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Friday, April 18, 2008

Kilpatrick adds more power to legal team

High-profile Alabama lawyer to help fight perjury and obstruction charges.

David Shepardson / Detroit News Washington Bureau

DETROIT -- Mayor Kwame Kilpatrick added another high-powered lawyer to his growing legal team, which plans to mount a vigorous defense to the perjury, obstruction of justice, conspiracy and misconduct in office charges against him -- starting with his pretrial hearing today.

James W. Parkman III, an Alabama attorney best known for successfully defending former HealthSouth CEO Richard Scrushy, has joined former Illinois U.S. Attorney Dan Webb and Detroit attorney James C. Thomas in defending Kilpatrick in the criminal case.

"I want people to just slow down a minute and give us an opportunity to present our case. Don't kick me off 'Dancing with the Stars' until we get to the performance," Parkman, 58, said in an interview Thursday.

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"I am not a smoke-and-mirrors lawyer. I like to do things straightforward."

Kilpatrick and his former chief of staff, Christine Beatty, face a total of 15 felony charges between them in a complaint filed by Wayne County Prosecutor Kym Worthy. Parkman said he was hired last Friday by Kilpatrick and has been in Detroit since Tuesday, along with his partner, William White.

At least eight lawyers are now working on Kilpatrick's growing defense team, including two others in Webb's Winston & Strawn law firm -- Elizabeth Scott and Lawrence Desideri -- and two working with Thomas, Detroit lawyers Joseph Niskar and Michael Naughton. Detroit attorney William Mitchell III also has

represented Kilpatrick but it is unclear if he remains on the case.

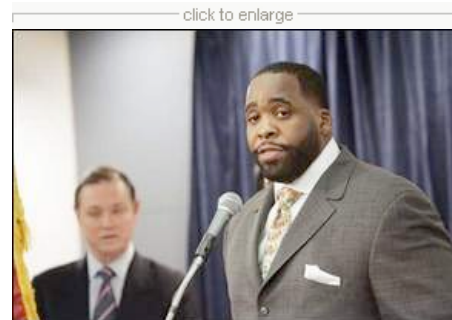
Worthy also has a sizeable team for the case, with five assistant prosecutors and two investigators.

Parkman and White have rented an apartment in St. Clair Shores and plan to spend most of their time in Metro Detroit between now and the preliminary examination, set for June 9.

He will be in court today for a series of motions. At today's hearing, 36th District Judge Ronald Giles is expected to respond to Worthy's motion to disqualify him from handling the preliminary exam for Kilpatrick and Beatty.

Worthy also has asked that the entire 36th District bench be disqualified to avoid the appearance of a conflict of interest. One, and possibly two 36th District judges will be called as witnesses in the case, Worthy has said.

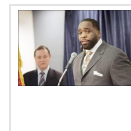
Lawyers for Kilpatrick and Beatty have filed court papers opposing the disqualification of Giles and the entire



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Detroit Mayor Kwame Kilpatrick speaks at a recent press conference with his top lawyer, Dan Webb of Chicago, standing a few feet away. (Clarence Tabb, Jr. / The Detroit News)

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More information

Kilpatrick attorneys

- Detroit Mayor Kwame Kilpatrick has retained at least eight lawyers:
- Dan Webb (Chicago)
- Elizabeth Scott (Chicago)
- Lawrence Desideri (Chicago)
- James C. Thomas (Detroit)
- Joseph Niskar (Detroit)
- Michael Naughton (Detroit)
- James W. Parkman III (Alabama)
- William White (Alabama)

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bench and accusing Worthy of forum shopping. Worthy filed a response Thursday to bolster her arguments. If Giles declines to disqualify himself, Worthy could appeal to Chief Judge Marilyn Atkins.

Today's hearing also is expected to deal with scheduling. It's possible the date for the preliminary examination could be pushed back because of the large amount of evidence in the case.

Worthy's office is expected to turn over as much as 200,000 pages of material to the defense team -- including thousands of pages of text messages sent between Kilpatrick, Beatty and others, but they must put it on a CD-ROM.

The mayor's legal team will pore over the material before the June 9 preliminary exam.

"We've got to look at the film, see what plays they have and find out what the case is about," Parkman said, using one of many sports analogies to describe the defense.

Thomas said Thursday that adding Parkman to the legal team "is part of our efforts to pursue an aggressive defense for the mayor. He is a great lawyer."

Lawrence Dubin, a professor of law at the University of Detroit Mercy, said it's not always clear who is in charge when a team of lawyers is large. "It's surprising to me that he would be bringing in more defense lawyers outside of this area," Dubin said. "It sounds as if the mayor is trying to put together his version of a dream team."

Peter Henning, a Wayne State University law professor and former federal prosecutor, said hiring Parkman "is a clear shift in the mayor's legal strategy."

Kilpatrick has established a legal defense fund to help pay for his fees.

Parkman is best known as the lead attorney for Richard Scrusby, who was charged with securities fraud -- a case he joined four months before trial that had 7 million pages of documents.

Scrusby was acquitted of 36 counts of fraud in June 2005, despite the guilty pleas of numerous former top HealthSouth executives.

Parkman said he was up until 3 a.m. Thursday reading Detroit newspapers' Web site stories about the mayor's case.

He declined to elaborate on the case, except to say he was still getting up to speed. "I will say that when I got here, it did smell a little bit like politics," Parkman said.

He criticized the City Council for refusing to listen to the mayor's budget presentation, saying it seems like the City Council has already convicted the mayor.

He said he thinks the mayor will get a fair trial.

"I believe in the jury system. Jurors are very smart people and most of them are smarter than me," Parkman said.

After the Scrusby case, Parkman's firm became part of the Cochran Firm, founded by the late Johnnie Cochran, which has an office in Farmington Hills.

Parkman called the mayor "a really nice guy with a great heart."

Parkman has met with Kilpatrick, but not spent a lot of time with him.

Parkman isn't a stranger to Michigan, having been involved in a medical fraud case in Bay City, and has already been to Detroit Tigers and Detroit Pistons games.

"I haven't made it to the Lions or Red Wings yet," he said.

Parkman has a sense of humor. He deadpanned that the reason he got involved in Kilpatrick's case was "all these parties the mayor threw and I never got an invitation," he said, "until I found out there weren't any."

Parkman will head back to Alabama on Monday for a meeting with Birmingham Mayor Larry Langford, whose charities are under investigation by the U.S. Securities and Exchange Commission.

"It seems like mayors are always being investigated," Parkman said.

Detroit News Staff Writer Paul Egan contributed to this report. You can reach David Shepardson at dshepardson@detnews.com.

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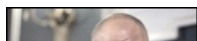
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Essentials:

- Home
- Page One PDF
- Sports PDF
- Weather
- Horoscope
- Lottery
- Crossword
- Sudoku
- Contact Us
- Multimedia:**
- Photos/Video
- News Photos
- Autos Photos
- Audio Galleries
- Video
- Photo Store

News:

- Nation/World
- Politics/Govt.
- Elections
- Religion
- Local/State:**
- Metro/State
- Wayne
- Oakland
- Macomb
- Livingston
- Commuting
- Schools
- Michigan History
- Obituaries
- Death Notices

Autos:

- Autos Insider
- Drive
- Joyrides
- Auto Shows
- Auto Reviews
- Auto Photos
- Autos Talk
- Test Drive blog
- Business:**
- Business News
- Personal
- Finance
- Stocks
- Technology

Sports:

- Sports
- Lions/NFL
- Pistons/NBA
- Red Wings/NHL
- Tigers/MLB
- Shock/WNBA
- MSU
- U-M
- More Colleges
- High Schools
- Golf
- Motor Sports
- More Sports
- Ski Guide
- Scoreboards

Entertainment:

- Entertainment
- Music
- Calendar
- Movies
- Movie Finder
- TV Listings
- TV/Radio
- Restaurants
- Wine Report
- Celebs
- Performing Arts
- Casinos
- Puzzles/Games

Forums:

- Forums Index
- Lions Talk
- Wings Talk
- Pistons Talk
- Tigers Talk
- Ask Mike
- O'Hara
- Big Ten Talk
- News Talk
- Autos Talk
- Faith Talk
- Opinions:**
- Editorials
- Letter to Editor
- Blogs
- Columnists
- Cybersurveys

Lifestyle:

- Lifestyle
- Homestyle
- Food
- Recipe Finder
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