



TODDS WILL ATTEND LEGAL EVENT IN EGYPT

Alton C. Todd will join a legal delegation of professionals in bilateral exchanges with their counterparts in Egypt, under the auspices of People to People Ambassador Programs. Richard Pena, past president of the State Bar of Texas, will be the delegation leader.

Alton and Nari Todd will depart from New York on November 2 to attend the week-long event in Cairo. Daily programs will focus on Egypt's Islamic and civil law, migration and immigration concerns, family law, marriage and polygamy governed by civil code, terrorism law, courts and legal education and religion and law.

Guests will visit the city of Memphis and the necropolis of Sakkara. They will also have the opportunity to explore noteworthy places of worship in Cairo and to view the Great Pyramids of Giza. Additional attractions on the agenda for delegates and guests include a drive along the desert highway to Alexandria and a day given to viewing historical sites of that city. Prior to a farewell banquet, a tour of the Egyptian National Museum will be offered, as well as a visit to an ancient Citadel, a spectacular medieval fortress.

People to People was conceived by President Dwight Eisenhower as a new path to international understanding. Its mission developed as a result of the 34th President's vision that people can make the difference where government cannot.

Through the legal delegations, People to People provides opportunities for law professionals to exchange ideas internationally and to establish a foundation of friendship based on an informed, global perspective.

Attorneys McGuire and Todd Win Verdict Against Pro Fleet

Attorneys Clint McGuire and Jeff Todd of The Law Firm of Alton C. Todd recently received a verdict against Pro-Fleet ARL, LLC on behalf of James Hock. Hock, a locomotive engineer for BNSF Railway Company, sustained a back injury while operating a train that collided with a Pro-Fleet 18 wheeler. The case against BSNF was settled for a confidential amount.

Moving Texas Forward

Strong Democratic Candidates Challenge Formidable State GOP Organization

The last time that Texas backed a Democratic candidate for president was 32 years ago when it narrowly supported Jimmy Carter. The last time a Democrat won a Senate race in Texas was in 1988 when Lloyd Bentsen was elected for a fourth term. In the House, Democrats control just 13 of Texas' 32 seats.

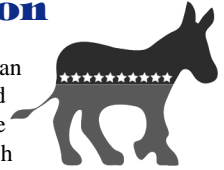
If the Republican monopoly is ever going to be toppled in Texas, this could and should be the year. Twice as many Texans voted in the Democratic primary as in the Republican primary. The expected election of two Democratic senators for president and vice-president for the first time in some 50 years will, hopefully, trickle down to Texas and change the political climate in our House and Senate. Democratic hopes statewide are focused on six responsible and effective contenders for one Senate and five House seats.

To unseat first-time Republican Senator John Cornyn will require no small effort of state **Rep. Rick Noriega**, whose financial strength pales in comparison to Cornyn's huge cash reserve. But, what he lacks in money is balanced by what he has accomplished since elected to the Texas House of Representatives in 1998, including authoring House Bill 1403, the historic bill making Texas the first state in the country to provide in-state tuition rates and financial assistance for certain immigrant children. Through foresight and perseverance, he has proven his effectiveness in legislative leadership, and last summer, **Rick Noriega** answered the activists' call to run for the Senate in 2008.

Nick Lampson, one of two Democrats to capture GOP seats in the House in 2006, also has his work cut out for him in the Republican stronghold he represents, where he will compete against Pete Olson, former aide to Cornyn. Congressman Lampson, who serves the 22nd Congressional District, actively represents the Johnson Space Center and is also known for his efforts on issues of child safety. Following the abduction and murder of a 12-year-old Friendswood girl, **Lampson** founded the first-ever bipartisan Congressional Missing and Exploited Children's Caucus, which now numbers more than 130 members, and helped to create the national AMBER alert system.

Ciro D. Rodriguez, running against Republican Lyle Larson, a commissioner in the

county that includes San Antonio, has dedicated his life to public service and has served with distinction in the Texas House of Representatives since 1987. Elected to Congress in 1997, he has spearheaded successful efforts to secure funding to improve Hispanic health care in the United States and to improve high unemployment rates along the border. **Congressman Rodriguez** has also supported initiatives to improve economic growth in the Rio Grande Valley and to alleviate NAFTA-related congestion on routes from San Antonio to the border.



Congressman Chet Edwards, popular Democratic incumbent serving the 17th District, was considered a potential running mate for Barack Obama. Edwards is one of

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Alton C. Todd Listed As Preeminent Lawyer By Martindale-Hubbell

Alton C. Todd, AV rated by Martindale-Hubbell for a number of years, has been listed as a preeminent lawyer in their Bar Registry.

For 140 years, lawyers have relied on the Martindale-Hubbell Law Directory for authoritative information on the worldwide legal profession. Martindale-Hubbell Review Ratings attest to a lawyer's legal ability and professional ethics and reflect the confidential opinions of members of the Bar and Judiciary.

There are two components to Martindale-Hubbell Peer Review Ratings. The General Ethical Standards Rating denotes adherence to the highest standards of conduct and ethics, reliability, diligence and other criteria relevant to the discharge of professional responsibilities. A lawyer must first receive a General Ethical Standards Rating of **V** (very high) before review of his or her legal ability. Legal Ability Ratings consider the standard of professionalism in the lawyer's area of practice and expertise, and ratings range from **C** (good to high), **B** (high to very high) and **A** (very high to preeminent).

Vote Simplified By Party Politics

Next month our country will elect a new president. John McCain, a true American hero, is aligned with the Republican party. While no one person governs this country, one person—the president—does have a tremendous impact on legislative agendas, economic and energy policy, veto power, federal judicial appointments, including the Supreme Court, and serving as our primary

ambassador, internationally. Like most Americans, I like and dislike aspects of each party. Regardless of what a candidate may say, he or she runs under the banner of a party and is obligated to that party. To me, the question is simple: have the Republicans earned the right to lead our country for another four years?

Alton C. Todd

McCain's Desperate VP Decision Carries Substantial Political Risk

The winds of political change are stirring throughout this land.

On November 4, an African American will be elected president, or a woman will become vice-president. Either choice will be a history-making decision.

It is hoped that Americans will base their votes on neither race nor gender appeal but on the qualifications of the candidate who can best serve this country. It is hoped that voters will exercise the responsible judgment that John McCain did not show in a moment of political panic when he picked as his running mate an obscure politician that he barely knew from the least populated faraway 49th state.

Only six years ago Sarah Palin was mayor of a small Alaska town of 9,000 people. A sportswoman, hunter and self-described "hockey mom" and PTA parent, she is a first-term governor, elected only two years ago. The extent of her foreign travel is a July 2007 trip to visit members of Alaska's National Guard stationed in Kuwait.

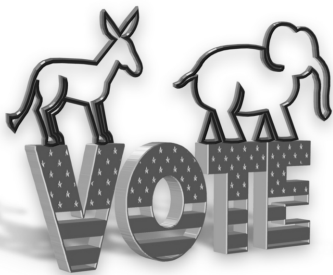
Are these the credentials needed to immediately step in and assume the role of commander in chief? Is this who the Republican party wants one heartbeat away from the presidency?

Governor Palin is a gifted politician whose lack of experience in national security and foreign affairs became relevant only when she was surprisingly catapulted to national attention on August 29. Whatever one may think of Sarah Palin, her sudden elevation to political stardom is an act of illogical decision-making by a self-proclaimed maverick who aspires to be the next president of the United States.

In one swift stroke of political desperation, John McCain demolished what had been one of his main arguments against Barack Obama. He will be hard pressed to explain how a running mate with less than two years in major office is more qualified

than Obama with more than four years in the U.S. Senate and six in the Illinois legislature. The Democratic vice-presidential candidate Joe Biden has 36 years of national experience.

McCain's roll of the dice in choosing a running mate is disquieted by the apparent lack of an actual job interview. The senator first met the governor in February and spoke with her about the vice presidency in a phone call on August 24.



The view of Democrats and Republicans alike is that McCain could easily lose this election in an electoral landslide.

Perhaps he thought that a fresh new face was less of a risk than a conventional choice at a time when voters are very disenchanted with the Bush years.

McCain's mistake also underestimates the intelligence of women voters in its obvious angling for Hillary Clinton supporters. To suggest that women will vote for any woman, regardless of experience and positions on important issues, and to choose a candidate who opposes most of the positions and policies that Senator Clinton stands for, is a patronizing, offensive miscalculation.

While the selection of a running mate rarely has a significant effect on the outcome of an election, it does provide a unique opportunity to observe the presidential nominee's decision-making instincts and strategy for winning. Obama made a safe and traditional choice by picking a career politician strong in national security. The primary constitutional duty of a vice-president is to act as a ready replacement in case a president dies or becomes incapacitated. In that unwelcome situation, does America want a person, largely unknown and dangerously unprepared, moving into the Oval Office?

Strong Democratic Candidates

(Continued from Page 1)

only eight House members to serve as a senior member on both the House Budget and the Appropriations Committees. During his 18-year tenure in Congress, he has worked diligently for his Central Texas constituents, securing federal investments in their health care and education. As the chairman of the Military Construction and Veterans Affairs Appropriations Subcommittee, **Congressman Edwards**, in 2007, authored the largest increase in veterans' funding in the 77-year history of the Veterans Administration, an \$11.8 billion increase.

In the 7th Congressional District, **Michael Skelly** is running against GOP incumbent John Culberson. A leading innovator in his field, Skelly led, in just nine years, the Houston-based Horizon Wind Energy to its position as the third largest wind energy company in the country. As an energy expert, he will reduce dependence on foreign oil, work to balance the budget and fight to stop wasteful spending. **Skelly's** campaign received national attention when he raised more money than any candidate of either party running for the House of Representatives this year. He has earned the support of fellow Democrats, Republicans and independents alike.

Lawyer and TV personality **Larry Joe Doherty** faces a GOP incumbent in the 10th Congressional District. Doherty, in his persona as "Judge Larry Joe Doherty," drew from years of experience in serving on the bench of television's highly rated courtroom series, *Texas Justice*. Outside the courtroom, he has endowed a Chair on Ethics at the University of Houston School of Law and has cultivated his ranch into a preserve that protects animals and the environment. Priority issues in **Doherty's** campaign are an end to the war in Iraq, America's energy independence, affordable health care for working families and the protection of Texas' clean water and natural legacy.

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TODD LAW FIRM ADDS VIDEOS TO WEB SITE

The Law Firm of Alton C. Todd, as most readers know, has never engaged in television or billboard advertising. We have chosen to rely on referrals as our primary source of business. We have always tried to honor those referring friends and clients by doing the best job that we can for those to whom they recommended our law firm.

Our firm has had a web site for a number of years at www.altontodd.com. We strive to keep the site tasteful, informative and current with trends and developments in our practice. *The Altlaw* is posted on the web. Recently, in keeping abreast of internet marketing, we have added to our site the integration of video. Please visit our site and tell us what you think. We welcome all responses.

Epilogue

Loyal Receptionist Heeds Higher Call

When Mary Ann Tater started working for Wellborn, Britt and Brown in 1976 as our receptionist, I had been with the firm for about a year. At first, we wondered if this quiet, reserved lady would survive the fielding of calls from new and existing clients, insurance adjustors and lawyers. Putting up with all of us, especially when the firm hired Gene Hagood, Gordon Davenport and Lloyd Stansberry, was an achievement in itself.

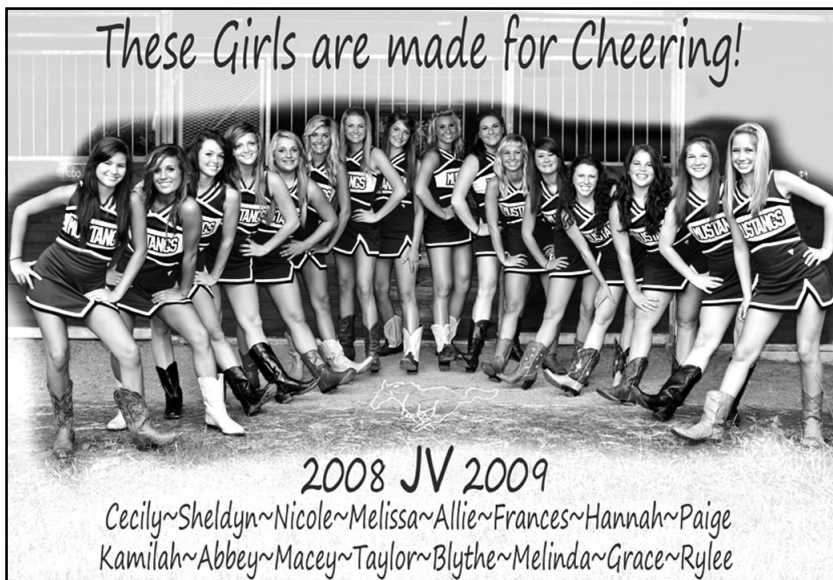
Mary Ann handled her daunting tasks with class, never complaining, but always devoted to her job. She had the ability to make everyone feel right at home, whether she was taking a call for the first time, dealing with someone who just needed to talk, observing the birthday of a staff member or celebrating a holiday. She took pride in our office and our accomplishments. Receptionists often come and go, but Mary Ann stayed with us until her retirement in 1999.

On September 6, 2008, Mary Ann passed away, or, as I like to think, made her transition. She had suffered from emphysema for a number of years, and her condition deteriorated after the death of her husband Wayne Tater in February 2007. Life became difficult, and she did not like being dependent on others for her basic needs.

If one were only able to complete a call to Heaven, I think this is what you might hear:

"Hi, this is Heaven, I'm Mary Ann. Can I help you?"

You sure did, Mary Ann, and we are all better for it. God bless you, and may you rest in peace.



Kamilah Todd, sophomore and ninth from left, enjoys cheering with her friends and supporting the Friendswood High School JV Mustangs.

A Judge's Robe Is Black

Jim Jordan, High Court Candidate Believes in Non-Partisan Justice

Jim Jordan, a trial attorney with 29 years experience, is running for Chief Justice of the Texas Supreme Court, challenging Republican incumbent Wallace B. Jefferson, a 2004 appointee of Governor Rick Perry.

Jordan is the right candidate at the right time for a system that is broken; Texas Supreme Court justices spend more time campaigning than in considering cases or writing opinions. Although the Court has increased the average number of cases it hears by more than a third over the past four years, it had a record backlog of 111 cases at the end of fiscal 2007, of which 36 lasted more than a year and 13 for more than 2 years.

Delays caused by the Court's hearing arguments but not ruling on cases have created a distrust of the system shared by many members of the bar who understand and enthusiastically support Jordan's reason for running for this particular bench: "I am very concerned that the court has become ideological, pursuing its own policy agenda and thus threatening our constitutionally guaranteed right to a jury trial.

Fervent in his conviction that partisanship should never enter into a judge's chambers, Jordan has said, "If the new Texas judges are going to be the walking manifestation of justice in their communities, the robes we don should be black—not blue or red."

Jordan is a lifelong resident of North Texas, and, unlike his opponent, has significant experience on the bench. His judicial service dates to 1986 when, at 34, he was appointed as Presiding Judge of the 44th District Court in Dallas. Now Presiding Judge of the 160th Judicial

district, he serves as the Local Administration District Judge for 39 Dallas Court judges. Since 1984, he has been board certified in Civil Trial Law, a distinction earned by less than 2 percent of Texas attorneys.

As a trial judge, Jim Jordan has encountered firsthand the legal issues that the Supreme Court ultimately reviews. He deserves to win this election to restore trust in Texas' highest court. *The Altlaw* also endorses the following candidates, who will deliver at their respective judicial levels, the non-partisan justice that Jordan promises and Texans have a right to expect.

FOR:

Texas Supreme Court Place 7 – **Sam Houston**
Texas Supreme Court Place 8 – **Linda Reyna Yanez**
Texas Court of Criminal Appeals Place 3 – **Susan Strawn**
Texas Court of Criminal Appeals Place 4 – **J.R. Molina**

FOR:

1st Court of Appeals Place 3 – **Jim Sharp**
1st Court of Appeals Place 5 – **Leslie C. Taylor**
5th Court of Appeals Place 3 – **Don B. Chae**
5th Court of Appeals Place 6 – **David Hanschen**
5th Court of Appeals Place 8 – **Tina Yoo**
8th Court of Appeals Place 3 – **Guadalupe "Lupe" Rivera**
13th Court of Appeals Place 6 – **Dori Garza**
14th Court of Appeals Place 4 – **Bert Moser**
14th Court of Appeals Place 6 – **Mary Markantonis**
14th Court of Appeals Place 7 – **Martin Seigel**

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Than The Bullet.***

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Law Review Article Documents Discriminatory "Tort Reform"

"Whether discussing the impact of typical 'tort reform' proposals or the broad rhetoric used to support restrictions on legal rights, prejudice lurks behind the 'tort reform' movement." Following are conclusions of an article documented by numerous credible studies in a recent edition of the *Washington University Journal of Law and Policy*.

The health care playing field is not level. Race and ethnicity influence access to specific medical procedures and treatments, and minorities comprise over one-half of 45.8 million uninsured Americans.

Monetary caps for non-economic injuries are disproportionately unfair to minorities. Certain minorities earn less than their white counterparts. Injured individuals earning low or no wages receive a greater percentage in non-economic, capped payments.

New limitations on class action litigation deprive minorities of an invaluable tool in challenging racial profiling and workplace discrimination. Passage of the Class Action Fairness Act in 2005 placed nationwide restrictions on litigants claiming class-wide discrimination, significantly reducing civil rights cases in class action filings.

Business groups have specifically attacked juries in minority jurisdictions. The American Tort Reform Association's 2005 judicial "hellholes" list identified 13 "plaintiff-friendly" jurisdictions and made "recommendations" limiting the ability of injured consumers to sue in those jurisdictions. A demographic analysis confirmed that in more than half of the "hellhole" communities, minorities made up most of the population.

"Tort reform" laws weaken the only available forum for holding perpetrators of hate crimes accountable. Recent FBI data reported over 9500 victims of violence based on racial, religious, sexual orientation, disability or ethnicity/national origin bias in 2004.

Future of Supreme Court At Stake In Upcoming Presidential Election

On November 4, voters will decide the future of the Supreme Court for many years to come. The next judicial appointments will be made by a new president whose nominees will be confirmed by a Senate with newly-elected members.

One more conservative appointment to the high court would shift the balance to a far-right majority.

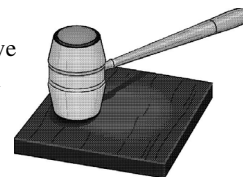
Senator John McCain has identified his favorite judges, and they are the same as President Bush's—Justices Alito, Roberts and Scalia, three who have been far too willing to close the courthouse doors, denying access to justice to ordinary Americans.

Vice-presidential candidate, Governor Sarah Palin, lifelong member of the NRA, shares the sentiment of the conservative court, who last term reversed a 70-year tradition of basing the 2nd amendment right to bear arms on raising a militia. Striking down parts of the District of Columbia's gun control law, the court ruled that the amendment confers on individuals the right to keep guns for personal use.

The disturbing direction of the Supreme Court, as evidenced in important decisions which came on 5-4 votes during the last term, is a real indication of trouble at the top. In a number of critical cases that will have significant impact, the court reflected a sharp division along ideological lines.

In those cases involving pre-emption of state laws by federal statutes, the Court ruled in favor of federal pre-emption. In the decision that federal law prohibits individuals

harmed by defective medical devices from suing manufacturers, there was only one dissent.



The Court's pro-business trend was never more apparent than in its generous gift to Exxon. Reduction of the punitive-damages award for the 1989 Exxon Valdez spoil from \$2.5 billion to about \$500 million effectively thwarts the purpose of punitive damages.

The Court this term heard around 70 cases, the fewest in more than 50 years. The shrunken docket may well be because the appellate judiciary, dominated by Republican-appointed judges, is producing fewer conflicting opinions among circuits.

Judges typically share the ideology of the nominating president or his party. It is painfully apparent that throughout the federal judiciary, which has a supermajority of Republican nominees, judges' rulings have limited congressional authority and the protection of individual rights.

The last Supreme Court term, with its decisions favorable to business concerns and federal statutes, is history, but, if John McCain is elected president, that dangerous direction will continue.

CLOSING STATEMENT

*We value your trust and your referral.
Thank you for the opportunity to represent
your interest and for recommending
THE LAW FIRM OF ALTON C. TODD.*