

JOHN ROBIN BRADLEY: BIOGRAPHIA LITERARIA

*Michael H. Hoffheimer**

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He must teach himself that the basest of all things is to be afraid. . . .

William Faulkner¹

John Robin Bradley began legal practice with the Jackson law firm of Wise, Smith and Carter² the day after he graduated from the University of Mississippi School of Law in 1962. He returned to the law school as a member of the faculty in 1966. At his retirement in spring 2013 he had devoted over 50 years to the legal profession and 47 years to law teaching. He served 45 years as full-time member of the faculty at the University of Mississippi.

He was already a seasoned educator when John Grisham encountered him in his first law school class in 1978. Professor Bradley was still teaching a generation later when Grisham's son was assigned to his section of contracts.³

I. ORIGINS

Born in 1938, John Robin Bradley grew up in Inverness, Mississippi, a town of 1000 situated on the Illinois Central line in Sunflower County. His grandfather, Bradford Augusta Bradley (b. 1865), arrived in the Delta by way of Natchez, part of the first wave of settlers who—as white property owners and black laborers—cleared and plowed the rich land in the generation after the Civil War. His maternal grandfather, Cohn, arrived from Poland by way of New York City, part of the wave of Jewish migrants who prospered as merchants throughout the postwar South.⁴

¹ William Faulkner, Nobel Laureate, Banquet Speech (December 10, 1950), available at <http://www.nobelprize.org/mediaplayer/index.php?id=1397>.

² Comprised at that time of four partners and two associates, the partnership is the precursor of today's preeminent firm Wise, Carter, Child and Caraway, P.A.

³ John R. Grisham Jr., *Dedication of the Robert C. Khayat Law Center*, 81 MISS. L.J. 1, 18-19 (2011) (describing his first class in law school, contracts with John Robin Bradley, and claiming humorously that Professor Bradley was still telling some of the same jokes when his son took the class).

⁴ Grandfather Cohn immigrated to the U.S. in 1887 at age six. He was reputed to have gained proficiency as a craps player on the streets of New York City. He later operated a general merchandise store in Inverness, bringing cousins to work in the

Grandfather Bradley was murdered in 1909, age 44, leaving his widow, Ada Collier Bradley, with sole responsibility for raising seven children.⁵ The incident remained the subject of concern as the family attempted to identify the killer. The family even tried to get the main suspect to confess on his deathbed. All the family ever learned for certain was that a former lessee resented the fact that the grandfather had leased property to a black family. When the new tenants were threatened, the grandfather had set off on horseback at dark with a Winchester .30-.30 rifle to protect them. His body was discovered, dead by gunshot. A burnt taper and unlit pipe indicated that he had been killed when he stopped to light his pipe. Professor Bradley still owns the rifle, its stock visibly pitted from the buckshot blast that killed his grandfather.

Ada Bradley moved the family, including seven-year-old John Robin Bradley, Sr., to Inverness. Bradley Senior must have been ambitious, industrious, and personable. Even during the Roaring Twenties, his feat of selling one thousand Ford motorcars in four years revealed an extraordinary capacity for business and networking. The high regard to which he was held in the community later resulted in Bradley Senior's election as mayor in the late 1940s. Mayor Bradley accomplished his first goal, paving the streets of Inverness, and was re-elected to serve more than twenty years in office.

From the 1930s to the 1950s, Bradley Senior turned his hand to overseeing his own farm operations. Young John Robin Bradley Jr. would accompany his father on farm visits. Decades later, Professor Bradley could vividly recall details of farming operations he saw, such as the fact that three tenant families continued into the 1950s to plow with mules.⁶

A middle child, Professor Bradley had one sister, Carolyn, two years older, and another, Ada, five years younger. The family circle included domestic workers, a cook, and nurses—all black. The family home still stood in 1971 when it was destroyed by a

store and who later opened their own businesses in the Delta. He moved to Memphis around 1934.

⁵ Three more children, the three oldest daughters, all died as children.

⁶ Tractor service was available but was charged as an expense against the sharecropper's share. Shrewd tenants could maximize profits by maintaining their own mule and plow.

tornado. Extended family included cousins too numerous to count.⁷ Years later, while visiting a former high school teacher's house, Professor Bradley spied a portrait of his great-grandfather on the wall. They discovered they were cousins.

Professor Bradley's father's family was Baptist, although his father was not a churchgoer. From his Jewish mother, Marian, and her extended Cohn family, Professor Bradley absorbed an awareness of difference that he would reconsider more systematically as an adult, reading studies of Jews in the Delta.⁸ Members of his family were not observing Jews: they did not observe dietary restrictions⁹ or regularly celebrate holidays. They nevertheless identified as Jews, and family events, especially weddings and funerals, took the young Bradley to the magnificent temple in Greenville, the synagogue in Greenwood, and the smaller temple in Cleveland.

Later studies confirmed Professor Bradley's early perception that his Jewish kin were more respectful to African Americans than most whites. As a rule, he saw that Jews were more moderate on issues of race relations. He thought this stemmed from two facts: Jews as merchants depended on African American customers; and Jews knew what it meant to be a disadvantaged minority.¹⁰ Jews near Inverness were accepted by the larger white

⁷ The 1940 census records that Marian's younger brother Joseph Cohn was residing with the Bradleys. See *John Robin Bradley Junior in the 1940 Census*, ANCESTRY.COM, http://www.ancestry.com/1940-census/usa/Mississippi/John-Robin-Bradley-Junior_4746q6 (last visited Apr. 1, 2013).

⁸ He recommends: STEVEN BIRMINGHAM, "OUR CROWD": THE GREAT JEWISH FAMILIES OF NEW YORK (1967) (with chapter on Southern migration); GENE DATTEL, COTTON AND RACE IN THE MAKING OF AMERICA: THE HUMAN COSTS OF ECONOMIC POWER (2011); ELI N. EVANS, THE PROVINCIALS: A PERSONAL HISTORY OF JEWS IN THE SOUTH (2005); ELI N. EVANS, THE LONELY DAYS WERE SUNDAYS: REFLECTIONS OF A JEWISH SOUTHERNER (1994). See also EDWARD COHEN, THE PEDDLER'S GRANDSON: GROWING UP JEWISH IN MISSISSIPPI (1999); LEO TURITZ & EVELYN TURITZ, JEWS IN EARLY MISSISSIPPI HISTORY (1983); EMILY FORD & BARRY STIEFEL, THE JEWS OF NEW ORLEANS AND THE MISSISSIPPI DELTA: A HISTORY OF LIFE AND COMMUNITY ALONG THE BAYOU (2012). Blacks and Jews alike observed cultural affinities long before the Civil Rights movement. *E.g.*, W.C. HANDY, FATHER OF THE BLUES: AN AUTOBIOGRAPHY 297-98 (Arna Bontemps ed., 1941) (quoting with approval observations by Isaac Goldberg on the affinity of Negroes and Jews).

⁹ One of the family's black cooks learned from his great-grandmother to prepare kosher meals for the holidays.

¹⁰ One of his cousins, a confidante of the notorious Senator Eastland, broke rank with racial extremists and refused to evict black tenants who registered to vote.

community and permitted to join private (whites only) country clubs. However, they were aware that in Clarksdale, 60 miles to the north, Jews were not tolerated in such elite white enclaves.

II. EARLY SCHOOLING

In 1943, as World War II raged, John Robin Bradley Jr. set off for the first of twelve years spent in the memorably handsome public school building topped by a red tile roof, situated on a grassy lot surrounded by oaks.¹¹ Despite uneven teaching,¹² these were “idyllic” years during which Bradley proved his worth as the second fastest white boy in the county, earning thirteen varsity letters in tennis, football, basketball, baseball, and track. The future professor recalls modestly that he was “good in school,” adding, when pressed, that he was often class president and editor of the school paper and yearbook.

In high school, Bradley and a classmate bought a Model A for \$17.50. They drove it most of the way back to town before it broke down. After repairing the fuel line they discovered that the car’s light frame and narrow wheels made for easy travel over the primitive roads of the day. Years later, Professor Bradley’s interest in automotive technology would lead him to invest in models known for dependability (and style) that would raise the tone of the neighborhood—a Volvo, Acura, Lexus, and Prius.

Before graduating in 1955,¹³ young Bradley suffered a knee injury in his senior year that would make it an easy decision not

¹¹ He later learned that the school was designed by the N.W. Overstreet of Jackson. Images of this 1922 structure (demolished 2010) are available online. *E.g.*, *Inverness, Mississippi*, WIKIPEDIA, http://en.wikipedia.org/wiki/Inverness,_Mississippi. The two-story stucco building incorporated Roman and Arts and Crafts elements, featuring nearly floor to ceiling windows.

The lingering effect of coming of age in this physical environment no doubt influenced Professor Bradley’s enduring, serious interest in architecture. Professor Bradley was the only Oxford resident known to the author who recognized the historic importance the Pegues house on North Lamar, designed by Calvert Vaux. *Cf.* WILLIAM ALEX, CALVERT VAUX: ARCHITECT & PLANNER 56 (1994) (referring to structure as “the finest Italiante villa in Mississippi”); THOMAS S. HINES, WILLIAM FAULKNER AND THE TANGIBLE PAST: THE ARCHITECTURE OF YOKNAPATAWPHA 84-85 (1996).

¹² The curriculum did not include either Latin or a foreign language. It did include typing. Long before word processing became available, Professor Bradley typed much of his own work product.

¹³ He was in the first generation of his family to graduate from college but not the first to attend. His sister hustled through high school and college in six years,

to pursue contact sports in college. The injury did not, however, prevent his former school coach, then the head coach at Mississippi College, from actively recruiting the athlete based on memories of a game in which the high school star had returned a punt for a 90-yard score and then thrown two passes to bring home a last quarter victory against a feared rival. Though he did not try out for football, he played varsity tennis.¹⁴ He received multiple honors, including being elected president of his class and other organizations, campus favorite, and senior most likely to succeed. He graduated from Mississippi College “with special distinction,” with a major in history and minors in English, German, and sociology.

John Robin Bradley received an excellent liberal arts education at Mississippi College at the hands of “really good teachers.” There he also socialized with an open-minded group of young people who agreed that segregation was morally wrong. Among these was a classmate, Laura Lipsey. The two began courting the summer after they graduated in 1959.

III. LAW STUDENT

In fall 1959, Laura Lipsey commenced a National Defense Education Act scholarship in history at the University of Mississippi. John Robin Bradley had also considered graduate school, but he decided, in the end, to accept a scholarship at Tulane Law School. He does not credit any lawyer for serving as a role model for his decision to attend law school. He confesses, “I had to do something. Then I got a full scholarship at Tulane, although I didn’t know much about what lawyers did.”

He spent one semester at Tulane before transferring to the University of Mississippi, where he promptly married Laura. His time at Tulane was not wasted; his grades were sufficiently impressive to allow him to join the *Mississippi Law Journal*. He served as Editor-in-Chief for the *Journal* during his third year. He

graduating from the University of Alabama in 1956. Their mother had enrolled in college classes at different colleges but did not graduate. Their father attended the University of Mississippi and resided at Gordon Hall, but he never officially enrolled and disembarked when his personal finances were depleted.

¹⁴ For many years after college, John Robin and Laura Bradley continued to play serious amateur tennis.

also served on the Moot Court Board and was elected president of Phi Kappa Phi.

Peers included future luminaries. During his third year, the College of William & Mary hosted the annual meeting of Southern law reviews. He and two other *Journal* members—future bar leader Sandy Sams and future Senator Thad Cochran—boarded the train in Grand Junction, Tennessee, and switched at Charlottesville. Professor Bradley does not volunteer further details. It is a matter of record, however, that Senator Cochran once told law students: “I do have background information on some of your faculty if you want me to help you in that way. John Robin Bradley, Guff Abbott, and Bob Weems were all here when I was.”¹⁵

Memorably good teachers at the law school were John H. Fox Jr., Hector Currie, William P. (“Bill”) Murphy, Roscoe Cross, and Joel W. (“Bill”) Bunkley Jr. When asked whether any provided models for his own teaching, Professor Bradley responds, “Teaching is very much a personal style, and the good teachers didn’t do things the same way.” What he viewed of being most valuable were those teachers who helped him learn, or, more precisely, “learn how to learn.”

In spring 1962, Laura Bradley received an M.A. from the University of Mississippi.¹⁶ She had completed all the coursework for a Ph.D. before turning her full attention to a more intellectually demanding assignment: raising their son, Mark Cohn Bradley.¹⁷

¹⁵ Thad Cochran, *The James McClure Memorial Lecture in Law*, 67 MISS. L.J. 383, 384 (1997).

¹⁶ Laura Lipsey Bradley, *Protestant Churches and the Ku Klux Klan in Mississippi in the 1920s: Study of an Unsuccessful Courtship* (1962) (unpublished M.A. thesis, University of Mississippi). Laura Bradley was the great-granddaughter of John Lipscomb Johnson (1835-1915), who chaired the University’s department of English in the 1870s and resided for a time in the house Faulkner would rename Rowan Oak. She has displayed true independence of mind over the course of a life devoted to extraordinarily wide learning—her interest in Russian culture led her to study Russian in the 1980s and 1990s. She was a consistent advocate of liberal and humane values, whether serving on the board of Common Cause or speaking at the Board of Aldermen meeting against deer hunting in Oxford city limits.

¹⁷ Mark died in mid-adulthood in 2012, mourned by his many friends and survived by his wife Susan Bradley and son Samuel John Bradley.

IV. COUNSELOR AT LAW

At the same commencement, the new father received a J.D. with distinction and the faculty award as the outstanding law school graduate. Dean Farley recognized the high achiever's potential for law teaching and invited him to stay and teach for one year, offering to arrange for an LL.M. at Yale the following year. Though interested in teaching, the young graduate wanted to wait. He also turned down an offer of \$600 per month from New Orleans and \$350 per month from Laurel to take a position as associate with Wise, Smith and Carter in Jackson where he earned \$300 per month.¹⁸ His practice focused on regulatory and business law, because one of Wise's clients was Mississippi Power and Light (now Entergy).

The next year, John Robin Bradley accepted a position as in-house counsel with Mississippi Chemical Corporation in Yazoo City. The family now included a newborn daughter, Claire.¹⁹ Motives for the move included the challenge of the work and higher pay. Life in Jackson was also becoming more difficult with the intensification of racial conflict in the years that included the assassination of Medgar Evers in 1963.

In Yazoo City, half in the hills and half in the Delta, the young lawyer found a small community with many young people. He became immersed in a fast-paced corporate practice, assuming responsibility for oversight of corporate compliance with securities and other laws that varied from state to state.²⁰ Tasked with scrutinizing the articles and bylaws of his client and related corporations for compliance with the newly enacted Mississippi

¹⁸ This decision belies the joke Professor Bradley repeatedly tells of how he "followed the money" in all his career decisions.

¹⁹ Claire Bradley graduated from Duke and achieved professional success in book production in the New York publishing world. She married Henry Ong, and the two have two children, Daniel and Angela Ong.

²⁰ State blue-sky laws have now been largely preempted by federal securities laws. Professor Bradley served as counsel for a number of related corporations, the chief ones being Mississippi Chemical Corp., which manufactured nitrogen fertilizer in Yazoo City and Coastal Chemical Corp., which manufactured mixed nitrogen, phosphorus, and potassium fertilizer in Pascagoula. The business model included a coop component through which farmers, by purchasing corporate shares, could acquire the right to specific quantities of fertilizer and could qualify for cash rebates when the corporation was sufficiently profitable. The treatment of the interests presented complicated tax issues that were closely monitored by the I.R.S.

version of the Model Business Corporations Act, Professor Bradley became convinced that “the main thing you learn in law school is how to learn.” He recalls, “One thing I remember about the four years I practiced was how steep the learning curve was.” He speaks with audible respect for the “good people and good lawyers” with whom he worked.

V. LAW PROFESSOR

While visiting the law school from 1965 to 1966 as an instructor in the writing program, attorney Bradley sensed that the institution was experiencing the most dynamic and eventful time in its history.²¹ This impression was later confirmed by historical studies.²² In the four years since he had graduated, the University had been forced to admit its first African American student, but not before powerful segregationists had forced Dean Farley into retirement, chased off prominent Constitutional Law scholar William P. Murphy, and inflicted other damage on the institution.²³

Joshua Marion Morse III²⁴ was added to the faculty in 1962 and was soon designated to serve as dean. The University got

²¹ See Interview with John Robin Bradley (Oct. 26, 2009) (on Law School Attitudes About Integration in the mid 1960s), *available at* <http://vimeo.com/7267752> (“By the time I arrived the faculty was supportive of racial integration.”).

²² Professor Bradley recommends: NADINE COHODAS, *THE BAND PLAYED DIXIE: RACE AND THE LIBERAL CONSCIENCE AT OLE MISS* (1997); JOSEPH CRESPIANO, *IN SEARCH OF ANOTHER COUNTRY: MISSISSIPPI AND THE CONSERVATIVE COUNTERREVOLUTION* (2007); CHARLES W. EAGLES, *THE PRICE OF DEFIANCE: JAMES MEREDITH AND THE INTEGRATION OF OLE MISS* (2009); MICHAEL LANDON, *THE UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW: A SESQUICENTENNIAL HISTORY* (2006). See also FRANK LAMBERT, *THE BATTLE OF OLE MISS: CIVIL RIGHTS VS. STATES’ RIGHTS* (2010); WILLIAM DOYLE, *AMERICAN INSURRECTION: JAMES MEREDITH AND THE BATTLE OF OXFORD, MISSISSIPPI, 1962* (2003); CURTIS WILKIE, *DIXIE: A PERSONAL ODYSSEY THROUGH EVENTS THAT SHAPED THE MODERN SOUTH* (2002); JOHN EGERTON, *SHADES OF GRAY: DISPATCHES FROM THE MODERN SOUTH* (1991).

²³ See JAMES W. SILVER, *MISSISSIPPI: THE CLOSED SOCIETY* 111-14 (2d ed. 1966).

²⁴ See Douglas Martin, *Joshua Morse, Law School Dean Who Defied Segregation, Dies, 89*, N.Y. TIMES, Sept. 19, 2012, http://www.nytimes.com/2012/09/20/us/joshua-morse-iii-law-school-dean-who-defied-segregation-dies-at-89.html?_r=0. See also John Robin Bradley, *The Five Eventful Years of Josh Morse’s Transformational Deanship*, 82 MISS. L.J. (forthcoming May 2013) (unpublished manuscript on file with author); Interview with John Robin Bradley (Oct. 26, 2009), *available at* <http://vimeo.com/7270328> (describing Dean Morse and law school as being on “cutting edge” in 1965 and 1966).

more than it expected in the Poplarville native and successful small-town lawyer. Dean Morse immediately admitted African American students to the law school. By 1967, about 20 African American students were enrolled.²⁵ Before assuming other duties, however, Dean Morse took leave for one year to pursue a graduate law fellowship at Yale. When he returned, he added two Yale law graduates to the faculty. He would eventually add a total of eight “Yalies” to the faculty (out of a total of 21). From 1964 to 1969, the law school became a nationally recognized leader in liberal legal education. With Ford Foundation funding for black students²⁶ and legal assistance programs, law school faculty and students played an active role in high impact—and politically controversial—litigation involving civil rights.²⁷ In 1966, Dean Morse’s law school even invited New York Senator Robert F. Kennedy to give a lecture on campus.²⁸

Professor Bradley never would shake his Delta accent or courtly manner. Dean Morse and Professor Michael Horowitz, one of the Yalies, recognized the value of adding to the faculty an experienced corporate lawyer with deep Mississippi roots. Repeating earlier offers, they eventually persuaded him, in spring 1966, to join the faculty.²⁹

²⁵ Reubin Anderson, who later served a particularly distinguished term on the Mississippi Supreme Court, would be the law school’s first African American graduate in 1968. Constance Slaughter Harvey, the first female African American to graduate (1971), recalls that she was persuaded to come to the Mississippi School of Law rather than Howard only as a result of a personal conversation with Dean Morse—and the offer of full scholarship.

²⁶ See *also* Interview with John Robin Bradley (Oct. 26, 2009), *available at* <http://vimeo.com/7268015> (describing how Ford Foundation grants supported law school’s efforts actively to recruit qualified Black students, resulting in resentment from some members of IHL Board, alumni, and the bar).

²⁷ Interview with John Robin Bradley (Oct. 26, 2009), *available at* <http://vimeo.com/7269187> (describing how law faculty who staffed legal clinic representing plaintiffs seeking to desegregate Holly Spring schools “made a lot of people very angry”).

²⁸ The dean faced intense pressure to cancel, and the lecture occurred only after he threatened to resign if the invitation was rescinded. The lecture was well received. Martin, *supra* note 24.

²⁹ His new employer in 1963 finally matched the \$600 per month that Professor Bradley had declined upon graduation. The law school hired him at an impressive starting salary of \$12,500 per year.

Professor Bradley moved to Oxford that summer. He called on his first student in the old Lamar Hall³⁰ in the summer semester of 1966. During his first three years, he taught about a dozen courses, serving briefly as head of the legal writing program. He recalls, “Mike Horowitz talked me into teaching contracts” during his second year of teaching. Professor Bradley taught contracts every year from 1967 to 2013. He did not employ the materials with which he was familiar from Tulane.³¹ Instead, he adopted the newer, pedagogically ambitious casebook authored by Fuller and Braucher.³² He continued to assign this as his required first-year text over the decades as it evolved, with many changes, into the Fuller and Eisenberg casebook. The text, then and now, is notable for its effort to communicate an understanding of the common law elaboration of doctrine. Its objective is to teach students how to learn from legal sources rather than to summarize doctrine. In an email exchange with a colleague at another law school some years ago, Professor Bradley made a reference to the “story” of contracts. From this clue that Professor Bradley sees law as a narrative process, his correspondent rightly inferred that he used the Fuller and Eisenberg casebook.

VI. SCHOLAR

One other early course assignment had lasting consequences. In teaching Employees Rights, Professor Bradley saw the need for separate treatments of statutory topics such as wage and hour law

³⁰ Lamar Hall was renamed Farley Hall when the new (now old) Law Center opened in 1978-79, which was named Lamar Hall.

³¹ Contracts was a six credit course at Tulane in fall 1959, meeting daily, Monday through Saturday. The course materials comprised Williston’s casebook, SAMUEL WILLISTON, A SELECTION OF CASES ON THE LAW OF CONTRACTS (William Tell Laube ed., 6th ed. 1954), selections from the Louisiana Civil Code, and student (unbound) versions of the First Restatement.

³² LON L. FULLER & ROBERT BRAUCHER, BASIC CONTRACT LAW (1964). The most recent edition, a substantial reworking, is LON L. FULLER & AARON MELVIN EISENBERG, BASIC CONTRACT LAW (8th ed. 2006).

It is noteworthy that Professor Bradley retained this demanding casebook despite the fact that it is not particularly popular with students. One student review on Amazon describes it as “the worst casebook EVER.” *See Customer Review*, AMAZON.COM, http://www.amazon.com/review/R3MKW73WJQPS6R/ref=cm_cr_pr_perm?ie=UTF8&ASIN=0314159010&linkCode=&nodeID=&tag= (last visited Apr. 1, 2013).

(which was “not too hard”) and Workers Compensation, which was a “system in itself.” He devoted special attention to Workers Compensation and began teaching it as an independent course about 1974. Though he had no practice experience in the area and educational resources were limited, Professor Bradley fell back on his law school education: “I knew how to learn.” He obviously had a competent teacher, for he evolved a unique approach to the subject, relying on a standard casebook—he now uses *Wex Malone’s*³³—for the main themes and issues common to workers compensation systems in all jurisdictions. As he gained experience, he supplemented the casebook with his own materials on Mississippi law.

In 1973, Professor Bradley began teaching corporations, the third course that he would offer consistently for most of his career. Forty years after starting, he still views it as a “hard course” because of the conflicting demands of covering both “deals and doctrines.”

From the 1970s on, Professor Bradley participated in annual CLE events for which he produced comprehensive, fully annotated studies of Mississippi workers compensation law. He recognized that his materials were useful when the Mississippi Supreme Court began to cite and rely on them. In 2006, he and Judge Linda Thompson produced the definitive treatise on Mississippi Workers’ Compensation law.³⁴

Professor Bradley’s reputation among judges and lawyers led to his election as chairman of the Mississippi Workers’ Compensation Advisory Council and chairman of the Administrative Law & Workers Compensation Section of the Mississippi Bar. He has also served as president of the Lafayette County Bar.

³³ WEX S. MALONE ET AL., *CASES AND MATERIALS ON THE WORKERS COMPENSATION* (1963). The current incarnation is JOSEPH W. LITTLE ET AL., *WORKERS COMPENSATION CASES & MATERIALS* (6th ed. 2009). Professor Bradley observes that though Professor Malone (d. 1988) started his teaching career at the University of Mississippi School of Law; he went on to spend most of his career at LSU.

³⁴ See Appendix for bibliography and opinions citing Professor Bradley.

During his final semester of teaching, law students recognized Professor Bradley's lifetime contribution to high quality legal education by selecting him as teacher of the year.³⁵

VII. TROUBLOUS TIMES

The state of Mississippi almost lost Professor Bradley in 1970. Bowing to conservative political pressure, the University administration forced Dean Morse to depart in 1969 and banned law faculty from participating in legal advocacy.³⁶ Professor Joel W. Bunkley Jr. was appointed dean in 1969. While Professor Bradley respected his colleague as a "good academic," he feared Bunkley was "ill suited to be dean" and feared that "he would be pushed around by the temper of the times." The new Dean confirmed these concerns and signaled his distance from Dean Morse when he acted to rescind a scholarship offer that the school had made to an African American who was considered too "hotheaded."

Professor Bradley requested leave and served as Visiting Professor at Florida State University College of Law (1970-1972). After Dean Bunkley suffered a fatal heart attack in the second year of his tenure as dean, Professor Bradley and his family returned to Oxford.

Professor Bradley sees the shift in law school policy in the late 1960s—from grudging willingness to abide by federal law to enthusiastic efforts to make the school a welcome environment for African Americans—as a turning point in its history. It is "what put the law school on the course it has been on" to the present. He takes issue with the view³⁷ that the school's progressive commitment ended with Dean Morse's departure. After 1970, he concedes, the law school became less active in civil rights litigation and minority recruitment. But he emphasizes that this was due to the fact that litigation activity was institutionally separated and assigned to the new North Mississippi Rural Legal Services and

³⁵ He shared the honor with Professor Richard L. Barnes who died tragically at the start of the spring 2013 semester.

³⁶ *See generally* Trister v. University of Mississippi, 420 F.2d 499 (5th Cir. 1969) (discussing politically charged context and finding that selective prohibition against faculty employment by legal services violated Equal Protection Clause).

³⁷ *Cf.* EDGERTON, *supra* note 22.

that Ford Foundation funds for minority recruitment were no longer available. Soon after returning to the law school in 1974, he was appointed chair of the faculty recruiting committee. He insists, "We did not suddenly change who we were looking for."

VIII. SHAPING THE LAW SCHOOL'S FUTURE

No person in the history of the law school has played a more significant role in shaping the constitution of its faculty than Professor Bradley. After 1973 he served as formal chair of the faculty hiring committee for "no telling how many years." He reorganized the internal operation of the hiring process, introducing a professionalism and respect for system and adherence to rules that was previously lacking. For a minimum of 15 years, he chaired the committee that hired faculty. He would serve other terms as chair beginning in the late 1980s when the law school hired many new teachers, some of whom stayed for decades.³⁸

Faculty members hired under Professor Bradley's supervision all recall the personal role he took in welcoming applicants. He took visitors on a convoluted tour of the city. The "Bradley Tour" drove past all the most attractive features of the University and town. It swept from the University, around the Square, past Rowan Oak, up North and South Lamar, through old and new residential neighborhoods, and by county pastures. It turned around just past College Hill Presbyterian Church or, time permitting, at Sardis Lake.

Distinguished service as chair of the hiring committee ranks high among Professor Bradley's career accomplishments. Under his leadership, the school assembled an eminent faculty that would include the future founder of the Cambridge Summer Program and future director of foreign legal study programs at Cornell, Larry S. Bush; future college president Tim Hall; future Missouri law school dean Gary Meyers. Professor Bradley observes, "We have made very few poor hires during that period."

³⁸ In addition to dozens of faculty members who made extraordinary contributions before moving on to other positions, Professor Bradley led the process that resulted in hiring teachers that provided long-term institutional stability. These include Professors Richard L. Barnes, Deborah H. Bell, Donna Raye Davis, Larry J. Pittman, Ronald J. Rychlak, and the author.

He was a reliable, vocal advocate for qualified minority—and a conscientious critic of procedural irregularities that could prevent the law school from considering qualified minority and women applicants. Without Professor Bradley’s personal leadership, it is doubtful whether Louis Westerfield would have been appointed as the law school’s first African American Dean.³⁹

Rather than boast, however, Professor Bradley identifies retaining good faculty and achieving an appropriate faculty-student ratio as two of the significant institutional challenges faced by the law school in the 1970s and 1980s. He remembers high turnover rates of faculty and credits changes in the surrounding community, in part for greater success in later years, as Oxford has become more “livable.”

Professor Bradley also chaired the curriculum committee during a time when legal education underwent significant changes, mostly as a process of gradual evolution of subject matter. One of the biggest structural changes was the reorganization of legal writing (for which Professor Bradley claims no special responsibility). His famed wry humor appears in full view when he remarks, “Over the years we experimented with many different ways of [teaching legal writing]. Then we finally decided to spend money on it.”

IX. QUEST FOR JUSTICE

While Professor Bradley has not specialized in areas of law specifically associated with civil rights, his teaching and scholarship reflect his vision of legal education as a force for progress. One recent best seller identifies him as “a liberal voice at the law school.”⁴⁰ Hope in the ameliorative promise of law informs Professor Bradley’s career-long attention to Workers Compensation. The reviewer of the Bradley and Thompson treatise writes:

³⁹ For Professor Bradley’s moving tribute, see John Robin Bradley, *Remembering Dean Louis Westerfield*, 65 MISS. L. REV. n.p. (1996) (three unnumbered pages immediately following front cover).

⁴⁰ CURTIS WILKIE, *THE FALL OF THE HOUSE OF ZEUS: THE RISE AND RUIN OF AMERICA’S MOST POWERFUL TRIAL LAYWER* 314 (2010) (describing the occasion when Professor Bradley expressed concern in a faculty meeting about the morality of the law school accepting large contributions from felons).

At its origin and at its best, the compensation system shows how the legislative, executive, and judicial branches once combined to address one of the more dehumanizing products of the Industrial Revolution—injury and death on the workplace—and mandated essential fairness for the lame and halt, the lowly claimant, the forever powerless. Nothing more or less is at stake in the compensation system, and the authors address each issue against this backdrop.⁴¹

Professor Bradley's commitment to careful research and procedural regularity could irritate over-eager colleagues and administrators on occasion. More than once, the faculty was prevented from voting on an issue because Professor Bradley pointed out that the issue was not included in the agenda circulated in advance of the meeting. Perhaps because he early saw the association between injustice and irrational forces, Professor Bradley appreciated the strong link between law and reason. Both his scholarship and his work as a colleague demonstrate his belief that adherence to procedure and rules of general applicability serve the ends of substantive justice. He might not go as far as Sir Edward Coke in averring that "[r]eason is the life of the law."⁴² But he thought that it *could* be. The reviewer of his treatise observes this in Professor Bradley's scholarship:

What [the authors] remind us is that the elegant simplicity and essential fairness in the whole idea of compensation of workers at the expense of the employer, and the merits of risk-spreading that is its fundamental justification, are worthy goals of our law, but to achieve them one must pay close attention.⁴³

X. SUPPORT FOR INTEGRATION

One guiding value throughout Professor Bradley's adult life—one shared by Laura Bradley—is the recognition that segregation

⁴¹ John Griffin Jones, Book Review, *Mississippi Workers' Compensation*, 76 MISS. L.J. 1101, 1102 (2006) (reviewing JOHN R. BRADLEY & LINDA A. THOMPSON, MISSISSIPPI WORKERS' COMPENSATION (2006)).

⁴² 1 EDWARD COKE, FIRST PART OF THE INSTITUTES OF THE LAW OF ENGLAND § 138 at 97b (C. Butler 18th ed. 1823) (1628).

⁴³ Jones, *supra* note 41, at 1109.

is wrong. “I realized when I was in college that segregation, and not just state-ordered segregation, was a moral question. For some reason there was a fairly large group of students [at Mississippi College] who felt that segregation was a moral issue of the times.” During his semester at Tulane, he was astonished when law students hissed contracts Professor Mitchell Franklin for publicly questioning Tulane’s policy of segregation. “That made an impression on me. The first thing is, I was shocked because that was not the attitude of my best friends in college. And I was shocked at the disrespect they showed.”

He reflects, “Training African American lawyers is an important mission that the law school has fulfilled.” He chuckles that “we have turned out some bums.” But he slowly emphasizes, “We have turned out some really good people.” Some of the best African American students who leap to his mind are A.C. Wharton, Connie Slaughter Harvey, and Bennie Turner—and he knows scores more. He adds that he did not know future Justice Reuben Anderson who “made a mark for sure.”

Despite advances made in race relations, Professor Bradley’s personal support for African American students never diminished. For over four decades John Robin and Laura Bradley regularly attended the annual banquets and other events sponsored by the Black Law Students Association. Constance Slaughter Harvey annually acknowledged Professor Bradley’s championship of Black law student interests. In early 2013, Professor Bradley was honored as recipient of the first Legend Award from the Constance Slaughter Harvey chapter of the Black Law Students Association.

John Robin and Laura Bradley have been reliable supporters of liberal candidates and card-carrying members of all the usual liberal and bi-partisan good government groups. At the law school, Professor Bradley has not wavered in his support for affirmative efforts to recruit and retain qualified African American and other minority law students.

XI. MEMORY

With the passage of time and changing political moods, Professor Bradley became concerned with preserving the historical memory of significant events in the life of the University. He served on the planning committee for the symposium on the Civil

Rights Movement and the Law (April 1-2, 1989), which brought to the law school leading participants in the legal struggles for civil rights in the mid 1960s, including former Assistant Attorney General John Doar, and Judges Constance Baker Mottley, Elbert Tuttle, and John Minor Wisdom.⁴⁴

In 2010, Professor Bradley initiated, organized the process, and raised the funds necessary to honor James Silver, the eminent history professor who had been hounded from the state in the early 1960s for supporting civil rights and the rule of law. The process resulted in the dedication of Silver Pond at the North entrance to campus and to the erection of a historical marker at the site.⁴⁵

XII. FACULTY GOVERNANCE

Professor Bradley has contributed in official ways to education on the state and national level. Beginning in the 1960s, he was repeatedly elected to the Faculty Senate by the law faculty. In the 1970s, he served on the senate Executive Committee and in various leadership positions. In the 1980s, he was twice elected President of the Faculty Senate. In his work on the senate, Bradley raised his voice for academic integrity and faculty governance. He helped rewrite the tenure and promotion guidelines that were adopted by the University, bringing greater specificity to the stated requirements. He fought for academic programs to receive their fair share of funding. In years with limited resources, he urged that the library acquisitions budget receive more dedicated funding. As the University began to pursue fundraising as a serious enterprise, he championed transparency

⁴⁴ Co-sponsored by the law school and the Center for the Study of Southern Culture, the symposium proceedings were broadcast on C-Span and recorded. The Civil Rights Movement and the Law (April 1-2, 1989) (on file in the University of Mississippi School of Law John Grisham Law Library Special Collections as six cassettes) (recording of the C-SPAN broadcast). Professor Bradley personally conducted an oral interview of United States District Judge Robert R. Merhige, Jr.

⁴⁵ There was a personal family connection: as a young graduate student, Laura Bradley had Professor Silver as an instructor. The Bradleys were responsible for the Silver Pond in a second way. They founded and helped lead the Stone Glen Neighborhood Association that negotiated with the University and the city for effective rainwater control. The negotiations led to the drainage system with a series of retaining pools, of which Silver Pond is the most visible.

in the use of donated funds. During the administration of Chancellor Gerald Turner, he became recognized as the spokesperson for the faculty in public discussions of contentious issues such as the payment of bonuses for administrative employees from private funds. His candid stance on such issues and the civility with which he advanced criticism allowed him to maintain good relations with the Chancellor and helped establish practices of openness and dialog between the faculty and administration that have benefited the University to the present.

Lending his expertise to other institutions, Professor Bradley served as site inspection visitor for the ABA Section on Legal Education at five different law schools beginning in the 1980s.

He and Laura Bradley have contributed in ways too numerous to count to the local community. After the desegregation of Oxford's schools, there was no parents' organization. John Robin and Laura Bradley founded and led the new, integrated parents' organization, which continues to play a vital role in the city schools.

The city benefited from the Bradleys' enthusiasm for tennis. As president of the Oxford Tennis Club in the late 1970s, Professor Bradley helped reorganize a tournament that annually attracted over two hundred players from a four-state region and became a model for other tournaments. "I didn't think it was run very well so I became the head of it." Professor Bradley was named the state's Tennis Officer of the Year in recognition of the success "we had" in creating a new and better model for organizing such events.

A regular presence at meetings of the Oxford Board of Aldermen and Planning Commission, Professor Bradley drafted the city ordinance that placed effective restrictions on the occupancy of single-family residences—a policy of considerable importance for preserving the historic character of the town in the face of economic pressures resulting from changes in the housing market. His drafting creatively avoided constitutional pitfalls that prevented the enforcement of similar ordinances in other communities. He was the lead plaintiff and legal strategist behind litigation that prevented the construction of multiple family residences in a residential neighborhood. The lawsuit was resolved amicably when Professor Bradley personally bought the

property in dispute and impressed on it a restrictive covenant. Professor Bradley has served as a member of the Planning Commission since 2011.⁴⁶

XIII. CONCLUDING UNSCIENTIFIC POSTSCRIPT

Those who know Professor Bradley will understand how incomplete the foregoing sketch remains. Few readers can name a man who has demonstrated more consistent courage in advocating what is right when it is not popular⁴⁷—who in the face of bitterness and conflict has preserved respect and decorum, who in mastering a technical area of law has pursued broad, deep interests in history and literature, cultivating an eye for fine art⁴⁸ and architecture.⁴⁹

Professor Bradley brought welcome humor to the classroom and faculty meetings with memorable stories and jokes. When discussing a famous English case on contract law damages, he stood on a desk and scanned the room to illustrate that foreseeability is sometimes greater, sometimes lesser. Many are the times that his injection of wry humor relieved the tension of debates in faculty meetings.

One of my favorite memories is a car trip I took with Professor Bradley a few years ago. He had learned that the Post

⁴⁶ His nomination by a previous mayor was not confirmed by the aldermen because his vocal stance on various issues had made him a controversial figure, perceived as unacceptable to some in the business community.

⁴⁷ In addition to his vocal support of integration and academic quality, Professor Bradley repeatedly raised his voice to question the soundness of administrative decisions that he did not feel were in the best interests of the institution. For example, he was the sole person at the law school who raised questions about the construction of the new law school building. Despite Professor Bradley's personal interest in architecture and notwithstanding the fact that he would occupy a sumptuous new office, he pointed out that the ambitious fundraising effort might provide greater long term benefits if the school renovated the existing building and devoted the remaining funds to scholarships and academic programs.

⁴⁸ In his office hang an oil painting by Jere Allen, one of three works by the Mississippi master the Bradleys own; a lithograph portrait of Picasso by Salvador Dali; and original works by less renowned artists well chosen for their content. Home decorations range from a fine Heriz carpet to a large original Ellsworth Kelly graphic.

⁴⁹ After arriving in Oxford, the Bradleys bought a mid-century modernist house with Japanese accents designed by Memphis architects. The Bradleys commissioned the original architects to design an addition that did not detract from the appeal of the original design.

Office in Batesville contained a WPA mural. First, we visited the historic building for which the mural had been commissioned. There we learned the mural had been moved to the new structure out by Interstate 55.

At the new post office, we discovered that the mural was visible only in the mail sorting area that was closed to the public. Professor Bradley's charm was the key that admitted us to the inner sanctum where we could enjoy the stunning mural with its romanticized depictions of commerce and agriculture.

But Professor Bradley was not interested just in the art. He was also curious about what workers thought about the art that had been financed by the American people in an age of optimism. With the lone postal employee on duty, he discussed how it felt to work in that environment.

If life is a journey, then in Professor Bradley we cherish a worthy travel companion who has helped us to be our better selves, encouraged us to move forward and explore new paths, paused to show us beauties,⁵⁰ and helped us to avoid pitfalls and nettles. The law school and all who know him are better for his company along the way.

⁵⁰ An avid birder, after visiting the site of the new law school Professor Bradley sent faculty an email alerting us to the presence of a sharp-shinned hawk whose habitat the school was sharing. See Appendix B.

APPENDIX A:

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APPENDIX B:

E-mail

On Jan 3, 2011, at 7:28 AM, [John Robin Bradley] wrote [to law faculty listserv]:

An east-bound sharpshinned hawk sailed seven feet above the ground in front on my car and glided onto a limb pile near the law school's west windows. This was early Thursday afternoon, December 29, as I cruised along the street on the west side of the new law school. Coming from the wooded area to the west, the brown bird gave me ample time to identify it as I walked toward the limb pile before it flew back into the woods. I took this as an omen of welcome and a plea that the newly-arriving tribe respect those who were there first.

John R. Bradley

⁵⁷ Quoted in: *Smith v. Jackson Constr. Co.*, 607 So. 2d 1119 (Miss. 1992).

⁵⁸ Quoted in: *KLLM, Inc. v. Fowler*, 589 So. 2d 670 (Miss. 1991); *see also* Clark Monroe, Comment, *Accidental Injury Under the Mississippi Workers' Compensation Act: Fewer Compensable Claims and a Pandora's Box of Tort Liability*, 62 MISS. L.J. 689, 692 n.11 (1993).

