

# AFTERWORDS

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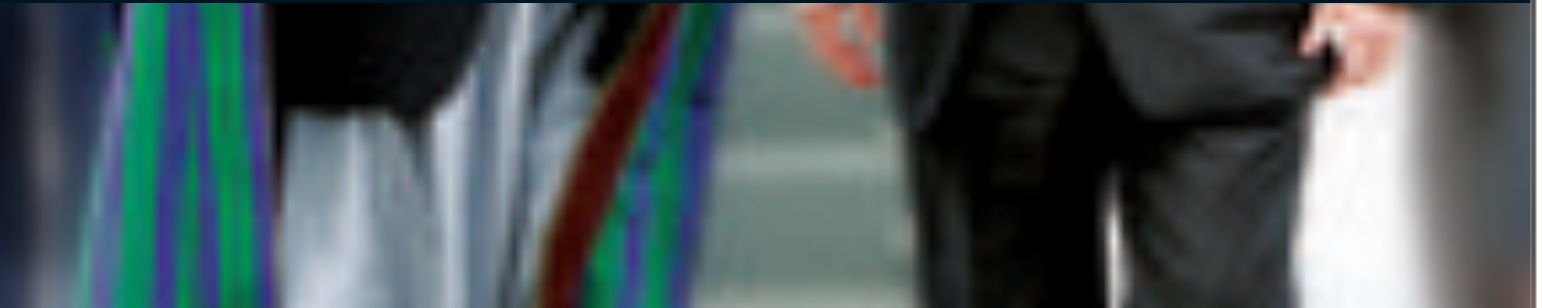
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## Protocol

AT THE HIGHEST LEVEL

Jeff Eubank



In memory  
of our partner  
and friend,  
**Ron Bliss**

**FULBRIGHT**  
& *Jaworski* L.L.P.  
*Attorneys at Law*



## Letter from the Chair

As you will see from this second issue of our alumni magazine, the past year has been one of growth for Fulbright & Jaworski. We had successful alumni receptions in New York and Houston and are launching our alumni Web site to help everyone stay informed about and connected with the firm and with one another.

We also marked some important milestones during the past year. The San Antonio office commemorated its 25th anniversary with a spectacular celebration worthy of its contributions to the firm and the city of San Antonio. I want to thank Phil Pfeiffer and Paul Sexton for their hard work in establishing the office, and Phil, in particular, for his leadership in building it over these 25 years into a strong, full-service law office. George Scofield has assumed Phil's duties as partner-in-charge of the office, and Cyndi Benedict is administrative partner.

We also celebrated the 90th birthdays last year of two cherished retired partners, Walter J. Morrison and John H. Crooker, Jr. They were kind enough to reflect on their outstanding careers for this year's issue.

Throughout all the offices, we strengthened key practice areas and pursued new opportunities. The London office moved to larger quarters just off the Strand and now has experienced English lawyers practicing in local courts. In adding highly acclaimed attorneys in international arbitration and dispute resolution, IP contentious matters and financial regulatory counseling, the firm has built in London upon a foundation that is both a current and legacy strength of our firm.

The Los Angeles office has moved into a new, larger space in 2005, and the Dallas office continues the growth it began last year. The Hong Kong office has added lawyers, and its energy-related work continues to accelerate. In Houston, our building was renamed Fulbright Tower, acknowledging our position as the largest tenant there.

On a sad note, we also marked the passing this year of our beloved partner and good friend, Ron Bliss. We have reprinted in this issue of *AfterWords* the eulogy, which I was both honored and grieved to give at Ron's memorial service. It was my humble effort to express how we all feel about Ron. We miss him every day.

**Steven B. Pfeiffer**

*Chair of the Executive Committee  
Fulbright & Jaworski L.L.P.*

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## Cover Story

# Protocol at the Highest Level

## Jeff Eubank

From Africa to Thailand, Jeff Eubank knows protocol at the highest levels. When he's not traveling the world at the president's side, Jeff is brushing shoulders with ministers and monarchs, diplomats and dignitaries. Jeff shares his insight on life in the administration, D.C. politics and witnessing history unfold.



Eubank arrives with President Bush and Mrs. Bush in Paris for ceremonies to commemorate the 60th Anniversary of D-Day.



## Morrison/Crooker 180 Cumulative Years of Wisdom

There are few organizations that have the advantage of one 90-year-old retired partner available to provide a historical perspective, much less two. John H. Crooker, Jr., and Walter J. Morrison, who each turned 90 in 2004, shared some memories and insights with us earlier this year for the 2005 issue of *AfterWords*.

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**ABOUT THE COVER:** Jeff Eubank with  
President Karzai of Afghanistan.



## D.C. Presidential Inaugural Reception

Fulbright’s Washington, D.C., office again held a presidential inaugural reception in its suite to allow clients and other guests to view the parade. With an excellent view of festivities taking place below on Pennsylvania Avenue, notable guests included Texas Lieutenant Governor David Dewhurst and U.S. Representative and Fulbright alumna Sheila Jackson Lee.



Congresswoman Sheila Jackson Lee and Steven Pfeiffer.



David Foster, Layne Kruse, Debbie Sigmund and Pike Powers.



Jeff Eubank is presented by President Bush to Pope John Paul II during the president's visit to the Vatican in June 2004.

# PROTOCOL

## AT THE HIGHEST LEVEL

Jeff Eubank

If you ever have the chance to scroll down Fulbright's alumni list, you'll see that our roster is packed with politicians, a real who's who of public leaders—from members of the House of Representatives to administrative officials. We recently sat down with Jeff Eubank, President Bush's Deputy Chief of Protocol, and talked about his experiences after life at Fulbright.

**Q:** Explain a little bit about what you do as the U.S. Deputy Chief of Protocol.

**A:** I work for President Bush, Vice President Cheney and Secretary of State Rice to take care of all logistical aspects of official visits to the U.S. by presidents, prime ministers, foreign ministers or monarchs (kings, queens or other members of royal families) from foreign countries. I also serve as a liaison between President Bush and the Diplomatic Corps, which is the name for the group of approximately 180 foreign ambassadors posted to Washington, D.C., to represent the interests of their respective countries. I oversee the operation of the president's official guest residence, known as Blair House, where foreign chiefs of state and heads of government stay when in Washington, D.C., to visit President Bush. Finally, I accompany and oversee the logistics for personal representatives sent by President Bush to represent him at official events abroad.

**Q:** As part of your job to make certain things go smoothly for the president in greeting foreign dignitaries, I am assuming you work closely with him on events and proceedings related to the dignitaries.

**A:** Part of my job is to provide logistical support for President Bush's meetings with foreign leaders. But the foreign leaders who come to Washington, D.C., to call on President Bush generally see him for only a portion of the time they are here. So it is also my job to make sure that all goes well for these visitors during the entire span of their stay in the Washington, D.C., area. If I'm on the road with the president, say in



Jeff Eubank with President Jacques Chirac of France at the 2004 G-8 Summit in Sea Island, Georgia.

New York for the United Nations General Assembly held each year or on an international trip, my job is to help with the logistics surrounding his interactions with leaders from foreign countries.

**Q: Do you travel solely with the executive branch?**

**A:** The bulk of my international travel is done to take care of the logistics for the personal representatives President Bush sends to represent him at official events abroad. These are called presidential delegations. I will accompany a presidential delegation abroad on average once every two or three months.

For example, I traveled to Greece to take care of the delegation sent by President Bush to represent the United States at the Olympics, which included his mom and dad. I made a trip to Poland recently to take care of the delegation led by Vice President Cheney attending the commemoration of the 60th anniversary of the liberation of Auschwitz.

Another example would be a trip I just made with former President Clinton and former President Bush to Thailand, Indonesia, Sri Lanka and the Maldives. President Bush sent them to inspect areas affected by the recent tsunami and to meet with key officials there. I've also accompanied President Bush on his international travels to assist with his meetings with foreign leaders.

**Q: You worked with President Bush when he was governor of Texas. What was your role when he was governor?**

**A:** I met the president in early 1994, when he was beginning his run for Texas governor against Ann Richards. I attended what I think was his first Houston fundraiser. It was held in a private home, and there weren't that many attendees. The conventional wisdom at the time was that his beating Ann Richards was a long shot. I had a nice visit with him that night and was impressed. He had a concern and commitment for the betterment of Texas that was apparent, and he had a lot of charisma, especially

in that sort of small group setting. When he was elected and I was asked to join his team, I thought I would be leaving Fulbright for only a short time. But even so, that was hard to do because I was immersed in my docket, enjoying my practice and planning to spend my entire career there.

My first assignment for Governor Bush was to be general counsel for the Texas Department of Commerce, which at the time was the state's lead economic development agency. From there, I moved to be general counsel for the secretary of state, who at the time was Tony Garza (now the U.S. Ambassador to Mexico) and then Al Gonzales (now the U.S. attorney general). Then I was appointed assistant secretary of state for Texas, which was the position I held at the time Governor Bush was elected president, and I was asked to come to Washington, D.C., to join his administration in my current capacity.

**Q: Tell me about the differences of serving in state government and federal**

government. Have you experienced any special challenges?

**A:** The bureaucracy of the federal government is more massive and cumbersome than state government, and the environment in Washington D.C., is more partisan than it was in Texas when I worked there for then-Governor Bush.

**Q:** What has been one of your greatest memories so far working as the U.S. Deputy Chief of Protocol?

Washington, D.C., who came with the president, which serves to take care of any homesickness. But it's hard to find good Mexican food or barbeque here.

**Q:** Did you have one person in particular that influenced you at Fulbright?

**A:** There were many at Fulbright who influenced me, both then and today. For example, Bob Carsey, who was leader of my team, was the finest all-around example of the legal profession I've ever encountered.

Manley had an incredible ability to connect with a jury or a witness and to take a complicated subject and break it down so it could be easily understood. The two of them really fostered a bond among our team members, and they were a lot of fun to work for. And Carol Butner was a great boss with incredible talent and a great sense of humor.

And folks like Gibson Gayle and Jim Sales were larger than life to me. But as revered and respected as they were in the office and in the community,

## “Overall though, I’d say the most interesting thing has been to watch pieces of history unfold.”

**A:** It's hard to name any one memory because there have been many. Being introduced by the president to Pope John Paul II during a visit to the Vatican this past summer obviously was memorable. There was also the time I accompanied former President Clinton, who was dispatched by President Bush to represent the United States at ceremonies to commemorate the independence of East Timor. It is a country in the Pacific that fought long and hard for its independence. Seeing a country raise its own flag to symbolize its independence for the first time was memorable.

Overall though, I'd say the most interesting thing has been to watch pieces of history unfold. It has been fascinating to see a gubernatorial administration, led by a governor who sometimes walked to work, evolve into a presidential administration with all it involves, like the White House, the motorcades, the Secret Service and the crowds.

**Q:** Do you get back to Texas often?

**A:** Every time I get the chance, but not nearly as often as I'd like. Luckily, there are a fair number of Texans here in

Charlie Hurd and Barclay Manley were not only great bosses and superb lawyers, but good friends to all who worked for them, and I'm grateful to have been one of those. They took the time to bring us along and tried to impart to us new lawyers some of their extraordinary talent. I remember clearly Charlie Hurd teaching my class how to voir dire a jury. I never saw anybody do it better. Barclay

they always had time to visit with and mentor the lawyers entering the firm. And it was not only the lawyers at Fulbright who influenced me. The support staff was first rate. I still like to call the main number for the firm from time to time just to hear the familiar greeting of those great ladies who operate the switchboard.



Jeff Eubank escorts U.K. Prime Minister Tony Blair.



# Fine Points

OF THE LAW AND HUMAN NATURE

Judge George Hanks

**“As judges, we have to make sure that every party is treated fairly.”**



As a young boy growing up in Breaux Bridge, Louisiana, George Hanks wrapped himself up in his father’s words. Today, as a justice on the First Court of Appeals of Texas, one of his father’s lessons about life still resonates with him: Whenever you are in doubt about what to do, always treat others like you would want to be treated, with dignity and respect, and you will always make the right decision.

Every day, life as a judge presents new issues and challenges, from capital murder convictions to estate and probate disputes. Earlier this year, the court made national headlines when it overturned the Andrea Yates conviction, but Judge Hanks says it’s all just part of the job.

“As judges, we have to make sure that every party is treated fairly. Our duties as judges flow to these litigants, not the media. By the time these cases reach us, they are typically much different from the cases that were before the trial court. The issues have been refined and the arguments extensively briefed and honed, making the ultimate decision in the case much more difficult. Resolving these cases requires that you distill the essential elements for reaching a decision from the voluminous records and case law. I do not believe that any one type of case is generally more difficult than others. Each case has its unique issues that must be resolved.”

Judge Hanks spent his career at Fulbright as a litigator in Houston from 1991 to 1996. “I remember being a young trial lawyer having to deal with the inherent stresses that go along with learning a new profession. Life as a lawyer is

stressful enough without having to deal with the additional stress that sometimes comes with appearing down at the courthouse. As a result, on the bench, I make every effort possible to moderate the stress factors that all lawyers must face, humanize the proceedings and make the court as user-friendly as possible.

“The friendships that I developed and the experiences that I had at Fulbright taught me so much more than merely how to be a good lawyer. They taught me about the pivotal role that we have as lawyers and judges in maintaining the integrity of our system of justice and the responsibility that we have to use our talents for public service and the betterment of society.”



Whether you're talking about the All-Star Game at Minute Maid Park or the Rolling Stones rocking Reliant Stadium, there's definitely something different about Houston. And, if you were lucky enough to score seats for either of these events, you can thank Oliver Luck and the Harris County-Houston Sports Authority for it.

Oliver currently serves as CEO to the Sports Authority and oversees all of its core operations. Created in 1997, the Sports Authority acts as the management hub of the three large sports and entertainment venues in Houston: Minute Maid Park (home of the Houston Astros), Reliant Stadium (home of the Texans), and the new downtown Toyota Center (home of the Houston Rockets and Comets).

## Keeping the Seats Filled

Oliver Luck



Oliver says that the Houston sports and entertainment scene could certainly benefit from a couple of additions. "One great venue would be for soccer. Soccer is the world's game and for the last 15 years has established its place within the sports scene in the United States, and even more so in Houston. We've already proven we're a great soccer city. Another great addition would be a racetrack. If you want to watch a NASCAR race, you have to go up to the Metroplex, and we hate to lose any business to anything north of Huntsville."

Oliver has seen the sports world from practically every position. In the early 1980s, he was selected in the second round of the NFL draft by the Houston Oilers and played quarterback for five seasons with the club. A two-time Academic All-American while in college, he was recently named to the Academic All-American Hall of Fame. But Oliver says he sometimes questions what effect a life in sports really has on a person.

"Clearly, being involved in a team sport in college and then professionally teaches you about perseverance because you never win every game, and you learn to lose gracefully. At the same time, being involved in sports is a real black-and-white existence. You leave the field a winner or a loser. It's clear—check the scoreboard. But to me, there's a lot more gray area in life outside the athletic arena. Sometimes in life outside of sports, you're not quite sure if you're winning or losing, and there's never any clear-cut victory or defeat."

Oliver was an associate in the Washington, D.C., office in the late 1980s before leaving Fulbright to start the NFL Europe.

Antonio Berni, Argentinean, 1905-1981 **La sordidez (Sordidness)** c. 1964  
Wood, steel, iron, aluminum, cardboard, plastic, roots, nails and enamel  
The Museum of Fine Arts, Houston; Museum purchase © José Antonio Berni



## INVERTED UTOPIAS

Fulbright was a major sponsor of the groundbreaking Latin American exhibition, “Inverted Utopias: Avant-Garde Art in Latin America, a survey of Latin American art from 1920 to 1970.” The exhibition, which showed at the Museum of Fine Arts, Houston, was one of the first large-scale exhibitions solely devoted to this distinct period in Latin American art. The exhibition brought more than 250 works by nearly 70 artists and artists’ groups from Colombia, Brazil, Chile, Argentina, Cuba, Mexico, Puerto Rico, Uruguay and Venezuela. Many of the artworks had never been exhibited before in the United States.

Courtesy of Sid Caesar



"The Professor," one of Sid Caesar's most enduring characters, the alleged "expert" on everything, shown here with Imogene Coca.

# Comedy Up Close and Personal

Eddy Friedfeld

IT DIDN'T TAKE LONG FOR EDDY FRIEDFELD TO DEVELOP A FONDNESS FOR COMEDIAN SID CAESAR. AS A KID, EDDY REVELED IN THE ART OF ENTERTAINMENT, SO WHEN HE FOUND HIMSELF FACE TO FACE WITH THE FATHER OF TELEVISION SKETCH COMEDY, EDDY REACTED JUST LIKE ANY OTHER FAN.

When Sid talked, he listened. But how do you tell the story of a man who spent his life telling stories to other people? How can you sum up 80 years of a comedy legend in 300 pages? That's the dilemma in which writer Eddy Friedfeld found himself.

Eddy, a former associate in the firm's New York office, was introduced to Sid Caesar's comedy by his late grandmother, and as a way to pay tribute to her, he initially spent three hours interviewing the comedian for an article. "I remember watching a sitcom with my grandmother, and her response was, 'If you think that's funny, you should learn who Sid Caesar is.' When I was growing up, Sid Caesar's work wasn't shown on television with any great regularity. So, I discovered him myself and became a fan."

After the interview, Sid invited Eddy to come back a few days later and watch old episodes of

"Your Show of Shows" with him. "Sid saw that I understood his art and asked me to collaborate on a biography." To brainstorm for the book, Sid emulated his fabled Writers' Room, the infamous "yelling out ideas" environment he created for his 1950s shows,

"I didn't set out to write a vanilla biography. I wanted to write an artistic memoir. Sid and I analyzed the art of sketch comedy."

"Your Show of Shows" and "Caesar's Hour." At one point during his nine-year run, Sid had a make-believe machine gun that he would use to shoot down ideas if he didn't like them. "I didn't set out to write a vanilla biography. I wanted to write an artistic memoir. Sid and I analyzed the art of sketch comedy. We wrote about the nuances of the Writers' Room and evolution of the creative

process. There was a real risk that the reading audience wouldn't find it funny or appreciate it, but we got lucky because the critics and the readers connected with what we did."

Sid Caesar's shows hold the distinction of being the only shows in history where the writers



Imogene Coca and Sid Caesar connected on a visceral level and became television's royal couple.



Sid Caesar and Nanette Fabray perfected the art of sketch comedy.



Eddy Friedfeld and Sid Caesar.

became as famous as the performers. Sid's creative stable included a young Mel Brooks, Carl Reiner, Neil Simon, Woody Allen, Larry Gelbart and Joe Stein (who wrote *Fiddler on the Roof*).

After almost two years of working together, *Caesar's Hours* was published in 2003. Eddy still talks to Sid a couple of times a week. "He's not only become a friend; he's also a mentor."

Over the last year, Eddy has been hosting and producing shows at the 92nd Street Y in Manhattan and does weekly entertainment radio segments and movie reviews. He's currently developing an "Inside the Actor's Studio" concept show for comedians for television. "Comedy is generally rooted in suffering. You need that frustration in order to craft your art...but there's nothing greater than getting a laugh or having a poignant moment in front of an audience. When you're sitting on stage getting laughs with and brilliant insights from [Monty Python's] Eric Idle, you don't really worry about anything else in the world."

"After everything I've done, Fulbright is still the best work experience I've ever had. I never worked harder or had more fun."

In addition to his other projects, Eddy is working on a book called *Living Off the Laughter: A History of Comedy in America* and has interviewed more than 50 comedians. "American comedy is a unique invention. It's so intrinsic to who we are as a people. It entertains and enlightens. We're the only country that has comedians on virtually every channel—it's a core principal of democracy that allows and encourages social commentary through creative speech and expression. Three hundred years ago, you could make fun of the government, but you could get your head chopped off in the same day for it. Now you've got Jon Stewart, who's winning Peabody Awards for his funny and insightful criticism, and his work is considered important as well as entertaining."

Eddy manages to balance all the aspects of his career. He still practices law, most recently as the chief restructuring officer and general counsel of Tender Loving Care, a national home healthcare company, where he worked closely with Rick Robinson. "Rick and his team were instrumental in solving the complex regulatory issues and the successful sale of the company. After everything I've done, Fulbright is still the best work experience I've ever had. I never worked harder or had more fun. I was trained that if you just identified a problem without providing at least two solutions, you weren't doing your job. I worked with Sheldon Goldfarb, Tony Pantaleoni and Jim Nespole, and they were all role models. When I was a first-year associate, Sheldon said to me, 'I won't only teach you, but I will give you the opportunity to teach yourself,' and that's how I've trained people over the years."

# Storyteller in Song

Jeff Talmadge



It's after dark at Nashville's Bluebird Café when Jeff Talmadge finally takes the stage. The space stills with a few whispered "shhhs" as Jeff draws a breath and strums the first note of "Photograph." Every songwriter has a story to tell, often homage to unrequited love, imperfection or deception. Jeff's

storytelling is simpler, more modest. His inspiration is often drawn from his own road map of life, from his childhood in small, scattered Texas towns to today's treks on long legs of tours.

"Often, when I'm trying to write a song, I'll have an idea or a phrase that I write around. Sometimes it's just a thought or subject that interests me. I try every day to write, but I'm more successful some days than others. Even though I've played guitar for a long time, I consider myself a writer more than a musician." Jeff's music is a mix of breathy acoustic Americana and folk inspired by some of the great songwriters like Bob Dylan, Leonard Cohen, Townes Van Zandt and Steve Earle.

Jeff says it wasn't ever his intention to become a full-time singer/songwriter. "I gave it up for a long time, and I never made an active decision to make it a career. It was more of

a gradual process than a revelatory moment. When I made my first serious solo CD in 1999, it was very well-received, and I had enjoyed the process of writing the material, recording it and performing it. At least at that point, I knew I wanted to keep doing it.

"Going to Europe, playing for big crowds and meeting the people I've met around the United States—it's just been amazing. Life sometimes takes us in unexpected directions, and I wouldn't have predicted this for my own life, but it's really great I've had the chance to do it."

**"Often, when I'm trying to write a song, I'll have an idea or a phrase that I write around. Sometimes it's just a thought or subject that interests me."**

Jeff spent almost five years as a litigation associate in both the Austin office and the Houston office. After leaving Fulbright and managing a successful solo practice for 15 years, Jeff, who now lives in suburban Atlanta, still handles the occasional litigation matter. He is currently on Corazong Records in Europe, and his newest CD, *Blissville*, was released in the fall of 2004. *Blissville* debuted at number two on the Euro-Americana chart. Visit Jeff at [www.jefftalmadge.com](http://www.jefftalmadge.com).



First, let me say that it is a privilege to have been asked by my good friend and partner, Ron Bliss, to speak at his memorial service in Houston and by his devoted wife, Charlene, to speak here at Arlington National Cemetery today.

Today, I will essentially repeat the remarks I made about our beloved friend and partner in Houston three weeks ago.

It is an enormous honor. It is also an impossible assignment to speak on behalf of the 340 partners and over 2,100 employees of our law firm about a colleague who was esteemed and loved above all others within the Fulbright & Jaworski family.

It is often said that “the Lord giveth and the Lord taketh away.”

We have all prayed that this day would never come. Because of Ron’s incredible resilience and courage, there were even times when we allowed ourselves to believe that

stood for a minute of silent tribute to our beloved and departed colleague, Ron Bliss.

The Ron Bliss story, fortunately, is now pretty well-known.

-Western boy from Cheyenne, Wyoming attends the U.S. Air Force Academy and turns into one of those peacocks of the armed services...the fighter pilot.

-Courageous survivor of six and a half years of torture and confinement in a North Vietnamese prison...from which he was determined to return only if he could do so with honor...which he did in March 1973.

-Reunion with his incredible wife, Charlene, and the son, Erik, he had hardly known. Then, after returning with honor, the arrival of second son Jason.

-Law school at Baylor, from which he was recruited to our law firm by my predecessor Gus Blackshear, graduating in 1976. Ron and I started at the firm together in September of that year and almost immediately became friends. We developed a deep affection and respect for each other.

-Partnership in Fulbright & Jaworski came on schedule in 1984 and then, from 1986 to 2001, the leadership of our firm’s intellectual property practice, which he headed during a period of remarkable growth—from a handful of IP lawyers in Houston to the national



## Remarks by Steven B. Pfeiffer at the Memorial Service for Ronald G. Bliss

Arlington National Cemetery  
March 4, 2005

it would not come. But it has. No more does he sit with us, smile at us, work and play with us. He has gone to a better place. Although I am sure that he has requested access to the cigar-smoking section of that better place.

Already, we miss him more than words can describe.

On February 10th, at precisely 11:00 am CST time, all the members of our firm from London to Los Angeles

powerhouse of almost 130 professionals, which today is one of the prides of our firm.

-Then the discovery of his illness in 1998. He fought this off, pushed it back, through sheer will, courage and the inspiring love of Charlene, Erik, Jason, the rest of his family and, I think, the love and support of his Fulbright family as well. As all of those close to him knew, he fought quietly right up to the end.

Ron Bliss had been dealt two very bad cards in life: captivity and cancer. Neither defeated him. He refused to engage in self-pity or convey pessimism or remorse. He maintained his genuine concern for others, his indestructible good humor, his deep love for Charlene and his family, his affection for and dedication to his law firm, his friends and his country until the moment when, at home with Charlene on Tuesday morning, February 8th, he chose to say goodbye.

The remarkable courage, selflessness, persistence and unadorned patriotism of his six and a half years of imprisonment and torture in North Vietnam are the stuff of legend and amazement among the rest of us.

Though he rarely raised those years in conversation, when others did, he was able to discuss them with humility and reflection, drawing from the incalculable sacrifices of that time, lessons about duty, loyalty and honor, which were inspirational to those around him.

To Ron Bliss the glass was always half-full, never half-empty. He could, of course, recognize weakness, incompetence and failure in others—but he never reveled in it.



He was a complete man.

His love of family—a long and loving marriage to a wonderful woman, Charlene; a pride in and devotion to his two successful and loving sons, Erik and Jason; the unconditional love for a mother and sister who survive him; and the joy he derived from his grandchildren—these were fundamental attributes of Ron Bliss.

His gentleness—although he could be tough when the interests of one of the firm's clients were at stake, Ron had a gentleness that was never displaced by his strengths as a canny and effective negotiator, advisor and advocate.

Ron had a sense of humor, which never escaped him in even the darkest hours, or at the most sensitive moments, in his military, professional and personal life.

His sense of duty—Ron's were the values of the "old school," when one's word was one's bond, and a commitment made to family, a client, a colleague or the law firm would be fulfilled whatever the personal inconvenience or financial cost to him.

Whatever he said he would do, he did. And while he was comfortable anywhere in the world (in fact, we probably smoked more cigars together in London and Washington, D.C., than we did in Texas...and that is saying something), the values of the American West suited him just fine.

His word was his bond.

He was honorable. There were no expedient choices in Ron Bliss' code of conduct; he took the proper path even if the economic consequences were uncertain or unfavorable. In his military service, his professional and personal life...a keen sense of loyalty and honor were his constant and unyielding standards.

As Ron stated so eloquently in the documentary film *Return With Honor*, "It was a matter of dignity...all we had left was our honor."

I used to wonder where he got that quiet, indestructible strength, the positive attitude, that consideration for others, the humility and unyielding good humor—was it from his parents? From his years growing up in Wyoming? At the U.S. Air Force Academy? As a former naval officer, I can say that I doubt he got his humility at the Air Force Academy—or were these qualities gifts from God?

As someone with a strong love of the Northern Rockies, I've always wanted to think that spending his 10th through 17th years in Cheyenne had something to do with it. Wherever it came from, it was real. We all saw it, and we all felt it.

**"He was honorable. There were no expedient choices in Ron Bliss' code of conduct; he took the proper path even if the economic consequences were uncertain or unfavorable."**

He wanted those around him to succeed, and he did much to help them do so. Whether it was a fellow prisoner of war striving to survive the pain of torture and isolation, or an uncertain young lawyer or faltering colleague in our law practice, Ron was always unselfishly supportive and generous with those around him who needed a lift. For most of us, just being in his presence was an enormous lift.

What was most remarkable about Ron was not that he possessed any one of these attributes, but rather the depth at which they all, in combination, resided deep in the soul of this good man. If Ron were asked how he would like us to feel and act today, I believe he would tell us to celebrate his life, our time with him and the remainder of our own time on earth. While we certainly cannot expect any general celebration today, Ron's passing does serve as a reminder that life on earth is measured and sometimes tragically short. It gives us an opportunity to reflect upon the value of the relationships we have in our lives and to appreciate the strength and comfort that friendship, colleagues and relatives provide at this difficult time.

He was truly a remarkable man— one whose life and example strengthened each of us fortunate enough to have been touched by his indestructible spirit and example.

While no one understood the “chain of command” better than Ron Bliss, there was also no one who better understood and exemplified the reality that, at the end of the day, there are no “big” people and “little” people in this world. Officers and enlisted; lawyers and support staff, we are all in this together. Success in everything we do—fly airplanes, practice law, whatever—depends upon the dedication and effort of those who may not have our fancy academic credentials or thick pay packets, but without whom we cannot succeed in accomplishing anything important in life.

Ron Bliss understood that better than any man I have ever known. His respect for the dignity of each and every human being with whom he lived and worked was profound and unfailing. In return, he had the respect of all who knew him.

Sometimes when we are trying very hard to explain to others an emotion, a special occasion or an extraordinary

person, we look for words from a source other than ourselves, as a way of emphasizing how we feel or what we are trying to say. The reinforcing words may come from the Bible, Shakespeare or the speech or writings of a renowned

On a gravestone, on a bluff somewhere in northeastern Wyoming or southeastern Montana, near the end of a long cattle drive from south Texas, Captain Call carved the following poignant words about his fallen comrade. I offer them

**“His respect for the dignity of each and every human being with whom he lived and worked was profound and unfailing.”**

authority from literature or history. In considering how we feel about our friend and partner Ron Bliss, I was reminded of the words from a more recent, and while less grand, a source perhaps closer to home for many of us.

In the film version of Larry McMurtry's award-winning book, *Lonesome Dove*, a story of Texas and Montana (and a lot in between), there is a scene where Captain Woodrow F. Call (Tommy Lee

to you today as a possible expression of how we feel about Ron Bliss:

“Served with me for thirty years.”  
(Read: Twenty-eight and a half).

“Twenty-one engagements against the Comanche and the Kiowa.”  
(Read: Baker Botts and Vinson & Elkins).

“Cheerful in all weathers.”  
“Never shirked a task.”  
“Splendid behavior.”  
(Read: Ron Bliss)

Cheerful in all weathers. Never shirked a task. Splendid behavior.

We have lost one of our very, very best.

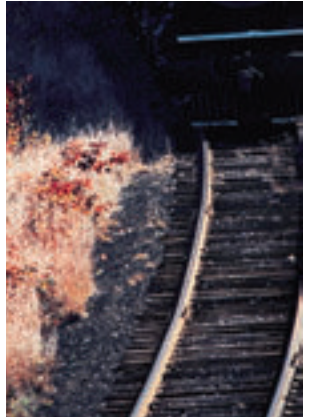
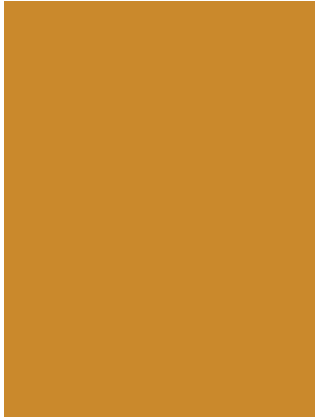
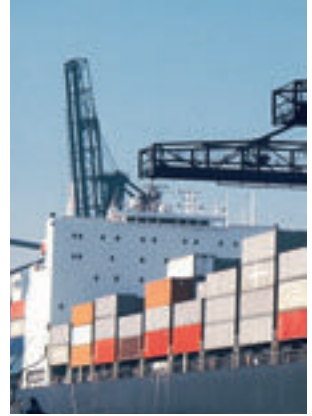
He has had a profound and lasting influence on all of us.

While he can never, ever be replaced, I believe with absolute certainty that he will never be forgotten, and that Ron Bliss' wonderful attributes as a husband, father, grandfather, son, brother, friend, advisor, partner, military officer, patriot and legitimate hero will shed light and happiness on each of our lives for the rest of our days here on God's earth.

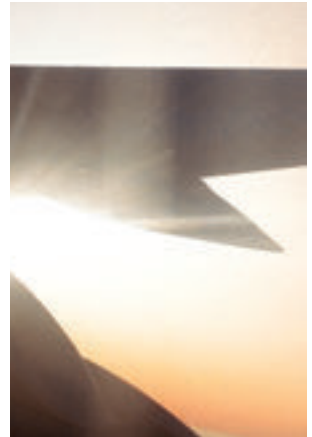
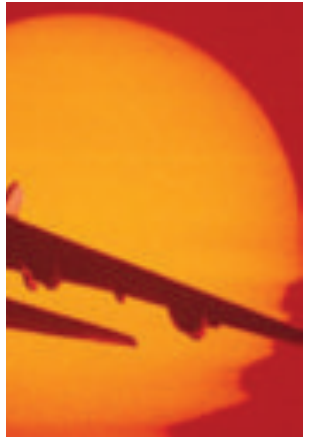
Thank you, Ron, for sharing your remarkable life with us.



Jones in the movie) has to bury his friend and scout, Josh Deets (played by Danny Glover), the man in his group of former Texas Rangers for whom Woodrow Call had more pure “respect” than all the others.



Transportation  
Law Got  
Fulbright  
Going



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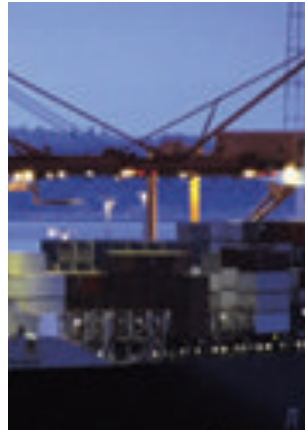
# Planes, Trains *and Automobiles* (and Ships, too)

## **ROOTS IN RAILROADS**

The year after World War I ended, M.D. Anderson and Will Clayton, two of the principals in the world's largest cotton trading company, convinced a young transportation attorney to open his own firm as their company's railroad rate counsel. His name was R.C. Fulbright, and his knowledge of the railroad industry and its main regulatory authority, the Interstate Commerce Commission (ICC), made him a valuable asset to Anderson, Clayton.

The tough former prosecutor and trial lawyer who became Fulbright's partner in 1919 also had hands-on experience with the railroad industry...literally. In his youth, John H. Crooker, Sr., had been an apprentice iron molder and a switchman for a railroad. In fact, he won one of the firm's first major labor cases for a railroad union. The firm was also part of the legal team that succeeded in having an injunction against the railroad company upheld by the U.S. Supreme Court.

The growing body of regulatory work with the ICC for Anderson, Clayton and other clients led to the establishment of the Washington, D.C., office in 1927. The firm went on to represent various railroad and shipper trade associations, and even the first administrative partner, Jack Proctor, came from the railroad industry. Today, Fulbright still represents railroad clients in a variety of matters, and the public finance practice has worked on urban light rail, as well as highways, airports and port projects.



### RAILROADS TO PORTS

Inevitably, like the train tracks, the railroad work led to the ports. Anderson, Clayton had played a pivotal role in the competition between the ports of Houston, Galveston and New Orleans. A historical anecdote has it that, after returning from negotiations with the Port of Galveston, M.D. Anderson remarked that the spirit of Jean Lafitte (the 19th century pirate who established a settlement on Galveston Island) was alive and well in the city fathers of Galveston.

Turning to Plan B, Anderson encouraged Houston's leaders to make the Houston Ship Channel deep enough to handle the ships that carried the company's immense cargoes of cotton. In essence, Anderson, Clayton planted the seed (a cotton seed, to be exact) of booming economic growth—growth that bypassed Galveston for Houston.

The firm was selected to represent Texas' major ports and the Houston Chamber of Commerce, and in 1925, Crooker recognized the need for an admiralty department. Retired partner Ed Bluestein remembers hearing about the roots of the department during his early days with the firm.

“When I came here in 1959, there were 75 lawyers, and all of us could get together in one room for firm-wide meetings. At one of these meetings, John H. Crooker, Sr., reminisced about calling on his old Columbia Law School dean (Harlan Fiske Stone) to recommend an

“When I came here in 1959, there were 75 lawyers, and all of us could get together in one room for firm-wide meetings.”

admiralty lawyer. (Stone was then attorney general, joined the Supreme Court soon after and later became chief justice.)

“He recommended a young lawyer in New York named Carl Stearns, and Crooker convinced Stearns to move his family to Houston to establish an admiralty department. He was succeeded by Sweeney Doehring who was in charge when I joined the firm.”

Fueled by the growth of the Port of Houston, the Admiralty Department became an important player in the practice of admiralty and maritime law. In the 1950s, the Houston and Washington, D.C., offices worked for the Houston Ship Channel Navigation District (the Port Authority). Partners Charles W. Bell and William N. Arnold, Jr., served as general counsel and assistant general counsel, respectively, for the Port.

The firm was also instrumental in the creation of the Gulf Coast Waste Disposal Authority during the 1960s and served as general counsel and principal bond counsel in issuances of industry-backed pollution control bonds.

Even the establishment of the London office in 1972 was largely a result of the North Sea oil boom and associated maritime matters. Some of that office's early engagements also involved representing Greek ship owners in their dealings with London financial institutions.



Ed Bluestein's career encompassed several landmark litigations involving the capsizing of the drillship, Glomar Java Sea, in 1983, the Piper Alpha platform fire in the North Sea in 1988 and the 1989 grounding of the Exxon Valdez in Alaska.

Today's Maritime & Admiralty Practice Group still handles virtually everything that happens at sea or in port, from transactions to litigation. It's definitely a group with strong sea legs. Gray Miller, for example, attended the U.S. Merchant Marine Academy and is active in the Houston Mariners Club. Steven Roberts is a former U.S. Navy submariner, and Chris Hart graduated with highest honors from the U.S. Merchant Marine Academy.

### **AVIATION LITIGATION**

The trend toward specialization in the legal profession gained momentum in the 1950s. As Fulbright's insurance clients began to write aviation coverage, John Williams, Bob Carsey and others handled more aviation work. Williams and Carsey also worked to promote better commercial air service for Houston. Carsey, a former World War II pilot, went on to gain a national reputation in civil litigation, particularly in aircraft accident cases.

It was Carsey, Kraft Eidman and Jim Sales who tried the firm's first air crash case in the early 1960s, involving a Lockheed Electra flown by Braniff Airlines. With the Braniff trial, the firm began to handle litigation

**"It's an example of how good solid legal work can build a lasting relationship."**

through USAIG for Cessna and other manufacturers of small aircraft. The evolution into a major aviation practice was under way. Later, Dudley Oldham assumed responsibility for handling and developing the aviation practice. Oldham secured the representation of Bell Helicopter, which is still a client of the firm after almost three decades.

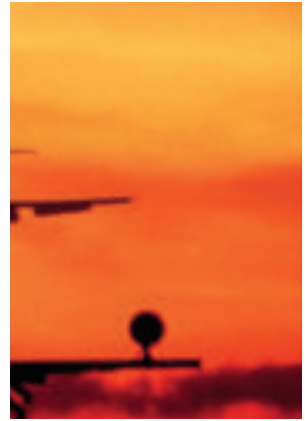
Winn Carter, who has handled many of the airline crash cases over the years, notes another important aspect of the original Braniff case.

"The firm was retained by Allison's (the aircraft engine manufacturer) insurance company, U.S. Aviation Underwriters, and that began a relationship that has lasted for more than 50 years. U.S. Aviation Underwriters is still a client. It's an example of how good solid legal work can build a lasting relationship."

### **THE BUSINESS OF FLYING**

It hasn't all been catastrophic events. Fulbright attorneys have represented airlines and the industry, as a whole, in administrative litigation and other regulatory matters, and transactions, including several major airline bankruptcies and reorganizations. Public service has been a big part of the picture, too.

John H. Crooker, Jr., served in the late 1960s as chairman of the Civil Aeronautics Board (CAB), which had authority over carrier routes, passenger fares and cargo rates, and mergers and acquisitions within the industry. Although the FAA



oversaw safety and security, Crooker, Jr., recalled a time when airline hijackings were on everyone's radar screen. "The hijackings then were by Cubans living in this country who wanted to return to Cuba. When they landed in Havana, they let the aircraft go, so there was no real danger to passengers. But it was a big enough issue that NBC's "Today" show had me on one morning largely to discuss the hijacking situation."

About the time John Crooker, Jr., took his position with the CAB, Everett Hutchinson, a former deputy secretary of transportation and ICC chairman, joined the firm as the administrative partner in charge of the Washington, D.C., office.

In 1992, President George W. Bush appointed Carl W. Vogt, then partner-in-charge of the Washington, D.C., office, as chairman of the National Transportation Safety Board (NTSB). Carl was a former Marine and jet fighter pilot aboard the U.S.S. Lexington. He resigned as a director of the National Railroad Passenger Corporation (AMTRAK) and member of the FAA's Aviation System Capacity Advisory Committee to accept the NTSB appointment. Carl later rejoined the firm and is a widely respected retired partner and chair of the ABA's Forum on Air and Space Law.

**ON THE ROAD**

Insurance and products liability work laid the foundation for automotive litigation, but it was a

**"Watkins, Joe Jamail and other attorneys had won a string of large verdicts in these types of cases for plaintiffs."**

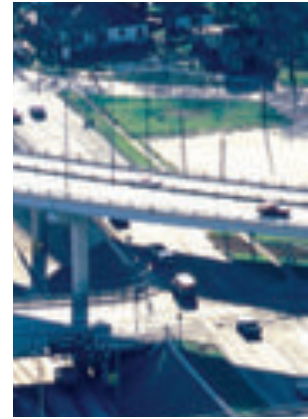
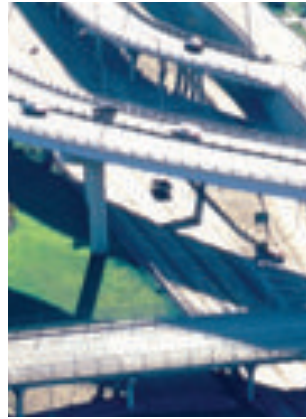
pivotal case for General Motors (GM) in the early 1970s that suddenly made Fulbright a go-to firm for high-profile car and truck cases. GM had just suffered a large loss in a product defect case, which followed other unfavorable outcomes in similar cases. It was time to try another law firm, so the GM chief litigation officer and chief of claims

paid a visit to Leon Jaworski.

Jim Sales remembers being called into Colonel Jaworski's office and told that he would try the case. It was *Witcher v. General Motors* and involved a claim of a malfunctioning carburetor that allegedly caused runaway acceleration, resulting in a catastrophic accident.

"It was near Thanksgiving, and this was a complicated case that was set for trial in February in Judge Woodrow Seals' court. He was not one for granting continuances, but the Colonel and I went to see him and got more time to prepare the case. The plaintiff's attorney was Will Watkins. Will, Joe Jamail and other attorneys had won a string of large verdicts in these types of cases for plaintiffs."

The Witcher trial lasted the better part of two months and, despite the formidable adversary, ended with a jury verdict in GM's favor with no award for the plaintiff. This led to the firm getting most of GM's work in the Houston and south Texas region for many years after. The firm went on to represent several major automakers during the



1970s and '80s in individual cases and class actions involving rollovers, crashworthiness, postcrash fires and the like.

The work also evolved into “niche” areas of automotive technology, such as air bags, seat belts and tires. Fulbright litigators have built up a network of respected experts, from forensic tire engineers to accident re-constructionists, and have gained a national reputation for handling expert witnesses on both sides of products liability cases, as well as medical causation issues.

It is another example of a broader trend in the profession: the passing of the legal generalist and the channeling of talents and resources into very specific areas. Carmody Baker, who tried the first alleged air bag inflation-induced fatality case for GM, explained the quick transition from student to teacher that an attorney must make in these kinds of cases.

“The challenge for me, having a Masters in Psychology, was to crawl underneath cars and learn how they work. In automotive cases, you need to learn an entire body of engineering science and also the medical aspects. Then you have to translate that technical material into something that juries can understand.”

Reflecting on her early years with the firm, Carmody said, “I had a chance to carry the bags for some really outstanding trial lawyers here and to watch them at work in the courtroom. I had great mentors who are

**“The challenge for me, having a Masters in Psychology, was to crawl underneath cars and learn how they work.”**

now alums, such as Joe Redden, David Weinstein and Scott Lassetter. I also learned a lot from people like Jim Sales, Steve Dillard and Otway Denny.

“That was an exciting time. We had teams of lawyers representing GM doing sophisticated trial work. I remember Jim Sales, who headed the

GM docket, and others on the various GM teams standing out in the hall at the end of the day sharing war stories about the day’s events. GM has been a very good client, and we still have a relationship with the company.”

Another highly valued transportation client today is Yellow Roadway Corporation. Fulbright alum Dan Churay is the company’s senior vice president, general counsel and secretary. As a dominant force in the United States and international transportation markets, Yellow Roadway is often referred to as a barometer for the overall economy. That’s another way of acknowledging just how important transportation is in defining the developed nations of the world.

Looking back, the birth and growth of Fulbright have been inextricably linked to the development and evolution of this nation’s transportation industry—literally from railroads to rockets. It is a proud heritage to have played so many different roles in helping to keep things moving these past 86 years.



Even though Cyndi Baily doesn't say she was destined to work at Baylor College of Medicine, it certainly seems that way. Now the general counsel there, Cyndi's very first job after graduating from college was at Baylor College of Medicine in the world-renowned Texas Medical Center.

"My college degree is in biology, with a minor in political science, so I ultimately decided that health law and biomedical legal matters were my passion. While attending the University of Houston Law Center, I was lucky to have already developed my areas of interest and was fortunate to have the opportunity to do a summer clerkship in 1993 with Fulbright's health law section, with Jerry Bell and Charles Boston, and in the IP section with Ron Bliss."

Cyndi says she knew from the start that Fulbright was the firm for her. "I just had some difficulty deciding what section to work in as they were all outstanding and filled with very intelligent and accomplished lawyers. I finally decided on health law and began working at the firm in February 1994, when the health law section included both the transactional/regulatory and litigation practice. I worked in both areas, which has been of great value in my in-house counsel role."

The fact that she did legal work for Baylor at Fulbright helped ease Cyndi's transition to an in-house role. "I had an office at Baylor for a year or so prior to being hired as associate general counsel in January 1998. Nonetheless, until then I did not fully comprehend the wide variety of legal issues that Baylor faces: everything from corporate governance and contracts to immigration law to intellectual property/technology transfer issues to medico-legal issues such as end-of-life determinations.

"One of the more unusual things I have been involved with is Baylor's recovery from Tropical Storm Allison, which caused extensive damage to the entire Texas Medical Center. Things have continued to be exciting since May 2004

## At the Center OF THE MEDICAL WORLD

**CYNDI BAILY,  
GC, BAYLOR COLLEGE OF MEDICINE**



when I was promoted to senior vice president and general counsel. Under the leadership of Dr. Peter Traber, Baylor is headed in new and exciting directions. Fortunately, I am able to continue to interact with many colleagues at the firm as they provide important counsel in helping Baylor achieve its objectives.

"There have been many, many people at Fulbright that have played an important role in my development as a lawyer. Both Jerry Bell and Charles Boston provided excellent role models and guidance. Bob Corrigan and Nancy Locke also were very good mentors and advisers. Tony Patterson in the Dallas office and Larry Clore are a few others. If I had to list all of them, the article would be longer than the space you've allowed!"



“Someone told me once that a general counsel must be ‘a mile wide and an inch deep.’ That’s not too far off-base,” says John Cottingham, general counsel of Invitrogen, a company based in Carlsbad, California, that provides products and services that support research institutions and pharmaceutical and biotech companies worldwide. “One of my continuing challenges in Invitrogen is to bridge the divide between the legal department and others who have very dissimilar backgrounds, such as scientists, manufacturing employees or salespeople. In a law firm, there are many people with similar backgrounds and interests, and it’s easy to feel part of the group and to build friendships. I still count my Fulbright friends among my closest lifetime friends.”

John says his biggest challenge was moving from the relatively narrow focus he had before to a position where he needed to handle the entirety of the company’s legal issues. “I was the first in-house lawyer at Life Technologies, one of Invitrogen’s predecessor companies. It was about a \$300 million company at the time and had plenty to keep me busy. I spent a year going to every seminar I could attend and eventually figured out what this job was all about. I remember sitting down at one point with Rick Robinson (and later other attorneys) and making a list of all of the regulations that could get us in trouble. It was a long list. I still use it, and it keeps growing.

“My typical days are hectic, demanding, but also enjoyable. I spend much of my time these days directing others who are doing legal or regulatory work, handling board meetings or attending various meetings as part of the leadership team of the company.”

**On the  
Biotech  
Frontier**  
**John Cottingham,  
General Counsel -  
Invitrogen**

**“My typical days are hectic, demanding, but also enjoyable.”**

John spent from 1988 to 1996 in Fulbright’s Washington, D.C., office. “I learned a lot at Fulbright. I remember making some comments at a luncheon right before I left the firm to the effect that one of the most important things I had learned at Fulbright was ‘process’—how to take a legal problem and work the process until you could provide a solution to your client.

“The important thing to understand is how to work that process in a way that helps your client. This was much more valuable knowledge when I was in the firm than knowing ‘black letter law,’ and it still is, as I provide advice to my corporate client. Lots of good friends and colleagues made my time at Fulbright rewarding. Steve Pfeiffer certainly stands out as a great mentor and friend. Carl Vogt set the tone for the Washington, D.C., office when I was a summer associate and greatly influenced my decision to join the firm. And Akemi Nishida held everything together.”





★ JOHN ODAM ★

## WHAT HASN'T HE DONE?

John Odam has good reason to be happy. He's a former candidate for attorney general of Texas, a 20-year marathoner, a published author and probably the only 60-year-old attorney you'll ever meet with an Elvis Presley-inspired tattoo. John spends most days as a lawyer, but every few weeks he struts into a party strumming his guitar, dressed in a white spangled jumpsuit and jet-black pompadour wig. You see, impersonating The King is one of John's favorite pastimes.

"I've always been an Elvis fan," John says. "When I was in junior high, I ran for vice president of the student council, and we performed skits rather than give speeches. I lip-synched to 'Hound Dog' and got elected. If I stuck with that strategy as an adult and campaigned as Elvis, maybe I would have been elected attorney general or U.S. senator."

In 1997, John's love for The King led him and some friends to Memphis to honor the 20th anniversary of Elvis' death, and therein lies the story of the tattoo. "Why the tattoo?" John asks. "One of my traveling buddies half-jokingly said we might not be allowed to tour Graceland since we didn't have tattoos. Then we dared each other to get one and here we are. The costume that I have is the 1970s Elvis: a cape, gold-rimmed sunglasses, wig with pork chop sideburns...you know, the larger Las Vegas Elvis," John laughs.

In addition to his Elvis impersonation, John is a published author. While running for attorney general, he traveled to all 254 Texas county courthouses and eventually wrote a book about his travels entitled *Courtin' Texas*. He currently has a novel, *The Candidate Conspiracy*, with a New York literary agent and says if the agent ever calls to say he has landed a publisher, maybe he'll be "the next John Grisham."

**"When I was in junior high, I ran for vice president of the student council, and we performed skits rather than give speeches. I lip-synched to 'Hound Dog' and got elected."**

John practiced in Fulbright's Houston office from 1976 to 1980, during which time he was a partner in the litigation section. "What I remember most are the dedicated lawyers and support staff and the lifetime friends I made. First and foremost, Fulbright has top-quality lawyers. It's very important to be in a firm where young lawyers can learn under good mentors.

"When I was working in the attorney general's office, Colonel Jaworski was the legal advisor to the state senate and to Lieutenant Governor Hobby during the impeachment trial of a state district judge. I helped try the case on behalf of the state House of Representatives. During breaks, I would talk with Colonel Jaworski. He asked me what I was going to do when I left the attorney general's office and told me I should come see him when I got back to Houston. Later it was a memorable experience spending time with him in his office. He was a unique, one-of-a-kind individual."

# The Essence of A PUBLIC SERVANT

## Carolyn Dineen King, Chief Judge of the Fifth Circuit Court of Appeals

“During my entire professional life, I have done volunteer work. I believe that each person, but particularly each lawyer, has to tithe her time, not just her money,” says Judge Carolyn Dineen King, chief judge of the Fifth Circuit Court of Appeals. “You are obligated to give a certain percentage of your time to your community. I’ve done that actually ever since I was 13 years old. In a way, what I’m doing now is giving all of my working time to my community.”

Judge King’s parents, who were both lawyers, viewed tithing time as one of the most important aspects of life. “One summer, I worked in a day-care center. Another summer, I worked in the orthopedic ward of a children’s hospital. I had to devote every summer, all summer, to volunteer work. When I was 16 and my parents insisted that I get a paying job, I also had to devote a percentage of those summers to non-paying volunteer work as well.”

In 1959, on the search for a permanent paying job after scrapping plans to go to graduate school in philosophy, Judge King says that she was left with two options—go to the Yale Law School and become a lawyer or the Katherine Gibbs School and become a secretary. She says that even though she knew she would enjoy the Yale Law School more than the Katherine Gibbs School, it was not out of any commitment to being a lawyer. It was out of a commitment to making a living.

What convinced Judge King that she had made the right decision to attend law school was a summer spent as an honors intern in the Department of Justice in Washington, D.C., in 1961. She was assigned to draft a brief to the Supreme Court in a tax case, and she really enjoyed the assignment. She also came to value the Justice Department. “That was at the height of the civil rights movement, and many people in the Justice Department were involved in civil rights litigation. They were fascinating people with a commitment that was much bigger than any one individual. After that summer, I knew I had made the right choice in becoming a lawyer.”

Judge King joined Fulbright’s Houston office in September 1962 and spent almost 10 years with the firm in the corporate

practice. “Pat Marshall and James Kerr were my mentors, and they taught me how to be a good corporate lawyer. Pat Marshall was very precise, an i-dotter and a t-crosser, and James Kerr was more practical, a big-picture person. It was good to have them both because I learned something different from each of them. Without them, I would not be where I am today. I am convinced that the care that is taken of a lawyer in the first three years of his or her practice determines what kind of a lawyer he or she will be, and it’s very important to have good mentors in those years.”

After spending several years as a partner with another Houston firm, King was appointed by President Jimmy Carter to the Fifth Circuit Court of Appeals in July 1979. Judge King says that because she was “starting over again at age 40,” she decided to use the same technique applied at Fulbright—search for good mentors. “I concluded that Judge Alvin Rubin was a superb judge, and he edited every opinion I put out for over a year. What was exciting for me was when the number of red marks on my opinions began to go down. One day, he called and asked me to help him with one of his opinions. It was then that I knew I had made the transition from attorney to judge.

“Most judges that come to the bench have had prior judicial experience or have been litigators. The notion that a judge would be up front with one of her colleagues about needing help—that is not a common judicial response, but it was that response that seemed to me the most likely to improve the quality of my work quickly, and it did.”

Her philosophy for Fifth Circuit cases is straightforward. “I think that every case is entitled to a judge who comes at that case straight down the middle without a tilt in one direction or another as a result of judicial philosophy or political philosophy. After you’ve read the briefs, looked at the record, done the research, heard arguments if you’re going to hear arguments and discussed it with colleagues—if you decide to come to a result that leads in one direction or the other based on your knowledge of the law as it applies to this particular case, that’s acceptable. What is not acceptable, in my view, is to come at a case with an automatic sense of direction about which way it ought to come out.

“If a plaintiff recovers a big jury verdict in a case, there are judges who would look at a case like that and who would have an immediate sense of ‘well that can’t be right.’ And there are other judges who might look at a big plaintiff’s verdict and have a sense of ‘that must be right.’ My answer is that I look at a case like that, and I don’t have any sense of whether that particular verdict is right or not, although I do have a basic confidence in the jury system. The key is to look carefully at the law and the record before making up your mind.”

Currently, a judge on the Fifth Circuit does in excess of 200 opinions a year. However, as the landscape of the judicial system changes, Judge King says that there are certain trends in litigation that shed light on the coming years.

“People are simply not willing to see the litigation process through, and it is affecting everyone. More and more cases are settled, more and more cases are mediated, more and more cases are submitted to arbitration, and the result is, in civil cases, our caseload is going down. When an attorney is asked to advise a client about a proposed settlement, what does he compare it to? It used to be that an attorney would compare that settlement to what the probable result of a jury trial would be. Nowadays there are so few jury trials. You have litigators that have been in practice for many years who have never tried a jury case.”

Throughout the years, Judge King has retained the commitment to “tithing her time,” having served as board chair at the University of St. Thomas in Houston and CFO for both the Houston Ballet Foundation and United Way. In addition to recommending that everyone volunteer in their community, Judge King has this advice

**“I think that every case is entitled to a judge who comes at that case straight down the middle without a tilt in one direction or another.”**

for young attorneys. “Work very hard and do the very best job you can because it’s important to your future in ways that you cannot foresee. Something that seems to you at the time to be the worst kind of adversity can turn out, in the end, to be a growth experience, something that benefits you. Many of the things that happened to me in my professional life that were good and exciting happened really without planning on my part, almost by accident.

“My being on this court today occurred because President Carter wanted to appoint a woman from the western half of the Fifth Circuit. He is a Southern Baptist Democrat male, and he appointed a Yankee-born, Republican transactions lawyer, a Catholic, a woman, to the Court of Appeals for the Fifth Circuit. How can you ever predict something like that? A great many things that happen to you in life are not anything that you could have planned or made happen. You just need to be ready for them when they come along.”



## Dedication - PUBLIC AND PERSONAL

Omar had three relapses before his 15th birthday. The first diagnosis of a brain tumor was made in a Salt Lake City emergency room, 48 hours before Bless Young was scheduled to take the Utah Bar Exam. Even though her son is in remission and has been for three years, Bless says that her perception of life has changed forever. “At one time, I felt that I was defined by what I did or how successful I was in trying my cases,” explains Bless. “After my son’s illness, for the first time I was able to step back and think about what’s really important and what’s less important in my life. When I’m under too much pressure, I just step back and think to myself, ‘I can only do what I can do.’ When I feel stressed, I think about the fact that it’s nothing compared to what my son went through.”

Bless initially left Fulbright’s L.A. office to pursue a franchise opportunity in Park City, Utah. “My family and I vacationed there for 15 years. One day, I was reading the Park City newspaper and saw an ad for a COWS ice cream franchise opportunity. I never thought in a million years that I could do it. The next thing I knew I was giving Fulbright notice. I just decided, why not?”

After creating a successful franchise, Bless realized that she was dealing with implementing the same labor and employment advice she had always given clients at Fulbright. She also experienced the ups and downs of owning a business in a resort town. “I learned quickly

### Bless Young

that being an entrepreneur was a whole different world. Winter is obviously the biggest season in Park City. As soon as spring came, the whole town shut down. It was tough to know that our business was going to be swamped in the winter and dead in the spring. Starting the franchise wasn’t initially smooth, but it got smoother as time went on. You know, if it weren’t for seeing that ad, I’d probably still be at Fulbright.” Bless eventually sold her ice cream franchise and returned to practicing law.

After working for five years as assistant attorney general of Utah, Bless recently returned to California to practice law at Hennigan, Bennett & Dorman. Bless was head of the Los Angeles office’s labor and employment practice. She spent eight years with Fulbright.

# Phil Pfeiffer Steps Down

Philip J. Pfeiffer has decided to pass on his management duties after 24 years as partner-in-charge of Fulbright's San Antonio office. Phil, who remains with the firm, said he plans to concentrate on his law practice and devote more time to community activities. George W. Scofield, who has been a partner with the firm since 1989, will succeed Phil as partner-in-charge. Cyndi M. Benedict will serve as administrative partner.

In reflecting on his tenure, Phil said, "Paul Sexton and I came to San Antonio to open the office in 1980, primarily to focus on labor and employment law. It's very gratifying to have witnessed the growth from a two-attorney office to

one with more than 60 attorneys serving a wide range of clients in numerous key areas of the law. Most of all, it has been exciting to have been part of the growth of this city and to enjoy the unique lifestyle that San Antonio offers. I plan to spend a little more time doing just that."





## Dallas Attorneys Go Red

To increase awareness that heart disease is the number-one killer of women, the American Heart Association designated February 4, 2005, as National Wear Red Day, part of its "Go Red for Women" campaign. In connection with Fulbright's sponsorship of the AHA's Go Red for Women Conference in Dallas, three of Fulbright's attorneys, as well as many other prominent Dallas women, participated in a special ad that ran in association with the "Go Red for Women" campaign.



Photo: Aker-Zvonkovic

## MURALIST DANIEL LECHÓN

Fulbright is the major sponsor of the PBS documentary, “Brush Strokes of South Texas: The Murals of Daniel Lechón.” The film focuses on talented muralist Daniel Lechón, a native of Mexico, and his murals at the Kennedy Ranch Museum. Produced in association with the Texas Foundation for the Arts, “Brush Strokes” will premiere on Houston’s PBS station in August and will likely be aired on PBS stations throughout Texas. Please check your local listings.

**“He is a genuine, self-effacing leader, which is so refreshing and so rare. He has a fine character and absolutely flawless integrity.”**

**EMILY GEORGE TINSLEY — BOARD MEMBER, MEMORIAL HERMANN**



## Gus Blackshear Honored

Fulbright partner A.T. “Gus” Blackshear, Jr., was given the Baylor Distinguished Alumni Award—the highest honor given to alumni of Baylor University. The award was presented to Gus at a gala banquet on January 21, 2005.

Gus graduated *cum laude* from Baylor in 1964 and Baylor School of Law in 1968. He joined the firm in 1969 and became a partner in 1975. At the end of 1990, he was elected by his partners as chair of the Executive Committee, serving from 1992 to 2002.

A couple of months after being honored by Baylor, Gus was honored by Memorial Hermann Healthcare System at its annual Circle of Life gala. He has served on the board

of Memorial Hermann since 1992 and as chair of the board from 2002-2004. The event raised more than \$2 million for the Anne R. Wilford Endowment Fund.

“Everybody would like to work with a man like Gus,” said Emily George Tinsley, a 1962 Baylor graduate who serves on the board at Memorial Hermann Healthcare System with Gus. “He is a genuine, self-effacing leader, which is so refreshing and so rare. He has a fine character and absolutely flawless integrity.”

## Judge Eric T. Washington Selected

Judge Eric Washington has been selected as chief judge of the District of Columbia Court of Appeals. In 1979, Judge Washington began his legal career as an associate in Fulbright & Jaworski’s Houston office and spent more than five years with the firm. Judge Washington was elevated to the D.C. Court of Appeals six years ago. He begins his four-year term in August.

## Litigation Trends Survey

Believe it or not, American businesses may have become a tad less litigious in the past three years. In a survey of national litigation trends by Fulbright & Jaworski, the average number of cases pending among U.S. companies has dropped from 16 to 15 since 2001, a decrease of 6.3 percent. This is the first time that Fulbright has surveyed corporate law departments for their views on the state of litigation in the United States. The 300 respondents—83 percent identified themselves as general counsel or chief legal officer—represent one of the largest samples of in-house counsel for a research study of corporate litigation issues. Find out what’s on the docket and the minds of 300 corporate counsel by going to [www.fulbright.com](http://www.fulbright.com) and downloading your copy of the Litigation Trends Survey. Also, check back at [fulbright.com](http://fulbright.com) for this year’s survey results.



# Texas Courthouses

## DOCUMENTARY SERIES

Fulbright & Jaworski sponsored a third installment of the already successful PBS documentary series, "The Golden Age of Texas Courthouses." This installment in the history of these symbols of justice, freedom and Texas heritage will air on Houston's PBS station in late summer. The film was produced in association with the Texas Foundation for the Arts, a non-profit organization dedicated to promoting a positive environment, and Sunset Productions.

Please check your local listings for this historical production.

# WORDS FROM THE WISE

Conversations with Fulbright's Two Nonagenarians,

WALTER J. MORRISON &  
JOHN H. CROOKER, JR.



Early this year, Walter J. Morrison and John H. Crooker, Jr., consented graciously to reflect briefly on their careers and their time at Fulbright. Both are modest men, not inclined to hand out advice to those who have followed them into the profession, but each passed along a few observations and memories on the differences between then and now in the legal profession.

After law school at The University of Texas, Walter Morrison spent five years with another firm before having his career and his life interrupted, like so many others, by World War II. After serving in the U.S. Navy, he rejoined his old firm after the war but was persuaded to move to Fulbright in 1947. A couple of his classmates at The University of Texas School of Law had a hand in that—John H. Crooker, Jr., and John Jamison. Mr. Morrison retired in 1986, but you can usually still catch him in his office on the 39th floor of the Fulbright Houston office every Wednesday.

John H. Crooker, Jr., joined the firm in 1937. With uncanny timing, he reported for duty in the U.S. Navy on December 6, 1941, and the rest is history, as they say—at least until the war ended, and he returned to civilian life and his practice at Fulbright, where he became a partner in 1947.

However, history wasn't through with him. He was called upon again to serve the country when President Lyndon B. Johnson nominated him as chairman of the Civil Aeronautics Board in 1967. John H. Crooker, Jr., was confirmed by the Senate in 1968 and served in that capacity until near the end of 1969 when he rejoined the firm.

#### ON THE ERA OF THE GENERALIST

**Mr. M:** “I practiced general law. This reveals a difference in eras. Nowadays they think there's something wrong with you if you say you practice general law. I started out in oil and gas law with the firm I was with.

“I came here in 1947. Crooker, Jr., Kraft Eidman, John Jamison and others convinced me to come over. But when I got here the first day, they said, ‘We've changed our minds. We want you to go over to First National Bank where the firm has an office and service that account.’ So I stayed there for years, working on the bank's loan business and, in some cases, handling work for the bank's borrowers.



Swearing-in Ceremony in East Room of the White House for John Crooker, Jr., as chair of the Civil Aeronautics Board in 1968. Sworn in by President Lyndon B. Johnson in 1968, while D.C. partner John White and wife Kay Crooker attend ceremony.

“It was a number of years before I got back here into the mainstream. If somebody wanted estate work, I would do that. I knew a good bit about it from working with the bank. I tried cases. Jaworski was head of the Litigation Department. It was a different era then.”

**Mr. C:** “The firm's theory when I came here was that each new lawyer had to be in ‘the pool.’ It even extended to physically carrying papers that were time-sensitive or that they didn't want to trust with a messenger. Our office then was a block and a half from the courthouse.

“One benefit for me and for all of us in ‘the pool’ was that I got to know the deputy district court clerk, the bailiff and the court reporter in each district court. So after I'd been with the firm for two years and got my own court docket, I knew the district court personnel.”

**ON PROFESSIONAL RELATIONSHIPS AND  
“KNOWING YOUR WAY AROUND”**

Mr. C: “There were four civil district courts in Harris County when I started practicing law in 1937. There are 40 or 50 now. We knew each of the judges by name, and they knew the lawyers by name. We knew which judges wanted brief, concise arguments and which let you ramble.

“You had courts you preferred to be in and ones you didn’t. The firm was sometimes the plaintiff in those days, although more often than not, we were on the defense side. If you represented the plaintiff, you knew it went A-B-C-D in filing. If you wanted to file something and make sure it was in a particular court, you’d take your petition over there, and you’d find out from the deputy district clerk what court was up. You could wait your turn, and within an hour or two, get into a particular judge’s court—if you were the plaintiff.”

Mr. M: “The relationships between lawyers and between lawyers and judges were more personal then. I used to go into court down in Angleton, Refugio and other towns. I’d walk in and they’d say, ‘How’s Newt Gresham doing?’ Or ‘How’s Bill Arnold?’ These were judges asking. ‘How’s his daughter doing?’ We all knew one another, attended the mothers’ funerals, things like that. Now there are so many courts, it could be a long time before you see that judge again.”

**ON THE CHANGING ROLE OF WOMEN**

Mr. C: “My grandmother was the first woman attorney in Texas, but there were no women serving on juries when I got out of law school. It was ‘Gentlemen of the jury...’ We had to change it after that.

“I’m not sure if World War II was what changed it. It was either just before the country became involved in the war or just after the war ended that women began



John Crooker, Jr., briefing President Johnson in the White House.



Lieutenant Walter Morrison in World War II.

to appear on juries. A lot of very important jobs were performed exceedingly well by women while we were 9,000 miles away. So it was a different sort of society when we came back. Women were involved in everything and capably so.”

#### ON KEEPING AN EXPERIENCE LIST

Mr. M: “I wouldn’t do that because I dealt with a lot of confidential matters. I wouldn’t talk about them even years later. That’s a confidence that clients place in the attorney. I guess they still have our billing records stored around here somewhere. If you looked at those now, the main thing you’d learn is that we worked on Saturday and on New Year’s Day.”

#### ON HIS TIME IN WASHINGTON, D.C.

Mr. C: “I worked equally long hours in Washington, D.C., versus the private sector. I had a car and a driver, and I had a light installed behind the back seat of the car so I could work after dark on my way home. I could get another 20 minutes of reading done when it was dark.

“(As chairman of the CAB) I was much happier in an independent agency than I would have been in a cabinet or sub-cabinet level post because of the political flack you have to take. In an independent agency, by law, the board has to be as bi-partisan as possible. On the CAB, there were three from one political party and two from the other. We had some three-to-two splits, but they were entirely away from party lines. Everyone just voted the way they thought was best for the country.”

#### ON FEES AND THE ATTORNEY PAY SCALE

Mr. M: “Jamison was a land lawyer. He used to go out and look at the land, sometimes pace off the distance between surveyor’s stakes. You could do that when you were charging \$50 an hour. But no more.

“The going rate when I started in 1937 was \$75 a month for starting associates. If you got \$100, that was really something. I had friends at Baker Botts who said if they could get \$6,000 a year they’d sign on for life. That would have been a big mistake.”

#### ON HIS FAVORITE TIME HERE

Mr. M: “I enjoyed all my time here at Fulbright and in the profession, and I’m glad I practiced when I did.”

Mr. C: “I guess I’m such an incurable optimist that whatever the time was, that was a good time.”



Walter Morrison and John Crooker, Jr., in 2005.

## L.A.'s Changing Faces and Changing Spaces



Peter Mason has been named the new partner-in-charge of the Los Angeles office. Peter has been a partner at Fulbright for the past 15 years. He is a member of the firm's elected Policy Committee and previously served on the firm's Finance and Attorney Evaluation Committees. He headed the litigation practice in the Los Angeles office for the past 10 years.

Los Angeles partner Helen Duncan has been named the new head of litigation for the office.

The growing L.A. office has moved to new quarters:  
Fulbright & Jaworski L.L.P.  
555 South Flower Street  
Forty-first Floor  
Los Angeles, California 90071  
T: (213) 892-9200\*  
F: (213) 892-9494\*\*

\* All direct dial telephone numbers remain the same

\*\* Please note new fax number



## The London Office Has Also Moved

The new address is:  
Fulbright & Jaworski International LLP  
90 Long Acre  
London WC2E 9RA  
T: +44 20 7010 8300  
F: +44 20 7010 8383





## Fulbright Tower in Houston

Amid the maze of detours and road construction in downtown Houston, the 1301 McKinney building now proudly displays a new name. When the firm renegotiated the building lease two years ago, we not only secured more space for our growing needs, but also the option to have the naming rights to the building at no additional cost to the firm. With Chevron's departure, we have exercised our option, and the 51-story former Chevron Tower is now the Fulbright Tower. Fulbright & Jaworski has experienced consistent growth firm-wide. As expansion continues in all of our offices, we are pleased that the Fulbright name is becoming a landmark in the city where the firm started. Please note Houston's new address:

Fulbright & Jaworski L.L.P.  
Fulbright Tower  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
T: (713) 651-5151  
F: (713) 651-5246

Chéri Samba, Democratic Republic of Congo **I Like Color (J'aime la couleur)** 2003  
 Acrylic and glitter on canvas  
 CAAC, Contemporary African Art Collection, The Jean Pigozzi Collection, Geneva  
 Photo: Patric Gries © Chéri Samba



**JEAN PIGOZZI COLLECTION**

Fulbright was the major sponsor of the Museum of Fine Arts, Houston exhibition, “African Art Now: Masterpieces from the Jean Pigozzi Collection.” Offering fresh perspectives from Africa, the exhibition highlighted 33 sub-Saharan Africa artists’ work. This exhibition was one of the most important and wide-ranging collections of contemporary African art ever assembled.



## The “Big D” Gets Even Bigger

With more than 125 attorneys, our Dallas office has substantially expanded over the past year. Almost every practice group experienced growth, from real estate and litigation to energy and intellectual property. One group that has particularly grown is the firm’s Corporation, Banking and Business Department, which more than doubled last year alone. Fulbright is routinely recognized for advising the corporate and business community and has been ranked as one of the top 20 corporate law firms nationwide in a survey conducted by *Corporate Board Member* magazine, as well as among the nation’s top firms for client service by BTI Consulting.

## Best Places To Work In Texas



This year, three of Fulbright’s Texas offices were honored as being the “Best Places To Work.” For the second year in a row, Fulbright’s Houston office was named “Best Place to Work” among large employers by the *Houston Business Journal*. More than 90 percent of Houston’s Fulbright employees said that they are proud to work for Fulbright. The *Austin Business Journal* chose Fulbright’s Austin office as one of the top five “Best Places to Work” in Central Texas for 2004. Our Austin office was selected among 135 companies participating from Central Texas in the awards program. The *San Antonio Business Journal* also named Fulbright’s San Antonio office as one of the “Best Places to Work” in San Antonio.

# New York Alumni Reception

Fulbright held its first-ever New York office alumni reception on October 21, 2004. More than 80 people attended. Look for details on the next New York reception and make sure to keep the firm up-to-date on any changes in your contact information.



Damian Pieper, Greg Casamento and India DeCarmine.



Myron Olesnycky, Eddy Friedfeld and Gregg Berman.

# Houston Alumni Party

On November 4, 2004, more than 220 people attended the Houston alumni party at River Oaks Country Club organized by alumni relations chair Dudley Oldham. Houston alums, make sure to keep the firm updated with your latest contact information to receive an invitation to the next reception in the fall of 2006.



Randall Butler, Carmody Baker and Edward "Teddy" Adams.



Judge Stephen Smith and A.L. "Dick" Dent.



# James B. Sales Heads TEXAS ACCESS TO JUSTICE COMMISSION

Jim Sales, who is currently serving as of counsel to the firm, was appointed chair of the Texas Access to Justice Commission by the Texas Supreme Court. The commission was created in 2001 to advance legal-assistance programs for low-income residents throughout the state. A hallmark of Jim's 43-year career has been his dedication to improving underserved residents' access to legal assistance. As Houston Bar Association president from 1980-1981, he envisioned what later became the Houston Volunteer Lawyers

Program and helped ensure funding through the establishment of the Houston Bar Foundation. Jim went on to serve as the foundation's first chairman in 1983. By the late 1990s, more than 4,000 attorneys were registered participants in the Houston Volunteer Lawyers Program, donating a combined 15,000 hours of pro bono time each year.

# Happy Retirement, Nancy Ellis



April 20, 2005, was designated as Nancy Ellis Day at Fulbright & Jaworski in recognition of Nancy's long and dedicated service to the firm. Nancy began her employment with the firm in October 1961 as a legal secretary for three young attorneys, one of whom was Jim Sales. Thereafter, she was secretary to our late partner Bob Carsey for 30 years. In 1995, she became administrative assistant to the Litigation Department and later became an MCLE/litigation training coordinator. It is believed that she has the longest period of service of any staff member in the history of Fulbright & Jaworski. Nancy's loyalty, dedication, commitment and integrity will be her enduring legacy.

# Fulbright Responds TO TSUNAMI DEVASTATION



The terrible tsunami tragedy that took such an enormous toll on the people of South and Southeast Asia called for a generous response from all of us. In that spirit, the Fulbright & Jaworski Foundation supported the relief efforts by matching dollar-for-dollar all contributions made by attorneys and staff. As a result, Fulbright donated more than \$200,000 to various tsunami relief organizations, providing a small measure of help and hope to those who so desperately need it.



## San Antonio Celebrates 25

More than 400 people attended Fulbright's San Antonio 25th anniversary party at the Institute of Texan Culture on March 31, 2005. One of the party's highlights was the short film shown at the event, which showcased the rich history and commitment that the firm has in the San Antonio area. Fulbright opened the San Antonio office on April 1, 1980. We are proud to have been a partner in San Antonio's growth over the years.



Evelyn Biery and Mark Westergard.



Jack Farris, George Scofield and Phillip Nelson.

## Fulbright Alum Makes MINNEAPOLIS' "40 UNDER FORTY" LIST

Fulbright alumna Renee Jackson has been listed in *Minneapolis • St. Paul The Business Journal* as one of the "40 Under Forty," a list of up-and-coming individuals in the Minneapolis metropolitan area under the age of 40. She was named to this list when she was a Fulbright partner but has recently taken the position as corporate legal director at Fair Isaac Corporation.

While at Fulbright, Jackson represented diverse clients in intellectual property and commercial litigation. She has

extensive experience in courts and arbitrations throughout the nation. Commercial litigation matters she handled for Fulbright regularly included violation of franchise laws, claims of breach of contract, fraud or violation of securities laws. She won many cases by court judgment and tried numerous cases to successful jury verdicts.



## Fulbright to Launch NEW ALUMNI WEB SITE

Fulbright is proud of our attorneys, present and past, and we are dedicated to maintaining lifelong relationships with them. In appreciation of our alumni, we are creating an alumni Web site that will offer a dynamic forum for networking with former colleagues and participating in a variety of Fulbright events.

The alumni site will include:

- Latest Fulbright and alumni news
- Upcoming events—both alumni and professional
- Fulbright resources and benefits
- Legal updates and other publications
- Personal profile options

The first step in cultivating strong relationships with alumni starts with you. Check back for regular updates and new features to the Fulbright alumni site. If you have any questions regarding the alumni program or Web site, please e-mail [alumni@fulbright.com](mailto:alumni@fulbright.com).



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