



Litigation Section The Mississippi Bar E-Newsletter

JANUARY 2009

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Comments Requested on Potential Mississippi Legislation *Uniform Interstate Depositions and Discovery Act*

The Executive Committee of the Litigation Section recently received a request for comments on the Uniform Interstate Depositions and Discovery Act. The Uniform Interstate Depositions and Discovery Act may be introduced in both the Mississippi House of Representatives and Mississippi Senate for consideration for passage in the 2009 Regular Session. Lawmakers would like to receive comments on the Act from our Section. The Executive Committee asks Litigation Sections Members to review the language of the Uniform Interstate Depositions and Discovery Act as drafted by the National Conference of Commissioners on Uniform State Laws and respond with comments.

You may review the Uniform Interstate Depositions and Discovery Act at http://www.law.upenn.edu/bll/archives/ulc/iddda/2007act_final.htm

Based on the calendar deadline in the Legislature, any comments should be submitted no later than Wednesday, January 28.

Please send your comments to René Garner at rgarner@msbar.org.

Litigation Section Executive Committee:



Cal Mayo, Chair
Kyle Moran, Vice-Chair
Grant Bennett, Secretary/Treasurer
Hon. Dan Jordan, Past Chair
Doug Minor, Executive Committee
Brooke Newman, Executive Committee
Ted Connell, Executive Committee
René Garner, Section Coordinator

The Commonwealth of Massachusetts v. Roy Smith: Lessons in Trial Advocacy

The Litigation Section hosted *The Commonwealth of Massachusetts v. Roy Smith: Lessons in Trial Advocacy* on Friday, January 16, 2009, at the Oxford Conference Center in Oxford, Mississippi. Noted author John Grisham participated in the mock trial CLE and played the part of the notorious Boston Strangler, Albert DeSalvo. Over 220 people attended the CLE event that was approved for 7.5 CLE hours. Proceeds will benefit the Mississippi Innocence Project.

Sebastian Junger chronicled the story of Roy Smith in his book, "A Death in Belmont," and provided his research papers to prepare the mock trial materials. Seminar faculty presented valuable lessons in trial advocacy by demonstrating and instructing those in attendance in the areas of opening statements, direct and cross-examinations and closing arguments.

Those participating in the mock trial included:

Seminar Faculty

Prosecution

Opening

Orlando Richmond

Butler Snow O'Mara Stevens & Cannada, Jackson

Examinations of Israel Goldberg and Dr. David Dow

Jack Dunbar

Holcomb Dunbar, Oxford

Cross-Examinations of Roy Smith and Albert DeSalvo

Steve Thomas

Bradley Arant Boulton Cummings LLP, Jackson

Closing

Rob McDuff

Attorney at Law, Jackson

Defense

Opening

Cynthia Speetjens

Attorney at Law, Madison

Cross-Examinations of Israel Goldberg and Dr. David Dow

Charlie Merkel

Merkel & Cocke, Clarksdale

Examinations of Roy Smith and Albert DeSalvo

Kathy Nester

Office of the Federal Public Defender, Jackson

Closing

Joe Sam Owen

Owen Galloway & Myers, Gulfport

Witnesses

Israel Goldberg — Al Povall, Attorney at Law, Oxford

Dr. David Dow — Dr. Henry Sullivant, Ruch Clinic, Memphis

Roy Smith — Clarence Webster, Bradley Arant Boulton Cummings LLP, Jackson

Albert DeSalvo — John Grisham, Author, Charlottesville

Tucker Carrington, Director of the Mississippi Innocence Project at the University of Mississippi School of Law, presented the ethics hour section. His discussion focused on the potential conflicts between an attorney's ethical obligations and the prohibitions against using race and gender as factors in jury selection.