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From the President

Lessons Learned After a Decade in Practice . . .

Will Davis

As I'm writing this column, the social media trend du jour, which will probably be gone by the time this issue hits your desk, is the Ten Year Challenge. Facebook and Instagram abound with friends’ photos from 10 years ago compared to their current photos—no filters, of course. If I’m being completely honest, such trends typically warrant a pass from me and occasionally, a “like” when I see a funny memory. However, this Ten Year Challenge seemingly has struck a different chord.

Ten years. An entire decade. December 2019 marks 10 years ago that I was sworn into practice law as a member of the State Bar of Georgia. When I look back at the last 10 years, I am amazed to see how much has changed in my personal and professional life especially in regards to the lessons I’ve learned as a member of this profession and amazing organization. Those lessons have not only shaped me into the lawyer that I am today, but they have also squarely convinced me that I have a lot more to learn for my next decade in practice.

In six months, I will age out of the YLD (although I do get a “victory lap” as YLD immediate past president), and I’ve decided to focus this column on the lessons that I’ve learned over the last 10 years to remind myself to grow upon them in the years come. With 2020 approaching quickly on the horizon, this a resolutions column of sorts, and I also hope that some of these lessons and goals apply to your lives and practices as young lawyers in whatever year of practice you may be!

1 Be Empathetic.

We are lawyers but our clients likely are not. Litigation is tough, and we actually know what is going on in a case. While it may be frustrating to receive your 12th call from Ms. Smith asking for an update, remember to understand that our profession can be stressful and strange to our clients. I have to remind myself daily to not be annoyed by things that appear routine to me and instead focus on the fact that my clients have questions and concerns because they’ve hired me to get them out of a difficult situation.

2 Be Nice.

My mom has always told me that “you catch more flies with honey than with vinegar,” and I can’t think of a more appropriate saying that is applicable to the practice of law. Be courteous to court staff. Say thank you to the court reporter. If opposing counsel asks for an extension (of course, if their request isn’t detrimental to your client), say yes. We are all going to need favors in practice, and everyone is going to remember their first impression of you and not their second.

3 Watch the Attitude.

Don’t be the cocky young lawyer who thinks they own the place. There is always someone in the room who knows more than you and coming across as arrogant is not going to impress opposing counsel, the judge or the jury. Know the difference between confidence and arrogance. Don’t be intimidated by the lawyers who boast, “well, I’ve never lost a trial” or “well, I know Judge Doe, and she is going to do XYZ.” Those lawyers are not telling you the truth and are simply trying to intimidate (or compensate). Be confident in your skills because you passed the Bar and you’ve earned the right to be in the courtroom, but don’t be so overconfident as to alienate your peers, judges and clients. Don’t be that guy. We all know that guy. No one wants to be that guy.
THE YLD REVIEW

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It's OK to Be Wrong.
Take the opportunity to learn from your losses. You can’t win every case or motion, but pick yourself up and try again. A brief setback is the time to plan your comeback.

Get Involved.
This job is stressful and you can’t live just to work. Join your local Bar association or sign up for a YLD meeting. Join a community group or a non-profit board that is completely unrelated to the practice of law. In order to take care of yourself, you have to step back from practice from time to time.

Sleep.
This item speaks for itself. Sleep early. Sleep often.

As we approach 2020, I hope you look back at lessons you’ve learned from your years in practice and use those lessons in the New Year! I look forward to 6 more months as your YLD President, and I hope to see you in 2020! YLD

Will Davis is an associate at Naggiar & Sarif in Atlanta and president of the Young Lawyers Division of the State Bar of Georgia.

Tips for Talking to the Media

It is no secret that lawyers love to talk. They especially love to talk if it will be in front of a camera or written in a popular publication. As I learned throughout my representation of former NSA-contractor Reality Winner and my numerous media appearances, the First Amendment allows us to speak with the media, but we are still held to higher standards that reporters or interviewers might not understand. It is vital for you to understand your left and right boundaries before you agree to speak with anyone. Simple ignorance will not save you from the wrath of a judge that doesn’t want to see their case tried in the papers.

1 Understand the rules.
The rules concerning attorney statements to the media vary depending on the jurisdiction of your case. Rule 3.6(a) of the Model Rules of Professional Conduct prohibits an attorney from making “an extrajudicial statement that the lawyer knows or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter.” However, the rule does allow a lawyer to disclose to the media:
• the identify or family status of the client;
• whether he/she has been apprehended;
• the time and place of arrest;
• as well as the identity of any arresting officers or agencies involved.

In the situation where opposing counsel has made public statements that prejudice your client, the Model Rules will allow you to respond with a statement that is necessary to, “protect a client from the substantial un-

From Ashley
I became involved in the YLD in fall of 2013 when YLD Past President Sharri Edenfield encouraged me to apply to Leadership Academy. After being selected, I spent six months getting to know young lawyers from across the state and learning about how to get involved with the State Bar. I enjoyed the experience so much, that I asked to lead a committee the following year.

For two years, I served as a YLD Signature Fundraiser co-chair. I had so much fun planning black-tie events and raising money for nonprofits in Georgia. To this

From the Editors

YLD Involvement Provides Meaningful Experiences

Ashley Akins

Audrey Bergeson
Professional Development

Not All Lawyers Are Professionals

Jena Emory

Within approximately 10 minutes of beginning my career as a lawyer, it became abundantly clear to me that not all lawyers are professionals. In that same 10 minutes, I also decided that if I was going to be a lawyer, I wanted to be a professional.

As a lawyer, one rarely meets clients who are happy. They are often going through some of the worst times in their lives. They are injured, getting divorced or being accused of a crime. A professional is there to lift their burden by prosecuting cases they cannot prosecute. A professional defends people who cannot defend themselves and fights the battles that people are too weak to fight. After many embarrassing “learning experiences” in my early years of practice, I learned the following five characteristics of a professional.

1. A professional is always early.
A professional understands that service to his clients begins with the little things. A professional arrives early because he knows that his client should not worry about whether their attorney is going to show up. His client already has enough to worry about. This sometimes means that a professional must wake up earlier than other people to better serve his client.

2. A professional responds to emails and voicemails in the same day.
A professional also understands the importance of client communication. A professional returns an email or phone call within the same day of receiving one because he knows that his client’s issues and questions are the most important aspect of his job. If a client is calling or emailing him, the client is concerned, and their concerns should be promptly addressed.

3. A professional educates his clients on the possible outcomes of their situation.
One of the biggest aspects of making a client’s life easier is educating them on their situation. Honesty is key. Some lawyers attempt to gloss over difficult legal issues or omit the worst possible outcomes of a situation when they talk to their client.

A professional looks his client in the eyes and explains all the possible outcomes of a situation, whether good or bad. If a client could end up in jail or lose his house, he needs to be told that from the very beginning. It can be extremely emotional and difficult for people to hear the truth about their situations. In my few years of practice, I have seen grown men cry. But a professional respects their client enough to give them the greatest amount of time to prepare for their lives to change.

4. A professional knows the law.
Once a professional has educated his client on the possible outcomes of their situation, the professional prepares to zealously represent his client. This could mean many different things. Above all else, a professional lawyer should know the law. Of course, we are all young lawyers and learning. But we all attended law school, and we know how to educate ourselves on an area of law. A professional reads the Federal Rules of Civil Procedure, local rules, standing orders, relevant case law and secondary sources before drafting a submission to the court. A professional also seeks the advice of more experienced lawyers on how to tackle difficult issues.

5. A professional treats his clients with dignity and respect.
Many times a lawyer is representing a client who is not in his socio-economic class. A professional serves his client regardless of their background. He does not judge them. A professional understands and respects that the people he serves have different backgrounds and perspectives on life.

Jena Emory is an associate at Copeland, Stair Kingma & Lovell, LLP, in Atlanta and co-chair of the YLD Women in the Profession Committee.
An Interview with Judge Sara L. Doyle, Presiding Judge of the Court of Appeals

Margaret Head

Judge Sara L. Doyle is a presiding judge on the Court of Appeals of Georgia. She has served on the Court of Appeals since Jan. 1, 2009. Judge Doyle was admitted to the State Bar of Georgia in 1994, having graduated from the University of Florida and the Walter F. George School of Law at Mercer University. Judge Doyle has practiced as an attorney, was a former partner in a top-tier law firm and served as the chief judge of the Court of Appeals of Georgia from July 1, 2015, to June 30, 2017. Judge Doyle is a working mother and public servant, and is active in her community and various legal organizations. Judge Doyle graciously spoke with me about her time on the Court of Appeals and her experience as a lawyer, judge and working mom.

Judge Doyle has been a great friend of the YLD, so I asked her to share some memorable advice she received as a younger attorney. She was told fairly early on in her career to make sure her first impression was a good one, from looking professional to producing a great legal product. She was also told to remember that in the legal profession, there are many first impressions that continue on throughout your career. For example, the first assignment from a new partner, a case from a new client and each new committee assignment for your local or state bar association. In short, Judge Doyle advises that younger lawyers should put 100 percent into every first impression they make. Judge Doyle’s advice for younger attorneys arguing in front of the Court of Appeals was simple and straightforward: smile, relax and know the standard of review.

While Judge Doyle did not graduate law school thinking she would become a judge, her ability to focus on her strengths and the things she enjoyed helped direct her to the Court of Appeals. The economy was not great when Judge Doyle graduated law school in 1994, so she focused on getting a job to pay off her student loans. She was fortunate to be hired by a full service small law firm in Atlanta that exposed her to many different areas of the law, representing both individuals and businesses. In 2000, a group of Wilson, Strickland & Benson, P.C., attorneys joined Holland & Knight, LLP. At Holland & Knight, Judge Doyle focused on litigation and consulting to primarily private colleges and universities. It was during her time at Holland & Knight, LLP, that Judge Doyle began evaluating what she enjoyed most about her career and her strengths and weaknesses. Judge Doyle realized that she enjoyed the research and writing aspects of her practice much more than she enjoyed being in court and negotiating with other attorneys. During her time in private practice she found it was becoming more important to her to find the right answer for the case versus the answer that her client wanted. Then in 2008, Judge Doyle saw that there was going to be an opening on the Court of Appeals. She immediately began researching the job of a Court of Appeals judge and realized that it fit perfectly with not only her skill set, but with her experience handling a wide variety of substantive legal matters. She also knew how to handle a large caseload and manage a team of people, both skills that she feels are important for a Court of Appeals judge. As a result, Judge Doyle decided to run for the open seat and was lucky enough to win the election in a run-off.

Judge Doyle’s transition from lawyer to judge was very quick because the run-off election took place on Dec. 2, 2008, and she took office on Jan. 1, 2009. She had to hire...
The YLD Community Service Projects Committee volunteered with the Atlanta BeltLine and Park Pride on Saturday, Oct. 12, 2019, to help clean a portion of the Atlanta BeltLine. Our committee had volunteers help pick up litter and others removed brush to create a beautiful and safe environment for residents to get outside and enjoy the city. “Working with the community to develop and improve parks is what Park Pride does, and in this role they have helped shape some of the greenspaces around the Atlanta BeltLine. They also work with ABI and ABLP administering the Adopt-the-Atlanta-BeltLine program.” We were proud to represent young attorneys in our state and to help keep our community clean.

In honoring our veterans during the month of November, the committee volunteered with the Atlanta VA Center on Nov. 2, 2019, to assist the VA in preparation for Harvest Ball. Harvest Ball is an annual event where veterans living in the VA nursing home get together for an evening of food and fun. For our part, we set up and decorated the dining hall and transformed it into a fun zone for the afternoon festivities.

The committee also accepted donations at the YLD Fall Meeting at Lake Lanier to benefit the Gwinnett Children’s Shelter. Home of Hope at the Gwinnett Children’s Shelter is a nonprofit residential care facility which provides services for homeless children from 0-17 years of age along with their young mothers. They also provide care and services for homeless girls aging out of the foster care system.

Sarah Jett is an attorney in the Duluth office Gary Martin Hays & Associates, P.C. She is co-chair of the YLD Community Service Projects Committee and a 2018 graduate of the YLD Leadership Academy.

Kayla Winters Strozier is co-chair of the YLD Community Service Projects Committee and a past chair of the Judicial Law Clerk Subcommittee of the YLD Litigation Committee. She is a 2019 graduate of the YLD Leadership Academy.
Affiliate Spotlight

Houston County YLD

Kindall Browning

The Houston County YLD hosted the annual YLD BBQ in Perry, Georgia. In recent years, the local affiliate has opened the event up to Mercer Law students as an opportunity for them to network and get to know local lawyers. This year we had a great turnout without almost 40 lawyers, judges, law students and family members coming together to share a meal, socialize and, of course, watch football. The barbecue was fantastically prepared by Ron Daniels of Daniels Law, LLC. We also had several generous donations from local lawyers and firms that helped to fund the side dishes. All the Houston County Superior Court judges attended the BBQ and a good time was had by all.

The Houston County YLD held our Christmas Party on Dec. 12, 2019. We had a Christmas cookie swap at the party this year and we continued the tradition of sponsoring a local family for Christmas.

Kindall Browning is an attorney with the Houston Circuit Public Defenders Office in Perry. She is a Middle District representative on the YLD Representative Council and is a 2019 graduate of the YLD Leadership Academy.

SAVE THE DATE

The YLD Review is going green!

In January, all mailing preference check boxes in the database will be cleared. If you enjoy receiving and reading a print version of the newsletter, be sure to log in to your account at www.gabar.org and update your preferences. Questions? Email stephaniew@gabar.org.

We hope to see you on Saturday, March 21, 2020, at the 14th annual YLD Signature Fundraiser! This year’s beneficiary is Georgia Legal Services Program. Details to come at www.georgiayld.org.

The YLD Review is going green!
due prejudicial effect of recent publicity not initiated by the lawyer or the lawyer’s client.”

2 Local rules can be more restrictive.

Compare that to the Southern District of Georgia Local Rule 53.1 which is more restrictive. Under the federal rules, an attorney may not make any extrajudicial statement about:

- a client’s criminal record (or lack thereof);
- any statements given or refusal to give to law enforcement;
- the possibility of a guilty plea to a lesser charge; or
- counsel’s opinion as to the merits of the case or its evidence.

Do not let the glamour of the public spotlight lead you into making a statement that could compromise your client’s case. Even a comment as simple as, “my client is a good person and has never harmed a fly” violates LR 53.1. You may not even realize that you’ve crossed a particular line until you find yourself being reprimanded by the judge.

3 Learn certain key phrases.

There are several common phrases you should be aware of when interacting with the media. Perhaps you want to give further information or context to a situation, but you do not wish to reveal your identity. In such a situation you would give a statement “on background.” A reporter can conduct an interview “on background” by using your statements, but not directly identifying you as the source of the words. You typically see this when “a Pentagon official” comments on a story about the defense budget but has not been authorized to speak publicly. Conversely, you can choose to speak “off the record” in which you would be able to speak more freely, but none of your statements are used in the article. For this situation, most reporters will take the information you give “off the record” and try to corroborate it through alternative sources. Former White House Communications Director Anthony Scaramucci learned the hard way about not confirming that a conversation would be “off the record” before talking with a reporter.

Regardless of which choice you make, it is important to remember that reporters may have the best intentions, but they do not have a Bar license at stake. You do. Always remember to review and understand the applicable rules before giving any statement. Finally, recognize key phrases for when you interact with a reporter or journalist. There may come a time when it is in your client’s interest to make a public statement. It is vital for you to learn how to best navigate your client to a positive result.

Titus Nichols is the founder of Nichols Law, P.C., in Atlanta. He is chair of the YLD Disaster Legal Assistance Committee.

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**EDITORS, FROM PAGE 3**

day, the Signature Fundraiser is my favorite YLD event, and I’m so excited to attend the next event on March 21, 2020.

Next, I had the honor of serving as a Leadership Academy co-chair for two years. I truly enjoyed developing thoughtful programming for participants and sharing my love of the YLD. I would not be the lawyer I am today if it weren’t for the leadership skills, networking experiences and support provided by the Young Lawyers Division. I highly encourage young lawyers across Georgia to get involved.

From Audrey

I had the good fortune to work for Rita Sheffey, currently the assistant dean for public service at Emory University School of Law, in my first full-time legal position as the pro bono fellow at Hunton & Williams, now Hunton Andrews Kurth LLP. Rita has always been dedicated to public service and had an incredible dedication to the State Bar. Through her leadership, I learned the importance of service to the public and profession through State Bar leadership.

In 2015, current YLD President Will Davis encouraged me to attend a YLD meeting. I registered for the Summer 2015 meeting at Lake Oconee. Through attending a meeting, I was able to meet many leaders within the YLD and instantly felt welcome. Wanting to get more involved, I applied for the 2016 Leadership Academy and was accepted. From there, I went on to serve as a co-chair for the 2017 Signature Fundraiser, following in the footsteps of my esteemed co-editor. In 2018, I had the pleasure of serving on the board of the YLD under then-president Nicole Leet, focusing on pro bono engagement. The following year, YLD President Rizza O’Connor appointed me as a co-editor of The YLD Review, and current YLD President, Will Davis, graciously asked me to stay on for another year.

I have also joined various YLD committees throughout my time in the YLD, attended many meetings and been appointed to State Bar committees as well. Through my involvement, I have not only gained leadership opportunities but also made professional connections and friends as well. If you are interested in getting involved, please reach out to us.

Ashley Akins is an associate at Nelson Mullins Riley & Scarborough LLP in Atlanta. She is a 2014 graduate and past co-chair of the YLD Leadership Academy. She has also served on the YLD Board of Directors.

Audrey Bergeson is managing attorney for the Family Law Program at Atlanta Volunteer Lawyers Foundation. She is a 2016 graduate of the YLD Leadership Academy. She also served on the YLD Board of Directors and as a co-chair of the 2017 YLD Signature Fundraiser.
YLD Fall Meeting

Will Davis

YLD members from across Georgia met at the Legacy Lodge at Lake Lanier Islands in Buford for the YLD Fall Meeting from Nov. 15-17, 2019. Over the course of the weekend, nearly 70 attendees volunteered, networked and earned CLE credit all while enjoying the beautiful fall weather, some barbecue and of course, the Georgia-Auburn football game.

The weekend began on Friday afternoon with a service project at the Georgia Mountain Food Bank (GMFB) arranged by YLD Legal Food Frenzy Committee Co-Chairs Morgan Lyndall and Veronica Rogusky. In preparation for the 2020 Legal Food Frenzy, volunteers sorted large packages of donated food items and got a tour of the food bank. GMFB’s mission is to address hunger, health and quality of life by serving those in need throughout North Georgia, and it accomplishes its mission, in part, by distributing food and serving the community through outreach programs.

On Friday evening, YLD members gathered for a group dinner before enjoying the remainder of the evening playing games and relaxing after a long week. Attendees reconvened on Saturday morning for breakfast followed by a CLE presentation by Christine Butcher, the State Bar’s director of governmental affairs. The CLE focused on First Amendment challenges to mandatory bar associations. As a trending topic, the presentation was well-received. The YLD General Session followed the CLE before the meeting recessed for an afternoon of barbecue and football at a lake house on property. On Saturday night, members met for a final group dinner at Margaritaville at Lake Lanier Islands before departing on Sunday morning.

YLD meetings are an excellent opportunity to become involved in the YLD and the State Bar of Georgia. Meetings provide members an opportunity to meet with other lawyers in a relaxed setting while also offering service and educational opportunities to those in attendance. Amy Saul, a first-time attendee at the Lake Lanier Fall Meeting, said, “the meeting was a great experience to have an opportunity to socialize with other young lawyers while also learning more about the YLD as a whole.” The next YLD meeting, following the Midyear Meeting on Jan. 10, 2020, in Atlanta, will be held in Athens from April 24-26, 2020.

Will Davis is an associate at Naggiar & Sarif in Atlanta and president of the Young Lawyers Division of the State Bar of Georgia.

1. (L-R) Margaret Head, Kyle Davis, Nyonnohweah Seekie, Autumn Cole, YLD President Will Davis, YLD President-Elect Bert Hummel, Veronica Rogusky, Morgan Lyndall and Nicole McArthur volunteered for the service project on Friday afternoon at the Georgia Mountain Food Bank; 2. Sorting food at the food bank; 3. Group Dinner at Legacy Lodge on Friday evening; 4. Dinner and football viewing at Margaritaville on Saturday evening.
Young Lawyers Roundtable with the Judiciary

« SAVE THE DATE »

2020 ELEVENTH CIRCUIT JUDICIAL CONFERENCE

Don’t miss this rare opportunity to discuss with federal judges their unique experiences and the important issues they feel are facing the courts today. It has been several years since the conference was hosted in Georgia and the conference will not be back in Georgia for several more years. With the required documentation and payment of fees, Conference attendees may also be sworn in to the bars of the U.S. Supreme Court, the U.S. Court of Appeals for the Eleventh Circuit, and the U.S. District Court for the Northern District of Georgia.

Saturday, May 9, 2020
8–11 a.m.
Renaissance Atlanta Waverly Hotel
& Convention Center
2450 Galleria Parkway
Atlanta, GA 30339

You must register for the Saturday Roundtable with the Judiciary and pay the $10 event fee in order to participate in the bar admission ceremony.

Completed bar admission forms and any admissions fees required must be received by March 2, 2020.

We cordially invite your family and friends to attend the swearing-in portion at the close of our program. Guests will wait in an area separate from the roundtables until the ceremonies begin.

For more information, contact Stephanie Wilson at stephaniew@gabar.org.
a staff and get ready for oral arguments the first week in January. Her fondest memory is of former Chief Judge Alan Blackburn calling her and inviting her down to the courtroom to show her where she would sit on the bench and what order they would walk into the courtroom. Judge Doyle recalls being stressed about the little things during the transition, but she had no problem adjusting to making the decisions and no longer being an advocate.

Her time on the Court of Appeals has affirmed what she learned in practice: that she will never nor can she ever know everything about the law. She acknowledges that every day brings something new, but by knowing how to research and work hard, she can trust herself to make the right decision.

When I spoke with Judge Doyle she reflected on the most rewarding experiences during her time on the Court of Appeals by explaining that she loves opinion writing and working on policy and administration for the court system. However, her time at the Court of Appeals has also given her the opportunity to meet and work with many lawyers, judges and people invested in the legal profession all over the state. It has also provided her the opportunity to serve on the Judicial Council and work with the Administrative Office of the Courts, which has given Judge Doyle a much broader perspective of the legal issues facing Georgia. In fact, Judge Doyle’s administrative work in implementing a historic jurisdiction shift of cases from the Supreme Court to the Court of Appeals has helped the Court of Appeals focus on issuing opinions rather than inquiring into its jurisdiction and transferring matters between the appellate courts. The Court of Appeals’ expanded jurisdiction has streamlined the litigation process for many cases.

Judge Doyle is currently chairing the Strategic Plan Implementation Committee for the Judicial Council for the second time. The committee has been discussing judicial wellness programs.

Judge Doyle realized that the types of cases that she enjoyed working on the most were those that involved the more complicated legal issues—“the ones that keep you up at night and that you dream about, but when you wake up you think ‘Wow, I know exactly how I want to write that opinion.’”

One thing Judge Doyle appreciates most about her work on the Court of Appeals is the people. She described her colleagues as a fun and caring group of people, in addition to being hard-working, smart and dedicated to the court.

When Judge Doyle is not dropping her kids off at school, soccer practice and tutoring, or attending lunch meetings, bar association meetings, committee meetings and campaign events, or reading and writing opinions, she spends time on the Atlanta BeltLine, or sitting on her porch reading or working on crossword puzzles. And, of course, on Saturdays during the fall she watches college football. I was curious how Judge Doyle seems to do it all as a mother and a judge, and she told me she keeps a paper calendar, which she checks at the end of each work day to make sure she knows where she needs to be the next day. We also discussed the importance of prioritizing events and being able to say “no” to certain events.

Judge Doyle’s career has had many highlights and she continues to pursue endeavors that will benefit her community and the legal profession. Since winning the Court of Appeals election in 2008, Judge Doyle has endeavored to remember that although being a judge is a special opportunity, she is not special. “Instead, I have an opportunity to serve the state of Georgia, and if I do so every day with a positive attitude while focusing on rendering decisions that are fair, impartial and follow the law, I am accomplishing great things one opinion at a time.”

Margaret Head is an attorney at Cohen & Caproni in Atlanta and serves on the YLD Board of Directors.
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2020 MIDYEAR MEETING
Jan. 9-11 | The Georgian Terrace & The Fox Theatre | Atlanta, Georgia
Visit www.georgiayld.org for more information.