

LAW MATTERS

2018 September

Volume XXX No. 5

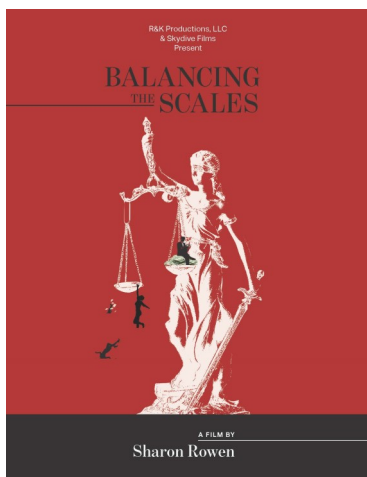
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September 21, 2018

Membership Appreciation CLE*

Two Hour General Credit CLE



***Reservations must be made by close of business September 19th**

Register Online at www.law-nashville.org/events

Historically the Member Appreciation CLE has been held in December;
however, this year it is being held on September 21st.

LAW CALENDAR OF EVENTS

September 11, 2018 11:30 am—12:30 pm
Board Meeting

September 21, 2018 9:00 am—11:00 am
Member Appreciation CLE

October 4, 2018 6:00 pm—8:00 pm
Mentoring Lean In Circles

October 7, 2018
Practicing Parents Pumpkin Patch Outing

October 9, 2018 11:30 am—12:30 pm
Board Meeting

October 10, 2018
Networking/Practicing Parents Breakfast

October 16, 2018 11:15 am—1:00 pm
Monthly Membership Luncheon

October 27, 2018
Alzheimer's Walk

[Click Here](#) for a complete listing of LAW events
and registration details!

From the Archives



(From L) Past President Chancellor
Anne Martin and Past President
Kathryn Barnett

PRESIDENT'S MESSAGE

by Ashonti Davis



As I reflect on the month of August, the concept of perseverance emerges. The monthly lunch program for August illuminated the intended and some of the unintended outcomes of the #metoo Movement. I was struck by the numerous examples of women who pushed through adversity and achieved despite violence, harassment, and opposition. In fact, this very conversation will continue next month at our Membership Appreciation CLE, which will include a showing of "Balancing the Scales" followed by conversation with the film's producer Sharon Rowen. The film delves into the story of women lawyers across five generations and explores how discrimination has shifted from overt to subtle.

The saturation of subtle discrimination in our profession like others reinforces why the presence of women in courtrooms, board rooms, Senate floors, community meetings, and church gatherings is critical. Our presence conveys our immeasurable value and perspective. Continuing to show up and be present in environments that are less than welcoming and sometimes hostile is vital if the world is to move in the right direction. I am positive that most of us can retell stories where we have felt minimized or overlooked; but, in those instances where we persist and pursue the established goal, despite those feelings, we inspire others to do the same. That ripple effect is significant as that is how real and long lasting change happens. This last month alone we have witnessed incredible stories of women being brave in uncertain circumstances and reaching for more. From Martesha Johnson becoming Nashville's first African American to be elected as Public Defender to Anne Martin winning a hard-fought election to be sworn in as a Chancellor for the Davidson County Chancery Court. The emerging theme from all of these examples, as I see it, is in the face of uncertainty and sometimes turmoil, women being brave and ultimately setting an example to reflect true perseverance.

The practice of law can be challenging and downright demoralizing some days. But, I hope on my toughest days, I remember the examples of the women just mentioned. I want to recollect that there is more than what my temporary circumstances indicate. And, I hope the same for you -- whatever grounds you, whether it is faith or family, that we all remember that our toughest circumstances are temporary and that how we handle challenging situations can inspire other people to persevere through their hard days.

SAVE THE DATE

New Admittees' Breakfast

November 6, 2018

Music City Center

2018-2019 LAW BOARD OF DIRECTORS

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To submit articles for the October issue, contact, Jennifer Lankford at jennifer@thompsonburton.com.

UPCOMING EVENTS 2018

SEPTEMBER

Happy Hour/Meet the Producer of Balancing the Scales

Thursday, September 20, 2018

5:30—7:30 pm

2707 Belmont Boulevard

Sponsored by Barbara Moss and Elder Law of Nashville PLC



Two Hour Member Appreciation CLE

Friday September 21, 2018

Belmont University

Private screening of the film

Balancing the Scales a film by Sharon Rowen

(<https://www.balancingthescalesmovie.com>)

Followed by discussion with Ms. Rowen.

To register for these and all other LAW events go to www.law-nashville.org/events

August Program Recap: “#MeToo: A Double-Edged Sword; Perspectives from Employment Lawyers and a Media Historian”

by Jennifer Lankford

The August program highlighted the #MeToo movement that has been the subject of great change and scandal since early 2018. Sexual assault and harassment allegations flooded the film industry and media historian, Bonnie Dow, who is the Dean of Humanities at Vanderbilt University, began the program with her captivating presentation, “Hollywood’s Gender Problem: Sexual Harassment and The Film Industry Context.”

Dean Dow described the power imbalance in Hollywood that has allowed sexual harassment to thrive. According to Dow, what we see on the big screen is dictated by who is behind the camera, in the writing room, and in the production studio. Those behind the screen people are historically and overwhelmingly male. Did you know that women make up only 7.3% of all directors in Hollywood? Only one woman – Kathryn Bigelow – has earned a coveted Academy Award? What’s more, of the top 100 films in 2017, only 31.8% of all speaking characters were women and only 33% of all leads or co-leads were female.

Dean Dow explained that the sexual harassment culture, whether in Hollywood or elsewhere in the workplace, is often tied directly to workplace economics. “Since harassment is about power, it thrives in industries where women are systematically kept out of powerful roles – and paid less for doing the same work as men,” explained Dean Dow. This explains why sexual harassment cases make up half of all harassment complaints in the private sector, but only 10% of complaints in the public sector, where women statistically rise to higher ranks.

As Dean Dow explained, the #MeToo movement has shined light on these startling statistics. Beginning in October 2017 with the New York Times expose on Harvey Weinstein, Hollywood celebrities, including Gwyneth Paltrow, Angelina Jolie, and Ashley Judd, stepped forward to share experiences of harassment. #MeToo then went viral as women in Hollywood and beyond shared their own stories of workplace harassment.

Jennifer Rusie, a partner with Ogletree Deakins, led a fascinating discussion by panelists Rachel Rosenblatt, who represents employers at Littler Mendelson, and Paige Lyle, an employee rights attorney with Collins & Hunter, PLLC, reaffirmed the impact of the #MeToo movement beyond Hollywood.

Rachel and Paige confirmed that their respective practices have seen an uptick in sexual harassment cases as a result of the #MeToo movement. Although male to female harassment remains the most common scenario, both panelists have litigated cases where men too allege harassing behavior by a male superior or co-worker. Paige noted that claims of sexual harassment span educational backgrounds. According to a recent study by the Pew Research Center, 6 in 10 women claim to have experience sexual harassment in the workplace. Of these women, 70% have a Bachelor’s degree.

Rachel explained that the #MeToo movement has shown her that employers are even more dedicated to bettering the lives of workers. Employers have contacted her frequently to adopt better policies, train management, and clarify reporting structures for complaints. Meanwhile, Paige confirmed that the #MeToo movement has empowered workers to make complaints where they otherwise might have stayed silent.

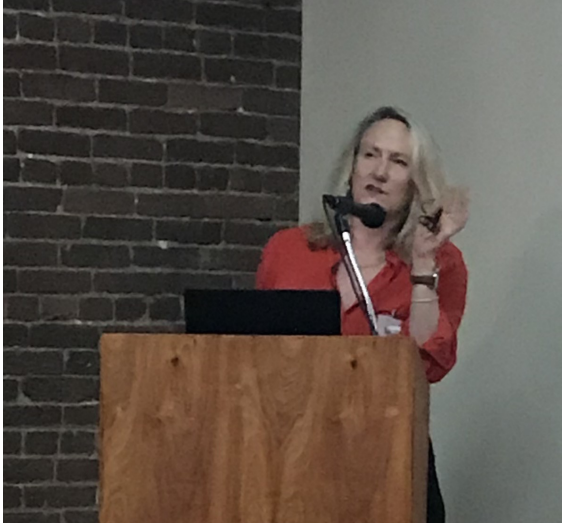
Both Paige and Rachel discussed the implications of the Tax Cuts in Jobs Act, passed in late 2017, which provides that tax deductions are not permitted for settlements of sexual harassment claims subject to nondisclosure agreements. Rachel explained that while companies may still seek non-disparagement provisions, procuring a confidentiality provision will have tax implications. Paige concurred that the Act, while well intentioned, has made it more difficult for parties to resolve their positions in sexual harassment litigation.

Dean Dow, along with our esteemed panelists, provided significant insight into #MeToo, its impact and its implications. A big round of applause for this thoroughly researched and intriguing program!



Jennifer is a 2018-2019 Newsletter Editor. She is a partner with Thompson Burton, PLLC, where she practices employment law.

AUGUST MEETING



Election Protection Program

By Kyonzte Hughes-Toombs

I helped establish and currently serve on the board of The Equity Alliance (TEA), a nonprofit organization aimed at getting communities of color more engaged in the civic process through voter registration, education, restoration, and protection. We are rolling out a voter protection program starting on the first day of early voting in October and ending on Election Day.

As part of the Election Protection Program, we will create an Election Protection Volunteer Training for volunteer poll watchers and attorneys. We aim to train 40 volunteers and 20 attorneys to address proper voter registration, appropriate precinct accessibility and voter suppression tactics at 20 identified polling locations in Rutherford County, Montgomery County, and Madison County, Tennessee.

If you are interested in serving as a volunteer attorney, please email me at kyonztetoombs@gmail.com. You do not have to be physically present at the polls; just available to answer questions. Your availability can be via telephone. The time commitment will not be much. However, your time will be greatly beneficial in protecting one of our most basic rights, the right to vote.



Kyonzte is a Deputy General Counsel for the Tennessee Department of Health. She is a First-Year Director for LAW.

Offering Hope and Reaching for It: The Tennessee Lawyers Assistance Program

Anthony Bourdain, Robin Williams and Kate Spade: respected, popular and successful. These recent tragic suicides shocked our national conscience, sadden and puzzled us. Why? What can be done?

For many Tennessee lawyers the scourge of mental illness and suicide is personal. We have witnessed the death by suicide of successful lawyers and judges we knew, respected and liked: **Judge Jim Everett, Chancellor Oscar Carr, lawyers Drake Holiday and Patricia Montgomery** to name just a few. If you have been practicing law for more than a few years the chances are good that you have been affected by mental illness or addiction. You may even have lost respected a partner, a co-worker or a colleague to suicide.

The suicide of Mark Levy, a highly successful and prominent Washington, D.C. appellate lawyer with an impressive resume of United States Supreme Court victories, brought the problem of suicide home to the greater legal community. The related issues of mental illness and addiction among accomplished and elite lawyers were also highlighted in the recently published bestselling memoir by Lisa Smith: *A Girl Walks Out of a Bar*. This inspiring story of addiction and recovery underscores that with treatment, mental illness need not lead inevitably to tragedy.

Studies undertaken for the American Bar Association as well as state and local bars across the country confirmed what many suspected: the stresses inherent to the practice of law render lawyers especially vulnerable to the ravages of depression. We often serve clients who themselves are under stress. The lawyer bears much of the client's angst and often shares the burden of the client's expectations and unfulfilled hopes. In addition, the research reveals that lawyers are often perfectionists and perfectionism raises levels of the stress hormone cortisol. Chronically high levels of cortisol lead to various health problems, including depression. When we make the inevitable mistake, perfectionism magnifies the failure. Perfectionists are more susceptible to depression and anxiety the key factors in the calculus of suicide.

The national statistics for lawyers are alarming. A 2016 study by the Hazelden Betty Ford Foundation found the most common mental health conditions reported by lawyers were anxiety (61.1%), followed by depression (45.7%), social anxiety (16.1%), attention deficit hyperactivity disorder (12.5%), panic disorder (8.0%), and bipolar disorder (2.4%). In addition, 11.5% of the participants reported suicidal thoughts at some point during their career, 2.9% reported self-injurious behaviors, and 0.7% reported at least one prior suicide attempt. Among lawyers suicide is a leading cause of premature death. The rate of suicide among lawyers is much higher than the general population. While less than 10% of the general population suffers from clinical depression, the incidence of depression in lawyers, regardless of their years in practice, is three to four times higher.

In addition to questions related to alcohol, the Hazelden Betty Ford Foundation study participants were asked about their use of licit and illicit drugs, including sedatives, marijuana, stimulants and opioids. Often alcohol or illicit drug use is a self-prescribed treatment for mental illness. The symptoms may be mitigated initially, but longer-term the underlying disease will be exacerbated.

What prevents these otherwise successful and respected lawyers from seeking or receiving life-saving treatment? The Hazelden Betty Ford Foundation study participants most often reported the obstacles to treatment were not wanting others to find out they needed help and concerns regarding privacy or confidentiality. The stigma associated with both mental health and substance abuse too often prevents receipt of effective treatment. Other barriers to treatment may also include lack of adequate health insurance resources, or a mistaken belief (often induced by depression itself) that treatment may not be effective.

What to do if you, a partner, colleague or law friend may be struggling with depression or anxiety? If the impaired lawyer or judge commits an act of professional misconduct you may be required to report it. Your failure to report may itself be a violation of the Rules of Professional Conduct: Tennessee Supreme Court Rule 8. It is best to act before the impaired lawyer slips into professional misconduct.

Help is available. The Tennessee Lawyers Assistance Program (TLAP) is a nationally recognized state-funded impaired lawyers program, created by Tennessee Supreme Court Rule 33. Critically it is **Confidential, Free and Anonymous**.

The TLAP helps lawyers, judges, law students and bar applicants who are dealing with alcohol and drug abuse, suicide, depression, anxiety, bipolar disorder, thought disorder, and aging/cognitive impairment issues, among others.

TLAP staff or volunteers cannot and will not report clients to the Board of Professional Responsibility.

Clients don't need a diagnosis or a Board of Professional Responsibility referral to receive help from TLAP.

Most clients are connected to TLAP by family members, law partners, or anonymous reports. Of course, the person seeking help may call TLAP directly. All calls are confidential. Disclosure may only be authorized by the lawyer or as provided in Tennessee Supreme Court Rule 33.07(B). If a referral comes to TLAP from the Board of Professional Responsibility, the situation is likely to no longer be confidential. This is an important reason for lawyers to seek help early from TLAP rather than later.

TLAP works with the client to find the most appropriate medical treatment and assists the client in accessing treatment with the least impact on the client's practice or employment. For sole practitioners, this may include rescheduling hearings and securing co-counsel to continue and successfully manage the client's law practice during treatment. For those in larger firms, TLAP will communicate and coordinate with the lawyer's firm to preserve and protect the partnership or employment relationship.

Tennessee lawyers never need to forego treatment for lack of resources. TLAP administers a revolving loan fund provided by the William B. Cain Foundation. The fund was initially created with a grant from the Commission on Continuing Legal Education and Specialization. Its sole purpose is to provide financial assistance allowing lawyers and judges without adequate resources to secure treatment for depression, addiction or other mental illness. Lawyers recovering their health return to productive work as valued members of their communities and profession. Repayment may be made as they are able, replenishing the fund for others.

The Tennessee Lawyers Assistance Program also sponsors the Question, Persuade, Refer (QPR) suicide prevention education program for lawyers and staff. This helpful program trains laymen to identify those at risk for suicide and provides a model for assisting them into treatment.

Those most at risk for suicide are clinically depressed. The classic symptoms of clinical depression are:

- Diminished interest or pleasure in most activities.
- Significant weight loss or weight gain without effort, or loss of appetite.
- Difficulty sleeping, or sleeping too much.
- Psychomotor agitation or retardation.
- Fatigue.
- Feelings of worthlessness or excessive or inappropriate guilt.
- Diminished ability to think or concentrate, or indecisiveness.
- Recurrent thoughts of death or suicide, or a suicide plan or attempt.

When treatment is received on a timely basis the depression, anxiety, and addiction can be relieved and lives saved. Left untreated these diseases may be fatal.

If you, a partner, associate, colleague or friend struggle with these diseases, know that hope and help are available. Your call to the Tennessee Lawyer's Assistance Program is confidential. It is your professional and moral responsibility. You may save a life.

TENNESSEE LAWYERS ASSISTANCE PROGRAM: 615-741-3238 or toll free 877-424-8527. <http://tlap.org/>



Mark Westlake and Nancy K. Corley, co-authors, are Chairs of the Nashville Bar Association Well-Being Committee and Commissions of TLAP, as well as certified presenters on Question Persuade Refer (QPR), a suicide prevention program. Nancy is a LAW member and currently a co-chair of the Mentoring/Member Development Committee.



Vacationland, USA

By Jennifer Lankford

If you have ever passed a car from Maine, you may have noticed the “Vacationland” license plate. Indeed, especially at this time of year, when the heat and humidity of Tennessee has settled in for the remainder of the month, the ocean breeze of the northeast is a welcome vacation. But, Maine is more than temperate weather and an excuse for hair that is not two times its normal size. Maine is, true to the state’s promise, a vacationland – a beautiful mix of mountains, beaches, and picturesque harbor towns. A veteran of Vacationland, my recent trip in August focused on two cities – Bar Harbor and Camden. Bar Harbor can be easily overlooked as the Gatlinburg of Maine (don’t get me wrong – I love Gatlinburg, but it can get crowded), but don’t let the copious amounts of salt water taffy and “Christmas Shoppes” fool you. Bar Harbor, like its southern sister, is adjacent to the gorgeous and pristine Acadia National Park, which makes fighting the crowds of the harbor well worth it. My recommendations for Bar Harbor and Acadia:

- Stay in a Bed and Breakfast overlooking the water. It is worth the extra money to get away from the hustle and bustle of Bar Harbor, but within walking distance to town.
- Walk to Shore Path, a ½ mile path along the eastern shore of Mount Desert Island, where Bar Harbor is located. It is picturesque, quiet, and the perfect way to enjoy a cup of coffee.
- Drive the Park Loop Road in Acadia. The Loop takes you through the park’s lakes, mountains, forests, and rocky shores – including the amazing Sand Beach. There are opportunities for plenty of stops and hikes along the way. Speaking of Hikes . . .
- The Precipice Trail – not for the faint of heart, but a must for any avid hiker. One of the most challenging and well known national park trails, the Precipice is almost an entirely vertical 1,000 foot climb involving iron rungs and ladders to the top of Mt. Champlain. I have done it twice and both times thought halfway through that this was both the most fun and most idiotic adventure.



The next stop on my Maine adventure was to Camden, Maine, referred to as the Jewel of the East Coast. A jewel it is. This gorgeous harbor town overlooks the lovely Penobscot Bay and numerous sail boats. If you play your cards right, you can find a hotel or B & B overlooking the water, which makes the experience all the more luxurious. Additional must-dos in Camden:

- Take a good book, grab a sweet treat, and read in the local park in front of the Camden Public Library (which overlooks the harbor). Swoon.
- Eat the lobster tasting menu at Natalie’s Restaurant. This famous restaurant in this tiny hamlet of Camden is fabulous in every way.
- Hike Camden Hills State Park for gorgeous views and plenty of opportunities to take the perfect Christmas card photograph.
- Book a sunset sail on one of the many offerings in the harbor. Take your favorite beverage of choice and enjoy one of the most incredible experiences as you sail Penobscot Bay.



I can’t recommend a trip to Vacationland with more conviction. I have been in both October (to see the leaves change) and during the last days of summer and both offer an amazing experience. Maine is the perfect place to mix outdoor activity with relaxation. I can think of nowhere better to enjoy a good cup of coffee with a book, a walk outside, a lovely dinner with a nice glass of wine overlooking a harbor, or an ice cream cone while strolling lantern-lit streets. Add Maine to your Travel Agenda and don’t hesitate to contact me for a detailed itinerary!



Jennifer is a 2018-2019 Newsletter Editor. She is a partner with Thompson Burton, PLLC, where she practices employment law.

Crisis for the It-City's Citizens of the Next Generation: Nashville's Child Care Shortage

By Practicing Parent Co-chair, Lynne Ingram

I am a single, working mother. I have two beautiful children, ages five and four. They were fortunate enough to be accepted at McKendree United Methodist Church Daycare where I am a church member. When I learned I was pregnant with my daughter, I visited multiple child care facilities and quickly realized there were wait lists everywhere. There were also not many child care options close to my office, but fortunately, I had a connection to McKendree, and I knew my daughter would thrive there. I was one of the lucky ones. I did not experience what growing numbers of parents are learning here in Nashville: there is a child care shortage and the problem isn't going away.

Over the past few years while serving on the McKendree Board of Directors, I have witnessed the wait lists for child care continue to grow. The Director at McKendree is a visionary and has expanded the daycare to add more capacity to address the issue, but the eighteen-month wait list for infants has not decreased.

Not only is Nashville's population growing, but many child care facilities have closed because they can't comply with state regulations and make a profit. To be licensed, a child care center must have a ratio of 1 adult to 4 children for ages 6 weeks to 15 months, with no more than eight children in the group. That ratio goes up to 1 to 6 once kids graduate to the toddler group, and 1 to 7 for 2-year-olds. Additionally, child care providers often don't receive health care benefits or paid vacation time, and according to Child Care Aware of America, providers in the state of Tennessee make an average yearly salary of \$20,480.¹ In Davidson County, the number of child care centers that operate are down 16% from 18 years ago. Meanwhile, the city's population has grown by 21% in that same time period.²

I recently spoke with another LAW member who informed me that although she is not yet pregnant, she is on five wait lists at various child care facilities around Nashville. The reactions from the facilities are one of surprise, but without planning ahead like this, nannies, families, and neighbors are enlisted to manage so the new mothers can go back to work. When all else fails, returning to work may not even be an option, especially as many young couples are moving here with no family support.

I am passionate about this issue and have been working with Gina Tek, the ChildCare Services Coordinator for the Community Foundation of Middle Tennessee, who has been instrumental in creating the vision for the expansion of child care facilities and creating new child care facilities in and around Nashville. Gina and I speak often of her ideas, plans, encounters, and any movement that can be made to alleviate this crisis. She has spent several years researching the problem of Nashville's child care shortage, the critical need for additional child care, and even found a building for a potential new child care facility in Nashville. The dilemma: Cost. The price tag for a new facility or even the expansion of existing facilities is significant. Our hope is to raise awareness and funds from employers of working mothers and other businesses in Nashville to contribute to this worthy cause. Stay tuned as the Practicing Parents Committee of LAW brings you more information on ways you can help partner with the Community Foundation of Middle Tennessee to help Nashville's next generation get the care they need now.

¹https://cdn2.hubspot.net/hubfs/3957809/State%20Fact%20Sheets/Tennessee_Facts.pdf

²<https://www.tennessean.com/story/money/2018/06/21/child-care-near-me-nashville-tennessee-waiting-lists-infants-costs/673542002/>



She serves as co-chair of the Practicing Parents Committee for the Lawyers Association for Women. She has been an Assistant U.S. Attorney for the past eleven years in the Criminal Division.

Nashville's Fight Against Alzheimer's Disease

Editor's Note: In an effort to highlight women's health issues, the below article focuses on a disease that affects 5.5 million Americans, 60% of which are women. Statistically, one in three Americans will develop Alzheimer's during their lifetime. Last year, Nashville ranked number 6 in the country for its efforts to raise funds to combat this disease. The Chair of this year's Nashville Walk to End Alzheimer's describes her story with the disease below and offers information on how you can join the fight.

One year ago today, we took our last Bowden Family vacation to Florida with my Dad. All nine of us packed into an Alzheimer-friendly condo that overlooked the pristine white-colored beach. We knew that this would be the last vacation we took with my Dad, the last chance to take a family photo, the last time his feet would feel the sand between his toes, the last time he would hear the roaring of the ocean, and the last time he would feel the cool ocean breeze. Every bit of that trip was a long goodbye to what it once was.

Four months later, my Dad's brain deprived him of the ability to sit up. His 6'4" frame could only move with the help of my mom, a hired caregiver, my husband and myself. As a family, we decided that having my Dad at home was no longer an option. We called for an ambulance, and within an hour my dad was carried out of his home, taken to the hospital and, within a few weeks, was living permanently in long term nursing care.

We noticed Dad seemed 'off' about 10 years ago, but the changes in personality were so slight and few and far between we didn't think much of it. He called my brother-in-law the wrong name, asked my mom where she went to college and he would yell at his grandkids for taking a piece of his gum. We started to walk on eggshells around him, because we weren't sure how he was going to react. I'll never forget one Christmas a few years ago; he got mad and stormed off into his room. I walked in moments later and found him sobbing on his bed. That's when I knew something was wrong. I think my Dad knew something was happening to him and he didn't know how to deal. He was scared.

My father is a retired full colonel from the Army, a former commander of over 900 soldiers with responsibility for 36 Pershing II missile launchers with assigned nuclear capable missiles, two assignments at the Pentagon, commanded at the brigade level, and had a ten-year successful post-military career. He was strong, funny, and the life of the party. He's the kind of guy you want in your foxhole, and a prankster whom you either love or don't. Slowly, I saw him losing his ability to keep his head above water during fast-paced conversation or a movie, and his quick-witted sense of humor wasn't as sharp.

After numerous clinical studies, my mom received an email in 2015 stating that my dad's PIB test revealed Alzheimer's disease. A diagnosis that we all knew was coming but would do anything not to get. His acceptance of the disease released our family to mourn, but more importantly, it gave us the green light to remember, reminiscence, enjoy him and make new memories. The unfounded stigma attached to an Alzheimer's diagnosis can be paralyzing, forcing families into the dark, scary recesses of our fears.

Over the course of 4 years, I watched my father go from a man everyone wanted to be to a man everyone looked at with fear that this disease would get them, too. I can guarantee you that my Dad never thought he would be living in a nursing home at age 68. Sometimes he sleeps for 18 hours a day, opening his eyes to maybe offer a smile or brief eye contact. Alzheimer's disease has robbed him of his beautiful life and it has robbed us of the memories we should be making.

In 1901, Auguste Deter was the first person diagnosed with Alzheimer's disease. She was looked after by her doctor, Dr. Alzheimer for 6 years before she passed away. 117 years later there have been very few advances. Unlike any of the other top 10 diseases, AD is the only one that doesn't have a cure, prevention, or a drug to slow down progression. Deaths related to Alzheimer's disease have increased 89% since 2000 while all of the other top 10 causes of death have declined. One in three people will develop AD in their lifetime. 5.5 million people are living with this disease in the United States, alone, and by 2050 that number is going to TRIPLE.

We all die, and we will all die of something, but brain deterioration is not a normal part of aging. This is no way to go out of this beautiful life. If we are the unfortunate ones to get Alzheimer's, we at least deserve a fight. We deserve more than an email reading us our death sentence.

The Walk to End Alzheimer's has given our family an avenue of hope. Becoming our family's team captain has empowered me to exert my energy on something I know can be achieved; I encouraged you all to do the same.

I want to remind everyone that our story, the Bowden story, is not special, it is not unique, it isn't even the saddest story I have heard. We are part of series; we are only one in 5.5 million families watching a loved one wander through AD. My hope is that after sharing our collaborative stories, we are one step closer to writing the final story entitled "The Cure."



Alex Soffer (pictured with her family at the upper right) lives in Nashville, Tennessee, and Chairs the Nashville Walk to End Alzheimer's, which will take place at Music City Walk of Fame Park on October 27, 2018. To join LAW's team for the Walk, please see the Health & Wellness Information in this edition of the Newsletter.

JOIN THE LAW TEAM

**2018 Walk to End Alzheimer's—Nashville Walk
October 27, 2018**

**Walk of Fame Park
121 4th Avenue South
Nashville, TN 37201
Map It**

Registration: 7:00 am

Ceremony: 8:00 am

Walk: 8:30 am

[CLICK HERE TO REGISTER OR DONATE](#)

“Why I Love Yoga: An Attorney’s Perspective”

By Alex Fisher

I took my first yoga class at the YMCA on Concord Road in 2008, while I was a legislative intern for the General Assembly and a junior in college. I enjoyed the mental and physical benefits of the practice, but yoga remained a “rest day” activity for this cardio junkie for many years. In law school, I continued to take yoga classes once a week or so at my school’s student recreation center, or via “P90X” yoga videos (anyone else remember P90X?!).

In 2012, after (yet again!) another running related injury, a trainer I was working with suggested that I try out Shakti Power Yoga, which had recently opened just down the street on Music Row. Shakti was my first exposure to power vinyasa yoga, in which the room is heated to 85-95 degrees, and the students move through a series of athletic postures (akin to push-ups, squats, and lunges) for 60-75 minutes. I knew right away that this was not “rest day” yoga, and the physical challenge of the practice immediately had me hooked. The next race I ran resulted in my fastest time (and no injuries!) since high school, further convincing me of the physical benefits of the practice.

By 2015, when Shakti offered their first yoga teacher training over a series of 8 weekends, I knew it was something I wanted to do. With the support of my husband and law firm, I completed the 200-hour training over two months (which took place on Fridays from 5-9 p.m., Saturday from 8 a.m.-8 p.m., and Sundays from 8 a.m.-5 p.m.), and began interning at Shakti as a community class instructor and assistant in the evenings until I was given the opportunity to teach an audition class in order to officially teach for the studio. Since fall of 2015, I’ve taught a regular weekly power vinyasa class at Shakti Power Yoga, in addition to occasionally teaching classes for Small World Yoga, a local nonprofit I serve on the Board of, and teaching through City Fit Concierge and to friends and work colleagues at Frost Brown Todd.

Unlike running or other physical activities, yoga isn’t about trying harder. In yoga, the goal is to move your body through very difficult and challenging poses while maintaining a sense of mental and emotional ease; your body feels different each day, and part of yoga is tuning into how your body feels on a given day, and what it is (safely!) capable of doing that day.

I realized after law school that my law school coping mechanism for stress (drinking!) was not something I wanted to primarily rely on to reduce work stress as an attorney. Yoga has given me a community and tools for creating perspective, training my mind, and strengthening my body in a way that is sustainable for a hopefully long career ahead of me as an attorney.

As most of us who are practicing attorneys know, it is easy to allow our ego and sense of self worth to get caught up in what we do everyday as lawyers. Teaching yoga gives me a sense of identity, community, and self-worth outside of the practice of law. I love when yoga students run into me outside of the studio and introduce me as “their yoga teacher” rather than an attorney. It helps keep the ego in check, and reminds me that I’m more than what I do at work—which, counterintuitively, has allowed me to enjoy my work even more, since I don’t expect the practice of law to make me whole.

Teaching yoga is a natural and creative extension from practicing it, and it motivates me to “practice what I preach,” and continue to practice yoga and workout, so that I know how poses feel in my own body and have a relevant perspective to offer to my students each week.



Alex Fisher is a senior associate attorney at [Frost Brown Todd, LLC](#), where she practices health care law, providing regulatory and compliance advice to health care providers and entities, and represents clients as part of [CivicPoint](#), the firm’s government relations subsidiary. You can find Alex teaching yoga at [Shakti Power Yoga](#) on Music Row. [Small World Yoga](#), the local nonprofit whose Board Alex serves on, offers over 20 classes a week at its studio on Music Row for just \$5/per class, if you’re interested in trying power vinyasa yoga for yourself.



LAW Board Member Spotlight – Stella Kamm

LAW Board Role – Networking Co-chair

Where did you grow up? Tell us about your path to practicing law: I am a rare Nashville Native. I currently practice law out of what was once my childhood bedroom. When I was eight years old, my mother decided to move our family from our home in Brentwood into the second and third floors of a historic home and move her law practice from downtown Nashville into the first floor. I became passionate about social justice and psychology during college at Washington University in St. Louis, and realized becoming a lawyer would be a good fit.

Tell us about your family. My family sounds like the beginning of a terrible lawyer joke. My parents, Helen Rogers and Lawrence Kamm, are partners at Rogers, Kamm & Shea. My father was at one time one of my mother's clients. My brother in law, George Spanos, became a partner in July of 2018. My sister, Sara Spanos, has taught English literature at McGavock High School for more than a decade. They have two ridiculously adorable children Dimitri (6) and Stella (2). We are cat people. My parents have two Persians named Madeline (Maddie) and Eloise (Wheezy). I have two black cats named Akasha (Kashi) and Cleopatra (Cleo).

What do you do professionally and what is your favorite part of your job? The bulk of my practice is in family law and probate. I am a litigator. While I am delighted for my clients when the case settles and they get a good result, my favorite part of my job is going to trial. Fortunately for me, domestic clients like to litigate.

If you weren't a lawyer, what would you be and why? A poet and likely homeless.

What is your favorite thing about being a LAW member? My personal opinion is that our chapter is full of lots of wonderful and inspirational women. I really enjoy getting to know other female attorneys who understand the unique challenges women lawyers face.

What do you like to do in your spare time (if you have any)? I plant an herb garden every year and like to sit out in my back yard and read a book by my plants. I am half-Greek and attended cooking classes for fun while I was in law school. I have also been known to spend a lot of time in the kitchen.

What books are you reading right now and what is the last book you read? The last book I read was *Quackery: A Brief History of the Worst Ways to Cure Everything*. I really makes you wonder what people will say in 100 years about our current medical treatments. I am currently reading *I Know Why the Caged Bird Sings* by Maya Angelou.

What is your favorite quote, piece of advice, or a motto you try to live by? "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."- Theodore Roosevelt. My Trial Team Coach in law school, Judge David. C. Mason, would give us this speech before every competition. I think it is great advice that every lawyer should take to heart.

Any "fun facts" about you that other LAW members don't know? On my father's side, I am a descendent of Anne Brandon and Pierre Dagenais, two of the original settlers of Quebec. Louis XIV paid for women to travel to New France because there was a severe shortage of female settlers. Anne Brandon is one of approximately 800 women who have become known as Filles du Roi (Daughters of the King).

What woman most inspires you and why? Ruth Bader Ginsberg because she has been an absolute force of nature when it comes to defending the rights of women in this country. The fact that she was able to be in the top of her class at Harvard and later Columbia law while raising a child and caring for a husband undergoing radiation treatments alone is inspiring. Plus, she is in her eighties and works out in the gym harder than most of us do.

It's a Saturday in Nashville, what are you doing? Most weeks, I am either at my parents' house on Saturday or Sunday night for a fun family dinner.



New Member Spotlight Heather Gwinn Pabon

Where did you grow up? Tell us about your path to practicing law: I grew up in Bluffton, a small town in NW Ohio. My interest in medicine and healthcare started fairly early on. I was a certified nurses' aide for two years in high school and a year in college. I attended Wittenberg University, planning to go to medical school. The summer after my junior year at Wittenberg University, I went to Colorado to work as a mental health worker at a youth residential treatment center. I returned to Wittenberg for my senior year and completed an internship with the juvenile division of the police department, which allowed me to observe a 4-week long double murder trial, which only furthered my interest in the law. After graduating from undergrad, I returned to Colorado to work at the same residential treatment center and then at The Children's Hospital as a direct care provider for children on the psychiatric unit.

A couple of years later, I started law school at the University of Denver Sturm College of Law. During law school, I clerked for a healthcare boutique, assisting with employment matters for the firm's healthcare clients. After graduating from law school, I moved to Jacksonville, FL and was an associate in an employment law boutique. The firm split about 18 months later and I went with a group of attorneys to Fowler White Boggs, establishing their employment group in Jacksonville.

In 2010, I returned to Colorado because my soon-to-be husband was from Denver and joined Gordon & Rees as an associate, practicing with the employment, construction, and commercial litigation groups. After being there a short while and after sharing my healthcare background, the Healthcare Practice Group Leader, Tom Quinn, and I started working together. From that point forward, healthcare tort defense and employment defense and counseling have been the foci of my national practice.

Tell us about your family. I am the oldest of four kids. While originally from Ohio, my family has been in the Nashville area for over 20 years. My mother has been a nurse at Williamson Medical Center for 22 years; my dad recently retired from his career as a project manager for a large commercial construction company; my sister is a middle TN realtor; one of my brothers lives in Louisville; and my youngest brother is a junior at UT-Chattanooga. I married my husband in 2010. I have a 23 year old bonus daughter who went to my alma mater and is now their Graduate Marketing and Admissions Coordinator, a 5 year old son who just started kindergarten, and a 3 year old daughter who is in preschool.

What do you do professionally and what is your favorite part of your job? Over the last 13 years, I have developed a national practice, defending healthcare providers in tort and malpractice claims, advising employers on compliance matters and representing them in all areas of employment litigation, and handling a variety of commercial disputes, including slip and fall matters, breaches of contract, construction defect, and certain family law matters. I spent the majority of that time in the Denver office of Gordon Rees Scully Mansukhani. I am now the Co-Managing Partner of the Nashville office of Gordon Rees Scully Mansukhani. I most enjoy the collaborative nature of my practice, working with great clients, making the puzzle pieces fit, and creating solutions that will enhance and help meet our clients' goals. On the management side, I love participating in developing a law firm that is inclusive, flexible, providing top notch legal services with national resources, and a little bit (if not a lot) different than the traditional "BigLaw" firm.

If you weren't a lawyer, what would you be and why? I have a passion for children and for giving them a voice. If I had not gone to law school, I likely would be a child advocate, working in the criminal justice or delinquency court systems in a non-attorney capacity.

What do you like to do in your spare time (if you have any)? Once upon a time (read: before children), I loved traveling, wine, Bikram yoga, and reading novels. I still love those things, but I have a lot less time for them currently. Now, my spare time is spent connecting with new friends and peers while exploring all the amazing food and wine opportunities in Nashville!

What books are you reading right now and what is the last book you read? I just finished the Power of Full Engagement by Jim Loehr and Tony Schwartz. I'm currently reading Leaders Eat Last by Simon Sinek.

Any "fun facts" about you that other LAW members don't know? I am a certified sommelier (I told you I loved wine!), and I am a bread pudding tourist (I look for the best bread pudding in each city I visit).

What woman most inspires you and why? I cannot identify a single woman who inspires me. Women inspire me. Society expects so much of women — be "this" but not too much of "this," be "that" but definitely don't be too much of "that," do all these things but don't complain about having to do all of them, etc. I look at my female friends — those who are raising children and working full-time careers, those who are staying home 24 hours a day 7 days a week to manage their homes and raise their children, those who work overtime so they can take a month off to volunteer in impoverished foreign countries — and I'm inspired.

Welcome

The following new members joined LAW in August

Sara Diehl

Emmie Futrell

Jessica McDuffie-Massey

Phillis Rambsy

Hannah Roman

Molly Shasteen

Kathy Trawick

About our Members

Congratulations to Alex Fisher and husband, Jason, on the birth of Jackson. Jackson entered the world at 12:16 am and weighed in at 9 lb. 5 oz.

On the Move Brooke Coplon has moved from Howell & Fisher to Wiseman Ashworth Law Group, PLC.

**Thank you to our Sustaining Members who support the programs,
mission and purposes of LAW above and beyond the Sliding Income Scale categories.**

Blind Akrawi	Jackie Dixon	Kelly McCarthy	Joyce Safley
Audrey Anderson	Brenda Dowdle	Carol McCoy	Maria Salas
Anne Arney	Sherie Edwards	Susan McGannon	Julie Sandine
Kristi W. Arth	Amy Everhart	Elise McKelvey	Carolyn Schott
Katherine Austin	Amy Farrar	Lori Metrock	Cynthia Sherwood
Laura Baker	Kimberly Faye	Amy Mohan	Dianna Shew
Rebekah Baker	Mandy Floyd	Valerie Diden Moore	Marietta Shipley
Mary Balthrop	Shana Foncesbeck	Marlene Moses	Beth Sims
Cindy Barnett	Victoria Gentry	Patricia Moskal	Liz Sitgreaves
Kathryn Barnett	Jessica Gichner	Barbara Moss	Laura Smith
Margaret Behm	Elizabeth Gonser	Karen Neal	Lucinda Smith
Jodie Bell	Dana Haas	Leighann Ness	Mary Dohner Smith
Sonya Bellanfont	Sarah Hannah	Judge Alistair Newbern	Camille Steward
April Berman	Laura Heiman	Scarlett Nokes	Mariam Stockton
Julian Bibb, Jr.	Lisa Helton	William O'Bryan, Jr.	Grace Stranch
Judge Cheryl Blackburn	Jessica Hill	Ashley Odubeko	Judge Jane Stranch
Christen Blackburn	Jenny Howard	Tony Orlandi	Allison Thompson
Judge Melissa Blackburn	Kyonzte Hughes-Toombs	Janice Parmar	Scott Tift
Chancellor Claudia Bonnyman	Lynne Ingram	Andrea Perry	Elizabeth Tipping
Jan Bossing	Jessica Jernigan-Johnson	Barbara Perutelli	Annie Tipps
Martha Boyd	Michele Johnson	Erin Polly	Martha Trammell
Dewey Branstetter	Judge Kelvin Jones	Sara Anne Quinn	Judge Aleta Trauger
Hunter Branstetter	Judge Lynda Jones	Phillis Ramsby	Byron Trauger
Mary Katherine Bratton	Brendi Kaplan	Sharon Ramos	Robert Tuke
Lori Brewer	Anne Marie Kempf	Jimmie Lynn Ramsaur	Vanessa Vargas-Land
Josh Burgener	Nina Kumar	Sally Ramsey	Erica Vick
Jean Byassee	Ed Lanquist	Candice Reed	DarKenya Waller
Karla Campbell	Lynn Lawyer	Nathan Ridley	Emily Warth
Tracey Carter	Gena Lewis	Lisa Rivera	Elizabeth Washko
Margaret Casey	Haverly MacArthur	Lauren Roberts	Malaka Watson
Justice Connie Clark	Alexandra MacKay	Jennifer Robinson	
Nancy Krider Corley	Nancy MacLean	Linda Rose	
Carrie Daughtrey	Chambre Malone	Rachel Rosenblatt	
Judge Martha Daughtrey	Anne Martin	Abby Rubenfeld	
Ashonti Davis	Peggy Mathes	Jennifer Rusie	