

## MEMORIAL RESOLUTION FOR JAMES MICHAEL FRANKS

It is with great sadness that we acknowledge the passing of James Michael Franks on December 14, 2010.

“J. Michael” Franks was a brilliant lawyer, and a passionate advocate for his clients. Mike grew up in Sheffield, Alabama, and attended The McCallie School in Chattanooga. Thereafter, he graduated from Vanderbilt University with a Philosophy degree where he was the first editor of a broadsheet weekly newspaper called *Versus* which took a more conservative editorial approach than did the university supported student newspaper, *The Hustler*. Mike was quoted in the book *Chancellors, Commodores, & Coeds* authored by Bill Carey as saying that the name *Versus* was chosen to indicate that the paper was against *The Hustler*. After obtaining his undergraduate degree, Mike attended Vanderbilt Law School from which he graduated in 1974. While in law school, Mike clerked for the Nashville firm of Manier, White, Herod, Hollabaugh & Smith (later Manier & Herod) where he worked until, for health reasons, he was forced to retire in 2009.

Michael dearly loved his family. He and “his bride,” Alma Alexander Franks, were blessed by the birth of two wonderful children, Charles Alexander Franks and Sara Evaline Franks. Mike’s children shared his passion for learning, and Mike was so proud when he was able to attend the graduation of Alexander from the University of Edinburgh, Scotland, and was looking forward to the graduation of Evaline from Bond University in Australia.

Because of Mike’s exceptional legal skills, he was selected to succeed Olin White as Manier’s suretyship specialist, and he grew to be one of the South’s leading experts in that area of the law. Mike also served as a member of Manier’s Executive Committee from 1997 to 2009. Manier was the only place he ever worked as an attorney. His love of the firm allowed him to subordinate his personal self interest for “the good of the law firm.” This is what made him such an effective and beloved leader. What stood out most about Mike in his leadership style was his integrity. When faced with a difficult decision, Mike never looked to the financial part of the equation, nor worried about embarrassment or other potential negative ramifications. Mike always looked to do “what’s right.” No one at the law firm ever saw Mike without a suit on. Blue jean day was an abomination to him. Mike had a colorful personality and his ability to come up with a witty response was a gift that served him well in meetings. Whenever things would get tense, Mike knew just what to say to break the tension with a good laugh.

History and politics were two things that Mike loved to discuss with others. He was heard to quote Winston Churchill on numerous occasions (and allegedly smoked the same cigars). For many years Mike was an avid and active member of The English Speaking Union for which he served at least one term as President. Mike prided himself in knowing absolutely nothing about sports. Although he may at some point in the past have attended a Vanderbilt football game, there is no actual physical evidence that he was ever seen at any professional sporting event of any kind under any circumstances. Nevertheless, Mike was the epitome of a Southern gentleman and had an enormous joie de vivre. For this reason, among others, it is particularly unfortunate that he should die at the relative young age of sixty-one. Mike loved to take vacations in exotic locations and particularly enjoyed warm and sunny beaches where the ladies were scantily clad. Mike and Alma took great pleasure in hosting parties at their home including, for many years, a lively New Year’s Eve party where he served his guests brown

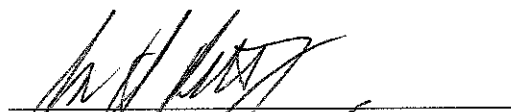
whiskey and other favorite libations. Mike had a standing rule not to discuss business at lunch. Lunch was his "get-away time" and he looked forward each day to meeting with his close friends to enjoy life in the middle of each workday.

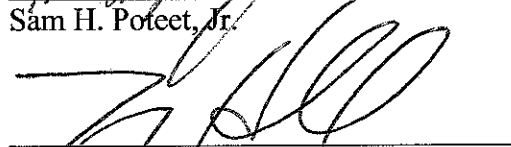
Therefore, be it RESOLVED by the Nashville Bar Association, that we honor the life and work of James Michael Franks and mourn in his passing the loss of a keen mind, a caring spirit, and a person of integrity.

Be it further RESOLVED that this memorial resolution be placed in the permanent records of the Association and entered in the "In Memoriam" Minute Book of the Chancery Court of Davidson County, Tennessee, and that copies thereof be furnished to members of his family, his wife, Alma, his son, Alexander, and his daughter, Evaline.

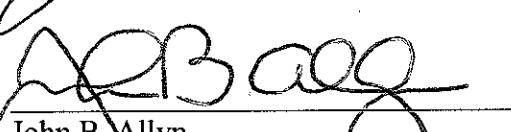
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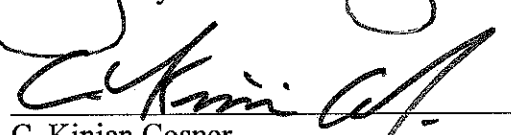


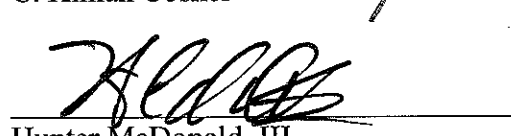
  
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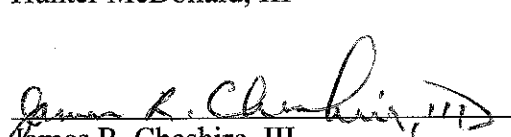
  
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