

# LOUISIANA

## Local litigation firms

### Highly recommended

Adams & Reese

Barrasso Usdin Kupperman Freeman & Sarver

Jones Walker Waechter Poitevent Carrère & Denègre

Liskow & Lewis

Phelps Dunbar

Stone Pigman Walther Wittmann

### Recommended

Baker Donelson Bearman Caldwell & Berkowitz

Fishman Haygood Phelps Walmsley Willis & Swanson

Frilot

Gordon Arata McCollam Duplantis & Eagan

Herman Herman Katz & Cotlar

Kean Miller Hawthorne D'Armond McCowan & Jarman

Sher Garner Cahill Richter Klein & Hilbert

Taylor Porter Brooks & Phillips

## Local litigation stars

### Donald Abaunza

Liskow & Lewis

Appellate, Construction Litigation, Environmental Litigation

### Arthur Abercrombie

Taylor Porter Brooks & Phillips

Class Actions, Commercial Litigation, Insurance, Toxic Torts

### John Anjier

Liskow & Lewis

Securities

### Blake Arata

Gordon Arata McCollam Duplantis & Eagan

Energy Litigation

### Judy Barrasso

Barrasso Usdin Kupperman Freeman & Sarver

Business Torts, Class Actions, Insurance, Securities

### Brett Barriere

Phelps Dunbar

Antitrust, Bankruptcy, Commercial Litigation, Professional Liability

### Mark Beebe

Adams & Reese

Antitrust, Education, Professional Liability

### Charles Cerise

Adams & Reese

Environmental Litigation, Maritime Litigation, Toxic Tort

### Roy Cheatwood

Baker Donelson Bearman Caldwell & Berkowitz

Antitrust, Commercial Litigation, Energy, Securities, Trade Secrets

### Miles Clements

Frilot

Agriculture, Commercial Litigation, Energy, Environmental Litigation, Maritime Litigation, Products Liability

### Donna Currault

Gordon Arata McCollam Duplantis & Eagan

Antitrust, Appellate, Bankruptcy, Class Actions, Commercial Litigation, Employment Litigation, Products Liability

### Ewell Eagan

Gordon Arata McCollam Duplantis & Eagan

Antitrust, Appellate, Commercial Litigation, Employment Litigation, Insurance, Products Liability

### George Frilot III

Frilot

Class Actions, Energy

### James Garner

Sher Garner Cahill Richter Klein & Hilbert

Complex Commercial Litigation, Products Liability

### Pauline Hardin

Jones Walker Waechter Poitevent Carrère & Denègre

Commercial, Environmental Litigation, Health Law, White Collar Crime

### Russ Herman

Herman Herman Katz & Cotlar

Commercial Litigation, Personal Injury, Products Liability

### Michael Hunt

Phelps Dunbar

Antitrust, Commercial Litigation, Construction Litigation

### William Jarman

Kean Miller Hawthorne D'Armond McCowan & Jarman

Commercial Litigation, Environmental Litigation, Products Liability, Toxic Torts

### Shelby McKenzie

Taylor Porter Brooks & Phillips

Insurance, Education

### Harry Philips

Taylor Porter Brooks & Phillips

Commercial Litigation, Health Law, Insurance

### Richard Sarver

Barrasso Usdin Kupperman Freeman & Sarver

Class Actions, Environmental Litigation, Products Liability

### Lawrence Simon

Liskow & Lewis

Appellate, Energy

### James Swanson

Fishman Haygood Phelps Walmsley Willis & Swanson

Class Actions, Intellectual Property, Insurance, Media, Products Liability, Securities

### Steve Usdin

Barrasso Usdin Kupperman Freeman & Sarver

Insurance, Intellectual Property, Products Liability, Securities

### Patrick Vance

Jones Walker Waechter Poitevent Carrère & Denègre

Antitrust, Appellate, Bankruptcy, Class Actions, Commercial Litigation, Professional Liability

### Phillip Wittmann

Stone Pigman Walther Wittmann

Antitrust, Class Actions, Commercial Litigation, Products Liability

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## Future stars

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William Caughman III  
Kean Miller Hawthorne D'Armond McCowan &  
Jarman

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Celeste Coco-Ewing  
Barrasso Usdin Kupperman Freeman & Sarver

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Meredith Cunningham  
Barrasso Usdin Kupperman Freeman & Sarver

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Demarcus Gordon  
Gordon Arata McCollam Duplantis & Eagan

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Genevieve Hartel  
Jones Walker Waechter Poitevent Carrère &  
Denègre

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Michael Pinkerton  
Frilot

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Minor Pipes  
Barrasso Usdin Kupperman Freeman & Sarver

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Kyle Potts  
Adams & Reese

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Amelia Rinehart  
Jones Walker Waechter Poitevent Carrère &  
Denègre

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# Louisiana

**Louisiana continues to feel the effects of Hurricane Katrina, with many local litigators participating in insurance cases related to natural disasters. Lafayette remains a hub for energy litigation and natural resource matters.**

## Highly recommended firms

### Adams & Reese

Formed in 1951, Adams & Reese maintains a strong foothold in the Southern U.S. with ten offices in the region and one in Washington, D.C. One competitor says the firm is “very well-respected” and its bankruptcy practice “is highly commendable.” The firm is also noted for its employment, commercial, intellectual property and financial services practices. An active participant in volunteer work, the firm supports HUGS, a long standing volunteer program that offers special events and organizes fundraisers for the less fortunate in the area.

A competitor notes that **Mark Beebe** has a “strong reputation as a litigator.” He is well known for representing high-profile clients including U.S. Trust, Loyola University, New Orleans Center for Creative Arts and Credit Suisse First Boston. In addition to his noteworthy antitrust practice, Beebe also serves as a board member of the Travelers Aid Society, an organization which aids individuals and families in transition.

**Charles Cerise** focuses on maritime law, insurance and products liability. He previously served as the group leader of the firm’s litigation practice. Cited as an up-and-coming litigator, **Kyle Potts** has steadily built a notable practice handling pharmaceutical matters. Potts also excels in general civil litigation and insurance defense.

The firm has been at the forefront of litigation relating to Hurricane Katrina. In July 2009, Phil Franco represented Robért Fresh Market in the Fifth Circuit Court of Appeals, where the court upheld a jury verdict of \$21.6 million in favor of Franco’s client. The decision concluded an appeal from a case decided in June 2008 by the U.S. States District Court for the Eastern District of Louisiana in which the federal court ruled that United Fire & Casualty should pay the grocery chain’s owner \$21.6 million for unreasonably failing to pay to fix the store’s damage from the effects of Hurricane Katrina. The ruling is the largest post-Hurricane Katrina disaster jury verdict against an insurance company.

### Barrasso Usdin Kupperman Freeman & Sarver

Described as a “great litigation boutique firm,” clients and competitors alike have lauded Barrasso Usdin Kupperman Freeman

& Sarver as a powerhouse comprised of strong trial lawyers. Noted for its success in complex litigation, the firm also boasts a remarkable insurance practice and heavy involvement in post-Hurricane Katrina cases. The firm has clients across several states surrounding the Gulf Coast.

One competitor cites **Judy Barrasso** as “a stand-out litigator” among her contemporaries. “I could see the respect that other attorneys have for her,” says a client. She represented Big Lots Stores in collective actions in the United States District Court for the Eastern District of Louisiana. The actions were brought in late 2007 by over 900 assistant store managers who sought recovery of alleged unpaid overtime, penalties, and attorney fees. In May 2008, Barrasso and her team, which included partner Steven Kupperman, successfully had all but two of the named plaintiffs’ claims dismissed.

**Richard Sarver** represented CITGO Petroleum Corporation in multiple civil actions filed in the Western District of Louisiana originating from an oil spill and air release from Citgo’s Lake Charles Manufacturing Complex in June 2006. The matters involved 1100 plaintiffs alleging personal injury, property damage, and economic losses. In January 2009, the first case, which concerned seven plaintiffs with personal injury claims, was favorably resolved in a jury trial, and all the remaining claims against CITGO were subsequently dismissed.

A client describes name partner **Steve Usdin** as “a skilled strategist” with “strong persuasive skills.” He currently defends Federal Insurance Company in a major complex business claim against a publicly-traded gaming company seeking \$20 million in alleged income losses from the impact of Hurricane Katrina.

**Celeste Coco-Ewing** specializes in complex litigation, with a focus on class actions, products liability, securities and insurance coverage disputes. Her talents as a writer are also noted: she serves on the Editorial Board of the Journal of Commercial Business & Litigation Committee. **Meredith Cunningham** excels in complex commercial matters and has successfully represented clients before NASD and FINRA arbitration boards. Founding member **Minor Pipes** maintains a strong construction, insurance defense, and class actions litigation practice.

### Jones Walker Waechter Poitevent Carrère & Denègre

Regarded by peers as a strong firm with a great reputation, Jones Walker Waechter Poitevent Carrère & Denègre handles a broad range of litigation. For decades the firm has retained a strong reputation in the southeastern United States, with locations in Florida, Alabama, Georgia and Texas, in addition to Washington, D.C. The firm’s Baton Rouge office has been noted for its intellectual property practice and its New Orleans office houses its maritime and employment practices. Located in a city dominated by the energy industry, the firm’s Lafayette office has a strong focus on oil and gas litigation.

**Patrice Vance** primary handles commercial litigation including copyright infringement matters, defense of class actions, foreclosures, ERISA litigation, dealer-distributor disputes and successions. One competitor notes “he stands out as one of the top bankruptcy litigators.” In the years since Hurricane Katrina, Vance has worked on a number of insurance disputes over coverage for damaged houses.

**Pauline Hardin** heads the firm’s white-collar practice and is well known for her criminal litigation practice. One peer notes her specialty dealing with cases involving the Foreign Corrupt Practices Act. Since July 2009, Hardin has been defending Judge Joan Bengé against accusations of serious misconduct and a recommendation that the judge be removed from her post. Bengé allegedly allowed an outsider to influence her decision to award monetary damages to a plaintiff in a case against State Farm.

Based in Baton Rouge, **Genevieve Hartel** focuses on a wide variety of commercial litigation matters. One colleague has praised her “research skills” as well as her “thoroughness.” Major clients include a large wireless carrier, a national hotel corporation and an international gaming company. Focusing on intellectual property law, **Amelia Rinehart** has worked on cases involving patent validity, trademark and copyright disputes.

### Liskow & Lewis

With offices in Lafayette and New Orleans, Liskow & Lewis is noted for energy litigation. The firm also has a strong energy practice in its office in Houston, Texas. The firm specifically focuses on oil and gas disputes, regulatory litigation and land ownership claims. In April 2009, the firm secured dismissal of antitrust price fixing and conspiracy claims to monopolize the gasoline market brought against client Motiva Enterprises in the Louisiana Fourth Circuit Court of Appeal by the owner of several gasoline stations. The court drew upon the 2007 United State Supreme Court decision in *Bell Atlantic Corp. v. Twombly* in its decision; this case marks the first time a Louisiana court has utilized the *Twombly*

standard to evaluate the sufficiency of a plaintiff's antitrust claims.

**Donald Abaunza** has been recognized by a competitor as a "brilliant and effective" lawyer. He has served as lead counsel in maritime, products liability, construction and personal injury cases. **Lawrence Simon** has been involved in major cases concerning the oil and gas industry for 25 years. Simon also has experience litigating telecommunications and utility matters.

**John Anjier** maintains a formidable securities and professional liability practice. He has successfully won numerous high-stakes cases and has netted victories in excess of \$100 million for clients.

#### Phelps Dunbar

Established in 1853, Phelps Dunbar is one of the oldest continuously practicing law firms in the South. In addition to its Baton Rouge and New Orleans offices, the firms boasts locations in Mississippi, Texas, Florida and London, England. The firm excels in commercial, insurance, energy, antitrust, and bankruptcy litigation. Phelps Dunbar's commercial practice is one of the

**Philip Wittman** joined the firm in 1961 and has experience handling commercial litigation, products liability and antitrust cases. One lawyer says he's "amazed that [Wittman] has been trying cases for so long." Wittman possesses broad trial experience and frequently gives lectures about important legal issues. Major clients include Merck & Co., ExxonMobile and Papa John's Pizza.

#### Recommended firms

##### Baker Donelson Bearman Caldwell & Berkowitz

Multi-state firm Baker Donelson Bearman Caldwell & Berkowitz has been serving clients across the United States since 1888. The firm's foothold in Louisiana results from its offices in Baton Rouge and New Orleans. One source remarks that the firm is "strong in business litigation." Clients include Delta Airlines, Ford Motor Company and Microsoft.

The firm's Baton Rouge and New Orleans offices are managed by **Roy Cheatwood**, who practices in antitrust, commercial

with associate Lance C. McCardle, Swanson represented the Isidore Newman school in an action against its insurance broker in connection with the school's claims for uninsured losses stemming from Hurricane Katrina. The client alleged that there was a type of insurance coverage that would have covered Newman for its losses but that its long time insurance broker provided incorrect and incomplete information resulting in the school being underinsured at the time of the storm. In May 2008, the trial judge rendered a judgment in favor of the school for approximately \$950,000.

##### Frilot

Formed in 1995, Frilot is a full service litigation firm. The firm's expertise lies in commercial litigation, and one local lawyer notes that "the firm is great at bringing in big clients." Frilot recently strengthened its litigation practice with the inclusion of Peter Tafaro, whose practice will add expertise in mass torts and products liability. In January 2009, the firm successfully obtained a defense verdict in *Norwood vs. Medina*, a medical malpractice case. The plaintiffs were the surviving children of a patient who died due to an ischemic stroke. They claimed that the defendant, an internal medicine specialist, failed to appropriately treat the medical condition.

Founding partner **George Frilot III** is a leading litigator in the state. Possessing over 40 years of experience, Frilot has tried cases in 23 states and two foreign nations. His strengths lie in business litigation and products liability matters. Co-founder **Miles Clements** heads the firm's energy and environmental litigation group. He is known for handling national and multinational oil and gas disputes.

##### Gordon Arata McCollam Duplantis & Egan

With three offices in Louisiana and a fourth in Texas, Gordon Arata McCollam Duplantis & Egan has a "strong reputation" in oil and gas litigation. Competitors note that the firm may not be large, but the litigation team is "formidable." The firm prides itself on the versatility of its litigators, who have tackled cases ranging from maritime law to construction to insurance litigation.

Multiple lawyers praise **Ewell Eagan** for his energy litigation practice. Eagan handles a broader range of litigation as well; he has served as lead counsel in national and state class actions, regulatory actions, securities fraud cases, shareholder and corporate disputes, patent disputes, contract claims, and other business torts. **Donna Currault** concentrates on complex commercial litigation. She has served as a member of the Board of Directors for the New Orleans Chapter of the Federal Bar Association since 2002.

A former City Attorney for New Orleans,

**“Noted for its success in complex litigation, Barrasso Usdin Kupperman Freeman & Sarver also boasts a remarkable insurance practice and heavy involvement in post-Hurricane Katrina cases. ‘I could see the respect that other attorneys have for [Judy Barrasso],’ says a client.”**

largest in the state.

**Brent Barriere** is the practice coordinator for the firm's commercial litigation group. His caseload consists of bankruptcy, creditors' rights, antitrust and class action matters. His primary clients are creditor trusts and secured money lenders. **Michael Hunt** focuses on construction, insurance and products disputes. He is also known for maintaining a long-standing client in the chemical manufacturing industry. **Harry Rosenberg** has been described by a competitor as a "high profile case worker." His practice includes business torts, civil rights litigation and criminal law matters. Rosenberg previously served as the United States Attorney for the Eastern District of Louisiana from 1990 through 1993.

#### Stone Pigman Walther Wittmann

Stone Pigman Walther Wittmann, based in Baton Rouge and New Orleans, is well known for its preeminent litigation practice, with a focus on products liability, intellectual property and securities law. The firm is allied with the New Orleans College Prep Charter School and works to help the charter school prepare for the welcoming of new students.

litigation and securities. A contemporary describes Cheatwood as "a highly credible person" and "a cut above the rest." Another lawyer lauds his firm, stating that "he has a lot of support from a very well-staffed firm." Cheatwood most recently defended a major integrated health care system against dozens of plaintiffs seeking damages of over \$300 million for an alleged breach of management and consulting contracts.

##### Fishman Haygood Phelps Walmsley Willis & Swanson

Fishman Haygood Phelps Walmsley Willis & Swanson is regarded as a strong boutique firm specializing in trial work. The firm is considered a leader in business litigation, tackling class actions, energy, insurance and media matters. While the firm specializes in representing major corporations and government entities, Fishman Haygood also lends its services to smaller companies and new enterprises.

Described as a "definite star" by a competitor, **James Swanson** manages the firm's litigation group. One of his long standing clients is *The Times-Picayune* and in recent years he has represented a number of clients in the education industry. Along

**Blake Arata** is described as “really solid” by a competitor. His practice focuses on oil, gas and energy litigation. **Demarcus Gordon** stands out among his fellow litigators for his notable class actions, energy, and products liability work.

#### **Herman Herman Katz & Cotlar**

Headquartered in New Orleans, Herman Herman Katz & Cotlar has established a reputation for handling high profile litigation. Since 1994, the firm has been at the forefront of a series of tobacco litigation matters. One competitor has noted that the firm is “the best for plaintiff aggregate cases.” Senior partner **Russ Herman** practices in the bankruptcy, complex litigation, medical negligence, and products liability fields. A prolific writer, Herman authored over 200 articles related to civil trials. He has obtained multimillion dollar verdicts in favor of his clients.

#### **Kean Miller Hawthorne D’Armond McCowan & Jarman**

Consisting of 125 lawyers, Kean Miller Hawthorne D’Armond McCowan & Jarman has represented local businesses and Fortune 500 companies in cases relating to

intellectual property, health care, environmental litigation, and business litigation. The firm has recently renewed its focus on petrochemical matters. Peers describe **William Jarman** as “distinguished.” In his 35 years of experience, he has represented clients including the Louisiana Oil & Gas Association, the American Petroleum Institute and the Louisiana Mid-Continent Oil & Gas Association.

#### **Sher Garner Cahill Richter Klein & Hilbert**

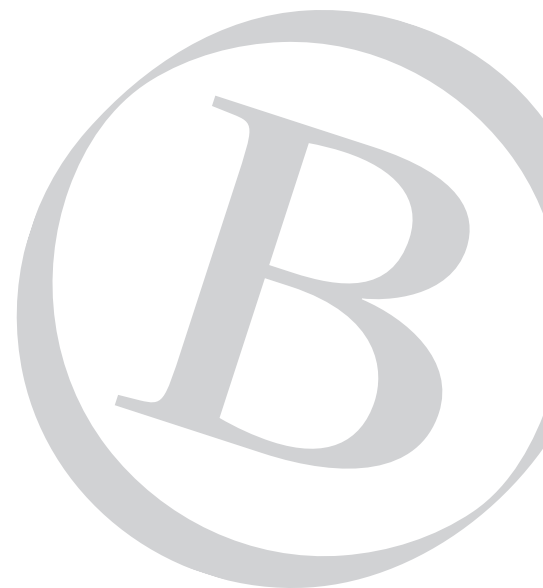
Sher Garner Cahill Richter Klein & Hilbert deals with complex litigation in an extensive range of practice areas including antitrust, intellectual property, toxic torts, environmental law and government litigation. The firm is noted for its aggressive attitude which led one peer to comment that “the firm is unafraid to be controversial.”

Peers say that **James Garner** is a “notable presence” in the Louisiana litigation landscape.. Garner stands out for his broad practice and his focus on litigation relating to Hurricane Katrina. He co-manages the firm along with Leopold Sher. Sher has been cited as a “strong business lawyer” by a competitor; his practice concentrates in

complex commercial and bankruptcy litigation. Sher has represented national and international clients in the food service, medical, and oil and gas industries.

#### **Taylor Porter Brooks & Phillips**

One competitor describes Taylor Porter Brooks & Phillips as “top tier in Baton Rouge.” The firm has been operating for nearly 100 years and excels in the commercial litigation, energy litigation, intellectual property, and products liability. The firm is also proud of its community outreach and diversity efforts, having worked with the American Cancer Society, 100 Black Men of America, and Cerebral Palsy Foundation among other non-profits. Managing partner **Arthur Abercrombie** focuses on class actions, commercial litigation and insurance litigation. Some of his oldest clients are the insurers of Gaylord Chemical Company, who he has represented for 10 years in a class action case involving 20,000 plaintiffs that are alleging toxic exposure. **Shelby McKenzie** is lauded for his insurance practice and has handled several cases representing clients who were adversely affected by Hurricane Katrina. He has been called “a lawyer’s lawyer” by a peer.



**JAMES GARNER****SHER GARNER CAHILL RICHTER KLEIN & HILBERT LLC**

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Mr Garner, a member of the firm is a trial lawyer specializing in commercial and complex litigation. He has been lead counsel in cases in New Mexico, Kansas, Arizona, Indiana, Arkansas, Mississippi, Louisiana and Texas, involving complex and class action litigation ranging from asbestos exposure, benzene exposure, mass closings of big box retailers, noise pollution, and financial litigation. He is admitted to practice before the federal courts in Arkansas and Mississippi and all courts in Texas and Louisiana. He serves as regional counsel for several companies.

Mr Garner has served and is serving as lead trial counsel for several corporations seeking in excess of \$1.5 billion in damages related to Hurricanes Katrina and Rita. These include Xavier University of Louisiana, Dillard University, Children's Hospital of New Orleans, Universal Health Services, Pioneer Resources, Touro Infirmary, St Augustine High School, Imperial Trading, Coleman A Adler and Sons as well as Safeguard Storage Corporation. Mr Garner was lead advocate in two of the seminal Katrina insurance cases argued to the Louisiana Supreme Court and United States Fifth Circuit.

Mr Garner has also served as lead trial lawyer in complex construction litigation involving the Federal Bureau of Investigation Building in New Orleans, The Astor Crowne Plaza Hotel, The St James Hotel, The Hilton Garden Inn Convention Center, The Hotel Le Cirque, as well as Woldenberg Village Nursing Home and Assisted Living Facility.

While attending Tulane Law School, Mr Garner served as a member of the board of editors for 1987-1988 and managing editor of the Tulane Law Review for 1988-1989. He is also a member of the Order of the Coif. As an undergraduate at Tulane, he was a member of the Tau Beta Pi, Phi Eta Sigma, Omega Chi Epsilon, and Omicron Delta Kappa honorary societies.

Professional and civic activities include: American (member); Louisiana (member) and Federal (director, membership chair, recording secretary, treasurer, president elect and vice-president, president and National Council Delegate, member) Bar Associations; Defense Research Institute (member); Louisiana Association of Business and Industry (member); Louisiana Bankers Association (member); Holy Cross High School (board member); Our Lady of Holy Cross College (Development Board); Tulane University (Admissions Council and Externship Committee); Tulane Law Review board of advisory editors; St Catherine of Siena Cub Scout Pack 230 Den Leader.

**JIM SWANSON****FISHMAN HAYGOOD PHELPS WALMSLEY WILLIS & SWANSON, L.L.P.**

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Jim Swanson is the managing partner and head of the litigation section at the law firm of Fishman Haygood Phelps Walmsley Willis & Swanson. He represents plaintiffs and defendants in a broad range of business litigation matters, with emphasis on securities, media, state tax, contract and other general litigation. Mr Swanson regularly represents The Times-Picayune Publishing Corporation, SMG, the State of Louisiana and others. He has obtained a number of multi-million dollar judgments in commercial matters. His efforts are recorded in many reported decisions, including a number of landmark media and securities cases.

Mr Swanson is consistently ranked as one of the top litigators in New Orleans in *Chambers USA*, *Benchmark Litigation*, *The Best Lawyers in America*, *New Orleans Magazine* and others. He was recently listed as one of the Top Fifty Lawyers in Louisiana in *Super Lawyers*.

In a case that garnered national attention, Mr Swanson represented 30 elderly investors in a 2007 National Association of Securities Dealers arbitration involving a Baton Rouge representative of Securities America. After a 92-day trial, they received a well-publicized \$22 million award that included punitive damages. It was one of the largest NASD awards ever made. He has handled many other noteworthy cases over the years, including a corporate income tax case in which he received a \$26 million jury verdict and defending against the Saints' efforts to break their Superdome lease.

The following is a listing of some of his current projects. He represents the LSED in a claim against Merrill Lynch arising out of the issuance of auction rate securities; the State Bond Commission and others in connection with several interest rate swap contracts; US Unwired and Sprint in a class action securities claim; Superior Energy in defending claims relating to an underground oil well blow out; the State of Louisiana in prosecuting corporate tax claims against BP, Shell and United Artists; Wampold Companies and others in cases arising out of the sale of fraudulent certificates of deposit; and Isidore Newman School in its suit against its insurance broker arising out of Katrina.

He is an adjunct professor at Loyola Law School teaching trial advocacy and at Tulane University where he teaches media law. He serves as the vice-chairman of the Lafayette Charter School, an open enrollment K-7 school with over 750 students, which serves an impoverished inner-city population.

Mr Swanson received his JD, *magna cum laude*, from Tulane Law School, where he was a member of the Order of the Coif and an associate editor of the *Tulane Law Review*. Mr Swanson was also the winner of the Tulane Moot Court Appellate Competitions in 1986 and 1987.