

METRO ATLANTA EDITION | VOLUME 4 ISSUE 6

ATTORNEY AT LAW

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MAGAZINE®

BOUTIQUE FIRM OF THE MONTH
GARLAND SAMUEL & LOEB, P.C.

**ICONIC
TRIAL
LAWYERS
EDITION**

GARLAND SAMUEL & LOEB, P.C.

FINDING THEIR VOICE

BY LAURA MAURICE

It was about a half-hour before the local 6 o'clock news that day in 2000. Baltimore Ravens All-Pro Linebacker Ray Lewis had just been charged with a double murder in Atlanta. The press was gathering in the conference room of Garland, Samuel & Loeb to hear the response of the defendant's lawyer, Edward T.M. Garland, who had only just received the case.

At the top of the hour, Garland, a fifth generation attorney in Atlanta, let loose a tirade against the prosecution for indicting his client. A well-known trial attorney and master of language, Garland berated the prosecution up and down, going on so long that a Channel 2 news reporter handed a note to Garland's co-counsel Donald F. Samuel: "Can he please announce the weather?"

Recalling that moment, Samuel adds, "The trial was quick, in May 2001." All charges were dropped just prior to the close of the state's case in exchange for a plea to a misdemeanor with 12 months of probation. "Lewis didn't miss a game and when the Ravens won in the Super Bowl, he was named MVP," says Samuel, adding parenthetically, that the Ravens gave them 50-yard line tickets to the game.

"I tell young lawyers who do trial work," says Garland, "that you might make money, and you might not, but you'll end up with a reputation and good stories."

After so many years practicing together, partners Garland, Samuel and Robin N. Loeb have a multitude of stories about their high-profile clients and headline-making cases for a variety of clients. While Garland and Samuel mostly handle

criminal defense cases, Loeb handles civil work, much of it personal injury or product liability cases.

"We work as a team," says Garland. "There's no bureaucracy. We brainstorm the cases together."

"We focus on the individual client," adds Loeb. "When someone walks into the office, he sees every lawyer. It's like a family and that's unusual. But we've worked together for so long."

In fact, Loeb has been with the firm 36 years and Samuel more than 33 years. The firm was started in 1920 by Garland's well-known, flamboyant trial attorney father, Reuben Garland. "He was my hero. He was a modern day Atticus Finch," says Garland. "He defended the average man and was very controversial."

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Through the years, attorneys have come and gone. At one point, there were as many as 20 attorneys, but now there are nine, and the firm has been stable for a number of years. While Garland and Samuel are both graduates of the University of Georgia Law School, Loeb graduated from the Emory School of Law. When she called Garland for an interview, she was surprised to be hired that very day, and to quickly be assigned a big case. “I was just 23 years old,” she marvels.

Samuel, too, was a quick hire. He was clerking for U.S. District Court Judge Harold L. Murphy who told him that if he wanted to try cases, he should go to work for Garland. “Judge Murphy called me and said Samuel was the smartest guy with the biggest heart, so I had lunch with Don and I offered him a job halfway through lunch.” As Samuel recalls, “he paid me more money than I even asked for!” This year – 33 years later – both Garland and Samuel were listed among the top 10 lawyers in Georgia.

Through the years, the well-known Atlanta firm has defended both celebrity

athletes and singers, as well as lesser known defendants. Among the former are Pittsburgh Steelers quarterback Ben Roethlisberger, Baltimore Ravens all-pro running back Jamal Lewis, Atlanta Thrashers all-star forward Dany Heatley, rap artist T.I. and Jim Williams, the protagonist in the non-fiction book, “Midnight in the Garden of Good and Evil.”

The success of the firm in defending Ray Lewis became self-fulfilling, says Samuel. “The best marketing is to win a case like that. It feeds on itself. As long as we keep winning, we keep getting cases.”

Many of the cases are referred to the firm by other attorneys. “Three-quarters of our business comes from other lawyers,” says Garland. Sometimes it’s because the other attorneys don’t have federal experience. Garland, Samuel & Loeb also do a lot of appellate work.

“Some trial lawyers don’t feel comfortable doing appeals,” explains Samuel. “They may feel they made a mistake (in the original trial) and can’t admit it or a client wants fresh eyes.”

Garland adds, “And, we are often brought in if the lawyers don’t have trial experience.”

Trial law, he explains, requires several essential elements, including courage and fearlessness and a willingness to stand for your client. “You must have the enormous ability to listen to the client and the witnesses on the other side. Then you must work like hell to understand and analyze the path to winning,” says Garland. During trials, the workday often starts at 5 a.m. and lasts until midnight. “Criminal work is hard. There are no simple answers. The issues are often gray. You must have a mindset that that’s what you want to do.”

According to Samuel, defense lawyers are faced with the challenge “to create speedbumps for the prosecution – hurdles that they can’t overcome. The best scenario is to persuade the prosecutor not to indict in the first place.”

For Loeb, who represents personal injury plaintiffs and those alleging medical malpractice, what is required is a lot of heart, she says. “You have to understand what the client has gone through and try to restore what was taken from them,” she explains.

“YOU HAVE TO FIND YOUR OWN VOICE.”

Loeb also points out the significance that the firm can handle the “intersection between civil and criminal cases. We can meet that intersection.”

“Our role is to help the average citizen. We fight for him. We don’t judge him, no matter what their problem is,” continues Garland. “There are two great moments, when a citizen comes and asks, ‘Will you help me?’ There’s no better compliment. And sometimes at the end of the struggle, the client says thank you when the jury says not guilty.”

In addition to the three partners, the firm employs six full-time associates. “Everyone tries cases,” says Garland. “There’s no one who is uncomfortable in front of the courtroom.”

But as Samuel points out, each lawyer has his or her own way of trying a case. “Ed and I don’t try cases the same way. Everyone has a unique way of being sincere with a jury.”

“You have to find your own voice,” agrees Loeb. “Early on, I tried to emulate Ed, but I was young and a woman. I had to be myself.” And sometimes during a trial, different lawyers are asked to handle different witnesses, depending on the chemistry.

While Garland always knew he would be a lawyer – and his son John now works alongside him – Loeb grew up with parents who didn’t attend college. When she was in high school, however, she watched a trial and came home and announced that she would be a lawyer. “My parents encouraged me,” she recalls. “I became interested in the justice system. That’s what prompted me to go into law. In civil work, when you are successful, you put the clients in a better position than they would have been without your help.”

According to Loeb, many of her medical negligence cases could be labeled catastrophic. In addition to the medical negligence cases, she also handles cases dealing with product liability, tractor/trailer collisions, serious automobile collisions, violations of civil rights and business disputes.

One of her more high-profile cases involved representing a young girl injured by shrapnel in the Olympic Park bombing during the 1996 Atlanta Olympics. Loeb’s representation culminated in her client’s testimony at the sentencing of Eric Robert Rudolph.

More recently, along with being named one of Georgia’s Top Rated Lawyers, Loeb has been involved with cases that have alleged experimental surgery resulting in grave injury, the provision of a home treatment medical device leading to death, an overdose of narcotics causing cardiac arrest, mismanagement of a medical trauma resulting in quadriplegia, and a birth injury causing severe brain damage.

Each of the partners handles cases across the country, in addition to speaking at various seminars. Samuel also teaches white collar crime at a university law school, and is a prolific writer, having written five books. Among those books are the Georgia Criminal Law Case Finder, the Eleventh Circuit Criminal Handbook and the Federal Criminal Law Digest.

“If you go into any Georgia state court,” says Garland, “Don’s book will be there. It’s also true in federal courts,” launching into another legendary story for the firm. He recalls a case that was dealing with a critical motion when the court broke for lunch. “Don had gotten up to argue a motion and the judge said, let’s take a break. There were cameras in the courtroom and during the break, the cameras focused on the judge, who happened to pick up one of Don’s books.”

After the break, Garland smiles, “The judge ruled with us.”

AT A GLANCE

GARLAND SAMUEL & LOEB, P.C.

3151 Maple Drive, N.E.
Atlanta, GA 30305
(404) 262-2225
www.gsllaw.com

FOUNDED IN 1980 BY ED GARLAND

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PARTNERS

Edward T. M. Garland
Donald F. Samuel
Robin N. Loeb

ASSOCIATES

David E. Tuszynski
Anne H. Coolidge-Kaplan
John A. Garland
Amanda R. Clark Palmer
Kristen Wright Novay
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