

Golden 50th Anniversary

◆ **COMMEMORATIVE ISSUE** ◆

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FBAnewsletter

Winter 2007

Federal Bar Association - Eastern District of Michigan Chapter - 50 years of service to our Federal Bench and Bar

Fifty Years Of Chapter History

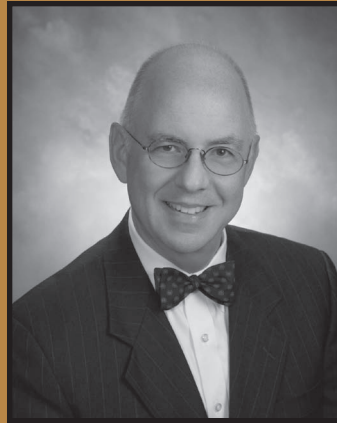
In honor of the Chapter's golden anniversary, the Board approved publication of this special edition of the Newsletter. It is largely devoted to detailing our Chapter history over the past fifty years. Inside the reader will find the issue divided into decades, beginning with the 1950s and 1960s and leading up to the present day. Each decade contains a discussion of key events and memories. Where possible, photos and other memorabilia have been incorporated. It certainly was an interesting journey putting it all together. The editors want to thank the Newsletter committee members, whose hard work and dedication made this special edition possible.

At the end of the Newsletter, we have also included some current articles and the calendar of events.

We hope the reader finds this issue interesting, enjoyable and truly commemorative. The Chapter has come a long way and is still going strong!

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President's Column

Mark A. Goldsmith

TURNING 50!

It is no mean accomplishment for a bar organization to turn 50. Yet, here we are -- half a century after a small group of lawyers founded our Chapter in 1957-- still faithfully serving both the bench and bar.

How to account for this remarkable feat of survival?

The answer lies in understanding that an organization is similar to any organism:

Adaptability and innovation are the keys to survival. Fortunately for our Chapter, we have been blessed with both qualities in abundance.

Consider how our mission evolved over the years. Originally, the FBA consisted almost exclusively of government lawyers, seeking a lobbying vehicle for expanded personnel benefits. However, over time, greater numbers of private practitioners and judges joined our ranks, seeking a venue in which to sharpen professional skills, elevate the ethical plane and enhance the dialogue between bench and bar.

By recognizing the need to expand our mission, our Chapter has been expansively transformed: from 147 members in 1957 to nearly 600 current members, over 80% of whom are private practitioners.

The next 50 years will surely present new opportunities for change and innovation. To name just a few --

- How will we address the increased specialization of the federal bar?
- How will we make our organization more reflective of the diverse ethnic and racial groups represented in our profession?
- How can we maintain standards of professional responsibility and civility, when such values are undercut by increased competitiveness among lawyers and erosion of long-term interpersonal relationships?
- How can we maintain civil trial skills in the face of the increasingly rare civil trial?

Although the answers to these questions will not be easy, I am confident that our Chapter will continue to attract members and prepare leaders who will meet these challenges with the same creativity exhibited in the first 50 years.

While we are justly proud of our first 50 years, we dare not rest on our laurels. We must continue to respond innovatively to an ever-evolving legal culture. That will insure that there will be a Centennial Celebration in 2057 at which we can all proudly celebrate 100 years of service to the bench and bar.

I hope to see you there!

WINNER
5 YEARS
National FBA
Outstanding
Newsletter
Award

The Fifties and Sixties The Fifties and Sixties The Fifties

The 1950s and 1960s – In The Beginning

The “birth” of the Detroit Chapter of the Federal Bar Association was accomplished during a meeting of the National Council of the FBA held on August 26, 1957, as recorded in the unpublished minutes of the Federal Bar Association, maintained in a scrapbook binder of materials dated 1950-1959 located in Washington D.C.:

From the Minutes of August 26, 1957:

“Mr. Kintner stated that during the fiscal year charters for new chapters had been approved for Louisville and Boston. An application has been received for charter of a new chapter in Atlanta. Mr. Haas moved that a charter be issued to the Atlanta Chapter. This motion was seconded by Mr. Axman, and was unanimously carried. An application has been received for charter of a new chapter in Detroit, with a petition signed by 23 persons. Since the receipt of the original petition, 19 additional applications have been received. Mr. Odom moved that a charter be issued to the Detroit Chapter. This was seconded by Mr. vom Baur, and was unanimously carried.”

Mr. Odom was a member of the National Council and at the time was the General Counsel of the Veterans Administration. Mr. vom Baur was F. Trowbridge vom Baur, the FBA’s delegate to the American Bar Association.

In the July 1957 issue of The Federal Bar News, Kintner had written in his president’s column that a new chapter in Detroit was one of three in the offing, adding “All that is required is one who will dream and then translate the dream into reality.” In the next issue, he wrote:

“At this writing, I have a petition, addressed to the National Council, for a Detroit, Michigan Chapter, sent to me by Fred W. Kaess, United States Attorney for the Eastern District of Michigan, and signed by twenty-one applicants for membership.”

Mr. Kaess and Wilfrid R. Laurie, an attorney with the Army Ordinance in Detroit, both saw the need for a Detroit chapter. They joined forces and, assisted by Richard T. Tarnas of Detroit Army Ordinance, did the necessary preliminary work. The application is signed by Mr. Kaess; George Edward Woods, Jr., Chief Assistant U.S. Attorney; Joseph A. Moynihan, Jr., formerly Chief Assistant U.S. Attorney; and the following Assistant U.S. Attorneys: Robert E. DeMascio, Otto E. Haass, Dwight K. Hamborsky, John R. Jones, Orrin C. Jones, John L. Owen, Elmer L. Pfeifle,

Jr., Robert L. Richardson, Jr., Horace L. Rodgers, John Paul Sitek, Willis F. Ward, and Donald F. Welday, Jr. Signing from Army Ordinance, in addition to Messrs. Laurie and Tarnas, were Robert M. Barrie, Assistant General Counsel, John S. Crandall, Jack F. Gardner, Phyllis K. Johnson, R. Cass Ready, and Alexander A. Trout.

Detroit thus became the 20th Chapter of an organization that had burgeoned during the previous four years under the leadership of Earl W. Kintner.

Later that year, the Chapter was formalized at an organizational luncheon attended by 63 people. The first temporary officers were elected (President, Fred W. Kaess; secretary-treasurer, Wilfred R. Laurie); committees were established; and plans were laid for a banquet at which the Chapter’s charter would be presented. Within the next couple months, Dick Tarnas was named secretary, and as of November 1957, the Chapter’s membership numbered 59.

On December 3, 1957, the Chapter held its first major event, a “Charter Banquet” in the Casino Room of the Sheraton-Cadillac Hotel, attended by “more than 250 members of the Chapter, their wives and friends.” According to chapter president Fred Kaess, the group was addressed by Laurence H. Axman, then president of the FBA, who spoke of the effort “to bring about a greater and more efficient relationship between Government lawyers and officials and those representing the public,” and commented on the need to better equalize public and private sector pay to stop the exodus of “experts in their field, who are leaving their jobs for higher pay in private enterprise.”

Officers were then elected; and honorary memberships were given to Chief Judge Charles C. Simons of the Sixth Circuit, Chief Judge Arthur Lederle, and District Judges Frank A. Picard, Theodore Levin, Thomas P. Thornton, Ralph Freeman, and Clifford O’Sullivan. The group was then entertained “by strolling musicians and the Detroit Bar Association Glee Club,” and “a highlight of the evening was the entertainment given by Mr. Bud Guest, Detroit’s foremost radio and TV humorist”.

Also of historical and current interest was the Chapter’s adoption of its first formal resolution – which was described by Judge (the U.S. Attorney) Kaess as follows:

“A feature of the evening was the adoption by the membership of a resolution endorsing a plan to erect a new Federal Court Building and companion Lawyers’ Library Building as part of Detroit’s new Civic Center. The resolution was adopted by unanimous voice vote as the first official act of the new Chapter. The Honorable Arthur F. Lederle, is the guiding spirit behind this plan. His

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farsightedness for the anticipated need of a new Federal Court Building which will lend itself to a realistic program of expansion and will meet the requirements of new and additional judges who will serve the District in the future, deserves the thanks and appreciation of all members of the Chapter.”

The same month as the Charter Banquet, the national president’s column presaged what would later become a struggle between the chapters and the national organization, as President Axman noted in passing in his December, 1957 column:

“I appointed Earl Kintner as Chairman of a committee to examine into and report to the next Council meeting on the considerations involved in the problem of giving financial assistance for transportation of Chapter representatives to the annual September Federal Bar Convention in Washington, D.C. With the ever increasing number of Chapters, concern has been widely expressed as to the financial involvement in providing transportation for chapter representatives.”

On May 20, 1958, the Chapter conducted the first of the countless Seminars and Workshops for which it has become nationally known, as top officials of the SEC traveled to Detroit, including Commissioner Andrew D. Orrick, the Associate Executive Director, the General Counsel, the Chief Counsel for the Division of Corporation Finance, the Chief of the Branch of Interpretation and Review and the Chief Accountant of the SEC. In the August 1958 issue of “The Federal Lawyer,” the details were relayed by Chapter President Fred Kaess, again with a certain presaging of what was to follow:

“The first ‘workshop conference’ held by the Detroit Chapter took place on Tuesday May 20, 1958, at the Veterans Memorial Building in Detroit. . . . [T]his was the first giant step taken in offering ‘workshops’ to the Bar and other professions interested in the topics discussed.

“The ‘workshop conference’ was conducted by a top team of experts on Security and Exchange Commission laws and regulations. . . .

“The day-long ‘workshop’ acquainted lawyers, accountants, securities brokers and other interested persons, with the practical matters which confront the SEC in registration of securities, proxy contests, financial problems involving the securities industry, as well as discussions on many other problems that were brought before the conference in a question and answer period. The ‘workshop’ was a tremendous success with approximately four hundred in attendance.

“This was the first of a continued series of ‘workshop’ conferences to be sponsored by the Chapter. It is the general intent of the Chapter to offer panels and forums devoted to the practical aspects of the various Federal agencies . . . The Chapter further intends to acquaint the professions with what aid and assistance the lawyers in practice can receive from governmental agencies.”

President Kaess noted, in particular, the contributions of Edward H. Rakow, then the Assistant Regional Director for the SEC in Detroit, and Julius Kabatsky, who became the Chapter’s third President, for their work in planning the program.

That success was followed up quickly with a workshop that was held for 400 lawyers and CPAs, on October 16, 1958, with instruction in the working procedures and processes provided by the IRS regional commissioner, the assistant regional commissioners for audits and appeals, and the district director and others from the Detroit Office of the IRS. According to Fred Kaess’s article, “the attending group was surprised and delighted by the visit of IRS Commissioner Russell C. Harrington, who added his word of greeting to the Conference.”

On September 23, 1958, the Chapter had its first Annual Meeting (which back then was held apart from the Annual Dinner). Fred Kaess was re-elected to a second term as president, Wifred Laurie was again the First Vice President, and the other officers included Avid A Goldman, Charles Wright III, Edward H. Rakow, Edwin G. O’Brien, Julius L. Kabatsky, Horace J. Rogers and William E. Speer.

(continued on page 4)



From left to right, Wallace D. Riley, Julius L. Kabatsky, Fred R. Walker and Lawrence J. Verdier; the 5th, 3rd, 2nd and 4th Chapter Presidents, photographed in 1963. First president, Fred W. Kaess, was traveling in Europe at the time. Julius Kabatsky died later that year, only 56 years old.

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(continued from page 3)

That first year also marked the beginning of another Chapter tradition that continues today, the Luncheon featuring prominent guest speakers. Ed Rakow's Federal Bar News contribution noted:

"At the regular monthly luncheon held at the Olde Wayne Club on November 18, 1958, a record crowd of 145 members and guests attended. Guest speaker was J. Thomas Smith, prominent industrialist, who is President of the Detroit Harvester Company. Mr. Smith, a former Assistant United States Attorney and a member of the Detroit Chapter, described the highlights of his recent visit to the USSR. His talk was enthusiastically received by the large audience."

Founder Dick Tarnas, responding to the request for more information about the Chapter's formative years, also recalled events in June at the Detroit Yacht Club and in July at the Detroit Athletic Club.

The year was capped with an Annual Dinner, on December 9, addressed by Chief Justice John R. Dethmers of the Michigan Supreme Court and attended by nearly the entire federal bench of Detroit (Chief Judge Lederle and Judges Thornton, Freeman and O'Sullivan) and by the president and executive secretary of the Michigan Bar, Raymond Dresser and Milton Bachmann. Entertainment was provided by "The Grunyons," described by Ed Rakow as a "famed harmony group of business and professional men" and by the anecdotal reminiscences of former American League umpire N. I. "Red" Jones.

The activity of the new Chapter did not let up in 1959, starting with a Chapter Luncheon on January 13, at the Olde Wayne Club, addressed by Nathan H. Goldstick, the

Corporation Counsel for the City of Detroit, and another luncheon, at the Veteran's Memorial Building on February 10, in honor of the Federal Judges for the Eastern and Western Districts of Michigan. It was at this luncheon that one spots the first activity of Wallace D. Riley, who later served as president of the Detroit Chapter, the State Bar and the American Bar Association and who remains one of the Chapter's active and energetic supporters.

At the April luncheon, the Chapter was addressed by Detroit's colorful mayor, Louis Miriani, who succeeded Albert E. Cobo in 1957, guided Detroit through the building of Cobo Hall and the Civic Center (now the Coleman A.

Young Municipal Center), lost the mayoral race of 1961 to Jerome P. Cavanagh, and later was a guest of the United States government for 294 days after conviction for income tax evasion. [In the Time Magazine dated February 10, 1958, Miriani had been quoted in opposition to extending bar closing times to 4 a.m., stating "Any serious drinker should be able to get stiff by



NATIONAL COUNCIL MEETING, AUGUST 26, 1957.

From the archives:

A photo taken of the National Council at the meeting during which they unanimously approved a charter for the Detroit Chapter.

2 a.m."]

On the subject of potent potables, Ed Rakow wrote about the success of the FBA's first golf outing, held on June 16, 1959 "when about 150 members and guests converged on the Beverly Hills Golf Club for an afternoon and evening that long will be remembered," concluding:

"The affair wound up at midnight when Treasurer Julius L. Kabatsky was forced to announce a state of depletion at the refreshment bar. Resultant casualties were limited to sore-muscled members who had joined our sports director, Assistant U.S. Attorney Willis F. Ward, of University of Michigan renown, in a fast and furious baseball game."

The final contemporaneous entry from these early years (due to the local unavailability of any copies of The Federal Bar News) is Ed Rakow's column from November

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of 1959, describing the September 22, 1959, opening of the new FBA Event Season with an address from Michigan Supreme Court Justice Eugene F. Black, on the subject "Your Supreme Court -- At the Crossroads."

We have, however, the vivid recall of Charles Rutherford, president of the Chapter 1966-1967 and still a member of our Foundation, who addressed the Annual Dinner on June 7, 2007, stating:

"The first ten years of the Federal Bar Association from 1957 to 1967 had many growing problems as we matured into the professional organization which we are today. The Chapter relied upon federal judges and federal officials from Washington, DC to attend and address our luncheons. These speakers included Judge Fred Kaess, Judge Thornton and Securities & Exchange Commissioner, Manny Cohen. He used to come in and regularly visit Edward H. Rakow, Regional Administrator, of the Security Exchange Commission in Detroit.

"Other speakers included Judge Clifford F. O'Sullivan when he was on the Sixth Circuit. One of the early Charter members was Russell Paquette (1967-68) who advised that when he was President, he invited Mr. Ralph Nader to be a speaker. Mr. Nader had written a book 'Unsafe At Any Speed.' Russ advised that he picked up Mr. Nader at the airport in a Corvair and drove him to the program and luncheon.

"Frank Zagelmeyer, President in 1977-78 advised that a speaker for his program was F. Lee Bailey who spoke at the Book Cadillac. Other venues for our club early on were the Veterans Memorial Building, the Pontchartrain Hotel and the Savoyard Club.

"My talk would not be complete without mentioning the early work performed by Wallace D. Riley who was the Fifth President of the Detroit Chapter (1963-64) and by Russ Paquette (1967-68), Judge George Woods (1968-69), Judge Ralph Guy (1974-75) and Richard Tarnas(1976-77). I believe many of them were supported in their efforts by the Secretary to Judge Kaess, Ms. Ruth Wholihan.

"Finally the Guardian Angel of the Detroit Chapter in the early years from 1957 until his death in 1968 was Edward R. Rakow who we pay tribute to annually at the Rakow luncheon. Ed never held office in the Federal Bar, always preferring to be in the background. He was a dedicated public servant throughout his adult life. He retired from Federal practice in 1966 and passed away in February 1968. His sister contributed to the Edward H. Rakow Memorial Fund and the Federal Bar Foundation."

Earl Kintner had written, at the start, "All that is required is one who will dream and then translate the dream into reality." Detroit and the Eastern District were particularly fortunate to have had so many, in the beginning and throughout the early years, who dreamed and then worked to make the dream into a reality.

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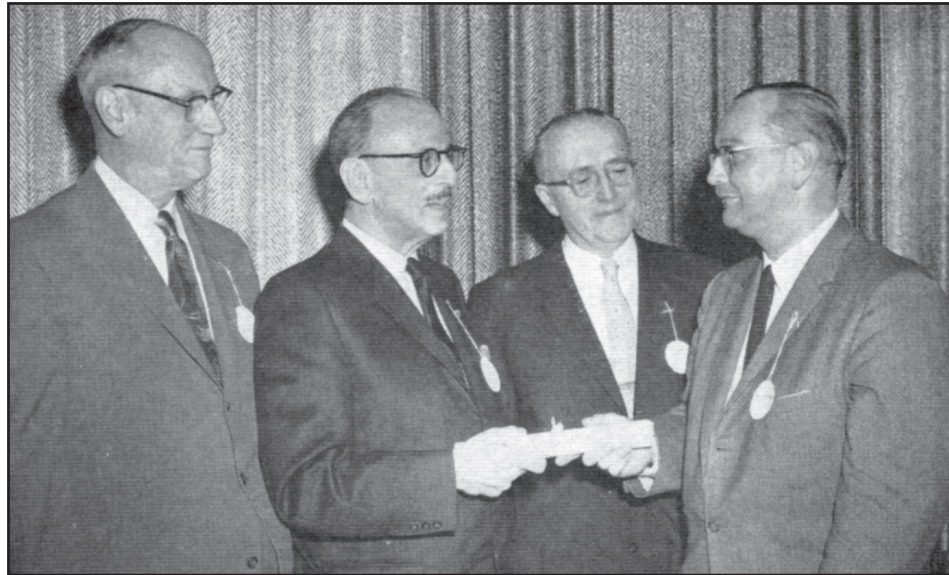
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The following column, written by the "George Washington" of our Chapter, Fred Kaess, appeared in the January, 1958, issue of "The Federal Bar News."



Detroit Chapter—I. to r.: Glenn Coulter, Michigan delegate to American Bar Association. Laurence H. Axman, President, Federal Bar Association. James Haggerty, President, Michigan State Bar. Fred W. Kaess, President Detroit Chapter, Federal Bar.

DETROIT CHAPTER

By Fred W. Kaess, President

The recently organized Detroit Chapter held its Charter Banquet at the Sheraton-Cadillac Hotel on December 3, 1957, at which time a capacity group of member lawyers and their friends and wives met to receive its Charter from Mr. Laurence H. Axman, President of the Federal Bar Association.

Mr. Axman told the group the primary purposes of the organization, and of its effort to bring about a greater and more efficient relationship between Government lawyers and officials and those representing the public. He also commented on the number of Government lawyers, experts in their field, who are leaving their jobs for higher pay in private enterprise.

Mr. Axman presented Honorable Membership Certificates to the following Federal Judges of this district:

Chief Judge Charles C. Simons, Circuit Court of Appeals, 6th Circuit
Chief Judge Arthur F. Lederle
Judge Frank A. Picard
Judge Theodore Levin
Judge Thomas P. Thornton
Judge Ralph M. Freeman
Judge Clifford O'Sullivan, United States District Court

The Charter Banquet, being the first of the regular annual banquets expected to follow, began with a cocktail party get-together in the beautiful Casino Room of the Sheraton-Cadillac. The enthusiasm and good fellowship was clearly indicated by not only the attendance, but by the early arrival of all of the guests.

Entertainment was furnished by strolling musicians and the Detroit Bar Association Glee Club. A highlight of the evening was the entertainment given by Mr. Bud Guest, Detroit's foremost radio and TV humorist.

Congratulatory messages were given by Mr. James Haggerty, President of the Michigan State Bar; Mr. Glenn Coulter, Michigan delegate to the American Bar Association; and Mr. Fred Buesser, Vice-President of the Detroit Bar Association. Mr. Julius Kabatsky acted as master of ceremonies and presented to the group the Chapter's first officers:

| | |
|---------------------|---------------------|
| Fred W. Kaess | President |
| Wilfrid R. Laurie | 1st Vice-President |
| William G. Comb | 2nd Vice-President |
| Willis F. Ward | 3rd Vice-President |
| Richard T. Tarnas | Secretary |
| Abraham F. Friedman | Recording Secretary |
| Peter P. Gilbert | Treasurer |
| John L. King | Asst. Treasurer |
| Louis M. Hopping | Parliamentarian |

Ticket Chairman was John Neville and Banquet Chairman was Julius Kabatsky.

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In the February, 1958 issue of "The Federal Bar New," Judge Kaess told National and the other Chapters about our Chapter's inaugural event.

DETROIT CHAPTER

On December 3, 1957, at Detroit's Sheraton Cadillac Hotel, the new Detroit Chapter of the Federal Bar Association held its first banquet, at which were present more than 250 members of the Chapter, their wives and friends. The occasion was the formal presentation of the Chapter Charter to *President Fred W. Kaess*, United States District Attorney for the Eastern District of Michigan, by *National President Lawrence Axman*, who was also guest speaker of the evening. Other officers of the Chapter are as follows: *Wilfrid R. Laurie*, First Vice President; *William G. Comb*, Second Vice President; *Willis F. Ward*, Third Vice President; *Richard T. Tarnas*, Secretary; *Abraham J. Friedman*, Recording Secretary; *Peter P. Gilbert*, Treasurer; *John L. King*, Assistant Treasurer; *Louis M. Hopping*, Parliamentarian.

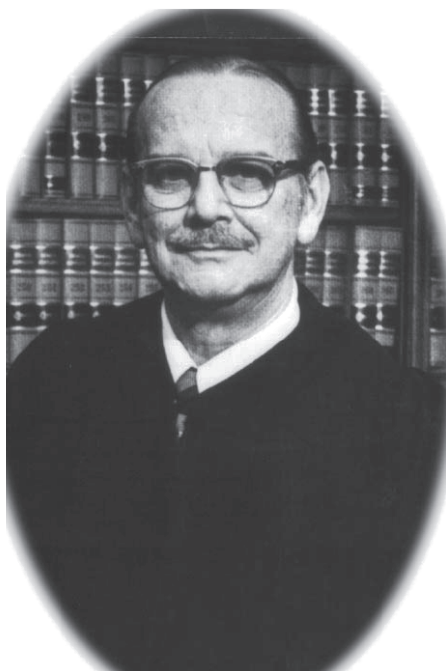
Dignitaries present, aside from the above mentioned, included *the Honorable Chief Judge, Arthur F. Lederle*; *the Honorable Thomas P. Thornton*, *the Honorable Ralph M. Freeman*, and *the Honorable Clifford O'Sullivan*, all members of the bench of the Eastern District of Michigan; *James E. Haggerty*, President of the Michigan State Bar; *Glenn M. Coulter*, member of the Board of Governors of the American Bar Association; *Frederick G. Buesser, Jr.*, First Vice President of the Detroit Bar Association; *the Honorable Jean Paul Desparmet*, French Consul at the City of Detroit, and others.

A feature of the evening was the adoption by the membership of a resolution endorsing a plan to erect a new Federal Court Building and companion Lawyers' Library Building as part of Detroit's new Civic Center. The resolution was adopted by unanimous voice vote as the first official act of the new Chapter. *The Honorable Chief Judge Arthur F. Lederle* is the guiding spirit behind this plan. His farsightedness for the anticipated need of a new Federal Court Building which will lend itself to a realistic program of expansion and will meet the requirements of new and additional judges who will serve the District in the future, deserves the thanks and appreciation of all members of the Chapter.

On the lighter side, monologues by noted humorist *Bud Guest* and the Chapter's own *Julius Kabatsky*, and singing by the renowned Glee Club of the Detroit Bar Association, were included in the program.

February, 1958

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Fred W. Kaess

DETROIT CHAPTER

By **FRED W. KAESS**

The first "workshop conference" held by the Detroit Chapter of the Federal Bar Association took place on Tuesday, May 20, 1958, at the Veterans Memorial Building in Detroit. Since the Detroit Chapter was only started in October 1957, this was the first giant step taken in offering "workshops" to the Bar and/or other professions interested in the topics discussed.

The "workshop conference" was conducted by a top team of experts on Security and Exchange Commission laws and regulations. The team group was headed by *Andrew D. Orrick*, Commissioner of Securities and Exchange Commission. He was assisted by:

Ray Garrett, Jr.,
Associate Executive Director, SEC
Thomas G. Meeker,
General Counsel, SEC
Manuel F. Cohen,
Chief Counsel,
Division of Corporation Finance, SEC
Charles E. Shreve,
Chief,
Branch of Interpretation and Review, SEC
Andrew Barr,
Chief Accountant, SEC

The day-long "workshop" acquainted lawyers, accountants, securities brokers, and other interested persons, with the practical matters which confront the SEC in registration of securities, proxy contests, financial problems involving the securities industry, as well as discussions on many other problems that were brought before the conference in a question and answer period. The "workshop" was a tremendous success, with approximately four hundred in attendance.

This was the first of a continued series of "workshop" conferences to be sponsored by the Detroit Chapter of the Federal Bar Association. It is the general intent of the Chapter to offer panels and forums devoted to the practical aspects of the various Federal agencies, in their relation to the Bar and the general public, in order to acquaint the legal profession, as well as those other professions similarly affected, with the personnel and functions of all Federal agencies. The Chapter further intends to acquaint the professions with the services that are available and what aid and assistance the lawyers in private practice can receive from governmental agencies.

This SEC "workshop" afforded lawyers, bankers, brokers and accountants the unique opportunity to obtain first-hand information from the key officers of the SEC from Washington, who so graciously consented to meet with the Bar and conduct the "workshop."

The meeting was called to order and those in attendance were welcomed by *Fred Kaess*. Of particular significance, the Chapter is deeply indebted to *Edward H. Rakow*, Assistant Regional Administrator for SEC in Detroit, and *Julius L. Kabatsky*, formerly with the Department of Justice but now in private practice in Detroit, for the work of planning the program. The success of the meeting can be attributed to their combined efforts.

August, 1958

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DETROIT CHAPTER By EDWARD H. RAKOW

Chief Justice John R. Dethmers, of the Michigan Supreme Court, was the principal speaker at the Annual Dinner of the Detroit Chapter held in the Casino Room of the Hotel Sheraton-Cadillac on December 9. The dinner was preceded by a Cocktail Hour.

Former Executive Judge *Ira W. Jayne* of the Wayne County Michigan Circuit Court served as toastmaster and other guests included Chief Judge *Arthur F. Lederle*, of the Federal District Court at Detroit, and District Judges *Thomas P. Thornton*, *Ralph M. Freeman*, and *Clifford O'Sullivan*; also *Raymond H. Dresser*, President, and *Milton E. Bachmann*, Executive Secretary, of the State Bar of Michigan.

U.S. Attorney *Fred W. Kaess*, who was reelected president at the Chapter's annual meeting on September 23, introduced the officers who will serve with him during the ensuing year, as follows: First Vice-President, *Wilfrid R. Laurie*; Second Vice-President, *David A. Goldman*; Third Vice-President, *Charles Wright III*; Secretary, *Edward H. Rakow*; Recording Secretary, *Edwin G. O'Brien*; Treasurer, *Julius L. Kabatsky*; Assistant Treasurer, *Horace J. Rodgers*; Parliamentarian, *William E. Speer*.

The program included selections by the *Grunyons*, famed harmony group of

business and professional men, and featured *N. I. ("Red") Jones*, well-known former American League umpire.

The successful event reflected the organizing skill of Entertainment Chairman *Benjamin D. Burdick*, and his able committee, who contributed many hours of hard work. The splendid turnout of members, their wives, and guests was a tribute to the efforts of *Dwight K. Ham-borsky*, Chairman of the Ticket Committee, and his associates.

At the regular monthly luncheon held at the Olde Wayne Club on November 18, 1958 a record crowd of 145 members and guests attended. Guest speaker was *J. Thomas Smith*, prominent industrialist, who is President of the Detroit Harvester Company. *Mr. Smith*, a former Assistant United States Attorney and a member of the Detroit Chapter, described the highlights of his recent visit to the USSR. His talk was enthusiastically received by the large audience.

Guest speaker at the regular monthly luncheon of the Detroit Chapter held at the Old Wayne Club on January 13, 1959, was *Nathaniel H. Goldstick*, Corporation Counsel for the City of Detroit. *Mr. Goldstick's* interesting and instructive talk was entitled "What a City Attorney Thinks About." He discussed the duties and responsibilities of the various members of his staff and gave a resume of recent important litigation in which the City has been involved. The luncheon was attended by approximately 100 members and their guests.

The Chapter has designated February 10 as Federal Judges' Day. Plans have been completed for a reception and luncheon on that day to honor the Federal Judges for the Eastern and Western Districts of Michigan. It will be held at the Veterans Memorial Building in Detroit's Civic Center. *Lawrence J. Verdier* is chairman of the Judges' Day Committee, in charge of arrangements for the affair. Serving on the committee are *David E. Burgess*, *Walter T. Hart*, *Louis M. Hopping*, *Archie Katcher*, *Willard M. Reagan*, and *Wallace D. Riley*.

A Sidebar About Earl W. Kintner and the FBA in 1957

The presidents of the FBA during the period that the Detroit Chapter was founded were Earl W. Kintner (1956-57 and 1958-59) and Laurence H. Axman (1957-58). Earl Kintner, in particular, was instrumental not just to the founding of our chapter, but also was a central figure in the growth of the National FBA. While serving as general counsel of the Federal Trade Commission, in 1953, he agreed to start a membership drive for the FBA. Over the next four years, beginning October 1, 1953, and ending August 27, 1957, the FBA grew to the then unparalleled total of 4,916, adding 3,586 new members -- including at least 928 who were sponsored by Kintner himself.

When that growth spurt began, dues were \$8 annually, with an admission fee of \$2; only current and former employees of the Federal Government were eligible for membership; the application had to be signed by an existing member, and the applicant had to certify "that I am not a member of the Communist Party, U.S.A., or of any organization that advocates the overthrow of the Government of the United States by force or violence."

To put those dues figures in perspective, it should be noted that the national organization in the 1956-1957 fiscal year had total expenses of \$42,987.45, of which 47.5% went to general operations,

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21.2% went to “special events” and 27.9% went to publication of the Federal Bar News and the Federal Bar Journal. Rent for the entire year was only \$1,700.45. (On the other hand, according to an online inflation calculator, \$8 in 1957 would still be less than \$60.)

During Mr. Kintner’s first term the Federal Bar Foundation, which had been chartered in 1954, was finally activated. He later served as the Foundation’s president. Kintner also served as president of the Federal Bar Building Corporation, which was incorporated in November of 1958 in order to “acquire an office and headquarters building” for the FBA.

According to the January 1, 1992, obituary in the New York Times (which made no mention of the FBA!) and other online sources, Kintner was born on a farm near Corydon, Ind., in 1912, and worked as a reporter and a short-order cook to support himself while attending DePauw University in Greencastle, Ind. He graduated from the Indiana University School of Law in 1938, practiced in Princeton, Ind., and served there as a prosecuting attorney. Kintner came to Washington in 1948, after serving in the Navy in 1944 and then for three years as deputy U.S. Commissioner to the United Nations War Crimes Commission. Kintner was with the FTC from 1950-1961 and served as its chairman from 1959-1961. He served on the President’s Conference on Administrative Procedure from 1953-1954, the U.S. Commerce Technical Advisory Board Panel on Invention and Innovation from 1965-1966, the Administrative Conference of the United States from 1972-1976 and 1978-1982, and the Advisory Committee on Civil Rules of the Judicial Conference of the United States from 1971-1982.

DETROIT CHAPTER

By **FRED W. KAESS**

The Detroit Chapter of the Federal Bar Association was host to 400 lawyers and CPAs at a Workshop Conference on Internal Revenue Service, Practice and Procedure, held in Detroit on October 16th.

The conference was opened and called to order by *Julius Kabatsky*, Program Chairman.

Fred W. Kaess, United States Attorney, President of the Detroit Chapter then introduced the several members of the Internal Revenue Service who participated in the Conference.

A. J. Friedman, Assistant Regional Counsel of Internal Revenue Service, presided over the morning session, and *Arnold Lungerhausen*, Chairman of Tax Committee of the Detroit Chapter, presided over the afternoon session.

The theme of the meeting was to acquaint the practicing lawyer and accountant with the working procedure and processes of the Internal Revenue Service and to enable both the Service and practitioners who come before it to better serve the public.

The following were the participants in the Conference:

Norman B. Eshleman

Regional Commissioner, IRS,
Chicago

R. I. Nixon

District Director, IRS, Detroit

Andrew J. O'Donnell, Jr.

Assistant Regional Commissioner,
IRS, Audit, Chicago

Andrew Hemela

Chief (Trainee) Field Audit, IRS,
Detroit

Frederick G. Kniskern

Chief Review Staff, IRS, Detroit

Theodore Controulis

Conference Coordinator, IRS,
Detroit

Wallace T. Morris

Assistant Regional Commissioner,
Appellate, Chicago

Victor Cuniglio

Associate Chief, Appellate Division
IRS, Detroit

A. J. Friedman

Assistant Regional Counsel IRS,
Detroit

John H. Spear

Chief, Special Procedures Section
IRS, Detroit

Robert B. Pierce

Regional Counsel's Office, Detroit

Edward L. Weber

Attorney, Detroit

The attending group was surprised and delighted by the visit of Commissioner *Russell C. Harrington*, who added his word of greeting to the Conference.

November, 1958

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The 1970s -- Growing Steadily

The 1970s were a decade of slow but steady growth for the Chapter. There were no dramatic changes in organizational structure or governance. There were, however, significant developments with membership, both at the Chapter and National level.

Presidents were the late Judge George E. Woods (1969-1970), the late Norman Birnkrant (1970-1971), the late Arthur Allan Smith (1971-1972), the late John S. Crandall (1972-1973), the late Marcel C. Phillips (1973-1974), Judge Ralph B. Guy, Jr. (1974-1975), the late Thomas A McNish (1975-1976), Richard T. Tarnas (1976-1977), Frank L. Zagemeyer III (1977-1978), John M. McMillan (1978-1979) and Fred M. Mester (1979-1980).

Judge Ralph Guy (1974-1975) recalls the Chapter had some good speakers, attendance at the meetings was excellent and the membership continued to increase.

Former Chapter President Alan Harnisch recalls the following about the Chapter's activities in the 1970's:

"During the mid-1970s, I was part of a group that got the Detroit Chapter very active in presenting top quality seminars. The chairperson of that effort was Fred M. Mester. Harold Hood, among others, was also very active in that effort. We were all with the U. S. Attorney's Office at the time. The key seminar which we started was the New Lawyers Seminar. This program was created in response to the Devitt report, which had some criticisms of preparedness of attorneys for federal court practice. It was also a national trend setter, as dozens of other FBA chapters around the country have created their own seminars, patterned after the one we started here in Detroit. The Honorable Damon J. Keith was Chief Judge at the time. His enthusiastic support of the program was instrumental in getting it off to a rousing start. Judge Keith also enlisted support of the entire federal bench; district, bankruptcy and magistrate, in support of the program."

With regard to membership, at the start of the 1970s, National membership stood at 14,000, with 99 chapters. Chapter Membership as of January 1970 was still under 300 (In group II of membership contest). Dues held steady at \$18.50, and FBA national expenditures were \$242,617.04, distributed as follows:

- Publications: 19.3%
- Payments to Chapters: 11.76% (\$28,547.98)
- Office and General: 53.6%
- Membership: 6%
- Activities: 9.3%

Membership eligibility remained unchanged. Past or present government employment was required, as well as sponsorship by an existing member and execution of a loyalty oath (which was still being debated by the FBA in late 1974).

In November 1970, National commenced a "Sustaining Membership" program, enlisting 32 charter members, including Norman Birnkrant of Detroit, who were willing to pay \$50.00 a year.

In 1971, Detroit briefly moved into Membership Category I, 300 and more members. While the newly inaugurated "Chapter Activity Award" for that category went to Chicago, which then was the nation's second largest chapter, Detroit and D.C. also applied.

President C. Normand Poirer wrote in the Federal Bar News President's Page, in January 1972:

"It is axiomatic that the Chapters are the lifeblood of our Association. Our Chapters must receive the benefit of the most effective and enlightened leadership if their activities are to continue and flourish."

Payments to circuits and chapter dues remitted to Chapters, however, remained at less than 12% of FBA expenditures. The by-laws still provided that Chapters receive \$2.50 for each Senior Member and \$2.00 for each Junior Member.

In the President's Message that summer, a strategic plan for the future was in the offing, based upon "written recommendations made in response to requests sent to over 100 distinguished members," to identify "specific goals."

"It is generally agreed these goals should be framed to make more equitable distribution of the advantages in membership and to lay the foundation for vitality in the general life of our chapters and circuits."

The Plan, as it emerged, was to improve the national publication, hire a continuing legal education coordinator, hire more headquarters staff, "upgrade" the role of Circuit Vice Presidents in order that the Chapters be better served -- and raise dues by 35%. He did not, however, favor increasing the dues rebates for which many Chapters were clamoring. FBA was looking to increase its income by \$91,000. The Chapters had asked for a proportional increase in chapter rebates -- to keep them at the rate of about 12% by allocating \$1.00 per member, or \$14,000. The President said:

"There exists a widespread opinion that Chapter financing is inadequate and there may arise among the Chapter members suggestions to amend the proposed dues raise to

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call for a remission of additional monies to the chapters. My personal view is that such a move would be harmful at this time.

“If we were to assume that an additional dollar would go to the Chapters, what could the chapters do with \$200 or \$300 more? However, with that dollar retained at the national headquarters we could hire a full-time continuing legal education director to assist the Chapters and Circuits.”

Poirier also sought to increase national FBA income through the increasing use of “circuit conferences,” bringing in new members and new monies by taking CLE to the chapter level. This would further decrease local revenues in a chapter like Detroit, where local programming had always been strong. Such a “circuit conference” was conducted in Detroit, on April 11-12, 1973, on the topic of Business-Government Relations, practice and procedure, a topic previously handled by the Chapter itself.

More money to the national coffers was likewise the proposed solution to “the belief that the members of the Association in Washington exert a disproportionate influence.” The money, kept in D.C. under National Council budgetary control, it was suggested, could be directed to “financing the official activities of the Circuit Vice Presidents so that they may effectively carry out their duties and represent all the Circuits and Chapters vigorously in Washington.”

Lines were being drawn for the Rebate War that would soon ensue.

Meanwhile, at the end of 1972, lines of a different sort were being drawn in the FBA Constitution, as the Association and By-Laws Committee proposed “opening the ranks” to “Associate” members, i.e., people who were not current or former employees of the federal government but merely had a “substantial interest and participation in the area of federal law” as demonstrated by either (1) admission to practice before a Federal court, regulatory agency, commission or board; or (2) service in a court or agency in an administrative capacity (as opposed to in a legal capacity, the latter being allowed to join as an “Active” member).

Associate members would pay dues of \$30, with a 25% rebate going back to the Chapter at which they joined. However, such a member would not be permitted to hold national FBA office; serve on the National Council, vote in national FBA elections, or vote on matters submitted to the national membership for decision, including dues issues. The proposal passed, and the passing of “Wilfred R. Laurie of Fort Lauderdale, Fla., and co-founder of the Detroit Chapter” was noted in the mid-year issue of The

Federal Lawyer.

In his first column as FBA President, Simon H. Trevas wrote about the excellence of the chapters, singling out Detroit:

“The degree of excellence of our Chapter program has been clearly demonstrated by the 1973 [Chapter Activity] awards. . . .

“In terms of advance planning and the coordination of Chapter activities in Group II [100-300 members], winner Detroit and second place finisher Baltimore were not far behind their Group I counterparts. Detroit, in addition to law seminars, holds interesting professional-social events such as an annual golf outing and operates a foundation which awards law student scholarships each year.”

This was the first of many first-place finishes for the Detroit Chapter, which continued to grow stronger throughout the 1970s. By 1983, when the FBA News and Journal started a series of Chapter Profiles, with Detroit, the more than 100 chapters of the FBA, with nearly 15,000 members, knew:

DETROIT Perennial Winner of Chapter Activity Award

“As we begin our series on chapter profiles, it is appropriate to begin with the winner of this year’s Chapter Activity Award for Group I chapters. What is it that has made Detroit one of the finest chapters of our Association? We discovered a broad-based membership, rich in tradition, with programs and activities of wide appeal.”

The entirety of that article, for its historic significance, is published elsewhere in this special commemorative issue.

In May 1977, the long-simmering dues rebate dispute began to boil over. A National Dues Study Committee had been empanelled at the 1976 National Convention and came back with a proposal to impose an all-new dues structure. National Council disagreed, preferring a bigger increase with smaller rebates.

A vote of the membership was scheduled for the next Annual Meeting -- which was to be held in Puerto Rico. Members were invited to express their views. The alternative, the membership was told, was further cuts in the National Staff and services and elimination of more issues of the FBA’s publications.

At the same time, the issue was joined on Chapter demands for more power to Associate members, and a

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An Approach to Improving Federal Advocacy

NEW SPIRIT OF COOPERATION BETWEEN BENCH AND BAR

Fred M. Mester

On November 30, 1976 the Chief Judge of the United States District Court for the Eastern District of Michigan, Damon J. Keith, welcomed 400 new admittees of the State Bar of Michigan to the First Federal Court Seminar for new lawyers. This seminar was held within three weeks of the Michigan Bar Exam results and followed substantial planning and coordination.

The first step in establishing this seminar was a letter from the Detroit Chapter to Judge Keith expressing concern regarding the competence and litigative skill of the federal practitioner. Similar concerns have been expressed by Chief Justice Burger and by many others including "the man on the street." However, the letter went beyond the admonishment of the present practitioner and proposed that the Federal Court in Detroit and the Detroit Chapter work together to change this impression of the federal practitioner. The proposed first step was a seminar dealing with the "nuts and bolts" of federal practice following the announcement of the results of the Bar Exam.

Judge Keith gave his go ahead and asked that a steering committee be formed, made up of a cross section of the Bench and Bar, federal and state.

The committee prepared its report and presented it to the Chief Judge, who submitted it to the members of his Bench. This plan for a Federal Court Seminar, for all who had taken the Michigan Bar Exam and prior to their admission to practice before the Federal Court, was given a strong endorsement.

Immediately, a press release was issued from Judge Keith announcing the seminar, emphasizing that the seminar was "a first step in the process of acquainting the new practitioner with the Federal Court in this District and thereby making the Federal Court here more accessible to the people which it is to serve. Continuing education seminars for lawyers today concentrate on the experienced lawyer. There is a deficiency in the preparation of the new lawyer in the practicalities of Federal Practice."

The release advised that a letter would shortly be sent to all who took the Bar Exam. That letter was sent from Judge Keith advising the prospective admittee to the Bar of the seminar, the reason for it, and that the seminar would

concentrate on the "nuts and bolts" approach. Attached to his letter were the schedules for the Civil Law Program to be held during the morning session, and the Criminal Law Program to be held during the afternoon session. The letter advised that immediately following the seminar the participants were invited to a reception sponsored by the Judges of the Eastern District of Michigan and the members of the seminar faculty. They were also advised that the day following the seminar there would be a swearing-in at the U.S. Courthouse. Again, these last two activities, the reception and the swearing-in, and their proximity to the seminar, gave emphasis to the importance the Federal Bench attached to the seminar.

A second letter from Judge Keith was prepared and sent out to all new admittees the day the results of the Michigan Bar were announced. This second letter congratulated the successful examinee and gave greater detail of the seminar.

Likewise, during this period further press releases were issued alerting the public and Bar of the seminar. The five law schools of Michigan were also advised of the seminar and of the interest the Bench and Bar had in the law schools taking an active role in the seminar, since it was designed to bridge the gap between law school and practice. The law Deans were asked for assistance and they were invited to the seminar activities. All of the Metropolitan Courts and Bar Associations presidents were advised of the seminar and invited to the seminar's activities. The seminar was not to be exclusive, but a beginning in Law School, Bar Association and Judiciary cooperation in properly launching new practitioners in their careers. The purpose was to provide an opportunity for the new lawyers to become better advocates so that they might better serve future clients and our system of justice. The

Programs

The Civil Law Program covered a wide range of areas likely to be of interest to the new lawyer. It included: Procedures in the Clerks' Office, Courtroom Behavior, Motion and Discovery Practice in Federal Court, Litigation with the Federal Government, Handling Bankruptcy Matters and Appearing Before the U.S. Court of Appeals.

The Criminal Law Program discussed: the Investigative Stage of Federal Criminal Proceeding, including that involving a Federal Grand Jury; the Office of the U.S. Magistrate; Pre-trial and Post-trial Procedures in Federal Criminal Cases; Pre-trial Services; and the U.S. Probation Department.

In addition to the oral presentations each registrant was presented with detailed outlines, memoranda and forms covering the subject matter of both programs. The handout included an examination consisting of some 55 questions including Local Court Rules and the Federal Rules of Civil and Criminal Procedure. Each student was urged to answer the questions posed before the end of the day, when the answers were distributed.

Each student was also given an evaluation sheet. The results of these critique sheets are gratifying in that they displayed the yearning for this type of seminar.

The Court, the Federal Bar, the Law Schools and the Seminar Steering Committee are now evaluating the seminar and its materials in preparation of improving on this model for this fall's seminar.

Support of the Program

Special recognition should be given to the Young Lawyers Section of the State Bar of Michigan, which asked to join in on the preparation and planning, and was a co-sponsor of the seminar.

The U.S. District Clerks Office under Clerk Henry Hanssen and Chief Deputy Clerk Arthur Morsch gave invaluable assistance.

However, the success of this seminar could not have been achieved without

of the members of the Federal Bench for the Eastern District of Michigan. They were the catalyst under the dynamic leadership of their Chief Judge, Damon J. Keith.

In addressing the new lawyers, Judge Keith, in recognizing the problem of how to improve the caliber of federal practitioners, said, "having given the problem considerable thought and having engaged in numerous discussions on the subject, I have concluded that the responsibility lies not solely with you—the new attorney. The responsibility is twofold. If you don't know the in's and out's of practice in the federal courts, then it is up to someone to give you the necessary exposure. If someone gives you the opportunity to learn, then it is up to you to seize it. Today we are both meeting our responsibilities." □

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somewhat diluted proposal to amend the FBA Constitution was submitted to the membership. As explained in the June/July 1977 issue of The Federal Bar News:

“The original provisions relating to associate members precluded their participation in Association activities in many respects, notably in voting and eligibility for offices,

including membership in the National Council. As certain chapters have taken in substantial numbers of associate members, there has been an increasing call for reducing or eliminating these limitations on their participation. In the broadest version, this would propose giving them all rights of regular members. However, there have also been objections raised to this, as eliminating the character of the

United States District Court
For the Eastern District of Michigan
Detroit 48225

CHAMBERS OF
DAMON J. KEITH
CHIEF JUDGE

November 30, 1976

TO: SEMINAR REGISTRANTS


On behalf of the Judges of the United States District Court for the Eastern District of Michigan I welcome you to this first annual Federal Court Seminar, designed to assist new admittees to the State Bar of Michigan in making the move from law school to legal practice in Federal Courts.

Seminars held during past years have emphasized subject matter for the seasoned lawyer. This is the first seminar in the Federal Courts directing attention to special needs of the new lawyer.

The Court expresses its appreciation to the Federal Bar Association and the Seminar Steering Committee for their efforts in organizing and planning this program. Also, to the Young Lawyer's Section of the State Bar of Michigan for assuming the task of co-sponsor.

Finally, we extend sincere gratitude to the members of the judiciary and the practicing attorneys who, because of their interest in improvement of the practicing Bar, have prepared material found in this booklet and taken part in the oral presentation you will be hearing today.

It is the hope and intention of the Court that the efforts and the program presented will be a positive introduction to the practical phases of this, the highest of professions, the practice of law.

Sincerely yours,

Damon J. Keith
Chief Judge

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Association as one uniquely for federal lawyers. The present extension proposal is a compromise between these views in that it reserves the primary National offices (those on the Executive Committee) to regular members, and leaves it to the individual chapters to determine the rights of associate members to vote and hold office locally. However the proposal would permit associate members to be Delegates to the National Council and to vote on national matters and elections.”

DETROIT CHAPTER HOLDS ANNUAL MEETING

Once again the chapter's annual meeting held at Roseland Golf Club, Windsor, Canada, was a huge success. Attending the June 21st outing was special guest, Attorney General Benjamin P. Civiletti along with United States Attorney for the Eastern District of Michigan, James K. Robinson, a member of the chapter's Board of Directors. The annual meeting consisted of a full day of golf, lunch, an evening reception and dinner. It was one of the largest annual meetings conducted by the chapter, well attended by federal judges as well as state court judges and officers from other bar associations. One of the evening highlights was the announcement that Detroit has been selected as the location for the FBA's 1985 convention. Sam Behringer, Assistant United States Attorney, who has worked on the

project from its inception to its ultimate success, was singled out for congratulations. Also honored for their contributions to the success of the programs of the chapter as well as their contributions to the rest of the legal community were the Detroit Legal News and Detroit Legal Advertiser and their respective staffs. In addition, the staff members who assisted the chapter in many areas were specifically named on the honorary plaque.



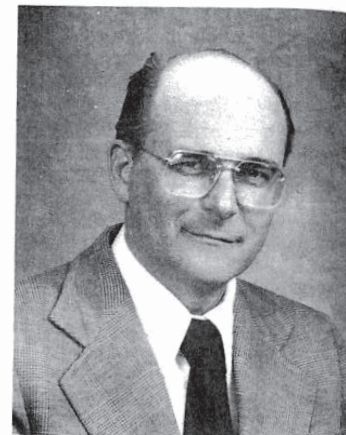
DETROIT CHAPTER: (L-R) Hon. John S. Crandell, Hon. Benjamin P. Civiletti, Hon. James K. Robinson, John M. MacMillan, Hon. Ralph B. Guy, Jr., Fred M. Mester, Chapter President, and Bradley M. Thompson.

Fred M. Mester Receives Earl W. Kintner Award

Fred M. Mester was selected as the recipient of the 1980 Earl W. Kintner Award for Distinguished Service to the Federal Bar Association in ceremonies at the Annual Convention on August 29. The Earl W. Kintner Award is presented each year to the FBA member who exhibits outstanding leadership and devoted service to enhance the goals of the Association. The Award recognizes both chapter and national activities and is selected by a committee of longstanding FBA leaders.

Mr. Mester became a member of the Association in 1970 and has made a valuable contribution to the Detroit Chapter, serving as Secretary, Vice-President, and finally President in 1979-80. Under his leadership the Chapter received an Honorable Mention in the Group One category of the Chapter Activity Awards. He chaired the 1977 Midwest Regional Seminar and has been a participant in FBA Trial Practice Seminars. His ability to gain 28 new members for the FBA resulted in his winning the 1980 National membership contest.

A graduate of Central Michigan University and Wayne State University Law School, Mr. Mester is Court Administrator/Judicial Assistant, Sixth Judicial Circuit of Michigan. He is active in the State Bar of Michigan, the American Bar Association, and various other Bar and Trial Attorney Associations, including the American Judicature Society and the Institute of Judicial Administration. He is a member of the Michigan Supreme Court Committee to Review and Consolidate Court Rules and the Michigan Supreme Court Committee to Review the Court's Information System.



Fred M. Mester

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The 1980s – On A Roll

Presidents were Joseph F. Dillon (1980-1981), Alan C. Harnisch (1981-1982), Richard A. Rossman (1982-1983), Sheldon S. Toll (1983-1984), (now Judge) Paul D. Borman (1984-1985), Robert P. Hurlbert (1985-1986), John P. Mayer (1986-1987), Michelle Coleman Mayes (1987-1988), John R. Runyan, Jr. (1988-1989).

During Joe Dillon's presidency (1980-81), the Chapter was designated as the best Chapter in the national FBA organization based on submission of a narrative description of Chapter activities supported by newsletters and event programs. Joe recalls this was the third year in a row that the Chapter gained this recognition. The membership continued to grow. The practice of inviting members of the Federal Judiciary to attend luncheons as guests continued. Joe began the tradition of holding the Past President's Luncheon (the Nominating Committee) at the DAC.

A milestone event occurred during Alan Harnisch's presidency (1981-1982). The Chapter hired its first paid staff person, Executive Secretary Esther Munce. This gave the Chapter continuity of administration and institutional memory. Esther was knowledgeable about the legal community and well organized. She got FBA's house in order and followed through during her entire tenure. Before Esther's hiring, it was usually the secretary of the current president who was responsible for many of the Chapter's administrative duties. The fact that Esther was married to Hugh Munce, editor of the Detroit Legal News, gave the Chapter increased publicity for its events. Alan recalls a vigorous program of seminars, luncheons and other programs during the year.

Rich Rossman's presidency (1982-1983) was marked by several innovations. Under his leadership, the Chapter created several substantive law sections, the Pro Bono Task Force and the Trial Advocacy Workshop. The practice of inviting the Chief Judge to speak at the fall luncheon began that year when Chief Judge John Feikens gave the first State of the Court address. Rich also recalls the beginning of his involvement with FBA when he co-chaired (along

with Saul Green) the first dinner dance in the Riverfront Ballroom at Renaissance Center (the space that is now the RiverCafe). Deputy Attorney General Charles B. Renfrew, who had recently stepped down from the U. S. District Court bench in the Northern District of California, was the speaker. And, yes, there really was dancing to live music after the dinner and program.

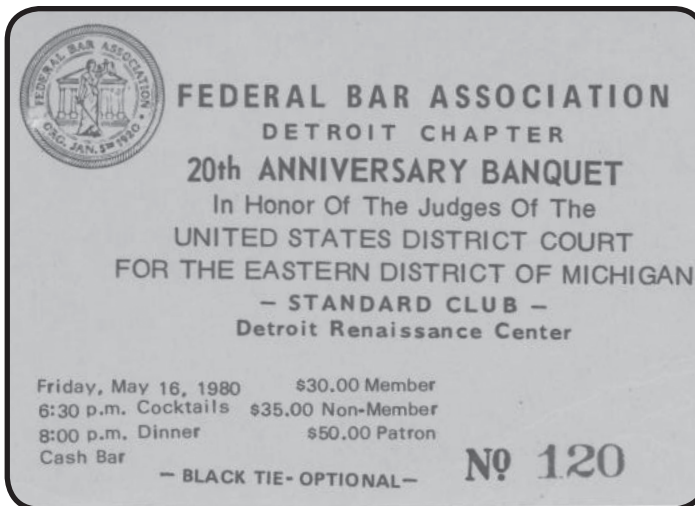
Under Sheldon Toll's leadership (1983-1984), the Chapter increased the emphasis on Chapter members taking pro bono assignments from the Court. Shel led by example, taking a prisoner civil rights case, and has continued to take pro bono assignments during succeeding years.

John Mayer was president during 1986-1987. Sixth Circuit Chief Judge Pierce Lively addressed the Chapter in November. The Chapter continued in December the New Lawyers Seminar. The Tax Section held a "mini-seminar" featuring new IRS computerized audit procedures and automated collec-

tion system.

The annual Holiday Party was held at the Detroit Club. The Labor Law Section held a luncheon meeting at The Sheik (ERISA's pre-emption of state laws and its impact on federal labor laws). The Criminal Law Section held a White Collar Crime Seminar at the Courthouse focusing on grand jury practice, substantive law concerns and sentencing practice. In January 1987, under the energetic leadership of Judge Damon J. Keith, the Chapter inaugurated the celebration of the bicentennial of the Constitution. Retired Chief Justice Warren E. Burger was the speaker.

The Bankruptcy Committee held a seminar on the new bankruptcy law. The Attorney Conference Room on the 7th Floor of the Courthouse was moved from the Fort Street side to the Lafayette Street side to make it more attractive and accessible. The Attorney Lounge on the 2nd floor was refurbished. Wayne State University Law School Dean John W. Reed was the speaker at the annual Rakow Award Luncheon. The Sixth Trial Advocacy workshop was held in April. Judge Thomas P. Thornton's portrait by Patricia Hill Burnett was dedicated in the courtroom where he presided for 36 years. After a year at another venue, the Annual Dinner Dance returned to the Lansdowne restaurant



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on the riverfront. Circuit Judge James L. Ryan addressed the Annual Gilman Award luncheon.

Michelle Coleman Mayes was president 1987-1988. Her year was characterized by her job change from Unisys in Detroit to their national headquarters outside Philadelphia. Past President John Mayer and President Elect John Runyan helped carry her through this difficult time in her personal and professional life. Michigan Supreme Court Justice Patricia J. Boyle was the speaker at the Gilman Award luncheon.

John Runyan was president 1988-1989. The Annual Dinner Dance was held at the Detroit Boat Club. The Bankruptcy Section sponsored a seminar on the new U. S. Trustee program. The Civil Practice Section updated the revised Eastern District Practice Manual which was originally issued in 1984. The Bicentennial of the U.S. Constitution Committee reported that

more than 1,000 students had participated in Courthouse tours during the year. The Labor Law Section sponsored a half-day seminar on significant employment and labor law decisions of the Sixth Circuit during 1976 and 1987.

State Bar President Donald L. Reisig addressed the fall Chapter luncheon, speaking on "Pride and Civility." Esther Munce, who had been serving as Executive Director since February 1, 1982, announced her intention to retire. The Annual Golf Outing was held at the Roseland Golf and Curling Club in Windsor. The Chapter received the Ilene and Michael Shaw Federal Bar Foundation Younger Lawyers Public Service Grant. The \$2,500 grant was intended to promote public service and pro bono work by younger lawyers in the Chapter.

Eighth Circuit Chief Judge Donald P. Lay addressed the Chapter at the second luncheon on the subject: "Does the Constitution Recognize a Right of Privacy." Dee Oster-


man succeeded Esther Munce as Executive Director. The Chapter Holiday Party was held in the Detroit Club. The Court announced that it had approved new Local Rule 40 a uniform pretrial order in all civil case filed in the District. The Rule change applied retroactively to all pending cases in which there was no outstanding requirement for a final joint pretrial order. The Court announced that it would deny without prejudice any challenge to the new sentencing guideline law pending a decision by the U. S. Supreme Court. The Criminal Law Section held its fall seminar focusing on the Supreme Court case involving sentencing

guidelines, plea and sentencing policies in the U. S. Attorney's office, and sentencing from the judicial perspective. The newly formed Government Law section held its first seminar on "The Care and Feeding of a Government Law Practice."

Judge Bernard A. Friedman was appointed to the Court in October 1988. The Labor Law Section

held its fall seminar at the Pontchartrain Wine Cellars. The subject was "Post-Misco Developments" referring to a recent decision by the U. S. Supreme Court. The Chapter continued its unbroken string of New Lawyer Seminars. They were still being held twice a year at that time. Chief Judge Philip Pratt announced that Robert Mossing had resigned as Clerk of the District Court effective November 8, 1988, and that Bankruptcy Court Clerk David Sherwood would succeed him. John Mayer continued in his role as District Court Executive, a position he had held since July 1, 1981. On July 6, 1989, Mary G. Turpin was appointed Clerk of the Bankruptcy Court succeeding David Sherwood, who had continued on an acting basis while also serving as Clerk of the District Court.

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Fifth Annual Dinner Dance
Detroit Chapter
Federal Bar Association

Honoring
Members of the Bench
United States District Court
Eastern District of Michigan

Detroit Club
May 11, 1984
Cocktails 5:30 PM
Dinner 7:00 PM

Patron \$50.00
Member \$35.00
Non-Member \$40.00

Business Attire Appropriate

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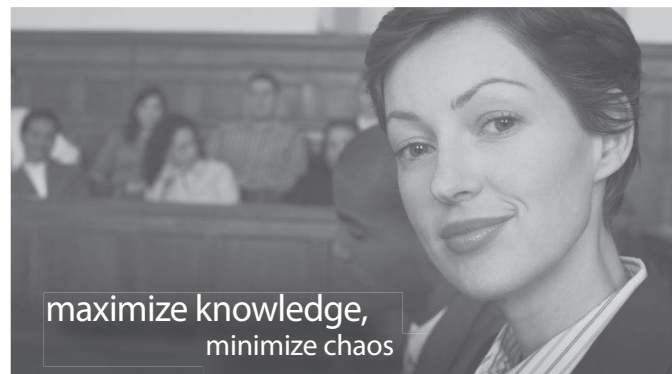
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University of Michigan Law School Dean Lee C. Bolinger addressed the Rakow Awards luncheon. Judge Paul V. Gadola entered on duty as District Judge on January 6, 1989. Chief Judge Philip Pratt, who had been fighting cancer for several years, died early in February 1989 and was succeeded by Judge James P. Churchill as Chief Judge. The Chapter newsletter announced that Congress had increased the threshold amount to establish diversity of citizen in civil actions in U. S. District Court from \$10,000 to \$50,000, effective May 18, 1989. The Civil Practice Section held a forum on Rule 11 sanctions. The Pro Bono committee held a day-long seminar on employee and prisoner civil rights claims. The seminar was intended primarily for members of the Court's pro bono panel. The Taxation Section held a seminar covering several areas: Appeals Division abatement of taxes and penalties; offers in compromise, and the discharge of taxes and penalties in bankruptcy.

The Younger Lawyers Section held its first annual reception at the Savoyard Club in the Buhl Building. The Tenth Annual Dinner Dance was held at the Detroit Yacht Club. The Criminal Law Section held a seminar on sentencing guidelines. The Chapter held a seminar on "What the General Practitioner needs to know about Patents, Trademarks and Copyrights." Judge Bernard A Friedman addressed the Chapter at the Gilman Award Luncheon. His remarks were entitled, "Smile, You're in Federal Court." Plans were announced to hold the annual golf outing at Fox Hills Country Club in Plymouth. The Chapter held the 26th New Lawyers Seminar. Chief Assistant U.S. Attorney Maura C. Corrigan was the Gilman Award recipient. The Government Practice Section sponsored a seminar on "Equal Employment Opportunity in the Federal Sector." Former Chapter President Alan C. Harnisch, who had also served as National Vice President for the Sixth Circuit was elected Deputy Secretary of the national organization which put him in line to become President of National FBA.

Robert Forrest took over as president for 1989-1990. Chief Judge James P. Churchill spoke to the Chapter on "the state of the Court" at the first luncheon meeting, facing a then-record crowd of 183. After years of faltering attendance, the golf outing at Fox Hills Country Club was a great success. Chief Judge James P. Churchill took Senior Status on December 30, 1989. Since the law requires that the Chief Judge be the most senior judge in active service, he was succeeded by Judge Julian Abele Cook, Jr. Dr. Ronald Ianni, President of the University of Windsor, addressed the Chapter at the second luncheon meeting

of the year. The Chapter held the 27th semiannual New Lawyers Seminar. The Annual Holiday party was held at the Detroit Club. Kevin J. Arguit, Director of the Bureau of Competition of the Federal Trade Commission addressed the Rakow Awards Luncheon on the subject of antitrust enforcement in the 1990s. The Labor Relations Law sections of the Chapter and the State Bar of Michigan held a joint seminar on recent Sixth Circuit decisions. Judge Stanley Marcus from the Southern District of Florida spoke to the Chapter at the Gilman Award luncheon. Neil H. Fink was the Award recipient. The 11th Annual Dinner Dance was held at the Detroit Yacht Club. Judge Gerald E. Rosen was sworn in on March 14, 1990.



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DETROIT

Perennial Winner of Chapter Activity Award

As we begin our series on chapter profiles, it is appropriate to begin with the winner of this year's Chapter Activity Award for Group I chapters. What is it that has made Detroit one of the finest chapters of our Association? We discovered a broad-based membership, rich in tradition, with programs and activities of wide appeal.

Twenty-Five Years of Service

The Detroit Chapter was organized on December 3, 1957, with 148 charter members. Its first President was the late Fred W. Kaess, then United States Attorney and later Chief Judge of the United States District Court for the Eastern District of Michigan. The late Philip A. Hart, then Lt. Governor of Michigan and later United States Senator, was a charter member as were the Hon. Thomas P. Thornton and the Hon. Ralph M. Freeman, then and now United States District Judges, and the Hon. Robert E. DeMascio and the Hon. Horace W. Gilmore, United States District Judges, who were charter members before joining the federal bench.

The twenty-fifth anniversary was marked with a gala celebration at the Detroit Club on Friday, December 3, 1982. Many of the charter members remain active in the Detroit legal community and were in attendance.

503 Members

Detroit finished fiscal year 1982 (ending September 30, 1982) with 503 members, vying with Chicago for the most members outside the District of Columbia. The D.C. Chapter, with its 4,514 members (31% of the national membership of 14,558) is the dominant force in the Federal Bar Association. Detroit, however, is moving up. It was the top chapter in Group I for increase in membership in fiscal year 1982, with a net gain of 11.3 percent. The next largest chapter outside of D.C. is New Orleans with 450 members.

Broadly Based Appeal

The Detroit Chapter's appeal is to the federal legal community at large. Its members include not only attorneys employed by the federal government but also attorneys from the private bar. Its officers and Executive Board represent a cross section of the bar with an interest in federal practice.

The current President of the Detroit Chapter is Richard A. Rossman, a member of the Detroit law firm of Butzel Long Gust Klein & Van Zile. He is the former United States Attorney for the Eastern District of Michigan. Sheldon S. Toll, President Elect, is a Senior Partner in the Detroit law firm of Honigman Miller Schwartz and Cohn. Vice-President Paul D. Borman is the Chief Federal Defender in Detroit. Secretary John P. Mayer is the Court Executive for the United States District Court for the Eastern District of Michigan. Treasurer Robert P. Hurlbert is a partner in the Detroit law firm of Dickinson, Wright, Moon, Van Dusen & Freeman.

The 15-member Executive Board includes six attorneys employed by the federal government, seven members of the private bar and two state judges. Detroit makes no distinction, on a local level, between regular and associate members and it was one of the chapters which urged, albeit unsuccessfully, that FBA members vote a change in the Constitution to eliminate the distinction between the classes of membership.

The Hon. Fred M. Mester, Oakland County Circuit Judge and a Past President of the Detroit Chapter, is the current Sixth Circuit Vice-President.

Programs

The Detroit Chapter's activity calendar runs from September to June. Chief Judge John Feikens, of the United States District Court, kicked off the fall luncheon program with a "State of the Court" address on September 17, 1982. On Thursday, December 2, 1982, Professor Arthur Miller of Harvard spoke at a Chapter luncheon on "Changing Attitudes in Current Litigation."

On Thursday, January 20, 1983, the Chapter is sponsoring a Tribute to Wallace D. Riley, one of its Past Presidents, who has been elected President-elect of the

American Bar Association. Wally, Chapter President in 1962-1963, served as a National Vice-President in 1963-1964. He will become President of the ABA in August 1983.

On Thursday, February 10, 1983, the Chapter will hold its Annual Scholarship Luncheon. The Detroit Federal Bar Foundation will present scholarships to recipients from each of the five law schools serving the State of Michigan. Sixth Circuit Court of Appeals Judge Cornelia Kennedy will speak on "Effective Appellate Advocacy."

In addition, the Chapter will hold its Fourth Annual Dinner Dance in May. A black-tie optional event, it honors the judges of the United States District Court for the Eastern District of Michigan. The Annual Meeting and Golf Outing in June will complete an active year for the Chapter.

Continuing Legal Education

Twice a year, the Detroit Chapter sponsors a New Lawyers Seminar shortly after the results of the bar examination are released. A two-day program, it features prominent local speakers who discuss the nuts and bolts of state and federal practice to the newly admitted members of the bar. An admissions ceremony, swearing in new members to practice before the United States District Court, is held in conjunction with the seminar. A luncheon and reception with the federal judges is also part of the program. The Detroit Chapter reports that this program has been an excellent source of new members over the years. The first of two programs this year was held on December 7-8, 1982.

Sections

An innovation this year in Detroit is the adoption by the Executive Board of five Sections. The Board decided to attempt to find ways to improve the quality of its service to its members at large. The five Sections were selected from the results of a questionnaire.

President-Elect Sheldon Toll organized the Bankruptcy Section, which drew over 100 members to its charter luncheon, a timely panel discussion in October of United States Bankruptcy Judges George E. Woods (Past President) and Ray Reynolds Graves and Judge-Designate Stanley Bernstein, discussing the *Northern Pipeline* case.

The other four Sections being organized are: Federal Civil Litigation, Federal Criminal Law, Federal Discrimination/Labor Law and Federal Taxation.

Committees

Detroit offers its members 10 Committees:

- Twenty-fifth Anniversary Party
- Wally Riley Tribute
- National Convention
- Annual Dinner Dance
- Continuing Legal Education
- New Lawyers Seminar
- Annual Meeting-Golf Outing
- Luncheons and Arrangements
- Promotion
- Scholarship Luncheon

National Convention - 1985

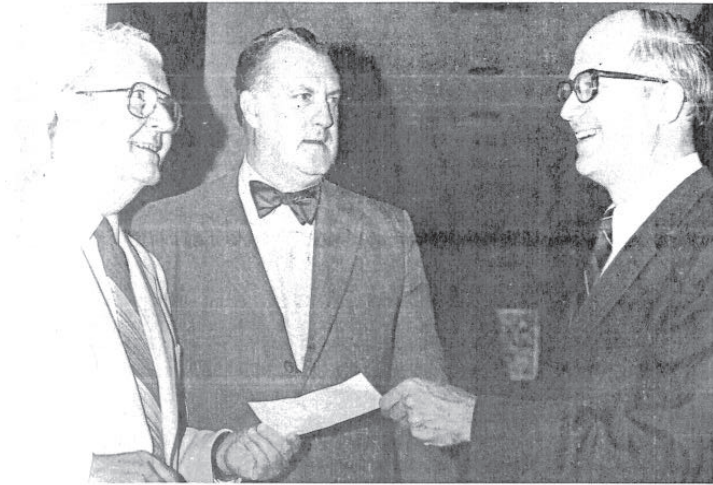
Detroit will be given an opportunity to showcase its Chapter and its City in 1985 when the FBA will hold its annual convention in that city. Plans are already under way (and have been for two years). With Detroit's track record for success, FBA members can look forward to an outstanding effort from the host chapter.



1982-1983 Officers (Robert Hurlbert, John Mayer, Richard Rossman and Paul Borman) with Chief Judge John Feikens

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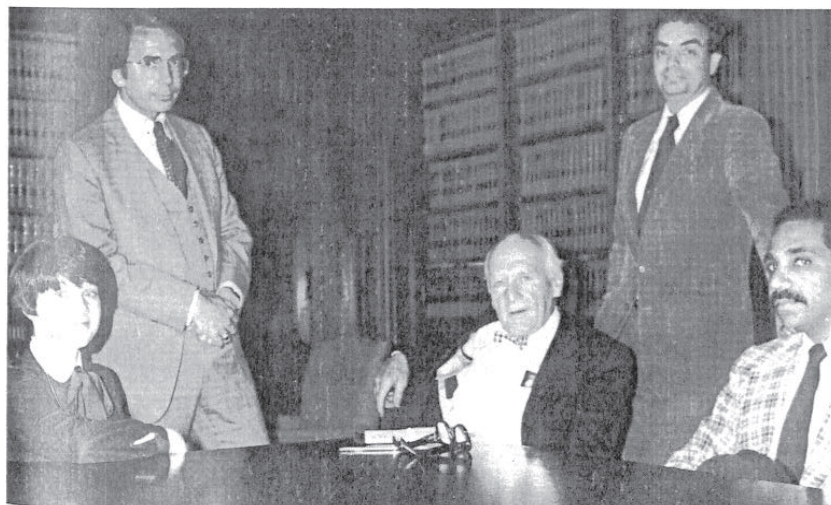


ABA President-Elect Wallace Riley visits the Chapter to discuss the scholarship program.

Seated: Geneva Halliday, Chief Judge Feikens, Marty Reisig; Standing: Ronald Longhofer, John Mayer, Richard Lustig, [unknown], Sharon McPhail-West, John Bacon, Magistrate Lynn V. Hooe, Jr., Judge Prentis Edwards, John E.S. Scott



Group photo of FBA members and Chief Judge Feikens in preparation for New Lawyers Seminar, Spring, 1982.



Group photo of Dinner-Dance Committee, includes Sheldon Toll, President-Elect at right standing.

From left to right: Christine Dowhan, then-President Richard A. Rossman, Chief Judge John Feikens, President-Elect Sheldon Toll and Assistant United States Attorney Saul Green.

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The 1990s – Growing Up

The 1990s brought more activities and growth to the Chapter. In 1990, the Chapter's President was Maura Corrigan, who now sits on the Michigan Supreme Court. The Executive Board included Denise Langford-Morris, then an assistant United States Attorney, and Nancy G. Edmunds, then a partner with Dykema Gossett who now sits on the U.S. District Court. Judge Julian Abele Cook, Jr. succeeded Judge James P. Churchill as Chief Judge.

In November 1990, the Chapter presented the first Wade H. McCree, Jr. Social Justice Award ("McCree Award") to Congressman George W. Crockett Jr. and former Michigan Supreme Court Justice Dennis W. Archer.

The Chapter's January 1991 Newsletter included an announcement that the Court was seeking a volunteer to assist in the preparation of a comprehensive history of the Court. Those efforts resulted in the formation of the Historical Society for the United States District Court

for the Eastern District of Michigan ("Historical Society"). On May 10, 1991, the Chapter held its annual meeting (and a silent auction) at the Pontchartrain Hotel. Also in May 2001, portraits of Judges McCree and Pratt were presented. In November 1991, the McCree Award was presented to Ernest Goodman, a prominent Detroit attorney and long time civil rights activist. On May 14, 1992, a (Habeas) Chorus Line made the first of many appearances at the Chapter's annual meeting at the International Center in Greektown.

In January 1992, the Historical Society was formed under the leadership of Chief Judge Cook. On February 24, 1992, long time Executive Board member Nancy G.

Edmunds was sworn in as a District Judge. Judge Cook administered the oath of office. March 1992, Judge Corrigan, immediate past president and a partner in the Plunkett Cooney law firm was appointed to the Michigan Court of Appeals. On August 25, 1992, Executive Board member Denise Langford-Morris was sworn in as a circuit judge in Oakland County Circuit Court.

In 1993, immediate past Chapter President Geneva Halliday was elected as the Sixth Circuit Court Officer of the National FBA in a contested election. On May 7, 1993 the Chapter held its annual meeting at the International Center in Greektown. Ed Kronk was elected as the Chapter's President and attendees were once again entertained by a (Habeas) Chorus Line.

In 1994, Larry Campbell of Dickinson Wright became


Chapter President. George Bushnell was elected as President of the American Bar Association, Judge Woods and Judge Newblatt assumed senior status, Judges Borman, Hood and O'Meara were invested as District Judges and Saul Green

was appointed United States Attorney. On October 8, 1994, Detroit lawyer Alan C. Harnisch assumed the office of National President of the FBA.

On October 7, 1994, Congress passed legislation designating the United Courthouse in Detroit as the "Theodore Levin United States Courthouse". Judge Levin served as a District Judge from 1946 until his death in 1970, and as Chief Judge from 1959 to 1967.

On February 16, 1995, the McCree Award was awarded to the Honorable Damon J. Keith. On March 16, 1995 the Chapter's Executive Board unanimously approved the resolution to formerly change the name of the Chapter from the Detroit Chapter to the Eastern District of Michigan

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Thirteenth Annual Dinner
featuring the
(Habeas) Chorus Line
Detroit Chapter - Federal Bar Association

Honoring
The Judicial Officers
of the
Eastern District of Michigan

Thursday, May 14, 1992
International Center - Greektown
Cocktails 5:30 pm — Dinner 7:00 pm
Entertainment Immediately Following

\$45.00 Per Person
Proceeds to the F.B.A. Foundation

Business Attire Appropriate

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Chapter. On May 1, 1995, the Levin Courthouse dedication ceremony was held. In November 1994, the library in the Levin Courthouse was renamed the Ralph M. Freeman Memorial Library. Judge Freeman served 36 years on the bench.

On April 20, 1995, Chapter President-Elect Tom Cramner received the Leonard R. Gilman award. Also in 1995, the Intellectual Property Law section was formed, and Tom Cramner assumed the Presidency of the Chapter.

On March 14, 1996, the McCree Award was awarded to the memory of former Michigan Governor George Romney. Judge Gadola presented the award to Governor Romney's family. In August 1996, Judge George LaPlata retired to resume a private practice. On September 19, 1996, Judge Cook gave his final State of the Court address and Judge Anna Diggs Taylor assumed the position of Chief Judge.

In 1997, Father William T. Cunningham of Focus: HOPE received the McCree Award, and Magistrate Judge Virginia Morgan assumed the Presidency of the Chapter. February 1997 marked the Honorable Paul J. Komives's 27th year as a Magistrate Judge. On October 24, 1997, the Honorable Eric Clay was sworn in as United States Circuit Judge.

In February 1998, former Governor Milliken was awarded the McCree Award. The 1998 annual meeting was held at the Detroit Institute of Arts with entertainment once again provided by a (Habeas) Chorus Line. The November 1998 meeting featured a special tribute to Michigan Supreme Court Justice Patricia J. Boyle who stepped down from the bench when her term expired. Justice Boyle sat as a District Judge from 1978 to 1983. Also in 1998, former Chapter President Geneva Halliday was elected as chair of the vice presidents of the judicial circuits of National FBA.



From Atlanta in 1995

Standing: Charles Rutherford and Wallace Riley

Seated: John MacMillan, Alan Harnisch, Geneva Halliday, Marcel Phillips,

Lawrence Campbell and Thomas Cranmer

Also in 1998, the Chapter and Historical Society announced a new affiliation. As part of that affiliation, the Chapter and the Historical Society began holding joint luncheon meetings each year, and membership in the Historical Society became automatic when members renewed their Chapter membership.

At the February 1999 luncheon, the McCree award was presented by then Attorney General Jennifer Granholm to Mary Ann Mahaffey, Detroit City Councilwoman. Judge Zatkoff was sworn in as Chief Judge in early 1999. That year also saw the loss of Judge Robert E. DeMascio (who was appointed in 1971) and the appointment of Judges David M. Lawson and Marianne A. Battani.

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A (Habeas) Chorus Line
Left to right: Brian Figot, Justin Klimko, Sara Fischer, Mark Lezotte, Lori Bobbitt, Morris Goodman, Mark Mayberry, Lorraine Weber and James Robb.



Past President Joe Dillon, Bankruptcy Judge Walter Shapero and Outgoing president Robert Forrest.



Incoming President Maura Corrigan and U.S. District Judge Paul Gadola.

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The 2000s – An Emerging Leadership

The past seven years have been filled with changes – from new laws that provoked heated debates about the government’s authority to investigate criminal activity to new ways the practice of law is evolving to embrace technology to new faces at area law schools which have expanded the reach of the FBA. The remaining years of this decade promise to bring more exciting changes to our Chapter and to the practice of law in the Eastern District of Michigan. Chapter Presidents Thomas W.B. Porter (2000-2001), Brian D. Figot (2001-2002), Christine Dowhan-Bailey (2002-2003), Dennis J. Clark (2003-2004), Dennis M. Barnes (2004-2005), Julia Caroff Pidgeon (2005-2006), Grant P. Gilezan (2006-2007), and Mark Goldsmith (2007-2008) have led the way for our Chapter.

After a 26-year hiatus, Detroit was the host city for the Sixth Circuit Judicial Conference in mid-May 2006. The Chapter played an instrumental role in ensuring the success of the conference. The annual gathering of circuit, district, bankruptcy, and magistrate judges attracted a record number of participants and culminated in a banquet attended by more than 800 people. Breakout sessions highlighted changes in bankruptcy law, sentencing, communications, and appellate practice. Plenary sessions focused on class actions, jurisdictional issues, a Supreme Court update, and a presentation on “independ-

dent judiciary.” The Marching Toward Justice exhibit, created by the Damon J. Keith Collection at Wayne State University Law School, was on display to demonstrate the importance of the Fourteenth Amendment.

The Chapter’s first student division was formed in early 2003 at the University of Detroit-Mercy School of Law. In just a few short months after its formation, the student division’s members enthusiastically became involved with FBA-related activities, including sponsoring Judge Friedman’s Motion Day at the University of Detroit-Mercy School of Law, assisting at the McCree luncheon, and touring the Theodore Levin U.S. Courthouse. In late 2006, additional student chapters were formed at Wayne State University Law School and the University of Michigan Law School.

Our Chapter continues to receive recognition from the National FBA, earning several awards, not the least of which is Outstanding Newsletter for the past five years! As anyone can see from the Chapter’s calendar of events, we continue to grow, offering new programs, seminars, and opportunities to enhance the practice of law. As


our Chapter President has stated:

“We can only speculate regarding the changes in federal bar practice that we will witness in the next 50 years. About the only sure thing is that they will be dramatic and unpredictable. We know that will be the case by looking back at the past 50 years, which brought us: videotaped

Federal Bar Association

2002 Awards Program

Recognizing Outstanding Service
and Achievements of Members,
Sections, Divisions, and Chapters



SATURDAY, SEPTEMBER 28, 2002
11:30–1:15 P.M.
Fairmont Hotel
Dallas, Texas

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depositions, powerpoint summations, electronically displayed exhibits, magistrate judges to handle pretrial matters, codification of the rules of evidence, sentencing guidelines, no sentencing guidelines, the rapidly vanishing federal civil trial, among others. Whatever the changes of the next 50 years, one thing is unchangeable: the imperative to maintain the professionalism of the federal bar. That will be the vital mission of the FBA -- a mission that I am confident we will accomplish.”

Mark A. Goldsmith, December 14, 2007.

Following is a chronology of significant events:

Changing Faces

On September 12, 2001, the Chapter went forward with its traditional State of the Court Luncheon despite the uncertainties following the events of 9-11, under the leadership of Chief Judge Zatkoff who, in conjunction with the Chapter's leadership, determined that cancellation was an unthinkable alternative. Chapter president Brian Figot stated:

“We discussed whether this luncheon should be postponed. We go forward today with a sense of respect for our institutions, our system of justice and the rule of law, but not without noting the enormity of the tragedy and the extent of the suffering and loss.” At the State of the Court Luncheon the following

year, then-president Christine Dowhan-Bailey eloquently stated:

“We cannot begin to fully comprehend the pain so palpably endured by husbands, wives, children, parents, co-workers, and friends of those who perished just twelve months ago.

“Nor can we by any significant measure, appreciate the courage of rescue workers and fallen heroes who abandoned the strongest urge known to man, the will to survive, as they thrust themselves into infernos or at airborne hijackers, propelled only by the hope that they could spare someone else.

“Most of us will never truly grasp the desperation, despair, and finally grim determination worn on the faces of the recovery workers and volunteers who endlessly sifted debris for body parts and personal effects, or who hauled ton after ton of pulverized aftermath from Manhattan, the Pentagon, or Shanksville, Pennsylvania.

“What we can do is stand together in a moment of silence followed by a reading of all verses of our National Anthem,

written by none other than an American lawyer, Francis Scott Key, who looked up and saw hope in the form of our flag, rising from the smoke of the attack on Ft. McHenry in 1814.”

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Come Celebrate our
Silver Anniversary

The Eastern District of Michigan Chapter
of the Federal Bar Association
requests the honor of your presence at its
Twenty Fifth Annual Dinner

Honoring our Gold Medalists
The Federal Judicial Officers

Thursday evening
May 13, 2004

DETROIT MARRIOTT
AMBASSADOR BALLROOM
400 Renaissance Center
Detroit, Michigan

Cocktail Reception 5:30 pm
Dinner Served 7:00 pm
Cash Bar

Entertainment by: A (Habeas) Chorus Line

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The assemblage then stood as Federal District Judge and Chapter Board member, George Caram Steeh led a moment of silence followed by his recitation of the Star Spangled Banner as it was originally intended to be heard... as a poem.

The first year of the new century also saw the announcement, in December, that John Mayer, former Court Administrator and a past president of the Chapter, had agreed to serve as the Executive Director of our Chapter, followed in 2002 by the launching of the Chapter's website which, five years later, remains the envy of Chapters nationwide. John remained as Executive Director until mid-2004, when the current executive director, past president and Sixth Circuit V.P., Brian Figot was hired.

September 11, 2002 - Magistrate Judge R. Steven Whalen was sworn in as Magistrate Judge in Detroit. On October 3, 2002, a special session of Court was held for Magistrate Judge Whalen's public investiture.

December 10, 2002 - A special session of Court was held to swear in Robert M. Grubbs as the new United States Marshal.

2003 - Honorable Marci McIvor, Thomas J. Tucker, and Phillip Shefferly were sworn in to the Bankruptcy Court.

April 29, 2003 - A ceremony and reception was held to celebrate Judy Christie's retirement as Administrative Manager after 23 years with the Court.

August 19, 2003 - U.S. Attorney Jeffrey Collins announced the appointment of Jonathan Tukel as First Assistant U.S. Attorney.

October 3, 2003- Magistrate Judge Thomas Carlson retired from the Court after having served three eight-year terms.

January 6, 2004-Magistrate Judge Mona K. Majzoub was sworn in to fill the vacancy created by Magistrate Judge Carlson's retirement.

June 18, 2004-Chief Judge Bernard A. Friedman was sworn in as the 13th Chief Judge of the U.S. District Court, replacing Judge Lawrence P. Zatkoff. The ceremony was the first to take place in the new Special Proceedings Courtroom on the first floor of the Theodore Levin U.S. Courthouse.

August 2004 -Judge George E. Woods retired from the bench after a distinguished 55-year legal career.

August 2, 2004-U.S. Attorney Jeffrey G. Collins announced his resignation to join the Detroit office of Foley & Lardner.

February 22, 2005 - George Bedrosian was sworn in as the Court's first Ombudsman. Chief Judge Friedman appointed Mr. Bedrosian to this role, in which he serves as an intermediary between the Court and members of the Bar to address matters lacking an institutional mechanism or forum for redress.


April 4, 2005 - Judge John Corbett O'Meara became the resident District Judge in the Ann Arbor Courthouse. Judge Marianne Battani was officially assigned to the Theodore Levin U.S. Courthouse in Detroit.

May 2005 - U.S. Attorney Stephen J. Murphy III appointed Terrence Berg First Assistant U.S. Attorney

September 15, 2005 - The public investiture was held for Stephen J. Murphy III, who was sworn in by Chief Judge Friedman as U.S. Attorney. President George W. Bush nominated Mr. Murphy for the position on February 17, 2005.

December 2, 2005 - Mary Miers retired as Deputy Court Administrator. She began her career with the District Court in September 1989.

January 25, 2006 Honorable Susan Bieke Nielson died, just a few months after she was sworn in to the



Presentation and Dedication
of the
Portrait of the
Honorable James P. Churchill
to the
United States District Court
for the Eastern District of Michigan
Friday, June 1, 2001
11:00 a.m.
Theodore Levin United States Courthouse
Detroit, Michigan

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U.S. Court of Appeals for the Sixth Circuit on November 16, 2005.

February 20, 2006 - Cordelia Stone Shorter, the longest-serving law clerk in the Eastern District of Michigan (and one of the first law clerks), died at the age of 88. Ms. Shorter worked for Judge Thomas P. Thornton for 33 of his 36 years on the bench.

August 10, 2006 - The public investiture for Honorable Sean F. Cox was held.

February 1, 2007 - Judge Douglas W. Hillman of the Western District, who had especially close ties to the Eastern District, died at the age of 84.

December 2007 - Circuit Executive James A. Higgins announced his intention to retire at the end of 2007. Mr. Higgins has been the Circuit Executive since 1974. He served as Clerk of the Court of Appeals for the Sixth Circuit from 1971 to 1974.

Portrait Presentations

June 1, 2001 - Judge Churchill portrait presented. (see program on previous page)

September 4, 2001 - Judge DeMascio portrait presented. (The Chapter and/or our Portrait Foundation also were involved with the James Harvey portrait presented July 3, 1997; Ralph Guy, Jr. on June 11, 1998; Wade McCree and Philip Pratt May 6, 1991, and Ralph Freeman on October 7, 1991. In 2006, the Chapter donated \$3,000 to the Court Historical Society for the restoration of judicial portraits.

June 10, 2002 - Honorable Barbara K. Hackett's portrait was presented in a special session opened by Chief Judge Lawrence Zatkoff. The portrait was presented to the Court by Judge Hackett's husband and daughter. It was painted by artist Loryn Brazier. Judge John Feikens accepted the portrait on behalf of the Court.



The Chapter had its annual Past Presidents' Luncheon at the Detroit Athletic Club, with the largest gathering of past president's it has ever enjoyed. From left to right: Top row: Russell Paquette, Thomas Porter, Edward Kronk, Daniel Malone, Sheldon Toll, Dennis Barnes, Joseph F. Dillon, Robert Forrest, Richard Rossman, and John Mayer. Middle row: Christine Dowhan-Bailey, Elisa Angeli (current Secretary), Geneva Halliday, Justice Maura Corrigan (Michigan Supreme Court), Magistrate-Judge Virginia Morgan (E.D. Michigan), Dennis J. Clark and Brian Figot Bottom row: Grant P. Gilezan (current President), Alan Harnisch, Julia Caroff Pidgeon (immediate past President) and Richard Tarnas.

July 12, 2002 - Honorable Cornelia G. Kennedy's portrait was presented and dedicated. Chief Judge Lawrence Zatkoff presided over the special session. The portrait was unveiled by Judge Kennedy's two grandchildren and accepted by Judge Zatkoff on behalf of the Court. It was painted by Grosse Pointe artist Robert Maniscalco and donated to the Court by Judge Kennedy.

October 7, 2002 - The portrait of the Honorable Horace W. Gilmore was presented and dedicated. Chief Judge Zatkoff presided over the special session of the Court, and Judge Patrick Duggan accepted the portrait on behalf of the Court. The portrait was unveiled by Judge Gilmore's grandson, wife, and daughter.

August 19, 2005 - Honorable Richard F. Suhrheinrich's portrait was presented and dedicated. Chief Judge Lawrence Zatkoff presided over the special session. Judge Suhrheinrich's grandchildren unveiled the portrait, and Judge Zatkoff accepted the portrait on behalf of the Court. Artist Jamie McMahan of Memphis, Tennessee, painted the portrait.

September 12, 2006 - The portrait of Honorable John Feikens was unveiled led by Circuit Judge Damon J. Keith. Governor Jennifer Granholm, one of Judge Keith's former law clerks, made remarks, as did Detroit Mayor Kwame Kilpatrick, former Michigan Governor William Milliken, and Judge Avern Cohn. Judge Feikens' wife and their five children presented the portrait which was painted by artist Glen Michaels.

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Focus On An FBA Member

Rodger D. Young

U.S. Delegate to the United Nations General Assembly

A new feature of the Newsletter is the periodic profiling of a FBA member. This is the second of such profiles.

By Michael J. Riordan*

Two great loves are the driving forces behind long-time FBA member Rodger D. Young's life and career – his love of the United States of America and his love of the law. Recognizing these passions, President George W. Bush nominated Young in September to be a U.S. Delegate to the United Nations General Assembly. The Senate quickly and unanimously confirmed Young's nomination on October 26, 2007.

Along with Young, President Bush appointed former New York Governor George Pataki and Kentucky businesswoman Kelly Knight as delegates. Young, a founding partner of the commercial and complex litigation Law Firm of Young & Susser, is "absolutely elated" that the President would tap him to serve in such a prestigious and important foreign policy post.

Young will serve as a U.S. Delegate to the U.N.'s 62nd General Assembly through May 2008, and will work at the direction of the U.S. State Department and Zalmay Khalilzad, U.S. Ambassador to the United Nations. Since reporting for duty, Young has been assigned to the U.N.'s Legal Committee where he will lead the State Department's legal team in formulating and implementing an entirely new administrative law system for the United Nations and its 50,000 employees and contractors. This is a "challenging opportunity" said Young. "While the United States is greatly admired by the rest of the world, the diplomatic challenges facing us are complex and sensitive." As a lawyer and litigator, he said, "I am trained to announce and hold my client's position in a legal dispute. Now, at the U.N., ambiguity and consensus rule rather than the rule of law." Young said "this is taking some adjustment."

No one is better suited for the challenges that being a



Rodger D. Young

U.N. Delegate offer than Rodger Young, a native of Montana, and an honors graduate of the University of Montana and the University of Minnesota School of Law. He has extensive experience in complex commercial litigation including antitrust, high technology, telecommunications, trade secret, automotive, shareholder/partner disputes, and construction, where he has won forty-two of forty-five jury trials in Federal and State courts. One of his losses was reversed and another was a \$30,000 verdict where Mr. Young's opponent had demanded \$300,000.

Young has received numerous recognitions for his outstanding achievements as a lawyer. He is a member of the Michigan Bar Foundation, an inductee of the American College of Trial Lawyers and he was selected as one of the "Best Lawyers in America." In addition, he was chosen as one of Chambers USA "American Leading Lawyers for Business." Along with being active in the FBA, Young is a member of the State Bar of Michigan, the Oakland County Bar Association, and the Detroit Metropolitan Bar Association. He also is admitted to the United States Supreme Court, U.S. Court of Appeals for the First, Second, Sixth and Ninth Circuits, and numerous District Courts throughout the United States.

Young's distinguished record of public service also includes gubernatorial appointments to the Michigan Environmental Review Board, an agency charged with reviewing all matters of environmental significance in the State, and to the Michigan Transportation Commission, where he served as the youngest commissioner in its history and where he eventually became Vice-Chair of the Commission. The Michigan Supreme Court also appointed Young to the State Bar's Board of Commissioners. Additionally, in 2000 and 2004, he was the Chair of the Congressional review committee for applicants for Presidential appointments to the 6th Circuit, U.S. District Court for the Eastern District and for the position of U.S. Attorney in the Eastern District.

U.S. Delegate Young said that his first days on the job have been very educational. "Over 50 million people in the world depend on the U.N. for sustenance and safety and there are over 100,000, U.N. peacekeepers deployed throughout the world in various trouble spots." While the U.N. is replete with good works he finds it to "lack

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transparency and that its post-program auditing program needs to be improved greatly.” Young will be working for improvements in both of those areas.

While he will miss his law practice in Southfield, he is excited about being able to live and work full-time in New York for the coming months. “I have an apartment in Manhattan at 48th Street and 1st Avenue, which is kitty corner to the U.N. Building where I will be spending most of my time. I think I have the shortest work commute in New York City and I will be using all of my time advancing the United States’ objectives at the U.N.” Young said he “could not be more pleased than to have this great opportunity to serve his Country and the law.” Likewise, the FBA could not be more pleased than to call Rodger Young one of its own.

**Michael J. Riordan is an Assistant United States Attorney and serves as Chapter Program Chair.*



Hon. George E. Woods

Judge Woods was often referred to as the weekend judge due to his penchant for holding trials on Saturdays. As can be seen elsewhere in this Newsletter, Judge Woods was a charter member of our Chapter and continued to actively serve the Chapter throughout his distinguished career.

Judge Woods retired in August 2004, giving him more time to spend with his wife and family. He was the beloved husband of Janice “Jay” of thirty-three years, a father of four, a grandfather of ten and a great-grandfather of one.

Kathleen McCree Lewis passed away on October 16, 2007 at the age of 60 after a long battle with breast cancer. She was the daughter of the late Wade H. McCree, Jr., former District Judge and Circuit Judge, and United States Solicitor General, in whose name the Chapter gives an annual Award for the Advancement of Social Justice.

Lewis joined the Dykema law firm upon her graduation from the University of Michigan Law School in 1973. She remained at Dykema throughout her thirty-four year legal career, was elected as a member and served on the executive board. Lewis specialized in appellate litigation and earned a reputation as an exceptional appellate attorney. She served as president of the American Academy of Appellate Lawyers.

In 1999, Lewis was nominated in 1999 by President Bill Clinton to the Court of Appeals for the Sixth Circuit. Unfortunately, her nomination was quelled by political forces that carried over two administrations, and she was never confirmed.

Lewis is survived by her mother, Doree McCree; her husband of thirty-eight years, David Baker Lewis, a prominent attorney and founder of the Lewis and Munday firm; her brother, Wayne County Circuit Judge Wade Harper McCree; her sister, Karen McCree; and two children, Sarah Lewis and Aaron Lewis.

A memorial service was held on October 26 at First Unitarian-Universalist Church in Detroit.

Remembering Judge Woods And Kathleen McCree Lewis

This year, the Chapter lost two very important and influential members, the Hon. George E. Woods and Kathleen McCree Lewis. Both are truly missed.

Judge Woods passed away at age 83 on October 9, 2007. His legal career spanned fifty-five years. Judge Woods was called to public service early in his career when he served as Assistant Prosecutor for Oakland County. He began his federal service in 1953 when he was selected as the Chief Assistant U.S. Attorney. He was appointed Attorney in 1960. In 1961, he stepped down due to a change in the presidency and began a successful private practice as a criminal trial attorney. He handled many high profile cases. In 1981, Judge Woods was appointed as a Bankruptcy Judge where he served until his appointment by President Ronald Regan as a District Judge on November 16, 1983. During his many years on the bench,



Kathleen McCree Lewis

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The Chapter Celebrates 50 Years in Style -- On December 4, 2007, the Chapter hosted its holiday party celebrating 50 years since the founding of our chapter. The ninety-five guests included twelve judges, one member of the media from Crain's Detroit, Janet K. Welch (Executive Director of the State Bar of Michigan), and approximately five new lawyers. Guests enjoyed dining on hors d'oeuvres at the festively decorated Detroit Club, while Magistrate Judge Whalen's jazz quartet, The Cat's Pajamas, entertained those in attendance with charming holiday music.



*From left to right
Past President John Runyan, current Board member
Dona Tracey, Past President Geneva Halliday,
Past President Christine Dowhan-Bailey,
and Past President Dennis Clark.*



*Tom Tallerico, Judge Goldsmith and
Magistrate Judge Komives.*



*Judge Duggan, Miriam L. Siefer, Harold Gurewitz
and Thomas W. Cranmer*



Jazz band, The Cat's Pajamas, featuring Magistrate Judge Whalen on violin.

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Calendar of Events

January 10

Mentoring Program, Session 1

Theodore Levin U.S. Courthouse,
Judge Robert Cleland's Courtroom
4:00-6:00 p.m.

Five-part series, beginning January 10 (second session February 7) for "newer" lawyers (i.e. those who have been practicing five years or less), to obtain hands-on experience in fundamental litigation skills, working in tandem with Judges and seasoned attorneys who will offer valuable guidance on such topics as motion practice, discovery, direct and cross examination, and opening and closing statements.

January 17

E-Discovery Seminar, Level II

SMART Detroit Conference Center,
Penobscot Building, 13th Floor
1:00 p.m. to 5:00 p.m.

Attend this advanced electronic discovery seminar to learn a "12-step program" on how to strategize and prepare for evidence exchange as part of the meet and confer process. Topics will include best practices for addressing the preservation, collection and processing of responsive documents, electronically assisted privilege review, and production of all relevant material.

January 22

Inaugural Meeting Of The FBA Book Club

Theodore Levin U.S. Courthouse, Room 115,
Noon to 1:30 p.m.

Join practitioners and judges for a discussion of "The Nine: Inside The Secret World Of The Supreme Court," by Jeffrey Toobin. The primary goal of the FBA Book Club is to facilitate an informal but elevated dialogue between the bench and the bar.

January 25

Worksite Enforcement -- Representing Employers

Atheneum Hotel
8:00 a.m. to 1:00 p.m.

Knowledge, Networking and Lunch with a focus on U.S. Employers & Immigration Enforcement. Designed for those serving in Human Resource and corporate law departments, as well as for immigration law practitioners.

February 6

Advocacy Of Financial Issues In Commercial Litigation And Business Bankruptcies

Theodore Levin U.S. Courthouse, Room 115,
8:30 a.m. to 12:30 p.m.

Presenting Evidence and Expert Witnesses in Business and Bankruptcy Proceedings. Two demonstrations to be conducted by pre-eminent business and bankruptcy attorneys and expert witnesses.

February 14

Deadline For Submissions

First Annual Law School Writing Competition

February 26

Wade H. Mccree Award Luncheon

Speaker: Bishop Thomas Gumbleton
11:30 a.m.
Atheneum Hotel

On-Line registration is available for all events.

Details, Updates And Further Developments At
www.fbamich.org See "Events & Activities"



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Newsletter Committee:

Kimberly G. Altman,
Co-Editor in Chief
Career Law Clerk to
Hon. Avern Cohn
(313) 234-5160

Christina Farinola,
Co-Editor in Chief
Career Law Clerk to
Hon. Paul J. Komives
(313) 234-5200

Michael J. Riordan
Assistant United States Attorney
(313) 226-9602

Christine M. Dowhan-Bailey
U.S. Army Corps of Engineers
(313) 226-6822

Thomas M. Schehr
Dykema PLLC
(313) 568-6659

John Mayer
Management Consultant
(734) 558-5593

Bryan J. Anderson
Dykema PLLC
(313) 568-5439

Dennis J. Levasseur
Bodman LLP
(313) 393-7596

Thomas D. Esordi
Kitch Drutchas Wagner Valitutti & Sherbrook
(313) 965-7446

Executive Director:

Brian D. Figot
Stephen M. Landau PC
(248) 358-0870
fbamich@fbamich.org

**Federal Bar Association
E. D. Michigan Chapter**
30100 Telegraph Rd., Suite 428
Bingham Farms, MI 48025-4564

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