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Marshall Co. Jury Returns \$15 Million Dollar Verdict for M&B Client in Wrongful Death Case

This case arose out of a murder that took place on August 15, 2003, in the north Alabama town of Grant (Marshall County). Verlon LeMaster, the Chief of Police of Grant, received a tip that two 17 year old boys, who had been reported as runaways, were located at a particular house in Grant. Chief LeMaster and three other officers relying on this tip, proceed to this house to pick them up. One of the runaways was Brian Alan Butler, who was also wanted on a misdemeanor marijuana charge.

When the officers arrived, the Chief went to the front door and an adult female confirmed the boys were at home. So the Chief and another officer entered the home. The female called out to the boys to come out from a back bedroom, but they did not come out. So the Chief and one other officer went to the back bedroom where the two boys were located. The evidence at trial revealed that the Chief walked into the room and Mr. Butler was standing in the closet doorway and the Chief, whose gun was still

in his holster said, "Come on son, let's go." At that point in time, Mr. Butler raised a gun and fatally shot Chief LeMaster in the head. Equally alarming, the occupants of the house knew the boys had .45 cal pistols and had made threats to shoot the police if they came to pick them up, despite these threats the occupants of the house never warned Chief LeMaster he was walking into an ambush. The verdict in this case was against Brian Alan Butler. Mr. Butler has already been convicted of capital murder and was serving a prison sentence of life without parole, but the LeMaster family felt strongly that Mr. Butler should also be punished civilly as well. After, a two day trial before Marshall County Circuit Court Judge Tim Jolley, the jury returned a \$15 million dollar wrongful death verdict in favor of the Estate of Verlon LeMaster.

Plaintiff's counsel were George Beason and Morris Lilienthal of Martinson and Beason, P.C.

Trick or treat? Enjoy Halloween with a safe costume



Halloween is coming, and your children are no doubt excited by the prospect of dressing up as their favorite animal, superhero, or celebrity. But as a parent it's your responsibility to be sure they're safe as they walk from house to house trick-or-treating in their costumes. Keep these tips and precautions in mind:

costumes. Keep these tips and precautions in mind:

- **Flame retardant materials are a must.** Check the label on any costume you buy from a store. If you're making your child's outfit, use only synthetic, flame-retardant fabrics.
- **Try costumes on before the big night.** This gives you time to make any alterations necessary. You want the costume to be loose enough for your children to wear a sweater on a chilly night, but not so baggy that

they'll trip, or snag an arm or leg. Be careful of capes that might drag or trip a child.

- **Don't blend into the dark.** A bright, colorful costume is best, but if your child is determined to dress as Batman or the Grim Reaper, a few strips of reflective tape will help him or her show up more effectively in streetlights and car headlights.
- **Avoid bulky masks.** Makeup is usually better than a mask, as long as it's nontoxic and doesn't contain anything likely to cause an allergic reaction. Masks that are difficult to remove quickly can be hazardous in an emergency. If your child insists on a mask, make sure the ear, nose, and mouth openings are wide enough for him or her to see and breathe easily.
- **Wear comfortable shoes.** You don't want your little princess stumbling over high heels. Children walking door to door (accompanied by you or another adult, of course) should wear sneakers or some other reasonable footwear.

Elizabeth Beason Moore Takes Over As Huntsville-Madison County Bar President

We are proud to announce that M&B attorney Elizabeth Beason Moore has recently assumed her duties as the new President of the Huntsville-Madison County, Alabama Bar Association. Here are a few comments from Elizabeth about the Huntsville-Madison County Bar Association and its goals for the upcoming year.

The new year for the Huntsville-Madison County Bar Association is officially underway. The Executive Committee of the bar has set many goals for this year. These range from continuing past projects such as supporting the Madison County Volunteer Lawyers Program, providing Christmas gifts to underprivileged children, planning and implementing free continuing education programs for its members to implementing a new committee on legal professionalism. Better communication among members and with the public is another goal set for the 2011-2012 Bar year. Communication is essential for the growing number of members to accomplish the mission of the Bar Association.

Madison County is fortunate to have a bar association with over 600 members who are involved with various civic and community endeavors. This year these lawyers will be busy with the practice of law, church work, community work and thankfully with bar association committee work. The Bylaws of the bar association states that the objects and purpose of the association is "to maintain the honor and dignity of the profession of the law; to cultivate the science of jurisprudence; to promote and encourage reform in the law; to regulate the practice of the law; and to increase its usefulness in promoting the due administration of justice; and to cultivate and cherish the spirits of brotherhood and social intercourse among its members." I believe the members are not only successful in accomplishing the mission of the bar association, but also in giving of their time and talent in public service and charitable works.

Growing Up with the Martinsons

By George M. Beason, Jr.

My first recollection of seeing the Martinson brothers, Doug and Pat, was around 1950 when I lived on Pratt Avenue in Huntsville, Alabama. I remember walking over to McCullough Avenue and seeing them with some other kids riding an old motorcycle. Since that day, their family has been a big part of my life and my family's life.

Soon after meeting the Martinsons, my family moved to Auburn where my father attended Pharmacy school. He graduated in 1953 and we moved back to Huntsville. By 1954 the Martinson family and my family had moved to Thornton Acres, a new subdivision behind Parkway City shopping center where we lived a couple of houses from each other and our families became close friends. And since that time, I have collected hundreds of fond memories that have led to Doug and I being great partners and friends.

It seemed like from the get go Pat Martinson, Doug's younger brother, and I were always getting into mischief. Pat and I played "pee wee" football together and on game days we used to walk over to Mr. Martinson's (Doug's father) law office in the Uptown Building and drop our football equipment over the rail in the stairwell to just to see how much noise it would make. Pat and I also played high school football together at Huntsville High School. Once we put a liniment called "Heat" all over ourselves and went to bed at our respective houses. About 2:00 a.m. Mrs. Martinson called my house and asked my Mother if I was burning, that Pat had been up for hours. The moment my Mother asked me if I was burning, I jumped out of bed and got into the shower which only made it worse. We certainly never did that again!

On one occasion Pat and I were campaigning for Senator Jim Allen in Hurricane Valley (between New Market and Gurley) and on the drive home, the road was dark and wet. Pat was driving until suddenly we noticed the road stopped. We had to go either right or left, but that was impossible. Pat attempted to stop or turn, but that was impossible and we totaled the car. It was pretty amazing that neither of us were hurt, because a 1959 Ford Falcon didn't have seatbelts.

When I decided to attend law school, Doug and his father got me the required recommendations. When I decided to join the FBI in 1969, Doug and his father gave me a great reference. And after serving in the FBI in Iowa and Ohio for a few years, Doug called me and convinced me to leave the FBI, return home, and start practicing law. Doug and I have been working together since 1972. We have a great time together, we complement each other, and we're good friends. I truly believe that our friendship and our personalities have been the foundation of some really good legal work. And the bond between each other and our families that was created 60 years ago will allow us to continue our successes.

RECIPE OF THE MONTH HOT CORN DIP (GREAT FOR GAME DAY)

By Kathryn Martinson, Wife of M&B Attorney Doug Martinson, Sr.

INGREDIENTS:

- 2 - Cans of Mexicorn
- 1 - 8 oz. Jar of mayonnaise
- 1 - 8 oz. Sour cream
- 2 - Cups shredded sharp cheddar cheese

DIRECTIONS:

- Mix & place in baking dish
- Bake @ 350° for about 30 minutes or until bubbly; Scoop with Fritos

* SPICY – add a can of chopped green chilies or jalapenos



How To Protect Your Identity - a 3 Part Series

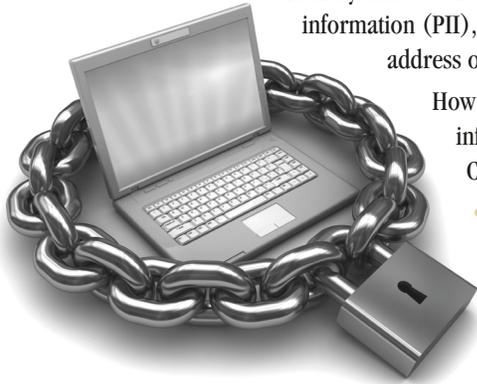
PART 1: How to deter identity theft.

Identity theft is a serious crime across the state of Alabama. In fact, in 2010, Alabama ranked number 15 for the number of identity theft complaints made to the Federal Trade Commission.

Identity theft occurs when someone steals your personal identifying information (PII), such as your Social Security number, date of birth, address or financial account information.

How do identity thieves steal your personal identifying information? Identity theft can be a low-tech crime. Criminals can obtain your PII by:

- Stealing records while they're on the job (doctor's office or bank employees)
- Bribing an employee who has access to your records
- Stealing your mail or trash
- Hacking your computer



Identity thieves may use your personal identifying information to commit fraud, like opening an account in your name or making unauthorized charges on your credit or debit card. Victims of identity theft often spend months or years trying to clear their name with their creditors and credit reporting agencies, such as Equifax, Experian and Trans Union. Additionally, victims of identity theft may lose job opportunities, be refused loans for school, housing, or cars. In some cases, victims may even get arrested for crimes they did not commit!

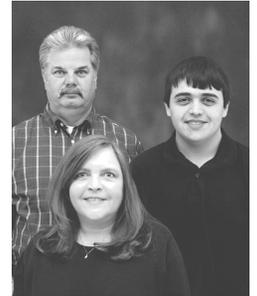
Here are tips on how you can deter an identity thief:

1. Obtain your credit report from Equifax, Experian and Trans Union, at least once a year by calling 1-877-322-8228 or mailing your written request to Credit Report Request Service, PO Box 105281, Atlanta, Georgia 30348-5271. **Call or e-mail us for a free credit report request form.**
2. Shred financial documents and paperwork with personal identifying information before you discard them.
3. Protect your Social Security number. Don't give out your Social Security number and do not write it on your checks.
4. Don't give out your personal identifying information over the telephone, internet or mail, unless you know who you are dealing with.
5. Never click on links sent in unsolicited e-mails. Use firewalls and anti-spam software to protect your home computer from phishing scams and computer viruses.
6. Don't use obvious passwords, such as your name, date of birth or last four digits of your Social Security number.

Martinson & Beason Employee Spotlight

Alicia Smith

Prior to moving back home and then joining Martinson and Beason in 1999, Alicia previously lived in Fayetteville, NC.



Alicia worked in the banking industry for twelve years before dedicating herself to the legal field and her banking experience provided her knowledge and skills that have made her an invaluable asset to the M&B team. During her twelve year tenure at M&B, Alicia has primarily worked as the legal assistant to George M. Beason, Jr.

Alicia is married to Tony Smith and has a son Jonathon Holguin and a daughter Kimberly Smith. Tony is the service manager for an apartment complex. Jonathon is a freshman at UAH studying engineering. Kimberly lives in Cartersville, Georgia. During her free time Alicia enjoys reading and spending time with her family.

Referrals

We want you to think of us as your law firm. If you have a legal matter that needs attention, let us know. If we can't handle the matter, we will refer you to a firm that can. Please feel free to refer us to your friends and family for their legal needs. A referral from a former client or friend is the greatest compliment our firm can receive. We welcome the opportunity to help. Thank you!

Client's Bill of Rights

Lawyers will tell you that it is impossible to offer a guarantee in the legal business. **WRONG!** We say that law firm clients should settle for nothing less! Remember, your attorney works for you – not the other way around.

At Martinson & Beason we believe we can promise our clients quality service with personal attention. We believe that as our client you are entitled to have the:

1. Right to loyalty to you and your cause.
2. Right to be updated regularly and in a timely manner as to the progress of your case.
3. Right to our respect.
4. Right to expect competence from our firm and all who work here.
5. Right to know the truth about your case.
6. Right to prompt attention from us.
7. Right to have your legal rights and options explained in plain English without legal mumbo jumbo.
8. Right to a fair written fee agreement with our firm.
9. Right to a fair fee for the work we do.
10. Right to make the ultimate decision on your case.



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2011 SEC FOOTBALL SCHEDULE GRID

Dates and Matchups for all SEC Football Games for the 2011 SEC Season

2011 SEC Schedule Grid	Sept 3	Sept 10	Sept 17	Sept 24	Oct 1	Oct 8	Oct 15	Oct 22	Oct 29	Nov 5	Nov 12	Nov 19	Nov 26
Alabama Crimson Tide	Kent St	@PennSt	N Texas	ARK	@UF	VAN	@OM	UT	OPEN	LSU	@MSU	GaSou	@AUB
Arkansas Razorbacks	MO St	NMexico	Troy	@BAMA	TexA&M	AUB	OPEN	@OM	@VAN	SC	UT	MSU	@LSU
Auburn Tigers	Utah St	MSU	@Clemson	FlaAtl	@SC	@ARK	UF	@LSU	OM	OPEN	@UGA	Samford	BAMA
LSU Tigers	Oregon	NW St	@MSU	@WVir	UK	UF	@UT	AUB	OPEN	@BAMA	WKen	@OM	ARK
MSU Bulldogs	@Memphis	@AUB	LSU	LaTech	@UGA	@UAB	SC	OPEN	@UK	UTMartin	BAMA	@ARK	OM
Ole Miss Rebels	BYU	SIllinois	@VAN	UGA	@Fresno	OPEN	BAMA	ARK	@AUB	@UK	LaTech	LSU	@MSU
Florida Gators	FlaAtl	UAB	UT	@UK	BAMA	@LSU	@AUB	OPEN	UGA	VAN	@SC	Furman	FSU
Georgia Bulldogs	Boise St	SC	CoastCar	@OM	MSU	@UT	@VAN	OPEN	@UF	NMexSt	AUB	UK	@GTech
Kentucky Wildcats	WKen	CMich	Louisville	UF	@LSU	@SC	OPEN	JvilleSt	MSU	OM	@VAN	@UGA	UT
South Carolina Gamecocks	ECarolina	@UGA	Navy	VAN	AUB	UK	@MSU	OPEN	@UT	@ARK	UF	Citadel	Clem
Tennessee Volunteers	Montana	Cincy	@UF	OPEN	Buffalo	UGA	LSU	@BAMA	SC	MTenn	@ARK	VAN	@UK
Vanderbilt Commodores	Elon	UConn	OM	@SC	OPEN	@BAMA	UGA	Army	ARK	@UF	UK	@UT	@Wake

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BBB Rating: A+



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