



Young achievers—all under 40—are on the rise in Georgia's legal community

Frank M. Lowrey IV not only won the case, he won the praise of the chief justice.

When Lowrey stood before the Supreme Court of Georgia at oral arguments in Athens last fall, he represented a carwash company accused of sending unsolicited “junk” faxes.

He rebutted an argument by opposing counsel, former Gov. Roy Barnes, while offering an analogy comparing class action litigants with customers of Golden Pantry, a chain of Athens-area convenience stores. With the comparison, Lowrey turned a slick rhetorical double play designed for both of his audiences—justices on the bench and University of Georgia students in the courtroom.

In March, the Supreme Court issued its opinion in the case: Lowrey, 38, won a reversal for his client. *Carnett's Inc. v. Hammond*, 279 Ga. 125.

The partner at Bondurant, Mixson & Elmore also impressed then-Chief Justice Norman S. Fletcher, who wrote the opinion in the *Carnett's* case, and who retired June 30.

Fletcher said in August that he found Lowrey “extremely impressive” in his preparation and in his acumen in handling justices’ questions. “He is certainly one of the best that came before the court in my 15½ years,” Fletcher said. “I’m very impressed with his ability to present, both in oral arguments and in briefs. I know of no one who has done better work.”

A blend of meticulous preparation and articulate argument mark Lowrey as a rising star in appellate work, as well as his other specialty—

Frank M. Lowrey IV

Bondurant, Mixson & Elmore, partner



BARTRAM NASON

- **Age:** 38
- **Law school:** Emory University, 1992
- **Motivation:** “The prospect of winning.”
- **Last book read:** “Harry Potter and the Half-Blood Prince” by J.K. Rowling.
- **Best advice received:** “There is insurance for malpractice, but no insurance for integrity.”—Jay Elmore, a partner at Bondurant, Mixson & Elmore
- **As a kid he wanted to be:** A lawyer.
- **Interesting fact:** Attended Emory University as an undergraduate on a debate scholarship.

complex litigation.

He showed a talent for oratory while still in high school in Americus. His successes on his debate team won him Emory University’s Barkley

Merit Scholarship, given each year to one incoming freshman with promise in debate.

Lowrey became a national semifinalist for the Barkley Forum, Emory’s debate team, and a coach suggested Lowrey meet some people at Emory’s law school.

“I walked into a law school interview and walked out with a full scholarship,” Lowrey said. He earned his law degree and envisioned a career in environmental law.

“I set out with some ideas about what I wanted to do,” Lowrey said, “all of which were hopelessly wrong.”

He worked for a year as a clerk for 11th U.S. Circuit Court of Appeals Judge Stanley F. Birch Jr.

Birch remembered Lowrey as “an incredibly intelligent and hard-working fellow” with a dry sense of humor, a tendency not to take himself too seriously and a propensity for—usually—healthy eating.

“We used to laugh at him because he ate yogurt and seaweed for lunch,” Birch said. Lowrey’s health-food habit had its limits; when they’d go out to a restaurant and the dessert tray arrived, Birch said, “he’d eat death-by-chocolate all the way.”

Since then, Lowrey has worked for Bondurant, Mixson & Elmore. Partner Emmet J. Bondurant has served as a mentor, said Lowrey, who speaks admiringly of what he calls Bondurant’s “stubborn excellence.”

Lowrey said stubborn excellence differs from excelling at stubbornness, mainly because the former relies upon working with unyielding deter-

mination and ceaseless preparation.

“It’s one thing to simply be stubborn and assert you’re right when you’re wrong,” Lowrey said. “What sets Emmet apart, and what sets a successful lawyer apart, is the ability to look below the surface and find a winning argument.”

By 1998, Lowrey had showed he was learning how to find that argument. He was offered a chance to work on the

supposedly “unwinnable” appeals case of Gary Zielinski. Zielinski had sued his former employer, Clorox Co., claiming the company violated his right to privacy at an employee meeting when a supervisor implicated him in an embezzlement scheme. *Zielinski v. Clorox Co.*, 270 Ga. 38.

Lowrey helped petition for certiorari, then argued the case before the state Supreme Court, which ruled for

Zielinski and reversed the Court of Appeals.

Bondurant said Lowrey also has shown his talents in complex civil cases, including work for Delta Air Lines.

“He is an extraordinarily bright mind,” Bondurant said. “He is more verbally articulate than most of us and has a very great ability to speak concisely as well as articulately.”

—Scott Simonson