Chattanooga Bar Association celebrates the law

By David Laprad

Thirty years ago, Joe Smith placed a loaded pistol beside him on the seat of his pickup truck and set out for the place where he intended to end his life. As a product of a broken home, he was a miserable man. Smith's vehicle ran out of gas before he made it, though, and a Good Samaritan intervened and helped him enter a rehabilitation program.

Last week, Smith placed a hand on the back of the friend seated beside him in the Silver Ballroom at the Read House and laughed. He had just found out he was the 2016 recipient of the Chattanooga Bar Association's Liberty Bell Award, which the Bar presents during its annual Law Day luncheon. The CBA gives the award to a local citizen who has performed community service that has strengthened the American system of freedom under law. Juvenile Court Judge Robert Philyaw had the daunting task of summarizing in a few minutes why Smith, a man of great contribution to society, deserved the honor.

"Among the activities the CBA considers in selecting the Liberty Bell Award recipient is encouraging a greater respect for the law and the courts, and stimulating a deeper sense of individual responsibility so other citizens recognize their duties as well as their rights," Philyaw said to a ballroom packed with lawyers, judges, and other members of the community. Philyaw had the daunting task of summarizing in a few minutes why Smith, a man of great contribution to society, deserved the honor.

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Evidence oversight committee striving for transparency, justice

By David Laprad

Criminal defense attorney Lee Davis and District Attorney General Neal Pinkston have stood on opposite sides of a courtroom arguing cases ranging from serious felonies to crimes for which the death penalty was considered. Although the process of litigating a matter often pitted the two men against each other, their pursuit of justice gave them a common ground. Today, Davis and Pinkston are still seeking the truth, although they find themselves working together for a change.

The occasion that united Davis and Pinkston in purpose was the discovery of unprocessed evidence that had been stored untouched in the medical examiner's office for up to 30 years. Once Pinkston learned about the existence of the materials, he contacted Hamilton County Sheriff Jim Hammond and Chattanooga Police Chief Fred Fletcher to discuss how to deal with them.

Fletcher's assistant chief, David Roddy, suggested an oversight committee. Pinkston liked the idea and got in touch with Davis to brainstorm names. Some local judges offered their thoughts as well, and a group of five soon came together.

Among them are Davis, who worked extensively with DNA evidence when courts were first testing those waters; the Hon. Buddy Perry, a retired judge; Hugh Moore, a member of Chambers, Bahnem & Stephe's litigation team; Dwight Aaron, a professor at the University of Tennessee College of Law; and Eddie Holmes, a past-president of the Chattanooga-Hamilton County branch of the NAACP. The goal of this collective: over seeing the process of cataloging the evidence and ensuring the integrity of the materials.

Davis was pleased with the selections. "We have Dwight, who's well regarded nationally; Buddy, who recently retired after 25 years of hearing criminal and civil cases; and Hugh, who has a background in civil rights," he says.

"And we have Mr. Holmes. He's the only non-lawyer on the team, but he represents an important interest," Pinkston says.

The two men are seated in a conference room in the DA's enclave at the courthouse. Davis praises Pinkston for putting together a team with a variety of perspectives, as he believes only a diverse group will be able to earn the public's trust in the process of sorting through the evidence. "If the evidence leads us to court, so be it; if it goes back to the medical examiner's office, that's fine; and if it goes to the police because the case hasn't
Representing Gearhiser, Peters, Elliott & Cannon were (clockwise starting at the front left): Beverly Edge, Ellie LaPorte, Wayne Peters, Corrin Fulton, Wade Cannon, Bob Lockaby, Stacy Archer, and Lee Ann Adams. (Photo by Alex McMahan)

The Honorable Curtis L. Collier introduces the speaker, Sam Elliott. (Photo by Alex McMahan)

Chattanooga Bar Association Law Day

Honorable Barry Steelman, Marcy Eason, and Lee Davis. (Photo by Alex McMahan)

Allen McCallie, president of the Chattanooga Bar Foundation. (Photo by Alex McMahan)

Chancellor Frank Brown, Magistrate Susan Lee, and the Hon. Jeff Hollingsworth. (Photo by Alex McMahan)
EVIDENCE
Continued from page 1

Larger, central, [and] it will allow us to provide opportunities and resources to even more families in this important area of our city.” The current Avondale YFD center was built in 1949, and is one of the city’s smaller centers. The last major upgrade to Avondale YFD Center was nearly 15 years ago. Since that time, YFD staff has held numerous discussions with the community to discuss needed renovations and changes to the center.

Mayor Berke and Davis believe using the Hamilton County auditors cataloging decades-old evidence from solved and unsolved deaths.

The last major upgrade to Avondale YFD Center included a new Avondale Youth & Family Development Center.

These small envelopes might contain evidence that shed new light on old cases.

scrumptious process due to its unique setting, says Davis. “Whatever led to these things being held in the medical examiner’s office, it appears everything was kept in files and envelopes, so it’s been preserved. Therefore, in the interest of justice, we wanted to make sure it would be properly documented and shared with the courts and other appropriate individuals.”
The committee approved the proposal, and on April 21, the first three filing cabinets containing the stored evidence were moved from the medical examiner’s office to Newell Tower, where County Auditor Jenneth Randall’s staff began cataloging the contents of the envelopes. The journey across town was captured on video, and the room in which the auditors are holding the evidence and sorting through it is also being videoed around the clock. Having a visual record of the entire process will allow people to be confident in how the evidence was handled, says Pinkston. “Every second of video will be saved on a server,” the DA says. “In two years, if someone wants to look at how we handled Mr. Smith’s evidence, they’ll be able to watch the whole thing.”

Davis believes using the Hamilton County Auditor’s office to catalog the evidence was just as crucial a step as making a video record of the inventory process, as its staff is in the business of maintaining the public’s trust. “It seemed to be the right branch of the local government to do this,” he says. “We didn’t want the DA’s office to handle this. We wanted there to be checks and balances.”

Pinkston and Davis expect the road ahead will be long and navigated methodically. The meticulous work that will be involved will allow the system the DA devised to withstand no impact, or we’ll find out it was resolved to a cold case, or a suicide, or something else outside the realm of investigation,” he says.

“But even if there’s one case that can possibly be affected, we have to ensure the integrity of all of the evidence.”

Davis commends Pinkston for taking on what will be a considerable task. “He could have turned over the evidence to local law enforcement and washed his hands of the matter, but he stepped in and said, ‘Let’s do the right thing; let’s look at this stuff and see where it leads.’ That’s true civic leadership,” Davis says.

Pinkston says he merely has an ethical responsibility to seek justice, wherever that takes him: “If we learn of something that might negate someone’s guilt, we’re obligated to pursue it.”

The committee announced the showing opportunity along with the current Avondale Youth & Family Development Center in the fall of 2016. The new Avondale YFD Center will be open officially by the end of 2017. Leadership at YFD is currently working to ensure those who use the Center will have easy access to surrounding Centers once demolition occurs.

Source: Office of the Mayor

EVIDENCE
Continued from page 1

been solved, that’s OK too,” Davis says. “But the public’s trust has to be there, and the best way to earn that is by having people with different perspectives come together and ask how we’re going to handle things.”

Pinkston is a carefully considered process he believed would protect the veracity of the evidence — whether it’s fingernail clippings, hair, DNA analyses, or something else — as a variety of parties seek to uncover the truth it contains. First, the Hamilton County Auditing department would prepare an inventory of the thousands of envelopes containing the decades-old evidence. Next, for each case, the medical examiners’ office would supply the corresponding autopsy report to determine which law enforcement agency worked the death investigation.

For each homicide case, the respective law enforcement agency would then pull its original incident report and review the investigative file. That information would then be relayed to Pinkston’s office, which would search for the defendant’s court file and then notify the defendant and the judge who originally handled the case (or his or her successor) of the findings. The judge would then decide how the evidence and news of its existence would be handled moving forward.

The process alleviated Davis’ concerns about evidence being mishandled. “If any of the materials are subject to forensic testing, then it’s of import to prosecutors, defense attorneys, and the courts, as it could either establish more evidence toward guilt or exonerate somebody,” Davis says. “Whatever led to these things being held in the medical examiner’s office, it appears everything was kept in files and envelopes, so it’s been preserved. Therefore, in the interest of justice, we wanted to make sure it would be properly documented and shared with the courts and other appropriate individuals.”

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Mayor Berke announces new Avondale Youth & Family Development Center

Last week, a room full of community members joined Mayor Andy Berke as he announced the City of Chattanooga will be investing over $6 million into East Chattanooga through the building of a new Avondale Youth & Family Development Center. Mayor Berke made the announcement alongside City Council Chairman Moses Free- man, Avondale community leader James Moreland, and staff members of the Avondale YFD center.

The new center will be built on the ground up at the site of the current Avondale Center and will add additional amenities. The new Avondale YFD center is expected to be more than double the square footage of the current Avondale YFD center.

The current Avondale YFD center was built in 1949, and is one of the city’s smaller centers. The last major upgrade to Avondale YFD Center was nearly 15 years ago. Since that time, YFD staff has held numerous discussions with the community to discuss needed renovations and changes to the center.

Preliminary discussions with staff and community members have highlighted several priorities to include in the center, including adding an official size gymnasium with bleachers, a computer lab, a library and reading lab, multiple classrooms, a multipurpose room, a full-sized kitchen, and office areas. Preliminary discussions for exterior improvements include a softball fields on Wilcox Boulevard, improved parking areas, and an improved outdoor basketball court.

A tentative timeline for the new Avondale YFD Center includes a July 1, 2016, planning and design start date. The community will be engaged to provide feedback and suggestions during this time. The City expects to begin demolition of the current Center in the fall of 2016. The new Avondale YFD Center will be officially open by the end of 2017. Leadership at YFD is currently working to ensure those who use the Center will have easy access to surrounding Centers once demolition occurs.

Source: Office of the Mayor

ATTORNEY OFFICE SHARING OPPORTUNITY

CAVETT & ABBOTT, PLLC is an established downtown litigation law firm with offices next door to the Chattanooga Bar Association in the Pinnacle Bank (formerly Capitalmark) Building.

We offer an excellent office sharing arrangement for our attorneys and their staff in our newly remodeled, modern, convenient offices that are easy walking distance from the State and Federal Courthouses.

For details, call or email Barry Abbott, Cavett & Abbott, PLLC
423-265-8804; babbott@cavettandabbot.com
All inquiries are strictly confidential.
Here’s how to keep your portfolio healthy

If you have a medical appointment this week, you might want to wish your nurse a happy National Nurses Week. This annual event is designed to celebrate the important role nurses play in health care. Of course, such as abandoning a long-term strategy. If you’ve designed an reality, you will be less likely to make questionable decisions, the same time, so by owning a wide variety of investments – U.S. type of financial asset, such as U.S. growth stocks, you could theolio should also be a diversified portfolio. If you only owned one fixed-income vehicles.

example, following a long “bull” market, the value of your stocks happens, you may need to rebalance by adding bonds and other fixed-income vehicles. Diversify. Rebalancing is important. But a balanced portfoli should also be a diversified portfolio. If you only owned one type of financial asset, you could take a big hit during a market downturn. But different types of financial assets don’t always move in the same direction at the same time, so by owning a wide variety of investments – U.S. stocks, international stocks, government securities, corporate bonds, real estate, certificates of deposit (CDs) and so on – you may help reduce the effects of market volatility on your portfol. Keep in mind, though, that diversification by itself can’t guarantee profits or protect against loss. Maintain realistic expectations. If you expect the financial markets to always move upward, you will be disappointed many times. Market downturns are a normal part of the investment process, and they will always be with us. Once you accept this reality, you will be less likely to make questionable decisions, such as abandoning a long-term strategy. If you’ve designed an appropriate strategy, possibly with the help of a financial profes- sional, you can stick with it through all market environments. By following the suggestions mentioned above – staying invested, rebalancing your portfolio as needed, diversifying your holdings and maintaining realistic expectations, you can go a long way toward maintaining the fitness of your financial situation.

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.

Husch Blackwell praised for alternative fee arrangements

Husch Blackwell, a top 22 firm, has received recognition that excel in developing and delivering alterna- tive fee arrangements (AFAs), according to a report from BTI Consulting.

Corporate counsel at Fortune 1000 and other leading companies singed out Husch Blackwell – in an uncompromised manner – for its successful use of AFAs, includ- ing capped contingency fees, according to the report. AFAs are popular with clients because they save money, make budgeting more predictable, and streamline the legal process. Corporate counsel described Husch Blackwell and the other top firms as being innovative, focused, flexible, confident, en- thusiastic, decisive, and efficient in their use of AFAs. “We have a thoughtful and prosac- tive process for developing appropriate fee arrangements that in- volves a collaborative discussion between the client and firm, scope of work, and deliverables,” said Kevin Bielawski, director of Legal Project Management and Strategic Pricing in the Husch Black- well. “The result is a pricing structure that aligns with clients’ legal and business objectives.” BTI Consulting is a leading re- searcher of professional services firms.

Source: Husch Blackwell

CBA celebrates Cont. from page 1 Bar. “The 2016 recipient exemplifi- es those things and more in his service to our legal system and to our local community.” Smith has received numerous awards, including the Hamilton County Juvenile Court Humanitari- anism Award in 2006, the 2013 United Way Advocate of the Year Award, the Greater Chat- tanooga Symphony Orchestra’s Jim Morgan/Alan Morris Award for distinction in overcoming adver- sity, also in 2013, and others. “But his highest honor is being one of the 19 foster children he and his family helped raise, the hundreds of young men he has helped arm a meaningful away, and the family that stands near him,” Philyaw said. As several fami- ly members gathered around Smith, Philyaw shared the story of how the man discovered his passion for work- ing with troubled youth while em- ployed as a security guard at an adolescent treatment center. For the next 25 years, Smith served as a TSSAA basketball and football referee, a bowling league's state boxing judge, official, and coach. “Some of you are probably think- ing Joe had a background in box- ing. Not so. Joe adopted boxing as a means of reaching boys,” Philyaw said. After working as a licensed addiction counselor and a youth minister in several area churches, Smith decided he could do more to reach inner-city youth by get- ting them involved in positive after-school activities. This lead- ed him to starting the YMCA Com- munity Action Program (YCAP). Smith wanted young men to experience the joy of moving through boxing led to him being named team manager for the U.S. Men’s Olympic Boxing team for the 2008 game in Beijing and other opportunities. “But nothing was more important to him than teaching the kids the values, the advantages and the benefits of hard work to the kids who desperately needed those things,” Philyaw said. “Joe had a similar arm around an emotional Kobe Bryant minutes before the opening cer- monies of the 2008 Olympics, or putting his arm around a 12-year- old who thinks nobody loves him, Joe lives his mission.”
Rotary Club making wishes come true for elementary school librarians

The Hamilton Place Rotary Club is proud to help deliver quality literature to area elementary schools. Donna Horn, who leads the club’s literacy program, has worked with area school librarians to purchase books from their wish lists. This effort is only possible through the kind donations of the club’s members. Pictured (back row, L-R): Ruthie Panni, assistant principal at Westview; Kim Shomaker, librarian; and Horn, Rotary board member and director of youth services. Pictured (front row): several students from the upper grades. (Photo provided)

Volkswagen Chattanooga has reached an early production milestone with the completion of the first assembled metal test body for the upcoming Midsize SUV. The production of the first assembled metal test body is an early step toward the full production of the Chattanooga-made Midsize SUV, scheduled to begin production late this year and hit the market in 2017. The first test body build is for the purposes of checking the calibration of body shop equipment and processes. The body is then passed on for further testing and development. This milestone was commemorated with a group photograph that included management and body shop team members who contributed to its production. (Photo by Volkswagen Chattanooga)

The Chattery and Society of Work teaming up for Cinematics

The Chattery and Society of Work are teaming up for Cinematics, a yearlong movie experience that combines the education of The Chattery and the collaboration of Society of Work to teach and engage Chattanoogans in conversation through the art of film.

“We started The Chattery to educate adults through fun and affordable classes taught by local experts and business owners,” says Jennifer Holder, operations headmaster of The Chattery. “Cinematics helps us to explore new territory by creating a dialogue around real issues.”

Every other month at Society of Work in The Edney Innovation Center, the organizations will host a movie around a theme, offer free food, and host a panel discussion to explore that theme and how it can be applicable to Chattanooga.

“Society of Work brings businesses together to work for a better Chattanooga,” says Mary Stargel, Community Manager of Society of Work. “Cinematics will inspire freelancers, small businesses, and other organizations to collaborate and brainstorm around a variety of issues.”

The first Cinematics was held on April 28 in partnership with The Nightingale Network, the grantmaking arm of The Women’s Fund of Greater Chattanooga (WFGC). The three organizations screened “The Hunting Ground,” a documentary about sexual assault on U.S. campuses and the impact on the victims and families. Free pizza was provided and local restaurant The Bitter Alibi supplied free beer.

“The event was a great way to experience firsthand how the WFGC ignites community engagement in our advocacy work by raising awareness of issues that affect women and girls,” says Kim Seavey, executive director for the WFGC.

Cinematics is funded by the UNFoundation, a grassroots giving circle. UNFoundation has funded community gardens, a 3D printer, film festivals, and a handicap accessible zip line. Future partners include local clothing designer Temperate Clothing, Chattanooga School of Language, and other organizations that support efforts to engage the public through advocacy and education.

For information on the next event, visit cinematics溅水花 that.com or call (423) 413-8978.

Source: The Chattery and Society of Work
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NOTICE OF TRUSTEE’S SALE SHOWN:

The property subject to the Trustee’s Sale is:

623 Shannon Ave, Chattanooga, Tennessee

Any property address provided is not part of the legal description of the property sold herein and in the event of a difference, the legal description herein shall control. This sale is subject to all matters of record, including any easements, covenants, restrictions, and other encumbrances as well as any priority created by a fixture filing; and to any matter that an accurate survey of the premises might disclose. All persons having any interest or claim to said property, or any part thereof, are hereby notified to come forward and satisfy the Trustee or his successor in office with the sale, or be forever barred.

The property is being sold with the express reservation that the sale is subject to confirmatory action by the lender or trustee.

The property is being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may be rescinded by the Substitute Trustee at any time. This office may be a debt collection office. If so, the property is being sold as collateral for a debt. Any person who is a member of the immediate household of a current owner of the property or who is a person with whom a current owner of the property has a financial relationship is not an interested party.

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Chattanooga Bar Association Law Day

The Hon. Don Poole, Jerry Summers, and Justice William “Muecke” Barker. (Photo by David Laprad)

Joe Smith and the Hon. Jeff Hollingsworth before Smith was announced as the recipient of the Liberty Bell Award. (Photo by David Laprad)

The Hon. Christie Sell, the president of the CBA. (Photo by Alex McMahon)

Justice William “Muecke” Barker and the Hon. John McClarty. (Photo by David Laprad)

The Hon. Lila Statom and the Hon. Clarence Shattuck. (Photo by David Laprad)

Steve Smith. (Photo by David Laprad)

The Hon. Poole, Jerry Summers, and Justice William “Muecke” Barker. (Photo by David Laprad)

Richard Crotteau. (Photo by David Laprad)

Joe Smith with family and friends just moments after Smith realized he was the recipient of the Liberty Bell Award. (Photo by David Laprad)
In the sixth grade, we were the Crestwood Crickets, a name that didn’t exactly instill fear into the hearts of our opponents. I emailed Fred a photo I found of both the sixth grade classes, back in 1969. I wrote that we were the Crickets, which I should have kept to myself, because my phone immediately rang.

“Crickets! That’s terrible, who came up with that?”

“Well, wasn’t you a Wabbit? No room to talk.”

“You were a small boy,” Fred observed, studying the photo. This wasn’t true, but I guess it seemed that way to him because of the height where I finally topped out.

Then I started circling others in the picture; he was gaining momentum, like a shark swimming through a sixth grade salt sea.

Soon, sentimentality mercilessly kicked in and he said, “That was a great time to be a kid, bud.” I couldn’t resist. “Are you talking about when I was a kid or when you were a kid?”

“Easy bud,” he growled. “But it’s sort of true, I guess, because around the time you were posing for this cute little photo with all your fellow Crickets, I was trying to figure out who my date would be to the game of the century, the Big Shootout in Fayetteville.”

“I can’t talk about that now,” I told him.

“Me either,” he quietly said.

So we pooled our memories and he began, telling about the drug store in the Heights, and old Mrs. Shaw who worked behind the counter, and the day when he was in the fifth grade and came in and saw three sixth graders he knew huddled together in a corner, whispering and giggling.

“They were looking at an Esquire magazine,” he said, “and they had these little bottles with some green liquid, that they were passing around. It was called Breath Tip, and if you drank it in the bag, you could get a pretty good buzz.”

“I asked Henry Doolittle to let me try one but he gave me the stink eye and said, ‘No way, you’re too young.’”

“So I went back to the counter to buy my comic and some magazines, he said, “and...

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Northwest Georgia Council president aiming to rebuild group

By David Laprad

Like Michael Corleone in the "Godfather" films, just when Chris Davis thinks he's out, the Northwest Georgia Council (NWGC) pulls him back in. Davis is serving his fourth term as president of the group, which is the branch of the Greater Chattanooga Association of Realtors (GCAR) that serves agents in and around Catoosa, Dade, and Walker Counties. He is, of course, glad to serve.

Davis' latest return to the NWGC leadership position was a vote of confidence on the part of his Georgia peers. When two Georgia real estate companies left GCAR to join a different association, Davis was asked to return as president in order to help reestablish the ties between Northwest Georgia-based real estate companies and GCAR. His plan involves creating more networking opportunities for Realtors and nurturing the camaraderie among Northwest Georgia and Tennessee Realtors. "I want us to strengthen and maintain that connection," he says.

Davis' starting point was the NWGC's mission statement, which says the council's purpose is to "unite those engaged in the real estate profession in Northwest Georgia with the Greater Chattanooga Association of Realtors, the Georgia Association of Realtors, and the National Association of Realtors, thereby furthering their own objectives throughout the community, state, and nation, and obtaining the benefits and privileges of membership therein."

In less ornate words, Davis wants the 120 or so Georgia-based members of GCAR to work with the association toward common goals and to profit from their GCAR membership.

Part of Davis' game plan involves bringing Realtors travel to DC to protect home ownership

Nathan Walldorf, President

This past week, GCAR leadership convened in Washington, D.C., with thousands of Realtors from across the country. The purpose? To meet with your senators and representatives to discuss issues critical to our businesses, our communities, and the consumers we serve.

Our nation's economy is tied to the health of the real estate market. Certain policy changes in Washington could easily harm the real estate market and in turn the entire economy. Below are the four key messages GCAR leadership conveyed to legislators in our recent visit.

Real estate-related tax policies are vital to the economy:

The mortgage interest income tax deduction, the property tax deduction, and the like-kind exchange all have positive impacts on the economy. Taking away these tax credits could harm the real estate market, which would hamper overall economic growth.

In the U.S. with incomes lower than $200,000 per year. Repealing the property tax deduction would result in double taxation – being taxed on your income and on your property taxes. The like-kind exchange allows business owners to sell their building and move into another building without being taxed on the proceeds from the original sale. That exchange helps businesses grow and creates more jobs. These tax breaks are a necessity for the ownership of real property.

Don't raise the cost of home ownership: Realtors believe that qualified borrowers should have access to safe and affordable mortgage financing. While in DC, we encouraged elected officials to enact legislation that prohibits the so-called "G-fee" from being extended, increased, and diverted for unrelated government spending (i.e., the housing industry). In 2015, Realtors were successful in compelling legislators not to add G-fees charged to home sellers to help pay for road construction. Moving forward, GCAR wants to be sure that our legislators continue to not allow G-fees in their future budgets. If such fees are placed on home sales, buyers and sellers might wait to enter the market, which would slow down the market's growth and have a negative impact on the economy.

Reform condominium financing and make other needed housing reforms:

Condos often are the most affordable homeownership option. Yet, obtaining financing for such a purchase has its challenges. GCAR leaders urged senators to bring a bill to the floor to reform condo financing. The proposed bill would make it easier to get financing for condos and could create more affordable housing options if passed. Some of the current financing restrictions are so cumbersome that developers don't want to build condos. Those condos would provide more inventory and also help each an aging portion of the U.S. population to downsize.

Allow for private market flood insurance: Currently, the only option for flood insurance for federally related mortgages is through the National Flood Insurance Program. Realtors believe that program needs some competition to drive down rates. Flood insurance premiums have risen at a shocking rate over the past five to seven years. The companies that sell flood insurance also need some oversight to be sure they have the funds to protect home owners when a natural disaster does happen.

At home and in the nation’s capital, GCAR Realtors are fighting to protect the rights of property owners. Looking to sell or buy in southeast Tennessee, northwest Georgia or Catoosa, contact an expert who cares about your well-being. Contact a Realtor.

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.
Audience wins in ‘Civil War’

For a year, I looked forward to “Captain America: Civil War” like a drooling Marvel fan boy. Only I’m not a Marvel fan boy. Rather, I had simply loved “Captain America,” and I was excited about the return of Steve Rogers, aka the Winter Soldier, which used the superhero template as a foundation for a crack political thriller, and I was excited about the return of that film’s co-writers and directors, brothers Joe and Anthony Russo. Essentially, I was anticipating a great movie.

And the Russos did not disappoint. Here are eight reasons why:

- **Jaw-dropping action:** There are several spectacular action sequences in “Civil War” including a breathtaking car chase and a superhero showdown at an airport. If you’re a member of the popcorn-munching brigade, you’re going to love this film.

- **Intelligent, character-based storytelling:** Marvel has been making movies about these characters for eight years, and during this time, we’ve come to know and care about Iron Man, Captain America, Hulk, Thor, et al. So, when the United Nations proposes a law that will essentially handcraft the Avengers, we expect Tony Stark (Iron Man) to go one way and Steve Rogers (Captain America) to go the other—and they do. We also understand the reasons behind their choices because of the way the Russos use the rich back-story Marvel has developed through its previous films. While this kind of depth is sometimes seen on television, this is the first time something on this scale has been attempted in a series of movies, and it’s working very well.

- **Eye-popping insanity:** There are a few crazy, risky moments in “Civil War” that would kill a lesser film. But in the hands of the Russos and their cast, these moments work wonderfully. One example would be the appearance of Giant-Man (when Ant-Man goes big) during the airport sequence. The opening night crowd with which I saw the film loved it. One of the reasons these scenes work is because the Russos underpin them with serious, dramatic storytelling.

- **Diverse points of view:** While Stark believes in turning over the authority of the Avengers to the U.N., Rogers is adamantly opposed to placing himself under such restrictions. Part of Cap’s reasoning is based on his protective feelings for Bucky, aka the Winter Soldier, aka his best friend and his only living link to his past. But he also simply disagrees with the notion of restricting the Avengers’ freedom to act as they see fit. Interestingly, the Russos don’t take sides; rather, they let this ideological difference serve as the heat that brings the tension between Stark and Rogers to a boil.

- **A boatload of Avengers:** Although Captain America is the headline, this film could have easily been titled “Avengers: Civil War.” A few key players are missing, like Hulk and Thor, but the bulk of the rest of them are present and accounted for, along with a few characters who are new to the Marvel Cinematic Universe (MCU). Usually, such a profusion of heroes and villains kills a comic book movie, but the Russos keep everything in balance. No character is shortchanged, and the movie doesn’t feel overstuffed. Like watching someone juggle a half-dozen bowling pins, I couldn’t help but wonder how the Russos did it, even as I watched in awe.

- **Black Panther:** Marvel also used “Civil War” to introduce Black Panther to the MCU. Black Panther is the alter ego of T’Challa, the son of the king of the African country of Wakanda. (Yes, I had to Google all of that.) T’Challa becomes involved in the battle between the Avengers when an apparent terrorist attack kills his father, and he blames the Winter Soldier. When T’Challa sets out to pursue Bucky, this also pits him against Rogers. Actor Chadwick Boseman seems perfect for the role.
I Swear
By Vic Fleming
vicfleming@att.net

Igs, etc.

A wordier version of this column ran in 2008. That would have been shortly after the Arkansas Democrat-Gazette ran a certain editorial. In which it asserted that to say there are “no ifs, ands or buts” is wrong. The correct phrase, it averred, is “no ifs, ans or buts.”

I believe the piece was written by David Barham, now the editorial page editor. But I think it fair to say that it represents the voice of the whole award-winning newspaper. Including Pulitzer-winner Paul Greenberg and WEHCO Media CEO Walter E. Hussman Jr. Quoting from the item in point:

“When we heard that Oxford University had compiled a Top 10 List of the most annoying words and phrases in the English language, we began salivating… One phrase that drives us nuts is “no ifs, ands or buts.” How did the word “and” replace the word “no”? And buts exclude, but “and” includes. Once upon a time, that little pouty note of a word, an, used to mean if. As in: “Ain’t please your majesty, we’ll slay the dragon forthwith.” As in Shakespeare. Or anything featuring Robin Hood.

That is exactly what I was taught regarding this same subject matter. Half a century ago. By either Neil Thomas in Senior English at Greenville High School or James Purcell in a first-year lit course at Davidson College.

The editorial continues:

We understand that people will talk in their way, as is their habit, and, in short, colloquially. But if we read, in print, in a magazine, or in any document purportedly edited, just one more reference to “ifs, ands or buts,” we’re going to find that so-called copy editor and throttle him, her or it.

At this point, my own research kicks in.

In chapter 11 of “A Yankee in King Arthur’s Court,” Mark Twaín wrote:

Your name, please? I hight the Demoiselle Alixandre la Carteloise, as it please you.

In chapter 10 of “A Legend of Montrose,” Sir Walter Scott wrote:

I could not speak a syllable of their savage gibberish, as it were.

When I was getting into the crossword hobby, circa 2004, I saw that this is a common crossword entry, clued as “No ifs, ands or buts.” I raised the issue with other writers and editors. To a person, they were unaware of the point so eloquently made by Mr. Barham.

I can conclude only that they had no Neil Thomas or James Purcell in their lives. Though others would say I’m just too darn picky.

No one disputes that an was once a synonym of if. Some say, however, that the phrase “No ifs, ans or buts” is flawed, on the basis of redundancy. But that’s hardly the point. If, circa the days recently as 2013. And it’s what people say, having no knowledge the convention objected to by the ADG (and me), doing so as recently as 2013. And... it’s what people say, having no knowledge about the alternative version.

Vic Fleming is a district court judge in Little Rock, Ark., where he also teaches at the William H. Bowen School of Law. Contact him at vicfleming@att.net.

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SATURDAY’S PUZZLE

Strategies on how to solve Sudoku include understanding basic grid structure, recognizing patterns, and using elimination techniques. Each puzzle is designed to be solved with logic alone, without guessing.

SOLUTION TO SATURDAY’S PUZZLE

SODUKE

Level: 3

Complete the grid so each row, column and 3-by-3 box (in bold borders) contains every digit, 1 to 9. For strategies on how to solve Sudoku, visit www.sudoku.org.uk.

Last weeks solution

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the sale is subject to confirmation by the lender or trustee. This sale may not be accepted. Amounts received in excess of the winning bid will be refunded to the successful bidder.

SUBSTITUTE TRUSTEE'S SALE as a public auction will be on or before May 23, 2016, at 10:00 AM, at the Hamilton County Courthouse, 401 Main Street, Chattanooga, Tennessee, for the purpose of selling subject to the foreclosure deed of trust, recorded in Plat Book 15, page 921, in the Register's Office of Hamilton County, Tennessee, said property being real estate situated in Hamilton County, Tennessee, and being sold with the express reservation that the sale is subject to confirmation by the lender or trustee. This sale may not be accepted.

NOTICES Continued from page 8

May 13, 2016, in or about 18:10 AM. The sale will be held at 10:00 AM on June 13, 2016, in or about 11:00 AM at the Hamilton County Courthouse, Chattanooga, Tennessee. The sale will be held pursuant to a Power of Sale in favor of First Bank of Tennessee, National Association, Trustee, for the benefit of Mortgage Electronic Registration Systems, Inc., as nominee for JPMorgan Chase Bank, National Association, under a Deed of Trust recorded in Plat Book 15, page 919, in the Register's Office of Hamilton County, Tennessee. For further information, see, First Bank of Tennessee National Association, Trustee FOR SALE INFORMATION, VISIT WWW.MYFIR.COM or CALL 888-849-3553.

NOTICE OF TRUSTEE'S SALE: sale has occurred in the manner and under the conditions set forth in N.C.G.S. §45-27-11. Notice is hereby given that the entire indebtedness due under the Deed of Trust has been paid, the foreclosed mortgagee, First Bank of Tennessee, National Association, Trustee, has executed an assignment of all rights, interests and properties subject to said Deed of Trust to Lindsey R. Bennington, Title Officer of First Bank of Tennessee, National Association, Trustee, as Substitute Trustee for said Assignee.

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SUBSTITUTE TRUSTEE'S SALE of public auction will be on June 2, 2016 at 10:00 AM local time at the front door of the Hamilton County Courthouse in Chattanooga Tennessee, pursuant to the foreclosing Deed of Trust, executed by Shaina D. Blakely, Trustee, to Tennessee Foreclosure Department 277 Mallory Station Road, Suite 620, Chattanooga, Tennessee 37404, recorded May 24, 2016, at 10:00 a.m., in book BCNS97498 page 2275, in the public records of Hamilton County, Tennessee. The Property is situated in the real property records of Hamilton County Register’s Office, Tennessee, at Parcel 2016020100186, in the Spring Branch area of the city of Chattanooga, Hamilton County, Tennessee, within thirty (30) days after the fourth weekly publication of publication dates: HCH3T-4/29,5/6,5/13/16.

NOTICE OF FORECLOSURE SALE AND SUBSTITUTE TRUSTEE'S SALE

In the MAT - JUSTICE DISTRICT COURT DIVISION IN THE COUNTY, TENNESSEE. SEE ALSO THAT PRIOR DEED RECORDED HCH3T-5/6,5/13,5/20/16.
ACKET to the United States as required by 26 U.S.C. § 7425(b). Terms of Sale.

This 2nd day of May, 2016. LARRY L. HENRY, CIRCUIT COURT CLERK

may apply to or endorsed to Shapiro & Ingle, LLP. No personal checks will be accepted at this sale. No cash, money orders, or credit cards.

SUBSTITUTE TRUSTEE'S SALE of public auction will be on June 2, 2016 at 10:00 AM local time at the front door of the Hamilton County Courthouse in Chattanooga Tennessee, pursuant to the foreclosing Deed of Trust, executed by Shaina D. Blakely, Trustee, to Tennessee Foreclosure Department 277 Mallory Station Road, Suite 620, Chattanooga, Tennessee 37404, recorded May 24, 2016, at 10:00 a.m., in book BCNS97498 page 2275, in the public records of Hamilton County, Tennessee. The Property is situated in the real property records of Hamilton County Register’s Office, Tennessee, at Parcel 2016020100186, in the Spring Branch area of the city of Chattanooga, Hamilton County, Tennessee, within thirty (30) days after the fourth weekly publication of publication dates: HCH3T-4/29,5/6,5/13/16.

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NOTICES

Continued from page 13

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for record in the Register's Office of Hamilton County, Tennessee. NOW,

situated in Hamilton County, Tennessee, to wit: A CERTAIN TRACT OR

is reserved to adjourn the day of the sale to another day, time, and place

property address is believed to be good, but the undersigned will sell and convey only as Substitute

to be good, but the undersigned will sell and convey only as Substitute

not a part of the legal description.

the Produces of wine in the form of a certified check made payable to or endorsed to Shapiro & Ingle, LLP. No

in the Register's Office of Hamilton County, Tennessee. Parcel Number: 169A A 004 Current Owner(s) of

record in the Register of Deeds Office of Hamilton County, Tennessee. PROPERTY ADDRESS: 7123 Moses Road, Hixson, Tennessee 37409. Current Owner(s) of Property: Russell Eugene Brown, Jr. and Pamela De-
NOTICES Continued from page 17

Trustee/Mortgagee’s Sales Scheduled in the Next 3 Weeks

SALES TO TAKE PLACE ON 05/18/16
8000 Soco Dr., Ooltewah, 37363
1203 Directory Dr., Ooltewah, 37363
4000 Longfellow Dr., Ooltewah, 37363
800 Eagles Run, Ooltewah, 37363
1922 Winding Trace, Ooltewah, 37363
4908 Middlebrook Dr., Chattanooga, 37422
2600 Mound Ave., Chattanooga, 37404
1313 Christiana Dr., Chattanooga, 37404
1123 Ridgecrest Dr., Chattanooga, 37404
1236 Wells Dr., Chattanooga, 37404
2603 S General Patton Dr., Chattanooga, 37411
3603 S Vann Drive, Chattanooga, 37411
4817 Northwind Drive, Chattanooga, 37416
4509 Doubletree Dr., Chattanooga, 37416
6700 Poplar Grove, Chattanooga, 37416
2469 Twelve Oaks Dr., Chattanooga, 37416
1926 Mary Beth Dr., Chattanooga, 37416
2300 Besseson Dr., Chattanooga, 37416
3019 Upper River Dr., Chattanooga, 37416
3240 Woodleigh Dr., Chattanooga, 37416
5431 Twelve Oaks Dr., Chattanooga, 37416
7646 Meade Drive, Chattanooga, 37416
6000 Vann Drive, Chattanooga, 37424
8246 Larkspur, Chattanooga, 37424
12028 Boulder Dr., Chattanooga, 37424
2413 Mourning Dove Ln, Signal Mountain, 37377
2705 Staunton Dr., Chattanooga, 37404
11337 Cabana Dr., Chattanooga, 37416
1016 W White Oak St., Chattanooga, 37403
3323 Beachside Dr., Chattanooga, 37403
4801 Southwind Dr., Chattanooga, 37403

SALES TO TAKE PLACE ON 05/23/16
4220 Sweetbriar Dr., Chattanooga, 37411
2705 Staunton Dr., Chattanooga, 37404
11337 Cabana Dr., Chattanooga, 37416
1016 W White Oak St., Chattanooga, 37403
3323 Beachside Dr., Chattanooga, 37403
4801 Southwind Dr., Chattanooga, 37403

SALES TO TAKE PLACE ON 05/24/16
2942 Old Orchard Dr., Chattanooga, 37404
2500 Grandview Dr., Chattanooga, 37404
2201 Jodee Ln., Chattanooga, 37404
7549 Blackwood Rd., Chattanooga, 37424
9984 Shady Forest Rd., Chattanooga, 37424
12350 McClary Rd., Soddy Daisy, 37379
1660 Pinyun Ln., Chattanooga, 37416
1178 Spalding Dr., Chattanooga, 37404
4509 Doubletree Dr., Chattanooga, 37416
2469 Twelve Oaks Dr., Chattanooga, 37416
1926 Mary Beth Dr., Chattanooga, 37416
2300 Besseson Dr., Chattanooga, 37416
3019 Upper River Dr., Chattanooga, 37416
3240 Woodleigh Dr., Chattanooga, 37416
5431 Twelve Oaks Dr., Chattanooga, 37416
7646 Meade Drive, Chattanooga, 37416
6000 Vann Drive, Chattanooga, 37424
8246 Larkspur, Chattanooga, 37424
12028 Boulder Dr., Chattanooga, 37424
2413 Mourning Dove Ln, Signal Mountain, 37377
2705 Staunton Dr., Chattanooga, 37404
11337 Cabana Dr., Chattanooga, 37416
1016 W White Oak St., Chattanooga, 37403
3323 Beachside Dr., Chattanooga, 37403
4801 Southwind Dr., Chattanooga, 37403

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www.hamiltoncountyherald.com 18 | May 09, 2016
Hutton spearheading gym renovation for Chattanooga Girls Leadership Academy

By David Laprad

Hutton, a Chattanooga-based commercial real estate, development and construction company, has committed to helping remodel a winning facility for a winning cause – Chattanooga Girls Leadership Academy.

“The girls will have a functional and attractive gymnasium, a place to hold school wide events, and a home for their winning sports programs,” said CGLA Executive Director Dr. Elaine Swafford. “It will also provide space to hold health and physical education courses, which we need, as we are outgrowing our present space.”

Hutton has the distinct pleasure of joining CGLA in a relationship Hutton considers one of its most significant community partnerships,” said CEO and owner Karen J. Hutton. “The entire Hutton team toured the school, witnessed the excitement in the hallways, heard the girl’s success stories, and observed the physical needs of the school. This first-hand experience sealed the deal!

CGLA is an inner-city, all-girl, public charter STEM School that was founded in 2013 with the brick of closure. Since school officials turned things around, the Tennessee Department of Education has named CGLA a Tennessee Promise Renewal School for two consecutive years. (Reward Schools are the top 5 percent of schools in the state for performance and year-over-year progress.)

HUTTON has committed to CGLA’s Corporate Mentor Program, involving in the Backpack for Success Program, supports the school’s Endowment Campaign, and has made a financial commitment to remodel the school’s gymnasium.

About three years ago, CGLA acquired the old Tennessee Temple High School Gymnasium on Vance Avenue in the Highland Park Neighborhood as an addition to its main campus. Due to its present condition, the gym has not met State regulatory codes and has not been utilized to its fullest potential. Hutton decided this was a great place to make an impact for CGLA and the Highland Park community. Gym priorities include new bleachers, a new HVAC system, a new roof, and the addition of ADA-approved restroom facilities. Further financial donations are needed to ensure the gym remodel meets the school's needs.

While Hutton’s philanthropic liaison, Donna Coleman, is working to raise funds for the project, Hutton’s construction arm, led by Trey Hall, is working with local vendors to negotiate gifts and in-kind donations to the project. Hutton’s development project manager, Reggie Vachon, is coordinating the scope of the plan, the budgeting, and the permitting, and is working with Rice Williams, a lead architect from local design firm Artech, who is donating his time and skills to the project. The remodel is to be completed by Aug. 1, 2016.

Hutton has raised $350,000 for the project; an additional $250,000 is needed to complete it. To make a tax-deductible donation to CGLA, visit www.cglawca.org, click on “Donate to CGLA,” and enter “Gym renovation” in the field at the bottom of the page titled “Your info.” There are opportunities to purchase naming opportunities at the gymnasium. For more information, contact Donna Coleman at dcoleman@hutton.build.

Source: Some information from Hutton

50 years ago

What was going on in Chattanooga in 1966?

Two universities announced professors, a football coach announced and a football coach announced and Newcomers at the University of Chattanooga.

Tuesday, May 14

Two University of Chattanooga professors, Dr. Wilbur K. Butts, professor of psychology, and Dr. Culver H. Smith, Guerry professor of history, who together have served the university for a total of 69 years, will retire from full-time teaching Sept. 1, President Dr. S.J. McCallie, Jr., announced.

Sunday, May 15

Gerry U. Stephens and Gordon L. Smith, Jr., have been appointed chairman of the major gifts division in the $2.75 million YMCA campaign. Dr. James L. Fowlie is general chairman.

Monday, May 16

William L. Galbraith, director of Child and Family Service, Knoxville, will succeed Miss Leah James as executive director of Chattanooga’s Family Service Agency in August. Miss James, who has been planning retirement for several months, made the announcement to the FSA staff Monday morning.

Tuesday, May 17

William Blaine Schwartz, the only original director who has served the Pioneer Bank since it was organized in 1916, was honored at the quarterly board meeting Tuesday. George M. Clark, chairman of the board, presented Mr. Schwartz with a gold commemorative medal and paid tribute to him for his many services to the bank through the years.

The Baptist Book Store, assisted by the Women’s Missionary Society of the First Baptist Church, gave an autograph party Monday morning honoring Dr. Luther Joe Thompson, pastor of First Baptist, who autographed his book, “Through Discipline to Joy.”

Wednesday, May 18

Major R.C. Andrews, Dr. and Mrs. Fred Ballard, Dr. and Mrs. David McCallie, Dr. and Mrs. Wayne Gilley, Dr. and Mrs. C.R. Thomas, Mrs. Ruth Harvey, Miss Mary Archibald, and Mr. and Mrs. Roy S. Matthews, all from Chattanooga, will attend the Chattanooga Area Heart Association’s 13th annual meeting of the 9th general assembly in Galilburg Thursday through Saturday.

Thursday, May 19

Dr. S.J. McCalie, headmaster of McCallie School, was elected the first honorary lifetime member of the board of directors of Chattanooga Community Con- centrts at the annual meeting of the board of directors Wednesday.

Friday, May 20

The Rev. Fred Gates, Jr., rector of St. Peter’s Church in Columbia, Tenn., since 1943, was elected suffragan bishop of the Episcopal Diocese of Tennessee on Wednesday at the Tennessee Diocesan Convention in Nashville. He will probably be consecrated as a bishop in July or August, and will then move to Memphis to assist the Rt. Rev. John Vander Horst, bishop of Tennessee. Rev. Mr. Gates, a native of Lexington, Va., attended Chattanooga High School and the University of Chattanooga.
May 15 at 3 p.m. at the Ringgold Variety season with a concert Band will celebrate its 25th an-

Free concert

- Win gift cards and one year of free MLS services for GCAR members and Realtors!
- Free meal at a menu of lunch (which was free to GCAR members and Realtors to
- Mexican food was on special Cinco de Mayo-themed celebration.

More than 30 affiliate members of GCAR were on hand to display and talk about their services during the celebration. Mexican food was on the menu for lunch (which was free to GCAR members), and Realtors entered to win gift cards and one year of free MLS services.

EVENTS

- Free concert
  - The Mid-South Symphonic Band will celebrate its 25th anniversary season with a concert
  - May 15 at 3 p.m. at the Ringgold High School Performing Arts Center, located at 28 Tiger Trail
  - The concert will be open to the public, free of charge.

Special Concert

- Free concert
  - Thursday, May 15 at 3 p.m.
  - The Mid-South Symphonic Band will celebrate its 25th anniversary season with a concert
  - More than 30 affiliate members of GCAR were on hand to display and talk about their services during the celebration.

In addition to the menu for lunch (which was free to GCAR members), and Realtors entered to win gift cards and one year of free MLS services.

The Greater Chattanooga Association of Realtors (GCAR) Affiliate Council held its second annual vendor fair Friday, May 5 at GCAR.

More than 30 affiliate members were on hand to display and talk about their services during the special Cinco de Mayo-themed celebration. Mexican food was on the menu for lunch (which was free to GCAR members), and Realtors entered to win gift cards and one year of free MLS services.

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