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March 13, 2014

Ms. Anne M. Smith
State Bar of Michigan
306 Townsend Street
Lansing, MI 48933-2012

Dear Ms. Smith:

Re: Michael Franck Award Nomination - Julie I. Fershtman

After review of the criteria for the Michael Franck Award, it has become evident that a member of our firm meets and exceeds that standard. Therefore, I nominate, and my colleagues endorse, Julie Fershtman for her dedication to empowering women lawyers, young lawyers, and solo and small firm practitioners to succeed in the practice of law.

Julie has achieved a great deal in her 27-year career, with books, articles, speaking engagements, bar association involvements, and an extensive corporate and individual clientele. All of that, alone, does not make her deserving of the Michael Franck Award. What especially makes her deserving is that she uses her success to advance others in the profession and is deeply committed to helping others learn from her experiences. For example, she was the first State Bar President and the second in the nation to develop a presidential blog, www.sbmpres2012.com, which she used to share her travels and spotlight achievements of lawyers and groups around the country. The blog has generated over 75,000 hits.

In addition, as a lawyer who spent 17 years of her career as a small firm/solo practitioner serving insurance company clients, she has tremendous credibility with small firm and solo practitioners when she speaks on legal marketing and leadership. She encourages lawyers to "dream big," strive for excellence, and to aim for a law practice that matches their unique interests. She also encourages bar association involvement as an essential component of a successful law career. As a lawyer who actively supports others, she consistently encourages other lawyers to do the same. In her presentations to women lawyers, for example, she advances the clear message that women should support deserving lawyers (especially women) for lawyer ratings like avvo.com, Martindale Hubbell, and publications like Super Lawyers as a way of helping women have a greater presence in these services and publications.

Ms. Anne M. Smith
State Bar of Michigan
March 6, 2014
Page 2

In the 1990s, Julie developed a niche practice of Equine Law, which is hardly a typical practice area for a suburban Detroit-area lawyer. Still, she has succeeded and has earned a national reputation as one of the nation's top lawyers in the field. Her peers in the American College of Equine Attorneys invited her to become an officer. She has written books, hundreds of articles, and has spoken in 28 states on equine law, insurance, contracts, liability, and risk management. She has tried cases before juries in four states and has been *pro hac vice* counsel in 12 jurisdictions. For her work in this area of the law and for her contributions to equestrian safety organizations, she has received awards from state and national industry groups.

Julie has triumphed over personal adversity, most recently when she battled breast cancer that was diagnosed just two weeks into her State Bar presidency. She remained active in her travels, writing, speaking, and public appearances with such intensity that few knew about it until she went public months later. Using her situation as an opportunity to encourage women to visit their doctors, Julie made known her ordeal as seen in this article - <http://www.legalnews.com/macomb/1281810>. Julie's positive impact on others in our profession continues to this day as she counsels others affected by this disease.

Julie Fershtman meets and exceeds the criteria for the 2014 Michael Franck Award because she has made consistent, creative, and dedicated efforts to improve the profession. She would be a worthy recipient.

Respectfully submitted,

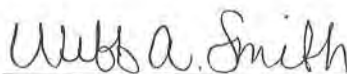


Frank Harrison Reynolds - P29917

Endorsers of this nomination are:



Thomas R. TerMaat - P52682



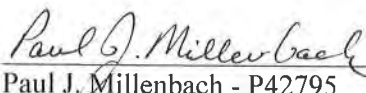
Webb A. Smith - P20718



Liza Catherine Moore - P72240



Ray Harold Littleton, II - P69733



Paul J. Millenbach - P42795



Ida Rose Farhat, ACP - LA3425

FHR:vlb

Attachments

cc: Thomas R. TerMaat
Ray H. Littleton, II
Webb A. Smith
Paul J. Millenbach
Liza C. Moore
Ida Rose Farhat, ACP

**2014 State Bar of Michigan Representative Assembly
Michael Franck Award Nomination**

Nominee: Julie I. Fershtman - P39282

Statement of Merits

Julie has made an outstanding contribution to the improvement of the legal profession in several ways:

First, as we all know, Julie has been extensively involved in the State Bar of Michigan and served as its President for 2011-2012. During her term, she led the bar tirelessly, spoke to bar associations state-wide, and promoted State Bar services that offer particular benefit to solo and small firm practitioners (such as the free resources offered by the State Bar's Practice Management Resource Center). To be sure, the Michael Franck Award is not a "past-president" award, but it does honor people who, like the late Michael Franck, understand the role of bar associations as a way of communicating with and helping members of our profession succeed. Before, during, and after her presidency, Julie has done this.

Second, Julie was the fifth female president in the State Bar's 79-year history and used her State Bar leadership to help advance women in the profession. A few weeks before her State Bar presidency began, she wrote a section for an ABA book that focused on women lawyers who took risks and formed their own law practices. The book is called The Road to Independence. Of the 100 authors, the ABA selected Julie to share her personal suggestions for women's success on a panel at the 2011 ABA Annual Meeting and later in an ABA national teleconference. While president-elect and planning for her presidency, she made a personal effort beyond the usual State Bar mailings to single out women and solo practitioners, and groups serving them, to join committees and sections. She appointed substantial numbers of women and solo practitioners to leadership positions in the State Bar.

Third, another example of Julie's dedication to women in our profession, one of her Michigan Bar Journal President's Pages was entitled "Be Bold: Overcoming the Glass Ceiling in Michigan's Legal Profession." A copy of her column is attached. Her words to "be bold" resonated with lawyers and law students. One student, in fact, wrote a message of thanks to Julie and explained how her words encouraged her to take a bold career risk that ultimately paid off. A copy of that law student's e-mail is attached.

Fourth, after Julie's State Bar presidency ended, she developed a unique, empowering presentation designed to help women lawyers improve their lawyer ratings and image and took it "on the road." She presented it to bar associations across Michigan such as the Kent County and Macomb County regions of the Women Lawyers Association of Michigan and at the WLAM 2013 Annual Meeting. Julie was inspired to create the program after receiving a statistic from Martindale-Hubbell that *less than 5%* of women lawyers have achieved its "AV" rating. Her program was designed to improve that statistic. Other bar associations, encouraged by the program, invited her to share it last year, and she presented it for the State Bar of Michigan

General Practice – Solo and Small Firm Section and the State Bar of Michigan Young Lawyers Section.

Fifth, Julie has actively supported young lawyers and women lawyers through mentoring. She mentors dozens of people, and when not helping them one-on-one by phone or at lunch, is known to bring her mentees to bar association events to introduce them to as many lawyers and judges as she can. So supportive is she of the State Bar of Michigan's new "Mentor Center" that she accepted 10 invitations received through it from potential new mentees. She often buys and sends copies of her favorite ABA book on "rainmaking" to lawyers who are starting new practices. The SBM Young Lawyers Section invited Julie to write an article on lawyer leadership for its newsletter, Inter Alia, which she did; the article is entitled "Learning to Lead: Personal Observations of a Former YLS Chair and SBM President" in which she advocates for personal integrity, supporting others, finding role models, and setting high goals. A copy of this article is attached. She is in such high demand with the State Bar of Michigan Young Lawyers Section (YLS), which she chaired 19 years ago, that it invited her to speak at its Diversity Conference in May 2013 and its Summit Conference in June 2013. The year before, she delivered a keynote address on leadership for lawyers at the YLS Summit.

Be Bold, Be Wiser

Overcoming the Glass Ceiling in Michigan's Legal Profession



Julie I. Fershtman

Women have entered the Michigan legal profession in greater numbers than ever, but despite this fact, they occupy a small percentage of leadership positions in businesses, law firms, and bar associations. Many dispute the existence of a "glass ceiling" in our profession that blocks women from greater advancement. In my opinion, however, national and state statistics make it all too clear. To help women overcome the glass ceiling and achieve more professionally, I offer encouragement, resources, and a personal challenge.

The Emergence of Women in Our Profession

Women compose a substantial portion of State Bar membership. Currently, 34.4 percent of all active SBM members are female, and that percentage should increase yearly. In 1970, women comprised only 2.3 percent of new SBM members. In 2011, the percentage of new members who were female was 42 percent.¹

Barriers to Women's Progress

Although the percentage of women within the State Bar member ranks has grown steadily and substantially, women have not kept up with their male counterparts in partnership, pay, and power. Those who have studied the issue on state and national levels have identified examples of how women have failed to progress. Here are a few of them.

The Wage Gap

Statistics show that female lawyers in private practice in Michigan earn less than their male counterparts. In his January 2012 report *Legal Economics Realities: Trends Based on Findings from Historic and Current State Bar*

of Michigan Economics of Law Practice Surveys,² Lawrence Stiffman of the Applied Statistics Laboratory discussed trends in Michigan's legal profession. He wrote:

Several trends, beyond probable excess supply and selected areas of weakened demand, appear to maintain downward pressure on real (inflation adjusted) incomes. Attorney income has stagnated for three decades. A "new normal" seems to include: (1) ongoing feminization of the ranks of attorneys, especially among non-private practitioners, (2) the persistency of glass ceiling-type income gender gaps...³

Stiffman's report analyzed the State Bar of Michigan's Economics of Law Practice Survey over 30 years. Evaluating the median reported income of male and female attorneys, Stiffman reported that income rose steadily for female private practitioners until a peak in 2006, after which their income dropped.⁴ In addition, looking only at 2010 economic data, he reported that women attorneys appeared to earn 67 cents for every dollar earned by their male counterparts—the same wage gap he found in 1996.⁵ When taking into account nonprivate practitioners, the wage gap narrowed to 87 cents on the dollar.⁶

Women Leaving Firms in Disproportionate Numbers

Women have left law firm employment in greater numbers than men. A 2007 report titled *Advancing Women in the Profession: Action Plans for Women's Bar Associations*⁷ took into account several unspecified studies and observed:

The numbers in several recent surveys add to and confirm a too familiar story: women enter law firms in numbers equal to those of their male peers, but leave the firms in numbers far higher than those of men. They also appear in very low numbers in law firm leadership positions.⁸

Fewer Female Equity Partners

National statistics suggest that women lag far behind men in their promotion to equity partnerships within law firms. A 2011 study by the National Association of Women Lawyers tracked the professional progress of women in 200 of the nation's largest law firms and found that women lawyers account for "barely 15 percent" of equity partners, a figure that has remained unchanged since the survey began in 2006.⁹

Although the percentage of women within the State Bar member ranks has grown steadily and substantially, women have not kept up with their male counterparts in partnership, pay, and power.

Fewer Women Leaders at State and National Levels

With greater numbers of women in the legal profession, one might expect a corresponding increase in women serving as bar leaders. That does not appear to be the case. I am only the fifth woman president in the State Bar of Michigan's 77-year history. Of the State Bar's 37 sections, only 14 are chaired by women. In the State Bar Representative Assembly, which began in the early 1970s, one-third of its chairs have been female.

A leadership void has been observed on a national level as well. Only four women have served as American Bar Association president, with the fifth to be sworn in later this year. Last month, the ABA Commission on Women in the Profession issued its Goal III report, which reported that the percentage of women section and division chairs was in a "significant" downward trend, from 32.1 percent in 2008–2009 and 2009–2010 and 39.3 percent in 2010–2011 to 28.6 percent in 2011–2012.¹⁰

Female Staff Attorneys

Women frequently occupy nonpartnership positions within law firms. A National Association of Women Lawyers Foundation survey reported that women hold 55 percent of staff attorney positions at law firms—ones that typically offer little chance for advancement.¹¹ The survey also reported that attorneys occupying those positions were often 10- to 20-year practitioners who arguably could have pursued and occupied partnership track positions.¹²

Declining Numbers of Women Entering the Profession

Studies even suggest that the number of women in our profession might be declining. State Bar member statistics show that in 2007, 47.8 percent of new active members were women. In 2011, the number dropped to 42 percent.

What the State Bar is Doing

The State Bar has undertaken several efforts to help women succeed.

Diversity and Inclusion Advisory Committee

The Bar's Diversity and Inclusion Advisory Committee, co-chaired by Hon. Victoria A. Roberts and Thomas M. Cooley Law School Associate Dean John R. Nussbaumer, has been developing a database of best practices within law firms and businesses with the goal of sharing the information for others to consider and implement as appropriate. For example, the committee is seeking policies designed to facilitate employees' alternative or flexible work schedules, particularly to accommodate those with primary caregiving responsibilities for children, aging parents, or other personal commitments that pose challenges to the traditional billable-hour model. The committee expects to release its information later this year.

Practice Management Resource Center

All Michigan lawyers seeking to improve their practice management and business development skills should visit the State Bar's Practice Management Resource Center (PMRC), which offers numerous resources on client relations, technology, marketing, financial management, and more. With the assistance of the new PMRC Advisory Committee, the PMRC will further expand its content as the year progresses.

Diversity Within Committee Leadership

Currently, State Bar committee leaders are composed of nearly equal numbers of men and women. Of the Bar's 39 committees, 20 are chaired by men and 19 by women. This is due in no small part to conscious efforts of State Bar presidents like me and my predecessors to emphasize diversity in committee appointments. The Bar has also encouraged section and committee signatories to the State Bar's diversity pledge to consider diversity within their internal committee assignments.

Promoting Women's Leadership

This April, the Michigan State University College of Law is scheduled to conduct a symposium titled "Gender and the Legal

Profession's Pipeline to Power." Its website describes the event's scope and purpose as follows:

Today, although women represent one-third of the nation's highest judicial body, equality has not been achieved. Women lawyers remain significantly underrepresented in major leadership roles, comprise only 6 percent of managing partners in law firms, and hold less than 15 percent of equity partnerships. Fewer than 20 percent of general counsels for Fortune 500 companies, barely 20 percent of law school deans, and only one-third of law review editors-in-chief are women.

The ceiling may be shattered, but the pipeline to power remains elusive for most women. This symposium serves as a catalyst to raise awareness about, discuss the dynamics of, and strategize solutions to the persistent gender disparity that exists in positions of power within the legal profession. Scholars and experts from the fields of law, gender studies, political science, journalism, and beyond will reframe and advance the course of existing dialogue on gender equality.

The State Bar will have a meaningful presence at this important event. I will be joined by State Bar Executive Director Janet Welch and the three living female past presidents of the State Bar on a panel regarding women in bar leadership.

My Personal Challenge

Women can achieve greater success and satisfaction within our profession if they want it. They can become leaders. I offer these personal challenges to encourage women's achievement and to help overcome the glass ceiling:

- I challenge women to seriously consider becoming involved in bar association activities. The State Bar offers numerous opportunities as do local organizations such as county or special-purpose bar associations. Seek out these groups for friendship, personal referral networking, continuing legal education, as a source for mentors, and to overcome the isolation associated with law practice. You will benefit as an individual and as a lawyer.

- I challenge women's bar associations such as the Women Lawyers Association of Michigan and its regional affiliates to continue developing programs devoted to business development for women lawyers. The WLAM Wayne Region's "Leadership Skills Series" is a shining example.
- I challenge young lawyers to take the initiative to seek out mentors they know professionally through their firm or through business or bar activities. The right mentor will help you succeed and you will benefit from his or her experience.
- I challenge and encourage more "seasoned" practitioners to mentor younger lawyers in a meaningful way by being accessible and offering guidance, support, and constructive criticism.
- I challenge everyone to help women lawyers succeed. Consider referring business to qualified female lawyers.

- I challenge female private practitioners to be *bold*—to be willing to take risks and not be afraid to seek out more business or opportunities.
- Finally, I challenge Michigan lawyers to promote civility in all that we do. In these difficult economic times, we compete for business and occasionally find ourselves as adversaries. But we can succeed together. Please help make this a profession of which we can be proud. ■

FOOTNOTES

1. State Bar of Michigan member database statistics.
2. Stiffman, *Legal Economics Realities: Trends Based on Findings from Historic and Current State Bar of Michigan Economics of Law Practice Surveys* (January 2012), available at <<http://www.michbar.org/journal/pdf/trendreport.pdf>>. All websites cited in this article were accessed February 21, 2012.

3. *Id.* at 1.
4. *Id.* at 12.
5. *Id.* at 13.
6. *Id.*
7. *Advancing Women in the Profession: Action Plans for Women's Bar Associations* (Conference Report 2007), available at <http://web.mit.edu/workplacecenter/docs/advncwomen_10-07.pdf>.
8. *Id.* at 4.
9. The National Association of Women Lawyers and the NAWL Foundation, *Report of the Sixth Annual National Survey on Retention and Promotion of Women in Law Firms* (October 2011), p 2, available at <<http://nawl.limberlakepublishing.com/files/NAWL%202011%20Annual%20Survey%20Report%20FINAL%20Publication-ready%2011-9-11.pdf>>.
10. ABA Commission on Women in the Profession, *Goal III Report* (February 2012), p 6, available at <http://www.americanbar.org/content/dam/aba/administrative/women/2012_goal3_women.aulhcheckdam.pdf>.
11. The National Association of Women Lawyers, n 9 *supra*.
12. *Id.*

Learning to Lead

Personal Observations of a Former YLS Chair and SBM President

By Julie I. Fershtman

I served as the 2011-2012 president of the State Bar of Michigan, but I have never forgotten what it was like to be a young lawyer. Back in the mid 1990s, I “aged out” of the SBM Young Lawyers Section after serving as its chair.

Last June, I was honored to return to the YLS as luncheon keynote speaker during the YLS Annual Summit in Detroit. As I prepared my remarks, I thought back to the many speeches I’d heard from bar leaders over the past two decades. My remarks addressed what I would have wanted to know when I was a young lawyer. The following are most of my remarks on “learning to lead” that I shared at the YLS Summit. I hope you find some of them useful through the years ahead.

- **Get out of your office and home and make an effort to meet others.** Bar Association meetings and special-interest meetings (even your local Rotary Club or community organization) provide excellent opportunities for personal and professional development, and they bring together people with a common purpose and mission. For me, my involvement on the YLS Executive Council in the late 1980s started the spark that led to decades of service in bar association activities at the state, local, and national levels. I have made lifelong friends and helped make a difference for young lawyers, my community, and my profession.
- **Integrity is everything—make it your life.** In business and in association activities, people look up to others who are reliable, detail-oriented, honest, direct, sincere, dedicated, and hard-working. Work hard to develop a solid reputation as someone who can be counted on to get the job done well every time. And be willing to decline opportunities when you cannot give them your best effort.
- **Don’t waver in your value of integrity, even if it’s unpopular.** Back in the mid-’90s, when I chaired the YLS, we had a sizeable budget and spent a considerable portion of it sending members of the Executive Council to ABA meetings all over the country. All we asked in return was that attendees show up for meetings and the ABA/Young Lawyers Division assemblies. One member, however, traveled to an ABA meeting but was nowhere to be found after the first hour. Upon our return, I called a “hearing” for the purpose of addressing denial of his reimbursement. His reimbursement was denied. This was unpopular, and some deemed it unduly harsh. But I would do it again today to reaffirm to everyone that the benefits of our leadership come with responsibilities.
- **Listen more than you talk.** People hate a “hard sell.” As a rainmaker and bar leader, I’ve made a conscious effort to let others talk and to listen carefully. Your effectiveness, I believe, actually increases as a result. When you listen more than you talk, you may find that others will truly listen to what you have to say.

Discover your interests, and you’ll look forward to attending meetings and working with others on positive things. When you genuinely care about the activity, group, or mission, you’ll gravitate to leadership naturally.

Continued on next page

- **Set goals—as high as you care to set them—and work steadily to achieve them.** What are your goals? Complete a service project? Speak at a continuing legal education conference? Have your article published in a popular magazine or website? Run for an officer position in the YLS? Try to set monthly and yearly goals to keep yourself on track. Keep persisting, even through setbacks. And, above all, be patient.
- **Have a strong support system at home, and never take it for granted.** People have asked me how I've managed to work so hard on bar association and business activities while speaking around the country and writing frequently. The answer, for me, is simple: my supportive husband, Robert Bick (a fellow Michigan lawyer).

Becoming a leader at work, in your community, or in bar associations—or in any setting, for that matter—inevitably means that you will miss plenty of time at home. You will attend evening events and weekend events; you will spend countless hours on conference calls or working on e-mails, reports, and memoranda. In my opinion, you really cannot lead without a supportive spouse or partner. Never forget to thank him/her.

- **Find role models.** Seek out role models every step of the way for their traits, styles, or skills that you admire. Through the years, I have had several role models whom I met through bar association activities. Some became my personal mentors, but others I've simply admired and learned from by watching. My role models over the years tended to be people who had a good sense of humor, were articulate, had a laser-sharp focus, were task driven, had their egos in check, and were always supportive of others. Role models I've always looked up to have included Hon. Al Butzbaugh, Hon. Victoria Roberts,

the late Kim Cahill, the late Hon. Marty Doctoroff, Janet Welch, and Hon. Wendy Potts. Maybe it's no surprise that they've all been bar leaders.

- **Support others, and remember that there's room at the top for all of us.** In my opinion, leaders don't necessarily call attention to themselves but, rather, use their success to help elevate others. I've never forgotten the kind letter I received from a State Bar president several years ago when I was a YLS officer congratulating me because he'd read my name in the news.

Congratulate the successes of those you know with a quick e-mail, phone call, or posting on your Facebook or LinkedIn status. Encourage people whom you respect to run for leadership positions. Nominate others to receive awards; over the years, I nominated two lawyers for prestigious State Bar awards; both received the awards, yet neither knew that I nominated them. Freely offer sincere compliments. By making these efforts, you are, in a way, demonstrating your own leadership. Also, your efforts, regardless of how small, can make a huge difference in someone's career and life.

About the Author

Julie I. Fershtman is a shareholder at Foster, Swift, Collins & Smith, P.C., in its Farmington Hills office. She served as the 2011-2012 president of the State Bar of Michigan and served as chair of the Young Lawyers Section in 1995-1996 and chair of the Representative Assembly from 2001-2012. She is also a past officer of the Oakland County Bar Association and a vice chair of a committee of the ABA. She has spoken in 27 states, written over 200 published articles, written 2 books, and contributed to 4 ABA books. She is married to Robert Bick, a lawyer, and they have a 15-year-old daughter.

From: Kathleen Hennessy <kathennessy@gmail.com>
Sent: Friday, April 05, 2013 12:36 PM
To: Fershtman, Julie
Subject: Women In Law Leadership Council - Be Bold - Thank you

Dear Julie,

This is Kathleen Hennessy, and I am one of the student directors of the Women in Law Leadership Council at Michigan State University College of Law. I was talking to Janet Welch last week and told her the below story, and she encouraged me to reach out to you. I'm sure you do not remember me, but I heard you speak last April 2012 at a WLLC meeting, where you encouraged us to be bold and to be brave in our professional pursuits.

Your words and personal anecdotes of how you accomplished things few thought were possible (such as having a successful career in a state where you did not go to law school and building a thriving practice around a niche area of law that you love), gave me the courage to take a bold step in my career. That step was to move to DC for the summer without an internship lined up (or place to live for that matter) because I knew that was where I wanted to be to try and gain experience in IP and advertising law. Also, I had worked incredibly hard since January calling organizations and sending out resumes that I refused to accept all that work was done in vain.

I ended up packing up the car, locking up the apartment and taking off for DC with nothing waiting for me except for a corporations class I had registered for at Catholic University Law. Within in a week and a half of moving to DC, I revived two calls from organizations (I had previously spoke with earlier in the semester) stating there had been a change in circumstance and there is an internship opening. I interviewed and accepted both internships - one in DC and one in NYC. In New York City, I worked at the National Advertising Division - which exposed me to the area of advertng ad review and consumer protection I never knew existed, but now love.

I share all of this with you to thank you for sharing your experiences with the WLLC and encouraging us to be bold and brave. When I thought I was crazy (any many others did too) for packing up the car to essentially go nowhere, I just kept telling myself to be brave and be bold. Your words gave me the encouragement and strength I needed to take a risk I knew was right for me.

I would like to invite you to the WLLC Brunch at Dean Howarth's on Saturday, April 13, 2013 from 10:00 a.m. to 12:00 p.m. Janet Welch will be sharing a few words with us. Please let me know if you think you can make it. The address Dean's address is: 2824 Kittansett Drive Okemos, MI 48864.

I look forward to hearing from you. (I do apologize for the length of this email).

Best,

Kat

--

Kathleen Teresa Hennessy
KatHennessy.com

JULIE I. FERSHTMAN
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Areas of Practice	Commercial Litigation, General Insurance Defense, Insurance Coverage, Agricultural Law and Liability, Equine Law, Recreational and Sporting Liability, Contract Disputes,
Bar Admissions	State Bar of Michigan (1986); U.S. District Court, E.D. Mich. (1986) U.S. Court of Appeals, Sixth Circuit (1987); U.S. Dist. Court, W.D. Mich. (1993) U.S. District Court, W.D. Missouri (2001); U.S. Dist. Court, N.D. Illinois (2003, 2011)
Pro Hac Vice Bar Admissions	Marion County, Florida, 5th Circuit Court (7/2001) Adair County, Missouri, Circuit Court (2/2002) Geauga County, Ohio, Court of Common Pleas (7/2002) McLean County, Illinois, Circuit Court (8/2003) Cherokee County, South Carolina, Court of Common Pleas (11/2004) Scott County, Tennessee, Circuit Court (11/2005) U.S. District Court, Northern District of Georgia (8/2006) Lake County, Illinois, Circuit Court (11/2006) Maricopa County, Arizona, Superior Court (4/2007) Superior Court, Judicial Division, Stamford/Norwalk, Connecticut (5/2008) Fayette County, Kentucky, Circuit Court (12/2008) Lucas County, Ohio, Court of Common Pleas (12/2008) Jefferson County (Louisville) Circuit Court, Kentucky (Motion Pending, 2/2014)
Legal Ratings/ Rankings	<i>The Best Lawyers in America, 2013 and 2014</i> (Commercial Litigation, Insurance Law) "Top 50 Women Lawyers" - <i>Michigan Super Lawyers 2013</i> , (Thomson Reuters) "Top 25 Women Business Lawyers" <i>Michigan Super Lawyers 2013</i> (Thomson Reuters) "AV" Rated 5.0/5 - <i>Martindale Hubbell</i> 10.0/10 "Superb" - www.avvo.com
Education	Emory University, B.A., 1983; J.D., 1986 Honors: Ida & Benjamin Alpert Foundation Law School Scholarship Honor Societies: Omicron Delta Kappa; Pi Sigma Alpha; Phi Sigma Tau; Society for Collegiate Journalists <i>Who's Who Among American Law Students</i> (1985, 1986)
Professional Affiliations	American Bar Association (Sections: Tort, Trial & Insurance; Litigation; Law Practice Management) State Bar of Michigan (Sections: Negligence; Law Pract. Mgt.; Ins. & Indemnity; Animal Law) Oakland County Bar Association Detroit Metropolitan Bar Association Association of Defense Trial Counsel Michigan Defense Trial Counsel, Inc. Defense Research Institute, Inc. Michigan Supreme Court Historical Society (Life Member, Director as of 4/2014) Women Lawyers Association of Michigan / Women's Bar Association
Professional Honors	"Leader in the Law" - <i>Michigan Lawyers Weekly</i> (2010) "Woman to Watch" - <i>Crain's Detroit Business</i> (2010) "Michigan Super Lawyer ®" – Top 50 Women Lawyers - <i>Thomson Reuters</i> (2013) "Michigan Super Lawyer ®" – Top 25 Women Business Lawyers - <i>Thomson Reuters</i> (2013) "Michigan Super Lawyer ®" - Civil Litigation Defense - <i>Thomson Reuters</i> (2008-2013) "Respect for Law" Award - Bloomfield Hills Optimist Club (2012) One of Metro Detroit's "Most Influential Women" - <i>Crain's Detroit Business</i> (2007) "40 Under 40" - <i>Crain's Detroit Business</i> (1996)

“Professionalism Award” - Oakland County Bar Association (2000)
Board of Trustees, Michigan State Bar Foundation (9/2003 -)
Fellow, American Bar Foundation (2005 -)
Fellow, Michigan State Bar Foundation (1999 -)
Secretary/Treasurer (2011 -), and Fellow (2008 -), American College of Equine Attorneys
Fellow, Oakland County Bar Foundation (1999 -)
Fellow, Detroit Metropolitan Bar Foundation (2013 -)

Professional Activities

State Bar of Michigan

President (2011-2012)
Chair, Representative Assembly (2001-2002)
Chair, State Bar of Michigan, Young Lawyers Section (1995-96)

Publications in *Michigan Bar Journal*

President’s Pages 2011-2012

Author, "The Michigan Equine Activity Liability Act," *Mich. Bar Journal* (December 2013).

Author, "Motions for Directed Verdict," *Michigan Bar Journal* (July 2013).

American Bar Association

ABA House of Delegates, State Bar of Michigan Delegate (9/2010-8/2012)
Vice-Chair, ABA/TIPS Animal Law Com. (2005 -)(Chair, Insurance Law Subcom., 2006 -)

ABA Publications

ABA Book - Author:

Litigating Animal Law Disputes: A Complete Guide for Lawyers (ABA Publishing, 2009).
[Co-editor/co-author (with Prof. Joan Schaffner)]

ABA Books – Contributor

Road to Independence: 101 Women's Journeys to Starting Their Own Firms (2011),
pp.84-87.

Marketing Success Stories, Second Edition, ABA Publishing (2004), p. 105.

Marketing Success Stories ABA Publishing (1997), p. 161.

ABA-TIPS Law Journal:

Co-author, *Tort Trial & Insurance Practice Law Journal*, “Recent Developments in Animal Tort and Insurance Law (Animal Insurance Law / Equine Tort Law Sections)” for these years: 2006, 2007, 2008, 2009, 2010, and 2014.

ABA-TIPS Committee Newsletters:

Author, *ABA-TIPS Animal Law Committee Newsletter articles:*

Fall 2013, pp. 15, 29 [Connecticut Supreme Court Case]

Spring 2013, pp. 17 [New U.S. Department of Agriculture Regulation]

Fall 2012, pp. 9-12 [Releases and Equine Liability Acts]

Summer 2011, pp. 17-18 [Developments in Equine Liability]

Spring 2011, pp. 5-15 [Liability Releases]

Winter 2010, pp. 9-18 [Insurance "Care, Custody, Control" Coverage]

Spring 2010 [Equine Professional Liability]

Fall 2009, pp. 12-17 [Carriage Horse Liabilities]

Summer 2009, pp. 11-21 [Agister's Lien Laws]

Winter 2009, pp. 11-17 [Equipment Liabilities]

Winter 2007, pp. 10-11 [Exculpatory Agreement Enforceability]

Winter 2007, pp. 15-17 [Loose Livestock Liabilities]

Spring 2006 r, pp. 12-13 [Equine Activity Liability Laws]

Spring 2005, pp. 7-8 [Equine Insurance]

Fall 2005, p. 1 [Equine Insurance]

ABA Speaking Engagements

ABA Annual Meeting, Toronto, Ontario (8/2011)
ABA Annual Meeting, Chicago, Illinois (8/2005)
ABA GP-Solo Section National Webinar (1/25/2012)
ABA Commission on Women in the Profession Panel Disc./Teleconference (10/24/2011)

Oakland County Bar Association

Board of Directors (2001-2008); Secretary (2007-2008)
Professionalism Committee (Charter Member, 1995 -2002; Chair,1998-1999)
Inns of Court Committee (Secretary/Barrister,1995-1999)

Books

Equine Law & Horse Sense (1996), ISBN 0-964-8430-0-5 [5th Printing in 2007] (Sales 8,750+)
MORE Equine Law & Horse Sense (2000), ISBN 0-9648430-1-3 (Sales 4,600+)

Industry Honors

Fellow (2008 -) and Secretary/Treasurer (2011 -), American College of Equine Attorneys
"Distinguished Service Award" – American Youth Horse Council (2013)
"Industry Service Award" – Michigan Equine Partnership (2013)
American Riding Instructors Association - "Partner in Safety" Award (2007)
"Catalyst Award" - Michigan Horse Council (2002)
"Outstanding Achievement Award" - American Riding Instructors Association (1998)
"Associate Service Award" - United Professional Horsemen's Association (1998)
"National Partnership in Safety Award" - Certified Horsemanship Association (1997)

Industry Activities

Planning Committee, University of Kentucky National Conference on Equine Law (1999 -)
Legal Contributor, *The Horse Industry Handbook* (American Youth Horse Council) (2008 -)
Board of Directors, American Youth Horse Council (2003-2007)
Board of Directors, Equestrian Land Conservation Resource (2004-2007)
Advisory Board, Equine Land Conservation Resource (2008 -)
Board of Advisors, Certified Horsemanship Association (2000 -)
Board of Advisors, American Riding Instructors Association (1995 -)
Board of Directors, Michigan Quarter Horse Association (1993-1996)
General Counsel, Michigan Quarter Horse Association (1996 -2011)
Board Member, Markel National Equestrian Safety Board (1995-1997)

Community Activities

Commissioner, Franklin Village Planning Commission (1993-1995)
Appointee, Franklin Village Charter Committee (1993-1994)
Chair, Franklin Municipal/Police Facility Development Committee (1995-1996)
Franklin Community Association (Secretary, 1991-1992; Director, 1989-1991)

Featured In

"Finding the Perfect Niche," *Emory Lawyer Magazine*, Spring 2013, p. 21.
"One Of A Kind: Lawyers Share the Secret To Niche Practice," *Michigan Lawyers Weekly*, January 17, 2011, pp.1,18.
"Equine Lawyers: A Breed Apart," *Lawyers Weekly USA*, March 14, 2005, pp. 14-15.
"Equine Lawyer Represents a New Breed of Clients" *Michigan Lawyers Weekly*, October 18, 2004, p. 1, 28.
ABA "Profiles in the Profession": www.abanet.org/careercounsel/profile/commercial/fershtmanj.html
"Use Good (Horse) Sense When Marketing a Niche Practice," *ABA Inside Practice*, 12/2005, vol. IV, #9.
Emory Lawyer Magazine, Fall 2003, p. 33.
"Successful Niche Practices," *ABA Journal*, May 1997, p. 52.
"The Galloping Lawyer," *Detroit Free Press*, December 9, 1994, pp. 1-2E. [nationally re-printed]
"Riding High," *The Oakland Press*, September 7, 1997, p. A-3.
"Lawyer Clears Liability Hurdles," *Chicago Tribune - Business Section*, January 2, 1995, p.5.
"Successful Niche Practices," *Lawyers Weekly USA*, October 9, 1995, p. B1.
"Galloping to Glory," *Texas Bar Journal*, March 1995, p. 207.
"Profiles/Equine Lawyers," *Horse & Rider*, August 1997, p. 108.

Industry Publications

(Partial List)

Stable Management Magazine (August 2010) [Liability Insurance]
Stable Management Magazine (April 2010) [Raising Rates]
Stable Management Magazine (July 2009) [Spectator/Event Liabilities]
Stable Management Magazine (October 2008) [Independent Trainer Liabilities]
Stable Management Magazine (August 2008) [Boarding Stable Liability]
Stable Management Magazine (June 2008) [Loose Horse Liabilities]

Stable Management Magazine (April 2008) [Collecting Unpaid Board]
Stable Management Magazine (June 2007) [Horse Show liability]
Stable Management Magazine (April 2007) [Recourse for Farrier & Veterinary Negligence]
Stable Management Magazine (June 2006) [Liability Laws]
Stable Management Magazine (April 2006) [Boarding Contracts]
Stable Management Magazine (October 2006) [Veterinary Malpractice]
EQUUS Magazine (May 1998) [Zoning Laws]
EQUUS Magazine (April 1999) [Equine Facility Leases]
EQUUS Magazine (August 1995) [Trainer Liabilities]
American Quarter Horse Journal (January 2011) [Equine Breeding Contracts]
American Quarter Horse Journal (May 1998) [Equine Liability Laws]
American Quarter Horse Journal (November 2003) [Trial Period Arrangements]
Horse Illustrated (July 1997) [Equine Insurance]
Horse Illustrated (May 2000) [Veterinary Malpractice]
Horse Illustrated (September 2000) [Equine Zoning]
Horse Illustrated (August 1995) [Land Use Issues]
Horse Illustrated (November 1994) [Land Use Issues]
Equestrian Medical Safety Association Newsletter, Winter 2009, Vol. XXI, no. 1, pp. 5-6.
AHSA Horse Show Magazine (November 1996) [Liability Laws]
Modern Horse Breeding (October 1994) [Breeding Contracts]
Michael Plumb's Horse Journal (July 1996) [Equine Leases]
Equine Law and Business Letter (September 1992) [Liability Releases]
 Legal Contributor, Hill, *Horse For Sale* (Storey Publishing, 1995)
 Legal Contributor, Pavia, *Horses for Dummies*™ (IDG Books, 1999)
 "Liability Releases," *Boardroom Reports* (June 15, 1992)

Speaking Engagements (Partial List)

- 2014**
 Cooley Law School, Ann Arbor, MI (2/4/2014)
 Oakland County Bar Association, Bloomfield Hills, MI (2/27/2014)
 National Conference on Equine Law, Lexington, KY (5/1/2014)
 Michigan Casualty Association Adjusters Conference, Flint, MI (5/2/2014)
 National Association of Mutual Insurance Companies ("NAMIC"), Indianapolis, IN (7/16/2014)
- 2013**
 Michigan State University College of Law, East Lansing, MI (1/17/2013)
 New York State Bar Association, New York, NY (1/23/2013)
 Washington State Bar Association, Seattle, WA (1/29/2013)
 National Business Institute National Webinar (1/31/2013)
 Oakland County Bar Association, Bloomfield Hills, MI (2/19/2013)
 Property & Liability Resource Bureau (PLRB) 2013 Claims Conference, Boston, MA (3/19-20/2013)
 Women Lawyers Association of Michigan – Western Region, Grand Rapids, MI (3/21/2013)
 Wayne State University Law School, Detroit, MI (4/4/2013)
 Women Lawyers Association of Michigan Annual Meeting, Detroit, MI (4/12/2013)
 National Conference on Equine Law, Lexington, KY (5/1 - 2/2013)
 State Bar of Michigan Young Lawyers Section Diversity Conference, Detroit, MI (5/11/2013)
 State Bar of Michigan Young Lawyers Section Summit Conference, Detroit, MI (6/8/2013)
 State Bar of Michigan General Practice Section Meeting, Farmington Hills, MI (6/11/2013)
 Virginia Intermont College, Bristol, VA (10/24-25/2013)
 AM Best National Podcast on Insurance Issues (11/4/2013)
- 2012**
 ABA GP-Solo Section National Webinar (1/25/2012)
 North Central Reg. Cetr. Rural Development - Multi-State Business Conference, E. Lansing, MI (2/25/2012)
 Insurance Skills Center Agribusiness Conference, Sacramento, CA (3/21/2012)
 Michigan State University Law Review Symposium "Pipeline to Power," Detroit, MI (4/13/2011)
 Cooley Law School Graduation Commencement Speaker, Lansing, MI (5/20/2012)
 Academy of Court Reporting and Tech., Michigan Campus, Commencement Speaker, Troy, MI (6/13/2012)
 State Bar of Michigan Young Lawyers Section Summit Conference, Detroit, MI (6/16/2012)
 Insurance Institute of Michigan, Lansing, Michigan (9/24/2012)
 Women Lawyers Association of Michigan – Macomb Region, Warren, MI (11/8/2012)
 State Bar of Michigan Animal Law Section Conference, Lansing, MI (11/10/2012)

- 2011** American Youth Horse Council National Youth Horse Leaders Symposium, East Lansing, MI (3/11/2011)
Insurance Skills Center Agribusiness Conference, Sacramento, CA (3/23/2011)
Women Lawyers Association of Michigan Annual Meeting, Mt. Pleasant, MI (4/29/2011)
National Conference on Equine Law, Lexington, KY (5/4/2011)
Insurance Skills Center Agribusiness Conference, Columbus, OH (5/23/2011)
Cooley Law School, Auburn Hills, MI (7/28/2011)
American Bar Association Annual Meeting, Toronto, Ontario, Canada (8/5/2011)
State Bar of Michigan General Practice - Solo & Small Firm Sect. Meeting, Farmington Hills, MI (8/11/2011)
Insurance Institute of Michigan, Lansing, Michigan (9/19/2011)
American Bar Association Panel Discussion/Teleconference (10/24/2011)
- 2010** State Bar of Michigan Animal Law Symposium, MSU College of Law, East Lansing, MI (3/5/2010)
Michigan Horse Council International Stallion Exposition & Trade Show, East Lansing, MI (3/12-13/2010)
Property & Liability Resource Bureau (PLRB) 2010 Claims Conference, San Antonio, TX (3/21-23/2010)
National Conference on Equine Law, Lexington, KY (4/28 - 29/2010)
Travelers Insurance Company Presentation, Tampa, FL (5/12/2010)
Women Lawyers Association of Michigan Annual Meeting, Dearborn, MI (5/15/2010)
Insurance Skills Center Agribusiness Conferences, Columbus, OH (5/18/2010)
- 2009** State Bar of Michigan Animal Law Symposium, MSU College of Law, East Lansing, MI (3/20/2009)
Property & Liability Resource Bureau (PLRB) 2009 Claims Conference, Seattle, WA (3/22-25/2009)
National Conference on Equine Law, Lexington, KY (4/29/2009)
Farm Family Insurance Company Claims Seminar, Mystic, CT (8/11/2009)
Annual Solo & Small Firm Institute at the State Bar of Michigan Annual Meeting, Dearborn, MI (9/17/2009)
Insurance Skills Center Agribusiness Conference, Richmond, VA (9/21/2009)
American Reliable Insurance Company Agribusiness Seminar, Phoenix, AZ (10/20/2009)
Virginia Intermont College, Bristol, VA (11/5-6/2009)
National Riding Instructors Convention, Naples, FL (11/19/09)
Institute for Continuing Legal Education, Ann Arbor, MI (12/10/2009)
- Teaching** Lecturer, Emmett J. Vaughan National Agribusiness Conferences (fmr., Insurance Skills Center)
Sacramento, CA; Denver, CO; Des Moines, IA; Columbus, OH; Richmond, VA (2006 – present)
Instructor, Equine Law and Risk Mgt. Workshops, Virginia Intermont College (2001, 2005, 2009, 2013)
Instructor, Schoolcraft College, Livonia, MI (1994 -1996)

Contact Information

Nominee: Julie I. Fershtman

Title: Shareholder
Firm or organization: Foster, Swift, Collins & Smith, P.C.
Address: 32300 Northwestern Highway, Farmington Hills, Michigan, 48334
Phone: 248-785-4731
Fax: 248-851-7504
E-mail: jfershtman@fosterswift.com

Nominator: Frank Harrison Reynolds

Title: Shareholder
Firm or organization: Foster, Swift, Collins & Smith, P.C.
Address: 313 S. Washington Square, Lansing, Michigan, 48933
Phone: 517-371-8244
Fax: 517-371-8200
E-mail: freynolds@fosterswift.com