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## **Table of Contents** **Introducing the A-List**

### **Senator Baker Tribute**

#### **Alumni Profile:**

John Bryant with Healthcare Realty Trust Incorporated

#### **In the Community:**

Icons of Freedom

#### **Practice Spotlight:**

Four Myths of the *Hobby Lobby* Decision: Separating Fact from Fiction

### **Alumni Career Moves**

### **Employment Opportunities**

### **Recent Accolades**

### **New to the Firm**

# **BAKER DONELSON** **A-List**

*Staying Connected with  
Colleagues Old and New*

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## **Introducing the A-List**

We recently formed the *Baker Donelson A-List*, a formal alumni program for our former attorneys and advisors who wish to stay connected with their colleagues and friends. The Baker Donelson A-List offers our alumni an impressive professional network, numerous educational and informational opportunities, and continued relationships with colleagues.

Since 1888, Baker Donelson has grown to be one of the largest law firms in the country with more than 650 attorneys and advisors across 20 offices. Those attorneys and advisors – both past and present – helped us become the organization we are today. And, as the Firm grows, it becomes even more important to stay connected to the alumni who played important roles in our development as a leading law firm.

As an attorney or advisor who previously worked for Baker Donelson, please take a moment to connect with us:

- Register as a member of the [Baker Donelson A-List](#) and let us know if you would like to receive timely legal updates for particular industries or practice areas and invitations to upcoming CLE seminars or networking events, as well as community service and pro bono opportunities.
- Join the Baker Donelson A-List [LinkedIn Group](#) to connect with other Baker Donelson alumni, attorneys and advisors.

If you have questions about the Baker Donelson A-List, please contact the chair of Baker Donelson's Alumni Program, [Claire Cowart Haltom](#).

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## BAKER DONELSON A-List

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### Senator Baker Tribute



*On June 26, the Baker Donelson family said goodbye to former Tennessee senator, presidential advisor and ambassador Howard H. Baker Jr., senior counsel to the Firm.*

*Baker Donelson alum, Jim Duff, President and CEO of the Freedom Forum, shares his thoughts on Senator Baker's life and legacy.*

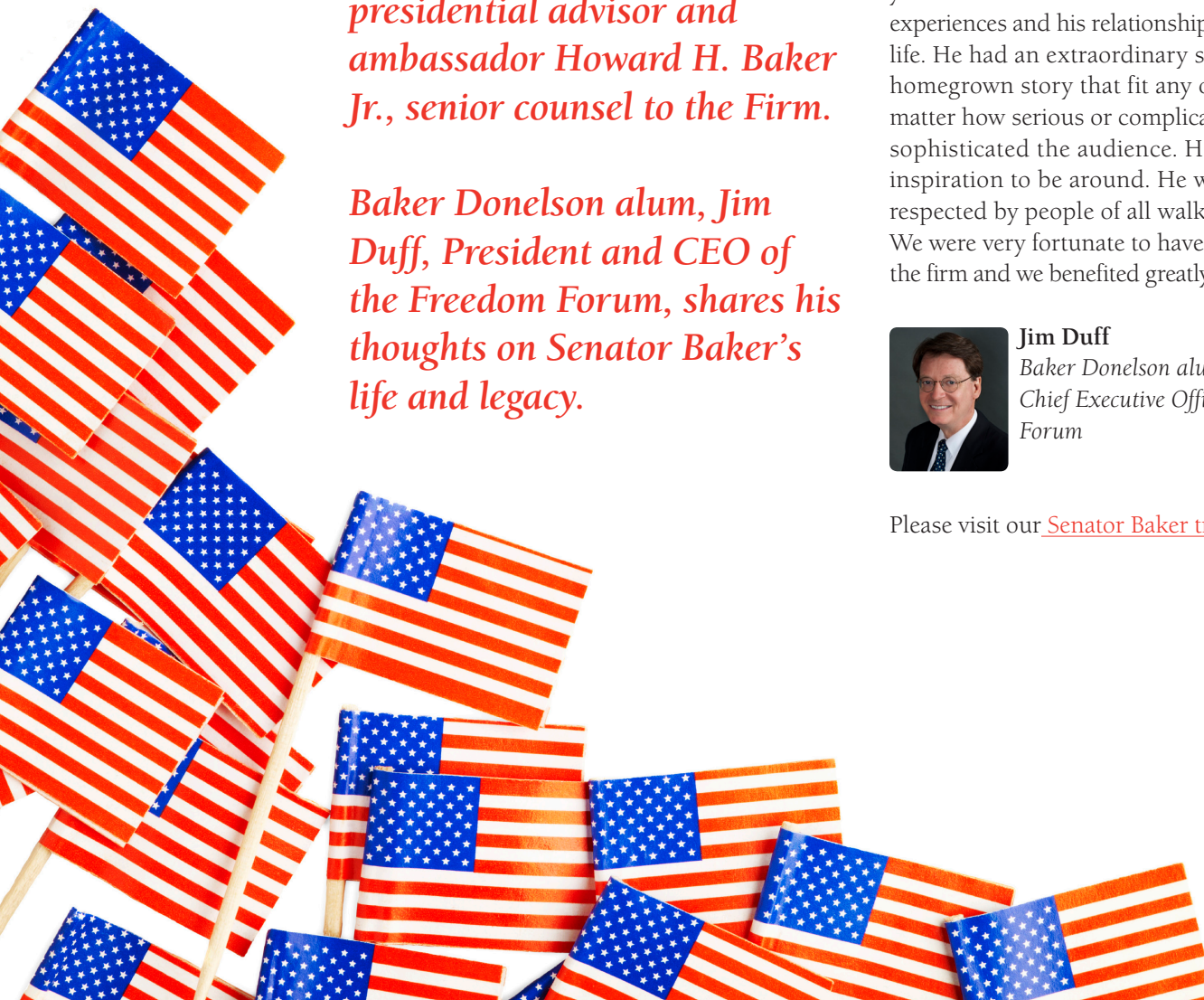
For all of [Senator Baker](#)'s wonderful accomplishments – in law, in politics, in diplomacy – on global, national and regional stages, and given the degree of success he had in each, his greatest accomplishment may have been remaining connected to his roots. No amount of global notoriety or success could uproot him from his hometown of Huntsville, Tennessee. And none could separate him from his lifelong friends and colleagues there. His loyalty not only served his local community and church in Huntsville well, but it also invigorated, informed and grounded him in all he did for our country and for our law firm. He was homespun yet had a world-class intellect. He drew upon his experiences and his relationships throughout his life. He had an extraordinary skill for telling a homegrown story that fit any occasion, no matter how serious or complicated the topic or sophisticated the audience. He was a joy and inspiration to be around. He was admired and respected by people of all walks and affiliations. We were very fortunate to have him as a leader of the firm and we benefited greatly from his wisdom.



**Jim Duff**

*Baker Donelson alum, President and Chief Executive Officer of the Freedom Forum*

Please visit our [Senator Baker tribute page](#).







## BAKER DONELSON A-List

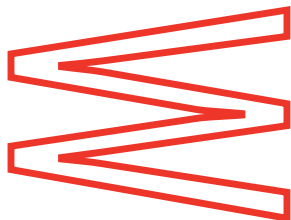
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### Alumni Profile: John Bryant with Healthcare Realty Trust Incorporated



Former Baker Donelson Shareholder John Bryant joined long-time client Healthcare Realty Trust in 2002 as “understudy” to the general counsel at that time. Today, John serves as Executive

Vice President and General Counsel to the Nashville-based real estate investment trust (REIT). While a number of our attorneys both keep up and work with John regularly, we recently took an opportunity to visit with him about his trajectory at Healthcare Realty Trust, what he does and/or dreams about outside the office (including a very interesting REIT concept), and what guidance he would impart to those beginning a career in the practice of law.



#### Upcoming Events

##### Trucking Owners Business Roundtable

Nashville, August 19, 2014  
8:00 a.m. – 11:30 a.m.

##### What to Expect When You're Expecting a Lawsuit

Jackson, August 21, 2014  
8:00 a.m. – 9:30 a.m.

##### ADAAA, FMLA and Workers' Compensation:

How to Stay on Course  
in the Bermuda Triangle  
of Employment Law  
Nashville, August 21, 2014  
8:00 a.m. – 9:30 a.m.



**For those who may not be familiar with Healthcare Realty Trust Incorporated, please provide a bit of backdrop on the company and how your position is of importance to its operations.**

Healthcare Realty Trust Incorporated owns and operates a portfolio of about 200 medical office buildings and health care facilities in 28 states. Our properties are located, predominantly, on or near the campuses of large acute care hospitals. We are headquartered in Nashville and have about 250 employees spread among our corporate office and various other offices around the country (e.g., Memphis; Dallas; Houston; San Antonio; Richmond; Charlotte; Denver; Seattle; Orange County, California). Some might argue whether my position is of importance to the operation, but I spend my time managing inside and outside legal

activity, working with our senior management group and board on all manner of things, and occasionally doing some “real work,” such as handling a purchase, sale or lease.



**How long have you been in this position and what were your prior positions with the company?**

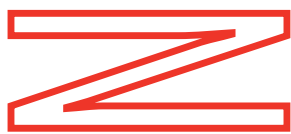
About ten and a half years. I was assistant general counsel for about a year and a half before that and have had various flavors of the “vice president” title while in the general counsel and assistant general counsel roles.



**What do you enjoy most in your current role?**

Working with Steve Cox (also a Baker Donelson alum), Andrew Loope and Robin Higgins in our legal department and the many other very talented people who operate our business.





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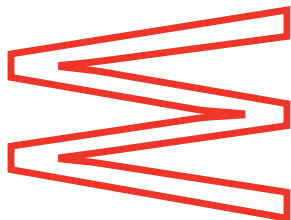
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### Alumni Spotlight, *continued*



#### Upcoming Events

##### Baby Bump Blunders!

Avoiding Pregnancy  
Discrimination in the  
Workplace

Memphis and Birmingham

August 21, 2014

8:00 a.m. – 9:30 a.m.

##### Women on

##### Wednesdays

Girl Power: How  
to be Street Smart

New Orleans

August 27, 2014

5:30 p.m. – 7:30 p.m.

##### Class and Collective

##### Action Webinar

August 28, 2014

11:00 a.m. – 12:00 p.m.



#### What is the toughest thing about your job?

It's harder to be objective when your client is also your employer. Keeping a dispassionate sense about things is often tough. Our CEO, David Emery, has a quote from Albert Einstein on his desk that says "Bureaucracy is the death of any achievement." Guarding against bureaucracy-creep and the omnipresent hand-wringing about "risk management" and "compliance" is also tough.



#### Prior to joining Healthcare Realty Trust, was there a particular reason you chose to work for Baker Donelson?

I got a lucky break – one of many in my life. I had been unsuccessful in getting hired by either Baker Worthington or Heiskell Donelson as a law clerk (and several other name-brand firms for that matter) and went to work with a smaller firm in Nashville. I did insurance defense litigation primarily, but was exposed to some commercial real estate transaction work through one of the partners who represented a group of German investors. After doing that for a few years, my friend and law school classmate, [Scott Carey](#), called me in late '95/early '96 about an opportunity to work in the real estate group at Baker Donelson. I remember interviewing with [Matt Harris](#), [John Hicks](#) and Larry Papel. They gave me a shot and I jumped on it.



#### How does your current position relate to your previous law practice with the Firm?

Though I'm not nearly as involved in the drafting work as I was with the Firm, there's unquestionably a lot of overlap between our day-to-day business and the work I did in the real estate and commercial lending group at Baker

Donelson. I learned a lot about accounting and public company reporting after I got here as well, and I'm still learning (and re-learning).



#### How did working with the Firm help to shape your current career path?

Working with the Firm had everything to do with my current career path. The Firm was involved in getting our company off the ground in 1993, and I was fortunate to be able to handle transactional work for our company while a lawyer with Baker Donelson. Roger West, who was then the general counsel, was looking to retire in a couple of years and hired me to be his understudy in April 2002.



#### Do you keep in touch with former colleagues?

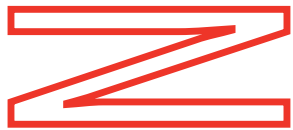
Yes. Some of my best friends are lawyers (including my wife, Karyn). I've worked with a good many of my former Baker Donelson colleagues while at Healthcare Realty and have maintained friendships with former Baker Donelson colleagues still with the Firm and elsewhere. [Skip Hindman](#) and [Gary Shockley](#) indulge my poor guitar playing about once a month in a group Skip leads called "The Can't Hardly Playboys." (Gary and Skip really can play, though.)



#### What do you do in your spare time?

Like most people, my spare time is spent following my daughter and son around to the sports events and school events they are involved in, trying to keep the house and yard in shape, paying bills, cussing at the Vols on TV, and sleeping intermittently.

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## BAKER DONELSON A-List

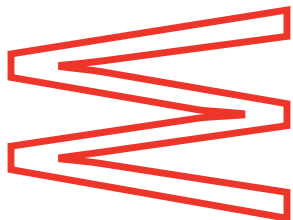
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### Alumni Spotlight, *continued*



**Are there any particular locales to which you enjoy traveling and spending your time away from the office?**

We have a place at Tims Ford Lake near Winchester, Tennessee, so that's a frequent getaway for our family. I've burned a lot of gas in the boat there. I ski with a group of guys at Jackson Hole, Wyoming, in late January every year. What a fantastic place.



**Do you have any heroes?**

I noticed you used the plural reference. I've been inspired by lots of people, famous and not-so-famous, but my list of famous folks starts alphabetically with Hank Aaron and ends with Chuck Yeager. In between there's Milton Friedman, C.S. Lewis, Gen. George Marshall, Jonas Salk, Thomas Sowell, Pat Summitt, Harry Truman, John Wesley and John Wooden, to name just a few.



**If you were not in your current career path...**

**What do you think you would likely be doing?**

Still practicing law at Baker Donelson.

**What would you most like to be doing in the proverbial "perfect world" sense?**

Doing what I'm doing is hard to beat. But, I have long half-joked about aspirations of running a bait shop one day. Is the world ready for a bait shop REIT?



**What advice do you have for young lawyers starting out?**

Be humble, but don't be scared. Be nice to secretaries and paralegals – you can learn a lot from them. Get in to the office early. Be courteous and respectful to opposing counsel and parties, not just because you're supposed to, but because they might hire you the next time or refer something they can't do. Answer the phone.



**As a general counsel/in-house attorney, what is the secret to winning work from you and Healthcare Realty Trust?**

No secret. For a company our size, it's 98 percent about prior relationships. The vast majority of the work we refer out goes to people and firms we have worked with before. The people who continue to do work for us do it very well and efficiently and are people we like and trust. If we're sending work to someone we haven't worked with before, it probably came through a referral from someone we have (see general advice above). It's very hard to break in as an unknown entity. You have to demonstrate subject matter expertise. Be the person in the firm who knows the most about something. Write an article about it. Get on a CLE panel to talk about it.



**What are the determining factors when selecting a legal advisor?**

Again, experience gets you in the door. Efficiency (maybe speed is a better word) and thorough attention to detail keep you there.

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### In the Community: Icons of Freedom

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Alan Moore (Jackson) and Myrlie Evers celebrate the unveiling of the Myrlie & Medgar Evers portraits at the Mississippi Museum of Art.

Recently, the Mississippi Museum of Art unveiled portraits of civil-rights icons Medgar Evers and his wife, Mrs. Myrlie Evers, by the renowned Mississippi artist, Jason Bouldin. Medgar Evers was the first field secretary for the NAACP in Mississippi. His assassination on June 12, 1963, galvanized the civil rights struggle in Mississippi and was a turning point in the national civil rights movement. Mrs. Evers spent 30 years working to convict her husband's killer, served as national chair and president of the NAACP, gave the invocation at President Obama's second inauguration, and is a nationally-recognized civil rights hero.

The portraits were conceived by [Alan Moore](#), an attorney in Baker Donelson's Jackson office, to honor and teach future generations about the legacy of Medgar and Myrlie Evers. At his suggestion, the Mississippi Museum of Art agreed to commission the portraits for the new Mississippi Civil Rights Museum and Baker Donelson agreed to fund Medgar Evers' portrait and the reception for the unveiling. Alan raised the funds for Mrs. Evers' portrait from an extraordinary group of Mississippi women who were recognized at the reception, including fellow Baker Donelson attorney [La'Verne Edney](#).

The [Medgar Evers Institute](#) is an Oregon nonprofit corporation organized many years ago by Mrs. Evers to promote racial reconciliation through civic engagement and education. The Firm's pro bono

efforts allowed Mrs. Evers to reorganize the Institute to plan and coordinate events to commemorate the 50th anniversary of the assassination of Medgar Evers in June 2013.

With encouragement from [Lisa Borden](#), the Firm's Pro Bono Shareholder, a Baker Donelson team went to work.

- [Len Martin](#) and Tanya Wasser, shareholder and legal assistant respectively in the Jackson office, prepared and filed documents to relocate to Mississippi and change the name of the Institute to the Medgar and Myrlie Evers Institute; drafted new bylaws and other organizational documents; and assisted in registering the Institute as a charitable organization in 16 states and D.C.
- [Carl Davis](#) and [Pat Clotfelter](#) in the Firm's Atlanta and Birmingham offices, respectively, provided intellectual property including the trademark registration of a logo for the Institute to use for 50th anniversary commemorative events.
- Alan worked with Mrs. Evers to recruit a new, Mississippi-based Board of Directors and develop an action plan for 50th commemorative events held in Washington, D.C., and Jackson in June 2013. He drafted employment and consulting contracts; advised on event management, insurance, fundraising, conflicts of interest and nonprofit requirements; and drafted a proclamation honoring Medgar Evers, which was unanimously adopted by the Mississippi Legislature.
- Alan also advised the Institute and Mrs. Evers in connection with an agreement with the Mississippi Department of Archives and History for the preservation of personal papers, artifacts and memorabilia of Medgar and Myrlie Evers.

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### Practice Spotlight:

## Four Myths of the Hobby Lobby Decision: Separating Fact from Fiction

By [Rachel Barlotta](#), 205.244.3822, [rbarlotta@bakerdonelson.com](mailto:rbarlotta@bakerdonelson.com)

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You have probably heard that the United States Supreme Court rendered a decision in a case involving the arts and crafts store Hobby Lobby pertaining to contraception coverage for its employees under the Patient Protection and Affordable Care Act (ACA). *Burwell v. Hobby Lobby Stores, Inc.*, \_\_\_ U.S. \_\_ (June 30, 2014). Although the ACA itself is silent on the issue of contraception, the Department of Health and Human Services (HHS) passed a regulation that requires ACA-covered employers to provide 20 types of birth control, including four which may prevent an already fertilized egg from developing further, including certain intrauterine devices (IUDs) and what is commonly referred to as the “morning after” pill. For religious reasons, the family owners of Hobby Lobby objected to paying for the four types of contraception which are considered to be abortifacients.

The decision has evoked strong sentiments in favor of and against the Court’s ruling. In the wake of all of the hype, misinformation abounds concerning what the decision means for employers and their obligations under the ACA.

Below are some common misperceptions about the ruling and what you really need to know about this decision.



**Any employer that does not want to provide contraceptive coverage to its employees is free to ignore the ACA regulation mandating that certain forms of birth control be provided at no cost to its employees.**

**This is false.** The Court’s decision was extremely narrow. It applies only to closely held companies. The Court specifically noted that it would be unlikely that a publicly traded company would or could successfully assert the objections raised by Hobby Lobby.

In addition, the closely held company must have bona fide religious objections to the contraceptive mandate. Hobby Lobby has a formal mission statement that states it operates under Biblical and Christian principles. It adopted other practices, such as remaining closed on Sundays, to adhere to these principles.

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### Practice Spotlight, *continued*



**The Hobby Lobby decision changes the contraceptive coverage requirements for all employers.**

**This is false.** The decision only impacts ACA-covered, closely held companies with bona fide religious beliefs. Companies with 50 employers or less are not required to provide health insurance at all under the ACA. Also, employers with grandfathered health plans, those that existed prior to March 23, 2010, and that have not made specified changes thereafter, are not required to comply with many parts of the ACA, including the contraceptive mandate. In the decision, the Court noted that roughly 84 million of 154 million employees who have insurance coverage under employer-sponsored health care plans fall into these latter categories and thus were not covered by the contraceptive mandate even before the Hobby Lobby decision.



**The Hobby Lobby decision likely paves the way for employers to avoid other parts of the ACA.**

**This is false.** The Court cautioned that its decision was concerned “solely” with the contraceptive mandate and that it “should not be understood to hold that insurance-coverage mandate must necessarily fail if it conflicts with an employer’s religious beliefs.” As an example, the Court pointed to immunization as an area in which a religious objection may very well fail as there may be no less restrictive means to preventing the spread of infectious diseases.



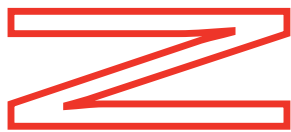
**The Hobby Lobby decision is likely the final word on whether or not all employers will be required to provide no-cost contraceptive coverage to employees in the future.**

**This is likely untrue.** The Supreme Court’s decision was based upon a federal statute instead of constitutional grounds. Thus, Congress could amend the RFRA or the ACA to expressly exempt the contraception mandate from religious objections. Congress could also amend the RFRA to exclude coverage of for-profit companies. Indeed, Senate Democrats have already proposed legislation to bar for-profit corporations from seeking exemptions from the ACA’s mandate that their health plans cover contraception costs.

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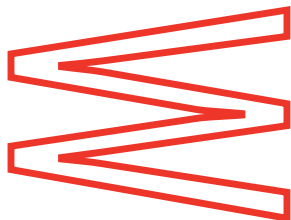
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### Alumni Career Moves



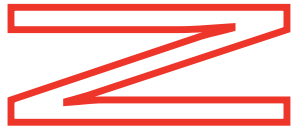
Brad Bakker (Nashville)	Armstrong Teasdale LLP	Associate
Jeremy Clay (Jackson)	Southern Paving & Construction	General Counsel and Lead Estimator
Kelly Frey (Nashville)	Frost Brown Todd	Partner
Howard Hirsch (Atlanta)	Griffin Capital Corporation	General Counsel, Securities
Bryan Jones (Washington, D.C.)	Ventana Medical Systems, Inc.	Patent Attorney
Steven King (Memphis)	Ducks Unlimited	Assistant General Counsel
Joshua Reif (Birmingham)	BBVA Compass	Corporate Counsel
Brandy Sheely (New Orleans)	Renaissance RX	General Counsel
Courtney Smith (Nashville)	ForceX, Inc.	General Counsel, Senior Vice President Operations
Corey Stringer (Nashville)	Benteler Automotive	Director of Legal Affairs, North America
Sarah Ann Walters (Houston)	Perkins Coie	Associate



**Recently changed jobs?  
Have exciting news you  
want to share?**

We'd love to hear what's new in  
your life. Send us an email at  
[alumni@bakerdonelson.com](mailto:alumni@bakerdonelson.com).





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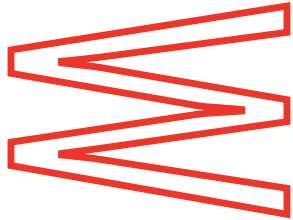
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## Employment Opportunities



Below are some of the available positions at Baker Donelson. [Click here](#) for more details about the positions and for information about how to apply.

We're happy to share your company's open positions with Baker Donelson alumni. Post them to the [A-List LinkedIn group](#) and we'll include them in the newsletter.



- The Jackson, Mississippi, office of Baker Donelson seeks to hire a staff attorney with two or more years of litigation experience to join its Labor and Employment department.
- The Nashville office of Baker Donelson seeks a senior associate or junior partner for its Health Law team.
- Baker Donelson seeks an associate with five or more years of experience to join its Drug, Device & Life Sciences group. Location in Washington, D.C., is preferred.
- The Chattanooga office of Baker Donelson seeks a staff attorney with three or more years of transactional experience to join its Real Estate/ Finance group.
- Baker Donelson seeks an associate with five or more years of experience to join its Health Information Technology team. Location in Nashville, Memphis, Atlanta, Birmingham, Orlando or Houston preferred.

## Recent Accolades

Baker Donelson named **NLADA  
Beacon of Justice Award  
Winner**.

TBA recognizes Baker Donelson for partnership with **Legal Aid  
of East Tennessee**.

[Sheila P. Burke](#) named **Chair** of Baker Donelson's Government Relations & Public Policy Group.

[Russell W. Gray](#) and [Tonya Mitchem Grindon](#) named to Baker Donelson's **Board of Directors**.

Baker Donelson's [Christy Tosh Crider](#) named **Chair** of Women's Initiative.

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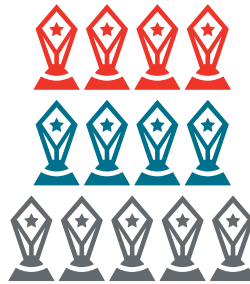
### Recent Accolades, *continued*

FORTUNE MAGAZINE'S  
100 BEST COMPANIES  
TO WORK FOR  
**FIVE**  
YEARS IN A ROW



RANKED  
**31<sup>ST</sup>** IN  
2014

BAKER DONELSON  
ANNOUNCES



**13**  
NEWLY ELECTED  
SHAREHOLDERS  
FIRM-WIDE



**EIGHT**  
ATTORNEYS

RANKED AS  
LEADING  
PRACTITIONERS

IN THE  
**2014 EDITION OF  
CHAMBERS USA**

### New to the Firm

Baker Donelson has opened an office in Tallahassee, marking the law firm's third new location in Florida in three years.

Baker Donelson first entered Florida in November 2011 through a merger with the Orlando firm of Litchford & Christopher, then added a Fort Lauderdale location in August of 2013.

With the addition of the Tallahassee office, Baker Donelson now has 20 offices in seven states across the Southeast, Texas and Washington, D.C.







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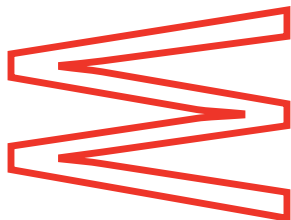
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## New to the Firm, *continued*

**Join us in welcoming the newest members of the Baker Donelson family. Below are the attorneys and advisors who have joined the Firm since January 1, 2014.**



[Ana C. Dowell](#)

[Karli A. Swift](#)

[Ashley M. Scott](#)

[Stephen N. Gordon](#)

[Nicole L. DeMaise](#)

[Maikel N. Eskander](#)

[Julie M. Gurman](#)

[Glen M. Lindsay](#)

[Matthew P. McLaughlin](#)

[Tony D. Alexander](#)

[Scott D. Blount](#)

[Andrea C. Barach](#)

[Samuel L. Felker](#)

[Jesse L. Ford](#)

[Matthew T. Harris](#)

[Jennifer L. Johnson](#)

[Anne Marie Kempf](#)

[Richard L. Pensinger](#)

[William L. Taylor III](#)

[Amanda P. Berry](#)

[Meghan A. Kenefic](#)

[James M. Talley](#)

[Russell B. Buchanan](#)

[Kelly Overstreet Johnson](#)

[Dena H. Sokolow](#)

[Daniel J. Carrigan](#)

[John D. Folds](#)

[John G. McJunkin](#)

[Craig D. Rust](#)

Labor & Employment

Corporate/Mergers & Acquisitions

Health Care Litigation

Corporate/Mergers & Acquisitions

Health Care Litigation

Financial Institutions

Financial Institutions

Financial Institutions

Corporate/Mergers & Acquisitions

Intellectual Property

Financial Institutions

Corporate/Mergers & Acquisitions

Product Liability & Mass Tort

Labor & Employment

Real Estate/Finance

Real Estate/Finance

Real Estate/Finance

Real Estate/Finance

Real Estate/Finance

Financial Institutions

Financial Institutions

Business Litigation

Business Litigation

Business Litigation

Labor & Employment

Financial Institutions

Financial Institutions

Financial Institutions

Financial Institutions

Atlanta, GA

Atlanta, GA

Baton Rouge, LA

Birmingham, AL

Chattanooga, TN

Fort Lauderdale, FL

Fort Lauderdale, FL

Fort Lauderdale, FL

Jackson, MS

Memphis, TN

Memphis, TN

Nashville, TN

Nashville, TN

Nashville, TN

Nashville, TN

Nashville, TN

Nashville, TN

Nashville, TN

Nashville, TN

Orlando, FL

Orlando, FL

Orlando, FL

Tallahassee, FL

Tallahassee, FL

Tallahassee, FL

Washington, D.C.

Washington, D.C.

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