

FULKERSON LOTZ *Update*

FULKERSON LOTZ OPEN HOUSE



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FULKERSON LOTZ MOVES TO



NICK BROWN JOINS FULKERSON LOTZ TEAM



“Growing up, Nick Brown didn’t expect he’d become a lawyer,” but as Fulkerston Lotz’s newest associate, he knows he made the right decision.

“My mother was a computer programmer and I was programming in high school so when I went to college I majored in computer science. “But it

didn’t take long before I developed another passion that led me to pursue a career in the law,” he says.

“I was trying to take science courses but when I joined the debate team at Vanderbilt I found myself more interested in debating and arguing positions, than in coding, so I had to decide,” he adds. He was captain of the school’s debate team, which won national debating championships for two consecutive years.

Luckily Vanderbilt had a program that combined science and writing so he was able to earn a bachelor’s degree in Communication of Science and Technology. He was also able to win internships – first working at NASA and then in medical research, working in public affairs.

The work was really focused on making the complex understandable, which requires a more neutral tone than the

persuasive writing style found in legal work. “Legal writing is more of a challenge, but it’s also more satisfying,” the young attorney says.

But debate was always his passion so he applied to law school, graduating first in his class at the University of Houston Law Center.

I thought I might go into patent law,” following in the footsteps of a close relative, “but when I interviewed at Fulkerston Lotz I liked the variety of cases that they took on.”

Fulkerston Lotz’s newest associate says he’s extremely happy with the choices he’s made and while he’s only been on board since October 1, he’s already getting a taste of what real life law looks like.

Brown admits that he has a rather unique background, which might be more typical of an attorney in Silicon Valley but adds , “I think my work here will expand my horizons and I look forward to what ever comes in.”

The Houston native says that he and his wife, a resident at the Medical Center, are happy to be settled back home after spending four years at Vanderbilt together.

“Both our families are here, and it’s easier rooting for the Rockets, Astros, and Texans when you can get to a few games during the season.”

JERRY MITCHELL'S VOICE BRINGS THE NEWS

In almost 30 years as a trial lawyer representing big and small businesses, Fulkerson Lotz partner Jerry Mitchell has developed close relationships with representatives of firms worldwide, but some of his most satisfying work has been done for clients who will never see him.

Mitchell spends three to ten hours a week as a volunteer reader for Sight Into Sound a Houston non-profit, which provides audio programming to the visually impaired.

Sometimes his readings are live – reading the *Houston Chronicle* – while other sessions involve recording the contents of *Discover Magazine*.

Although many listeners are equipped with one of the receivers provided by Sight Into Sound, a growing number listen online. But every week he records hours of audio to help listeners keep in touch with a world that has faded from view.

Mitchell says, “It has been some of the most satisfying work, I’ve ever done.”

On some days, he admits that the grind of the law practice makes him think twice about the extra volunteer work but he adds, “I just look at some of the notes from listeners that I have taped to my bathroom mirror, telling me how much the service means to them, and I can’t help myself.”

One note in particular has a special resonance for Mitchell, “I don’t even know who it’s from, but it starts out by saying thank you and adds – I have been so angry about losing my sight, but your program has given me new hope.”

Mitchell has been a Fulkerson Lotz partner since 2014 but has a 25 year career representing commercial and energy related firms across Texas and the U.S.

He says about three years ago he was looking for some way to volunteer to give back to the community, “I thought about Habitat for Humanity, but then I realized, no one should live in a house that I built – I’m no good with tools.” “But,” he says, “I can read.” When he heard about the Sight Into Sound program, he was hooked.

According to Executive Director Kari Musgrove the program has been available in the Houston area since 1967 and was an outgrowth of the Library of Congress “Talking Books” program.

She notes that the service is available either live or with recorded programs 7 days a week, 24 hours a day and 365 days a year. “Christmas, New Years, July Fourth, we’re always here,” she says.



“Jerry is an incredibly dedicated, sincere and caring individual. We know that we can always count on him even on days when someone else calls in sick, Jerry has made himself available to fill in.”

“You can tell, in the recording or the live broadcast, when the reader really cares about what he is doing. Jerry has loyal listeners who appreciate his effort.”

The organization, which is supported solely by private donations, is always looking for help, although potential volunteers are asked to do an in-studio recording as a tryout. “You really have to have a talent for it,” Musgrove says because people need to be able to understand what you are saying.

“Most of our readers are retired or just work part time, but Jerry is one of the few who also works full time and still fits us into his schedule,” she points out.

Musgrove does not know exactly how many people listen but says they have given out over 3,000 receivers and many people listen online. Recently the agency expanded to the Austin market via the internet. “We haven’t started full local content for Austin, but we are working on it,” she adds.

Many of the station’s clients have not been blind from birth, but have developed visual or physical disabilities as they age and count on the daily reading of the newspaper for much of their information.

“We know it, because all we have to do is leave out a score from the Astros or Texans, and the phones light up. Many of the people we serve are elderly and isolated, but we give them information so they can keep in touch with the world,” she says.

Mitchell says he has no preference for pre-recording versus live work, but admits that taping allows him to correct mistakes when he reads *Discover*. He notes that he was assigned the magazine to read and does not consider himself a science buff. “I spend a lot of time on Google, looking up pronunciations,” he adds.

Some of the articles are very visual and Mitchell says they are just not “doable on radio” but most of the time he can describe pictures for his listeners and make it understandable.

As technology improves, Mitchell says he bristles at suggestions that computers will replace human readers. “They might be able to read the words, but there is no way they can convey the emotion and connect with an audience, the way human readers can. That’s what keeps me going – the human connection and feedback,” he says.

Like the notes taped to his bathroom mirror.

FULKERSON LOTZ PARTNERS PRESENT ON CUTTING EDGE TOPICS



SMART APPS AND THE LAW:

It is no surprise that technology continues to change the practice of law and a recent CLE presentation by Wesley Lotz highlighted the many applications that are now available to lawyers. Entitled “Smart Apps

for the Mobile Texas Lawyer,” the presentation focused on the top 20 applications designed for lawyers with an emphasis on Texas content and user-friendly tools for trial lawyers. The December 3, 2015 talk for the HBA Law Practice Management Section showcased some of the ways attorneys can improve productivity, organization, and overall performance in their practice. The presentation can be reviewed at <http://fulkersonlotz.com/documents/Wes-Lotz-Presentation.pdf>.



DRAFTING SHAREHOLDER AGREEMENTS:

Tom Fulkerson spoke on the ramification(s) of *Ritchie v. Rupe* for office practitioners and litigators. In November, Fulkerson and corporate transactional specialist Amy Moss of

Chamberlain Hrdlicka, presented: “Drafting Shareholders’ Agreements in a Post-*Ritchie v. Rupe* World” on behalf of the State Bar of Texas Seminar on Advanced Business Law, explaining the most useful next steps for both litigation and transactional attorneys. The presentation can be reviewed at <http://fulkersonlotz.com/documents/Tom-Fulkerson-Presentation.pdf>.



NAVIGATING NEW FEDERAL RULES:

Jerry Mitchell directed a CLE forum on the intricacies of the ever-changing rules in federal cases. The December 15, 2015 talk was entitled “What Have You Done To Me Lately?: Navigating The New Federal Rules” and was

presented on behalf of *Driven, Inc.*, an eDiscovery solutions company. Mitchell identified the intricacies of the ever-evolving federal rules and discussed the “fuss” about what some call the “most extensive suite of amendments in more than two decades.” The presentation can be reviewed at <http://fulkersonlotz.com/documents/Jerry-Mitchell-Presentation.pdf>.



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