received the Clinical Legal Education Association Outstanding Student Award upon graduation. Prior to attending law school, Hannah graduated from Louisiana State University, magna cum laude, in 2018. She obtained a Bachelor of Arts in Political Communication and graduated with the distinction of College Honors from the LSU Ogden Honors College. Hannah is a native of New Orleans and attended Mount Carmel Academy.

BAR ADMISSIONS

Louisiana, 2022

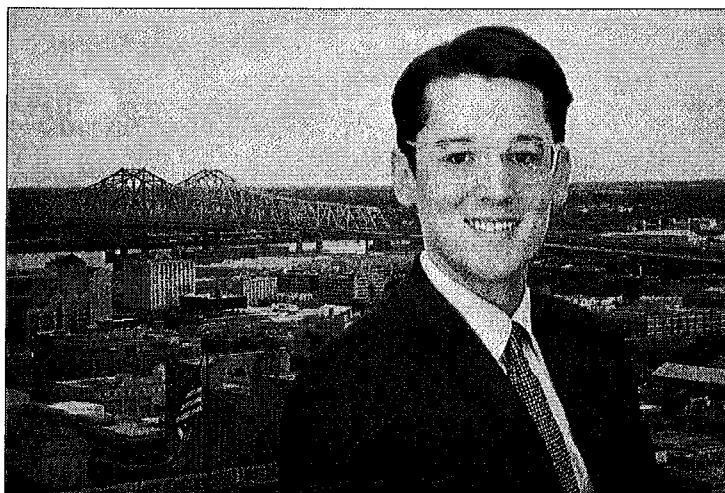
EDUCATION

Tulane Law School,
New Orleans, LA
J.D., *cum laude* 2021
Tulane Maritime Law Journal,
Managing Editor

Louisiana State University,
Baton Rouge, LA
B.A., *magna cum laude* 2018
Major: Political Communication
Minor: Business, Political Science

CONTACT

hbrewton@shergarner.com
504.299.2133 (office)
504.299.2333 (fax)



Grant G. Butler

Associate

AREAS OF PRACTICE

Business & Commercial Litigation

Grant Butler joined the litigation section of Sher Garner Cahill Richter Klein & Hilbert, L.L.C. in 2022. He graduated *Magne Cum Laude* from LSU in 2019 with a BA in Philosophy and Political Science. He graduated *Cum Laude* from Tulane University Law School in 2022. During law school, he served as Managing Editor of the Tulane Maritime Law Journal as well as Student Attorney for Tulane Juvenile Law Clinic. He received CALI Excellence for the Future Awards in two courses: Admiralty I and International Commercial Arbitration.

BAR ADMISSIONS

Louisiana, 2022

EDUCATION

Tulane Law School, New Orleans,
Louisiana J.D., 2022

Honors: *cum laude*

Louisiana State University,
Baton Rouge, Louisiana

B.A.

Honors: *magna cum laude*

Major: Philosophy

Major: Political Science

CONTACT

gbutler@shergarner.com

504.299.2152 (office)

504.299.2348 (fax)

Sophie R. Trosclair

Associate



AREAS OF PRACTICE

Civil Litigation

As a recent graduate of Loyola University New Orleans College of Law, Sophie Trosclair joined the litigation team at Sher Garner in 2023. While attending law school, she was a member of the Loyola Law Review and a Moot Court Staff Member. Sophie also participated in mock mediations and arbitrations and was a member of the Alternative Dispute Resolution Program. She received a Certificate in International Law and was on the executive board of the International Law Society. Before attending law school, Sophie taught Grammar and English for two years to middle school students in her hometown of Houma, Louisiana, and she interned at the National World War II Museum in the International Travel Department. In addition to her passion for the law and her interest in World War II, Sophie enjoys traveling and has visited 41 countries.

BAR ADMISSIONS

Louisiana, 2023

EDUCATION

Loyola University New Orleans
College of Law
New Orleans, LA
J.D., *magna cum laude* 2023
Tulane Maritime Law Journal,
Managing Editor

University of Louisiana,
Lafayette, LA
B.A., *magna cum laude* 2017
Major: English

CONTACT

strosclair@shergarner.com
504.299.2142 (office)
504.299.2142 (fax)

Brandon W. Keay, Associate (cont'd)



Laura A. Larks

Associate

AREAS OF PRACTICE

Commercial Litigation
Complex Litigation
Construction Litigation

Laura Larks joined the litigation section of Sher Garner Cahill Richter Klein & Hilbert in 2021. She is a native of New Orleans. Ms. Larks earned her Bachelor of Arts degree, cum laude, from Princeton University and her Juris doctorate from the New York University School of Law. She is licensed in New York and California.

Ms. Larks handles a wide variety of complex commercial litigation disputes, including commercial, construction, real estate, energy, administrative, admiralty/maritime and intellectual property law. She has represented corporations, utilities, government agencies, non-profits and start-ups in state and federal courts in New York and California. She is also experienced in various forms of alternative dispute resolution, including AAA arbitration and mediation.

Ms. Larks is actively involved in numerous community and legal organizations, including the National Bar Association, American Corporate Counsel, Corporate Counsel Women of Color, and the California Minority Counsel Program.

Past Employment Positions:

- Southern California Edison Company (Rosemead, CA)
- Sheppard, Mullin Richter & Hampton (Los Angeles, CA)

BAR ADMISSIONS

New York, 1986
California, 1992

EDUCATION

New York University School of
Law, New York, New York
J.D. 1985

Princeton University, Princeton,
New Jersey
B.A. 1981
Honors: *cum laude*
Major: Political Science

CONTACT

llarks@shergarner.com
504.299.2128 (office)
504.299.2328 (fax)



Krista M. McCarden

Special Counsel

AREAS OF PRACTICE

Taxation

Ms. McCarden began her legal career with Latham & Watkins LLP in Los Angeles and has practiced tax law internationally. During her first two years of practice, she was selected as a Washington, D.C. delegate by the State Bar of California and the Los Angeles County Bar Association Taxation section. She later clerked on the U.S. Court of Appeals for the Second Circuit in New York City. Prior to joining the faculty of Pepperdine School of Law, Professor McCarden practiced tax law in Paris and in London with Morgan, Lewis & Bockius LLP.

McCarden has been named as a top scholar in the field of social entrepreneurship and impact investing by an Oxford University/SAID Business School study sponsored by the MacArthur Foundation. Her scholarship focuses on tax law and policy, especially international taxation and the tax treatment of charitable giving. McCarden has published articles in the U.S. and in the U.K., and she has been invited to present her scholarship throughout the country and internationally.

She has been elected to the AALS Nonprofit and Philanthropy Law Section's Executive Committee and was chosen to present her scholarly work on alternative U.S. approaches to cross-border charitable giving rules at the 2016 AALS Annual Conference. Professor McCarden has presented a leading paper as a selected participant of the International Research Symposium held as part of the Annual Congress of the International Fiscal Association in Boston, Mass.

Professional Associations & Memberships:

- AALS Section on Nonprofit and Philanthropy Law Executive Committee, Treasurer, 2018 Elected 2013
- Southeastern Association of Law Schools (SEALS), Selected as 2019 presenter for Tax Policy in the 21st Century workshop and for Works-In-Progress Workshop
- National Center for Philanthropy and the Law (NCPL), New York University School of Law, Annual Conference Auditor
- Junior Tax Scholars Group, Selected for membership in 2012 and selected participant in Junior Tax Scholars Workshops in 2013, 2014, 2016, 2017, and 2018.

BAR ADMISSIONS

California, 2003

EDUCATION

Harvard University Law School,
Cambridge, Massachusetts
J.D. 2003

Honors: *cum laude*

Harvard College, Cambridge,
Massachusetts
B.S. 1998

Honors: *magna cum laude*

Honors: John B. Harvard
Scholarship for Academic
Achievement of the Highest
Distinction

Honors: Elizabeth Cary Agassiz
Scholar

Honors: Harvard Faculty
Scholarship

Honors: Dean's List

Honors: University Endorsement
for the Rhodes Scholarship

Honors: Radcliffe College
Presidential Commendation

Honors: Kappa Alpha Theta
Scholarship Award

CONTACT

kmccarden@shergarner.com
504.299.2141 (office)
504.299.2341 (fax)

- Critical Tax Scholars Group, Selected participant for 2017-2019 Annual Critical Tax Theory Conferences; Assisted with organizing 2019 Annual Critical Tax Theory Conference
- Nonprofit Law Professors Blog, Selected as Contributing Editor
- International Fiscal Association (IFA) Member, Selected Participant in at the 66th Annual Conference- International Tax Research Symposium in Boston, Massachusetts
- American Bar Association (ABA) Tax Section Member, Selected to Design and Participate in 2019 Midyear Conference on Impact Investing Panel and as a Presenter for 2019 Annual Meeting
- Tulane Tax Institute Planning Committee, Selected as Member in 2018
- New Orleans Planned Giving Council, Selected as Presenter for June 2019 meeting

Past Employment Positions:

- Tulane University Law School, New Orleans, LA, Hoffman Fuller Associate Professor of Tax Law, 2018-Present
- Pepperdine University School of Law, Malibu, CA, Associate Professor, 2011-2018
- Pepperdine University School of Law, London, UK, Adjunct Professor, 2009-2010
- Morgan, Lewis & Brockius, London, UK, 2009-2010
- Withers LLP, London, UK, 2007-2009
- U.S. Court of Appeals for the Second Court, New York, NY, 2005-2006 Term Judicial Law Clerk to the Honorable Barrington D. Parker

Pro-Bono Activities:

- Harvard Law School Class of 2003 Reunion Committee
- Harvard Club of Southern California, Prospective Board Member and College Interviewer
- Lay Pastor, Holy Trinity Brompton (HTB)
- Harvard Law School Alumni of the UK, Board Member
- Harvard Class of 1998 Reunion Officer and Fundraising Committee Member
- Harvard Alumni Marshall for 2008 Commencement
- Harvard Law School Class Agent
- Integrity, Inc., Young Professionals Committee. Organized and participated in fundraising activities for substance abuse prevention and related service programs.
- Served as presenter at 2015 Med-Air concert for Syrian and Iraqi children relief efforts
- Organized fundraiser in support of water pump purchase through collaboration with Med-Air
- Organized inter-church social fundraiser in support of Med-Air's Haiti relief effort
- Organized event to raise awareness on homelessness; participated in Global Poverty Project meetings
- Collaborated on elderly projects, including Concerts for the Elderly, visits to nursing homes, and teas
- Participated in activities for low-income families residing in housing developments in London

Krista M. McCarden, Special Counsel (cont'd)



Timothy B. Francis Of Counsel

AREAS OF PRACTICE

Business & Commercial Law
Real Estate Law
State, Local & Municipal Law

An attorney with the New Orleans firm Sher Garner Cahill Richter Klein & Hilbert L.L.C., Timothy B. Francis focuses on litigation, business transactions and government relations. His experience touches a wide range of business, entertainment, art, political and legal ventures.

Mr. Francis' interest in policy and politics began after earning a bachelor's degree from Xavier University in 1980 and serving as an assistant to Moon Landrieu, then-secretary of the U.S. Department of Housing and Development, in Washington, D.C. Mr. Francis worked on special research projects, and reviewed and recommended projects for funding under the Urban Development Action Grant program.

After completing law school at Tulane University in 1984 and serving as class president, he practiced with the McGlinchey Stafford firm before returning to Washington, D.C., as a legislative assistant and counsel to former U.S. Sen. John Breaux. During this time, Mr. Francis was a trusted adviser on numerous legislative issues, including banking, urban affairs, housing, labor, civil rights and health issues, as well as judiciary matters.

In 1989, Mr. Francis moved to Los Angeles to become chief operating officer of Stevie Wonder Enterprises. Mr. Francis managed the company's daily operations, including film production, music publishing and marketing. He also negotiated licensing, endorsement and publishing agreements, along with financial and strategic analyses on new business opportunities for the legendary entertainer.

Mr. Francis returned to New Orleans in 1994 to practice law. Since then, he has immersed himself in a number of civic, business and social causes that reflect his wide range of interests and experience. His most notable efforts include playing an instrumental role in Xavier University becoming the first historically black college in the country to open a Confucius Institute. In addition, he worked closely with Stevie Wonder and the United Nations in an effort to pass a global treaty to help the visually impaired gain affordable access to braille and electronic information.

The Young Leadership Counsel included Mr. Francis in its list of the top 25 role models of 2015. Among other recent honors, he was one of Family Service of Greater New Orleans' 10 Outstanding Persons and was

BAR ADMISSIONS

Louisiana, 1995

EDUCATION

Tulane Law School, New Orleans,
Louisiana
J.D.

Xavier University, New Orleans,
Louisiana
B.A.

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504.299.2326 (fax)

named one of the city's top 50 leaders in the legal industry as compiled by New Orleans CityBusiness magazine.

In addition, Mr. Francis serves as a board member for numerous civic, business, education and philanthropic organizations:

- Tulane University
- The Norman C. Francis Leadership Institute
- The Louise McGehee School
- The New Orleans Sugar Bowl
- The History Makers' national advisory board
- Lionel Hampton's designee on the National Committee for the Lionel Hampton Center

He is also a member of the New Orleans tri-centennial committee preparing for the city's 300th anniversary in 2018.

Previous board positions have included The Contemporary Arts Center, the Ogden Museum of Southern Art, The Louisiana Museum Foundation, the Gladys and Lionel Hampton Foundation, City of New Orleans Percent for Art Committee, The Board of City Trust, City of New Orleans and The New Orleans Metropolitan Crime Commission. Mr. Francis also served on the executive committee of the New Orleans Museum of Art.

He was a developer on two New Orleans hotel projects – Hotel Le Cirque, a Design Hotel, and the Renaissance Pere Marquette under the Marriott brand.

Professional Associations & Memberships:

- The New Orleans Museum of Art
- The Nokia Sugar Bowl Committee
- The Lionel Hampton National Advisory Board
- The Ogden Museum of Southern Art & Culture
- The Audubon Institute
- The New Orleans Contemporary Arts Center
- The Louisiana Museum Foundation
- New Orleans Percent for Art Committee
- City of New Orleans, The Board of City Trust
- The New Orleans Metropolitan Crime Commission
- A.P. Tureaud American Inn of Court
- Tulane University, Board Member, 2012 - Present

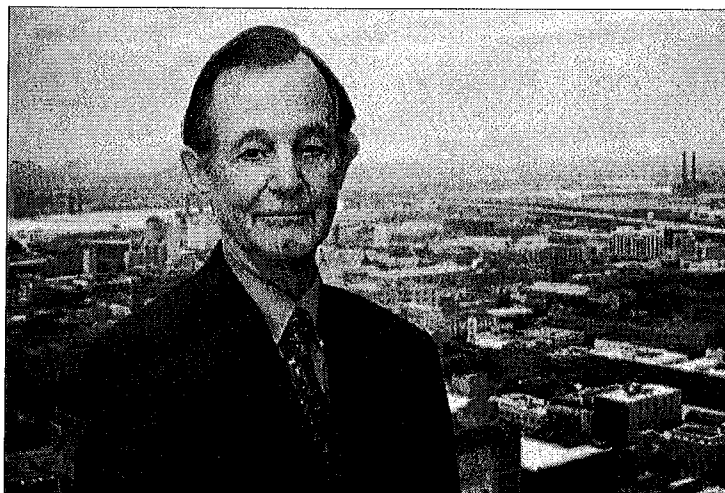
Past Employment Positions:

- Stevie Wonder & President of the Wonder Foundation, Chief Operating Officer, 1989 - 1994
- U.S. Senator, John Breaux, Counsel, 1986 - 1988

Pro-Bono Activities:

- Member, Sugar Bowl Committee
- Lionel Hampton Jazz Center Advisory Board
- Contemporary Arts Center, Board Member

Timothy B. Francis, Of Counsel (cont'd)



David A. Marcello Of Counsel

AREAS OF PRACTICE

Legislative Practice
Administrative Law
Zoning, Planning and Land Use
Municipal Law
Public-Private Development

David Marcello has served Of Counsel to Sher Garner Cahill Richter Klein & Hilbert, L.L.C. since 2002. He is a 1968 Phi Beta Kappa graduate of Williams College and holds a 1971 J.D. degree from Tulane Law School, where he was an assistant editor of the Law Review and member of the Order of the Coif. Mr. Marcello was recognized in 2013 by Best Lawyers for his work in the practice areas of Municipal Law, Administrative /Regulatory Law, and Land Use & Zoning Law.

Mr. Marcello's experience in Municipal Law includes serving as Executive Counsel to Mayor Ernest N. "Dutch" Morial of New Orleans and as Chief Deputy City Attorney, advising city agencies on public records, open meetings, zoning, and public bid laws. He coordinated the City of New Orleans' legislative program in the 1994 regular session of the Louisiana Legislature. Mr. Marcello's civic involvement includes chairing in 1994-1995 a 40-member Home Rule Charter Revision Advisory Committee, which successfully undertook the first comprehensive revision of New Orleans' Charter in over four decades. In 2010, he co-chaired the Blight Task Force and the Procurement of Professional Services Subcommittee, both for the transition of Mayor-Elect Mitch Landrieu. In 2007-2009, he served as the initial Legal Advisor to the New Orleans Ethics Review Board and Office of Inspector General.

Mr. Marcello has spoken about municipal law on numerous occasions:

- "Fundamentals of Drafting" and "Ethics & Politics of Legislative Drafting," Tennessee Municipal Attorneys Association, Nashville, TN (February 2013)
- "Sunshine Training: Openness and Accountability in Government," City Council Chamber, New Orleans, LA (2012)
- "New Orleans Satellite Government," Bowers Auditorium (2011): The database, which he launched with a colleague in political science, consolidates information about 150+ boards and commissions, public benefit corporations, security and improvement districts, and other entities revolving around New Orleans city government.
- "Orleans Parish Elections: Laissez Les Bon Temps Rouler!" League of Women Voters Annual Meeting, New Orleans, LA (2011)

BAR ADMISSIONS

Louisiana, 1971
U.S. District Court Eastern
District of Louisiana, 1971
U.S. Supreme Court, 1975
U.S. District Court Middle District
of Louisiana, 1975

EDUCATION

Tulane Law School, New Orleans,
Louisiana
J.D. 1971
Honors: Order of the Coif;
National and International
Moot Court Teams
Law Review: Tulane Law Review,
Member, Associate Editor,
1970 - 1971

Williams College, Williamstown,
MA, USA

B.A. 1968
Honors: *cum laude*; Phi Beta
Kappa

CONTACT

dmarcello@shergarner.com
504.299.2136 (office)
504.299.2336 (fax)

- "Win-Win-Win: Advantages of CBA's for the Community, Developers, Government, and You!" Moderator and Speaker at Symposium Co-Sponsored by Urban Land Institute and The Public Law Center, New Orleans, LA (2011)
- "Expropriation in Louisiana in a Post-Katrina Era," Southern University Law Center Journal of Race, Gender, and Poverty Symposium: "We're Taking Your Property: Expropriation and Property Rights," Baton Rouge, LA (2011)
- "Thinking Globally, Drafting Locally: Plain Language Drafting at Home and Abroad," International Municipal Lawyers Association 75th Annual Conference, New Orleans, LA (2010)
- "Housing Recovery in Post-K New Orleans: What Works? What Doesn't?" Panel Presentation, National Conference of State Legislatures Annual Meeting, New Orleans, LA (2008)
- "Overview of Charter Reform: New Orleans," Spring Conference on Charter Reform for the Elected Los Angeles Charter Reform Commission, Los Angeles, CA (1998).
- Mr. Marcello's articles on municipal law include the following:
- "Housing Redevelopment Strategies in the Wake of Katrina and Anti-Kelo Constitutional Amendments: Mapping a Path Through the Landscape of Disaster," 53 Loyola L. Rev. 763 (2007)
- "Community Benefit Agreements: New Vehicle for Investment in America's Neighborhoods," 39 Urban Lawyer 657 (2007) (included in Thomson/West 2008 Zoning and Planning Law Handbook, reprinting important scholarly contributions)
- Wilson & Marcello, Local Government: How It Works, How to Make It Work for You (September, 1994).

Best Lawyers also acknowledged Mr. Marcello in Administrative/Regulatory Law. He has served for over 20 years as General Counsel to the Louisiana Board of Examiners of Certified Shorthand Reporters, rendering legal advice and drafting various acts to strengthen the profession and the regulation of court reporting in Louisiana. Mr. Marcello served as General Counsel of the Regional Transit Authority during 1980-1987, providing legal assistance on legislative initiatives; a sales tax election; public bidding, open meetings and public records laws; compliance with federal law; acquisition of the formerly private transit system; negotiation and drafting of contracts. Mr. Marcello spoke to the Administrative Procedures Study Delegation of the People's Republic of China on "State Administrative Procedure Act Rulemaking." His article, "Administrative Practice Under the 1974 Constitution: A 'Silver Anniversary' Review," appeared in the Louisiana Law Review (2001).

Best Lawyers also recognized Mr. Marcello as a 'Best Lawyer' in Land Use & Zoning. As a member of the Zoning Technical Advisory Committee, he assists with the current revision of New Orleans' Comprehensive Zoning Ordinance. As a legal consultant to Tulane's School of Architecture and New Orleans' City Planning Commission, he prepared a legal analysis of multiple overlapping jurisdictions governing New Orleans' riverfront and suggested several redevelopment strategies. He served as a full-time legal consultant for Curtis & Davis Architects' Planning Department on studies dealing with transportation planning, housing, and neighborhood preservation. Mr. Marcello's accomplishments in historic preservation included drafting landmarks legislation for Louisiana and serving on the Executive Committee of the Preservation Resource Center Board of Directors. He has also spoken at the American Society of Civil Engineers Convention in New Orleans on "Historic Preservation" and before the Joint Preservation Conference of the National Trust for Historic Preservation and Quapaw Quarter Association in Little Rock, Arkansas on "Urban Conservation Zoning." He has spoken on "Public and Private Development" to the American Planning Association and on "The Political and Legal Ramifications of Planning in New Orleans." In 1991-1992, he planned and implemented an interdisciplinary joint degree program in law and urban planning (J.D./M.U.R.P.) for Loyola Law School and the University of New Orleans.

Mr. Marcello has taught legislative process and agency rulemaking at Loyola University and Tulane University Law Schools for more than 25 years. He is the author of "The Ethics and Politics of Legislative Drafting," 70 Tulane Law Review 2437 (1996). He has traveled around the world giving presentations on legislative drafting and law reform methodologies:

David A. Marcello, Of Counsel (cont'd)

- "Legislative Drafting Training Program," Kosovo Justice Support Program, Pristina, Kosovo (2009)
- "Direct Democracy in the United States," European Association of Legislation: 6th Congress, Bern, Switzerland (2004)
- "Legislative Drafting: Training of Trainers," Varna, Bulgaria (2003)
- "Workshop: Legislative Drafting Program," Ulaanbaatar, Mongolia (2002)
- "Alternative Dispute Resolution in the Dominican Republic," Santo Domingo and Santiago, Dominican Republic (2000)
- "Legislative Drafting Seminar," Tbilisi, Georgia (1999)
- "Legislative Drafting Workshop," Chisinau, Moldova (1998)
- "Citizen Participation in Judicial Reform," United States Information Service Conference on Judicial Reform, Santo Domingo, Dominican Republic (1998)
- "Workshop on Legislative Drafting," United States Information Service, Johannesburg, South Africa (1997)
- "U.S. Public Interest Practice and Law Reform Methodologies," Eotvos Lorand University Law School, Budapest, Hungary (1992)

His Pro Bono activities include serving as Program Committee Chair for the Louisiana Appleseed Board and also as a board member for both the Louisiana Children's Museum and Common Cause of Louisiana.

Mr. Marcello received the Louisiana Consumers League Public Interest Advocate Award in 1989, the Louisiana Aging Network's Outstanding Individual Award in 1991, and the Golden Hammer Award for Lifetime Achievement in Housing in 1997. He is a lifelong resident of Louisiana and has lived in the City of New Orleans since 1968.

Classes/Seminars Taught:

- A City Below Sea Level Rises Above: Exploring the Legal Impacts of Katrina Over the Last Decade – Judicial and Administrative Response Panel, "Ethics Reform in New Orleans: Progress—and Problems Ten Years Post-Katrina", Loyola Law Review Symposium, October 16, 2015
- International Workshop sponsored by The Protection Project at The Johns Hopkins University-SAIS, "Legislative Drafting: Legal Aid and Legal Texts" held at the International Institute of Higher Studies in Criminal Sciences, Siracusa, Italy. Gave a presentation regarding "The Language of Legislative Drafting.", December 17, 2014 - December 19, 2014
- "A trip to Hanoi reveals links between New Orleans and Vietnam's capital city," The Times-Picayune, December 4, 2014
- Association of Women Attorneys presentation on "Vietnam: The 'Rule of Law' in a Communist One-Party System.", November 20, 2014 - Present
- Consultation with the USAID-funded Governance for Inclusive Growth Project and meetings with representatives of Hanoi Law University, the Ministry of Justice, and the National Assembly regarding improved legislative drafting skills and practices in Vietnam. Delivered remarks to law faculty and students on "Training Legislative Drafters: The Public Law Center Experience" and made a presentation to Ministry of Justice personnel regarding "Transparency and Economic Progress.", September 6, 2014 - September 20, 2014
- "Fundamentals of Drafting" and "Ethics & Politics of Legislative Drafting, Tennessee Municipal Attorneys Association, Nashville, TN, 2013
- "Sunshine Training: Openness and Accountability in Government", City Council Chamber, New Orleans, LA, 2012
- "New Orleans Satellite Government," Bowers Auditorium, 2011

David A. Marcello, Of Counsel (cont'd)

- "Orleans Parish Elections: Laissez Les Bon Temps Rouler!", League of Women Voters Annual Meeting, New Orleans, LA, 2011
- "Win-Win-Win: Advantages of CBA's for the Community, Developers, Government, and You!" Moderator and Speaker at Symposium on Community Benefit Agreements, Urban Land Institute, The Public Law Center, New Orleans, LA, 2011
- "Expropriation in Louisiana in a Post-Katrina Era," Southern University Law Center Journal of Race, Gender, and Poverty Symposium: "We're Taking Your Property, Expropriation and Property Rights," Baton Rouge, LA, 2011
- "Thinking Globally, Drafting Locally: Plain Language Drafting at Home and Abroad," International Municipal Lawyers Association 75th Annual Conference, New Orleans, LA, 2010
- Housing Recovery in Post-K New Orleans: What Works? What Doesn't?" Panel Presentation, National Conference of State Legislatures Annual Meeting, New Orleans, LA, 2008
- "Ethics and Politics of Legislative Drafting", National Conference of State Legislatures Annual Professional Development Seminar, Burlington, VT, 2004
- "Overview of Charter Reform: New Orleans", Spring Conference on Charter Reform for the Elected Los Angeles Charter Reform Commission, Los Angeles, CA, 1998
- "Ethics Code, Home Rule Charter, and Open Meetings Law", City of New Orleans Orientation for Board and Commission Members, New Orleans, LA, 1996
- "Legislative Drafting Training Program," Kosovo Justice Support Program, Pristina, Kosovo, 2009
- "Direct Democracy in the United States", European Association of Legislation: 6th Congress, Bern, Switzerland, 2004
- "Legislative Drafting: Training of Trainers", Varna, Bulgaria, 2003
- "Workshop: Legislative Drafting Program", Ulaanbaatar, Mongolia, 2002
- "Alternative Dispute Resolution in the Dominican Republic", Santo Domingo and Santiago, Dominican Republic, 2000
- "Legislative Drafting Seminar", Tbilisi, Georgia, 1999
- "Legislative Drafting Workshop", Chisinau, Moldova, 1998
- "Citizen Participation in Judicial Reform", United States Information Service Conference on Judicial Reform, Santo Domingo, Dominican Republic, 1998
- "Workshop on Legislative Drafting", United States Information Service, Johannesburg, South Africa, 1997
- "U.S. Public Interest Practice and Law Reform Methodologies", Eotvos Lorand University Law School, Budapest, Hungary, 1992

Honors and Awards:

- Best Lawyers in America since 2013, with special designations in 2023 or a prior year in Administrative / Regulatory Law, Land Use and Zoning Law, Municipal Law, 2013 - 2023
- Golden Hammer Award for Lifetime Achievement in Housing, 1997 - Present
- Louisiana Aging Network's Outstanding Individual Award, 1991 - Present
- Louisiana Consumers League Public Interest Advocate Award, 1989 - Present

Professional Associations and Memberships:

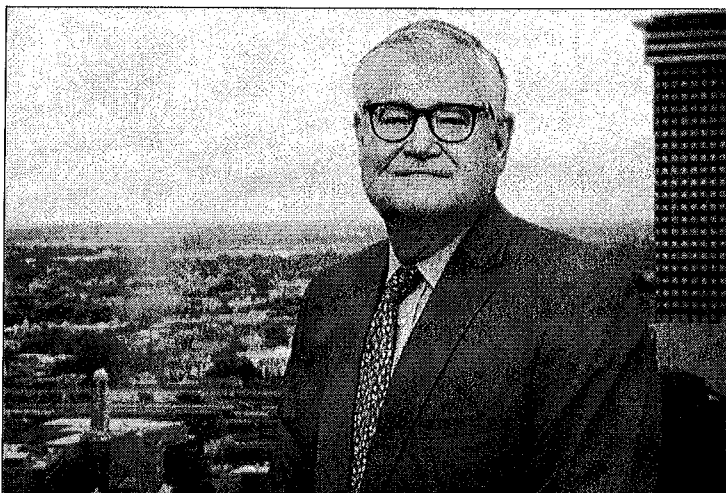
- Louisiana State Bar Association, Alternative Dispute Resolution Section, Access to Justice Committee, Member, 1997 - 1998
- Association for Conflict Resolution, Community, Environmental, and Public Policy Sections, Member
- Common Cause of Louisiana, Board of Directors, 1988 - 1992

David A. Marcello, Of Counsel (cont'd)

- Louisiana Children's Museum, Board of Directors, 1990 - 1996
- New Orleans Charter Revision Advisory Committee, Chair, 1994 - 1995
- City of New Orleans, Legislative Coordinator, 1994
- The Public Law Center, Executive Director, 1987 - Present
- Louisiana Board of Examiners of Certified Shorthand Reporters, General Counsel, 1992 - Present
- Blight Task Force, Co-Chaired, 2010
- Professional Services Subcommittee, Co-Chaired, 2010
- New Orleans Ethics Review Board, Initial Legal Advisor, 2007 - 2009

Past Employment Positions:

- City of New Orleans, Executive Counsel to the Mayor, 1978 - 1980
- Regional Transit Authority, General Counsel, 1980 - 1987



Thomas P. McAlister Of Counsel

AREAS OF PRACTICE

Real Estate Law
Business & Commercial Law
Banking & Finance Law

Mr. McAlister is an AV rated commercial real estate attorney with over 40 years' experience in all aspects of commercial real estate development and finance, specializing in shopping center and mixed-use development and retail/restaurant tenant representation on a nationwide basis. He has worked extensively on multi-unit retail and restaurant expansion roll outs and acquisitions. In addition to his private practice representing numerous local and national commercial real estate development companies and retail and restaurant tenants in all aspects of finance, development, leasing and land use, Mr. McAlister served as General Counsel for over 10 years for a national retail shopping center development company supervising acquisition, development, sale, finance and leasing of millions of square feet of retail shopping center space throughout the country.

Representative Clients:

- Realm Realty Company
- Cracker Barrel Old Country Store, Inc.
- Academy Sports & Outdoors
- Tovia Capital, L.L.C."

References:

- Jeffrey L. Moore, CEO, Realm Realty Company
- Jessica Garner, Corporate Counsel, Cracker Barrel Old Country Store, Inc.
- Jennifer Clark, Corporate Counsel, Academy Sports & Outdoors
- Quan Rees, Managing Partner, Tovia Capital, L.L.C.

Past Positions:

- Realm Realty Company, General Counsel, 2005-2016
- Sher Garner Cahill Richter Klein McAlister & Hilbert, L.L.C., 1999-2004
- McGlinchey Stafford, PLLC, Member, 1990-1999
- McGlinchey Stafford, PLLC, Associate, 1986-1990
- Hutcheson & Grundy, Associate, 1983-1986

BAR ADMISSIONS

Texas, 1983
Louisiana, 1986

EDUCATION

University of Houston Law
Center, Houston, Texas
J.D. 1983
Honors: *cum laude*

Rice University, Houston
B.A. 1980
Major: Political Science

CONTACT

tmcalister@shergarner.com
504.299.2147 (office)
504.299.2347 (fax)

Professional Associations:

- Board Member, Zoning Adjustments Jefferson Parish
- Board Member, New Orleans Rotary Club
- International Council of Shopping Centers, Associate Member, 1988 to 2017