



October 2008

Vol. 25, No. 10

# THE DICTA

## The Docket

- October 7 (Tuesday)  
DAYL Aid to the Homeless Committee Meeting  
Noon, Belo Mansion
- October 8 (Wednesday)  
DAYL Judiciary Committee Meeting  
Noon, Belo Mansion
- October 8 (Wednesday)  
DAYL Annual Meeting  
6:00 p.m., Belo Mansion
- October 10 (Friday)  
DAYL Environmental Awareness Committee Meeting  
Noon, Belo Mansion
- October 14 (Tuesday)  
DAYL Equal Access to Justice Committee Meeting  
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- October 16 (Thursday)  
DAYL Criminal Bar Happy Hour  
5:30 p.m., Blue Collar Bar
- October 17 (Friday)  
DAYL Healthy Cooking Class  
Noon, Sur La Table
- October 17 (Friday)  
DAYL Electronics Recycling Drive  
Ends at 2:00 p.m., Belo Mansion
- October 20 (Monday)  
DAYL Foundation Board of Trustees Meeting  
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- October 21 (Tuesday)  
DAYL Elder Law Committee Meeting  
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- October 23 (Thursday)  
DAYL Dinner with the Judiciary  
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- October 24 (Friday)  
DAYL CLE Program - *Family Abuse: Linking Domestic Violence and Animal Abuse*  
Noon, Belo Mansion
- October 25 (Saturday)  
DAYL Midnight Recess: Monster Mayhem  
9:00 p.m., The Magnolia Hotel
- October 29 (Wednesday)  
DAYL CLE - Ethical Marketing for the Solo & Small Firm Practitioner  
5:00 p.m., The Palm
- October 30 (Thursday)  
DAYL Social  
6:00 p.m., Sambuca
- October 31 (Friday)  
DAYL Wellness Fair  
7:30 a.m. - 2:00 p.m., Belo Mansion

## October Social Sizzles at Sambuca

**J**oin DAYL at **Sambuca** up-town on **Thursday, October 30** between 6:00 – 8:00 p.m. for the next DAYL Social. Sambuca is located at 2120 McKinney Avenue. The cost is only \$3 for DAYL members and \$5 for non-members, and includes heavy hors d'oeuvres and two drink tickets.

The October Social is sponsored by **Merrill Legal Solutions**. Merrill Legal Solutions expertly solves their clients' litigation support and document management challenges with a full suite of effective tools supported by responsive, efficient professionals. Their solutions range from forensic data acquisition through discovery review, depositions and trial presentation.

### FREE HEALTHY COOKING CLASS

Friday, October 17, 12:00 p.m. - 1:30 p.m. at Sur La Table

Are you trying to eat healthier? Are you struggling to find healthy recipes that actually taste good? We have the solution for you! Join the DAYL Wellness Committee for a free healthy cooking class. Food, good company, aprons and non-alcoholic beverages are provided. Space is extremely limited and is only open to DAYL members.

RSVP to Cherie Harris at [cherieh@dayl.com](mailto:cherieh@dayl.com) by October 10.

This event is made possible by a grant from the Texas Young Lawyers Association

## Beyond the Elmo: Using Technology Effectively In the Courtroom

**T**he DAYL Annual Dinner with the Judiciary will be held on **Thursday, October 23**, beginning at 5:45 p.m. with a cash bar reception with the judge. The CLE program will begin at 6:45 p.m.

Renowned trial lawyers **Mark Lanier** and **Lisa Blue** will present their techniques for effective use of technology in the courtroom. If you've ever wondered how to make "duty, breach, cause, and harm" interesting, exciting and even (gasp!) fun, Mark Lanier and Lisa Blue have perfected the art of courtroom persuasion by creatively bringing the facts and the law to life. Prime time television creates an image of courtroom drama that seldom exists, but Mark Lanier and Lisa Blue will

share "outside the box" tips to help deliver the show that juries have come to expect and that judges are certain to find refreshingly persuasive.

This program is expected to receive 1.0 hour CLE credit and all local criminal, family, and civil judges have been invited. The fee is \$45 per person or \$400 for a group of ten (with recognition in our program). Payment (payable to DAYL) must be received by **Monday, October 20**, and should be sent to **Cherie Harris**, DAYL Executive Director, 2101 Ross Avenue, Dallas Texas 75201. Contact Cherie ([cherieh@dayl.com](mailto:cherieh@dayl.com) or 214-220-7420) for more information.

Special thanks to **Deloitte Financial Advisory Services** and **Equivalent Data** for their sponsorship of this event.



In appreciation and support of the young lawyers of Dallas, THOMSON WEST helps bring *The Dicta* to you.

# THE DICTA

Chip Brooker, *Editor*

Published monthly by the  
DALLAS ASSOCIATION OF YOUNG LAWYERS  
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Dallas, Texas 75201  
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Copy Deadline for November Issue:

**October 10, 2008**

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*The views expressed in The Dicta do not necessarily reflect the views of the Dallas Association of Young Lawyers.*

## From the President

# DAYL Does Its Part to End Domestic Violence



Karen D. McCloud

October is Domestic Violence Awareness Month. Domestic Violence Awareness Month was first observed in October 1981. It provides an opportunity for organizations, communities and individuals to host local, state and national activities in memory of those who died as a result of domestic violence, and to celebrate those who survive, as well as linking those who work daily to end domestic violence.

In observance of Domestic Violence Awareness Month, the DAYL Animal Welfare Committee will host a CLE entitled: "Family Practice: What Every Lawyer Should Know about the Relationship between Domestic Violence and Animal Cruelty," to be held at noon on October 24, 2008, at the Belo Mansion. During this 1 hour CLE, **Judge Rob Cañas**, Dallas County Criminal Court No. 10, and **Yolanda Eisenstein**, Dallas Animal Law Attorney, will explore the well-established relationship between domestic violence and animal cruelty. They will also explain this relationship and why it is important for the legal community to recognize and address animal cruelty in domestic violence cases.

According to The Humane Society of the United States ("HSUS"), batterers threaten, abuse, or kill animals to demonstrate power and control over the family and to eliminate competition for attention. HSUS also found that threatening, injuring, and killing animals can indicate the potential for increased violence or lethality. Therefore, identifying animal abusers can help identify potential abusers and other victims of violence within the family.

DAYL's efforts to reduce the occurrence of domestic violence against women and children are not limited to October. Throughout the year, the DAYL Lawyers Against Domestic Violence Committee did its part to assist women and children of domestic violence to safely escape their abusers. In the Spring, the Committee collected women's and children's clothes/shoes and cell phones to donate to a local shelter. Just before the 2008-2009 school year began, the Committee held a school supply drive. They collected money and purchased school supplies for Genesis and Family Place. A special thank you goes to Zelle Larson, which gave \$2,500 towards the event as they have the last few years, and to all the other contributors and law firms who made a financial donation for an extremely worthy cause.

DAYL will continue to do its part to end domestic violence against women and children in Dallas. Please do yours!

## DBA/DAYL New Member Reception Mardi Gras Style

Thursday, November 20  
5:30 p.m. – 7:30 p.m.

Free food and drinks.  
RSVP to Cherie Harris  
([cherieh@dayl.com](mailto:cherieh@dayl.com))

## DAYL ONE TO WATCH

**Alex Geczi** has been selected as the October 2008 DAYL One to Watch! To find out why, visit [www.dayl.com](http://www.dayl.com).

# Dallas Mayor Tom Leppert to Speak at DAYL Foundation Annual Luncheon

by Cheryl Camin

**T**he Fellows of the DAYL Foundation proudly presents Dallas Mayor **Tom Leppert** as its keynote speaker at the DAYL Foundation Fellows Annual Luncheon. The Luncheon will take place at 11:30 a.m. on **Monday, November 17** at the Belo Mansion.

During the luncheon, the DAYL Foundation Award of Excellence will be awarded to a Fellow of the DAYL Foundation who has made a positive impact on the Dallas community outside of his or her work in the legal profession. The recipient will exemplify the charitable image of attorneys, which the DAYL Foundation desires to recognize

and promote.

The Award Committee is currently accepting applications. The Nomination Form must be received no later than 5:00 p.m. on **October 17, 2008**. Please direct any questions to **Cheryl S. Camin**, Chair, DAYL Foundation Fellows Award of Excellence Committee at 214.855.8307 or [ccamin@fulbright.com](mailto:ccamin@fulbright.com).

Tickets to the DAYL Foundation Annual Luncheon are \$30/per person and payment should be made by **November 12**. Contact **Cherie Harris** at [cherieh@dayl.com](mailto:cherieh@dayl.com) or send payment (payable to the DAYL Foundation) to Cherie Harris, DAYL Foundation, 2101 Ross Avenue, Dallas Texas 75201.



Dallas Association  
of Young Lawyers

Midnight Recess: Monster Mayhem

Saturday, October 25, 2008

9:00 p.m.

The Magnolia Hotel, Dallas

Open Bar, Food, DJ and Dancing, Costume Contest, Psychic  
\$30 in advance; \$40 at the door (student rate \$10 less)

Contact Cherie Harris ([cherieh@dayl.com](mailto:cherieh@dayl.com)) to inquire about tickets  
or pay via paypal at [dayl@dayl.com](mailto:dayl@dayl.com)

DAYL encourages attendees to stay overnight at  
the Magnolia Hotel. Call 1.888.915.1110 for information.

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# Freedom Runs Through Dallas City Hall

by Jason Jobe

**T**he 8th Annual Freedom Run 5K and Bill Carollo One Mile Walk was held on September 11, 2008, in the Dallas City Hall Plaza. Thanks to the participation of over 3,000 runners, walkers, volunteers and spectators, this year's event was one of the most memorable and successful yet.

As part of the opening ceremonies, **Detective David Rodriguez** and **Rob Crain** were presented with Freedom Awards, honoring their years of dedication to the Dallas Assist the Officer Foundation and the Freedom Run. There was a moving tribute to **Senior Cpl. Victor Lozada**, who was tragically killed in February while serving our community, followed by a moment of silence in remembrance of Sr. Cpl. Lozada, all first responders and military lost in the line of duty, and the victims of 9/11. The opening ceremonies included a procession by the Dallas Metro Police Pipes and Drums, the Presentation of Colors by the Dallas Police Department Color Guard, the performance of the National Anthem by the Dallas

Police Choir and a fly-over by the Dallas Police Department's Air One.

Following the opening ceremonies, the streets filled with participants running and walking the Freedom Run course through downtown Dallas, across the Trinity River and back to the Dallas City Hall Plaza. Following the race those in attendance were treated to a concert by **Petty Theft**.

For the second consecutive year, **Clint Bell** of Dallas, TX was the overall winner and top male 5K finisher and **Molly Tucker** of Southlake, TX was the top female 5K finisher. The winner of the Freedom Run Corporate Team Challenge was **Akin Gump Strauss Hauer & Feld**, followed by **Gardere Wynne Sewell, LLP** in second place, and **Locke Lord Bissell & Liddell #2** in third place.

In January, the Freedom Run committee will present a check to the Assist the Officer Foundation at the Dallas Police Association's annual Cop's Cop Banquet. The success of this year's Freedom Run was not possible without the help of many committee members and volunteers. The Freedom Run co-chairs, **Clay Scheitzach**, **Ken Riney**, **Bill**

**Gardner** and **Jason Jobe**, would like to especially thank the following individuals for their significant contributions to the success of the 8th Annual Freedom Run: **Sarah Hodges**, **Christina Perrone**, **Jason Toon**, **Brad Holdbrook**, **Donald and Dre**, **DAYL Barristers for Babies Committee**, **Tom Popken** and **Frederick Frazier** of the **Assist the Officer Foundation**, **Lewis George** of **Mellow Productions**, **Cherie Harris**, DAYL Executive Director, and **Karen McCloud**, DAYL President.

The Freedom Run would also like to thank its Premier Level Sponsors: **Equivalent Data**; **Greenberg Traurig**; **AON**; **Luke's Locker**; **The Ticket**; **Bracewell & Guiliani**; **Dasani**; **DART**; **Quick**; and **Tom Thumb**. The Freedom Run also thanks its Freedom Level Sponsors: **Thompson & Knight**; **Brusniak Blackwell, PC**; **Baker Botts, LLP**; **Fulbright & Jaworski, LLP**; **Deloitte**; **FTI Consulting**, **Akin Gump Strauss Hauer & Feld, LLP**, **Sam Wyly**, **McKool Smith**, **Coca-Cola** and **Quik Trip**; and all corporate teams involved in this year's event.





## Stay Healthy with the DAYL Wellness Committee

The DAYL Wellness Committee is teaming up with Baylor Hamilton Heart and Vascular Hospital to host a Wellness Fair with complimentary services on October 31 from 7:30 a.m. to 2:00 p.m. at the Belo Mansion. Baylor Hamilton Heart and Vascular Hospital will provide the following services at no charge to you.

- Glucose/cholesterol screenings
- Blood pressure check
- Healthy cooking information
- General wellness information
- Nutrition guidance

If you would like to participate, please arrive with an empty stomach. We also encourage you to donate blood during the DBA's annual Blood Drive on that same day. RSVP and/or direct any questions to Cherie Harris (214.220.7420 or [cherieh@dayl.com](mailto:cherieh@dayl.com)). This event is made possible by a grant from the Texas Young Lawyers Association.

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# DAYL Goes Public and Shares Its Legal Knowledge

by John I. Goodwin

**O**n Saturday, September 13, 2008, the DAYL Ask-A-Lawyer Committee, in conjunction with the Dallas Volunteer Attorney Program/Legal Aid of Northwest Texas ("DVAP"), answered legal questions for members of the public at the Richardson Public Library. Despite inclement weather, a large turnout of approximately fifty-five people participated.

Ask-A-Lawyer Committee members and DVAP attorneys with diverse prac-

tice backgrounds answered questions on a broad range of legal topics, including personal injury, copyright, divorce, internet, child custody, criminal, and estate planning law. Where more extensive legal help was needed, the attorneys referred individuals to private practice attorneys, legal clinics, or legal aid organizations.

The Ask-A-Lawyer Committee attorneys participating in this program were **Andrew Gilbert** (Committee Co-Chair), **John Goodwin**, **Tessy Ortiz**, **Karen McCloud** (DAYL President), and **Paul**

**Vigushin** (Committee Co-Chair). They were joined by **Kristen Salas**, an attorney with DVAP. The Richardson Public Library promoted and provided space for the event.

Because of the overwhelming interest in the program, the Ask-A-Lawyer Committee is looking forward to sponsoring this *pro bono* event again next year. DAYL appreciates the generous contributions of time and resources by members of the Ask-A-Lawyer Committee, DVAP, and the Richardson Public Library.



Volunteer attorneys answered legal question for the public at the DAYL Ask-A-Lawyer event in September.



(l to r) John Goodwin, Kristin Salas, Paul Vigushin, Karen McCloud, and Andrew Gilbert.

## Family Practice: The Relationship Between Domestic Violence and Animal Cruelty

**O**n **Friday, October 24**, the DAYL Animal Welfare and Lawyers Against Domestic Violence Committees will present a one-hour CLE to explore the well-established relationship between domestic violence and animal cruelty.

**Judge Rob Cañas**, Dallas County Criminal Court No. 10, and **Yolanda Eisenstein**, Dallas Animal Law Attorney, will explain this relationship and why it is import for the legal community to recognize and address animal cruelty in domestic violence cases. Issues to be covered include a review of the current statutory and case law on animal cruelty and domestic violence; ways in which protection for victims can be enhanced; and spe-

cific steps lawyers can take to include animal abuse in their cases.

Lawyers will leave with a copy of the presentation, a list of local resources, and sample motions and orders. The presentation will also include guidance on the specific ethical issues related to serving clients who are victims of domestic violence and animal cruelty. The discussion will include confidentiality considerations; balancing the interests of the children, the victim, and the pet; and ethical issues in working with other agencies in providing support to victims.

There is no charge to attend this CLE program. RSVP to **Cherie Harris** (cherieh@dayl.com).

The DAYL Solo & Small Firm Committee Presents

Ethical Marketing for the Solo & Small Firm Practitioner

October 29, 2008 at 5:00 p.m.  
(with social hour to follow)  
The Palm, 701 Ross Avenue

Successful attorneys Steve Palmer and Barry Sorrels, forensic accountant and certified fraud examiner Steve Thomas, and certified public accountant Kirby Jackson will discuss ethical marketing for solo and small firm practitioners.

1.0 hour CLE credit is pending.  
For more information or to RSVP contact Brian Garlitz at [brian@garlitzbell.com](mailto:brian@garlitzbell.com).



## e-Recycling Drive: Find Your Old Electronics a New Home!

by Christy Fields

**C**lean out those old electronics from your offices, closets and storage rooms, and help reduce environmental contamination in the process! The Environmental Awareness Committee has partnered with ARC International Corporation to host its first annual e-Recycling Drive between 9:00 a.m. and 5:00 p.m. on **Thursday, October 16** and from **9:00 a.m. and 2:00 p.m. on Friday, October 17, 2008**.

The Committee needs volunteers from every law firm across the Metroplex to collect old electronic items from both the firms and the attorneys and staff serving those firms. In particular, we are asking volunteers to collect the following: monitors, computers and accessories, speakers, laptops, servers, hard drives, power supplies, printers, scanners, fax machines, digital cameras, cell phones and PDAs, VCR, DVD and CD players, UPS batteries, and cell phone and laptop batteries.

**At this time, we are NOT collecting televisions of any kind.** If you have a television to recycle, or you are not able

to participate in the drive, or to obtain more information about how you can prevent these items from contaminating our communities, please go to [www.earth911.org/electronics/](http://www.earth911.org/electronics/), [www.nrdc.org](http://www.nrdc.org), [www.epa.gov/e-cycling/donate.htm](http://www.epa.gov/e-cycling/donate.htm).



The DAYL Environmental Awareness Committee organizes recycling efforts at the 2008 Freedom Run.

As law firms grow and new technologies emerge, many of the items listed above become obsolete and are dis-

carded, ending up in local landfills. All of these items contain toxic materials, such as nickel and cadmium in batteries and lead, nickel, and beryllium in cell phones.

Please help the Committee keep these items out of our local landfills by participating in the e-Recycling Drive. President John F. Kennedy once said, "It is our task in our time and in our generation to hand down undiminished to those who come after us, as was handed down to us by those who went before, the natural wealth and beauty which is ours." Please help us conform to this important ideal by participating in the drive.

Volunteers should bring all e-recycling items to the Belo Mansion during the hours specified. The drop off spot will be in the Locke Purnell Room. If you would like to volunteer to be the collection point person at your firm or company, or if you would like more information regarding the e-Recycling Drive, please contact **Heiko E. Burow** at [heiko.e.burow@bakernet.com](mailto:heiko.e.burow@bakernet.com) or **Christy Fields** at [cfields@pcallp.com](mailto:cfields@pcallp.com).

## Calling All Pet Lovers to Play with Shelter Dogs and Cats for the Day

by Tanya Oliveira

**H**elp the DAYL Animal Welfare Committee celebrate its Fall Adoption Event. The Dallas Animal Services recently opened its new Animal Shelter on Westmoreland, and the Animal Welfare Committee is hosting this event to help showcase the brand new facility that houses dozens of cats and dogs, many of which were rescued from Hurricanes Ike and Gustav, who need a home.

In recognition of the National Animal Shelter Appreciation Week, we are coordinating the adoption event on Saturday **Novem-**

**ber, 8, 2008** from 10:00 a.m. to 4:00 p.m. at the Animal Services Shelter at 1818 North Westmoreland.

The goal is to generate pet friendly traffic to help clear the shelter. We need volunteers to help people adopt pets like Bonnie and Bella Star that need loving and deserving homes. If you want to adopt a pet, please visit [www.dallascityhall.com/code\\_compliance/for\\_adoption.html](http://www.dallascityhall.com/code_compliance/for_adoption.html).

The cost of adopting a pet through Dallas Animal Services is \$55 for a cat and \$85 for a dog. If you live in the City of Dallas, you will also need to register your new pet for \$7 a pet.

In conjunction with the DAYL Animal Welfare Committee adoption event, Animal Services will be offering microchipping services at the discounted rate of \$15 a pet.

If you are interested in volunteering please contact **Shelby Bobosky** at [shelby@drinnonlaw.com](mailto:shelby@drinnonlaw.com).



Bella Star is a 1.5 year old Pug/Sheppard Mix. She is a sweet girl that is housebroken, loves other dogs and car rides.

# A Whole New World of Texas Mandamus Practice

by Heather Bailey New

**T**he last four years has seen a significant relaxation of mandamus standards, culminating in the Texas Supreme Court's recent decision in *In re McAllen Medical Center*, No. 05-0892, 2008 WL 4051053 (Tex. Aug. 29, 2008) (op. on reh.). In taking the next step in its development of Texas mandamus law, the Court prompted Justice Wainwright to break into song in his dissent, quoting "A Whole New World" from Disney's *Aladdin*. 2008 WL 2069837, \*11 (May 16, 2008). As the dissent explains, this "whole new world" of mandamus practice abandons the decades-old precept that delay and expense alone will not justify mandamus review.

First, the basics. Parties must ordinarily wait until final judgment to appeal adverse pre-trial rulings. However, immediate review is available by mandamus if the trial court's order is a clear abuse of discretion and there is no adequate remedy on appeal. *Walker v. Packer*, 827 S.W.2d 833, 839 (Tex. 1992). Under the traditional *Walker* standard, if a party's only beef was that it would be expensive or time-consuming to wait for appeal, its mandamus petition would be promptly denied. In fact, the Supreme Court granted on average only 5% of the mandamus petitions filed from 2000 through 2004.

In 2004, however, Texas practitioners got a glimpse of a new-world kind of mandamus practice when the Court outlined a new balancing test for determining whether appellate review is adequate. According to *In re Prudential Ins. Co. of Am.*, 148 S.W.3d 124 (Tex. 2004), "[a]n appellate remedy is "adequate" when any benefits to mandamus review are outweighed by the detriments." In the years following *Prudential*, the Court's grant rate for petitions for review skyrocketed to 22%, a 450% increase over the prior five years.

The Court's recent decision in

*McAllen* further confirms the Court's willingness to use mandamus as a necessary tool to remedy significant errors or abuses that might otherwise go uncorrected. The Court provided a useful analogy, explaining: "Appellate courts cannot afford to grant interlocutory review of every claim that a trial court has made a pre-trial mistake. But we cannot afford to ignore them all either. Like "instant replay" review now so common in major sports, some calls are so important—and so likely to change a contest's outcome—that the inevitable delay of interim review is nevertheless worth the wait." *Id.* at \*1. Texas litigants—like armchair quarterbacks—must await immediate review to make sure that the right call was made.

*McAllen* involved a challenge to the adequacy of expert reports in a medical malpractice case under former article 4590i. Under that statute, a plaintiff must serve an expert report 180 days after filing suit. The trial court refused to rule on the Hospital's objections to the reports for four years, and then finally denied them altogether. The Supreme Court concluded that the Hospital did not have an adequate remedy by appeal and granted mandamus review. *Id.* at \*5. (Litigants now have an automatic right to interlocutory appeal under the statute. TCRP § 51.014(a)(9)-(10)).

While the Court based its decision in part on the fact that denying mandamus would frustrate the legislative purpose behind the statute, the most significant part of the opinion is the Court's focus on the trouble and expense of an ordinary appeal. The majority explained that mandamus relief is available when "the very act of proceeding to trial—regardless of the outcome—would defeat the substantive right involved." 2008 WL 4051053, \*3. Focusing on efficiency, the Court viewed man-

damus as a necessary means to ensure confidence in the system. "[I]nsisting on a wasted trial simply so that it can be reversed and tried all over again creates the appearance not that the courts are doing justice, but that they don't know what they are doing. Sitting on our hands while unnecessary costs mount up contributes to public complaints that the civil justice system is expensive and outmoded." *Id.*, \*4.

The dissent would have held that *Prudential*, still tethered to *Walker*, marked the outer bounds of appellate court mandamus jurisdiction. It stated that the majority's opinion "signals a new mandamus jurisprudence not tied to the check against reviewing incidental trial court rulings," thereby "jettisoning the well-established precept that delay and expense alone do not justify mandamus review." 2008 WL 2069837, \*11, \*12.

*McAllen* may very well represent a whole new world of mandamus practice. Now more than ever, if your client is unhappy with a trial court ruling, consider seeking mandamus.

*Heather Bailey New is a senior attorney in the appellate section of Haynes and Boone, LLP.*

## DAYL Annual Meeting

The DAYL Annual Meeting will be held on Wednesday, **October 8, 2008** beginning at 6:00 p.m. at the Belo Mansion. The purpose of the meeting is to accept and receive nominations for Officers and Directors for the 2009 bar year. If you are interested in running for a position on the 2009 DAYL Board of Directors, you should contact **Cherie Harris** (cherieh@dayl.com).

Committee Co-chair positions are also available for 2009. For information, contact **Cherie Harris** or **Dena DeNooyer Stroh** (dstroh@ccsb.com).

## The Law Reviewers

# No Holla for Sala

by Michael Anderson and Anthony Lowenberg, *Los Revisors de Ley*

**E**verywhere you go, people are talking about change. And we don't just mean politicians and the guy in front of the 7 Eleven. But change isn't always a good thing, and change just for the sake of it can make things worse. We reviewed Amuse, in the South Side on Lamar neighborhood, a while back and thought it was a refreshing addition to a hot new area of town. Unfortunately, the owners recently decided to re-purpose **Amuse as Sala** (1326 S. Lamar, 214-428-7300, [www.salatextmex.com](http://www.salatextmex.com)), a Tex Mex place with a twist, but it doesn't look like they've changed much other than the food and the paint on the outside. And when you're changing to a Tex Mex place in Dallas, that isn't really all that much of a change now, is it?

Still located in the safest building in Dallas, across from the Dallas police headquarters, Sala's exterior is a stark yellow-white color that doctors recommend you not stare directly at for too long or you'll risk eye damage. The interior still has the same modern chic look, but now with 75% more salsa. You get two complimentary salsas and chips at your table. One tasted suspiciously like the tomato salsa tapenade that used to be served at Amuse that we were fond of, and the other was a smoky to-

mato-chipotle salsa that was subtly spicy. The menu is fairly standard Tex Mex with the aforementioned twist being hot and cold wraps, which are not to be confused with burritos (apparently, the only difference between the two is the ratio of lettuce to other ingredients inside the tortilla). Still, the menu allows you to combine your favorite Tex Mex items and salsas in just about any combination you want, including the zen-like one-item combo, which led us to ponder the eternal question of what is the sound of a one-item combo clapping?

On to the comida! The half order of guacamole (\$6.55) tasted cold, as if just retrieved from the refrigerator; other than its chilly nature, it lacked any refreshing elements that have come to make up "gourmet" guacamole, meaning there were no other discernible flavors other than the fresh avocado. Forming one half of the two item combo (\$10.95), the pork tamale was smothered in a chunky tomato salsa, but unfortunately both the tamale and the salsa were a little bland. The queso-covered chicken enchilada in the combo was a cut above your standard Velveeta-drenched Tex Mex fare, and sometimes that Velveeta-drenched Tex Mex fare is exactly what you want, especially for a quick Friday lunch. The sides were your standard Tex Mex rice

'n refried beans. On the not-so-traditional side of things, we had the cold chicken fajita salad wrap (\$8.95), which was stuffed with shredded chicken, lettuce and other crunchy veggies, and a tangy sauce. And by tangy sauce, we mean really salty sauce. Between the salt and the salsa, enough Diet Coke went down the gullet to make some afternoon meetings back at the office a really unpleasant affair (except for those precious 5 minutes after returning from each trip to the water closet). The "wrap" part of the wrap was disappointingly not a traditional corn or flour tortilla, but one of those orange-brown sandwich wrap dealy-mabobs that you would get at a food court sandwich shop.

Sala makes a decent local Tex Mex option that's easier to get to from downtown than some of the better places in Uptown. But, this town has plenty of decent options that are both quicker at lunch and easier on the wallet. In its prior incarnation as Amuse, it actually offered something interesting and different. Sadly, now it's just more of (less than) the same. So, on our useful change gavel scale, where five gavels is getting an extra twenty spot back from the Texas Stadium vendor and one gavel is New Coke, we give Sala two and one quarter gavels. Hasta luego, muchachos!

## Free Happy Hour At the Blue Collar Bar

**T**he DAYL Criminal Bar Involvement Committee and the Dallas Criminal Defense Lawyers Association (DCDLA) are having a combined happy hour on **Thursday, October 16** at **The Blue Collar Bar** beginning at 5:30 p.m.

There will be free hors d'oeuvres and free admission for attorneys and judges, and free drinks for attorneys and judges while supplies last. The Blue Collar Bar is located at 1924 N. Henderson Ave., Dallas, TX 75206. It is a brand new establishment located at the northwest corner of Henderson & McMillan - a block west

of the intersection of Henderson & Ross. The Blue Collar Bar is 1 mile east of Central on Henderson. It's located just west of Louie's and across the street from both Barcadia and the Slip Inn. There should be plenty of parking or if not - free valet.

It will be a great time to socialize and network so come join us for this once-a-year event and don't forget to drink responsibly, and don't drive while intoxicated! For additional information, please contact **Cherie Harris** ([cherieh@dayl.com](mailto:cherieh@dayl.com)). This happy hour is open to all lawyers and judges.

The Judicial Council Forum for the Dallas county judicial races will be held on **Monday, October 6, 2008** from 6:00 - 8:00 p.m. at the Belo Mansion.

The event is co-sponsored by the DBA Judiciary Committee, DAYL, DAABA, DHBA, JL Turner Association, and the DBA Public Forum Committee, and will feature all 18 candidates from the 9 local judicial races (3 Dallas Court of Appeals, 3 Civil District Court, 3 Criminal District Court).

For additional information or to RSVP for the event, contact Kathryn Tarangioli ([ktarangioli@dallasbar.org](mailto:ktarangioli@dallasbar.org)).

**Dallas Association of Young Lawyers**  
**2101 Ross Avenue**  
**Dallas Texas 75201**

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**Announcements**

**Christina Melton Crain** has had the Texas Department of Criminal Justice (TDCJ) Gatesville Unit renamed the "Christina Melton Crain Unit" in honor of her service as the first female Chairman of the Texas Board of Criminal Justice.

**Sheri Crosby**, formerly of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, has joined the firm of Taber Estes Thorne & Carr PLLC where she will continue to practice employment law and commercial litigation. She can be reached at [scrosby@taberestes.com](mailto:scrosby@taberestes.com).

**Kendal B. Reed**, formerly of Sedgwick, Detert, Moran & Arnold, LLP, has joined The Law Offices of Anderson & Jones, PLLC. He can be reached at [kendalr@andersonjoneslaw.com](mailto:kendalr@andersonjoneslaw.com).

Kelly and **Todd Donohue** (Baker Botts) are proud to announce the birth of Carsen Ann Donohue, who was born on September 12, 2008.

**Leslie Starr Barrows** has relocated The Barrows Firm, P.C., to 211 E. Southlake Blvd., Suite 101, Southlake, Texas 76092. Her office phone number is (817) 481.1583.



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