

1 IN THE CIRCUIT COURT FOR
2 PRINCE GEORGE'S COUNTY, MARYLAND

3
4 PRINCE GEORGE'S COUNTY BAR ASSOCIATION

5 MEMORIAL SERVICE

6 FOR

7 KIM DIGIOVANNI ALUISI

8 MICHAEL S. BLUMENTHAL

9 HOWARD C. CHASANOW

10 SHEILA DAY COLLINS

11 LEONARD R. GOLDSTEIN

12 MELVIN HIRSHMAN

13 OTHELLO G. JONES

14 RAYMOND G. LAPLACA

15 ALBERT J. LOCHTE

16 THOMAS J. MOONEY

17 EDMOND B. O'CONNELL

18 JOHN F. SHAY

19 ROBERT J. ZARBIN

20
21 THURSDAY, NOVEMBER 16, 2017
22 4:00 P.M.
23 COURTROOM 3400
24 COURTHOUSE
25 UPPER MARLBORO, MARYLAND

 Sherelle A. Bradley
 Official Court Reporter

MEMORIAL TRIBUTES

	Page
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1 P-R-O-C-E-E-D-I-N-G-S

2 JUDGE ADAMS: Good afternoon. Well, here we are
3 again assembled for our annual memorial service. There is
4 some room in the front if there are no more seats in the
5 courtroom. Please feel free to come up to the front.

6 This is a very difficult time when we assemble
7 for our memorial service for those members of the Bar who
8 have passed on during the course of the Bar year, but a
9 very necessary time to pause, to pay respect to the
10 brothers and sisters of the bar that have gone and to
11 appreciate and respect and honor their legacy, their
12 legacy in this very proud profession.

13 So I thank the Prince George's County Bar and
14 President, Walter Green, for continuing this, continuing
15 this memorial service in the courthouse. And on behalf of
16 the Judges of the Circuit Court of Prince George's County,
17 we are honored to sit during this service every year.

18 At this time, I'm going to turn the program over
19 to Walter W. Green, President of the Prince George's
20 County Bar Association.

21 And as he comes up, I just want to thank
22 everyone for coming out today. I see we have the members
23 of the Court of Appeals, Judge Hotten, thank you. And the
24 retired Court of Appeals, Judge Harrell, Court of Special
25 Appeals, thank you so much. And all of the members of the

1 Circuit Court of Prince George's County, our senior
2 Judges, our Administrative Judge for the District Court,
3 thank you very much for being here. And from our Federal
4 Bench, I see our Magistrate Judges, thank you for being
5 here. And all of the members of the Bar that have taken
6 time out of your day to pause for a minute to remember our
7 members of the Bar.

8 President Green.

9 MR. GREEN: Thank you, Your Honor.
10 Distinguished Judges, family, friends and our members of
11 the Bar, I welcome you on behalf of the Prince George's
12 County Bar Association to our 2017 Memorial Service.

13 The nature of the practice of law has changed
14 over time. We can research case law on our phones, file a
15 case in the courthouse while sitting at our desk with the
16 click of a mouse but the devotion to the practice of law
17 has not. And each of those being honored today
18 exemplified such devotion to the highest standards of our
19 profession. Their contributions to the legal community
20 and impact on us will preserve their memory.

21 We are here today to remind our community of
22 their stories, to celebrate their achievements in our
23 profession and to pay tribute to those who have argued
24 their last case, written their last brief, issued their
25 last opinion and settled their last dispute. Thank you

1 for sharing in this memorial service.

2 I'm going to turn this over to Judge Femia who
3 is our master of ceremony for today. Thank you again.

4 JUDGE FEMIA: Fellow members of the Bar, Judges
5 assembled, ladies and gentlemen, members of the families
6 of individuals to be memorialized today, you are welcome.
7 We welcome you on behalf of the Bar. I'm standing in for
8 the chairman of the memorial committee, Judge Missouri,
9 who is somewhat indisposed, but I understand at home.

10 My function here is going to be very brief. And
11 I'm going to ask the presenters to be, likewise, brief.
12 I'm informed because of the number of people we are
13 memorializing, we are going to ask the presenters to hold
14 themselves to five minutes of presentation, not nearly
15 enough. That's a remark upon, that's not really a
16 memorialization. But time constraints being what they
17 are, I see we have been visited with an Appellate
18 Court-like clock that will tell the presenters where they
19 are in relation to the rest of the world.

20 I'm informed by the gentleman from the IT that
21 the only true effect of running out of time is the
22 electric pad that will give a brief stimuli to the
23 individuals speaking.

24 Other than that, let's start by inviting
25 Mr. John Webster to memorialize Kim DiGiovanni Aluisi.

1 JUDGE ADAMS: Before you start, I want to tell
2 Robin that there are seats in the front. If people come
3 in, you are welcome to bring them to the front, inside the
4 well.

5 MR. WEBSTER: Good afternoon, Honorable Judges
6 of the 7th Circuit, both sitting and retired, Honorable
7 Judges of the Courts of Appeal that are here, Court of
8 Special Appeal, Honorable Judges of the District Court and
9 Honorable Judges and Magistrates of the U.S. District
10 Court that are present, distinguished guests, colleagues,
11 family and friends.

12 We are here to celebrate the life of Kimberly
13 Dawson DiGiovanni Aluisi. "Ah, but I may as well try and
14 catch the wind." That was a hit song by the rock singer,
15 Donovan, in the middle sixties. When Judge Missouri
16 called me and asked me to eulogize Kim at this memorial
17 service, that's the thought that came to mind.

18 For Kim was a true force of nature, a Prince
19 George's County girl through and through. She was
20 unpretentious, unimpressed by celebrity, loyal to her
21 family, friends, legal colleagues and her clients. Kim
22 was not judgmental in her interaction with anyone that
23 came into contact with her. A woman for all seasons, she
24 threw herself completely, openly and honestly into all of
25 life's endeavors, whether she was taking her girlfriends

1 or her officer staff to New York City on her dime,
2 organizing fundraisers for Congressman Hoyer, Governor
3 Ehrlich for Senate President Mike Miller, being a devoted
4 wife to the love of her life, her first boyfriend, former
5 Sheriff, Jimmy Alusi, who she started dating back in 1983,
6 being a devoted mother to her son, Frankie Digiovanni,
7 whose impeccable life as a police officer for Prince
8 George's County is a testament to her skills and devotion
9 as a parent, representing thousands of clients and
10 impacting their lives in ways that cannot be measured or
11 just being a great friend and colleague, which she was to
12 me.

13 She was born on August 10, 1960 to Donald and
14 Frances Dawson. And attended Elizabeth Seton High School
15 and the University of Maryland and Baltimore Law School.
16 I had the pleasure of meeting this young dynamic woman in
17 1986, when she came to work for our law firm. She drove
18 up in a red convertible with a license plate that said,
19 esquire to be. We worked side by side. And if anybody
20 knows Kim, that's appropriate. We worked side by side for
21 11 years and esquire she certainly did become.

22 Compassionate, courageous, unselfish, loving,
23 kind and fierce, they are all words I would use to
24 describe Kim's nature and character. If I had to define
25 her in two words only, those words would be enthusiastic

1 and tenacious. For it was her enthusiasm and zest for
2 life that infused everyone around her with optimism and
3 energy. Many late nights at the law offices of Mike
4 Miller in the 80s and 90s, it was these attributes that
5 kept us going.

6 As for her tenacity, well, the best example of
7 that was corralling the Italian Stallion, former Sheriff,
8 Jimmy Alusi who, as I indicated, she started dating in
9 1983 and she finally ended up marrying in 2004. Jimmy, of
10 course, never met a blond he didn't like. But it is a
11 testament to her tenacity that she was able to land him
12 after 20 years.

13 She opened her own law practice in 1999
14 specializing in Domestic Relations Law and represented
15 thousands of clients over the next 17 years. Kim was the
16 valiant warrior of pancreatic cancer. With her
17 enthusiastic and optimistic nature, she appeared to be
18 winning the battle. For the first 14 months after her
19 diagnosis, this dedicated lawyer only missed two and a
20 half days from work. As fate would have it, however, she
21 contracted an infection, had to have abdominal surgery and
22 her condition worsened.

23 I had the pleasure of seeing her several days
24 before she passed. There were literally hundreds of
25 people filing in and out of her home to spend their last

1 moments with her. We laughed and cried together on her
2 bed for several hours. And then even after her death this
3 wonderfully, loving and giving person continued to give to
4 the rest of us as she donated her body to science so the
5 cancer experts could learn more about fighting this deadly
6 disease. We can all honor her memory by doing some good
7 work for other people that she can no longer do.

8 When my youngest daughter, Caitlin, graduated
9 from the University of Maryland she put or had inscribed
10 on her last wish announcement, "Don't cry because it's
11 over, smile because it happened." That's exactly what Kim
12 would like us to do when we are thinking of her.

13 I must say in the short time allotted, the words
14 that I have just spoken do not come close to adequately
15 describing who Kim was, but there is a song that does and
16 it goes like this: (Singing) When the night has come and
17 the land is dark and the moon is the only light we'll see.
18 Oh, I won't be afraid. Oh, I won't be afraid just as long
19 as you stand, stand by me. And darling, darling stand by
20 me. Oh, stand by me. Oh, stand, stand by me. Stand by
21 me.

22 Kim, thank you so much for always standing by
23 each and every one of us in this room. God bless you
24 always.

25 JUDGE FEMIA: Thank you, John.

1 Next to be remembered is Mike Blumenthal. I'd
2 ask Tony Keder to represent his memorialization.

3 MR. KEDER: Good afternoon, distinguished
4 members of the bench, current and retired, family and
5 friends of those to be memorialized here today. My name
6 is Anthony Keder. And I am honored to be here to
7 memorialAluisi Michael Blumenthal.

8 As Judge Femia just pointed out, Mike was the
9 youngest person to be memorialized here this afternoon.
10 He was only 54 when he was suddenly taken away. I
11 understand it was a heart attack. And this happened in
12 his native State of Pennsylvania where he had moved and
13 relocated. He is survived by stepmother, Eilene; sisters,
14 Sheryl and Amy; and a brother, Stephen. And Amy made the
15 trip down from Pennsylvania to be here. He had a
16 daughter, 15-year old daughter, Ashley Blumenthal. And
17 although he was divorced from his wife, Wendy, they
18 remained close friends and they cooperated in the
19 co-parenting. And Wendy is also present.

20 Mike, from an early age, his family knew that he
21 was destined to be a lawyer. When he was a little boy and
22 his mother would punish him and he disagreed, he would
23 call out, "I want justice. I want justice". So that's
24 it. So you can imagine a kid saying that. So at that age
25 it was implanted in him.

1 He obtained his Bachelor's Degree in Political
2 Science from Penn State University. He then came to this
3 area and went to Catholic U, Columbus School of Law,
4 graduated with his JD degree. He then took a position as
5 law clerk to Judge Salmon. And he was the first law
6 clerk, January 1989, Judge Salmon was appointed to the
7 Circuit Court bench at that time.

8 Mike, after that, went with the State's
9 Attorney's Office. Although he was only there a few
10 years, he got valuable trial experience, was appointed to
11 the major crimes unit. And one of the public defender's
12 gave him the nickname, "try them all Blumenthal". Mike
13 then went into private practice on his own. And it was
14 about 20 years he did that before moving back to the State
15 of Pennsylvania.

16 He took on some high profile, draining cases.
17 He had a murder acquittal, Curry case. He also took on a
18 case of someone, a police officer off-duty who had been
19 killed in a robbery and he kept away the murder conviction
20 for that client. He was very active in DNA analysis.
21 And, in fact, he testified in front of the Maryland
22 General Assembly as to a DNA database.

23 He got married in 1998, after dating for many
24 years to Wendy. His daughter was born in the year 2002.

25 Mike began to consider a career change and kept

1 bouncing between the jurisdictions, Pennsylvania and
2 Maryland and that's when I got to know him a lot better.
3 I had known him since the 90s. We would talk in the
4 hallways, compare notes about cases. He was a friendly
5 gregarious guy. There was no ego about him. At any rate,
6 at this point he would send me cases. He would -- I would
7 work on him with cases stepping into them. And the cases
8 he worked on, they were thoroughly prepared. He was very
9 smart and he had line, chapter and verse.

10 The other amazing thing about Mike from these
11 clients that he had, they had almost a hero worship of
12 Mike. Some of them stayed in touch with him almost every
13 week long after the cases were over. They regarded him as
14 a great lawyer. And some of them he helped out of some
15 very serious trouble.

16 But as I said, you do things that do wear you
17 down. He went to Pennsylvania. I think he mainly wanted
18 to be with his daughter. And he ended up doing an online
19 marketing and that gave him more time for freedom and to
20 play squash and do other things. Number one among his
21 activities was watching his daughter's high school and
22 travel softball teams. Whenever I would ask about his
23 daughter over the phone, I could feel his eyes light up.
24 And he loved to talk about all of the things he did with
25 her.

1 Mike was an excellent lawyer. He was a
2 dedicated, hard fighting advocate, a great father, a
3 creative, innovative person. He was taken from us too
4 soon. We will miss him. Thank you.

5 JUDGE FEMIA: Next, I would like to ask Judge
6 Chasanow, Deborah Chasanow, United States District Court,
7 retired. No, senior. You're called seniors now, aren't
8 you? She will memorialize a friend of mine.

9 JUDGE CHASANOW: Administrative Judge Adams,
10 Judges of the Circuit Court, colleagues, friends and
11 families of those we honor today. Good afternoon.

12 In the brief time that I have today, I'm going
13 to share a couple of interesting things about Howard that
14 you might not know, as well as read some of the excerpts
15 from dozens and dozens of cards and notes that we received
16 from people who knew Howard over his long legal and
17 judicial career.

18 Howard wanted to go to law school as the path to
19 joining the FBI. He learned, however, that his height or
20 lack thereof, precluded that dream. He then thought
21 teaching law might be what he wanted to do and was advised
22 that a degree beyond the basic JD would be necessary, so
23 that's why he went to Harvard Law School for his masters.

24 I must leave to others, Judge Femia among them,
25 to recount the stories of the courtroom excitement during

1 his years in the State's Attorney's Office. I know there
2 was a camaraderie among members of the Bar that we all
3 wish still existed.

4 While in that office, Howard joined the U.S. Air
5 Force Reserves, at the urging of some of his colleagues.
6 Surprisingly, his unit was activated and he spent 18
7 months in Korea and Japan. That experience would turn out
8 to be life-enriching, because he kindled an interest in
9 Asian art and antiques.

10 Howard's 30-year judicial career began in 1970.
11 That career is well documented elsewhere. His former law
12 clerks wrote fondly of their years in chambers. One
13 example, quote, for me and for many others, the Judge was
14 a mentor and role model. The experience was one of the
15 highlights of my career.

16 Another wrote, he was a true gift to the legal
17 profession and his contributions will endure forever.
18 While I have fond memories of my time with him, as he
19 helped me grow, the most endearing for me is how he used
20 to be frustrated with me that I kept kosher, as that meant
21 we could not order his favorite anchovy and sausage pizza
22 from nearby Ledo's for lunch.

23 In addition to his law clerks, his professional
24 mentoring extended to attorneys he came into contact with.
25 One wrote, quote, I have so many memories of Judge

1 Chasanow, I could never bring myself to call him Howard.
2 He was my mentor, my friend, my polite critic when
3 necessary. He always gave it to me straight. As a young
4 prosecutor he would bring me into his chambers after my
5 trials and pull out his pad of notes and commence to give
6 me a step-by-step, amazing critique of my trial.
7 Initially, I was perplexed but rapidly realized how
8 significant and valuable these sessions were after each
9 trial. It became our ritual.

10 Howard retired from the Court of Appeals in
11 1999, expecting to return to the trial court as a recall
12 judge, but fate intervened. MICPEL, a continuing legal
13 education group, invited him to participate in its fairly
14 new mediation program because it wanted to have a judge
15 involved. Well, we all know what happened. He started
16 mediating for the Circuit Court as a recall judge and was
17 soon in demand everywhere. Eventually, he gave up the
18 recall judge assignments and handled only private
19 mediations until his death last spring.

20 Comments about his time as a mediator would fill
21 a library. So many have said to me over the last months
22 that he facilitated resolutions of cases no one thought
23 possible. He loved doing the mediations. He often said,
24 that in 30 years as a judge, he never once got hugged but
25 now it was happening all of the time.

1 On the other hand, he hated it when someone said
2 that a successful mediation is where both sides walk out
3 equally unhappy. Instead for him, a successful mediation
4 was one where both sides agreed that a reasonable
5 resolution was achieved by a process that respected all
6 involved.

7 He continued to mentor, particularly others
8 interested in mediator. Said one, quote, for a brief time
9 I had the good fortune to conduct mediations at a county
10 court when he was there also. We collaborated on a few
11 cases, which gave me the opportunity to observe his
12 unparalleled skills and provided me with important
13 lessons. Months later, he called to offer me some painful
14 but helpful advice. He will be greatly missed by everyone
15 who benefited from his example, insight and encouragement.

16 As I mentioned, Howard's interest in Asian arts
17 and antiques began while he was in the service. His
18 learning and acquisitions continued and took flight while
19 he was on the Court of Appeals. He collected scholars
20 pieces in jade and other material, bream stone, brush pots
21 and much, much more. He even toyed with the idea of
22 opening an antique shop when he retired. He became a bit
23 of a student of Asian folklore, as it applied to some of
24 his artwork. He always carried a small jade piece in his
25 pocket. He loved the feel of the jade. He often chose

1 objects based on their symbolism.

2 According to Chinese mythology, the dragon's
3 gate is located at the top of a waterfall cascading from a
4 legendary mountain. Many carp swim upstream against the
5 river's strong current but few are capable or brave enough
6 for the final leap over the waterfall. If a carp
7 successfully makes the jump, it is transformed into a
8 powerful dragon. A Chinese dragon's large, conspicuous
9 scaled indicate its origin from the carp. The image of a
10 carp jumping over the dragon's gate is an old and enduring
11 Chinese cultural symbol for courage, perseverance and
12 accomplishment. I found more than a dozen like this, of
13 the small carving depicting a dragon fish on his dresser.

14 Senator Cardin's comments reflect that Howard
15 truly reached that level of accomplishment. Senator
16 Cardin wrote to us, he was a true public servant who
17 possessed a deep sense of conviction and courage and our
18 State was made all of the better because of his
19 contributions. He was held in high regard by those that
20 were fortunate enough to know and work with him.
21 Moreover, he embodied all of the qualities that we so
22 value in our legal profession, dedication, impartiality
23 and a tireless respect for the law. Thank you.

24 JUDGE FEMIA: Thank you, Judge. And if I can
25 ask another judge, Judge Maureen Lamasney to please

1 memorialize Sheila Collins.

2 JUDGE LAMASNEY: Judge Adams, Judges of the
3 Circuit Court, Court of Appeals, Court of Special Appeals,
4 District Court, Judges from the Federal Court and to the
5 best judges of all, senior Judges.

6 It is an honor for me to be here today and to
7 speak about my friend, Sheila Collins. Sheila was born,
8 in 1934, in London, England. And she grew up during those
9 turbulent years of war and hardship. Sheila was offered a
10 full scholarship to Cambridge University but turned it
11 down so that she could work and help support her family.

12 After marrying an American serviceman, Sheila
13 moved to the United States and she pursued her education
14 here. She graduated from the University of Maryland
15 School of Law in 1974, and became an assistant State's
16 attorney here in Prince George's County.

17 Now, as those of us who were old enough to
18 remember, things looked very very different inside the
19 courtrooms in Upper Marlboro at that time. The
20 appointment of the first woman Judge on the Circuit Court,
21 the Honorable Audrey E. Melbourne, was still four years
22 away in 1974. Women litigators were very much the
23 exception.

24 Sheila was a trailblazer in our profession. She
25 was involved in the strengthening of Prince George's

1 County Woman Lawyers' Caucus and eventually became its
2 president. Her work ethic and professionalism established
3 really beyond any doubt that a woman's place was, in fact,
4 in the courtroom. She had a soft voice that was heard by
5 all.

6 Sheila was highly respected by her colleagues
7 and opposing counsel, both when she was a State's attorney
8 and later in her career when she was counsel for WSSC.
9 And she was respected for her trial skills and her sense
10 of justice and fair play. Sheila was the type of attorney
11 who let her work speak for itself. She never bragged or
12 gloated about a victory, even though she had many
13 occasions to do so. She was a class act in every way and
14 all of the time. She represented the very best of our
15 profession.

16 Sheila had many interest outside of the
17 courtroom and she excelled at all of them. She loved the
18 mountains and she was a graceful and accomplished skier.
19 She skied up and down the east coast, the Rockies and in
20 Europe. She also loved the Chesapeake Bay and had a
21 sailboat for many years. She navigated across the bay
22 throughout the rivers near Annapolis on the weekends. And
23 she did it with skill and joy. Sheila was also a talented
24 artist and gardener. She loved flowers. She loved plants
25 and she loved dogs.

1 She also loved to travel, either with her best
2 friend, the Honorable Theresa Nolan, seated over there.
3 Some of their travels have become the stuff of legends.
4 She loved to travel with groups of friends or by herself.
5 She returned to England many times and visited Ireland,
6 Europe and Russia.

7 Most of all, she loved her daughters, Maxine and
8 Tara, who were the center of her life. Her delight and
9 pride in them was obvious and very, very sweet to behold.
10 At the time of her death, Sheila had three grandchildren
11 and six great grandchildren, all of whom were a joy to
12 her.

13 Sheila was unique in many ways. She was
14 comfortable in her own skin and secure in herself and her
15 choices. More than anyone I know, she lived life on her
16 own terms and always with her signature sense of humor. I
17 don't think she spent a minute of her life being bored.

18 After decades in the United States, Sheila never
19 lost her beautiful British accent or her love for her
20 homeland and its traditions. On a beautiful Sunday, on
21 the 1st of October, family and friends gathered near the
22 South River, a place that Sheila loved, for a celebration
23 of her life. Her daughter started the celebration by
24 leading us on in a chorus of "God Save the Queen". Sheila
25 would have loved it. And she will be missed by all who

1 knew her. Thank you.

2 JUDGE FEMIA: Thank you, Judge Lamasney.

3 Now, I invite Judge Ahalt to be kind enough to
4 come up and say a few words on behalf of Leonard
5 Goldstein.

6 JUDGE AHALT: Judge Adams and colleagues of the
7 bench and the Bar and Robby Goldstein and Lee and Bryan
8 and Michael and Lenny, sister Sheila. I want to share
9 with you today the three Lennys that were my favorite
10 three. Lenny the lawyer, the trial lawyer, which most of
11 you probably did not observe or know. Lenny the changing
12 entrepreneur and Lenny the right-word man and often very
13 funny-word man.

14 Lenny, if we did a survey here, probably was
15 thought of as a commercial lawyer. Maybe some of those
16 who have been around even longer would remember his days
17 as a domestic relations family lawyer. But Lenny had
18 extraordinary skills as a trial lawyer. When he got his
19 teeth in a case, especially against the government, it was
20 a sight to behold. He always had a vision, a strategy and
21 he worked the case extraordinarily hard and had the
22 capacity to memorize everything there was to know about
23 the case. So his opponents were very hard pressed to
24 defeat Lenny.

25 Lenny as a change agent and entrepreneur, we saw

1 in our law office. I was a partner with him for ten
2 years. He started with the idea that we could have no
3 secretaries, that we would have a typing pool and we would
4 have paralegals. He took one of the quote/unquote
5 secretaries, this young lady, Sharon Khon, later to be
6 known as Sharon Khon Salmon and taught her how to be a
7 paralegal. And I think was probably the first paralegal
8 in like 1975 in Prince George's County.

9 He started computer billing in the mid-70s by
10 borrowing some time of a University of Maryland IBM
11 mainframe. So everybody in the firm used an IBM card and
12 we filled out our time and got our monthly reports, far
13 ahead of its time.

14 When Lenny realized that Hochheimer, the bible
15 of criminal law, was out of print, out of copyright print,
16 he reprinted it for the Bar. Of course, he thought for a
17 profit too.

18 And finally Lenny was an entrepreneur in the Bar
19 Association. He started the first continuing legal
20 education programs and books with the young lawyers
21 section of the Maryland State Bar Association. He ended
22 up as this entrepreneur business with the Bar Association
23 by forming a pro-bono teaching agreement, so a young
24 lawyer could receive his teaching and mentoring in
25 domestic relations if they would agree to take one

1 pro-bono case.

2 But Lenny was the right-word person for the
3 right time. I could always hear him telling his clients,
4 yes, yes, your principles are really important, but you
5 have to remember principle comes with interest, meaning my
6 fee.

7 And he had a continuing war with the folks in
8 College Park, because he owned so many houses and students
9 were parking all over the streets. One time the College
10 Park folks published his home phone number, his unlisted
11 home phone number. The next month in the College Park
12 Newsletter, Lenny said, thank you so much for publishing
13 my home phone number. I now have so many students, I have
14 more students than I know what to do with. I'm looking
15 for new places for them to park their cars.

16 He could really deal with judges in a unique
17 way. One case he had with Judge DeBlasis, his client was
18 late on a plane, he was handicapped. Judge DeBlasis
19 started the case. At a recess Judge DeBlasis says,
20 Mr. Goldstein you really seem like you are upset with me.
21 Lenny had the presence to say, Judge, is that
22 lawyer-to-judge or is that man-to-man? Judge DeBlasis
23 made the mistake of saying man-to-man to Mr. Goldstein.

24 Once at a firm retreat down in Ocean City, with
25 our partner Fred Bennett, discussing how we were going to

1 divide the partnership, cut up the pie, Lenny called a
2 recess and said, let's go out on the beach. And I'm going
3 to walk north, Monte you walk south and Fred you walk
4 east.

5 JUDGE FEMIA: Thank you, Monte.

6 Now, I'm going to ask Judge Green to memorialize
7 Melvin Hirshman.

8 JUDGE GREEN: Good afternoon, Administrative
9 Judge Adams, fellow Judges of many Courts, the families of
10 those being memorialized, my fellow members of the Prince
11 George's County Bar.

12 Let's face it, Mel Hirshman was someone you
13 didn't want to get a call from or a letter from. In fact,
14 I must admit, as a young lawyer his name simply made me
15 quake. I know I wasn't alone.

16 But in 1998, Judges Chasanow and Casula took me
17 out for lunch. They asked that I serve -- or more
18 truthfully, they told me that I was going to serve on the
19 Attorney Grievance Commission. I was going to be
20 face-to-face with the man that lawyers feared.

21 Let me tell you, Mel Hirshman was nothing like I
22 or others perceived him. Yes, what he did as bar counsel
23 for almost 30 years was serious work. And he was a very
24 serious man, maintaining discipline in a profession that
25 is often ranked as one of the least trusted. I found him

1 as someone who was not to be feared but a dedicated
2 servant who cared deeply for our profession and the men
3 and women who serve the public as lawyers.

4 As I sat in a large room watching him explain to
5 the Commission every third Wednesday, consistently I saw a
6 man who was even handed. He treated the sole practitioner
7 the same way he did a partner in a large firm. The big
8 money case, the same as the small money case.

9 The idea that he hated me and other lawyers was
10 quickly dispelled if anyone spent any time with Mel. He
11 understood the difficulties of being a lawyer, the demands
12 for lawyer's time, the normal lack of remuneration or
13 money coming from the client and the added difficulty that
14 the judiciary sometimes presented.

15 There were many times I had read a case before
16 our meetings and discerned what I thought Mel's
17 recommendation would be. I thought many times it would
18 call for a disbarment or maybe even a lengthy suspension,
19 only to find that Mel thought that the lawyer needed
20 another chance and that a certain reprimand would be
21 appropriate.

22 I was not alone in this feeling. I had two
23 commissioners, who will remain nameless, one sat to the
24 left one sat to the right. When we saw that something
25 happened that we didn't expect, we would tap each others'

1 shoes. That happened a lot when Mel was speaking.

2 I recall once, after a hearing, in which we
3 recommended that a lawyer be re-admitted after roughly a
4 decade of suspension. Mel took the time and actually put
5 his hands on the gentleman's shoulder telling him he would
6 be a great lawyer again only if he learned from the time
7 away he had from the practice.

8 Folks, there were a few times and there were not
9 many when the Commission wanted to proceed one way and Mel
10 felt it better or more prudent to go another. Of course,
11 we prevailed. Mel was gracious, professional and
12 proceeded as instructed without a hint of animosity toward
13 any of us.

14 Now, I must digress. If you are wondering as to
15 why Mel Hirshman is being memorialized by this Bar
16 Association, he was one of us. He practiced at 7676 New
17 Hampshire Avenue for many years before becoming Bar
18 counsel. He took on a wide variety of cases as a lawyer.
19 This assisted him when he became Bar counsel. In that
20 very building, Jake Levin also practiced when he was
21 president of this Bar association.

22 More importantly, in that office on New
23 Hampshire Avenue, Mel had a paralegal who assisted him.
24 She was also his wife, Nancy. I'm not sure how that
25 worked all of these years. I've never been comfortable

1 even asking how that worked out. But she affectionately
2 called it the mom and pop cop shop, as they accepted
3 criminal work.

4 Mel became Bar counsel in 1981, just six years
5 after the Maryland Attorney Grievance Commission was
6 created to investigate and prosecute lawyers' misconduct.
7 Nationally recognized, Mel was an institution in the
8 attorney disciplinary field. He was sought out by many
9 organizations throughout our country as a speaker and
10 called upon by other Bar counsel for advice. The Maryland
11 Office of Bar Counsel was recognized over Mel's tenure as
12 one of the leading attorney disciplinary units in the
13 United States.

14 After his retirement, in 2010, he enjoyed a
15 petite practice as an expert witness in ethics. It has
16 been said that the Office of Bar Counsel was the love of
17 his life, this much is true. But I believe his wife of 47
18 years, Nancy, was just as much the love of his life. You
19 could see how he respected her, loved her, enjoyed her
20 presence and company. They were also known to play a mean
21 game of tennis. Mel is survived by two sons, Robert and
22 Jefferson; two daughters, Tiffany and Kimberly and eight
23 grandchildren.

24 Folks, we have lost a giant in our profession.
25 Mel Hirshman is truly the man that built the Maryland

1 Office of Bar Counsel. We will miss his dignity,
2 professionalism and his compassion. Thank you.

3 JUDGE FEMIA: Thank you, Judge Green.

4 There is the man I'm looking for. The Honorable
5 Judge Alexander Williams, United States District Court,
6 now senior.

7 JUDGE WILLIAMS: Actually retired, not senior.
8 Administrative Judge Adams and Associate Judges and other
9 Judges of all levels of this Court.

10 I'm not sure I need a mic. I have a pretty loud
11 voice. Let me say good evening to everyone. I lift up
12 today the name of Othello Jones, who was 74 years old, who
13 passed on August 29, a few weeks ago. I delivered this
14 tribute a couple of weeks ago at the J. Franklin Bourne
15 Association at the annual scholarship banquet. Some of
16 you were there, so I won't repeat some of the things that
17 I said.

18 But Othello Jones was known as O.T., O.T. Jones.
19 And many of you may not have known him around here,
20 because he had an office in Washington D.C. But O.T. grew
21 up in Newark, New Jersey. And I would simply say, if any
22 of you don't know anything about Newark, that was one of
23 the few places I was afraid of as I walked around New
24 Jersey.

25 But he found his way to Howard Law School where

1 he graduated, I believe, in 1969. He then opened a law
2 office at several places. And like so many of us back in
3 the 1970s, O.T. was essentially a sole practitioner.
4 Being a sole practitioner that comes with a number of
5 challenges, yet he persevered, he maintained and he earned
6 the respect of the bench, the Bar and his clients.

7 As a practitioner O.T. was both a feared, yet
8 respected adversary. Certainly was one among the finest
9 and well respected practitioners in the Washington
10 Metropolitan Area. One of the most important things about
11 his practice was his location. O.T. continued a practice
12 in southeast Washington, where so many underserved
13 residents needed his services. He was the only attorney
14 that I knew that had an office over there. I'm sure there
15 were others but I remember quite candidly sitting through
16 the certificate of services my responses and pleadings to
17 southeast Washington. I thought that was amazing. But
18 his clients over there they loved him. They kept coming
19 back and back for some four decades until his health
20 failed. He was really dedicated to under served and
21 disadvantaged clients.

22 And to show his dedication, let me give one
23 example. I didn't see O.T. for many years. He never
24 really practiced over in the Federal Court. However, when
25 I retired I made my way back here to this courthouse and I

1 saw him. Last time I saw him, he was actually on a walker
2 and he was pushing an oxygen tank that was hooked up to
3 him. And again, he was trying to demonstrate the love for
4 his clients that just needed him over and over again.
5 Little did I know and recognize that that brief greeting I
6 had with him would be my last conversation with him.

7 But he was not only an excellent attorney, he
8 had great intellect. He was a quiet, low key, straight
9 shooter. His reputation exceeded him. He was a hard
10 worker. He had good common sense. I liked him, because
11 he was polite, easy to talk to, very generous to persons
12 that needed a helping hand and a model of civility.

13 His wife and long time secretary told me a
14 couple of weeks ago, he was so honest and wise enough that
15 he told any of the clients that came to him if he wasn't
16 an expert in that area he would stay out of that area and
17 stay in his lane and he could refer them to someone else.

18 O.T. was modest about his accomplishments. And
19 I tell you, I don't remember him ever engaging much in
20 politics or being one of the outspoken people on issues
21 passionate with him.

22 But I would simply describe O.T. as someone with
23 common sense, common touch with the people of all walks of
24 life. And, of course, he was civic minded. He served two
25 terms as President of the Bachelor Benedict. And he was a

1 member of the Seafarers Club. He also served as an alter
2 ego here in this court.

3 Finally, let me say, O.T. was a founding member
4 of the J. Franklyn Bourne Bar Association, which some of
5 you know, was founded forty years ago, in 1977. O.T. was
6 not a regular in the Bar association here but he was a
7 regular member and practitioner of this Court. He made a
8 significant contribution to the life of this Court. With
9 his passing, I can simply say, as I conclude, there is an
10 empty place in the practitioner's circle in this
11 courthouse. His smile, his company, his inspiration, his
12 spirit and his presence will be sorrily missed.

13 O.T.'s survivors are his wife Dorothy Jones and
14 daughter Dehejia and his son Jamal. Thank you.

15 JUDGE FEMIA: O.T. was one of those lawyers you
16 knew you were going to get it straight, no monkey business
17 and little operations I run, you need that kind of
18 expedition.

19 Next, I'd ask Charlie Dukes to be kind enough to
20 come up here and say a few words for Ray LaPlaca.

21 MR. DUKES: How is the five minutes working out,
22 Judge?

23 JUDGE FEMIA: Don't ask me. Ask the timekeeper.

24 MR. DUKES: To the many incredible Honorables, I
25 beg your indulgence. I haven't been in any courtroom,

1 addressed anybody about anything since before this
2 building was built. So I was thinking of standing down
3 there might be like coming home.

4 The service program tells you a lot about Ray
5 LaPlaca. It outlines many accomplished and his community
6 contributions. It describes his dedication and love for
7 his family, his wife, Rose, his four children, one of whom
8 Dan, is an active member of this association.

9 I want to tell you a little bit about what it's
10 like to be his friend. In 1967 I got a phone call from,
11 then congressman, Larry Hogan, who said, I have someone I
12 would like for you to meet. He said, he is very bright,
13 he is arrogant and often irritating. The two of you
14 should get along fine. I knew what he meant was, it would
15 be like sandpaper on a blackboard. Nevertheless, I called
16 Ray and went by to see him. First two or three minutes
17 Larry would have loved, just like he thought. Within
18 seven or eight minutes I knew this was someone I never
19 wanted to lose and I never have.

20 Ray had all of the characteristics of a good
21 friend. He was intelligent, entertaining, quickwitted.
22 He was good hearted. We never had a disparaging word or
23 an angry word or unkind word between us in 50 years, at
24 least not by our standards.

25 In the early 1980s he called me, said he was

1 organizing a trip. Ray, at the time, was the chief
2 executive of a direct mail fundraising business. On the
3 side he was raising money for a friend, a Catholic priest
4 missionary who had been in Asia since the late 1930s and
5 he wanted to see how he was getting along.

6 We went to Tokyo and Taiwan and Macau, Hong Kong
7 about 12 days, 24 hours a day, never more than 20, 25 feet
8 apart. We had a wonderful time. We went to sumo matches
9 and dog fights and libraries and museums and exotic
10 restaurants. Ray had a natural depth for language. He
11 spoke two languages really well and two more very well.
12 He picked up phrases within an hour after we arrived
13 anywhere. He was very comfortable.

14 In addition, though to being a good friend, you
15 have to be somewhat intellectually stimulating. Ray
16 played Gin Rummy with the best of them. He was a regional
17 qualifier for the game Jeopardy. He worked crossword
18 puzzles on the highest possible level. His mind was
19 running all of the time.

20 And by the middle 80s, he was a partner in a
21 large real estate development firm. He had a family whom
22 he loved and who loved him. He was a respected citizen in
23 the community. He didn't need much.

24 And then he called and said, Charley, I need to
25 go to law school. I thought that was silly. He didn't

1 need anything. But he really did. He didn't want to go.
2 He needed to go. But there were a couple of problems:
3 One, he had four children in an institution of advanced
4 learning, not in a significant financial commitment; and
5 he never graduated from college. In fact, his high school
6 credits were such that it was not going to be easy to get
7 into a college to graduate in order to go somewhere else.
8 It took him awhile.

9 We got him into the University of Maryland. He
10 graduated, went to Maryland School of Law, he graduated,
11 became a lawyer and very good one, because he needed to be
12 a lawyer. And his mind was always going just like this.
13 Ray soaked up information like a sponge. So he was
14 comfortable and he was stipulating.

15 Perhaps most significant as a friend is his
16 loyalty. Over the years I probably called Ray 50 times,
17 100 times, maybe 200 times for something he could do for
18 me. And he never said, are you sure? Could it wait until
19 next week or could we do it some other way? He said, I
20 will see what I can do. Every time, religiously and then
21 he did it.

22 He defended his friends vigorously. Twice
23 during our time together, he decided someone, a Defendant
24 of my tender sensibilities, to such an extent he had to be
25 physically restrained from attacking him. It was not the

1 most mature conduct ever, but I loved him for it.

2 Then there was a time in the middle 1980s, that
3 somehow he discovered that I had an opportunity for a
4 major investment, which I was not in a position to do. I
5 don't know how he knew, but he showed up one day and laid
6 a check on my desk for an enormous amount of money. I
7 realized what he meant and I started to give it back. And
8 I saw he was going to be hurt. So I used it for what he
9 intended. We shared the benefit. I gave it back to him.
10 The point here is, there wasn't any note, no interest, no
11 evidence of debt, no repayment time. He just showed up
12 when I needed him.

13 Ray LaPlaca is my friend. He is waiting for me
14 and I'm going to find him. It won't be on some golf
15 course or a cart. He is going to be on a tennis court or
16 basketball court. We will be able to run again.

17 JUDGE FEMIA: Well, Charley, we hope not soon.
18 Ray will wait.

19 Denis Murray is going to memorialAluisi Al
20 Lochte for us.

21 MR. MURRAY: Judges, more Judges, more Judges.
22 I haven't practiced law in 30 years. Pardon me if I'm not
23 with all of the correct politenesses to begin. You have
24 earned my affection and respect. Most of you I have known
25 for a number of years. I stopped practicing almost 30

1 years ago. I wanted to become a philosopher.

2 So they called on me to talk about Al, because
3 Al was a natural philosopher. I met Al 50 years ago. We
4 both lived in Bowie and he was doing work with Dave Ross
5 and so was I. And Dave sent me to go see Al to get some
6 information and some assistance for a small matter. And I
7 found the guy just to be generous with his time,
8 encouraging, supportive, warm-hearted, friendly. Over the
9 decades we ended up being partners together. I just don't
10 think a community can find a better lawyer to be an asset
11 to the community.

12 He was hardworking and honest. But he had
13 community service in mind. He did an awful lot of
14 committees. He had, in effect, a resource for the City of
15 Bowie, so that he brought his good sense and his integrity
16 to the service of the community as well as service of his
17 individual clients and his partners.

18 After Dave Ross became a Judge of this Court, Al
19 became managing partner of the law firm in Bowie. If
20 there is anything harder than being a managing partner, I
21 don't know what it is. I never had that misfortune but
22 you could see how much tact was called for and how much
23 firmness. You could be generous at heart, but you had to
24 be tight fisted with expenses. There is no other way to
25 run a law firm. And the guy was just a natural. You

1 never got mad at him, you never felt you were not heard,
2 you never felt you were getting short shift. The staff
3 always felt like, okay, we didn't get the raises we
4 wanted, but if we had an opportunity, we would talk to
5 him, the situation was outlined to us, we were respected.
6 It was a delight to practice with him. And a real loss to
7 the community at his death.

8 He died in January at 82. Had a stroke and then
9 another stroke. He left two girls, whom he talked a lot
10 about and whom he was very proud, and four grandchildren.
11 And he will be sorely missed. Thank you.

12 JUDGE FEMIA: Thank you, Dennis.

13 Here comes Ryan. He is here to remember his
14 grandfather.

15 MR. MOONEY: Father. Thank you. My name is
16 Ryan Patrick Thomas Mooney. And I am the youngest of four
17 of Thomas Joseph Mooney.

18 My father was born in Philadelphia, Pennsylvania
19 on August 9, 1944, to two Irish immigrants, Joseph and
20 Julia, originally from County Cork, Ireland. At 18 he
21 left the home, not to become a priest, as his mother had
22 hoped, but to attend the University of Pennsylvania where
23 he became, instead, the poster child to the 1960s. He
24 protested, he burned his draft card twice. He brought his
25 two-year old to Woodstock and he did LSD with famed

1 psychologist Timothy Leary.

2 In between social activism, he was student body
3 president at Temple University and vice president of the
4 U.S. National Students Association, 1971 to 1972.

5 At 21, he married Chris. They had their first
6 child, Monique, who inherited our father's love for
7 reading. And a few years later they had a son, Tom, who
8 would eventually follow in our father's footsteps to
9 become a successful criminal defense attorney.

10 Around this time my dad worked many jobs. He
11 was a real estate agent, a political consultant, a small
12 business owner and a waterbed salesman. Eventually, he
13 landed in the Maryland State House of Delegates. He
14 served from 1979 to 1986. He prided himself on being the
15 first candidate to spend an entire summer walking
16 door-to-door, sweating in his suits in an effort to meet
17 all of his constituents in his district. This all
18 happened right here in Prince George's County.

19 He was also very important ways and means
20 committee. He would not let me -- he would be remiss if I
21 did not mention that.

22 In 1986, he was the Republican candidate for
23 Governor of Maryland and was the first person to run with
24 an African American Lieutenant Governor on the ticket.

25 In 1985, he married my mother, Elaine. A year

1 later they had my sister, Lauren. And two years after
2 that, they had me. And approximately a year after that,
3 he graduated from Catholic University Columbus School of
4 Law.

5 In 1999, my dad became a grandfather for the
6 first time. And was thereafter affectionately known as
7 Papa T. He also ran in the Marine Corps Marathon that
8 year, which was probably his way of rejecting the idea
9 that he was old enough to be a grandfather. I have the
10 heart of a 25-year old, he would often boast.

11 Up until his stroke, Papa T was engaging in his
12 second obsession streaking. Streaking is what runners
13 call it when you run every single day for years on end.
14 Papa T was up to 2,853 days, nearly eight years. At his
15 peak he was running seven to eight miles a day. Even in
16 the end, his route was at least one to two miles a day.
17 He told me it was like an addiction. His motto was, I
18 can't go on. I'll go on.

19 My dad had a complicated relationship with
20 death. "Never send to know who the bell tolls; for it
21 tolls for thee." His most recent venture was creating a
22 political organization called C.E.L., the Coalition to
23 Extend Life. He wrote a book entitled, "Live Forever or
24 Die Trying." He felt death was not only an unnecessary
25 preventable disease but an affront to human nature itself.

1 Despite this or perhaps because of it, he did not shy away
2 from death in the real world.

3 One day he was walking home along Route 1 when
4 he heard a sound coming from the woods. He went to
5 explore and found a deer wounded by a collision with a
6 car. My dad approached the deer and saw that it was too
7 injured to move. The deer was startled and scared by my
8 father's presence at first. But my dad sat down by it and
9 spoke gently. Slowly, the deer calmed, listening to his
10 voice and ultimately gave into death. Rest in peace, Dad.

11 JUDGE FEMIA: Thank you, Ryan. You did so very
12 well with that, that we call upon another son, Dennis to
13 Memorialize Eddie O'Connell.

14 MR. O'CONNELL: Thank you very much, Judge.
15 Judge Adams, all of the judges here, thank you so much for
16 giving me this opportunity. I'm a little nervous, so bear
17 with me. This is one of the toughest things I think I've
18 ever had to do. I'm honored to stand and talk to you
19 about my father Edmond O'Connell.

20 He, in my opinion, was a very good attorney. He
21 worked very hard to become an attorney. A lot of you may
22 not know this but when he was in high school he hitchhiked
23 to school everyday to get to school. He worked during
24 college. He had a night job during law school. He made
25 every effort to become an attorney. And when he finally

1 became an attorney he had the upmost respect for the law.
2 But he had upmost respect to the duty that comes with
3 being an attorney.

4 He respected clients. He respected the sanctity
5 of the attorney-client privilege. Yet, he still found
6 time to be a loving and caring father, loving and caring
7 husband. My mother is here today, Theresa, my brother,
8 Paul is here today.

9 We are here today to talk about his legal
10 career. He started out at the State's Attorney's Office.
11 He was there for about 13 years. He started out at the
12 bottom and worked his way up and ended up handling some of
13 the biggest cases. He went into private practice with
14 Steve Orenstein, who is here today. And he broadened his
15 knowledge of the law. He got into family law and estates
16 and trusts. And he tried to help everybody that came
17 through his door. If he couldn't help them he would find
18 someone that could. He worked for the Liquor Board for
19 Prince George's County for over 20 years.

20 But the thing that made him a good attorney is
21 that he saw the good in everyone. He would tell me a
22 story back in the old days of this courthouse when he was
23 a prosecutor, he had a homicide case. Those days there
24 must have been some sort of an elevator where they would
25 bring the Defendants up in the elevator through the

1 courthouse. And every morning my father would ride up
2 with this Defendant who is shackled by the sheriffs and
3 they would end up riding up together and exchanging
4 pleasantries before they went into court. That's the kind
5 of man my father was. He was pleasant with everyone.

6 I would often accompany him to the courthouse
7 when I was a young man. There are a couple of things that
8 really stand out to me: The first, was when he brought me
9 downstairs to show me the juvenile lock up, to let me know
10 what would happen when I misbehaved. I still remember
11 that. But the second, was the fact that he seemed to know
12 everybody and he greeted everybody by name. It doesn't
13 matter if it was the janitor or the judge, he knew who
14 everyone was. He would always tell me that you can learn
15 something from everyone. You will be surprised the
16 information people have, he would tell me.

17 He also knew that the law really was about
18 relationships. And he always tried to help his friends
19 succeed. He fostered those relationships, not just with
20 his friends, but with his adversaries. I have had so many
21 people to come up to me in the last couple months and tell
22 me they had cases against him and that's when they had the
23 most respect for him. He made every effort to advocate
24 for his friends and for his clients.

25 So we are here today, not just for my dad, but

1 for these other ten people. And what we are really here
2 to talk about and think about are peoples' legacies and
3 how these 11 people have affected everyone.

4 And I will tell you, my father has profoundly
5 effected me. I see and look around the room and see many,
6 many of my mentors here today, many people that have
7 helped me. But it was my father that truly told me and
8 taught me how to become an attorney.

9 When I crossed the Patuxent, I wanted to make my
10 own name. I wanted to do it in a different jurisdiction.
11 That's when I really realized how much he affected me.
12 First job I got was in the district court with the Public
13 Defender's Office. He pulled me aside and said, you know,
14 I was never a more effective prosecutor than when I took
15 panel cases for the Public Defender's Office. So that put
16 me at ease.

17 The first thing I did was I introduced myself to
18 the bailiffs. I introduced myself to the janitors. And I
19 took my father's advice. And I will tell you, I was
20 always a leg up on the competition, because I always knew
21 what the judges' moods were before I went in front of
22 them. And judges can be moody, sometimes. Not all of the
23 time. And not all of you.

24 I'm with the Public Defender's Office now. And
25 I would like to think I'm living my father's legacy

1 because when you think about it, what my job is is to find
2 the good in everyone and to convince Judges that my
3 clients are better than their actions on the worst days of
4 their lives and that's what my father did every day.

5 Legacy is what you leave behind. Legacy is
6 people that you've touched. My father certainly touched
7 me. And I know my father touched a lot of people in this
8 courtroom. I appreciate everyone being here and sharing
9 those memories.

10 JUDGE FEMIA: Thank you, Dennis.

11 I'll call on Bill Brennan to talk about John
12 Shay.

13 MR. BRENNAN: Thank you, Judge. Judge Adams,
14 may it please the Court. I feel very privileged to stand
15 up here today and say a few words about my dear friend and
16 law partner, John Shay. And as Judge Femia said earlier,
17 a few words does not do John justice. I could stand up
18 here and talk for hours, quite frankly, about the
19 adventures John had, that he and I had together, what a
20 fine lawyer he was and what great contributions he made to
21 the community and what a great family man. But the clock
22 is ticking. It's at 4:23 already. I will try to keep it
23 direct and to the point.

24 John Shay was a fine lawyer. He was a modest
25 lawyer. But if you didn't work with John you really

1 didn't know what a fine lawyer he really was. John and I
2 have worked together on many cases. And you really learn
3 a lot about someone when you try a case with them,
4 particularly if the case has either high profile or stress
5 associated with it.

6 And early on in John's career, he and I
7 represented a few Maryland athletes who from time-to-time
8 would get into some difficulty. They were high-profile
9 cases. John never let that go to his head. He always
10 focused on, what are the facts, what is the law and how
11 are we going to take care of the clients.

12 He and I worked on a death-penalty case, which
13 our client was charged with five counts of first-degree
14 murder and was facing the death penalty. Stressful,
15 difficult and John cared about the welfare of the client.
16 We worked very hard and learned a lot about each other
17 representing our client in that case.

18 We had to go to Toronto, Canada to find out a
19 few facts about our client. Our client was from Jamaica
20 and lived in Toronto. So John and I had to fly to
21 Toronto. We walked into the District Court in Ontario and
22 it was exactly like Hyattsville in the old days. And so I
23 know John, he had a twinkle in his eyes. I went and
24 checked out something in the clerk's office and I came
25 back and there where three or four people standing next to

1 John. And I said, what is going on? He says, these guys
2 think we are lawyers. I said, we are lawyers. He said,
3 but -- he goes, I think we can take some money from them.
4 I'll take the money, you go into the court and take care
5 of the cases. I said, are you out of your mind. He says,
6 it's just like Hyattsville. For Bar Counsel here, we did
7 not do that, by the way.

8 The other thing John loved, was he loved sports.
9 On the same trip to Toronto, this trip was before smart
10 phones and before GPS. So there is such a thing, for you
11 young people, called a map. And they were made out of
12 paper. I was driving and John had the map. We were going
13 to try to find our client's family's house. And I'm
14 driving. John says, turn here, turn there. And I said,
15 John, I don't think this is where they lived. This is not
16 a residential area. Don't worry, Bill. We are going in
17 the right direction. Finally, we are going along and
18 eventually, John says stop here. This is what I'm looking
19 for. I stop and I turn to my left and it's a sign that
20 says, "Home of the Toronto Blue Jays." And John says, I
21 just wanted to see where the Blue Jays played. I said,
22 okay. Fine.

23 John was a very modest lawyer. And some of you
24 may not know this, one of the cases that John tried in
25 this courthouse, actually, in old courtroom 201, went all

1 of the way to the Supreme Court. John's client was a guy
2 named Jerome Buie. Mr. Buie was charged with a
3 particularly vicious armed robbery. Prince George's
4 County police had an arrest warrant for Mr. Buie, but not
5 a search warrant for his residence. They went into the
6 house looking for Mr. Buie with the arrest warrant, called
7 out for him and Mr. Buie came out from downstairs and
8 said, here I am and they arrested him.

9 One of the officers thought it would be a good
10 idea to search the downstairs to see if there was anyone
11 else that was there. When the description of the robbers
12 was that a person was wearing a red jogging suit. So even
13 though Mr. Buie had been arrested and was in custody
14 upstairs, the officers went downstairs without a search
15 warrant. And what should be sitting on the couch
16 downstairs but a red jogging suit.

17 John tried the case in this courthouse. Client
18 was convicted. Court of Special Appeals affirmed the
19 conviction. The Court of Appeals on a 4-3 opinion
20 reversed the conviction and said that was an improper
21 search. And in 1990, the case went to the United States
22 Supreme Court. Unfortunately, John didn't have the
23 opportunity to argue the case. But it was decided, it is
24 called Maryland versus Buie 494 U.S. 325. Justice White
25 wrote from the majority and Justice Brennan and Marshall

1 wrote for our side. Anyway, John didn't talk about that
2 case very much, I'm not sure too many people knew about
3 it. But it was tried in this courthouse to preserve the
4 issue.

5 The other thing I must tell you about John is
6 John gave back to his community. Judge Green, you will be
7 happy to know, John served for years on the peer review
8 committee for the Attorney Grievance Commission. John was
9 active in some mental health issues with respect to the
10 Vesta Foundation, served on the Hospice Board of Southern
11 Maryland and was very active in the Rotary Club. Every
12 year John would organize a scholarship fund so the Rotary
13 would award a scholarship to a deserving young person in
14 the community. John was always instrumental in trying to
15 raise funds to make sure a worthy student received a
16 scholarship. He was a development man of faith and very
17 active in his parish, Jesus the Good Shepherd.

18 The quality I admired most about John was he was
19 a family man. And if truth be told, I was actually
20 slightly envious of John and the relationship that he had
21 with his wife, Marjorie and his four daughters. John
22 would also talk about his sisters. But it was the pride
23 that he felt with the accomplishments of his daughters
24 that I just can't put into words. It wasn't that he would
25 brag about his daughters, he just had this fatherly pride

1 in their accomplishments. He was a great lawyer,
2 contributor to the community. But his love of family was
3 what struck me the most about John.

4 He talked often about daughter Courtney, went to
5 the University of Pittsburgh and became an optometrist. I
6 knew I was going to get that right or wrong. Anyway, she
7 went and got a Degree of Optometry from Southern College
8 of Memphis. I heard all about Memphis and heard all about
9 Graceland. His other daughter, Caitlyn, is a lawyer,
10 active in history and politics. John would frequently
11 discuss politics with Caitlyn and come in and tell me that
12 Caitlyn's politics were much closer to my politics than
13 that of her father. And then his daughter, Jenna, played
14 collegiate volleyball at Salisbury State University. I
15 heard about those trips. And quite frankly, I don't ever
16 want to hear another story about woman's collegiate
17 volleyball. The forth daughter, Emma, cannot be here. I
18 think actually all of his three daughters are here,
19 Courtney, Caitlyn, Jenna. Emma is the youngest of the
20 girls. She is at Xavier University in Cincinnati, Ohio.
21 She was the artsy daughter, not the sports daughter. But
22 John was proud of her. Every time Emma was in a play or a
23 musical at school, brochures would appear in the lunch
24 room at the firm and we would all be encouraged to
25 contribute.

1 John was proud of the fact that each of his
2 daughters were different in their own way, but he loved
3 each of them equally. And it was something I really
4 admired in John and his girls and his daughters.

5 And his wife Marjorie is here, affectionately
6 known as Marge in Charge. Bob Mance and I were dear
7 friends of John. When Bob saw John when he was near
8 death, John said to Bob, don't worry, Bob, I have had a
9 good run. And that's the way he was.

10 And I saw John maybe a day or two before he
11 died. And he said, Bill, don't worry about me. I'm fine.
12 And that was John. He cared about other people more than
13 he cared about himself.

14 On a personal note, I still miss John immensely.
15 His office is right next to mine. We haven't filled the
16 office yet. And I find myself on some days walking by and
17 looking in to say hi to John and he is not there. I truly
18 miss him. And great lawyer, contributions to the
19 community but a wonderful family man. And he will be
20 sorely missed by all of us.

21 JUDGE FEMIA: And thank you, Bill.

22 I'm going to ask Mr. James MacAlister to present
23 Robert Zarbin, who died. Another one, this is a bad year
24 for young folks. Us old folks got it going.

25 MR. MACALISTER: Good evening. My name is Jim

1 MacAlister. Bob was my nearest and dearest friend. I
2 apologize. No matter how many times I do this, it doesn't
3 get any easier.

4 As many of you know, I've spent the last four
5 months working as the conservator of Zarbin Law Firm. Bob
6 asked me to do this so that his clients would be protected
7 and his family would be provided for. I want to thank
8 Lydia Lawless, who as a new chair of the Attorney
9 Grievance Commission, over the Fourth of July weekend,
10 when Bob was in intensive care, prepared the petition. I
11 want to thank Judge Green, who came in a day early from
12 vacation, promptly at 9:00 in the morning, to sign the
13 petition appointing me as conservator to have something in
14 place and begin the process.

15 Most importantly, I want to thank Brenda Gold
16 Smith, who is Bob's long-time assistant. If you've ever
17 seen Bob and you have seen him working all over the State
18 doing all of these projects, you wonder how is it he can
19 practice law so effectively and yet be all of these
20 different places and it's owing to her talent and
21 unmatched abilities.

22 I also want to thank the members of the Bar who
23 came forward and helped me cover cases for clients over
24 the last several months. Because I have a full-time trial
25 practice in Baltimore and so I couldn't get everything

1 done or cover everything. I want to thank my employer,
2 Cohen Snyder, who the minute I said I'm doing this said,
3 Jim, whatever you need, it's Bob.

4 We were the best of friends. When I'm sitting
5 in his office as conservator, I can hear that contagious
6 laugh emanating from somewhere. When I'm in the car I
7 look at the cell phone and I expect it to ring. And when
8 I'm in Annapolis testifying, I look over and there is an
9 empty chair. Bob would always go first and I would clean
10 up.

11 Ken McClay, who is taking over the Zarbin Law
12 Firm, I'm pleased to announce. I was sitting in my office
13 on a Friday afternoon and the cell phone rings and he
14 holds it up and it's Robert Zarbin coming through. He
15 said, what should I do? I said, answer it. You don't
16 think death is going to keep Bob off the cell phone. It
17 turns out Bob's son had found his cell phone and as luck
18 would have it, called precisely when Ken was sitting in
19 the office and we were sharing Bob stories.

20 Many don't know for the last 20 years, I served
21 as Bob's ghostwriter. I have had experience putting words
22 in his mouth. I'm going to do this the way Bob would want
23 it done. So my apologies for those of you who expected a
24 lugubrious dirge.

25 I'm going to start with something that Bob would

1 want you to know from the outset and that is that he
2 graduated from McDonogh High School, making him a McDonogh
3 boy. Those of you from Baltimore understand the
4 importance of that. The rest of you are probably
5 wondering why it is we are celebrating the life of a man
6 that claimed existential achievement, getting a high
7 school diploma. I commit you to, anybody here from
8 Baltimore, who can explain that. I'm not originally from
9 Baltimore.

10 He attended Loyola College in Baltimore and
11 received his JD from the Loyola Law School in New Orleans.
12 Many of you don't know it but Bob's undergraduate major
13 was philosophy. More than once he said, most people think
14 a degree in philosophy qualifies you to work as a bus boy,
15 or if you are lucky, a waiter. On the contrary, he would
16 say, it arms you with the ability to think critically, to
17 examine an issue, think through it and come up with, as
18 the scientist's core message reminds us, an informative
19 answer. Those informative answers were included in
20 countless briefs, countless oral arguments before the
21 Court of Appeals, countless presentations to the
22 Legislature.

23 Out of respect for Bob's major let me quote,
24 great my philosophers of the twentieth century, Yogi
25 Berra, who said, you could observe a lot by just watching.

1 You could observe a lot by just watching Bob practice law.
2 To him it wasn't a profession but a calling. As scripture
3 reminds us to do justice with a capital J. Like the
4 lizard, you have to cut the head off to get the jaws to
5 release after it bites you. He would not let go until he
6 got what his clients deserved.

7 I put a line in a speech that he gave when he
8 became president of the Maryland Association with Justice,
9 that the hallmark of a great trial lawyer is the
10 unwillingness to accept the unacceptable. Bob Zarbin was
11 a great trial lawyer.

12 You could observe a lot by watching, no matter
13 how heated it got in the courtroom or at Worker's
14 Compensation hearing, he had the uncanny ability to
15 remain a friend and colleague with his opponent as he was
16 fond of saying, in that order.

17 When it was all said and done, he would lighten
18 things up with a joke or, at least, one he thought was
19 funny. And then he would add that pandemic laughter that,
20 as he put it, even the most pickle puss people could not
21 resist. Afterwards, he would always insist, if it was
22 later in the day, that you had to go out for a drink with
23 him at a local establishment, here at the Top of the Hill,
24 which we just recently learned serves food. And as to
25 exactly, late in the day was, Bob would say that's a

1 floating standard.

2 You could observe a lot by watching his
3 commitment to the public service and how tirelessly he
4 worked to protect the criminal justice system. Earlier
5 this year, I was one of the few people that knew he was
6 sick. And we were working an uninsured motorist bill in
7 Annapolis. And he steps outside and said, Bill, I can't
8 breathe. My lungs are filling up with fluid. I said,
9 okay, we are leaving.

10 So he went to Arundel Medical Center and had a
11 liter and a half of fluid drained from his lungs. And I
12 thought we were all going home, so I left. What I
13 discovered the next day was, with the doctor in the
14 emergency room screaming at him that he was going to die,
15 he checked himself out, went back to the General Assembly
16 and finished negotiating the bill.

17 You could learn a lot by watching his multiple
18 commitments and passion to the multiple Bar associations
19 that he belonged to. I have often said the first law of
20 Bar association dynamics is that all matter is at rest
21 until acted upon by somebody willing to devote the energy
22 to change things. Bob devoted the energy to change things
23 and what a difference he made in all of the Bar
24 associations.

25 You observed a lot by watching how he cared for

1 the pain of others. Around the time that he was getting
2 really sick and was down in Indiana. In Houston, I had an
3 abdominal abscess and was flat on my back in a lot of
4 pain. Bob, at that point, the tumors in his lungs had
5 gotten so big, he could barely breathe. He is on the
6 phone with me telling me that he is going to call a doctor
7 that works at the same hospital as my doctor and put his
8 foot up that doctor's you know what, so that doctor will
9 get my doctor to do something for me.

10 Here is a guy, whose breaths were numbered who
11 was devoting some of those precious remaining breaths to
12 making sure that a friend was taken care of. I could go
13 on and on and on.

14 But the one thing most of you don't know,
15 because most of you in this room knew Bob, is what
16 happened between February 7th when he was diagnosed and
17 July 8th, when he passed away. There is a tomb stone in
18 Key West that says, I told you I was sick. Unlike the
19 waitress in that Key West cemetery, Bob didn't want
20 anybody to know and I want you to know why. Because he
21 was going to make it. Like the coyote in the Road Runner
22 cartoon who runs off the cliff and doesn't fall until he
23 looks down, Bob was not going to give up.

24 Often he would tell me, Jim, I can't accept the
25 fact that I'm not going to make it. If the word gets out

1 everybody is going to call me 15, 20 times a day and
2 remind me how sick I am. And I can't, I just can't do
3 that. So he asked me and this is why he brought me back
4 in February to take care of his clients and his wife and
5 family. Again, I thank Lydia Lawless and Judge Green for
6 allowing me to keep my word to my dying friend.

7 He leaves behind Simonne, his son, Gena, six and
8 his daughter, Ava, who is four. I'd ask that you keep
9 them in your prayers. One of the things that enabled him,
10 other than his office wife who took care of his practice
11 so effectively and so efficiently was the unselfish
12 dedication of his wife to raising their children. Keep in
13 mind, they got married later in life, if somebody in their
14 forties is later in life. She was a stockbroker. She
15 gave up that career to unselfishly work with their
16 children.

17 How would Bob want me to leave this. First of
18 all, never take an offer that isn't the right price. Try
19 a case, it's the right thing to do and next time you will
20 get the right offer. Two, get involved. Things get
21 better because someone wasn't willing to accept things the
22 way they are. Be that someone. And three, be passionate
23 when you are right, admit when you are wrong and always,
24 always remember the other side is your opponent, not your
25 enemy. Four, remember that, when it's all said and done

1 what we do is all about getting justice for those who,
2 without us, would have no access to justice. And lastly,
3 never miss a chance to laugh, even if you are the one who
4 told the joke. Thank you.

5 JUDGE FEMIA: Judge Tillerson-Adams, I would be
6 remiss if I did not note that the longest standing
7 President of the Maryland State Senate it with us here
8 this afternoon. I didn't see him earlier. I would have
9 recognized him then.

10 Also, I would be remiss if I did not violate a
11 mandate of one of our dearly departed who has not been
12 mentioned here. I learned a couple of weeks ago that back
13 in September, Joe Sauerwein passed away. I was told he
14 directed that there would be no memorialization, no
15 service, no funeral, no nothing. But he didn't say, no
16 remark upon. So I remark upon his passing. We don't have
17 enough time to hear Joe's stories.

18 Anyway, I want to bring to everyone's attention,
19 to the families' attention that the Bar Association has
20 provided plants for the families of each of the
21 individuals memorialized here today. And I want to thank
22 Robin Hadden for all of the work that -- there she is
23 standing in the back, all of the work that she has done.
24 She is the one that put this all together. I had nothing
25 to do with it. And regrettably, Judge Missouri is not in

1 a position to do it. But she did it and we thank her for
2 it.

3 Finally, I'd ask that these remarks, these
4 in-comment. Or actually the correct pronunciation would
5 be incommona, but it could be uncommon. You take your
6 pick. In any event, I'd ask that they be spread upon the
7 record of the Court and made available to such members of
8 such involved families that may ask for a copy thereof.

9 And, again, on behalf of the memorial committee
10 and the Bar Association, we thank the Court for this
11 traditional presentation.

12 JUDGE ADAMS: To the family of the Members of
13 the Bar we memorialized today, on behalf of the Court and
14 members of the Bar, I want to say thank you. Thank you
15 for sharing your loved one with us. Your loved one has
16 touched so many in immeasurable ways and has left a
17 lasting legacy on the Bar of Prince George's County and
18 the citizens that they served. So we thank you.

19 President Green, Judges of all Courts, ladies
20 and gentlemen, families of the Members of the Bar we
21 memorialized today, the Judges of the Circuit Court for
22 Prince George's County are grateful to the Prince George's
23 County Bar Association. The members of the memorial
24 committee, Judge Femia, Judge Missouri, even in his
25 illness, he directed how this service would go. I also

1 want to say thank you to his wife, Delores Missouri, who
2 spent many hours, even while she was caring for Judge
3 Missouri, working on this program. So I do thank her as
4 well.

5 I thank each of you that stood up here in very
6 difficult time today and I recognize that and we all
7 recognize that, but you shared with love and kindness and
8 humility, the stories of your loved ones, the stories of
9 your friends, the story of our friend and mentors and
10 colleagues and we thank you.

11 There is a very fine tradition that we maintain
12 in Prince George's County for many, many years. We pause
13 from the usual matters taking place in the courtroom and
14 we honor our departed brethren and pay tribute to their
15 memories. Many of you have enjoyed a very pleasant and
16 warm personal relationship with those that we have
17 memorialized today.

18 The Court will direct that the memorials
19 presented be spread amongst the permanent records of this
20 Court and that copies be sent to the respective families
21 of the colleagues we memorialized and honored today. And
22 they will also be placed on the website of the Court for
23 all to read for years and years to come.

24 So that concludes the memorial service.

25 Mr. Bailiff, would you please announce the

1 adjournment.

2 THE BAILIFF: All rise. This Court of Special
3 Session is now adjourned.

4 (Whereupon, the memorial service
5 concluded at 5:39 p.m.)

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