**EVENT CALENDAR**

**PanCake Breakfast**

Saturday, Jan. 24

The Humane Educational Society will host a pancake breakfast at Taconooga on Saturday, Jan. 24. The deliciousness begins at 7 a.m. for early birds and goes until 10 a.m. for sleepy heads. Make advance reservations by calling (423) 624-5302 ext. 222 or emailing hesdevelopment@comcast.net. Walk-ins and to go orders will be welcome.

**Say “Chees”!**

Saturday, Jan. 24

The Chattanooga History Center will present "Say Cheese!" Photography and the Chattanooga Story for ages 8-13 from 2:30 to 4 p.m. on Saturday, Jan. 24 at the Center. Participants will learn about photographic processes and learn to read photographs to gain knowledge about people, events, and places. They will also make a pinhole cameras to take home. The fee is $15 for one parent and one child. All materials are included in the cost. Participants are responsible for getting their own film developed. Each child must be accompanied by an adult. Space is limited, and pre-registration is required by Friday, Jan. 23. Call 423-265-3247 or email cs@chattanoogahistory.org to register.

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**KW Commercial looks to 2015 with eye on growth**

By David Laprad

For six years, the commercial division of Keller Williams Realty on Manufacturers Boulevard coexisted with the residential group. They shared office space, used the same fax machine, and drank the same coffee. The residential side of the business was always growing, though, and in time, needed more elbow room.

That meant two things: the commercial agents needed to buy their own coffeemaker and find a new place to do business.

Fortunately, a solution was close at hand: a street side office at the other end of the building. Managing broker Jennie Brockman and her group of about a dozen agents moved in late last year. "We have more visibility," she says. "Our sign used to face the parking lot, but now it’s facing the street. When people sit at the traffic light, they can see us here."

KW Commercial was ready for its own space, too. As of Jan. 6 of this year, the group had 109 out of 954 commercial sales listings in the area, giving it an 11 percent share of the market. Brockman says this is more than any other commercial group in Chattanooga. "We don’t have our year-end numbers yet, but it looks like we did over $20 million in closed volume;" she says.

KW Commercial also had 37 of the 356 local lease listings.

Brockman attributes the group’s success in part to a combination of seasoned commercial agents and eager new blood. "Our seasoned agents have more leads than they can chase down, so we’ve been blessed to acquire several hungry and driven new agents," Brockman says.

See **KW COMMERCIAL**, page 20

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**Bar Association installs 2015 Board at annual meeting**

Chancellor Pam Fleenor installs attorney Paul Hatcher of Duncan, Hatcher, Hixson & Fleenor as the 2015 president of the Chattanooga Bar Association during the Bar’s annual meeting Wednesday at Read House. Hatcher hit the ground running, announcing several initiatives on which he and the Board will be working. See the next issue of the Hamilton County Herald for more photos and the names of the award winners.

(Photos by David Laprad)
District established to attract, retain jobs in new ‘Innovation Economy’

In its ongoing effort to solidify Chattanooga as an ideal city for startup companies, the Enterprise Center this week announced the establishment of the Chattanooga Innovation District. Chattanooga’s will be the first innovation district established in a mid-sized city. “Chattanooga’s Innovation District will bring jobs, talent, and capital to our city,” said Mayor Andy Berke. “Couples with the fastest Internet in the Western Hemisphere, our Innovation District will strengthen our place as leaders in the 21st century economy.”

The Chattanooga Innovation District will include a catalytic mix of startup businesses, business incubators, and accelerators alongside other innovation economy generators and amenities available in a dense, walkable urban core.

“ Innovation districts are emerging in cities throughout the United States and Europe as key drivers of economic activity, job creation, and inclusive growth. Chattanooga is taking impressive steps toward catalyzing this new form of development,” said Bruce Katz, founding director of the Brookings Metropolitan Policy Program and co-author of “The Metropolitan Revolution.”

In addition to workspace, innovation districts benefit from easy access to other assets enjoyed by those working in the districts including coffee shops, pubs, restaurants, and multimodal transportation - all of which are accessible in Chattanooga’s newly designated district within City Center.

In the heart of downtown’s City Center, the 140-acre Chattanooga Innovation District is approximately a quarter mile walk radius from the intersection of M.L. King Blvd and Georgia Avenue, and includes many of Chattanooga’s main downtown public spaces such as Miller Park and Miller Plaza.

Some of the organizations within the Chattanooga Innovation District footprint include EPB, the Public Library, Lamp Post Group, Coyote Logistics in Warehouse Row, Causeway, Society of Work, the Public Education Foundation, and the new home of Arts Build.

Additional buildings within the footprint are in the process of being repurposed for the knowledge economy, including 17,000 square feet of the James A. Mapp building on MLK owned by UTC, the Fleetwood Building on 11th Street owned by SwiftWing Ventures, and Fidelity Trust and their buildings on 7th and Cherry Streets.

“It’s easy to see what an important role the development of Enterprise South played in helping attract VW and the jobs it brought to Hamilton County,” said Hamilton County Mayor Jim Coppinger. “The establishment of a physical space ideally suited for innovation economy businesses and workers will be a benefit to the community as a whole.”

Anchoring the Innovation District will be the Chattanooga Innovation Center: The Edney Building. The 90,000 square foot, 10-story building sits at the corner of Market and 11th Streets and will serve as a connecting point, support base, and catalyst for the local ‘Innovation District.”

Located at the corner of Market and 11th Streets, the Edney Building will serve as a connecting point, support base, and catalyst for the local “Innovation District.” (Photo by David Laprad)

Cabela’s is hiring 140 for Fort Ogletorpe store

Cabela’s is now accepting online applications for approximately 140 full-time, part-time, and seasonal positions at its new Fort Ogletorpe, Ga., store. “This is a wonderful opportunity for people who love the outdoors to work in the outdoor industry,” said Ellis Yarrell, general manager of the new store. “There are a variety of positions available, so we encourage everyone to get online and find an opportunity that interests them.”

Interested applicants are encouraged to apply for positions in all departments including hunting, fishing, camping, home and cabin, customer service, and more.

Anyone interested in applying should visit www.cabelas.com, click on “Job Search,” then select United States and Fort Ogletorpe, Ga., for the location, and then click “Search.” Selected applicants will be contacted for further information.

Cabela’s Incorporated anticipates a spring 2015 opening for the 70,000-square-foot store. It will be located in Catoosa County near the intersection of Interstate 75 and State Route 146.

In addition to thousands of quality outdoor products, the store will feature a mountain replica, aquarium, museum-quality wildlife displays, indoor archery range, deli, fudge shop, Gun Library, and Bargain Cave. Additionally, the store’s staff will host educational seminars and demonstrations offering tips and insight on outdoor products and activities.

Source: Cabela’s

Locate a Fort Cabela’s near you

50 YEARS AGO

What was going on in Chattanooga in 1965?

Saturday, Jan. 23

At a meeting of the board of directors of Chattanooga Goodwill Industries, J.P. Brown, Jr., assumed the presidency for 1965. Maj. Richard C. Andrews is executive director.

Sunday, Jan. 24

Eckerd’s Drugs has announced a radical remodeling program for their new location, 710-712 Market Street, which they will occupy in April. Harry L. Weddle, general manager, said the new location will contain some 24,000 square feet of floor space, four times the space of their present location at 732 Market St.

The Chattanooga office of the Southern Railway System is taking reservations for the annual Bing Cosby National Pro-Amateur Golf Tournament in Pebble Beach, Calif.

The Chattanooga-Hamilton County Action Program for Economic Opportunity, a private, non-profit organization to administer the program here under the Economic Opportunity Act, Monday, elected Dr. August Eberle, provost of the Univ. of Chattanooga, as president. Other officers are the Rev. Horace J. Taylor, vice president; Mrs. Harry Weber, secretary; and Glenn Stophel, treasurer.

Monday, Jan. 25

Chattanooga amateur Lew Oehmig and his professional partner, former National Open Champion Gene Littler, combined by entered to enter the Elks Club 1965 Most Valuable Student competition by Exalted Ruler O.J. Bailey of Chattanooga Elks Lodge 91. The composition, now in its 31st year, is sponsored by the Elks National Foundation.

Wednesday, Jan. 27

Construction of a nine-story wing at Erlanger Hospital, a new non-profit community hospital as soon as the Erlanger wing is completed, and the city and county reimbursing hospitals for charity cases on the basis of cost are major recommendations released Wednesday by the hospital committee of the Chattanooga Area Health Study. Raymond B. Witt, Jr., hospital committee chairman, presented the report.

Edward M. Norman, president of the First National Bank of Clarksville, addressed the City Farmers Club at Hotel Patten Wednesday evening.

Thursday, Jan. 28

Gov. Clement and other officials Wednesday signed a right-of-way contract that provides for acquiring land to relocate railroad facilities near Chattanooga. Mayor John B. Showalter, chairman of the State Highway Commission, David M. Pack, J.B. Clark of Louisville, chief engineer for L&N, and other officials were present in the governor’s office for the signing of the contract.

Friday, Jan. 29

The Hamilton National Bank Wednesday announced plans for the complete modernization of its office building at Seventh and Market Streets. E. Whitaker, chairman of the board, said the changes will require the expenditure of “hundreds of thousands of dollars.”

Construction has been completed on a $12,500 emergency fallout shelter for radio station WAPO in Chattanooga, according to the U.S. Army Corps of Engineers. Col. James B. Neubecker, said the fallout shelter for radio station WAPO was a test structure for New York, scheduled for the week of March 6-13, S.I. Barnes, assistant general passenger agent in Chattanooga, announced.

Tuesday, Jan. 30

Students “with brilliant minds but empty purses” are invited to enter the Elks Club 1965 Most Valuable Student competition by Exalted Ruler O.J. Bailey of Chattanooga Elks Lodge 91. The composition, now in its 31st year, is sponsored by the Elks National Foundation.

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On the morning of Nov. 26, 2014 (the day before Thanksgiving), fire raced through the home at 220 House Street. The three children living there - Rebeca, 10; Haley, 9; and Mark, 8 - escaped with minor injuries. Tragically, both of their parents, Candy and Randall Lockhart, did not get out. Despite heroic efforts by Chattanooga firefighters to remove them from the burning structure, both parents succumbed to severe injuries.

The children are now living with their grandparents, Susan and Gary Patterson. When word about this tragedy spread, the community rallied to support the family. The Chattanooga Firefighters Association, Local 820 set up an account at First Tennessee Bank to collect cash donations. This week, Local 820 president Jack Thompson announced that a total of $41,900 has been raised for this family. Thompson presented a check for $5,900 to the Pattersons to help with their added expenses. The remaining $36,000 will be divided into three educational trusts for the children to help them attend college.

Thompson thanked Pastor Ray Williams and the One Accord Community Church for spearheading a drive to collect clothes and other necessities, and off-duty firefighters for doing repair and renovation work on the grandparents’ house to accommodate the addition of the children. Most of all, Thompson said he wanted to thank the community at large. “We offer our gratitude and appreciation to the citizens of our great city for their amazing generosity,” he said. After receiving the check, an emotional grandfather, surrounded by his grandchildren, offered his own thanks to the firefighters and everyone who helped in some way. “We’re grateful to the firefighters who risked their lives trying to save our daughter and son-in-law,” said Patterson, adding that he and his wife are grateful for the support they’ve received from fire, police, Red Bank Elementary, and the community at large.

Source: Chattanooga Fire Department
It was just 50 years ago this week that I was born in Great Falls, Mont. I was born early in the morning hours in the hospital. I was a little blarzeness of my parents, the reaction of the event is vague and can mostly be attributed to stories I've heard over the years. This has been a tough birthday for me. It's a birthday I've felt for at least two years, which is to say I've thought of myself as one half century old for that long. I have many friends who I went to high school with that have already hit this milestone and seem to be dealing with it much better than I. I'll just confess for me that there is some youth. Nowadays, many of my clients weren't even born when I entered law school, and many of the judges I appear in front of are younger than me. Everyone looks younger, and I often feel like I went the time to slip out of the Hall of Fame. I was meant to do here on Earth. I guess it's possible I could live another 50 years, but let's face it – that's not going to happen. That being said, I don't have a lot of regrets so far. I'm pretty happy that I've done as well as have, and it's hard to imagine anything I'd change. Like characters from many movies and books, a serious reflection of my life leads me to the frank conclusion that, while things could be better, imagining alternate routes for my life to this point would only cheapen what I have and what I've done. If I have a regret, it would be my failure to take my college years seriously until it was almost too late. The four extra years I spent in undergrad have haunted me mostly during the last 24 years. I often feel like I could have done so much more if I had those years back. But, like I said above, that regretted detour of four years in Fayetteville did teach me many important lessons about life that have actually helped me become a better lawyer, and maybe even a better person Also, I've imparted those lessons to many young people, including my own children. For instance, who would have thought my oldest son would have been on track to graduate from college on time with a finance degree with a grade point in the neighborhood of 3.5? That means my namesake is graduating in half the time with almost twice the grade point average. That also means I must have done something right. Of course, without my lagging in college, I wouldn't have met Patti, and she wouldn't have had the opportunity to take a project on no one else really wanted or saw value in at the time and turn it into an almost respectable human being. If I hadn't “waited” for her to find me, who knows where I'd be today? Regretting those four years is regretting Patti and three wonderful children. That, I cannot and will not do. As far as the feeling that I haven't done as much as I wanted in 50 years, that's my own fault. The thing about life is that we often live and plan our lives like we have all the time in the world. I've had 50 great years. How many I have left only pow- ered me a better place. That's the best I can do. That's true for everybody, especially those of us way up in the CHEAP SEATS! Bill James is a criminal defense lawyer and co-founder of the law offices of James & James, and Fayetteville, Ark. He loves the combination of peanut butter and chocolate, and once won a pie eating contest. He may be reached at BJames@JameFirm.com.
What do low oil prices mean for investors?

As you’ve no doubt noticed, your trips to the gas station have been a lot more pleasant these past several months. There’s been a lot of talk about how low oil prices have been welcome to you as a driver. But when oil is cheap, is that good for you as an investor?

There’s no clear-cut answer. But consider the following effects of low oil prices:

• Positive impact on economy — When you spend less at the gas pump, relative to recent years, what will you do with your savings? Like most people, you’ll probably spend most of it on goods and services. If you multiply the amount of your increased spending by the millions of other Americans who are also saving money on gas, you can see that you and your fellow consumers are likely adding billions of dollars to the economy. Typically, a strong economy is also good for the financial markets — and for the people who invest in them.

• Different results for different sectors — Different sectors within the financial markets may respond in different ways to low oil prices, even if the overall effect is generally positive. For example, businesses such as consumer goods companies and auto manufacturers may respond favorably to cheaper oil and gas. But the picture might be quite a bit different for energy companies.

You could spend a lot of time and effort trying to adjust your investment portfolio in response to low oil prices. In fact, you may well want to consult with your financial professional to determine which moves might make sense for your individual situation. Yet there’s actually a bigger lesson to be learned here: Don’t overreact to temporary developments. The recent decline in oil prices has certainly had an economic impact, but no one can predict how long these prices will stay low or what other factors may arise that would affect the financial markets. That’s why you can’t reconfigure your portfolio based on particular events, whatever they may be — oil price drops, interest-rate fluctuations, political squabbles at home, natural disasters in faraway lands, and so on.

If you can keep from being overly influenced by specific events, you may be able to gain at least two key benefits. First, by not making trades constantly in reaction to the headlines of the day, you can avoid piling up heavy fees and commissions — costs that can reduce the return rate on your investments. Second, you’ll find that if you aren’t always thinking about what’s going on in the world today, you can focus your investment efforts more intensely on where you want to be tomorrow. The most successful investors set long-term goals and don’t focus on factors they cannot control, such as oil prices, interest-rate changes or other economic events. Instead, these investors make adjustments, as necessary, to accommodate changes in their goals as well as other changes, such as revisions in tax laws — but they basically stick to their same approach for the long term.

So be aware of low oil prices, but don’t get so “pumped” about them that you sludge up your consistent investment strategy — because that strategy has the energy to keep you moving toward your important objectives.

This article was written by Edward Jones for use by your local Edward Jones Financial Advisor. (Member SIPC). Contact Stan at Stan.Russell@edwardjones.com.
Applications now open for CO.LAB Spring 2015 Accelerator

The Company Lab (CO.LAB) is now seeking applications for its Spring 2015 Accelerator. The program, which surrounds high growth potential startups with more than $1 million in funding, will take place from Jan. 30 to April 30.

The deadline for submissions is Jan. 25. Candidates will be accepted into the program on a rolling basis. Prospective participants can apply for the accelerator at colab.co.

In conjunction with CO.LAB’s relocation to the Chattanooga Innovation Center in April, participants in the Spring 2015 Accelerator will become the first startups to complete the program in Chattanooga’s new Innovation District. Unlike previous iterations of the program, the Spring 2015 Accelerator will not require a participation fee.

“The entrepreneurs we support through the CO.LAB Accelerator are the heart and soul of our work in this community,” said Mike Bradshaw, executive director of CO.LAB. “We’re always experimenting with new ways to improve the experience for participants, as well as for opportunities to make our resources more accessible to entrepreneurs in our region.”

The CO.LAB Accelerator is a 100-day program for startups focused on scaling out into larger markets. The experience is designed to help these companies transition an initial business concept into a compelling model fundable by other forms of angel or venture capital. Throughout the experience, participants work closely with mentors as they prepare to attract the capital and customers required to get their startups off the ground.

Though the CO.LAB Accelerator primarily caters to high growth potential startups, companies with non-scalable business models are welcome to apply. Those that have completed the ideation process and progressed to the customer-testing phase of business development are particularly well suited for the program.

In addition to receiving mentorship from local business experts and CO.LAB’s Entrepreneurs in Residence, participants in the CO.LAB Accelerator also enjoy access to free workspace, office resources and meeting rooms, as well as the opportunity to connect with qualified investors, either in arranged meetings or in a group presentation format.

Startups in the Fall 2014 Accelerator include Granola, ThéTéreehouse Project, Temperate, Chattanooga Sports Leagues, The Purple Scarf Project, Rangemark, Go Time, Eduity and Loopies.

Source: CO.LAB

Tennessee Supreme Court upholds Chattanooga murder conviction

The Tennessee Supreme Court has unanimously upheld the murder conviction and life sentence of a man who shot his wife at a gas station in Chattanooga in 1994.

In March 1994, Edward Kendrick shot and killed his estranged wife, Lisa Kendrick, at the gas station where she worked. He fired the scene, then the rifle out the car window, and was later arrested at the Chattanooga airport. A Chattanooga jury convicted him of first-degree premeditated murder and sentenced him to life imprisonment.

The defense at trial was that his rifle discharged accidentally. His lawyer based his defense on evidence that the police officer who retrieved the rifle accidentally shot himself in the foot with it. Although the officer initially told other officers he had not touched the trigger, the officer testified at trial that he did not remember whether he had touched the trigger or not. The State’s firearms expert also testified that the rifle was working properly.

Years later, Kendrick sought relief from his conviction and sentence by arguing that the public defender who had represented him at trial had been ineffective. Two of his arguments were that his lawyer had no idea how to present expert evidence that the trigger mechanism on his rifle was defective and also should have convinced the trial court to permit him to present evidence of the statements made by the police officer who was shot while handling the rifle. The officer’s testimony that the rifle would be an exception to the hearsay rule, which does not allow people to testify to what third parties said. In this case, the officer made statements to investigators after he accidentally shot himself. Kendrick’s attorney never asked for those statements to be brought into evidence.

The trial court in Chattanooga declined to grant relief to Kendrick. However, the Court of Criminal Appeals disagreed, vacated Kendrick’s conviction and sentence, and granted Kendrick a new trial. The Tennessee Supreme Court granted the State’s appeal.

In an unanimous opinion, the Tennessee Supreme Court reversed the Court of Criminal Appeals’ decision and reinstated Kendrick’s murder conviction.

The Court found that trial counsel made a reasonable decision to rely on the officer’s accident as the best evidence that Kendrick’s rifle was defective. Additionally, the Court found that counsel’s failure to invoke the exception to the hearsay rule did not constitute deficient performance because counsel vigorously cross-examined the officer and effectively undermined the officer’s testimony that he did not remember whether he was touching the trigger when the rifle discharged.

To read the Edward Thomas Kendrick III v. State of Tennessee opinion, authored by Justice Wil Edmunds, please visit the opinions section of TNCourts.gov.

Source: Tennessee Supreme Court

Tennessee Supreme Court rules successor judge can act as 13th juror in review of jury verdict

The Tennessee Supreme Court this week ruled that a successor judge who takes over a case from the judge that presided over the trial, may act as the “13th juror” in a case. In its ruling, the Court considered a rebuttable presumption, which means that it is assumed the judge can act as a 13th juror unless evidence is presented that contradicts that assumption.

In a criminal jury trial in the State of Tennessee, 12 jurors are tasked with determining a verdict. Under Tennessee law, a trial judge has a duty to act as the 13th juror, not to deliberate with the jury on the case, but to provide an independent layer of review in assessing the weight of the evidence. Examining the weight of the evidence requires consideration of a number of factors, including resolving conflicting evidence presented at trial. If the trial judge determines that the weight of the evidence is against the verdict, the trial judge must grant a new trial.

The question presented to the Court in this case is whether a successor judge may act as the 13th juror in cases in which the original trial judge is not available to act in that capacity. The Court held that a successor judge, after carefully considering the record, may act as the 13th juror in all cases except in the rare occasion in which the demeanor of a witness was the critical issue in weighing the evidence that led to the verdict.

In the trial at issue in this case, the judge presiding during the testimony and presentation of evidence left the bench between the time of the jury’s guilty verdict and the time of sentencing. The jury convicted the defendant of aggravated burglary, employing a firearm during the commission of a dangerous felony, aggravated robbery, and aggravated assault. The defendant, Justin Ellis, was sentenced to 19 years in prison for these offenses. The defense then filed a motion for a new trial and raised the issue of whether a successor judge could properly act as a 13th juror without having been present for the testimony. After reviewing the record, the successor judge determined that he could act as a 13th juror in this case. The defendant appealed, and the Court of Criminal Appeals determined that, under the facts of this case, the successor judge could not fill the role of 13th juror and ordered a new trial.

The case was appealed to the Supreme Court, which today created a rebuttable presumption that a successor judge may act as the 13th juror and held that the presumption could only be rebutted when the demeanor of a witness is the critical issue involved in resolving this issue. In this case, the Court determined that the demeanor of the witnesses was not the critical issue involved in determining that the weight of the evidence supported the jury’s guilty verdict.

To read the unanimous opinion in State of Tennessee v. Justin Ellis, authored by Justice Jeff Bivins, visit the opinions section of TNCourts.gov.

Source: Tennessee Supreme Court

www.hamiltoncountyherald.com
When a hair-loss removal clinic was accused of causing permanent second-degree burns to a woman's face, Mount Clemens attorney D. Jennifer Andreou turned to social media as part of her defense.

She found several hundred Facebook photos of the plaintiff — from the five years before the incident until up through a month before her ordinary negligence trial in Macomb County.

Andreou said using the photos allowed her to convince the jury that the plaintiff's life had not changed significantly since the incident.

Further, defense experts testified that plaintiff's dermabrasions stemmed from a skin disorder and had nothing to do with the laser treatment.

“They can see these discolorations, on the face both at the jawline, which she claimed were attributable to the second-degree burns, as well as the cheekbones,” said Andreou, of Plunkett Cooney. “So [the jury was] like, ‘Well, no, this is consistent with what the defense is telling us, that these were there before.”

A Verdicts & Settlements report on Neshob v. Sterling Laser Clinic can be found here. In the case, the plaintiff, a 20-year-old African-American, received two treatments from defendants Sterling Laser Clinic. On the second appointment, she incurred burns on her face, which caused her to miss three days of work and postal carrier.

Andreou said that plaintiff had “significant blistering” for about two weeks, which did resolve.

Andreou said her experts — an unaffiliated laser hair removal technician and a cosmetic surgeon — explained “in a scientific way” to the jury that someone with darker pigmentation can absorb heat at a more intense level.

She said that the technician “brought with her the manufacturer's guidelines, show that my technician was well within those guidelines, and that unfortunately this plaintiff's skin, in the second treatment, just experienced one of the recognized risks and limitations of laser hair removal. It doesn't occur often frequently, but it does occur.”

Andreou said that the cosmetic surgeon testified that plaintiff's demarcations were attributable to scarring, a hyperpigmentation of the skin that is a side effect of plaintiff's medical condition.

To prove that the demarcations existed before the incident, Andreou said she looked to plaintiff's Facebook photos. Andreou's librarian was able to find plaintiff's account — which was open to the public and not accessible via invite only — and review her photos.

Andreou said some of the Facebook photos had the demarcations, though they were not fully clear.

“You could definitely see the dark, dark areas along her cheekbones,” she said, “which allowed us to argue that that symmetrical pattern that they also saw along her jawlines was just a continuation of what was occurring on her cheekbones.”

In addition, Andreou said that plaintiff's lifestyle and how she wore her face were evident in the photos.

“She testified that in 95 percent of the photos that we had, she was wearing makeup, as most of us women do, and looked pretty and was having fun, and she testified that she did not like to wear makeup and these burns imposed in her having to engage in this heavy makeup — not because, which she wasn't a fan of,” Andreou said.

She added that plaintiff claimed her alleged facial burns made her a social outcast because she felt self-conscious.

“But the Facebook [ postings] spoke to the contrary,” Andreou said. “Up until a month before the trial, it showed her at parties and interacting, and people writing back, saying, 'You look good, goodgirl.'

‘It was a real juxtaposition for the jury to say, ‘Come on, every other photo you're wearing makeup and you're making these darkened areas are due to second-degree burns, but we can see something there prior to the laser hair removal?’”

The strategy of looking up the social media history of opposing counsel was rare and important development, Andreou said.

“Most of our big clients suggested to us a couple of years ago to please include in our initial set of interrogatories — particularly in cases involving cosmetic damage, but then again it also goes to emotional damages — to ask if they are on Facebook and to ask what the password is,” she said.

Plaintiff's counsel had sought $150,000 in damages to present and $30,000 per year through age 81, for a total of $1.95 million. The jury issued a no-cause-of-action verdict to the client.

Caroline M. Whittmore, the Southfield-based attorney who represented the plaintiff, said that the matter would not be appealed.

Andreou said that a takeaway from the case is that social media can impact a case.

“It’s surprising to me, even when the question's posed to them, that people continue to go on Facebook and talk about every aspect of their daily lives and typical cheerful things, which undercuts any claims that an incident of negligence has destroyed their lives,” she said.

“As they say, a picture says 1,000 words,” she said.

If you would like to comment on this story, please contact Douglas Levy at (248) 865-3107 or douglas.levy@mlawyersweekly.com.

The Daily Record Newswire
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**NOTICES Continued from page 8**

Submit a legal notice:
- legalnotices@hamiltoncountyherald.com
- 800-420-5103

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<td>01/23/2015</td>
<td>SUBSTITUTE TRUSTEE’S SALE</td>
<td>07-16966</td>
<td>Sale at public auction will be on Feb. 27, 2015, as or on April 24, 2015, at 11:00 a.m. The City of Chattanooga, Hamilton County Courthouse, 615 Walnut Street, Chattanooga, Tennessee, pursuant to a power of sale granted by virtue of a deed of trust executed by JASON D. MASON, JASON A. LONESTAR, JASON D. LONESTAR, JASON D. LONESTAR, RONALD E. LONESTAR, and RONALD E. LONESTAR, to Scenic City Title Corp., Trustee, on April 16, 2008 at Book GI 8648, Page 24, in the Register’s Office of Hamilton County, Tennessee. Sale will be for the purpose of satisfying certain secured debts. See NOTICES, page 16.</td>
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<td>01/24/2015</td>
<td>SUBSTITUTE TRUSTEE’S SALE</td>
<td>07-17001</td>
<td>Sale at public auction will be in Chattanooga, Hamilton County Courthouse, 615 Walnut Street, Chattanooga, Tennessee, pursuant to a power of sale granted by virtue of a deed of trust executed by SHARON M. LEE FROM CHARLES A. THOMAS, JR. AND WIFE, WINNIE M. THOMAS TO MID-SOUTH TITLE CORPORATION, to Scenic City Title Corp., Trustee, on October 14, 2003 in Book 2116, Page 186, in the Register’s Office of Hamilton County, Tennessee. Sale will be for the purpose of satisfying certain secured debts. See NOTICES, page 16.</td>
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<td>01/25/2015</td>
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<td>Sale at public auction will be on February 27, 2015, at 11:00 a.m. in the City of Chattanooga, Hamilton County Courthouse, 615 Walnut Street, Chattanooga, Tennessee, pursuant to a power of sale granted by virtue of a deed of trust executed by TONY B. ROSS from JEFFREY R. WATTS to Scenic City Title Corp., Trustee, on July 13, 2010 in Book 2379, Page 31, in the Register’s Office of Hamilton County, Tennessee. Sale will be for the purpose of satisfying certain secured debts. See NOTICES, page 16.</td>
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<td>01/27/2015</td>
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<td>Sale at public auction will be on February 27, 2015, at 11:00 a.m. The City of Chattanooga, Hamilton County Courthouse, 615 Walnut Street, Chattanooga, Tennessee, pursuant to a power of sale granted by virtue of a deed of trust executed by RUTH S. MILLER FROM WILLIAM L. THOMPSON to Scenic City Title Corp., Trustee, on May 30, 2001 in Book 422, in the Register’s Office of Hamilton County, Tennessee. Sale will be for the purpose of satisfying certain secured debts. See NOTICES, page 16.</td>
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<td>Sale at public auction will be on February 27, 2015, at 11:00 a.m. The City of Chattanooga, Hamilton County Courthouse, 615 Walnut Street, Chattanooga, Tennessee, pursuant to a power of sale granted by virtue of a deed of trust executed by JERRY L. MILLER FROM SCOTT D. MILLER to Scenic City Title Corp., Trustee, on July 13, 2007 in Book GI 8644, Page 006795, in the Register’s Office of Hamilton County, Tennessee. Sale will be for the purpose of satisfying certain secured debts. See NOTICES, page 16.</td>
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</tr>
</tbody>
</table>
Food fun 365 days a year!

Lasagna Soup

- 2 cups canned mushrooms
- 4 cloves garlic, minced
- 2 teaspoons Italian seasoning
- 1 tablespoon fresh oregano, chopped
- 5-6 cups low sodium chicken broth
- 1 large can stewed Italian tomatoes, chopped
- 1 small can tomato sauce
- 1 cup curly pasta (I used Campenelle)
- 2 cups fresh spinach, chopped
- Fresh ground pepper to taste
- 1 cup skim milk mozzarella cheese, diced
- Parmesan cheese, shredded
- Fresh basil, sliced thin

Roast peppers by placing them on an oiled cookie sheet under the oven broiler for about five minutes, or until skin is black. Remove and allow to cool. Peel skin off peppers and chop. Brown sausage, add carrots, garlic, and onions; sauté three minutes. Drain well. Add mushrooms and sauté four to five minutes longer. Add roasted peppers, broth, tomatoes, and tomato sauce; bring to a boil. Add pasta. Simmer until cooked, stir in spinach. Add pepper to taste. Place some of the cubed mozzarella cheese on bottom of each bowl. Ladle in soup. Garnish with Parmesan and basil.

Pork and Potato Soup

- 4 boneless pork chops, cubed
- 6 ounces pancetta, finely diced
- 1/4 cup olive oil
- 1 cup finely chopped red onion
- 3 cloves garlic, diced
- 2 bay leaves
- 1 teaspoon dried sage
- Salt and pepper to taste
- 1 box chicken broth
- 2 cups red potatoes, cubed
- 2 cans Cannellini beans (20 ounces each)
- Freshly grated Parmesan/Romano cheese

In large pot, sauté the pancetta and pork in olive oil; add onion and garlic. Sauté about five minutes, add sage, bay leaves, salt, pepper, and chicken broth; bring to a boil, and boil about 10 minutes. Add the potatoes, carrots and parley; cook until pork and vegetables are tender. Add beans to pot; cover and simmer until heated through. Serve with grated cheese.

Habitat for Humanity elects two new directors

Habitat for Humanity of Greater Chattanooga Area recently elected retired manufacturing executive Don McDowell and nonprofit veteran Dave Worland to its board of directors. McDowell worked for over 30 years at Philip Morris Companies. A significant portion of his career was in Asia and Europe, where he progressed from managing factory construction projects to managing overall manufacturing operations in a number of different countries. Prior to retiring from Phillip Morris in 2010, McDowell was the general manager of the company’s Hol- land Division. McDowell earned a Bachelor of Science in Chemical Engineering and Master of Indus- trial Engineering from Virginia Tech. He is a licensed profes- sional engineer.

Worland is president and CEO of Leadership Ministry Worldwide (LMW), an international ministry based in Chattanooga. Prior to joining LMW in 2014, Worland served as executive vice president of the National Christian Founda-
Harold Crye congratulates local Crye-Leike agents

December 2014 residential market recap

It has been another recovery year in 2014 but not the same as 2013. With a broad pattern of rising prices and a stable to improving inventory, the market has shifted from being drastically undersupplied to approaching equilibrium. Price gains are still positive but less robust than last year.

The metrics to watch in 2015 include days on market, percent of list price received and absorption rates, as these can offer deeper and more meaningful insights into the future direction of housing. So let’s take a look at how Dec. 2014 ended.

Closed Sales rose 1.4 percent, topping out with 573 residential units sold. New Listings in the Chattanooga region increased 4.3 percent to 630.

Inventory levels shrank 11.0 percent to 4,467 units. Despite this drop in inventory, new construction is on the rise, with several projects already underway. Prices continued to gain traction as the Median Sales Price increased 6.8 percent to $149,250. Days on Market dropped 5.2 percent to 128 days.

Sellers were encouraged as Months Supply of Inventory was down 10.7 percent to 7.5 months.

In comparing 2013 to 2014, there are some key differences:

- Closed Sales increased 0.7 percent finishing with a total of 7,323 residential units total in 2014.
- The Median Sales Price increased by 5.9 percent, ending 2014 at $147,900.
- Days on Market increased by only 4.0 percent, averaging only 129 days.
- Months Supply of Inventory brought about the most significant change, dropping 10.7 percent to 7.5 months.
- Finally, interest rates remained lower than anyone expected for the entire year. That trend snowballed with solid and accelerating private job growth to empower more consumers to buy homes. This coupled nicely on the government side with mortgage debt forgiveness and interest deduction preservation. Student loan debt, sluggish wage growth, and a lack of sufficient mortgage liquidity still remain hurdles to greater recovery.

The Greater Chattanooga Association of Realtors is "The Voice of Real Estate in Greater Chattanooga." The Association is a regional organization with more than 1,500 members, and is one of more than 1,400 local boards and associations of Realtors nationwide that comprise the National Association of Realtors. The Greater Chattanooga Association of Realtors services Hamilton and Sequatchie counties in southeast Tennessee and Catoosa, Dade, and Walker counties in northwest Georgia. For more information, visit www.gcar.net.
green|spaces launches Empower Chattanooga

The Chattanooga Housing Authority to open housing voucher program waiting list

The Chattanooga Housing Authority this week announced it will open its Housing Choice Voucher Program waiting list for the first time since 2010 in an effort to provide access to affordable housing to very low-income families, individuals with disabilities and elderly residents of Hamilton County.

The CHA has worked since 2010, when applications were last taken, to increase outreach to voucher holders. Now that the CHA has exhausted all applicants on the waiting list created in 2010, the CHA will now plan to create a new waiting list through the use of a lottery system. The list will be opened Jan. 26 from 8:30 a.m. to 7 p.m. Below is a list of public facilities where free computer access is available for those with library cards. A $1 fee is charged for non-library-card holders.

<table>
<thead>
<tr>
<th>Location</th>
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<td>Northgate Library</td>
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<td>South Chattanooga</td>
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<td>9 a.m. to 9 p.m.</td>
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<td>Downtown Library</td>
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<td>Eastgate Library</td>
<td>Wednesday, Jan. 27</td>
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<td>10 a.m. to 8 p.m.</td>
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<td>Ann and E RTS Hughes</td>
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<td></td>
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American Sniper misses its target

As the credits rolled at the end of "American Sniper," no one in the packed theater in which I was sitting budged. Director Clint Eastwood used that portion of the film to show pictures of the real Chris Kyle and video of his funeral. I’m sure we were all waiting to get up and run out toありがとうのdisconnect of the man who saved the lives of many American soldiers.

He deserves that respect. He also deserves a better movie, as painful as that is to write.

The problem with the film lies not with actor Bradley Cooper, who physically transformed himself to play Kyle, a United States Navy SEAL commando who was the most lethal sniper in American history during four tours of duty in the Iraq War. Cooper also took his acting to a new level. He’s always been a solid performer, but here he’s exceptional. If Kyle was the role, or if Cooper hadn’t delivered a great performance, “American Sniper” would have failed as a movie. Because it is only through Cooper that we gain any insight into Kyle. The script itself, based on Kyle’s biography, is shallow. The few lines that deal with this crucial component of his life almost feel like pat explanations: Essentially, Kyle wanted to save American lives – something he did very well. But that’s attractin’ ‘em.

During my days of "full employment," I thought once I retired, stress would be something I could look down to hold his new babies, my outlooks have changed. Since grandchildren have come on the scene, my outlooks have turned into you better look, or before you know it, it’s over.

One of my favorite "grass roots" people was Mr. Lonnie Saifley, who could spin a yarn better than anyone I’ve met. He told a story one time about a family who lived in the backwoods of North Carolina, where he had the chance to be a part of a lot of "grass roots" folks who enjoy life. Being born in a log house in Rutherford County at an early age, I learned that each day is what you make it, and if you don’t make the best of it, something far worse than anyone you’ve met. He told a story about a family who lived in the backwoods of our state, and it seems the man’s wife went into labor in the middle of the night and the doctor was called out to assist in the delivery.

There was no electricity back then, so the doctor handed the father-to-be a lantern and said, "Hold this high so I can see what I’m doing." It wasn’t long before a new Tennesseean was born into the world.

Being happy with the birth of his new son, the father started to put the lantern down, but the doctor said, "Don’t be in a rush to put the lantern down. I think there’s yet another one coming." Sure enough, within minutes, a new little Tennessee baby girl was born.

In the end, this was the one reason Cooper didn’t deliver as much as he could have. He knew that using that term could result in some added activities directed by their father. Those activities could include cleaning out the barn, cutting out a fence row, restacking hay, or even worse for a farm boy, helping his mother in the kitchen.

Times have changed, and in many places, not for the better. Maybe it’s time to reverse the size of our selfies and school assembly rooms. I know it’s time to get our kids off the Internet and outside to once again. We could even let them organize their own sports sometimes instead of those being what we think they should be. As a grandaddy, I feel it’s time to let kids be kids. They’ll be "old enough" when they can believe you, you’re an adult for a lot longer time than you’re a kid.

By David Laprad
Brainstorm - Make your brain tingle!

By Kay Bonni

1. The 12th Amendment of the Constitution was implemented after the election of 1800. Why? Jefferson and Burr had the same number of electoral votes as President; Adams and Jefferson had the same number of electoral votes as President; Bush, Jefferson, and Adams had the same number of electoral votes for President; Everyone turned down the vice presidency. The three Representatives have selected the President since the election of 1804. Who was the winner in that election? John Quincy Adams, with 84 electoral votes of the 131 for a majority; Martin Van Buren, with 41 electoral votes of the 131 for a majority; William Howard Taft, with 99 electoral votes for a majority; Jefferson, with 84 electoral votes of the 131 for a majority.

2. Only one President was elected to non-consecutive terms. Who was it?Teddy Roosevelt; Grover Cleveland; Franklin Roosevelt; John Q. Adams.

3. Adams left the White House and, nine years later, became the Chief Justice of the Supreme Court. Who was he?Teddy Roosevelt; John Q. Adams; Martin Van Buren; William Howard Taft.

4. What was the worst finish in history for an incumbent president running for reelection? Millard Fillmore in 1856, with 21.6 percent of the vote; Herbert Hoover in 1932, with 39.7 percent of the vote; William Howard Taft in 1912, with 23.2 percent of the popular vote; Martin Van Buren in 1848, with 10.1 percent of the vote.

5. Zachary Taylor won the 1848 election with 1,361,394 votes. He would have had one more term, but: Taylor didn’t vote for himself; Taylor’s son, Richard, repudiated the Whig Party and joined his father’s opponent; Thomas Jefferson; John Q. Adams.

6. What was the best finish in history for an incumbent president running for reelection for a second term? William Howard Taft in 1912, with 23.2 percent of the popular vote; Martin Van Buren in 1848, with 10.1 percent of the vote.

7. Following the election of his successor, President James Buchanan reportedly said, “My dear sir, if you are as happy on entering the White House as I shall feel on returning to Wheatland [his estate in Pennsylvania], you are a happy man.” Have your içerisinde been speaking? Ulysses S. Grant; Abraham Lincoln; Franklin Pierce; none of the above.

8. What did Thomas Jefferson do that resulted in many people proclaiming him an infidel? Rewrote the Bible; did not believe in God; claimed Jesus was not the Son of God; did not attend church.

9. In the 1968 presidential election, there were three major candidates. Who were they? Richard Nixon, Hubert Humphrey, George Wallace; Nixon and Humphrey; Wallace and Johnson; Johnson and Wallace.

10. What导致 the election of his successor, President James Buchanan reportedly said, “My dear sir, if you are as happy on entering the White House as I shall feel on returning to Wheatland [his estate in Pennsylvania], you are a happy man.” Have your إنهاء been speaking? Ulysses S. Grant; Abraham Lincoln; Franklin Pierce; none of the above.

Popcorn ceiling removal

By April Sherrill

In a previous article I mentioned I had the privilege to renovate a client’s bathroom last year that was stuck in an ’80s time-warp. I was more than ecstatic when I was asked to do this project even though I knew it would be extensive because of the work involved. I found out, however, it was much more work than I could have ever imagined. Doing this bathroom renovation, I was going to need to bring the popcorn ceilings up to date with nice, smooth ceilings. I am not going to sugarcoat this. This is NOT a do-it-yourself project; the popcorn ceiling is not for the faint of heart. This project can easily be a DIY job that anyone can handle as long as you are prepared for a messy and wet couple of days.

This past year I took on one DIY-ing project the money saved by not having to hire a contractor. Depending on the size of your space, I have heard of estimates of $1,000 for 500 square feet. Most of the cost when hiring a contractor is for the labor. I had to pay $500 for my son’s job, not the fact that it is hard. If you are willing to actually do it yourself, this project can easily be completed for a couple of hundred dollars.

Items needed:
- Putty Knives
- Water sprayer
- Plastic tarps (enough to cover the walls and floors)
- Joint compound and scraper
- Sanding block
- Paint color of choice
- Sandpaper
- Safety eyewear
- Shoe protectors (optional)

To begin the entire room needs clearing by removing as much of the furniture as possible. Once the room is emptied out, then the walls and floors will need tarps covering them. Tape the plastic tarps at the edge of the wall where it meets the ceiling, and cover the floors in plastic tarps. I also found it easier to tape the tarps from the walls to the tarp on the floor to avoid any open gaps. This was mainly for easier cleanup. Ideally, you want to simply roll all of the popcorn up in the tarp to throw it away.

Once everything has been covered and taped, it is time to grab the ladder, spray bottle, and scraper. As with most DIY projects, the key to this one is working in small sections. The popcorn texture will need to be sprayed with water, left untouched for a few minutes, and then scraped. If the water is left to saturate too long then it will spread and you will need to re-water it – a couple of minutes should do the job.

This is the main step of the project and the most time consuming. It will literally seem like it is going to take forever, but once you are in a rhythm of spraying, setting, and scraping it will go by faster than expected. Be sure to scrape with even pressure to avoid gouges. After all of the popcorn texture is removed, go back and repair any inconsistencies. The process for this is the same as repairing nail holes in the wall. Using the joint compound and scraper, cover the areas needing repair, let set, and then go back and sand smooth.

Again, I think it is a smart idea to repair as many spots as can be seen, then paint a coat of primer and see if there are any remaining spots to repair; the primer allows any spots to show thru. If there is more that needed to be fixed make sure you re-prime those areas well before proceeding to paint. The most important step to this project is checking for asbestos. You can purchase a kit to check for this for around $12 at a hardware store. However, I have my fingers crossed for you that this is not the case, if so then the job just became much more extensive.

Many people have popcorn ceilings and despise them as much as you do! It can be done; it is easy, but time consuming, this project is will allow anyone to work up the confidence to rectify the problem themselves. However, I have my fingers crossed for you that this is not the case, if so then the job just became much more extensive. You can purchase a kit to check for asbestos. You can purchase a kit to check for asbestos. You can purchase a kit to check for asbestos.

This best part about DIY-ing projects on your own. Happy DIY-ing! There is truly something to be said for realizing you can do these problems without a contractor. This is something new to you as well.

What’d They Say?

By April Sherrill

Fill in the blanks in the quote using the following words: matter, become, silent, day, begin, end, things, lives.

“____ about the _____ that _____”

2. Mark Twain.
3. Helen Keller.
4. Martin Luther King Jr.

Answer in next week’s paper.

80tions of snow coming to downtown Chattanooga

By April Sherrill

On Saturday, Feb. 7, from 2 to 6 p.m. Mellow Mushroom Chattanooga and Dodge City Ski will transform downtown Chattanooga from Aquarium Way to 3rd Street into a winter wonderland for the third installment of their Rail Jam. The event will feature a snowboarding competition presented in part by Dodge City Ski, which will allow riders to vie for a chance at first, second and third place prizes across three divisions (men’s, women’s, and young adults). The competition will be judged by representatives from Mellow Mushroom, event sponsors, and local celebrities.

Key features of the 2015 event include the Nitro Circus’ Tom ‘Two Feet’ Wilson, a hot beverage bar by Greyfriar’s serving coffee, tea and hot cider, the Mellow Bake Bus on site selling up hot slices, a craft beer truck provided by Budweiser of Chattanooga, and a Rail Jam Ale created by Big River. Both locations of Mellow Mushroom, both locations of Big River, and Easy Bistro will be selling Rail Jam Ale the week leading up to the big event. A portion of all Rail Jam Ale sales will benefit Tennessee Riverkeeper.

There will be an entrance fee of $5 for all kids 12 and under are free. Register for the snowboarding competition at www.chattanoogarailjam.com.

Source: Mellow Mushroom Chattanooga

Do It Yourself

By April Sherrill

On Saturday, Feb. 7, from 2 to 6 p.m. Mellow Mushroom Chattanooga and Dodge City Ski will transform downtown Chattanooga from Aquarium Way to 3rd Street into a winter wonderland for the third installment of their Rail Jam. The event will feature a snowboarding competition presented in part by Dodge City Ski, which will allow riders to vie for a chance at first, second and third place prizes across three divisions (men’s, women’s, and young adults). The competition will be judged by representatives from Mellow Mushroom, event sponsors, and local celebrities.

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Source: Mellow Mushroom Chattanooga

www.hamiltoncountyherald.com

14 | January 23, 2015

Hamilton County Herald
EVENT CALENDAR
Cont. from page 1
College Goal Tennessee Saturday, Jan. 31

The Public Education Foundation (PEF) will host a free college-planning and financial aid workshop titled “College Goal Tennessee” on Saturday, Jan. 31 from 9 a.m. to 1 p.m. at the UTC University Center. PEF will have free on-site assistance to help students fill out the federal FAFSA form (Tree Application for Federal Student Aid), which all students must complete to be eligible for any federal or state financial assistance. Students and their supporters will also learn from experts about college financial planning, filling out college applications, how to be successful in college, and how to get ready for the job market. Students can register at www.pefchattanooga.org or by calling 423-664-4443.

I Swear Crossword

I’m fortunate to count Lee Martin, assistant director of Vanderbilt University’s English Language Center, as a weekly reader. Most recently, he writes about my having written, in a recent column, “No different than watching reruns on regular TV, right?”

“Admittedly,” Lee chides, “this usage is wildly popular in spoken American English … but it’s still incorrect.” After citing me to a URL, he concludes, “I was heartened to learn that the New York Times crossword typically ‘kicks your rear!’ Maybe it’s not just that I’m intellectually challenged, after all.”

Oh, how I wish I were right on this one! But I’m not. At least, I don’t think I am. Two weeks earlier, when I wrote that column, I was pretty sure I was right. Because, you see, my proofreader, Tracy Fleming, who manages our copy editing and fact checking at Mathematics Reviews in Ann Arbor, Mich., had called on me with this:

“I know that rule, I told myself. Almost always, different is followed by from. And most of the time, when than is clearly called for in similar circumstances, then differently is needed. Because different is an adjective, an adverb, or from in comparative, etc. Or something like that.

But I was pretty sure about having a clause following differently, rather than a simple noun or noun phrase, justified my choice. Than is a subordinate conjunction that kicks off such a clause. Tracy loves it when I throw words like this at her. But she never flinches. And she’s seldom wrong.

My high school English teachers waxed eloquent in their deliveries of the “different from” — differently than — sermon. Annually they held forth, usually in the first class of the year. And they taught me well! I consider myself second to none in using “different from” when “different from” is called for! My daily routine involves watching for this stuff. I have no hourly employee to delegate it to.

I guess I felt that, with all those words following than, it just sounded right. Lee’s firm in his resolve that “watching reruns” is a simple gerund phrase — no subordinate clause in sight. I get it. But I was pretty sure that having a clause following differently, rather than a simple noun or noun phrase, justified my choice. Than is a subordinate conjunction that kicks off such a clause. Tracy loves it when I throw words like this at her. But she never flinches. And she’s seldom wrong.

The URL Lee cited me to advocates use of “different from” when “different from” is called for! My daily routine involves watching for this stuff. I have no hourly employee to delegate it to.

And this column, being different from most, concludes with me saying, “Uncle!” Or is it my saying, “Uncle?”

Victor Fleming, district court judge in Little Rock, Ark., where he now teaches at the William H. Bowen School of Law. Contact him at victfleming@att.net.

1 I Swear

By Vic Fleming

Different column

I’m fortunate to count Lee Martin, assistant director of Vanderbilt University’s English Language Center, as a weekly reader. Most recently, he writes about my having written, in a recent column, “No different than watching reruns on regular TV, right?”

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Victor Fleming, district court judge in Little Rock, Ark., where he also teaches at the William H. Bowen School of Law. Contact him at victfleming@att.net.
NOTICE OF TENANT(S) RIGHTS IN POSSESSION. All right of equity of redemption, statutory and otherwise, and homestead are expressly waived in the Deed of Trust, and the title is believed to be good, but the undersigned will sell and convey only as herein described to Assured Title Services, LLC as Trustee for Mortgage Elec-
tions in effect thereon. SUBJECT TO any Covenants, Conditions, Restrictions, and Regulations in effect thereon. Sale at public auction will be on Febru-
ary 25, 2015 at 10:00 AM local time, at the west door, Hamilton County Cour-thouse, 615 Walnut Street, Chattanooga, Tennessee, notifying said non-resident that unless the defendant is served with a copy of the petition by the lender or trustee, this sale may be rescinded at any time.

SUBSTITUTE TRUSTEE'S SALE OF public auction will be on Febru-
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IN THE JUVENILE COURT OF HAMILTON COUNTY, TENNESSEE

TENNESSEE DEPARTMENT OF CHILDREN'S SERVICES 5600 Brainerd Road, Suite

The record on appeal, and the filing of briefs in the appeal of the record on appeal.

The Court will hold a hearing for the relief demanded in the

The undersigned will sell and convey only as Substitute Trustee. The right is reserved to adjourn the day of the sale to another day, time, and place in the case of any discrepancy, the legal description referenced herein shall control.

The undersigned will sell and convey only as Substitute Trustee. If you are a current or former owner, are in default, or have any interest in the property being sold, or are the executor or administrator of a decedent estate or a trustee of a trust, you must bring sufficient funds to outbid the lender and any other bidders.

On or about May 10, 2014, the TENNESSEE DEPARTMENT OF REVENUE

The right is reserved to adjourn the day of the sale to another day, time, and place in the event of any discrepancy, the legal description referenced herein shall control.

The right is reserved to adjourn the day of the sale to another day, time, and place. All right and equity of redemption, statutory and otherwise, and homestead are expressly waived in the Deed of Trust, said property being real estate situated in the Third Civil District of Hamilton County, Tennessee, and being more particularly described as follows: The following real estate situated in the City of Chattanooga, Hamilton County, Tennessee: Lot Fifty-eight (58), Jersey Heights, as Subdivision as determined by Shapiro & Ingle, LLP 555 Perkins Road Extended, Second Floor Memphis, Tennessee, 38117 (HCH3T-1/16,1/23,1/30/15).

IT IS ORDERED that publication be made requiring all persons who have, or claim to have, any interest in the above-referenced property: First Tennessee Bank, N.A., its successors and assigns; and the undersigned, Wilson & Associates, P.L.L.C., having been appointed Substitute or Successor Trustee, will be sold to the highest bidder for cash or certified check at the conclusion of the foreclosure sale.

The undersigned will sell and convey only as Substitute Trustee. The right is reserved to adjourn the day of the sale to another day, time, and place. All right and equity of redemption, statutory and otherwise, and homestead are expressly waived in the Deed of Trust, said property being real estate situated in the Third Civil District of Hamilton County, Tennessee, and being more particularly described as follows: The following real estate situated in the City of Chattanooga, Hamilton County, Tennessee: Lot Fifty-eight (58), Jersey Heights, as Subdivision as determined by Shapiro & Ingle, LLP 555 Perkins Road Extended, Second Floor Memphis, Tennessee, 38117 (HCH3T-1/16,1/23,1/30/15).

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NOTICES Continued from page 17

NOTICE OF SUBSTITUTE TRUSTEE’S SALE WHEREAS, a Deed of Trust dated March 30, 2009, as appear of record in Hamilton County Register’s Office, as same appears of record in the Register’s Office of Hamilton County, Tennessee, to wit: LOCATED IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE, TO WIT: THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE, TO WIT: ADDRESS: The street address of the property is believed to be 1552 DIXIE CIRCLE, CHATTANOOGA, TN 37404. This sale may be rescheduled at any time. The right is hereby reserved to adjourn the day of the sale to another day, time, and place.

NOTICE OF SUBSTITUTE TRUSTEE’S SALE WHEREAS, a Deed of Trust dated March 30, 2009, as appear of record in Hamilton County Register’s Office, as same appears of record in the Register’s Office of Hamilton County, Tennessee, to wit: THE REASONABLE COUNTY, TENNESSEE, TO WIT: THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE, TO WIT: ADDRESS: The street address of the property is believed to be 1552 DIXIE CIRCLE, CHATTANOOGA, TN 37404. This sale may be rescheduled at any time. The right is hereby reserved to adjourn the day of the sale to another day, time, and place.

9718 Strawberry Lane, Hixson, Tennessee 37343. Any property address provided is not part of the legal description referenced herein; the legal description referenced herein shall control. SALE IS SUBJECT TO ALL CONDITIONS, RESTRICTIONS, CONDITIONS, VARIATIONS, AND CONDEMNATIONS OF RECORD. 9718 STRAWBERRY LANE, HIXSON, TN 37343, located in the Third Civil District of Hamilton County, Tennessee, to wit: LOCATED IN THE THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE, TO WIT: WITH FURTHER NOTICE WILL BE GIVEN CERTAIN WITHOUT FURTHER PUBLICATION, UPON ANNOUNCEMENT AT THE TIME AND PLACE THEREOF. ALL INTEREST DESIGNATED AS THE 'THIRD CIVIL DISTRICT OF HAMILTON COUNTY, TENNESSEE.'

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SALES TO TAKE PLACE ON 02/09/15

1209 Family Ferry Road 37419
1/2 Acre wooded on the southeast side of Wade Road, East, twenty-five (25) feet front on the land described herein and in the event of any
TEREAS EASEMENTS, COVENANTS AND RIGHT OF WAY SHOWN OF
Hilaire, Mississippi, all of record in the Hamilton County, Mississippi, Register of Deeds Office; and
TWO (2) OF THE FINAL PLAT OF THE HILWATHA WILLIAMS, JR. SUB
of record in the Register of Deeds Office of Hamilton County, Tennessee, will be sold to the highest call bidder subject to all
Resident's Rights in Possession, this sale is subject to all matters that an accurate survey of the premises might disclose. This property is being
sold with the express reservation that it is free and clear of any and all liens, encumbrances, easements, or easements by future

PARTIES: The sale of the above-described property shall be subject to confirmation by the lender or trustee. This sale may be

in Hamilton County, Tennessee. Tax Parcel Identification Number: 157O-71-11, recorded 12/06/1999, in Deed Book 5496, Page 281, in the Register's Office
of Hamilton County, Tennessee, will be sold to the highest call bidder subject to all

100 and thirty-five (35) feet West of the said ferry road; thence South one hundred forty-five (145) feet to the point of beginning. BEGINS
THE PROPERTY CONVEYED HEREBY FROM DEFENDANT TO PLAINTIFFS.

SALES TO TAKE PLACE ON 01/15/15

1127 Fine Ln 37341- L3 Fine Estates Subd Harrison
Chattanooga
Morgan-James Realty
Yvonne R. Jones
38103 www.rubinlublin.com/property-listings.php Tel: (877) 813-0992 Fax: (859) 556-1566

150, three square South into one hundred forty (140) degrees forty (40) minutes East across the southeast line of Wade Road, East, one hundred fifty (150) feet, thence North eighty (80) degrees (80) minutes West along the land described herein, a distance of one hundred thirty (130) feet, thence East thirty (30) degrees thirty (30) minutes West along the land described herein, a distance of one hundred thirty (130) feet, thence North one hundred eighty (180) degrees forty (40) minutes West along the land described herein, a distance of one hundred thirty (130) feet, thence West one hundred forty (140) degrees forty (40) minutes West across the southeast line of Wade Road, East, a distance of one hundred thirty (130) feet to the point of beginning of the property conveyed by plaintiff to defendant, which is the final point of the above-described property. The street address of the above described property is believed to be 1620 Great Farms Drive, Lafayette, Tennessee 37083.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE WHEREAS, the undersigned, Ruben Lopez TNL PL, as

independent to the extent that said property is located in Hamilton County, Tennessee, is hereby made for a more particular description of said property. Source

in fact, any prior liens or encumbrances as well as any priority created therein. The trust is hereby made for a more particular description of the property

was not payable at the conclusion of the auction in the form of a certified, cashier's, or check. The street address of the above described property is believed to

is hereby made for a more particular description of said property. Source

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A Chattanooga butcher has proven he’s a cut above the competition. After competing against 13 butchers in Gatlinburg recently, Jason Allen advanced to the quarter-finals of a National Meat Cutting Challenge, presented by A.J. Jarossi in February. If he wins, he’ll advance to the semi-finals round. If he wins again, he will compete in the 2014 Texas Roadhouse national conference in April for a grand prize of $20,000 and the “Meat Cutter of the Year” title. As a meat cutter, Jason is responsible for hand-cutting every steak served at Chattanooga’s Texas Roadhouse, about $1 million worth of meat a year. (Photo provided)

Charlie Koch, Jr.
Hamilton County Herald

WWW.COMMERCIAL
Cont. from page 4

They’ve been a great addition to our team,” Brockman said. While contributing to the growth, this is the diverse backgrounds of its agents. Some of Brockman’s agents specialize in retail, others have experience in big development, yet others are just interested in their office space. This not only enables the team to assist a variety of clients, it gives the group’s individual agents access to people who can answer nearly any question they might have.

“We’re independent contractors working together; however, we achieve more when we work together,” Brockman says. “We help each other plan for the future and then support each other as we work toward those goals.”

Commercial agent Heather Edmondson, who joined Keller Williams in December, says the support the group provides was a deciding factor when she was choosing a home for her business. “Our commercial business has a lot of high pressure agents,” she says, “so I knew I had the training and support I needed.”

Brockman also keeps an eye on what’s selling, and steers her groups’ efforts in that direction. Currently, she says investment property is more in demand than ever. “Whether it’s multifamily or strip centers, there’s a strong desire for any type of income producing property,” she says. “It’s a really big increase in retail especially in Ooltewah and the Southside.”

While many of KW’s clients are engaged in ground-up projects, Brockman is also talking with a lot of “mom-and-pops” who want to take their businesses to the next level. “I got a call from a dog groomer who’s operating out of her home for five years, and is ready to move into a retail space,” she says.

Brockman says industrial real estate also holds a lot of promise locally, but more land needs to be allocated appropriately to allow growth. “We’re seeing industrial growth expanding everything that’s been happening at Enterprise South,” she says, “but we need more land for it. That land is hard to come by because we’re not rezoning for industrial purposes anymore.”

Regardless, Brockman says local land owners are marketing big tracks of land that might have large outside corporate interests looking at 2015 with a really strong eye toward growth over last year, she says.

Looks like it’s time to purchase another coffeemaker. 

TINYY HOUSE
Continued from page 12

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