

METRO ATLANTA EDITION | VOLUME 3 ISSUE 7

ATTORNEY AT LAW

www.AttorneyAtL

ZINE®

***RICHARDSON
BLOOM & LINES, LLC***

BOUTIQUE LAW FIRM OF THE MONTH

PRSR1 STD
U.S. POSTAGE
PAID
BOLINGBROOK, IL
PERMIT NO. 1818

METRO ATLANTA EDITION | VOLUME 3 ISSUE 7

ATTORNEY AT LAW

MAGAZINE®

www.AttorneyAtLawMagazine.com



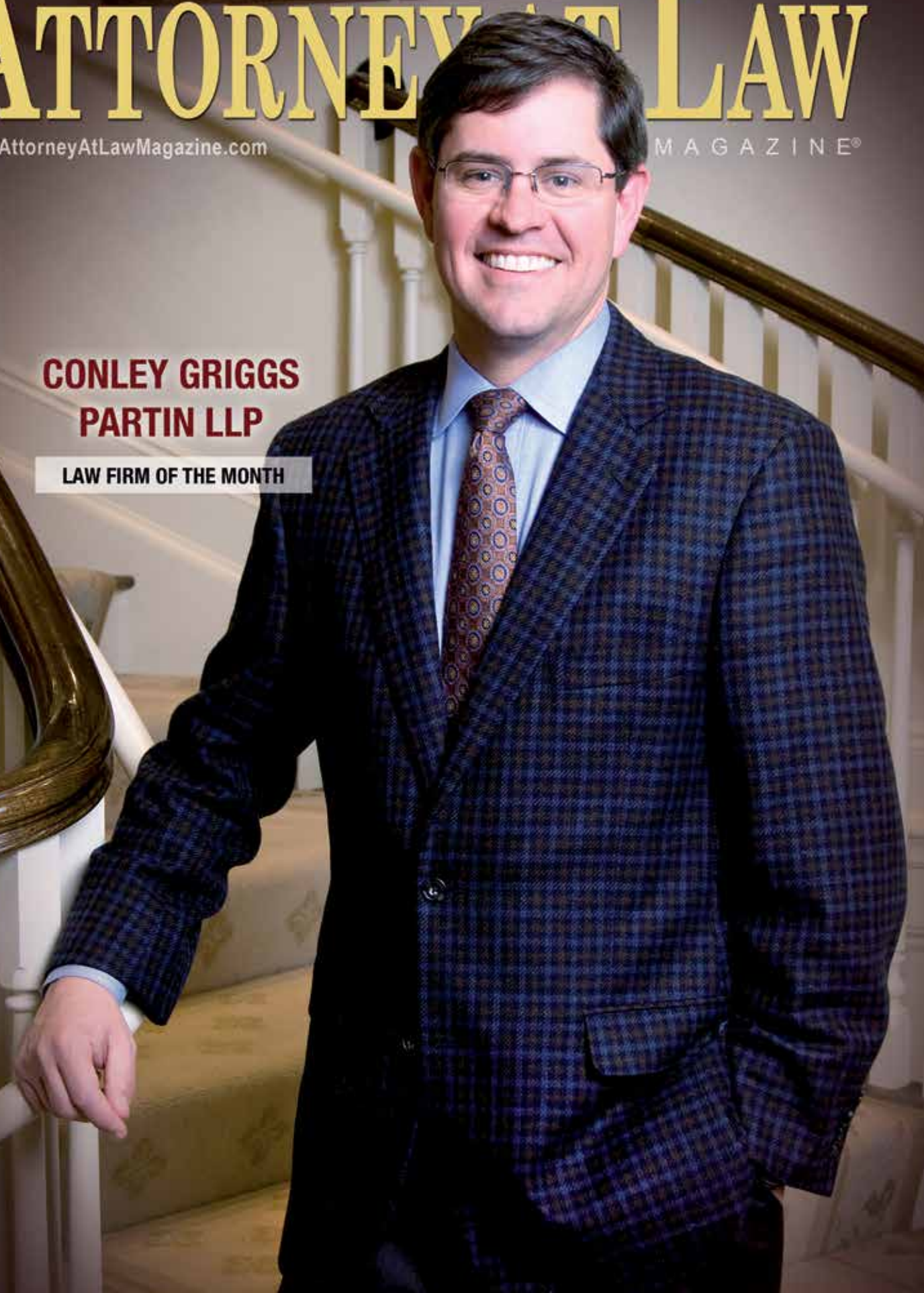
*Allegra
Lawrence-Hardy*
ATTORNEY OF THE MONTH

METRO ATLANTA EDITION | VOLUME 3 ISSUE 7

ATTORNEY AT LAW

MAGAZINE®

www.AttorneyAtLawMagazine.com



CONLEY GRIGGS
PARTIN LLP
LAW FIRM OF THE MONTH

YOUR INFORMATION TECHNOLOGY PARTNER

Firm Tech's entire focus is providing law firms affordable, reliable, consistent IT support 24/7

The legal services industry is a never ending cycle of fast-paced meetings, piles of documents and much more. Every minute counts. Your IT infrastructure needs to be tailored for that. From document storage and email to complex case management and websites

In your industry, there is no room for error or downtime. When you need professional results to keep your partners and associates performing at their best, you need the best in managed IT services from FirmTech

We're not just on call for you, we're already there... Your Virtual IT staff

1-15 Partners
Small Firm
Limited IT Resources
WE CAN HELP

15-50 Partners
Medium Firm
Some IT Resources
BUT NEED MORE

50+ Partners
Large Firm
**WE HAVE IT RESOURCES
SUPPLEMENTAL SUPPORT
OR HELP WITH SPECIAL
PROJECT**

CONTACT INFORMATION:

David Boughter
Dboughter@FirmTechnology.net
O- (678) 426-5753 | F- (770) 420-7009
www.FirmTechnology.net

FirmTech Inc.

Attorney at Law Magazine is published by:
Target Market Media Publications, Inc.

Ken Minniti

President & CEO of
Target Market Media Publications, Inc.
Executive Publisher/ Editor in Chief,
Attorney at Law Magazine

Howard LaGrafte

Vice President

Caitlin Demo

Editor

Nathaniel Richey

Production Manager

Ana Aida Ochoa

Graphic Designer

Brenda Ayon

Publisher Service Coordinator

Francine LaGrafte

Proofreader

Marisol Guzmán

Bookkeeping

Tiffany Abney

Administrative

Domonique Mayhawk

Market Development Coordinator

Laura Maurice

Jan Jaben-Eilon

Contributing Writers

Bill Adler Photography

Photography



Greater Austin | Metro Atlanta | Boston | Greater Dallas | Metro Detroit | Greater Fort Worth | Hampton Roads/SE Virginia | Greater Indianapolis | Kentucky | Greater Las Vegas | Orange County | Los Angeles County | Greater Miami | Palm Beach County & Greater Fort Lauderdale | Mississippi | Central New Jersey | New Jersey Metropolitan | Northern New Jersey | Western New York | Greater New Orleans | Greater Orlando | Greater Phoenix | Greater Pittsburgh | Greater Philadelphia | Greater Salt Lake City | Santa Rosa | Central Valley California | Greater Tampa | North Carolina Triangle | Minneapolis/St. Paul

Copyright ©2014, Target Market Media all rights reserved. Reproduction in whole or part is strictly prohibited. Subscription rate: \$7.95 per copy. Advertising rates on request. Bulk third class (standard) mail paid in Phoenix, Arizona. Although every precaution is taken to ensure accuracy of published materials, Attorney At Law Magazine & Target Market Media cannot be held responsible for opinions expressed or facts supplied by authors. Postmaster – please send notices to: Corporate Office : 777 East Thomas Road Suite 130 Phoenix, AZ 85014 Phone (480) 219-9716 Fax (480) 419-9727 www.tmmpublications.com • info@tmmpublications.com

Table of Contents

FEATURES

- 12** Allegra Lawrence-Hardy
Attorney of the Month
By Laura Maurice
- 16** Richardson Bloom & Lines, LLC
Boutique Law Firm of the Month
By Jan Jaben-Eilon
- 22** Conley Griggs Partin LLP
Law Firm of the Month
By Jan Jaben-Eilon

EDITORIAL

- 6** Atlanta's Strengthening Economy
Portends Higher Office Rents and
Tighter Availability
By T. Bradley Fulkerson, III, CCIM
- 8** How to Give Notice
By Raj M. Nichani
- 9** Online Privacy Notice Rule
By David Katz
- 10** Is That USB Device Safe?
By Karl Epps, EnCE
- 14** In-House E-Discovery for Legal
Find information quickly when you
need it the most
By Erin Corken
- 15** Greater Returns Now Possible In the
Structured Settlement Market
By Jay Scarola
- 19** How to Build a Lead Generation
Machine With Email Marketing
By Stephen Fairley
- 26** Directed Trusts: Flexibility in
Designing a Personalized Open
Architecture Trust
By Anne B. Schumeyer, CTEA

SPECIAL SECTIONS

- 28** Talk of the Town

From the Publisher

Welcome!

Thank you for taking the time to read this issue of Attorney at Law Magazine! I am excited to share in this issue the story of the transformation of the law firm of Richardson Bloom & Lines, Attorney of the Month Allegra Lawrence-Hardy and the Law Firm of the Month Conley Griggs Partin.

The end of the year has come and in the middle of planning for 2015, we are working with many attorneys and firms on opportunities for next year. We are finalizing attorneys and firms to be featured, lawyers who will be contributing articles and marketing plans for many business in the legal community of Atlanta. If you would like information on how you and your company could be involved, please give me a call or send me an email.

Thanks again for reading and look forward to hearing your feedback!

Bill McGill

Publisher
Attorney At Law Magazine
Metro Atlanta Edition

Metro Atlanta Edition | (404) 229-0780 | BMcGill@attorneyatlawmagazine.com



Atlanta's Strengthening Economy Portends Higher Office Rents and Tighter Availability

By T. Bradley Fulkerson, III,
CCIM

T. Bradley Fulkerson is Transwestern's Atlanta broker-in-charge and managing director, Southeast, of tenant advisory services. In this role, Bradley provides leadership to the tenant advisory, general brokerage and transaction sciences platforms. He assists corporate clients with real estate strategy development and implementation, and serves as an integral part of improving, enhancing and advancing the Transwestern platform in Atlanta and the Southeast. Bradley can be contacted at (404) 842-6610 or bradley.fulkerson@transwestern.com. Transwestern | 3340 Peachtree Road NE, Suite 1000, Atlanta, GA 30326 | (404) 842-6610 www.transwestern.com

After a slow start exacerbated by the Snowpocalypse, Atlanta posted healthy economic growth in 2014 and is poised for further gains in 2015. The metro area is on track to add more than 50,000 jobs this year, with even stronger growth projected for each of the next two years, driven largely by professional and business services firms.

The national payroll surge of 321,000 for November was the biggest gain in almost three years as average hourly earnings rose the most in a year and a half, according to data released by the U.S. Labor Department, showing that employers are gaining confidence to add more jobs.

Atlanta home prices have jumped 15 percent in the past year and continue to rise, and new housing permits are on the rise.

All these factors point to a promising 2015 for metro Atlanta's economy.

As expanding companies add headcount, they will start taking available office space at a faster clip, and that will drive rents higher because new office deliveries won't occur for a couple of years.

While construction in Atlanta dipped to nearly zero during the recession, there are now build-to-suit projects underway for Cox and State Farm in addition to more than 730,000 square feet of speculative office space under construction right now, most of it in Buckhead.

Three Alliance Center, the first new tower in Buckhead in several years, represents the beginning of Atlanta's next development cycle and is quoting rents of \$30-31/s.f. net (and \$33 for the top floor) with zero free rent concessions. That's right – no free rent. It's the first time in several cycles that a landlord has viewed demand as being so strong that free rent could be expendable. No tenants have yet signed leases for Three Alliance Center, so whether they have to backpedal on that remains to be seen.

Another Buckhead tower is expected to launch in 2015, and more new office projects are expected to be announced in the coming months, most likely in core suburban submarkets such as Central Perimeter.

Atlanta's vacancy rate has declined for 12 consecutive quarters, with overall market vacancy down to 18.2 percent, the lowest rate for metro Atlanta in six years, with Buckhead and Central Perimeter being the tightest markets. Year-to-date, Atlanta absorbed 1.95 million square feet, already outperforming annual totals for every year since 2007.

That's already pushing rents higher. Metro Atlanta's average asking rents increased in Q3 to \$20.28, the highest since 2011, led by gains in

Class A while Class B dipped slightly, indicating strong demand for higher-quality product where space is increasingly difficult to find. Right after Cousins bought the Northpark Town Center complex for \$348 million in October, they increased rents to \$30, from \$26 previously.

Tenants should carve out time in early 2015 to review their real estate needs, and move swiftly if they are renegotiating a lease, taking more space or considering a move. A large user, or combination of users, that could anchor a new development will likely get some creative concessions, but Atlanta's lease rates won't get any cheaper anytime soon.



ATTORNEY AT LAW

MAGAZINE®

ATTORNEYS TO WATCH IN 2015 ATLANTA EDITION



Please send in a brief bio and head-shot of the nominated attorney. In 100 words or less please tell us why your nominee should be one of the chosen attorney for the front cover. You may nominate yourself.



Nominations
Requested To:

Bill McGill
(404) 229-0780
BMcGill@attorneyatlawmagazine.com



How to Give Notice

By Raj M. Nichani

Raj M. Nichani, Esq., is the president of The RMN Agency, a full-service legal search and staffing company specializing in the permanent and temporary placements of legal attorneys and professional staff with law firms and corporate legal departments. Raj and his team are dedicated to placing the highest quality candidates based on their own unique needs. The legal recruiting company was recently ranked the best legal staffing firm of 2014 by The Daily Report. You can reach Raj at (678)-842-5855, or by email at raj@thermnagency.com or by visiting thermnagency.com for updated job postings and further information on the recruiting process.

You've accepted a job offer at another law firm. Now what do you do? First of all, you should be courteous, and give your current law firm at least two weeks notice. Since the legal world has grown to become increasingly interconnected, there is a chance you may run into previous employers on any given day or even have to work with them (as co-counsel) in some capacity in the future. You want to uphold your reputation as a respectable attorney and never want to burn a bridge, so keep that in mind through the entire process. Even though you are excited to take a new step in your legal career, it's important to remember these tips when resigning to make sure it goes smoothly and professionally for everyone:

What is the best way to give notice? Be discreet with your formal notice to your current employer. You should keep any offers you have accepted quiet to ensure that your boss does not hear of your new job through the grapevine. You should give your notice of leaving to your immediate superior and always in person. You should never give your notice through email or phone unless it is a last resort. From there, you should ask him or her if you should inform others and whom. After that, you should follow-up with a resignation letter if a written statement is required of you by your firm.

Setting a start date is very important. You want to balance being fair to your current employer while taking into consideration the new firm's need. Be sure to assess your current workload to better determine how much time you should allocate to your current law firm to ensure a smooth, easy transition. If you have a case or deal that cannot be passed on to another attorney without interfering with the client's needs, then you may have to stay at your current job long enough to finish your duties. Your obligations to your client come first.

Explain everything to your new employer. If you do have important matters to handle before starting, be sure to inform them as soon as you know. This will help to determine a good start date for both you and the new firm. Your new employer should understand that you want to take the utmost responsibility for your clients and current employer.

Give your notice as soon as possible. But not before you have made sure you cleared conflicts and passed all background checks. Preferably soon after you have accepted the position officially is when you want to give notice. However, you should make sure that all conditions of your offer are fulfilled and satisfied between you and your new law firm.

How much notice is acceptable? This is an age-old question for attorneys moving firms. The nor-

mal two weeks notice does not always work well with attorneys. Sometimes, law partners sign an agreement to give an even longer notice than two weeks. What holds true for attorneys of all levels is that client interest always comes first. No firm wants to leave clients hanging on a limb with open deals and trials looming ahead. Because of this, make sure to check your agreements with the position, especially if you are partner, to make sure you avoid any penalties or forfeitures. Also, just because it says you have to stay 90 days, this is not always the case as long as you work it out with your current employer.

What should you say when you give notice? Keep it sweet & simple. Don't go into a lot of detail about why you're leaving or provide suggestions or complaints at this time. If you do have constructive criticism, save that for a later date when your employer will probably be more receptive to hearing it. Tell your employer that you have accepted another offer and that you hope they would never suggest for you to rescind an offer.

In a resignation letter, you should describe your decision to leave your current law firm in the most positive manner possible. You can also speak of various career goals you plan to pursue, advancements, geographic moves, etc. Never complain in your letter of resignation.

Only after your superiors have been notified then you can tell your colleagues about your move. A short email is sufficient. Once again, keep the email positive and upbeat, and express your appreciation for the support, hard work and friendship that everyone has given to you during your time at the firm.

Leaving a law firm to move to another is an exciting time for all attorneys. However, don't forget about the important skills you have learned at your old firm and great acquaintances you have made. Making sure you remember the positive parts of your previous law firm will make leaving much easier for everyone. You never know when you may run into your past employer or co-workers, and you want them to remember you as a hardworking attorney with positive energy.



Online Privacy Notice Rule

By David Katz

David Katz is a partner in Nelson Mullins Riley & Scarborough's Atlanta office where he leads the privacy and information security practice group. He counsels clients on the development, management, and oversight of privacy and compliance programs. He also assists them in developing policies and procedures, education strategies, implementation of auditing and monitoring controls, reviews of disciplinary and enforcement activities, and risk assessments. He speaks and writes on matters relating to technology, privacy and data security. His tweets can be followed on Twitter @KatzFDavid. david.katz@nelsonmullins.com www.nelsonmullins.com (404) 322-6122.

On Oct. 17, 2014, the Consumer Financial Protection Bureau (CFPB) finalized a rule allowing financial institutions, under certain circumstances, to provide their privacy notices online, rather than through mail to each customer individually. The primary purpose of the new rule is to reduce unduly burdensome regulations on financial institutions, and the CFPB believes that it will save the industry approximately \$17 million annually.

New Law

The Gramm-Leach-Bliley Act (GLBA) currently mandates that financial institutions provide initial and annual notices to their customers regarding the institution's privacy policy. Additionally, if the institution shares a consumer's nonpublic information with unaffiliated third parties, both the GLBA and the Fair Credit Reporting Act (FCRA) require the institution to notify the consumer of that disclosure and, generally, provide an opportunity to opt out of the sharing.

In the past, financial institutions typically have mailed these notices. However, under the CFPB's new rule, a financial institution may post its annual privacy notice on its website if it meets the following requirements:

1. The financial institution's information sharing practices do not trigger opt-out rights under GLBA or FCRA;
2. The financial institution has previously provided opt-out notices required by FCRA, if applicable, or the annual privacy notice is not the only notice provided to satisfy those requirements;
3. Information included in the privacy notice must not have changed since the customer's receipt of the previous notice; and
4. The financial institution uses the model form

provided in Regulation P.

Additionally, to use this alternative method, the financial institution must comply with several other provisions to make customers aware of the annual privacy notice such as:

1. Continuously posting the annual privacy notice in a clear and conspicuous manner on a page of its website, without requiring a login or similar steps or agreement to any conditions to access the notice;
2. Mailing annual notices to customers who request them by telephone, within 10 days of the request;
3. Insert[ing] a clear and conspicuous statement at least once per year on an account statement, coupon book, or a notice or disclosure the institution issues under any provision of law. The statement must inform customers that the annual privacy notice is available on the financial institution's website, the institution will mail the notice to customers who request it by calling a specific telephone number and the notice has not changed.

Benefits

Aside from the cost savings that paperless notice will provide financial institutions, the CFPB cited several other benefits that will result from the implementation of the new rule. The CFPB expects that consumers will benefit by having constant access to privacy policies online as opposed to the once-per-year paper copies they had received in the past. Additionally, the CFPB hopes the new rule will provide incentives for financial institutions to limit sharing of consumers' nonpublic personal information, because institutions that share data with unaffiliated third parties in a way that triggers customers' rights to opt out are no longer eligible to use the alternative delivery method.



Is That USB Device Safe?

By Karl Epps, EnCE

In business it has become common to transfer data between parties over the Internet or via a USB device. USB devices are very handy. They can hold a lot of data and can be used and re-used many times. Also, the cost of a USB device is relatively low so giving a USB device to a client or accepting a USB device from another party does not always require that it be returned. They are also usually generic in appearance so that once we receive a USB device we may not be able to identify where we got it. The convenience of USB devices is great, but it may come with a hidden cost.



Recently a major flaw was discovered in the firmware of USB devices that affects a large percentage of the USB devices in use today. Storage devices, keyboards, mice, cell phones, and any other device with a USB connection can be affected by this flaw. The threat runs deeper than just the information stored on USB drives; it is a flaw in how USB devices *work*.

An attacker can manipulate or recode a USB device and, at this time, this change is undetectable as the USB device functions at a layer below that of anti-virus software and is automatically trusted by the machine. This is very scary since almost all computers have USB devices connected to them at some point in time. An infected USB device can completely take over a computer, invisibly alter files, redirect Internet traffic, or capture usernames and passwords. Unfortunately, right now there is no fix. This vulnerability will likely remain for years to come since it is a flaw in the way USB devices are made. It is not something that can be picked up by virus scans at the moment and is virtually undetectable.

The researchers that discovered this vulnerability recently released the code online, hoping to get expedited collaboration to fix this problem, but this also gave “bad guys” access to the code. Striving to quickly identify a fix is certainly desirable. However, until a fix is identified and can be widely applied, anyone with coding experience can easily exploit this flaw.

We are not recommending that you stop using USB devices. Their convenience and low cost makes them very useful. As of right now we are advising everyone to be *extremely* careful with USB devices.

- **NEVER** buy a USB device that has been opened and returned. The risk is not worth the few pennies saved.
- **NEVER** plug in a USB device that you find lying around. If you didn't open it and remove it from the original package – do not plug it

into a computer.

- If someone hands you a USB device, make sure they followed the above statements or do not trust it (don't use it). Only use USB devices from someone you trust and who you believe has taken care with them. Conversely, if you want to share data, give your thumb drive to someone else and let them put the data you need on your thumb drive.

We will continue to monitor this vul-

nerability and provide an update as information changes or solutions are found. As of right now, we ask that you please be very careful with USB devices, and certainly do not use any USB device from an untrusted source.

Karl Epps is a partner at Epps Forensic Consulting and manages the tech consulting division which provides computer support, computer-related insurance claims consulting, data recovery and forensic technology services. Karl is an EnCase Certified Examiner. Karl can be reached at 602-463-5544 or kepps@eppsforensics.com.

SEARCHING FOR OUR NEXT



DO YOU KNOW SOMEONE TO NOMINATE?

Contact Bill McGill | (404) 229-0780 | BMcGill@attorneyatlawmagazine.com

Need more time in your day?



Use eFileGA.com

ODYSSEY[™]
eFileGA

A simple portal for e-filing in metro Atlanta courts

E-Filing Empowered by
Tyler Technologies

ALLEGRA LAWRENCE-HARDY

Writing Her Own Story

By Laura Maurice

Bill Adler Photography

Sutherland Partner Allegra Lawrence-Hardy wanted to be a journalist when she was young. As often happens in life, she didn't become who she thought she would be. Yet despite the change in her career course, Lawrence-Hardy has written her own story – a very successful one at that. After nearly two decades with the firm, she heads both the Business and Commercial Litigation and the Labor and Employment teams and is an integral part of Sutherland's management.

Lawrence-Hardy was drawn to words from a young age but didn't realize how her passion would manifest itself in her career. She grew up in Atlanta, the daughter of scientists. Her father is an engineer and her mother is a computer scientist and a professor at Spelman College. Her sister, an epidemiologist, pursued science in the family tradition. Her uncle was the lone lawyer in the family, a solo practitioner and early influence.

She became interested in the legal field during college, ironically while pursuing her interest in journalism. As part of an internship with Atlanta Magazine, Lawrence-Hardy spent time with the lawyers who were responsible for pre-publication review and became fascinated with the law.

She attended college at Spelman, becoming a third-generation magna cum laude graduate of the institution. The school has remained a prominent force in her life and that of her family, and she is proud of her niece who is currently enrolled, continuing the legacy. Spelman's commitment to excellence inside and outside of the classroom leaves a lasting impression, and the emphasis for graduates to "lift as you climb" continues to guide Lawrence-Hardy today.

Following her undergraduate studies, Lawrence-Hardy attended Yale Law School and after obtaining her law degree, she clerked for a year for The Honorable Susan H. Black with the 11th Circuit Court of Appeals in Jacksonville, Florida. Judge Black stressed the importance of finding mentors in one's career and, in fact, became a key early mentor. Judge Black was instrumental in guiding the young attorney to accept her next opportunity at Sutherland.

At the time she joined the firm in 1997, Lawrence-Hardy was the only woman of color associate in the Atlanta office. It's unusual for an associate to have such longevity with a firm; it's even more unusual for an associate of color. Lawrence-Hardy attributes her tenure to early opportunities and outstanding mentors.

Heeding Judge Black's advice when she joined Sutherland, Lawrence-Hardy actively sought out mentors and was not disappointed. Teresa Wynn Roseborough, now the General Counsel at Home Depot, was one of her first mentors. Richard Robbins, formerly of Sutherland and the founder of Robbins Ross Alloy Belinfante Littlefield LLC, also took her under his wing, as did partners John Chandler and Judy O'Brien.

Lawrence-Hardy became a partner in 2004 and was named chair of the Diversity and Inclusion Committee that year as well. She served in that capacity until 2011, when she rotated off to join the Executive Committee, where she currently serves.

Lawrence-Hardy has used her leadership platforms to further diversity and inclusion initiatives and to "pay it forward" in recognition of the mentoring she received. While serving as chair of Sutherland's Diversity and Inclusion Committee, she developed the Sutherland Scholars program, a summer pre-law school boot camp offered at no cost for students from historically Black colleges and universities. The program has been extremely successful, with over 350 graduates, and she regularly mentors program students. She counsels them to establish their "board of directors" early on, which should consist of different people as advisors for different aspects of life.

"I'm proud that the Sutherland Scholars program has been replicated by

"I'm proud that the Sutherland Scholars program has been replicated by other law firms across the country. And I'm impressed by the contributions our Scholars are making to the profession."

other law firms across the country. And I'm impressed by the contributions our Scholars are making to the profession."

Early in her career, attorneys didn't specialize in practice areas the way they do now. Lawrence-Hardy believes that has worked to her advantage as she gained broad exposure to many different types of litigation. She enjoys the variety. She works with clients on complex commercial and labor and employment matters and has successfully defended Fortune 100 companies throughout the U.S. and abroad in numerous trials, arbitrations and other forms of alternative dispute resolution.

What's on her desk currently? An interesting mix consisting of collective and class action cases involving FLSA and TCPA; investigations and crisis manage-

ment for clients involving legal, business and press issues; and Dodd Frank and SOX whistleblower cases. She is a problem-solver who enjoys sifting through all the moving parts to ascertain the bigger picture and, from there, helping clients with a legal strategy that works in the context of their business goals.

Lawrence-Hardy values her partnership with clients. "As outside counsel, we strive to be an extension of our clients, but to also bring a different perspective. I am very privileged to stand side-by-side with clients during tough times and help them solve their most difficult problems."

She is a prolific author and sought after speaker. She has been the recipient of numerous awards, regularly featured in the profession's "best of" and "who's who" lists. Lawrence-Hardy is most proud of receiving the Community Service Award from the Atlanta Chapter of the National Alumnae Association of Spelman College, the Justice Leah Sears Award for Distinction in the Profession from the Georgia Association of Black Women Attorneys (GABWA) and the Commitment to Equality Award from the State Bar of Georgia.

She says that colleagues would describe her as hard-working and driven. To the casual observer, she appears calm and not easily ruffled, and this persona extends to the courtroom. Since becoming a mother to her daughter four years ago with husband Timothy Hardy, she has evolved to be more mindful in her approach to life. She also has focused on playing to her strengths and embracing her own authentic style. She says it has made her life richer, and she is enjoying practicing law more than ever. "I have wonderful clients and I work with a great team."

Having it all translates to a very busy schedule. A typical day involves a full day at the office, offsite meetings with clients or appearances in the courtroom, sandwiched by a regularly scheduled morning and evening strategy calls with a large client, with time reserved for winding down with reading time with her daughter – one of the highlights of her day. She has written several children's books starring her daughter as heroine and enjoys sharing them with her family. We can only hope that her daughter grows up to create a story as interesting as Lawrence-Hardy's own.

AT A GLANCE

Sutherland

999 Peachtree Street
Atlanta, GA 30309
(404) 853-8000
www.sutherland.com

Practice Areas

Complex Commercial and Labor & Employment Litigation

Education

Juris Doctor, Yale Law, 1996
B.A., magna cum laude Spelman College, 1993

Clerkships

Honorable Susan H. Black, U.S. Court of Appeals, 11th Circuit

Favorites

Team - The Red Tigers (my daughter's soccer team)
Book - "Leaving Atlanta" by Spelman Classmate, Tayari Jones

Inspirational Person

My grandmother, Jeanne Hayes Allen, who taught me the love of learning

Professional Memberships

Leadership Atlanta, Graduate
Leadership Georgia, Graduate
Litigation Counsel of America, Fellow
Georgia Association of Black Women Attorneys, Past President
State Bar of Georgia, Board of Governors

Community Activities

Atlanta Girls' School, Board of Trustees
Girl Scouts of Greater Atlanta, Board of Directors
Georgia Legal Services Foundation, Board of Directors
Fernbank Museum of Natural History, Corporate Leadership Council

Honors & Awards

Chief Justice Leah Sears Award for Distinction in the Profession
Community Service Award, National Alumnae Association of Spelman College
Commitment to Equality Award, State Bar of Georgia
Gate City Bar Foundation's A.T. Walden Outstanding Lawyer Award
Recognized by Chambers USA: Guide to Leading Business Lawyers
Recognized by the Best Lawyers in America
Repeatedly Selected for Inclusion in Georgia Super Lawyers Top 50 Female Georgia Super Lawyers & the Top 100 Georgia Super Lawyers



In-House
E-Discovery
for Legal
Find information
quickly
when you need
it the most

By Erin Corken

Erin Corken is an attorney and a regional review manager at Ricoh Legal. Adjunct professor of e-discovery for the Center for Advanced Legal Studies, she has several years of experience working at leading international law firms and Fortune 100 corporations on various discovery matters, internal and government investigations, corporate actions, and compliance projects. She has been the e-discovery manager responsible for the oversight of projects with over 5.5 million documents and more than 200 attorneys. For more information, call (470) 230-6266, email erin.corken@richoh-usa.com or visit www.ricoh-usa.com/legal/

When an e-discovery request comes in, the pressure is on no matter how sound your record-keeping is. Don't worry: You don't have to hire a third-party firm to dig through your organization's files. With Ricoh's In-House eDiscovery for Legal, we make it easy to track down and prepare documents spread across multiple devices.

Long, arduous, expensive? Not anymore.

It was four years ago, and you're sure it was put in the right place, but you've since changed systems, and you're having trouble remembering how the old one worked, or you think the final version may have been saved on Gary's laptop, because Gary loves to have final review, which is generally a good thing ...

Stop! You don't have to worry about where Gary left it, or use an expensive hire to find it, or block off hours, days and weeks to search yourself.

Our easy-to-use network integrates with many existing review tools and hosting services, so you'll find the information you need, where and when you need it.

When is the next request coming?

It can be a hard thing to judge. That's why we offer ongoing subscriptions to our e-discovery tools, so you can immediately have the appropriate documents on hand. You can also go use these services on an as-needed basis, so you can almost immediately have the information you need.

Turning over documents doesn't mean unsecur- ing them

While our network appliance pulls the documents you need together for review, it doesn't take them outside the confines of your secure system. Our approach respects your privacy needs and helps ensure your compliance with the requirements of e-discovery.

Benefits to your business

Simple eDiscovery without the cost of out-sourcing

Our network application helps you pull together the documents you need from across an array of networked devices at a lower cost than a dedicated e-discovery firm.

A quicker, more painless process

Instead of dedicating huge swaths of office hours to hunting down and preparing documents for discovery, our tool interfaces with your hosting service and takes care of it all, much more quickly than a manual search could have.

Keep information safe while complying with requirements

Throughout the discovery process, while our application is preparing documents for viewing, it's keeping them behind your firewall, within your own trusted security policies. The fetching process

also complies with e-discovery requirements.

Highlights

1. Lower the costs of complying with e-discovery
2. Create a quick, comprehensive search and gather process
3. Avoid tying up office workers' hours or using expensive third-party firms
4. Maintain data security and privacy from sensitive documents
5. Prepare for e-discovery requests; react quickly to unexpected ones
6. Access the information you need when it's important to have it quickly

The Nation's First Private Computer Forensics Lab Accredited by ASCLD/LAB

Ricoh operates the first private computer forensics lab in the nation to be accredited by the American Society of Crime Laboratory Directors/ Laboratory Accreditation Board (ASCLD/ LAB). To qualify, Ricoh voluntarily submitted to stringent reviews of our lab operating processes by ASCLD/LAB inspectors — including audits of the physical laboratory, case files, evidence preservation procedures, operating manuals and biometric and electronic security systems.

Being the first private firm in the nation to receive this accreditation underscores Ricoh's commitment to consistently provide unparalleled expertise in forensics and electronic discovery.

Many companies rely on old forensic technologies that may not be the best solution. The rapid pace of today's technology demands a team with the dedication and skills to keep up.

The Experience and Innovation of Ricoh.

Our forensic solutions combine 30 years of experience serving the corporate, legal and professional communities with Ricoh's legacy of innovative technology and support.

Today, our combined team of forensic professionals provide expert, timely and comprehensive services for a variety of civil and criminal disputes, as well as corporate/employee investigations. We specialize in offering valuable consultation to attorneys through electronic discovery, litigation support and expert witness testimony.

Licensed and Certified Forensic Investigators

Ricoh's computer forensic professionals are industry leaders, skilled in performing digital investigations and providing expert witness testimony. Examiners are licensed private investigators and also hold multiple certifications, including:

- EnCase Certified Examiner (EnCE)
- Certified Computer Examiner (CCE)
- Seized Computer Evidence Recovery Specialist (SCERS)

Greater Returns Now Possible In the Structured Settlement Market

By Jay Scarola

Last month, Pacific Life launched its long-awaited Structured Settlement Index Linked Annuity Payment Adjustment Rider. This exciting new rider is available for all structured settlement cases. Pacific Life's new index-linked rider finally addresses the industry's demand for higher rates of return.

Structured settlement annuities are, at the core, a blend of single premium immediate annuities (SPIAs) and single premium deferred annuities (SPDAs); and due to the specific annuitant population, they are priced differently and governed by different tax

codes than other traditional annuity products. Since the annuitant population includes injured claimants involved in lawsuits, the product goal is security and guaranteed payments and as a result the yields are lower than products that may incur more risk, like mutual funds.

So what are index-linked annuities and why does this matter to the structured settlement industry? Personal financial guru, Suze Orman, says, "The index annuity tracks an index such as the Standard and Poor's 500 index, and your return on your money will usually be a percentage of what that particular index did for your corresponding investment year...Within this particular index annuity, for example, your money can only go up; it cannot go down.... It is set in reserve to protect you from the downside. Consider, too, one last safety feature. If you invest in an index annuity and the market goes down every single year, it still won't matter to you."

The Pacific Life product, while *not* a consumer-based index-linked annuity, adds an optional rider to the structured settlement to link the annuity payment(s)

to the S&P500 Index, which in turn, allows for greater growth potential with the structured settlement, without downside risk exposure. It is supported by an IRS Private Letter Ruling.

How It Works

This is an optional rider that can be added to either a particular benefit stream in the structured settlement plan or to all benefit streams. The claimant can choose the annual maximum increase level (similar to a cost of living adjustment) up to 5 percent.

When the S&P 500 index rises over a period of 12 months, annuity payments will also rise, subject to the annual maximum of 5 percent.

If the S&P 500 index has a negative or zero return, there is no reduction in the payment amount compared to the prior year's payment(s).

Since joining Millennium Settlements, Jay Scarola has dedicated his time to helping injured clients maximize their settlement proceeds. For more information, visit www.millenniumsettlements.com or call (561) 629-4992.



An Example

END OF YEAR	1	2	3	4
Hypothetical S&P 500 Index Return	4%	-3%	3%	10%
Adjustment to Payment Amount	4%	0%	3%	5%
Resulting Monthly Annuity Payment	\$1,352	\$1,352	\$1,392.56	\$1,462.18

Let's say Jane added the optional rider when her annuity was purchased. The initial structured settlement monthly annuity payment was \$1,300 for the first year. In this example, the hypothetical S&P 500 index return for the first year was 4 percent. Therefore, her monthly annuity payment increased by 4 percent to \$1,352. The second year, the hypothetical S&P 500 index return dropped 3 percent. Jane's payments were not negatively affected — they maintained the prior year's payment of \$1,352. The following year, the hypothetical S&P 500 index return increased by 3 percent and in the fourth year it increased by 10 percent. Because of the 5 percent cap, in the final year, Jane would receive a 5 percent increase to her monthly annuity payment.

A Tale of Resurrection

By Jan Jaben-Eilon

Richardson Bloom & Lines, LLC



Kyla S. Lines, Melody Z. Richardson, Rachel Miller & Daniel A. Bloom

M eet Richardson Bloom & Lines, LLC – the new name of the family law firm built on the foundation of Pachman Richardson, LLC which was started in 2006 by Andy Pachman and Melody Z. Richardson.

“We’re like the phoenix out of the flames,” says Richardson referring to the tough year the firm went through following Pachman’s death in March 2013. The firm shrunk by half; internal morale was shaken. “But we’re back, better than ever,” she declares.

“It’s hard to give up the name Pachman,” acknowledges Daniel A. Bloom.

Indeed, by all accounts, Andy Pachman was larger than life and full of life. “Pachman was intelligent, compassionate and had the Midas touch,” says Richardson. “We miss him every day.”

Kyla S. Lines adds, “In addition to being a wonderful, charismatic person, he was a talented and caring attorney.”

After his death, Richardson, the firm’s managing partner, focused on how best to move the firm forward. “It was sink or swim,” describes Bloom. “More like treading water,” corrects Richardson. “We are swimming this year.”

The firm stayed very busy, and those employees who remained were rewarded for their hard work and dedication. “We have an extremely loyal staff and we were able to allay their initial fears that they would be out of a job,” says Richardson. At the time of Pachman’s passing, the firm had just finished expanding its midtown office space, which increased its overhead. But, as Bloom quotes Friedrich Nietzsche, “That which did not kill us made us stronger. We are stronger as a result of what we’ve been through and this is what Andy would have wanted,” he points out.

Bloom, Richardson and Lines emphasize the family feel of the firm which focuses on families faced with difficult circumstances such as divorce, custody disputes and conflicts regarding child support. “We really like each other,” Lines said. “We use the team approach. When a client hires one of us, they get all of our expertise. At any time, we can walk down the hall and bounce ideas off each other.”

All three members practice family law and serve as mediators, arbitrators and guardians ad litem. The firm’s practice also includes collaborative family law, drafting and reviewing prenuptial agreements, and modification of custody and child support.

Although each comes from a different background, they consider themselves to be complementary. “We have a similar philosophy,” says Lines. “We all are doing everything we can to make a difficult situation better for our clients. We come to it with both empathy and toughness.”

According to Richardson, “We tell our clients not what they want to hear, but the truth.”

“We know our fees aren’t being paid by corporations, but by individuals who could use the money for things like their children’s education,” says Bloom.

Bloom and Lines met while working together in Fulton County Superior Court’s family division. “Kyla and I saw things from the judge’s perspective and we know to separate emotion from practicality. People are paying us for our expertise. We must give our clients realistic expectations.”

Bloom, a graduate of Emory Law School, doesn’t like the term, “broken families,” but prefers to talk about “family restructuring.” None of them believes families belong in a courtroom. “Who wants a perfect stranger to hear the most intimate details of your life?” asks Richardson, who received her law degree from the University of Georgia.

Part of the firm’s culture is based on the fact that the attorneys deal with domestic relations gone awry. “We really care about our clients. We bring a level of sanity to

“*We’re like the phoenix out of the flames.*”

what can be an insane situation,” says Richardson. “It makes us appreciate our families that much more, given what we see every day,” adds Bloom. But going into family law wasn’t obvious for any of the three.

“I didn’t take one family law class in school,” says Richardson. She practiced commercial litigation before starting her own practice, at which time the cases that kept getting referred to her were in family law. “It turned out to be the perfect fit for my personality.” Yet, her commercial litigation background has proven useful since she obtained substantial litigation experience and knowledge of the many complex issues that arise in family law.

Bloom, on the other hand, always knew he wanted to work with families and children, but he didn’t always want to be an attorney. After considering giving up his legal career to become an art dealer, he accepted a position with the Atlanta Volunteer Lawyers Foundation. In 1996, he started AVLFF’s domestic violence project and was responsible for soliciting and training lawyers to provide pro bono legal services to victims

in need of protective orders and consequent legal services. “It restored my faith in the legal system and in lawyers,” he says.

From 2001 to 2006, Bloom served as a magistrate judge in Fulton County where he was assigned to the family division. That vantage point put him in a prime position to evaluate all the family law firms in Atlanta. When he knew he’d be a father and needed to make more money, his first and only call was to Pachman and Richardson. “We had drinks and I asked if I could work with them,” Bloom recounts. He also knew Richardson from her volunteer work at the Atlanta Volunteer Lawyers Foundation.

Lines, a Georgia State University law school graduate, also had no interest in practicing family law early in her career. When she was offered the job of staff attorney for Judge Cynthia D. Wright in the Superior Court of Fulton County’s family division, she signed up for what she thought would be a two-year term. Nine years later, she was still working with Judge Wright and they were still in the family division. Having worked closely with Bloom and having been impressed with Richardson as an advocate and a guardian ad litem, she made the jump to private practice and joined Pachman Richardson. “I knew all of the players in the family law community from my time with Judge Wright, and I knew there was no other group of attorneys I would rather work with.”

“There are a lot of attorneys who want to join us,” says Bloom, which is good because the three anticipate growth in the next few years. “We’ve spoken about doubling in size in five years,” says Richardson, “so maybe we’ll add one or two attorneys in the next three years. But there’s a limit to how large we want to be because we want to maintain the family feel.”

For now, Richardson says they are focused on how best to move forward. “We are re-energizing our marketing efforts, our commitment to each other, and our desire to grow as advocates.” Agreeing, Bloom points out that after Pachman’s death, “People didn’t know what to do with us. They didn’t know if we were going to survive. But we also received an amazing outpouring of support from our colleagues and the family bar.”

All three are heavily involved in the local and state bar associations, pro bono work and in the community. One of Richardson’s happiest memories is a playground build at Perkerson Elementary School that she spearheaded during her tenure as chair of the Atlanta Bar Association’s family law section. The effort started when the economy crashed, making it more difficult to

raise the \$50,000 necessary to buy the playground equipment. Pachman was a huge support to Richardson during that time. “Andy said at the time that he was proud that I was his partner,” says Richardson, thoughtfully. “I always think of that.”

Accolades have come from many directions. All three have been selected for inclusion as Georgia Super Lawyers, and Richardson has been included in the Top 100 Lawyers list and as one of the Top 50 Woman Attorneys in Georgia. Bloom has also been listed on the Top 100 Lawyers list, and Lines currently serves as the vice-chair of the DeKalb County family law section. Lines and Bloom are both on the executive committee of the family law section of the State Bar of Georgia, and Richardson remains very active with numerous community service and pro bono projects with the Atlanta Bar.

Over the years, all three have often served as guardians ad litem for children who don’t otherwise have a voice in domestic disputes. “One of the best things about guardian work,” Richardson says, “is that I still get Christmas cards from many of the families, which is nice because you wonder what happens to them.”

Much of the firm’s business comes from “word-of-mouth. Our best marketing is from happy clients,” says Lines. She believes “the best way to get new clients is to have satisfied former clients. The best way to have satisfied former clients is to set realistic goals and expectations for them while you are involved in the cases. It’s really just basic customer service.”

It also helps that the lawyers have good relationships with other family law attorneys, says Bloom. “People can trust what we say.”

The three work well together. “Dan is one of the best mediators in the state, and Kyla is wicked smart,” says Richardson. While Lines returns the favor, “She’s an excellent trial attorney, and both Dan and Melody are expert strategists.”

“I yell down the hall daily asking for Kyla and Melody’s thoughts and opinions because I have such great respect for them as attorneys,” says Bloom.

Pachman’s death has undoubtedly brought Richardson, Bloom and Lines even closer than they had been before. “We support each other,” says Bloom. “To say that you get to know people better under those circumstances is an understatement.” After a pause, he adds, “Thank goodness we are all good judges of character.”



Founding Member Melody Z. Richardson



Member Daniel A. Bloom



Member Kyla S. Lines

At a Glance

Richardson Bloom & Lines, LLC
75 Fourteenth Street, NE, Suite 2840
Atlanta, GA 30309
(404) 888-3730
www.rblfamilylaw.com

Founders
Melody Z. Richardson
Andrew R. Pachman

Founded in 2006
Practice Areas
Family Law
Domestic Relations

Partners
Melody Z. Richardson
Daniel A. Bloom
Kyla S. Lines

Associates
Rachel K. Miller

Staff
Paralegal Stephanie D. Bullard
Paralegal Maggie Jernigan
Office Manger Sean Dixon-Parker

Community Involvement and Pro Bono Activities
Atlanta Volunteer Lawyer Foundation
DeKalb Volunteer Lawyer Foundation
Atlanta Legal Aid
Emory Public Interest Committee
Charles Longstreet Weltner Inns of Court Executive Board
Southern Jewish Resource Network for Gender and Sexual Diversity (SOJOURN)
Atlanta Bar Association, Family Law Section
State Bar of Georgia, Family Law Section
DeKalb County Family Law Section
The Health Law Partnership
Atlanta Santa Project
Therrell High School Mock Trial Exhibition
Dream Team Law Day Symposium
Annual Celebrating Service Event
Fulton County Family Division’s Family Law Workshop

HOW TO BUILD A LEAD GENERATION MACHINE WITH EMAIL MARKETING

By Stephen Fairley

A recent lead generation benchmark survey conducted by marketing research firm Ascend2 and Research Partners is worth paying attention to for the insights gathered from 50,000 U.S. and international marketing leaders representing a wide range of company types, sizes and locations. That is what is known as a statistically significant survey.

When queried on the most effective tactics these companies deploy to generate leads, the #1 choice by a significant margin was email marketing.

So if you are serious about lead generation, you need to have an email marketing program working for you right now! What is an email marketing program? Do you have one? And is it really working for you – as in delivering a steady stream of qualified leads?

If not – or you don’t know what it is – keep reading.

What is an email marketing program?

An email marketing program is any use of emails sent to potential clients, current or former clients, or potential/current referral sources for the purpose of increasing business, generating new leads, or developing relationships for the purpose of referrals. This can take the form of follow-up emails, a drip marketing campaign, an autoresponder series or a monthly newsletter.

How to Measure Your Email Marketing Performance

Electronic newsletters (e-newsletters) have proven to be one of the most effective methods for attorneys to market themselves to prospects, clients and referral sources. Every year, email marketing service provider MailerMailer provides a report on email marketing metrics across 34 different industries, including legal.

They just issued their 2014 report, based on data gathered from 62,000 e-newsletter campaigns totaling 1.18 bil-

lion emails sent between Jan. 1, 2013, and Dec. 31, 2013. Here are the results – and your new minimum benchmarks – for your law firm e-newsletter:

- Open rate (what percentage of your recipients opened your email): 13.5%
- Click rate (what percentage of your recipients clicked on a link in your email): 1.6%
- Click-to-open rate (of the recipients who opened your email, what percentage of them clicked on a link): 11.8%
- Bounce rate (the percentage of emails that cannot be delivered): 2.4%

Every email service provides these statistics for each e-newsletter you send out. If your e-newsletters are not delivering at rates that meet or exceed the benchmarks

above, you have a problem. If you have a lot of experience sending e-newsletters, like we do, you should easily exceed those benchmarks. Please note, open rate cannot be accurately measured when emails are opened on a smartphone, so if many of your readers only use smartphones to read their emails your true open rate will be higher than what is reported.

Here’s what you should consider to improve your click, open and bounce rates:

Are your subject lines engaging to entice people to open your email? Short subject lines –one to three words are best. A study by Contact Monkey, an email newsletter provider, found the length of subject lines directly correlates with open rates. Subject lines with two or less words

continued on page 20

Escape from Traffic

Use eFileGA.com

A simple portal for e-filing in metro Atlanta courts

E-Filing Empowered by Tyler Technologies



continued from page 19

in them (for example, RE: Follow up, Re: Update, Re: Introduction or Re: Checking in) consistently obtained over 70 percent open rates while more traditional subject lines (like ABC Law Firms Summer Newsletter or November 2014 Newsletter) received less than 15 percent open rates!

Are you sending emails on the right day and at the right time? The highest open rates vary widely depending on your audience. In general, Monday morning before 10 a.m. is the worst time to send a newsletter, but on other days open rates are higher between 8 a.m. and noon. However, it's important to test different days and times to see if you can find ones that are better because every audience is different. With our e-newsletter (that focuses on business development & marketing for law firms) we have had some of our highest open rates to be Friday afternoons and Sunday evenings. We would have never discovered this unless we tested it out.

Is your email list updated regularly and cleaned of old, undeliverable email addresses? Bounce rates reflect when an email is unable to be delivered, making it bounce back. There are different reasons for your email to bounce, but three common ones are the person's inbox is full, their Internet service provider has a problem with your email (perhaps misidentifying it as spam) and bounces it back to your server, or they have changed email addresses. Bounces are inescapable, but can be improved if you send out emails on a regular basis. The less frequently you send out a newsletter the higher your bounce rate will be. If you are just starting out, we recom-

mend going back through your client files and getting email addresses, but only from those who you have done business with in the last two years; otherwise you will get a significantly higher number of spam complaints.

Have you segmented your email list so you can tailor your content to different audiences? Targeted emails deliver 18 times more revenue than general blast emails. We recommend at least two lists: one for your current & former clients and another for everyone else (referral sources, networking contacts, colleagues), just in case you want to send something different to each group.

Are your emails personalized? Personalizing the message content can boost open rates significantly. Something as simple as using their first name in the body of the newsletter goes a long way.

Do you use a responsive design template so your emails are displayed properly for every screen size? More than half of emails are now opened on mobile devices. Be sure to preview your e-newsletter on your smartphone before you send it out.

If your e-newsletters are performing at or above these benchmarks, you may still have some work to do: if you don't know the source of your success, you can't repeat it.

4 Proven Email Tactics Law Firms Can Use to Find Qualified Leads

Law firms and other service providers often struggle with effective ways to use email and newsletters to find qualified leads. This is primarily because they misunderstand the purpose of these keep in touch emails.

They are best used to keep you at the top of mind for former clients and referral partners. Often, a direct call-to-action such as "call for a free consultation" doesn't work. It's better to offer them a variety of options. Here are a few creative ways for law firms to entice prospects to take the next step:

1. Web forms and surveys. Law firms that offer free appointments can repack-age that offer in a more creative way by including surveys or Web forms in their e-newsletters and making a free appointment the prize for subscribers who fill these out. For example, take this survey to find out how vulnerable your small business is to an employee lawsuit. At the end of the survey they can get the results along with an offer for a free consultation with a labor & employment attorney or a small business lawyer to give them the results.

2. Free reports. Free reports that are offered to prospects on your website, via social media or through your e-newsletters are a great way to discover qualified leads. First, you have to have a good handle on topics of interest to your target market. Then generate a three-five page report with a snappy title that addresses any of your prospects' problems. For example, "The Top 10 Mistakes Small Business Owners Make And Why They Get Sued By Employees" or "5 Things Never to Say To Your Insurance Company When You're In An Accident" or perhaps "10 Questions to Ask Any Divorce Attorney Before You Hire Them." In exchange for receiving the free report, you ask prospects to provide you with an email address and phone number, which you can then use to reach out to them personally to

further develop your relationship.

3. Webinars. Hosting a free webinar on a topic of interest to your target market is another good way to gather qualified leads. You can promote your event through your e-newsletter as well as on social media, which helps you build your email list of qualified leads. At the conclusion of your webinar, offer something of value like a free consultation and make it extra enticing by limiting it to the first five people who respond. Webinars are a good tool when: (a) your clientele is spread over a wide geographical area (immigration); (b) your topic area is sensitive (bankruptcy); or (c) you're targeting executives, business owners or general counsel (business or litigation).

4. Social media. For people who are in the early stages of their search for an attorney and not ready for a consultation, inviting them to like your Facebook fan page or connect with you on LinkedIn or even follow you on Twitter can be a good alternative.

You will need to tinker with various tactics to discover what works best for your prospects, as not every tactic will work for you. The important thing is to keep making your engagement with prospects interesting for them, and not serving up the same old thing in every communication they receive from you.

Email Marketing Stats You Shouldn't Ignore

Email marketing software and services provider Emma recently aggregated the most recent research on email marketing from industry sources and they are worth sharing with you for the insight you can gain to make your email marketing program more effective:

- **The average open rate for welcome emails is 50%**, making those types of emails highly effective. Whenever someone signs up for anything and provides their email address, an automated welcome email is a no-brainer and a great chance to engage your prospects.
- **51% of email is now opened on a mobile device**, so always use responsive design email templates to ensure your emails look great on any screen.
- **80% of people just scan emails**, so be sure you have bold headlines for your main subject and engaging graphics.
- **Nurtured leads make 47% larger purchases** than leads that are not nurtured. Having an automated series of emails triggered by time or events can pay off big for you.
- **The human finger is approximately 46**

pixels square, so be sure your call-to-action buttons are large enough for mobile readers to tap.

- **58% of people check their email first thing in the morning**, so send your emails early to increase your open rates.
- **The human brain processes images 60,000 times faster than text**, so choose good images that tell your story.
- **People check their mobile phone up to 150 times a day.** Using email and social media together can reinforce your message in the places people visit most often.
- **iPhones cut off a subject line after 32 characters**, so be sure the most important words are at the beginning of your subject line.
- **Using white space improves comprehension by 20%**, so don't crowd your content.
- Eye tracking data shows that **readers look at the same section of the screen where pictures of people are looking**, which makes that area a perfect place to put your call-to-action.
- **The #1 reason people unsubscribe is because of too many emails.** Use automation to send emails at just the right time instead of blasting emails out with every little piece of news.

- **Adding video to your emails can increase click rates by 300%.**
- **Email conversion rates are 40 times greater than that of Facebook and Twitter.** Use social media to encourage people to sign up for your emails, and then use those emails to convert your browsers into buyers.
- **Personalized emails improve click rates by 14% and conversions by 10%.**
- **People share content they feel will entertain or benefit others.** 94% of people consider how what they share will be of use to others before sharing.

Use these stats to improve your email marketing program and you should increase your open and click-thru rates – which in turn will increase the number of qualified leads for your law firm. If you would like some help with your email marketing program, contact my office and ask for a complimentary strategy session with one of our trained Rainmaker Law Marketing Consultants.

Stephen Fairley is CEO of the Rainmaker Institute, LLC, the nation's largest law firm marketing company. He has helped over 10,000 attorneys. For more information, call (888) 588-5891 or visit www.TheRainmakerInstitute.com.

File court documents

24/7/365



Use eFileGA.com

ODYSSEY™
eFileGA™

A simple portal for e-filing in metro Atlanta courts

E-Filing Empowered by Tyler Technologies

Old School Values Meet Modern Technique

By Jan Jaben-Eilon

CONLEY GRIGGS PARTIN LLP



The heart of every case that Conley Griggs Partin LLP accepts, say the three partners, is identifying a wrong that occurred, relating that story and making it right.

“I’m a populist at the end of the day. I’m for the little guy. The more people who can come home to their families at night intact, the better,” says Cale Conley.

“We make a difference in someone’s life,” adds Ranse M. Partin. “We are blessed to help people who are at the lowest part of their lives.”

Conley, Partin and Richard Griggs are partners, friends and fellow advocates. One after the other, they recall cases that made a difference in their clients’ lives – and their own. Close to Conley’s heart is a \$24.8 million verdict that he and Griggs won in 2011 for a young boy in North Carolina against a hospital that failed to recognize child abuse. The damage resulted in the boy becoming a quadriplegic and unable to speak, with permanent brain damage. The verdict enables the father to take care of his son the rest of his life, notes Conley.

That five-week case, which notably still touches Conley as he recalls the situation, falls under the category of, “cases I believe in.” He recently settled a case for the family of a man who drowned in a triathlon. “The head life guard had told the starter that the water was too rough, so he should not allow the race to start,” says Conley. The starter didn’t listen and the man, a healthy Coca-Cola executive, died. “Over 50 people died in the last seven years during triathlons in the United States.”

The vast majority of his cases, however, are auto product liability cases. Throughout his career, beginning with his first deposition, these cases, involving tires, seatbelts and occupant restraint seats, have been the core of his work. Pointing to the success of such cases like the rollover issues in Ford Explorers years ago, which prompted structural improvements, Conley says, “Evolutions have been spurred by lawyers like us who are willing to go to bat and tell the story.” Another category of cases Conley accepts involve negligent repairs or in-

spections or servicing of vehicles.

His second largest caseload revolves around workplace injuries due to third-party failures. He explains that these injuries could vary from the crushing of a man by a defective machine to operator error as an electrician is doing on-site work. In one case, a crane operator was talking on his cellphone when a metal beam got caught up and dropped on a man, killing him.

None of these are workers’ compensation cases, Conley says. “We don’t handle workers’ compensation cases, but we value our relationships with a number of workers’ compensation lawyers who come to us to see if there is a liability beyond employers,” he explains. “In tort cases, the jury gets to decide, and we like to appear before juries.” Most recently, the firm received a \$4.2 million verdict in a workplace injury tort case – their seventh jury verdict or judgment of at least seven figures since November 2011.

A former journalism major and author, Conley believes he is still chasing the story. “I love to figure out what went on and how we can change it for the better. In these cases, I believe there’s a way to make things better.” But making a difference on an individual basis is not the only reason he practices the kind of law he does. “I am a rule follower. Ask my wife, who is a psychologist. You can see it in my two oldest daughters. They don’t like it when kids break rules, just like I don’t like it when adults do wrong.”

Conley, Partin and Griggs point out that their ties go beyond the workplace. Their children are friends as well. The entire firm is based on relationships. Conley and Griggs – who founded the firm – have been close friends for 26 years, starting out as fraternity brothers. Partin, who has known Conley since law school, merged his firm with theirs in 2012. The partners decide together which cases to accept. In addition, renowned trial lawyer Andy Scherffius is of counsel to the firm, bringing to the firm his nationally-recognized experience in avia-



“*I love to figure out what went on and how we can change it for the better. In these cases, I believe there's a way to make things better.*”

tion and medical malpractice cases.

Griggs' caseload is mostly auto product liability, but he also handles catastrophic injury and wrongful death, as well as commercial litigation. "One area that is off the beaten path is civil sexual misconduct cases: sexual assault and the transmission of sexually transmitted diseases, including HIV, herpes and HPV. For the STDs there are non-disclosure questions. There's a duty to notify the other person. The law says if you know, or should know – meaning you had symptoms – then you must inform a sexual partner." These cases usually involve athletes, entertainers or businessmen. According to Conley, there's a reason why the firm gets calls about these cases from other lawyers. "Richard has refined the method and knowledge for looking at these cases." As Griggs explains, "We have rigid criteria. If we can't prove with compelling evidence that the person was asymptomatic before the encounter, we won't take the case."

Although Partin has worked on product cases with the other two partners, the former King & Spalding attorney mostly works in business litigation. "I enjoy representing people in business disputes," which he simply explains often includes two people starting a business, one with the money and one with the know-how. When the company does well, the person with the money kicks the other one out.

But his practice, too, stretches into other areas. Two years ago he represented someone in a civil rights case. A North Georgia sheriff fabricated a search warrant that was only supposed to cover the person's business, but the sheriff wrote it to include the home as well. "He did it because he thought he could get away with it," says Partin. "These are very rewarding cases. I tried a

medical malpractice case against an orthopedic surgeon who cost a young man his leg." The firm wasn't expected to win that case because it was up against a defense attorney who was a hometown hero.

"In the end, it's all about disclosing a wrong that occurred," says Partin. "Put sunshine on it and let the facts speak for themselves."

Partin has never doubted his decision to leave a large law firm for a small one. "It's the best decision I've made – after picking my wife." Griggs talks about the hesitation he and Conley felt before adding Partin to their firm. "We were only interested in someone who excels in all phases in what we do. We wanted someone who could do it all. We had other opportunities to expand before Ranse, but none were the right fit – Ranse was and is." The merger, he adds, "worked seamlessly."

The three partners – who are supported by three class A paralegals, three bright associates and an office manager who runs the office like a CEO – all believe in the same concept. "We want to be like lawyers used to be," says Conley. "It's about relationships, about being who we are, with integrity and fearlessness. I want defense lawyers, judges, clients, vendors and experts to say that our firm is different from others. No corners are cut. A lot of people do what we do, but our clients deserve their own story told. We study the strategy of their cases and care about our clients, sometimes telling them what they don't want to hear."

"We tell them what they need to know," interjects Griggs.

"We do what's right by our clients," continues Conley. "There are some verdicts we didn't get because we resolved a case, even though we didn't want to, but it was best



BILL ADLER PHOTOGRAPHY

for the client. We try not to do anything that doesn't have a strategic and tactical advantage." The firm, he says, is built on old-school values, but with modern techniques.

"We focus on good work and making sure we do it the right way. That's how business will come, rather than focus on marketing," adds Partin. So, people will not see Conley, Griggs Partin LLP on billboards or on television; it will not be advertised in Yellow Pages or on the radio. They spent a lot of time, they say, thinking about the right language for their website. "We consider direct relationships with people and the results we have been able to obtain for our clients as the two keys to our ongoing success," states that website. "We are proud to say that most of our clients come to us from referrals from other lawyers, with the remainder being people who have heard about our services through word-of-mouth, prior results or from other clients we have represented."

Conley believes that the firm has succeeded due to persistence. "We will never ever quit if we believe in a case."

- Conley Griggs Partin LLP -

1380 West Paces Ferry Rd NW #2100 | Atlanta, GA 30327 | (404) 467-1155 | www.conleygriggs.com

AALA: Your Strategic Partner

Is your firm looking for a strategic partner?

Look no further than your law firm managers. AALA is the one resource you need to transform your law firm managers into strategic partners for your business, available when you need them the most.

AALA's Mission is to Inspire Excellence in the Business of Law!

Your legal managers are vital to the success of your law firms and legal departments and AALA is vital to their success at your firm! AALA delivers relevant and unparalleled education in the areas of finance, human resources, marketing, technology and general practice areas to keep your legal manager ahead of the curve!

Don't let the opportunity for your legal managers to be strategic partners in your firm pass you by. If your managers are not AALA members, come try us out for free. If they are already a member, encourage them to make the most of their membership!

Visit our website at www.myAALA.com for more information or call 770-846-3402.



THE PEACHTREE CLUB
28th Floor at Peachtree and 10th Street

**For Membership Information
Please Contact - 404-817-0999**

ATTORNEY AT LAW
DIRECTORY

OVER 900,000 ATTORNEYS
ALREADY LISTED

Claim Your Listing.
Verify Info and List
Your Practice Area.

Increased Traffic. ROI.
Effective Marketing.
Brand Awareness.

ATTORNEY AT LAW
DIRECTORY

www.AttorneyAtLawMagazine.com/Directory

DIRECTED TRUSTS:

Flexibility in Designing a Personalized Open-Architecture Trust

By Anne B. Schumeyer, CTFA

One feature of an irrevocable Delaware trust is the settlor's ability to tailor and personalize the trust in a unique way to satisfy the settlor's preference in managing assets or making other decisions pertaining to the trust — a feature that can make the transfer of assets to the Delaware trust feel seamless to the settlor.

Delaware's direction trust statute, found at 12 Del. C. §3313, gives the settlor the power to name separate and specialized advisors to direct the trustee on particular matters. A directed trust is one in which some of the duties traditionally held solely by a trustee are instead unbundled and held by designated advisors. The remaining duties are handled by the Delaware trustee, sometimes

called an "administrative trustee."

Traditionally, a trustee performs all the fiduciary functions of a trust, including exercising investment management powers and distribution responsibilities, along with administrative functions like preparing fiduciary accountings and trust tax returns. When a trustee delegates any of these unbundled duties to a third party serving as a delegated agent, the trustee may retain exposure to potential liability for the actions of the delegated agent. In contrast, Delaware's direction trust statute provides clear authority for the settlor to direct the unbundling of fiduciary functions, designate advisors to perform the named functions, and apply standards for liability stated in § 3313 associated with the

adviser and the trustee.

By setting up a direction trust with a Delaware corporate trustee, the settlor can take comfort from the stability of a corporate, state-regulated and adequately capitalized Delaware institution to serve as administrative trustee. Establishing the situs of the trust in Delaware, allows the settlor to take advantage of all of Delaware's progressive trust laws, while also being able to choose separate investment specialists to make investment decisions, as well as, one or more responsible advisors familiar with the family to make distribution decisions.

Many settlors like to name themselves as the investment adviser of their trust and have the ability to direct the trustee to set up accounts at several investment manage-

ment firms, hold special assets like closely held entities and also hold alternative investments like hedge funds or a highly concentrated stock position. Additionally, naming a distribution adviser can be very attractive for settlors who want to make sure that someone who knows the beneficiaries is overseeing distributions and making sure that distributions are only made at appropriate times and in appropriate amounts, rather than leaving these decisions to a corporate trustee. Attention to federal tax law consequences is important when naming the settlor or a beneficiary as an adviser to the trust to avoid unintentional adverse tax consequences. Settlors should consult with their legal and tax advisers regarding individual situations.

When considering the designation of an advisor to a Delaware trust, the settlor should use caution to the extent the potential adviser is not a Delaware resident. The state of the adviser's residence may potentially assert jurisdiction over the Delaware trust and apply its own state law, with possible adverse consequences. For example, if there is a California resident adviser named in the trust, California may assert a tax nexus to the trust, and require the Delaware trust to pay California state income taxes that may not otherwise be payable. See Cal. Rev. & Tax Code § 17742. Several other states will tax a trust based on the residence of a fiduciary named in the trust. The legal and tax advisers of the settlor should refer to the laws of each state where a fiduciary is a resident. Where an undesirable nexus is established and another state's laws are applied, it is possible that creditors of an indebted trust beneficiary might compel a trust distribution that would not otherwise be permitted under Delaware law.

In order to gain the benefit of Delaware's laws, there must be a nexus with the state. To establish nexus for a trust, there should be at least one Delaware trustee who has the exclusive authority to carry out most of

the trust administration in the state of Delaware. See *Lewis v. Hansen*, (128 A.2d 819 (Del. 1957) aff'd, 357 U.S. 235 (1958)). This case recognized that the most important facts in determining which law governs the validity of a trust are [i] the intent of the settlor to create a Delaware trust, [ii] the domicile of the trustee, and [iii] the place in which the trust is administered.

Delaware's direction trust statute expressly provides that a directed trustee has no duty to monitor, inquire, or advise the advisers or warn beneficiaries of instances in which the trustee may have exercised its discretion differently from that of the advisers. Accordingly, a directed trustee will follow the advisers' directions without monitoring, or second-guessing the advisers' instructions. The statute further provides that, absent a directed trustee's willful misconduct, the trustee will not be liable for any loss resulting from acting upon the adviser's directions. See *Duemler v. Wilmington Trust Co.*, 2004 Del. Ch. Lexis 206 (Del. Ch. 2004).

Delaware's direction trust statute differs from Section 808 of the Uniform Trust Code (the "UTC"), which also allows the allocation of trust responsibilities among different persons. However, under UTC Section 808, the trustee must follow an adviser's direction "unless the direction is manifestly contrary to the terms of the trust or would constitute a serious breach of fiduciary duty." States that follow this provision of the UTC leave the trustee potentially liable for the decisions of the adviser, and require the trustee to monitor the adviser's actions. A corporate fiduciary may consider this responsibility as indistinguishable from the risk normally associated with having full fiduciary discretion. Many states have no direction trust statute.

A trust agreement establishing a directed trust should reflect that the trustee has full power and authority to act as fiduciary of the trust. Any trustee powers that are in-

tended to be subject to the authority of an adviser would be referenced in the trust agreement pertaining to the advisers' powers and indicate that the powers are subject to the direction of an adviser. An investment adviser in a directed trust does not have the authority to implement or execute the investment decisions, but rather has the power to direct the trustee to follow the investment adviser's investment decisions. The trust language may clarify the unbundling of duties by making a written direction a requirement before the trustee is able to act regarding a decision-making responsibility that has been allocated to an adviser.

There are creative opportunities for a settlor to customize the management of a Delaware direction trust, depending on the circumstances. For example, a settlor may name one direction investment advisor to oversee all marketable securities in the trust and another adviser to oversee closely-held assets within the trust. Adviser roles can also be carried out by named committees if the settlor would like to have several people making investment or distribution decisions.

Finally, the Delaware direction trust, should clearly list all decisions that are to be covered under each direction adviser's power, how the adviser will communicate with the trustee and how succession of advisers is determined. When drafted properly, a Delaware direction trust can offer the settlor more opportunity for control, flexibility and customization to accomplish the family's financial and estate planning goals.

This article is furnished for the use of PNC and its clients and does not constitute the provision of investment, legal or tax advice to any person. It is not prepared with respect to the specific investment objectives, financial situation or particular needs of any specific person. Use of this article is dependent upon the judgment and analysis applied by duly authorized investment personnel who consider a client's individual account circumstances.



Bryan Koepp is PNC Wealth Management's senior wealth planner for its Atlanta based wealth team. He earned his law degree from the Ohio State University College of Law. He is one of 10 members of PNC Wealth Management's national practice group: planning for the business owner. Bryan can be reached directly at (404) 495-6417. Bill Moss is a senior relationship manager for PNC Wealth Management's Atlanta based wealth team. As a relationship manager, he coordinates the local team on behalf of his clients to address their individual and family goals. Bill can be reached directly at (404) 495-6401. PNC Wealth Management's Atlanta based wealth team is located at 3344 Peachtree Road NE, Suite 2100, Atlanta, GA 30326.



Lauren J. Miller

► **Davis, Matthews & Quigley, P.C.**, a full service law firm founded in 1969, is pleased to announce that **Lauren J. Miller** has joined the firm's domestic relations and family law section. Miller graduated from Mercer University, Walter F. George School of Law. She is the former managing editor of the Mercer Law Review and a recipient of the Custer-Tuggle Award for Excellence in Family Law from the Georgia chapter of the American Academy of Matrimonial Lawyers. Miller represents clients in a variety of family law matters including divorce, child custody, child support, alimony and equitable division of property.

► On Nov.18, 2014, the **Atlanta Bar Association labor & employment law section** hosted a multi-bar reception celebrating the 50th anniversary of the Civil Rights Act of 1964 at The Center for Civil & Human Rights.



Mayor of Atlanta Kasim Reed and Section Chair Ben Fink

► **FordHarrison LLP**, one of the country's largest management-side labor and employment law firms, is proud to announce that in lieu of client holiday gifts, the firm will be making a monetary donation to a

Feed America food bank in 19 cities where FordHarrison has an office. The firm has made these donations annually since 2009, totaling \$128,900 in contributions.

► **Morris, Manning & Martin, LLP** has elected three attorneys to become partners in the firm. **Jessica Hill**, **Clyde Mize** and **Tony Roehl** will assume their new roles effective Jan.1, 2015. Hill and Roehl are based in the firm's Buckhead office while Mize is based in the firm's Northside office. "Our three newest partners earned this achievement through their excellent work and dedication to the firm and their colleagues. We know they will be great contributors to our future," said managing partner Louise M. Wells.



Clyde Mize



Jessica Hill



Toney Roehl

► **Kilpatrick Townsend & Stockton** has created a scholarship at Emory College of Arts and Sciences to honor its longtime partner, Emory alumna **Susan Cahoon**. The Susan A. Cahoon Scholarship endowment will provide support for students attending Emory College.

► **Troutman Sanders LLP** announced that **Mark H. Cohen**, a partner in the firm's Atlanta office, has been confirmed by the United States Senate to be a United States District Judge for the Northern District of

Georgia. Cohen was nominated by President Obama Dec.19, 2013, and was confirmed by the Senate on a voice vote Nov. 18, 2014.



Mark H. Cohen

► **FordHarrison LLP**, a national labor and employment law firm, is pleased to announce that **Katherine Suita O'Shea** has joined the Atlanta office as an associate. O'Shea joins the firm along with recent hires **Pat Ryan** and **Jessica Asbridge**, who came to the firm in September, and **Kate Winslow** and **Timothy Williams**, who joined earlier this summer. Prior to FordHarrison, O'Shea was an extern with the Gwinnett County Law Department. In this role, she was responsible for drafting motions for summary judgment, legislation, county ordinances and conducting legal research.



Katherine Suita O'Shea

► Civil litigation firm **Carlock, Copeland & Stair, LLP** has opened a new office in Chattanooga, Tennessee in addition to offices in Atlanta and Charleston, South Carolina. The firm is expanding access to its suite of litigation and dispute resolution services in the areas of appellate law, commercial litigation, construction, education, employment, environmental, general liability, health care, insurance coverage and bad faith, product liability, trucking and transportation, and workers' compensation.

► **Kilpatrick Townsend & Stockton** an-



Virginia Taylor

nounced that **Virginia Taylor** has been selected by the International Trademark Association (INTA) as a recipient of the prestigious 2014 President's Award in recognition of her outstanding contributions and lasting impact to the international trademark community.

► The global law firm **Jones Day** has announced that **Jack M. Williams**, a prominent trial lawyer and former assistant United States attorney, has joined its Atlanta office as a partner in the business and tort litigation (USA) practice. Williams was previously a partner in the Atlanta office of Womble Carlyle Sandridge & Rice, LLP.



Andrew Pinson

► The Atlanta office of global law firm **Jones Day** announced that a third former U.S. Supreme Court clerk, **Andrew Pinson**, has joined its issues & appeals practice as an associate. Former clerks **Brian Lea** and **Jason Burnette** joined the office in 2012 and 2008, respectively. "We are happy and proud to welcome Andrew to our already unparalleled appellate practice," said Richard H. Deane, Jr., partner-in-charge of Jones Day's Atlanta office. "I don't know if there's ever been such a convergence of Supreme Court experience in one Georgia firm, but there's certainly none other now. Andrew, Brian and Jason's unique background and outstanding talents are a

great resource for all of our litigators and our clients."



Ted Davis

► **Kilpatrick Townsend & Stockton** announced that partner **Ted Davis** has been selected by the International Trademark Association (INTA) as a recipient of the 2014 Volunteer Service Award for the Advancement of Trademark Law.



J.D. Humphries, III

► **Stites & Harbison, PLLC** attorney **J.D. Humphries, III** has been honored with the Randall L. Hughes Lifetime Commitment to Legal Services Award by the Atlanta Legal Aid Society. He is a member of the construction services practice group and an auxiliary member of the business and business litigation practice groups. He represents general contractors, architects and designers, subcontractors and owners on projects not only in Atlanta, but throughout the country.

► **King & Spalding** earned a top score of 100 percent in the Corporate Equality Index 2015, a report card on lesbian, gay, bisexual and transgender (LGBT) equality in corporate America. King & Spalding scored a maximum rating in all nine categories, earning the coveted distinction of Best Places to Work for LGBT Equality.

► **FordHarrison LLP**, a national labor and employment law firm, is pleased to announce that **Bennet Alsher**, a partner in



Bennet Alsher

the firm's Atlanta office, was elected to the National Commission of the Anti-Defamation League at the ADL's annual meeting in Los Angeles. Bennet has been a member of the ADL's southeast region board of directors since 1993.



Todd Meyers

► **Kilpatrick Townsend & Stockton** announced that partner **Todd Meyers** has been named one of 40 Masters of the Bench of the W. Homer Drake, Jr. Georgia Bankruptcy American Inn of Court. Meyers is chair of Kilpatrick Townsend's bankruptcy & financial restructuring team. He focuses his practice on bankruptcy and insolvency matters and represents committees, trade creditors, indenture trustees, secured lenders, buyers and debtors in both workouts and bankruptcy proceedings.



Laurie Webb Daniel

► **Holland & Knight** is pleased to announce that prominent appellate attorney **Laurie Webb Daniel** has been appointed leader of the firm's Atlanta litigation practice group. She replaces **Al Adams**, who served in the role for four years and previously was the office's executive partner. In addition to her new position as practice group leader, Daniel also currently serves as chair of the firm's national appellate team.



The verdict is in...

BILL ADLER
PHOTOGRAPHY



*Serving Atlanta's legal community
for over 25 years.*

770 953-1719

ba@billadler.com

www.billadler.com



Showcase your firm's best
assets with portraits of
success.

Choose from traditional
or contemporary styles.

Studio or Location

START HERE

Attorney at Law Magazine's
Content Marketing
strategies are effective, exclusive,
unique and affordable!

Take your first step towards growing your business
and call for more information today!

(404) 229-0780 or email BMcGill@AttorneyAtLawMagazine.com



for tapping into 160 years of expertise.

PNC Wealth Management® | for the achiever in you®

We know the importance of a strong relationship.

It's why, for generations, we've helped our clients take advantage of life's opportunities. And why today, we're one of the largest wealth managers in the country.* From wealth and retirement planning to investment management to business succession, discover how our expertise can help you achieve your financial goals. Call Bill Moss, Senior Relationship Manager, at 404-495-6401 or visit pnc.com/wealthsolutions.



WEALTH PLANNING | TRUST AND ESTATE ADMINISTRATION | PRIVATE BANKING | INVESTMENT MANAGEMENT

*Barron's, September 17, 2012, based on AUM as of June 30, 2012.

The PNC Financial Services Group, Inc. ("PNC") uses the names PNC Wealth Management®, Hawthorn, PNC Family Wealth® and PNC Institutional Investments® to provide investment and wealth management, fiduciary services, FDIC-insured banking products and services and lending of funds through its subsidiary, PNC Bank, National Association, which is a Member FDIC, and uses the names PNC Wealth Management® and Hawthorn, PNC Family Wealth® to provide certain fiduciary and agency services through its subsidiary, PNC Delaware Trust Company. Hawthorn and PNC do not provide legal or accounting advice and neither provides tax advice in the absence of a specific written engagement for Hawthorn to do so.

"PNC Wealth Management," "PNC Institutional Investments" and "Hawthorn, PNC Family Wealth" are registered trademarks of The PNC Financial Services Group, Inc.

Investments: Not FDIC Insured. No Bank Guarantee. May Lose Value.

BRD-11058 ©2014 The PNC Financial Services Group, Inc. All rights reserved.