



October 2020

Spotlight

U.S. Supreme Court Rules in Favor of Burr's Petition for the South Carolina Election Commission: South Carolina's Witness Requirement on Absentee Ballots is Here to Stay

On October 5th, the Supreme Court reinstated the requirement that South Carolina's absentee ballots must be accompanied by a witness's signature in this year's General Election. Under the law, voters returning mail-in ballots swear an oath printed on the return envelope that confirms they are eligible to vote and that the ballot inside is theirs. The oath has to be witnessed by another person with the witness's signature and address below the voter's.

Burr & Forman's legal team, composed of [Grayson Lambert](#), [Liz Crum](#), and [Jane Trinkley](#), worked on behalf of the South Carolina Election Commission to ask the U.S. Supreme Court to stay the injunction and leave the witness requirement in effect for the November election.

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Assistance from Burr Helps Bring \$19 Million in JEDA Bonds to St. Joseph/Candler Health System

Through a bond issued by the South Carolina Jobs-Economic Development

Authority ("JEDA"), St. Joseph's/Candler Health System is able to expand its services to a new medical campus in Bluffton, South Carolina. The tax-exempt Hospital Revenue Bonds, totaling approximately \$19 million, will be used to finance and refinance the acquisition of land, buildings, and equipment needed to consolidate oncology services in one location for the new medical campus.

Burr's [Michael Seezen](#) served as South Carolina co-Bond Counsel for this project.

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Resources

Cybersecurity Awareness Month & Phishing FINRA

October is cybersecurity awareness month, so it's only appropriate that FINRA started it with another Regulatory Notice warning member firms to be aware of a false-survey phishing scheme.

This [article](#) was authored by [Tom Potter](#).

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A Masked Trial: Florida's First "Remote" Jury

The Eleventh Judicial Circuit in Miami-Dade County held Florida's first "remote trial." Jury selection was conducted remotely through Zoom, and the actual trial occurred in the courtroom with social distancing and masks. This article addresses how the Court conducted the trial, observations gleaned during the proceeding, and the prevalence of remote trials during the COVID-19 pandemic going forward.

This [article](#) was written by [Jonathan C. Brown](#).

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Voting Leave Laws

Do you know what your state requires when it comes to allowing employees time off to vote? Find out which states require voting leave and what employer actions might interfere with employees' voting rights.

This [article](#) was authored by [Seokwon Lee](#), [Ingu Hwang](#) and [Devin Dolive](#).

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Liability Insurance Proceeds and Coverage Considerations When Insureds File for Bankruptcy

We've all seen the headlines—from Hertz to Brooks Brothers and CEC (Chuck E. Cheese's parent), many prominent companies have filed for bankruptcy protection in recent months. The total number of Chapter 11 bankruptcy filings over the first half of 2020 was up 26% compared to the first six months of 2019, and most commentators expect to see this rise in bankruptcies continue as COVID-19 further hampers economic activity.

This [article](#) was written by [Robert S. Given](#) and [Walker Beauchamp](#).

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"A Guide to the New FMLA Forms," SHRM Online

Greenville partner [Jim Gilliam](#) discussed the recently revised Family and Medical Leave Act (FMLA) forms from the Department of Labor (DOL) in an August 17,

2020 [article](#) for the *Society of Human Resource Management*.

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Labor & Employment Podcast Series

The Labor & Employment Podcast Series was developed from all the webinars and articles the L&E lawyers at Burr have created over the past few months.

In [Episode 1](#), [Bryance Metheny](#) and [Jim Gilliam](#) give the listeners some useful information and practical ideas to consider when navigating the challenges that 2020 has created for us all.

In [Episode 2](#), [Matthew Scully](#) and [Carlton Hilson](#) talk about the "New Normal" as it relates to how companies are handling COVID-19 exposure. They discuss the safety protocols, how to deal with positive cases, and how they're maneuvering through the laws and regulatory statutes.

In [Episode 3](#), [Amy Jordan Wilkes](#) and [Nina Maja Bergmar](#) discuss the COVID-19 litigation trends they've been seeing, the types of potential lawsuits employers may face, and what employers can do to prepare for and/or avoid litigation.

In [Episode 4](#), [Katy Willis](#) and [Emily Mack](#) take a deeper dive into regulations as they relate to the enforcement of face coverings for employers and customers.

For a full list of our podcasts, please visit Burr's [podcast page](#).

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Burr Launches Women's Podcast Series Focusing on Mental Health

The Women's Podcast Series will talk about work/life balance, managing stress and anxiety, and career development. [Erin Hewitt](#) is kicking off the series with special guest Madeline McGrane, a friend and client of hers, to talk about

[work/life balance](#) and what that looks like in a remote working environment.

Erin is a partner in the firm's Atlanta office and serves as the practice group leader for the firm's Real Estate Practice.

[Download Episode 1](#)

In [Episode 2](#) of the Women's Podcast Series, Burr partner [Callie Whatley](#) discusses managing stress and anxiety during the current pandemic. She is joined by Carissa Dore, a licensed psychotherapist and owner of "Every Girl Living", a company focused on helping women heal, grow, and conquer the challenges they face.

Callie is a partner in the firm's Birmingham office and serves as the firm's Corporate and Tax Group Vice-Chair.

[Download Episode 2](#)

Firm News

Beth Shirley Named to *Birmingham Business Journal's "Best of the Bar"*

Birmingham Partner [Beth Shirley](#) has been recognized in the *Birmingham Business Journal's* 2020 "Best of the Bar Award for Excellence in the Legal Profession." Those selected to the "Best of the Bar" are recognized as Birmingham's brightest legal minds. These individuals not only excel within their practice area and firm but also give back to their community.

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14 Burr Partners Have Been Recognized by *Benchmark*

Litigation

14 Burr Partners were recently recognized in the 2021 edition of *Benchmark Litigation*, a guide to the world's leading litigation firms and lawyers. *Benchmark Litigation* determines recommendations by conducting peer reviews and case examinations. Those recognized are highly regarded by their peers and possess a strong case record and positive client feedback.

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Bryan Balogh and Ricardo Woods to Serve on Alabama State Bar's Diversity & Inclusion Committee

Birmingham Partner [Bryan Balogh](#) and Mobile Partner [Ricardo Woods](#) have been elected to serve on the Alabama State Bar Association's Diversity & Inclusion in the Profession Committee for the 2020-2021 year. Bryan will enter his second term serving on the committee while this year will be the first year serving for Ricardo.

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Burr Continues Growth in Atlanta and Greenville Offices

Burr & Forman announces the addition of Atlanta-based associate [Bailey Green](#) and Greenville-based associate [Jake Rea](#). Green joins the firm's General Commercial Litigation practice group and Rea joins the firm's Corporate and Tax practice group.

Prior to joining Burr & Forman, Green served as a Law Clerk for Judge Junius P. Fulton, III, and Judge Everett A. Martin, Jr. for the Fourth Judicial Circuit of

Virginia in Norfolk, VA.

Rea's practice focuses on estate planning, transactional matters, and business and tax planning. His background includes experience in preparing wills, powers of attorney, trust agreements, and decanting documents.

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Burr's Erin Hewitt Recognized as a "Georgia Trailblazer" in the *Daily Report*

Atlanta Partner [Erin Hewitt](#) has been recognized as an "agent of change" in the American Lawyer Media publication of Georgia Trailblazers for 2020. Those recognized on the list have made significant contributions within their practice and have taken extra measures to contribute to positive outcomes in such a trying year.

This spring, Erin was able to close 11 real estate transactions totaling \$400 million – all in the midst of extreme uncertainty during the pandemic. Due to the uncertainty surrounding the real estate market and the unforeseen challenges that came along with it, Erin had to come up with new approaches and creative solutions to close the 11 deals this spring.

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Headlines

['Business Interruption' Cases Favoring Insurers During Pandemic](#)

(Source: *ABA Journal*, 2020-09-02)

[Supreme Court Declines Case of Battling Cybersecurity Companies](#)

(Source: *MediaPost*, 2020-10-13)

[Judge Denies Uber Customer's Request to Overturn Arbitration Award](#)

(Source: *CNBC*, 2020-08-04)

Electric Car Maker Says Tesla's Trade Secret Suit Hurts Recruiting

(Source: *Silicon Valley Business Journal*, 2020-08-12)

Burr & Forman Coronavirus ("COVID-19") Resource Center



Burr & Forman is dedicated to serving as your trusted business partner to advise and address the unique challenges your industries are now faced with. Whether related to business operations, your employees, or potential legal implications, our team can help provide solutions and counsel with perspective from a wide range of legal service areas from food and beverage, health care, and cybersecurity to immigration, labor and employment and insurance coverage. We have created this [Coronavirus Resource Center](#) to update you on the latest legal issues surrounding the evolving COVID-19 crisis.

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Burr & Forman's Litigation team is comprised of over 150 attorneys spanning 19 offices in our 8-state footprint. Looking to discuss your commercial / corporate litigation issues? [Contact us today.](#)



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