

# BAKER DONELSON

## WOMEN'S INITIATIVE

### STRIVE



Issue 1, 2020

This is an advertisement.

**A**s we were finalizing this issue of *Strive*, Supreme Court Justice Ruth Bader Ginsburg passed away on September 18, 2020. With immeasurable sadness, we acknowledge her resounding contributions, her dedication, her example and her legacy. We will celebrate Justice Ginsburg's life in the upcoming issue of *Strive*.

## A CONVERSATION BETWEEN OUR EDITORS: PANDEMIC PARTNERS TO RELY UPON



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We have all been facing historically unprecedented times as so many challenges and pressures have converged in 2020. Everyone has been impacted in some manner and one thing that everyone has struggled with is how to remain positive when stretched and tested. The theme of this special issue of *Strive* is "Breathe." The simple act of breathing has become so much more meaningful as we confront COVID-19 and various issues of social injustice such as the deaths of George Floyd, Ahmaud Arbery, Breonna Taylor and countless others.

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## A CONVERSATION BETWEEN OUR EDITORS, *CONTINUED*

As working mothers, we understand that delicate balance between our legal practices and caring for our families. During these tumultuous and sometimes scary times, there are additional challenges, stressors and tough decisions that must be made almost daily. Do we send our kids back to school? Should we let them do after school activities or spend time with their friends? How do we talk to them about difficult topics like racism, political division and other issues facing our country today? One thing we have found that has helped tremendously is talking to each other and to other parents about these hard decisions and conversations with our kids. We both have eleven-year-olds – Kristine has a son, Sebastian, and Dena has a daughter, Jenna. Kristine also has an eight-year-old, Olivia. We thought we would share one of our conversations that we have had recently as our children have returned to school. We encourage everyone to find a “pandemic partner” upon whom you can rely and into whom you can pour so that you can breathe more easily during these stressful times.

**Kristine:** Sebastian and Olivia are so excited about this year for sixth and second grades, but COVID-19 has demanded difficult decisions. Our children’s school gave us the choice of whether to attend in-person or virtually, with the option to switch to either format with one-weeks’ notice to administrators. We have started the schoolyear with virtual learning, and will closely monitor COVID-19-related developments. I realize how fortunate we are to even have options. At the same time, though, this decision has given me some angst and we debated the topic quite a bit as we approached the time for final decisions. In speaking with others, I have seen that there is no blueprint, no one size fits all, and the final choices can be deeply personal. I know that your daughter, Jenna, has started school and is also in the sixth grade this year. How has the school year kicked off for her?

**Dena:** She is so happy to be back and is doing great. We had the same choice for Jenna, but for us, we didn’t struggle with the decision to send her back to campus. As an only child, we saw the impact of her being isolated and felt that she did not do as well academically with virtual learning. Our normally happy child was much more somber, and she didn’t enjoy school like she normally does. Once we saw the efforts the school was making, particularly with small classes that stay together all day, we felt sending her to campus was the right decision for our family. She missed her friends and school so much.

**Kristine:** Sebastian and Olivia have also been missing the in-person interaction with friends, classmates and teachers. We have concerns about the effects of protracted online learning on them. But, we are also concerned about the unknown aspects of COVID-19, as scientists and health professionals report on the concrete facts about the disease process, but also acknowledge the varied impact across populations with respect to symptoms and outlier cases with “unexpected” results. We are simply uncomfortable with the unknown.

**Dena:** I completely understand that. Although we were very confident in our decision, I cried when Jenna walked into middle school on the first day. I would normally walk her in and watching her walk in with a mask brought up all kinds of fears in me. I think parents always have the “first day fears” but that, coupled with the question of whether I was sending my child into something unsafe, was even more daunting and overwhelming.

**Kristine:** Of course, having Sebastian and Olivia at home takes a significant toll on us as we manage coordinating daily schedules and carve out parts of our workdays to instruct and academically support them, particularly Olivia who is only eight. Our children’s school has put much time and effort into planning and implementing procedures to ensure a safe environment. We are hopeful that, in time, our children will be back at school.

**Dena:** I worry sometimes about what Jenna is facing as an eleven-year-old. I want her to understand what is happening in the world, but also want her to still be a carefree kid. It is a delicate balance, particularly given recent conversations we have had about the protests, racism and antisemitism.

**Kristine:** Our interactions with our children over the course of these months have been complicated as we determine the best ways to frame and discuss the race issues that are unfolding. My mother immigrated from Guyana, South America in the mid-1960s and my father immigrated from Grenada in the late-1960s. My husband is Korean, and he immigrated to Northern Virginia in 1981 when he was six years old. We have always told our children to be proud of their rich, diverse heritage.

## A CONVERSATION BETWEEN OUR EDITORS, *CONTINUED*

**Dena:** What do you say to them about recent events in this country?

**Kristine:** It has been challenging. My children are half Black and half Korean. So, we have had to witness and address with our children some of the prejudiced sentiments directed against Asians recently in the wake of COVID-19. We have also had to confront with them the past and ongoing realities of the Black experience in this country. As a mother who has experienced racism, observed racism and witnessed its demoralizing effects, these recent events have uncovered old wounds and forced me to have difficult conversations with my children.

**Dena:** Can you tell me about those talks?

**Kristine:** Difficult. As parents, we want our children to be prepared, and to that end, we always strive to provide a genuine and honest picture. At the same time, we recognize their innocence and have a natural longing to shield them from things that are graphic and can profoundly impact their understanding of the world and their place in it. In our interactions with our children each day, we are reminded that prejudice is taught and learned. As we explain the current state of affairs, our children look at us with disbelief and often raise the question, “How can this be?” But we are hopeful as we feel the constructive energy that surrounds the current discussions in our society. We are hopeful about the upcoming generations when we observe our children’s confusion. We are hopeful when we hear the incredulity in our children’s voices. We are hopeful that the trajectory can change for the better. How have you been talking with Jenna in today’s climate?

**Dena:** It has been difficult finding the right thing to say and the right way to say it. I read, listen and watch a lot. Jenna does not understand how anyone can hate, period, let alone hate someone they do not personally know. It breaks my heart that I have to explain that type of hatred and bigotry to her, but she is old enough now to have some frank conversations. I read her *Ruby Bridges Goes to School* when she was little, and we recently watched the “Time 100” interview with Ruby Bridges during which she discussed the recent protests and the “clean hearts” of children. Jenna said to me, “It is so sad that she is grown up now but still has to see people being racist.” We also talk a lot about standing up for what is right and just. Last year, she learned about the Holocaust for the first time and we have discussed the dramatic rise in antisemitism in the U.S. We are a Jewish/Catholic family and she was frightened when we discussed this again, because she simply cannot understand that type of bigotry and intolerance.

**Kristine:** One thing that gives me hope is what Ruby Bridges recognized about children having “clean hearts.” She is right and we are seeing that in the responses of our own children.

**Dena:** I feel we are all being tested as human beings and as parents. We are all afraid of making a wrong step. But it helps to be able to talk about it with each other.

**Kristine:** I too am glad that we have each other to lean on.



## DIVERSITY IN LEADERSHIP – A CALL FOR HEROES TO TURN WORDS INTO ACTION



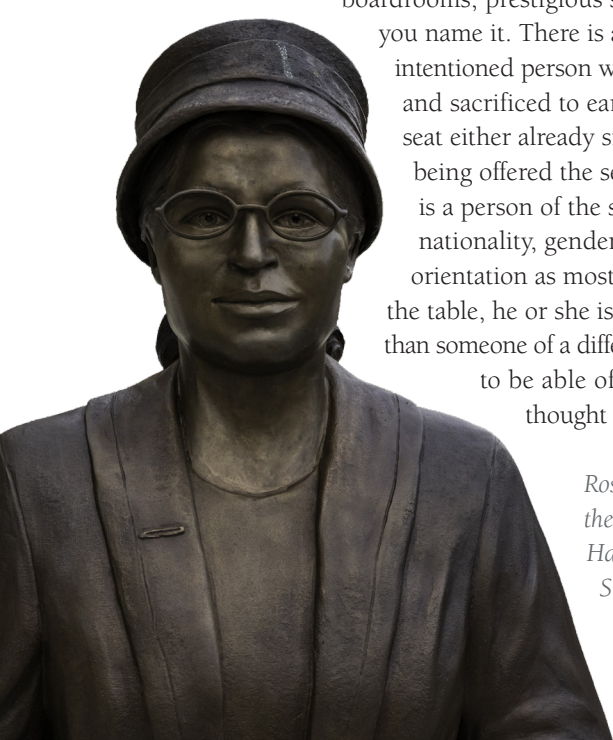
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Think how history could have been changed if just one person on the bus with a seat had stood for Rosa Parks and with a joyful smile, patted the bus seat where that passenger had been sitting and said, “You can have this spot right here, Ms. Parks. You can have my seat.” Imagine that the brave soul who took that action had also worked a 12-hour day, sacrificed for her family, paid for her bus ticket and wanted that seat very much. Consider that both Ms. Parks and the person willing to offer her seat were both deserving of the seat, but a rule fueled by hate allowed Ms. Parks a seat only if someone white did not want it. The fact is, life often presents a limited number of highly desired seats. Bus driver James Blake said, “She was in violation of city codes. What was I supposed to do? That damn bus was full and she wouldn’t move back.” And, that is almost always the case, the important seats are not sitting empty. Ms. Parks is a hero who was part of a carefully and beautifully orchestrated movement to change discriminatory laws that sparked progress in the Civil Rights movement. So, although imperfect, I love this analogy because it is both literal and metaphorical.

Extrapolate this with me to the seats at tables where important decisions are made or groups of people can be influenced – c-suites, boardrooms, prestigious speaker panels, you name it. There is a qualified, well-intentioned person who worked hard and sacrificed to earn that coveted seat either already sitting there or being offered the seat. But, if that is a person of the same race, nationality, gender and sexual orientation as most of the others at the table, he or she is much less likely than someone of a different background to be able offer diversity of thought to the discussion.



*Rosa Parks’ statue in the National Statuary Hall of the United States Capitol.*

That diversity, so necessary for organizations to thrive, does not exist at most important tables. Most accept that diversity of thought at these tables gives us more successful outcomes. Many have found the courage to speak up, yet, the complexity of the problem leaves us paralyzed as to what action to take to effectuate change. I am a trial attorney and often espouse, “Good attorneys take complex issues and give complex answers, excellent attorneys understand complex issues and give simple answers.” Understanding the reasons why entire groups of people have not been offered seats at society’s most important tables is complex, as is the path to complete diversity of thought at those tables. However, as part of the complex puzzle, I suggest that we consider one simple, selfless, actionable step toward change.

Let’s grossly simplify into three categories of leaders with an opportunity to create diversity at the table: 1) Deciders: those who decide who has a seat at the table; 2) Leaders with a seat: those who have, or have been offered, a seat at the table; and 3) Leaders without a seat: leaders who have not be offered a seat at the table. I’ve spent the better part of my career thinking about why diversity in leadership is critical for organizations and societies to thrive. Yet, I’ve focused all of my time on only two of the three categories of leaders: deciders and leaders without a seat. Most people who are paying attention know that educating and sensitizing the deciders is critical. Likewise, even those not paying close attention know that empowering leaders without a seat who are striving to get there is fundamental to diversity. But, for purposes of taking one actionable step forward, let’s consider how those who are not deciders, but are leaders with a seat at the table, have power to influence diversity at the table.

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## DIVERSITY IN LEADERSHIP, *CONTINUED*

I saw a simple, 125-character Tweet from the head librarian for a prestigious university who turned down a spot to speak on a national panel because his acceptance would have made the panel all male. He accompanied his declination with a simple request to the decider to offer his spot to a woman. In our over-simplified equation, this is a leader with an offered seat at the table requesting that the decider offer that seat to a leader without a seat at the table in order to achieve diversity of thought. This selfless act of giving up something that would have been valuable to his own career was not mainly motivated to help a leader without a seat at the table, in this case a woman, but to make the group better by adding a diverse viewpoint, thereby facilitating a richer discussion. This leader's simple but profound action spurred me to consider how much more progress we could make if those with a seat, but who are not deciders, made the choice not only to speak up, but also to step aside.

Our great country was built on self-sacrifice and that has never been truer than this time in history. I was raised on the truth that we reap what we sow and that has proven true in countless situations, both hard lessons learned and sweet victories won. I hope that those willing to turn impassioned words demanding equality into action will consider planting a seed of offering their seat to someone who will enrich the larger group with a diverse perspective. Experience tells me that both the sacrificial leader, the larger group, and our society will reap the satisfying benefits.

What if every non-diverse board member, panelist, c-suite executive and leader with a seat at the table said, "Thank you for offering me this opportunity, but I see that the majority of this group is made up of others who look a lot like me. I care deeply about this organization and its success, and diversity will make us better, so please offer my seat to a diverse leader without a seat at the table." That sounds a lot like a person who cares deeply about a complex problem taking impassioned words and turning them into simple, self-sacrificial action for the success of the whole. That sounds a lot like a hero.

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## SEVEN QUESTIONS WITH LONNIE BUNCH

THE 14TH SECRETARY OF THE SMITHSONIAN INSTITUTION AND FORMER DIRECTOR OF THE SMITHSONIAN'S NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE

Interviewed by



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[Lonnie G. Bunch III](#) is the 14th Secretary of the Smithsonian Institution and the former Director of the Smithsonian's National Museum of African American History and Culture. No stranger to the Smithsonian, having spent a collective 27 years, Secretary Bunch had spent time at the American History Museum and, of course, most notably as the

founding director of the Smithsonian's National Museum of African American History and Culture (NMAAHC). It is his experience building the latest jewel in the crown of the Smithsonian that we spoke about.

### **1. When you began as the Director of NMAAHC, what was to be the 19th Smithsonian museum, you had one staff member, no collections, no funding and no site for the museum. How did you transform your vision into a reality?**

The biggest challenge was making the museum a reality. The challenge, and the one that seemed insurmountable, was finding the artifacts that would tell the stories we had in mind while at the same time hiring curators and raising funds for the design and construction. I like to say we were a museum long before we opened our doors in September 2016. During those years, we had public programs around the country, published two books and presented a series of exhibitions in our sister museum, the National Museum of American History.

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## SEVEN QUESTIONS WITH LONNIE BUNCH, *CONTINUED*

### **2. You have cited your optimism as a driving force that fueled your leadership in completing the NMAAHC. How can Americans keep optimistic regarding racial equality?**

Today, one cannot help but reflect on the history of race relations in this country. How far we have come and how far we have yet to go.

My family has sustained me over the years, both as a child and a husband and father in believing progress was possible. I have always believed the fundamentals in America: the rule of law, democratic institutions and freedom of the individual. Frankly, given my upbringing, I never understood that I couldn't achieve my goals. I guess I was just not smart enough to know I can't.

### **3. What can we learn from the history of the African American story that informs us on how we can best respond to the seemingly insurmountable problems we face today as a country?**

There is nothing insurmountable in my view. We have, as a country, the ability to dream of a world that has addressed the many issues confronting us. We have a vision, we have hope. But it is not enough to dream. We must act. Civic engagement. Proposing and acting on real solutions is critical.

### **4. What single exhibit in NMAAHC most inspires you and why?**

Emmett Tills' casket. There is of course the tragic story of this young man's death in 1955. His torture and mutilation. His murder became a rallying point for the civil rights movement at that time. But it is the story of his mother's efforts at the time and over the years that deserves our attention. In the midst of the horrific loss of her child, she fought to expose to the world the barbaric act committed against her son. She demanded the body of her son be returned to her in Chicago and asked for an open casket so all could see. She never stopped fighting for justice for her son, but when asked years later stated, "I have not spent one minute hating."

### **5. What was the largest obstacle you faced in taking the NMAAHC from an idea to a reality and how did you overcome it?**

Convincing people that the museum was more than a dream. The ability, early on, to secure crucial financial support. When Boeing committed \$5 million early on, people began to see a future for our vision.

We also needed a team. I began with one staff person, no building and no collections. I had my colleagues at the Smithsonian to call upon for the use of their facilities and collections to begin to tell our story.

### **6. You assumed the position of Secretary of the Smithsonian in 2019 and in that role oversee 19 museums, 21 libraries, the National Zoo and numerous research centers and education units. Did race play a role in your ability to advance and, if so, how did you address that?**

Yes, it certainly played a role. Being Black helped me gain allies and provided an opportunity for the Smithsonian. But was it a "diversity" choice? No. The fact that I am an insider, that I had successfully navigated the Smithsonian over a long period of time, was a critical factor. I also had a keen appreciation of the variety of expertise and knowledge within the institution and the challenges faced by the administrative and curatorial staff. The greatest challenge for anyone is to know the place.

### **7. What advice would you give to Americans who are horrified by the death of George Floyd and are asking what they can do to help foster racial equality?**

The death of George Floyd was clearly a tipping point. Social media has effectively kept the world informed and helped activate communities across the globe. How we respond in each of our communities, how we engage with each other and continue the conversations is critical. History has shown us that we can become a better society – but only if we collectively demand it from each other and from the institutions responsible for administering justice. We all have a role to play.

*Sheila P. Burke is a senior advisor and the chair of Baker Donelson's Government Relations and Public Policy Group, and previously served as Chief of Staff to Senate Majority Leader Bob Dole. Prior to joining the Firm, she served as the deputy secretary and chief operating officer of the Smithsonian Institution, the world's largest museum and research complex, where was responsible for the overall operations of the 19 individual museums and galleries, the National Zoo and nine research facilities located in Washington, D.C., five states and 150 foreign countries with revenues of approximately \$1 billion and an endowment of \$1 billion. During her seven-year tenure at the Smithsonian, she oversaw the completion of the National Air and Space Museum's Udvar-Hazy Center, the National Museum of the American Indian, the renovation of the Smithsonian's Reynolds Center for Art and Portraiture, and was involved with Mr. Bunch in the initial planning for the National Museum of African American History and Culture.*

## BAKER'S DOZEN: HOW DO YOU TAKE A BREATH?

For this issue's Baker's Dozen, we asked our attorneys, "What do you do to decompress or 'breathe' during this difficult time?"



**1.** I do a few things to breathe these days:

- Spend as much time as possible with my family doing the things we enjoy (cooking great meals, playing UNO cards, movie nights and eating a bunch of good deserts... We make a lot of "quarantine pies");
- Focus on the positive as much as possible, which also means engaging in candid conversations about what's currently happening in our nation (specifically, with Black men); and
- Set aside a few hours each week for "self-care" (reading my Bible, prayer, meditation time, hair and nails, catching up with girlfriends who are in my pandemic bubble). Also, it's my youngest daughter's senior year in high school, so I try to spend as much mommy-daughter time with her as possible – which is always based on her schedule.

– [Carmalita "CC" Carletos-Drayton](#), Shareholder, Memphis



**2.** I tend to disconnect and decompress listening to music. I pick a favorite (or new) artist, get someplace comfortable and escape in music. Some recent "breathes" over the COVID months have been Kacey Musgraves, Tom Petty, Stevie Wonder, The Roots, Bob Dylan, Janelle Monae, Robinella, Chris Stapleton and George Michael.

– [Timothy M. Lupinacci](#), Chairman and CEO, Birmingham



**3.** Like many others, my husband and I have taken up bike-riding. We take short rides during the week and longer rides on the weekends, traveling to nearby towns to enjoy their bike trails. Disconnecting from our phones, enjoying the great outdoors and sightseeing, all at the same time!

– [Phyllis G. Cancienne](#), Shareholder, Baton Rouge



**4.** Long family walks with our dog on nearby trails. It's a great time for our family to talk about any and everything and to reflect and walk in silence for periods.

– [Kristine E. Nelson](#), Of Counsel, Memphis



**5.** I head to the mountains – to just be inside four different walls and breathe some really fresh, crisp air. Luckily, I only live an hour away, so it's a quick, easy but awesome escape.

– [Jennifer P. Keller](#), President and COO, Johnson City



**6.** I turn off my phone and computer and escape reality with a night of uninterrupted TV binging. Pretty much any new show that comes out on Netflix, Hulu, Prime, Apple TV, etc. And then there are my go-to repeats, like Friends, The Office, Schitt's Creek, Unbreakable Kimmy Schmidt, and, newly added to the rotation, The Baby-Sitters Club!

– [Mary Wu Tullis](#), Shareholder, Memphis



**7.** After years of putting off regular exercise, I've started to exercise almost every day. One of the few things in my control during this time is my baseline health, and I need to be as healthy as possible because COVID can do a real number on folks who suffer from heart disease, diabetes, or obesity. The best therapy for me is to do something! I have devoted more than 150 hours to pro bono services this year to help support a high-quality daycare center in downtown Memphis survive during a pandemic. Leading up to the election, I will volunteer for "get out the vote" projects.

– [Kavita Goswamy Shelat](#), Associate, Memphis

## BAKER'S DOZEN, CONTINUED



**8.** At the beginning, I read a lot of books, walked my dogs and exercised. When the English Premier League returned, my wife and I watched a lot of games. We are Liverpool fans and we are excited the season just began on September 12. It is a welcome distraction.

– [Mark A. Baugh](#), Shareholder, Nashville



**9.** Weekend naps. I'm following the advice of one of my all-time favorite T-shirt quotes: "This nap is not going to take itself."

– [Russell W. Gray](#), Shareholder, Chattanooga



**10.** I have been organizing everything. I have followed the Nashville-based organizers, [The Home Edit](#), for years but now they have a Netflix show and it has motivated me to purge, organize and label everything.

– [Dena Sokolow](#), Shareholder, Tallahassee



**11.** Walk the beagles, or GLITTER...I glitter the specialty throws of my Mardi Gras krewe I ride in – sunglasses for the Krewe of Iris and cocktail glasses for the Krewe of Cleopatra.

– [Paula Estrada de Martin Ph.D.](#), Shareholder, New Orleans



**12.** My most fun decompression exercise this year was somewhat accidental. My wife and I have an eleven-month-old, so we don't do much, and we couldn't take an anniversary trip. However, we stumbled upon something we're going to try to do more often. On our anniversary, we stopped working mid-morning during the hours that we have our babysitter at the house. We took most of the day to sit on patio, go pick up food and have a relaxing meal. On Labor Day, our babysitter came by for a few hours, and we did the same thing. We're going to pick one or two days each month in an attempt to do this on a consistent basis.

– [Jimmie B. Strong](#), Associate, Nashville



**13.** I find time to exercise either by running or playing tennis. These are great activities for me to clear my head and not worry about the stress of work, handling distance learning for our eleven-year-old, taking care of a one-year-old, and maintaining a household while my husband is going back to school.

– [Juan Hernandez](#), Attorney, Jackson

## BAKERCARES CARD DRIVE: SHOWING GRATITUDE AND LIFTING SPIRITS



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During the pandemic we have seen the worst – confusion, pain, illness, divisiveness – but this global crisis has also brought out the very best in people too. This was evidenced at Baker Donelson through our BakerCares Card Drive. In March of this year, just as the country was shutting down, the Baker Donelson Women's Initiative reached out to several of our long term care clients, asking if there was something we could do to help as their residents were isolated from family friends, and their employees were working around the clock to ensure the safety and health of residents. And, the card drive was born.

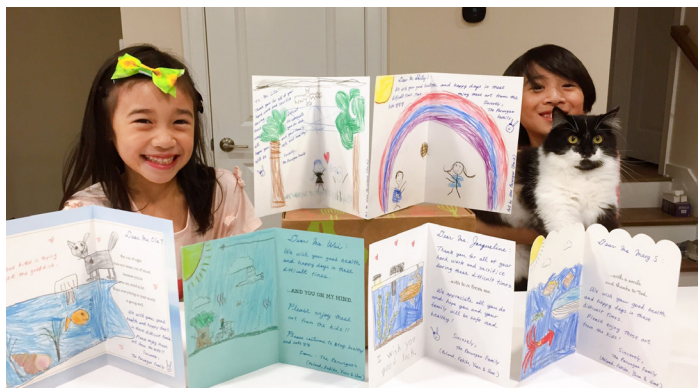


Courtesy: [Daisy C. F. Karlson](#), Associate, Birmingham



## BAKERCARES CARD DRIVE, CONTINUED

Over the course of one month, our people created and mailed more than 2,000 cards to lonely residents and hard-working employees of facilities across the Southeast. The response was overwhelming – we received words of appreciation from several recipients, noting that particularly for some residents, this was their only touchpoint from the outside world. But the ones who benefitted most may have been our very own employees, with many involving their children and grandchildren in the fun!



Fukiko Parungao, a legal secretary in our Atlanta office, says her family enjoyed decorating and sending the cards, calling the chance to give back a “wonderful opportunity.”



The “big kids” also got in on the fun. Christy Tosh Crider, a Nashville-based shareholder, and her then high-school senior, Lydia, created dozens of handmade cards.



Kelly Manry, a legal secretary in our Atlanta office, partnered with her daughter Maci, a student at Auburn University, for the card-writing project. Kelly said it was a great way to pass the time as Maci adjusted to virtual classes due to the pandemic.

This was not just a project for the little ones. Our employees dusted off their crayons, markers and graphic design skills to create joy for these residents and their caregivers. New Orleans secretary Kathleen Miller may have set a record for the number of original cards she created and sent, like this one she sent to a caregiver in a Kentucky center. It was a pleasure to be a small light for these residents and caregivers during what was likely a very dark time for many.

## WOMEN IN THE NEWS

### Baker Donelson Joins Law Firm Antiracism Alliance

Baker Donelson has joined the Law Firm Antiracism Alliance (LFAA). This recently formed coalition of more than 200 of the nation's leading law firms is focused on utilizing private bar resources to assist legal services organizations in furtherance of their missions to dismantle barriers to opportunity in communities of color.

In response to a national call to support Black lives and advance race equity, the Shriver Center's Racial Justice Institute formed a partnership with the Association of Pro Bono Counsel to launch the LFAA. The LFAA's stated purpose is to "leverage the resources of the private bar in partnership with legal services organizations to amplify the voices of communities and individuals oppressed by racism, to better use the law as a vehicle for change that benefits communities of color and to promote racial equity in the law."



[Mark A. Baugh](#), chair of Baker Donelson's Diversity Committee, said, "Events of the last few months have laid bare the numerous long-standing inequities and challenges that continue to face Black Americans and other people of color in our country. As members of the legal profession, we are uniquely positioned to play not just an active but a leading role in bringing an end to the structural and systemic racism in our legal system. Being a part of the LFAA is just one of the ways in which Baker Donelson has committed to effecting change in our communities and to ensuring equality before the law."



As an LFAA member firm, Baker Donelson will dedicate substantial pro bono resources to initiatives that address systemic racism. The Firm's Pro Bono Shareholder [Samuel T. Bowman](#) said, "In joining the LFAA, our goal is to bring the strength of Baker Donelson's culture of pro bono service to partner with legal services organizations across the country on pro bono projects that are designed to bring about real and lasting change. We're extremely proud to be a part of this effort to protect and expand human rights and advance social justice for all."

In addition to committing pro bono resources, LFAA member law firms acknowledge their ongoing responsibility to increase diversity, equitable access to opportunities and inclusion of people of color within their ranks and, in tandem with the LFAA's pro bono efforts, the leaders of the LFAA law firms are committed to examining and eliminating internal policies and practices that may perpetuate racial inequities within law firm structures. More information about the LFAA is available [here](#).

### Baker Donelson Achieves Mansfield Certification Status

Baker Donelson has achieved [Mansfield Certification status](#), after completing a 12-month certification program. The Mansfield Rule Certification measures whether law firms have affirmatively considered women, attorneys of color, LGBTQ+ attorneys, and attorneys with disabilities – at least 30 percent of the candidate pool – for recruitment, governance roles, equity partner promotions, and inclusion in formal pitch presentations to clients. The goal of the Mansfield Rule, which was developed by [Diversity Lab](#), is to boost diversity among law firm leadership by broadening the pool of candidates considered for these roles and opportunities.

Since adopting the Mansfield Rule more than a year ago, Baker Donelson established an internal Mansfield Team that built an infrastructure to gather data, collected the necessary information and worked toward certification. In addition to verifying and committing to at least a 30 percent diversity threshold in client presentations, the Firm implemented job descriptions for senior leaders that include diversity and inclusion accountability metrics, and reviewed and updated recruitment processes to ensure representative candidate pools are considered.



**Mansfield Rule**<sup>TM</sup>  
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## WOMEN IN THE NEWS, CONTINUED

### Baker Donelson Named “Best Law Firms for Women”

Baker Donelson has been named by *Working Mother* to its 13th annual “Best Law Firms for Women” list. This is the fourth consecutive year the Firm has been included in this prominent list, which recognizes firms that utilize best practices in recruiting, retaining, promoting and developing women lawyers.

The [2020 Working Mother “Best Law Firms for Women” list](#) highlights law firms that averaged 23 percent women among new equity partners, compared with only 20 percent five years ago. Multicultural women make up 14 percent of equity partners, compared with 11 percent five years ago. These firms additionally offer more extended parental leave benefits and encourage more lawyers to work remotely and use flexible hours.

Through its [Women’s Initiative](#), Baker Donelson has implemented numerous key initiatives designed to create an environment where female attorneys thrive, including an industry-leading parental leave policy, a Firm-wide mentoring program for women, a program that awards business development grants to women attorneys, and a training program designed to help women attorneys achieve equity shareholder status.



Law firms on this year’s list were better prepared to respond to the effects of the pandemic because of their continued support of flextime and remote work for working parents and caregivers. We are proud to recognize their resilience and steadfast commitment to supporting gender equality.

**Subha V. Barry**  
*president of Working Mother Media*



### Baker Donelson Named Gold Standard Firm by Women in Law Empowerment Forum



For the sixth consecutive year, Baker Donelson has been certified by the Women in Law Empowerment Forum (WILEF) as a Gold Standard Firm. WILEF grants Gold Standard status to firms that meet objective criteria concerning the number of women among equity partners, in firm leadership positions and in the ranks of their most highly compensated partners. Baker Donelson was among 48 U.S. law firms to earn this certification.

Criteria that are considered for WILEF Gold Standard Certification include the number of women attorneys who are equity partners; who serve as heads of the firm, its offices and practice groups or departments; who serve on the firm’s primary governance committee; and who serve on the firm’s compensation committee. To earn certification, firms must meet both a mandatory criterion regarding the percentage of women equity partners and at least three of five additional criteria related to women in various areas of leadership, compensation and minority/LGBT representation.

### All Female Baker Donelson Team Files Amicus Brief in Lawsuit Seeking Ratification of the Equal Rights Amendment

On June 29, [the United States Conference of Mayors](#), along with organizations in South Carolina, Georgia and Louisiana devoted to their states’ ratification of the Equal Rights Amendment, filed an [amicus brief](#) in support of Virginia, Illinois and Nevada in their [lawsuit](#) demanding the federal government add the ERA as the 28th Amendment to the U.S. Constitution.



Represented by Gainesville, Fla.-based [Southern Legal Counsel](#) and the Baker Donelson team of [Elizabeth J. Cappiello](#), [Sharonda Childs Fancher](#), [Xeris Gregory](#), [Madeline Hughes](#), [Jade E. Sipes](#) and [Jessica B. Spade](#), the organizations, which include Equal Means ERA, 38 Agree for Georgia and [LARatifyERA](#), address in their brief the policy implications and outcomes of ratifying or refusing to ratify the ERA.

*continued*

## WOMEN IN THE NEWS, CONTINUED

In January, Virginia became the 38th state to ratify the Equal Rights Amendment, which was authored by suffragist and women's rights activist Alice Paul in 1923 and passed by Congress in 1972 but has yet to become part of the U.S. Constitution. According to Article V of the Constitution, a proposed amendment becomes part of the Constitution as soon as it is ratified by three-fourths of the States, or 38 of the 50 states.

However, the United States is challenging the ERA's validity on the basis that Congress had originally set a ratification deadline of March 22, 1979, for the state legislatures to consider the ERA, and five states rescinded their ratifications in the 1970s.

Virginia, Illinois and Nevada, the three most recent states to ratify the ERA, are all suing the Archivist of the United States, who is responsible for keeping track of constitutional amendments, and has moved to dismiss the states' lawsuit seeking the ratification of the ERA. The U.S. Conference of Mayors and the other three organizations present arguments in their amicus curiae – a brief offered by someone who is not party to a case – that provide context and support for the plaintiff's arguments.

Among the points raised are that ratification of the ERA would: put the United States in the company of all other industrialized nations in guaranteeing equality for women; lead to sex discrimination claims being subjected to a strict scrutiny analysis by courts along with race, religion and national origin; and provide uniform protections from sex-based discrimination across the United States for the first time in history.

The brief cites pay discrimination based on gender as an example. In spite of the passage of the Equal Pay Act of 1963, employers can still pay men more than women based on factors including salary history “even if those factors are ultimately based on sex” because of a history of pay inequity.

“The citizens of the United States have spoken and affirmatively say that they do not want to be an international outlier. Even North Korea's Constitution provides that “Women are accorded equal social status and rights with men,” the brief argues. “The U.S. Archivist should add the ERA to the Constitution so that the expressed principle of the American people will be institutionalized.”

Funding for Southern Legal Counsel's work on behalf of the organizations filing the amicus brief was provided by Winsome McIntosh, president of the McIntosh Foundation.

### ADL Recognizes Linda A. Klein with 2020 Elbert P. Tuttle Jurisprudence Award



[Linda A. Klein](#), senior managing shareholder at Baker Donelson and past president of the American Bar Association (ABA), has been recognized by the Anti-Defamation League (ADL) Southeast Region with its 2020 Elbert P. Tuttle Jurisprudence Award. Ms. Klein was among the distinguished honorees recognized by the ADL as part of its 23rd Annual Jurisprudence Awards. The Tuttle Award is given each year to a lawyer who best exemplifies ADL's mission “to secure justice and fair treatment for all.” In addition to Ms. Klein, the ADL honored the late Congressman John Lewis with its Lifetime Achievement Award and Daniel Huynh of Morris, Manning and Martin LLP with the Emerging Leader Award. The honorees were recognized on August 6, during a special edition of the ADL's Speaking Out in the South webinar series, “An Afternoon of Good Trouble.” The webinar featured a panel discussion with Ms. Klein and Mr. Huynh on access to justice and diversity that was moderated by former Georgia Supreme Court Chief Justice Carol Hunstein. A recording of the webinar is available online [here](#).



We are honored to bestow the Tuttle Award on Linda Klein, who has been a fierce advocate for justice and civic engagement. Her career exemplifies the values that Judge Tuttle personified – public service, promotion of fundamental civil and human rights for all and pursuit of law for a higher purpose.

**Robin Sangston**

*event co-chair of Cox Communications*



## WOMEN IN THE NEWS, CONTINUED

Ms. Klein, who is resident in Baker Donelson’s Atlanta office, focuses her practice on most types of business dispute prevention and resolution, internal investigations, contract law, professional liability, and risk and crisis management. She has worked extensively with clients in the construction, higher education and pharmaceutical industries.

In addition to her role as past president of the ABA, the world’s largest voluntary professional association, Ms. Klein previously served as chair of the ABA’s House of Delegates, the association’s policymaking body. She has also served as chair of the Tort Trial and Insurance Practice Section, chair of the Committee on Rules and Calendar of the House of Delegates, chair of the Coalition for Justice, and chair of ABA Day, the Association’s Congressional outreach effort.

The first woman president of the State Bar of Georgia, Ms. Klein received the State Bar’s highest honor, the Distinguished Service Award in 2015, and in 2011 was recognized with the State Bar’s Chief Justice Thomas O. Marshall Professionalism Award. She was recognized with the first Lifetime Achievement Award from *The Daily Report* in 2015, and was named a “Champion for Justice” by the Georgia Legal Services Program in 2013. In 2018, she was chosen “Attorney of the Year” by the Daily Report. In 2004, the American Bar Association honored Ms. Klein with the prestigious Margaret Brent Achievement Award.

Ms. Klein has delivered the commencement addresses at Atlanta’s John Marshall Law School, Georgia State University College of Law, Cleveland-Marshall College of Law, Pepperdine University School of Law, and Washington and Lee University School of Law, her alma mater. She holds honorary Doctorate of Laws degrees from Atlanta’s John Marshall Law School, Cleveland-Marshall College of Law and Pepperdine University School of Law.

Ms. Klein was appointed by President Jimmy Carter to The Carter Center Board of Councilors for the 2019 – 2022 term. She currently serves on the Board of Directors of the Metro Atlanta Chamber of Commerce, executive committee of the Buckhead Coalition, and on the advisory board of *Super Lawyers*. Ms. Klein is a past president of Southface Energy Institute, the Board of Directors’ Network, the Caucus of State Bars, and past chair of both the Institute for Continuing Legal Education in Georgia and the Lawyers Foundation of Georgia. She also served a six-year term on Baker Donelson’s Board of Directors.

### Baker Donelson Recognizes Tonya Mitchem Grindon for Commitment to Women in the Legal Profession



Baker Donelson has recognized [Tonya Mitchem Grindon](#) with the Firm’s 2020 Susan E. Rich Award for excellence in the promotion of and commitment to women in the legal profession. Ms. Grindon, a shareholder in the Firm’s Nashville office, serves as chair of the Business Department, is a member of the Firm’s Audit and Finance Committee, and is a former member of Baker Donelson’s board of directors. She is past chair of the Firm’s Corporate Finance & Securities Group.



I can think of no one more deserving of this recognition than Tonya. She has shown an unwavering commitment to the advancement of women throughout her career, and in her numerous leadership roles within our Firm, she has been an outstanding advocate for the women of Baker Donelson. I’m proud of and grateful for all that she has done.

**Christy Tosh Crider**

*chair of Baker Donelson’s Women Initiative*



## WOMEN IN THE NEWS, *CONTINUED*

Ms. Grindon concentrates her practice in securities and corporate finance, corporate governance and business transactions. She has been listed in *Chambers USA: America's Leading Lawyers for Business* in Corporate/M&A Law since 2016 and has been listed in *The Best Lawyers in America*® since 2008. She has also been recognized by *Mid-South Super Lawyers*, which has named her among the top 50 female attorneys in the Mid-South, among the top 50 Nashville attorneys, and among the top 100 Tennessee attorneys. In 2019, she was named a "Top USA Women Dealmaker" by Global M&A Network.

Baker Donelson established the Susan E. Rich award in honor of [Susan Elliot Rich](#), a shareholder in the Firm's Chattanooga, Tennessee office, who was the Firm's first woman shareholder, the first woman to be appointed an office managing shareholder and the first woman appointed to the Firm's board of directors. This award is given annually to a recipient who exemplifies ongoing commitment and effort to strengthen the role of women attorneys at the Firm.

### Jennifer L. Curry Receives Baker Donelson's Work-Life Warrior Award



Baker Donelson has recognized [Jennifer L. Curry](#) with the Firm's 2020 Work-Life Warrior Award, established by the Firm to honor an attorney in the Firm who demonstrates an ongoing commitment to excellence in maintaining a healthy work-life balance or has advocated on behalf of work-life balance issues for the benefit of others.

A shareholder in the Firm's Baltimore office, Ms. Curry is part of Baker Donelson's Labor & Employment Group, co-chairs the Health Care practice's employment group, and leads the employment groups for the Long Term Care and Education teams. She also serves on the Firm's Women's Initiative Committee and Diversity Committee.

Ms. Curry's practice is concentrated on advising and defending employers on all manner of employment and compliance issues. She has been recognized as a Rising Star in *Maryland Super Lawyers* every year since 2013 and was selected for *The Daily Record's* 2018 "VIP List – Very Important Professionals Successful by 40." Ms. Curry serves on the Board of Trustees of the Baltimore Bar Foundation and the Board of Directors of the Baltimore City Chamber of Commerce, and is a member of the Leadership Advisory Council for Cristo Rey High School.

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Jennifer has exemplified the idea of a Work-Life Warrior, particularly in recent months during the COVID-19 pandemic. She has proven herself an incredibly valued resource for employers by providing in-depth guidance on facing the numerous employment challenges brought about by the pandemic. And throughout this especially demanding time, she has balanced her work while raising two young children. I'm proud to congratulate Jennifer on this well-deserved recognition.

**Christy Tosh Crider**

*chair of Baker Donelson's Women Initiative*

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## WOMEN IN THE NEWS, CONTINUED

### Eve A. Cann Named Managing Shareholder of Baker Donelson's Fort Lauderdale Office



[Eve A. Cann](#) has been named managing shareholder for the Fort Lauderdale office of Baker Donelson, effective May 1, 2020. Ms. Cann is an experienced litigator who advises and defends businesses, including banks, mortgage lenders, servicers, and national retail companies in a broad range of business and commercial disputes in state and federal courts. While serving as office managing shareholder, she will continue her practice, which is focused on the representation of financial institutions and national retail companies in both affirmative and defensive capacities.

A graduate of the University of Miami School of Law, Ms. Cann has been named a Rising Star by *Florida Super Lawyers* and a "Top Up & Comer" in *Florida Trend's* Legal Elite. She is the Fort Lauderdale office leader for the Firm's Women's Initiative and serves on the Firm's Diversity and Inclusion Committee. Ms. Cann is a member of the American, Federal, Dade County and Broward County Bar Associations.

### Denise W. Killebrew Named Co-Chair of Baker Donelson's Real Estate Group



Baker Donelson has named [Denise W. Killebrew](#) as co-chair of the Firm's Real Estate Group. Ms. Killebrew is a shareholder in Baker Donelson's Birmingham office and has served as managing shareholder of the Firm's Birmingham office as well as a member of the Firm's board of directors. She will co-chair the practice group with Matthew T. Harris, who has served as chair of the Real Estate Group since 2017.

Ms. Killebrew represents real estate developers in connection with the acquisition, development and financing of real estate, including land use planning and the structuring of alternative financing, capital stacks and joint venture vehicles. She also has years of experience in the development, finance and management of senior housing and in retail development and leasing both for shopping center developers and national retailers. Ms. Killebrew has been listed in *The Best Lawyers in America*® since 1999 and in *Chambers USA: America's Leading Business Lawyers* since 2010. In 2003, she was a recipient of the Women of Distinction Award. A graduate of the University of Alabama School of Law, Ms. Killebrew is an associate member of the International Council of Shopping Centers. She is a member of the American, Alabama, Virginia and Birmingham bar associations.

With more than 100 real estate lawyers in 21 offices, Baker Donelson's [Real Estate Group](#) advises clients on a wide spectrum of multi-state real estate transactions for clients on a regional and national scale, including developments, financings, single asset and portfolio sales and acquisitions, leasing, like-kind exchanges and title insurance.

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