

MEMORIALS

Friday, May 20, 2022

Session of Ramsey County District Court

Two o'clock

"Memories of our lives, of our works and
our deeds will continue in others."

—Rosa Parks

RCBA
RAMSEY COUNTY BAR ASSOCIATION

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Michael M. Bader

August 31, 1953 — November 23, 2021

It is my privilege to share with you a few memories of my friend, mentor, and law partner, Michael Bader, who died last November at age 68. A skilled and charismatic trial lawyer, Mike proudly and tenaciously represented the underdog against big insurance companies and corporations.

Mike worked his way through the University of Minnesota and Hamline Law School, bartending at fashionable restaurants and occasionally modeling. He was a handsome fellow with thick blonde hair and a strong profile, and we always thrilled at seeing his picture in Dayton's ads. He was definitely one of the cool crowd.

Judges and juries liked him, and he quickly achieved success trying cases as a young lawyer. But it wasn't just charm that won cases over his 40-year career. He was also an excellent writer with a keen mind and a relentless work ethic. He tried big cases and got big verdicts. In one long fought battle for a burn victim on a case that twice went to the Court of Appeals, he secured a three-million-dollar verdict.

In addition to those big cases, he also loved taking on small cases that many lawyers wouldn't consider. He volunteered for many years at SMRLS (Southern Minnesota Regional Legal Services), which provides free legal help to low-income Minnesotans. I remember one elderly woman's case he pursued that was especially difficult. Mike took it on with gusto and achieved a great result. His client was so pleased she regularly brought pans of brownies to our office for years. He relished connecting with people and bringing justice to the disadvantaged. It was why he loved practicing law.

Mike was a loyal and devoted friend. He genuinely cared about his friends and made them a priority in his life. He was even more devoted to his family. He is survived by his wife Michelle, his high school sweetheart. He doted on his four children. He was a great raconteur and often came to the office with a fun story about a son or daughter's latest adventure. You could tell how proud he was of all of them.

No one could tell a story like Mike. There was the time his leg fell asleep during a jury trial, and he stood up only to fall flat on his face in front of the jury. Or his chaotic trip to St. Paul's Fun Fair with his children. He couldn't convince them to get off a ride and finally realized that if he just pointed out the next ride, they would run to it. In his hands, a story charmed and captivated and always made you laugh.

There was something special about Mike: charismatic and charming for sure, but something more. He had such personal magnetism. When he turned his attention to you, with those bright eyes and 1000-watt smile, you felt alive and energized. He was a remarkable fellow and will be dearly missed.

Respectfully submitted by Judge Stephen Daly

William David Bauer

July 6, 1946 — September 27, 2021

Bill Bauer was born in Iowa on July 6, 1946, and he passed away peacefully on September 27, 2021. He was a lifelong learner, an active outdoorsman and silent sports athlete, a devoted husband, father and grandfather, an enthusiastic and dedicated friend, a creative and business-orientated attorney, and a mentor and a role model. He was also my father.

He lived in North Oaks, Minnesota and Cable, Wisconsin, near the starting line for the American Birkebeiner Cross Country Ski Marathon. He completed this marathon thirty times, earning in the process the high status of "Birchlegger" and "Überlegger." He loved cross country skiing, the time in the woods without insects, the athleticism and beauty of this sport, and many close friendships with fellow skiers. This race and other marathons he completed tell us so much about my father—his endurance, energy, and persistence, which he exercised unselfishly throughout his life on behalf of others. He made cross-country skiing a social and a contagious activity, inviting others to participate, organizing active and social weekends with groups of friends, and creating traditions with so many family members and friends through participation in the sport. It made him truly smile to open the family cabin in Cable, Wisconsin to host others, and to watch loved ones participate in the sport that he loved. He also completed running marathons and half marathons, as well as endurance mountain and road biking events.

My father practiced law for 40 years, focusing on intellectual property law and especially patent law, at Unisys, 3M, Imation, and at IPLM—a firm he founded with two friends, Mike Mau and Dave Cleveland. He mentored many lawyers early in their careers, several of whom used his instruction and encouragement to start successful IP law firms or move into leading management positions as inside counsel. As an attorney, he was a zealous advocate, but he also practiced with modesty—allowing his clients to take credit for successes largely due to his efforts.

Some of the best work that lawyers do is known only to a few people. In the case of patent lawyers, the "right to practice," essentially the right to stay in business for a particular product line, can be established by the leverage obtained with patent applications and by designing around competing patents, frequently coupled with cross-licenses and other agreements. When successful, the result may be a growing business without patent litigation and without the resulting headlines. Steve Bauer, his friend, colleague, and client, who saw my father both from the perspective of a junior attorney to a mentor, and as a client, tells me that my father excelled at this.

My father also employed his legal and technical skills to serve the community. For example, he was one of the original commissioners on the North Suburban Cable Commission, serving ten years from 1979 to 1989.

At the same time, nothing surpassed his love of his family. He was a devoted husband to the love of his life, Beverly. Married for 54 years after meeting in high school, their special relationship was a role model to many. He was a true partner to my mother—sharing in household chores and life's obligations, while also encouraging my mother to pursue her own experiences and successes. He supported her to start her own business in Cable, Wisconsin, called Redbery Books, and he worked enthusiastically in and for the store, by her side.

He was a devoted father to his children, my brother Matt Bauer and myself, and a devoted

grandfather to his grandchildren, Chiara and Elliot. While growing up, despite having a busy career, he always managed to attend our events, sports activities, and milestones.

My dad inspired me to pursue the legal profession. Long before law school, I learned from him the nobility of the profession and the ability of attorneys to assist the lives of others. I often sought career and business advice from him throughout my adult life. He always helped me to evaluate my thoughts, however never told me what to do or expressed judgment about my decisions, and he supported me without conditions. When I passed the bar and was admitted to practice, my dad was by my side and served as a 'vouching attorney' at my swearing-in ceremony. He was always there throughout the big and small moments of my life.

My father also continued to develop himself outside of his profession through hobbies, learning, and travel throughout his life. He dedicated himself to learning photography, and created many books from his travels and events with short narratives, which were printed and bound and shared with friends and family. In the summer before his death, he was able to have a 'bucket list' experience by spending a day taking pictures on the ocean in Maine with one of his favorite photographers and my mother, and then spending the next day with him developing the photographs they took. He enjoyed the experience of many different countries—Iceland, Norway, Sweden, Japan, Colombia, Peru, and New Zealand being a few examples. Many of these trips were made with my mother and with other friends—however he also traveled to Iceland and Peru on his own to take pictures. He encouraged and inspired independence and a zest for life in those around him, including myself. His often-repeated motto, "Choose Joy," will live on as a reminder to all of us.

Let me end with the wish that my father used to close emails and letters: "Think snow!"

Respectfully submitted by Meredith Bauer and Steve Bauer

Elizabeth J. Carlson

November 10, 1959 — October 3, 2021

Born in Minneapolis to John and Patricia Carlson, Liz was the oldest of four sisters, Cynthia, Susan, and Jennifer. She graduated from Detroit Lakes Senior High where she ran cross country with the boys when there was no girls team. She could debate both sides of an issue like switching from piano to the string bass.

Her road to the law passed through Gustavus Adolphus, where she had the opportunity to study abroad in Yugoslavia. There she learned Croatian along with the realities of totalitarianism under Tito. Upon her return, she pursued a bachelor's degree at the University of Minnesota, choosing Ojibwe as her next foreign language. In addition to her studies, she worked at group homes for the developmentally disabled. This experience would inform her life as well as her legal career.

Pursuant to the Welsch consent decree, the state began to transition from hospital to less restrictive community settings. Liz found work in the office of Welsch Court Monitor, Richard Cohen. She became a volunteer advocate through ARC where she met Gordy Parkhurst, an Oneida citizen born with cerebral palsy and Deaf. Misdiagnosed and institutionalized at Faribault State Hospital as an infant, Liz taught him to sign—his first language experience. Her advocacy for Gordy brought her in collaboration with pro bono attorneys, Wright Walling and Lynn Uthe; Luther Granquist at Legal Aid and Alan Listiak, a psychologist in the Department of Corrections. These experiences shaped much of what Liz was about and led her to graduate with honors from William Mitchell College of Law in 1992.

After law school, she served as a law clerk to the Hon. Philip D. Bush and Assistant Public Defender in Anoka County before establishing Carlson Family Law Office, LLC in 1995. She continued her volunteer work at Chrysalis Women's Center, the Bar Association and Lawyers Concerned for Lawyers. More recently, Liz was a document review attorney and was in the process of becoming a Licensed Alcohol and Drug Counselor at Century College when her life was cut short by an aggressive cancer.

Liz loved to watch things grow. This was evident in her many gardens and her diverse social and professional circle. Above all, her most cherished role was mother to Hunter and Camryn Franke. She is deeply missed.

Respectfully submitted by LeeAnn Clayton and Don Franke

Hon. Manuel Jesus Cervantes

February 1, 1951 — March 31, 2021

Manuel Jesus Cervantes was born on February 1, 1951, in Albert Lea, Minnesota, the son of Maria del Carmen Cervantes and Elidio R. Cervantes.

When Manuel was 10 years old his father died. Manuel stepped into the role of helping his mother and six younger siblings navigate life in Saint Paul. His mother, Carmen Cervantes, spoke limited English and Manuel became the family's point person, such as scheduling doctor's appointments and waking early to deliver the newspaper to make extra money for the family. As brother Ricardo Cervantes noted, "He led the family when we needed him the most." After graduating from St. Paul's Harding High School, Manuel went on to become the first person in his family to enter college (Macalester College in 1974) and all his siblings followed his example, like him also graduating from Macalester College and building successful careers. After graduating from Macalester, Manuel worked as a paralegal for the Neighborhood Justice Center. Neighborhood Justice Center staff encouraged him to go to law school and he did, graduating from the University of Minnesota Law School in 1980. Manuel then became an attorney for the AFL-CIO. In 1986, Governor Rudy Perpich appointed him to be a judge on the Minnesota Worker's Compensation Court of Appeals, the first Latino person in that role. Four years later, Patricia and Manuel married in 1990.

From 1992 to 2002, Manuel served as a Ramsey County District Court Referee, presiding over cases in family, juvenile, and domestic abuse court. From 2002 through 2006, Manuel was the City Attorney for the City of Saint Paul and, thereafter, a Senior Assistant Attorney with the Minnesota Attorney General's Office and a Minnesota Administrative Law Judge. In 2013, Governor Mark Dayton appointed Manuel Cervantes to the Minnesota Workers Compensation Court of Appeals where he served until his retirement on February 1, 2018, after his cancer diagnosis.

His daughter, Sebastiana Cervantes, noted, "He was strong in his work ethic, and he was strong in his fight—he did not want to give up. The doctors first gave him six to eight months and he lived for more than three years after his diagnosis."

Judge Cervantes enjoyed soccer, having played on the Macalester College soccer team and played well into his 60s. He served as a youth soccer coach and mentor to youth at Humboldt High School. He was an avid motorcyclist who regularly went on cross country trips with his brother, Juan, and friends. He would often swim a mile during his lunch break at the Macalester pool. In 2004 Manuel invited us to join his ragtag team that he assembled each year for the annual Ancient Ranger soccer tournament. It was one of the more diverse teams on the field, many different native languages, ethnic origins, religious backgrounds and beliefs, and a wide spectrum of white and blue-collar jobs were represented. Judge Cervantes assembled this team; he knew us all, enjoyed our company, and by natural extension, we too enjoyed each other's company.

Judge Cervantes loved people regardless of background, and his smile, genuine interest, and joyful voice and demeanor endeared him to all who met him. Judge Cervantes was a very learned and experienced attorney and jurist, but probably his most outstanding attribute was his genuine interest in the people before him.

One time while Judge Cervantes was with his family listening to music at Mears Park a man approached him and said, "You're Judge Cervantes," shook his hand, and thanked him. Although the man had lost his case, he said that the Judge was the only person who'd ever taken the time to listen to his story.

Retired Ramsey County District Court Judge Salvador Rosas said of Judge Cervantes, "He and his family are a remarkable example of hard work and perseverance, and his family story should serve as a real source of inspiration for our community."

In 2018, Judge Manuel Cervantes received the Minnesota State Bar Association's Rosalie E. Wahl Judicial Award of Excellence for his outstanding career for improving the quality of justice in the State of Minnesota. In 2022, the Minnesota Hispanic Bar Association renamed its endowment fund to the Manuel Cervantes Endowment Fund Award.

Judge Manuel Cervantes lost his cancer battle on March 31, 2021; he died at home in St. Paul surrounded by his family.

He is survived by his wife, Patricia; children, Corinna Cragg, Jeff Cragg, Nicole Herrmann, Manuel Jose Cervantes and Sebastiana Cervantes; 11 grandchildren; and one great grandchild; and by his siblings: Raquel Cervantes-Bethke, Ramona Cervantes, Jose Cervantes, Guadalupe Cervantes, Juan Cervantes and Ricardo Cervantes.

Respectfully submitted by Eric Larson and James Street

Jon Cieslack

June 3, 1949 — October 11, 2021

Lieutenant Colonel Jon Cieslack passed away October 11, 2021, at the age of 72. Jon was a gentleman and a scholar.

Jon was born in Minneapolis and raised in St. Louis Park by parents Evelyn Cieslack Nahurski and Edwin S. Cieslack, and later his stepfather Francis J. Nahurski, who was a St. Paul attorney. Jon excelled in school, graduating from Benilde High School. He attended Princeton University on an Army ROTC scholarship and graduated in 1971.

Last year, Jon wrote an article for Princeton's 50th reunion yearbook about his experience in ROTC at Princeton. He noted that his father died when he was young and his mother suffered from a lengthy illness, and that he would not have been able to attend Princeton without the Army scholarship. He noted that at other schools, like Harvard and Yale, ROTC students were not wearing uniforms on campus because they were taunted and made to feel uncomfortable, but he was never taunted at Princeton while wearing his uniform.

Upon graduating, Jon was commissioned as a second lieutenant in the field artillery, and later served in the Adjutant General's Corps. To his surprise, instead of getting orders for Vietnam he was sent to Germany where he served at Wertheim, and later Berlin.

Jon studied law at Lewis & Clark Law School and, after graduating, was appointed to the Judge Advocate General's Corps. Although his ROTC commitment was four years, Jon ended up serving 23 years in the Army.

Jon's last assignment in the Army was as the full-time legal advisor to the Adjutant General of Minnesota. The Adjutant General is in charge of the Department of Military Affairs, and the Minnesota National Guard when they are in state service. For most of his time with the Guard Jon was the only full-time judge advocate. Today there are four.

As the sole full-time legal advisor, Jon was effectively general counsel for the Guard. He advised the U.S. Attorney's Office and the Minnesota Attorney General's Office on litigation involving the Guard. He helped individual Guard members with their personal legal issues and advised commanders on personnel actions as well as the use of force. He was a trusted advisor on the General's staff and was known not only for his sage advice but also his calming demeanor.

Jon was known by other judge advocates as being incredibly smart and thoughtful, a tremendous mentor and supporter, and a great friend and colleague.

During one of the last quasi-Guard events Jon attended with other retired judge advocates, in the absence of any formal ceremony, Jon nevertheless took the time to remark about how special it was for him to get together with his former colleagues, and he urged us to all recognize how special that event was for each of us. He cherished the comradery that the Army is known for, and remarked in his Princeton article that the Army was like "a moveable feast." You move from post to post, but at each place you'll likely run into somebody you know.

Jon was also a strong advocate for history, tradition, and remembering those who had gone on

before us. Jon was the major organizing spirit behind the VE/VJ Day dinner the last 20 years or so. His official title was Co-Perpetual Secretary Pro Tem. Since 1943 the VE/VJ Day Club has met once a year to remember the Victory in Europe and the Victory in Japan with a dinner, followed by prognostication. Jon wrote inserts to the program about Minnesota attorneys and judges who served in World War II, honoring their service and their memory. Jon would also exalt the old days when Mike Galvin Sr., Mike Galvin, or Gary Flakne would tell long and elaborate jokes at the VE/VJ Day Dinner which would culminate in a memorable punch line. He loved providing a venue for the bench and the bar to gather each year in a spirit of collegiality and have a couple drinks and many laughs.

Jon's storytelling ability was unparalleled and his joy in telling them was palpable. But they weren't just stories—the kind you made up. They were a series of very detailed facts that were meticulously stored in his brain and unlocked whenever he had an audience or at least one interested party willing to listen. One thing that always struck me as he was telling a story was the incredible detail about people that stuck with him. He would be talking about a legal case, mention the attorney making the argument, then he would start talking about the attorney's secretary and who she was married to, then he'd get back on track and finish talking about the case. His detailed memory of people and names and how they were connected to history was truly fascinating. It demonstrated to me not only a vibrant mind, but a person who was genuinely interested in and cared about all kinds of people—not just the power brokers, but everybody that had a part to play in the story.

Jon was an extremely active and contributing member of our community. He finished his professional career as the vice president of development for the Minnesota Zoo, a position that played to his strength of connecting with people and advocating for a worthy cause. And in addition to the VE/VJ Club, he was active in a variety of civic organizations including the Boy Scouts, the Rotary Club, the St. Paul Chamber Orchestra, the Minnesota Military Museum, and the Ramsey County Bar Association. He was a true citizen soldier.

Jon married his wife Ann four days after graduating from Princeton and they celebrated their 50th anniversary just last year. He and Ann have five children and five grandchildren. He is also survived by his brother, Paul Nahurski.

Jon will be greatly missed by his friends, family, military colleagues, and members of the VE/VJ Day Club.

Respectfully submitted by Steve Lokensgard and Ann Cieslak

Robert Thomas "Bob" Dolan

September 22, 1947 — November 8, 2021

Bob was an outstanding attorney. He was a trial attorney. He loved to go to trial. Bob's intelligence, compassion, empathy, and his sense of humor faired him well. He identified with the jury and they in turn identified with him. He gave every client 100 percent of himself. Bob's greatest quality was his integrity. He never ever compromised his integrity.

Bob was so much more than being an outstanding attorney. His first love was his family. He was involved in coaching the kids' teams. He made it fun. He was present at every game if he was in town. He was a resource they could bounce ideas off of as they grew. He was involved in every aspect of their lives.

Following our daughter Meghan's death, who was a quadriplegic following an accident, he became involved in Camp Courage. He lived there every summer doing whatever needed to be done. He did personal cares, feeding those who couldn't feed themselves, driving a boat so they could enjoy tubing. He was their rock when zip lining thru the air. Bob loved them and they loved him. Bob had a special kind of humor that made them laugh. He lived for Camp Courage.

He served meals at Sharing & Caring Hands, he volunteered to coach wheelchair basketball, and there he was at the Para-Olympics tryouts.

In addition to his volunteering, he was on the boxing commission which also oversaw Mixed Martial Arts. He wanted to make sure things were as safe as possible.

Bob did all these things with such love. He did things in a quiet way. He never bragged about what he did. To put a smile on your face was enough for Bob. If you had the honor to meet Bob, you knew he was special. He made everyone feel they had value.

My last words are "Heaven Needed a Hero" and they got Bob, a true hero to mankind.

Respectfully submitted by Jeanne Dolan

Timothy J. Dwyer

November 8, 1947 — May 14, 2021

Timothy J. Dwyer graduated from Washburn High School in Minneapolis. He attended Minnesota State University—Mankato (Mankato State) and received his Bachelor of Science Degree in Accounting and Economics. He started his postgraduate career at the CPA Firm of Touche Ross Bailey and Smart. He received his law degree from William Mitchell College of Law.

While a law student, he was hired as a law clerk by James E. Kelley, a benefactor and member of the Board of Directors at William Mitchell. After graduating, he joined the Law Firm of Kelley and O'Neill and through his legal career had the privilege of practicing with James C. O'Neill. He passed the CPA exam after graduating from law school and throughout his career he used his expertise in accounting to facilitate his practice of the law.

As a young lawyer he helped in juvenile court and over the years did pro bono work for several nonprofits including Women's Advocates. He taught accounting and business law at St. Thomas University's evening business school. He loved his time as a college instructor, but could no longer maintain the schedule with his growing legal practice. For several years he also worked as an adjunct professor at William Mitchell, and served as a referee for American Arbitration.

In his later years Tim served as president of the Markham Company of Saint Paul, he was president of Kelley and O'Neill Management Company, and served as treasurer and board member for the Kelley Foundation.

Though Tim loved the practice of law, his first dedication was to his family. His four children were his pride and joy. Over the years he enjoyed lifelong friendships with college and law school colleagues. Sports played a significant role in his life, and he was an avid tennis and racquetball player, golfer, and completed several rollerblade marathons. He was a lover of science and history and was known for always having a book in his hand. Tim is missed by his family and all his friends and colleagues who he developed lifelong relationships with over the years.

Respectfully submitted by Mary Dwyer

Linda Gallant

June 6, 1946 — June 13, 2021

Student activist, activist lawyer, law school professor, and Hennepin County District Court Referee Linda Gallant died on June 13, 2021, only four months after being diagnosed with lymphoma, and just one week after celebrating her 75th birthday at her home with her many friends.

Linda was born and raised near Boston, Massachusetts, with her older sister and two younger brothers. After graduating high school, Linda attended Pembroke College (part of Brown University) in Providence, Rhode Island, where she became active in the anti-war and civil rights movements. Linda helped organize the Brown University contingent of the 1967 Pentagon sit-in, in protest of the Vietnam War, where she was among the many protestors arrested. In 1968, in the aftermath of the Reverend Martin Luther King, Jr. assassination, Linda helped organize a sit-in at the Rhode Island State House in support of fair housing legislation.

In 1968, after graduating from Brown, Linda moved to Minneapolis, where she taught at City, Inc. in North Minneapolis. In 1973, after the American Indian Movement occupation of Wounded Knee, South Dakota, Linda volunteered to do legal support work on the criminal cases arising from the occupation. The following year, 1974, Linda enrolled at William Mitchell College of Law. While in law school, Linda worked as a law clerk for the Legal Rights Center in South Minneapolis.

Upon graduating law school in 1977, Linda opened her own law practice, serving largely poor and working-class clients. Her social activism continued, representing tenants on rent strike seeking better housing conditions and peace and justice activists protesting a local company's manufacturing of "cluster" bombs.

In 1986, Linda left private practice to serve as a clinical professor, both at William Mitchell and in New York City. In 1993, Linda was chosen to serve as a Hennepin County District Court Referee, a position she held until her retirement in 2012.

In her retirement Linda became an active adventurer, hiker, bicyclist, canoeist, and kayaker. She travelled the world: China (biking), Mongolia, Russia, Cambodia, France, Thailand, Hong Kong, Singapore, Machu Picchu (hiking), Cuba (biking), Vietnam, Croatia (biking), Jordan (biking to Petra), Nepal, Turkey, Greece, Morocco, and her favorite, Italy. Her travels included hiking the arduous Great Wall of China, as well as biking Prince Edward Island in search of Gallant ancestors.

Linda is survived by her three siblings; her aunt; and her many nieces, nephews, grand-nieces and grand-nephews.

To many, Linda may be most remembered as a community builder; the one who would gather neighbors and longtime community activists to her backyard to celebrate the coming of spring: Gallant's "margarita opener."

Respectfully submitted by Mark Wernick

David Fulton Herr

July 13, 1950 — December 22, 2021

Few members of our profession have had a greater impact on the bench and bar of this state than David Herr. His passing this year was unexpected, and will leave a huge void in our profession.

David was born July 13, 1950, in St. Paul. He attended Linwood Park School, St. Paul Academy, and graduated from Camarillo (Calif.) High School in 1968. He received a B.A. in Geology, English, and Political Science and an M.B.A. (Finance) from the University of Colorado at Boulder before relocating to St. Paul to attend law school at William Mitchell (now Mitchell Hamline College of Law), graduating with a J.D. cum laude in 1978.

David clerked in Minnesota district court during law school, then began his career with the Minneapolis firm Robins Kaplan. In 1981, he began his 40-year association with the Minneapolis firm Maslon, LLP, in their Litigation Group, where he became a highly regarded appellate lawyer, complex case litigator, and managing partner. He regularly argued cases in the Minnesota and federal appellate courts.

But beyond being a skilled and highly regarded advocate, David had a lifelong commitment to giving back to the profession. He was an adjunct professor at William Mitchell for more than 30 years. He was perhaps the most prolific author of his generation in Minnesota, writing textbooks on Minnesota and federal law. David authored several editions of the Annotated Manual for Complex Litigation Fourth and the Multidistrict Litigation Manual: Practice before the Judicial Panel on Multidistrict Litigation, both published by Thomson West; co-authored the Appellate Rules Annotated, Minnesota Practice Series, the leading treatise on Minnesota appellate law and practice; co-authored the Minnesota Appellate Procedure Summary Guide and the Minnesota Evidence Rules Summary Guide for Minnesota CLE; was the original 1994 author and editor and subsequently continued to edit several editions of the Eighth Circuit Appellate Practice Manual for Minnesota CLE; and co-authored the Summary of Eighth Circuit Appellate Procedure for Minnesota CLE. He was also the co-author of Federal Appeals: Jurisdiction and Practice, published by Thomson West, and Learning Civil Procedure, part of the Learning Series published by West Academic Publishing. His most recent publication, completed shortly after his diagnosis with ALS and issued just this year, was Elements of an Action, published by Thomson Reuters, a comprehensive 2,400-page work outlining the elements of hundreds of causes of action ranging from abuse of process to wrongful death, with specimen pleadings and annotated resource citations.

But his contributions to the bench and bar went even further. For decades he served as the reporter to a variety of state rules committees, helping shepherd through the sometimes challenging rule making processes for significant amendments and improvements to the legal system. No one contributed more to the improvement of the civil justice system than did David. His service included the Minnesota Supreme Court Advisory Committee: Rules of Civil Procedure, Reporter since 1983; Uniform Local Rules, Reporter 1989-1992; General Rules of Practice, Reporter since 1992; Civil Appellate Procedure, Co-Reporter since 1996.

David's accomplishments were recognized not only locally but nationally. He was a

Fellow in the American Academy of Appellate Lawyers, an invitation-only organization comprised of the 400 premier appellate lawyers in the country. David served as president of that organization. He was also a charter member and president of the Academy of Court Appointed Masters.

David also demonstrated an enduring commitment to justice and community service through pro bono and volunteer work. He co-founded and served on the board of the Minnesota Supreme Court Historical Society; chaired the United Hospital Foundation board; and served on the board of directors of the Innocence Project of Minnesota and the U.S. Fencing Association.

On December 3, 2021, David was honored at a Lifetime Achievement Celebration that cited his professionalism, visionary leadership, love of appellate work, and generous mentoring of students and young lawyers. At that ceremony, Governor Tim Walz recognized his accomplishments, and Mayor Melvin Carter proclaimed December 3, 2021, as "David F. He Day" in the City of Saint Paul.

On a personal note, David was my close friend and collaborator for more than 40 years. We wrote and taught together, and had cases with and against one another. I could not have asked for a better colleague or adversary than David. At all times, a gentleman, a skilled and determined advocate, a thoughtful counselor and superb writer. David was the ideal teammate.

Above all, David was a devoted husband, father, and grandfather. He is survived by his wife of 35 years, Mary Kay Herr; sons Alec Herr and Ehrland Truitt; grandsons Reyes and Novic; siblings Andrew Fulton Herr, Barbara Herr Harthorn, Susan Herr Hopwood; and countless in-laws, nieces, and nephews. He and his wife Mary Kay took great joy in family and friends, all of whom will miss him greatly. David was a lifelong member of St. Paul's House of Hope Presbyterian Church.

Respectfully submitted by Eric Magnuson

Richard C. "Dick" Hiniker

January 28, 1933 — July 10, 2021

The City of White Bear Lake lost their "community lawyer" with the passing of Richard C. Hiniker.

Dick's journey began in Le Sueur, Minnesota, as the son of a small-town doctor. He often spoke of the good fortune he had in growing up in a small community and going on to raise his family and pursue his career in a similar setting. His early life foreshadowed the success he would have in later years—he was both an Eagle Scout and valedictorian of his high school class of 1951.

Dick attended Minnesota's St. John's University for one year and then enlisted in the US Army, spending two years in Germany. He went on to complete his undergraduate education and earn his law degree at the University of Minnesota, where he met and married Elizabeth. By the time Dick graduated from law school, he and Elizabeth had three of their five children. Their marriage of nearly sixty-two years was filled with love for each other and their family, and with a deep devotion to the Catholic faith.

In 1962, Dick and Elizabeth moved to White Bear Lake with their family, where he began the practice of law, partnering with James A. Meyer. The legal needs of the growing community were such that Dick practiced in a variety of legal areas, including real estate, probate, estate planning, divorce, criminal law, and civil litigation. Dick also spent many hours representing clients regarding land use issues in White Bear Lake and adjoining communities. Before title insurance companies became commonplace, Dick attained great expertise in the examination of title records. He frequently visited the Ramsey County abstract office to carefully examine original documents, and his desk was always stacked high with ancient abstracts that required his expert attention.

Dick was highly respected as a legal advocate who was both honest and well-prepared. Whether advocating for clients in a courtroom, speaking at crowded public meetings, or conferring in smaller settings, his strong voice and articulate presentation gathered the attention of all. Not one to obscure the issues, Dick made straightforward, factual presentations that were respected by those on each side of an argument.

In addition to James Meyer and Dick, the law firm eventually included attorneys Jerome Filla and Michael Fleming. To his younger partners, Dick proved an exemplary mentor, often reminding them to provide good service to all clients while equally cherishing time spent with family. It was a collegial group, and all partners remember that their time together was a time when it was both rewarding and an honor to practice law. Dick finished his legal career as corporate counsel for his long-time client, Tousley Ford, and he retired in 2001 after forty years of providing legal services to his community.

Throughout his career, Dick volunteered much of his time to using his talents for the betterment of the community. With all five of his children enrolled in White Bear Lake schools, Dick served on the District 624 school board for many years. He was also very active in the DFL party, frequently serving as moderator and parliamentarian at local DFL conventions. In addition, thanks to Dick's efforts, ownership of the historic and picturesque Fillebrown House was transferred to the White Bear Lake Area Historical Society, and he was a prime advocate

for a scenic one-way avenue which was created along the city's lakeshore, a resource popular with walkers and bikers from around the community. Dick also provided his legal skills to local community non-profit corporations, his church, and individual clients who could not afford legal services. His deep sense of humility was evident to those who knew him well—he rarely spoke of his many contributions to the community or of his successes in the practice of law.

Richard Hiniker's legacy is marked by devotion to family, skillful and thoughtful practice of law, and service to his White Bear Lake community.

Respectfully submitted by Michael C. Fleming on behalf of the Hiniker family

Hon. Richard “Sarge” H. Kyle

April 30, 1937 — June 22, 2021

Richard H. Kyle, known to all as “Sarge,” died on June 22, 2021, at the age of 84. He was born in St. Paul and was a lifelong resident of White Bear Lake, Minnesota. He earned a B.A. with honors from the University of Minnesota and an L.L.B. from the University of Minnesota Law School, where he served as President of the Minnesota Law Review and was a member of Order of the Coif. After graduation, he served as a law clerk to the Hon. Edward J. Devitt, longtime Chief Judge of the United States District Court for the District of Minnesota.

Sarge joined the law firm of Briggs and Morgan after his clerkship, only leaving the firm to serve as Minnesota’s Solicitor General from 1968 to 1970, and finally in 1992 when he was appointed to the federal bench by President George H. W. Bush. Though a lifelong Republican, his appointment was facilitated by the strong endorsement not only of then Minnesota Republican Senator Dave Durenberger, but also of then former Democratic Senator Walter Mondale and former Democratic Attorney General Warren Spannaus. Appropriately for today’s event, the call from President Bush to inform Sarge of his appointment came while Sarge was trying a case before Ramsey County District Court Judge Jerome Plunkett, who graciously granted a brief recess so that Sarge could take the call in the judge’s chambers. This is likely the only call to the Ramsey County District Court where the operator announced, “The President of the United States is on the line.”

One of the challenges he faced when he became a lawyer was the large shadow cast by his father, Richard E. Kyle—a WWII veteran from the Greatest Generation, a nationally recognized trial lawyer at the firm, a leader in the bar and the selection of federal judges, and a legendary raconteur—a larger-than-life figure who was affectionately called “the General.” The younger Kyle joined the firm and quickly took on the nickname “Sarge.” The challenge was how to be his own man and create his own career. This he did with wonderful grace. One could say that he never aspired to become the General, but his humble style meant he was content to be “Sarge.” He blazed his own path trying many significant cases and as Solicitor General of Minnesota, an officer of First Trust Company, and President of the Minnesota Board of Law Examiners. And, finally, he became an outstanding federal judge—one which his father would have been so proud of, had he lived to see the day.

Judge Kyle served on the District of Minnesota bench for nearly thirty years, during which time he endeavored to live up to Judge Devitt’s Ten Commandments for the New Judge, the first of which is to possess “a kind and understanding heart.”

Judge Kyle was justifiably famous among federal practitioners in Minnesota for taking to heart the maxim, “Early to bed, early to rise,” a practice he first honed at the firm. He arrived so early on his first day as a judge that the courthouse was still locked tight. After that, he was given his own key to the building. His work ethic was legendary. He was in his chambers well before 6:00 a.m., six days a week. He scheduled hearings at 8:00 a.m. and would often begin the hearing a few minutes early. And though his expectations for lawyers were high, his standards for his own work were even higher.

Judge Kyle was a consummate trial judge. He enjoyed trying cases as a litigator, and that experience served him well on the bench. He presided over many high-profile cases and was well respected by the bar and his colleagues for his handling of them. As numerous lawyers and colleagues said: “I can’t even begin to compete with the example he set on so many levels.” “He was a class act in every way.” He was a “wonderful role model for the entire legal community” and was indisputably one of the

leaders on the Federal Court. He performed his job with grace and humility, always cognizant of the awesome power he wielded simply with his pen, and with absolute respect for all parties who sought justice in his courtroom.

Sarge married the former Jane Foley in 1959. Together, he and Jane had five children: the Hon. Richard Kyle Jr., Michael Kyle, D'Arcy Kyle, Patrick Kyle, and the Rev. Kathleen Brusco. The family now includes ten grandchildren and one great-grandchild.

Judge Kyle fostered a family atmosphere in chambers, maintaining relationships with his law clerks long after they left his employ and holding a chambers "reunion" each summer at the Kyle family home in White Bear Lake. He was a wonderful mentor to his clerks and others in the federal family, whether offering, as one former probation officer said, "guidance and support during some challenging and joyous professional times" or a comforting presence during illness or difficult moments. As more than one clerk stated, he "taught me how to be a better human."

In addition to his judicial work, Judge Kyle served on numerous law-related committees. His favorite assignment, as evidenced by the yellow hard hat in his chambers, was overseeing the extensive three-year renovation of the Warren E. Burger United States Courthouse and Federal Building in St. Paul.

In closing, a former law clerk's observation reveals the character of the man we all called Sarge: "At the end of Judge Kyle's funeral service, we clerks lined the aisle at St. Mark's Cathedral as his family carried his ashes out the door. It was impossible to think that this giant of a person could be in that little box. But, of course, he wasn't. You could see him all over the faces of his family. And for us, the clerks, his way of thinking is so engrained—and we channeled him for so long—that it is impossible to know where he ends and we begin."

Respectfully submitted, by Marc Betinsky, David Greening, Hon. Sam Hanson, Hon. Richard Kyle Jr., Michael Streater, and Anita Terry

Robert J. Lawton, Sr.

August 30, 1950 — July 20, 2021

Robert J. Lawton, Sr. was born in Brooklyn, New York in 1950. He moved to St. Paul, Minnesota in the fourth grade when his father accepted a position as a professor of Child Psychiatry at the University of Minnesota. He attended St. Thomas Academy and University of St. Thomas before graduating in the first class of Hamline University School of Law.

He started his own practice in the fall of 1976 and maintained it until the very end, appearing in court via Zoom just days before he passed away. He shared office space for decades with his brother Jim, practicing in the Labor Building at 411 Main St. downtown before moving in the 1990s to the building on West Seventh Street that Bob really made his own. Bob practiced in the areas of family law, criminal law, and child protection, and he valued accountability and personal responsibility. He had a strong dislike of bullies and abuse of power and authority. He had a special affinity for outsiders and underdogs.

Grumble though he might, Bob thoroughly enjoyed his work as a public defender. He cultivated a gruff exterior but had a warm heart and when he cared for people he cared deeply. He enjoyed bringing people together and along with his wife, Roxann, hosted legendary Halloween and Christmas parties. He had a strong sense of mischief and loved playing April Fools jokes on colleagues.

The Rocky Mountains, the Black Hills, and the Southwest all held special places in his heart, and his home and office were decorated with rocks, artwork, and plants reflecting those. He tended with care to hundreds of bonsai and cactus plants and gave them as gifts to friends. He was diagnosed with pancreatic cancer in July of 2020 and told he had "weeks to months" to live. True to form he defied expectations, living nearly another full year.

He truly savored the additional time with friends and loved ones. He was moved by the outpouring of support he received from colleagues, and I'm so grateful for the same.

Respectfully submitted by Kelly Lawton Rogosheske

Philip Gardner Leavenworth

January 26, 1956 — March 17, 2021

Philip Leavenworth was licensed to practice in Minnesota in 1990. He worked as a criminal defense lawyer for the next three decades. He was an ethical, well-respected attorney who was dedicated to his work and committed to his clients. Phil was also a loving, caring, and compassionate husband to Phuong Bui. They were together for almost 30 years.

Phil was born on January 26, 1956. He graduated from high school in Chicago, then lived in Colorado, and eventually moved to St. Paul to continue his education. He received his law degree from the William Mitchell College of Law, where he was an editor on the William Mitchell Law Review. His classmate and fellow law review editor Randy Tietjen recalls "Philip was a quiet, respectful, and intelligent man, passionate about his work, careful about his research, and a very fine writer—all qualities that make not only for a good lawyer but made him the good person that I remember." The Honorable Gail Chang Bohr, also a classmate and fellow law review editor, remembers these same characteristics in Phil, along with his fondness for cowboy boots.

While he was a student at Mitchell, Phil published a note in the law review in which he examined the racial disparities in the ease of convictions and the harshness in sentences related to crack cocaine as compared to other drugs as well as more serious crimes. He argued these disparities were contrary to the imperative in all criminal prosecutions, which is "that justice shall be done." Phil's view was vindicated the following year in *State v. Russell* when the Minnesota Supreme Court, citing Phil's article, struck down the offending statute as a violation of the equal protection clause of the State's constitution. Justice Rosalie Wahl wrote: "There comes a time when we cannot and must not close our eyes when presented with evidence that certain laws, regardless of the purpose for which they were enacted, discriminate unfairly on the basis of race. ..."

This was the beginning of Phil's career in the law, during which he refused to close his eyes to injustice, and worked indefatigably to protect his clients from the potential inequities of the law and the legal system. Over the next 30 years, he defended clients in criminal proceedings in both in state and federal court, along with volunteering and assisting the Vietnamese community in family law cases and other legal matters.

Phil started out in practice with Andy Dawkins and Rick Bowen, who had a storefront office on University Avenue in St. Paul. Apart from their professional relationship, the three became close friends and were in the same rotisserie baseball league for years. Phil named his team "Cell Block C" in reference to his surname. Apart from sports, he loved playing guitar, and had an extensive collection of guitars. He was quite good, and played with a band and recorded music for about a decade.

But Phil's greatest talent was as an advocate for his clients—which included nearly 18 years as a member of the Criminal Justice Act Panel. Katherian Roe, our Federal Defender, remembers: "He was kind, thoughtful and very serious about his work. His clients thought the world of him because he worked hard for them and treated them with respect and kindness. I appreciated the work he did to make sure that if a case was assigned to him, that client knew that their attorney would do his best to provide effective representation."

Federal District Judge Donovan W. Frank, before whom Phil had numerous cases, "admired Phil's temperament and humanity in the courtroom." He believes "Phil was so well respected because he showed there is nothing incompatible in being a zealous advocate and still serving the interests of justice." He remembers Phil as an exceptional attorney who, even after the case was done, went above and beyond the call of duty to serve and protect his clients. "Phil served the interests of justice in a caring and compassionate way."

Phil is survived by his wife, Phuong Bui; his mother, Nancy; his siblings, Dan, Jim, and Katy; nieces and nephews, and the rest of his family, and his many friends and colleagues who miss him.

Respectfully submitted by Richard A. Bowen, Andrew J. Dawkins, and Thomas H. Boyd

Albert D. Levin

March 1, 1928 — September 29, 2021

Albert Levin was born in St. Paul, Minnesota on March 1, 1928. He grew up in St. Paul graduating from Central High School and the University of Minnesota. He received his law degree from the St. Paul College of Law.

Albert followed in the footsteps of his father, Abraham I. Levin, and joined him in the practice of law as Levin & Levin with offices in the Commerce Building. Interestingly, Albert's father, Abraham, was born at home in 1892 on the property which is now the site of the St. Paul Courthouse. Albert said that he learned from his father the importance of always being honest and forthright and that his word was his bond.

Subsequent to Abraham's death in 1964, Kenneth Rohleder joined Albert in the practice of law as Levin & Rohleder. Albert maintained his general practice of law with specialty expertise in real estate and banking law. For many years, Albert served as legal counsel and on the Board of Directors of Commercial State Bank. One of the more interesting matters he handled for the bank was a foreclosure sale conducted by a professional auctioneer of a papal cross and ring that had once belonged to Pope Paul VI.

Al had a gentle nature. He listened to his clients intently and with compassion to discern how he could best help them achieve their objectives. He took much satisfaction in guiding his clients; whether it was purchasing their first home or helping a mother with small children whose husband had died in a workplace accident understand how workers compensation and social security benefits could allow her to keep their home.

Al married his high-school sweetheart, Jeanne Lotterman Levin, in 1949 and they were married, until the time of his death, for almost 72 years. Al was a devoted father to his son, Steve and daughter, Carol. He enjoyed going to Vikings, Gophers and Twins games with them, spending time with his 5 grandchildren, collecting contemporary art, and traveling the world with his family.

Just as Albert followed in the footsteps of his father in becoming a lawyer, he was very proud of the fact that both his son, Steve, and his son-in-law, Alan Shapiro, became lawyers and members of the Minnesota Bar Association.

Albert was an outstanding lawyer and role-model for his family and to all who knew and worked with him. He will be sorely missed but his memory will be cherished.

Respectfully submitted by Steven Levin, Carol Shapiro, and Marvin Liszt

Ivan Miles Levy

August 9, 1954 — January 26, 2021

My father, Ivan Miles Levy, passed away on January 26, 2021, after a more than 12-month battle with pancreatic cancer. I am honored to give this memorial of him to the Ramsey County Bar.

Ivan was born and grew up in a Jewish home in New York City, New York as the oldest of three children. In 1972, he traveled to the other side of the country to attend the University of Oregon. At Oregon, Ivan was a triple major in political science, mathematics, and secondary education. He also met Mary Rice, whom he would marry in 1976. The couple moved to Grand Forks, North Dakota, so that Mary could obtain her Master's Degree in Speech Pathology. They subsequently moved to the Twin Cities so that Ivan could attend the University of Minnesota Law School. He graduated in 1981. Ivan took great pride in paying for both his college and law degrees himself.

After graduating from Law School, Ivan joined the Henretta law firm, headed by Bob Henretta. Ivan described working with Bob Henretta as "Bob would do all of the important stuff, and I would do the paperwork and cleanup." Eventually he became more involved with clients, and on October 1, 1989, Ivan accepted an offer to be the General Counsel of Interplastic Corporation. That was the job he held continuously for the remainder of his life.

Ivan loved his work as a general counsel. He was the type of person who loved a new challenge or a new topic to research and learn about, and so the life of a general counsel fit him perfectly. During the decades when increasing specialization within the legal profession became the norm, Ivan was the rare attorney who was not only asked to be proficient in dozens of legal areas, he actually was proficient in them. He enjoyed tax regulations as much as labor law; drafting contracts as much as drafting briefs. He argued before several State and Federal judges, as well as before the Minnesota Court of Appeals.

Outside of work, Ivan was also exceptionally generous of his time and talents with family and friends. There was never a request for his assistance that was turned down; more often, the assistance he offered exceeded the expectations of the requestor by orders of magnitude. Ivan was more than happy to assist family members with estate planning questions, or to offer business management assistance, or review a contract that a family member was struggling with. Because Ivan loved teaching, he would dive headfirst into these issues and get himself well versed in details that seemed irrelevant, but all came together at the end as Ivan explained the situation in painstaking detail.

Ivan loved spending time with his growing family. The family always loved sports, and Ivan always said yes to any invitation to a game. Ivan and his youngest son visited a new MLB stadium every year, a trip they both looked forward to many months in advance. He loved watching shows at the Guthrie with his wife. He was immensely proud of all four of his children and their accomplishments, and he adored spending time with his two young grandchildren.

Ivan's diagnosis with pancreatic cancer was a shock, as he had no other significant ailments. He approached the diagnosis with same zeal to learn, educate, and advise that he approached everything else in life. He was never upset about life dealing him this card; he ordered his family not to be lugubrious about the situation (Ivan always loved a five-dollar-word). Instead, he

would pen profound updates on his health journey, his amazement at the wonders of his life, and the many thanks he had. Everyone who received these updates learned a great deal about how to approach the uncertainty that comes with the end of one's life.

Ivan will be remembered for his quick wit, his voracious appetite for knowledge, and his amazing intellect. He'll be missed by all who had the joy of knowing him.

Respectfully submitted by Erik Levy

John B. McCormick

April 1, 1951 — March 13, 2021

John McCormick was born and raised in Green Bay, Wisconsin, and graduated from high school there. He received his bachelor's degree from Purdue University and his law degree from the University of Wisconsin at Madison.

He began his law career as a public defender at the Menominee Reservation near Shawano, Wisconsin, starting a life-long commitment to public service. After a short stint there, he came to the Twin Cities and became an assistant city attorney for the City of St. Paul.

He started as a criminal prosecutor for the city. Over a 36-year career, he served in many capacities, including Deputy City Attorney and interim City Attorney. He is most remembered for his years representing the city in labor law matters. Through intelligence, hard work, and a deep commitment to the city's interests, John became a highly capable and highly respected lawyer. His advice was sought by mayors, city council members, police chiefs, and other leaders of city government. He was a confidant for many city attorneys not only because of his knowledge of the law, but because he also understood people and had a strong sense of justice. During his tenure, many major city projects benefited from his input.

John loved his work and loved the law, but the law was only one part of his life. He was a recognized authority on duck decoys and spear fishing gear, having large collections of both. Every fall he went duck hunting with friends and in-laws. He loved sports of all kinds and had a large music collection. He spent many hours gardening as well.

As might be expected from someone who grew up in Green Bay, John was an avid Green Bay Packers fan. He and his family had season tickets his whole life. One of his proudest stories was about how, when in high school, he sold programs at the Ice Bowl. For those of you not familiar with this, it was the 1967 national football league championship game played at Lambeau field in Green Bay. At game time the air temperature was 15 below zero with the windchill of 48 below zero. John suffered with his beloved Packers who defeated the Dallas Cowboys for the league championship.

His greatest love, and greatest joy, was his family. He met Bridget Spertl of St. Paul when he moved to the Twin Cities. They married in 1981 and raised three children: Clare, Shelia, and Jack. John was a devoted and committed father and husband. When Clare married Ben Kloesel and had two children, Luke and Amalia, John became a devoted grandfather as well. John and Bridget traveled the world together.

John was a good friend. He was funny, curious, irreverent, and loyal. He was fun to be around. To meet him was to like him. He is deeply missed.

Respectfully submitted by Gerald Hendrickson, Frank Villaume,
Terrence Garvey, Eric Larson

Joel A. Montpetit

October 26, 1943 — October 13, 2021

Joel passed away peacefully after navigating Parkinson's Disease for 16 years. With his wife Judy's dedicated care and support, and his faith in God's plan, he lived comfortably at home and without complaint in the final years of his life. He was born in St. Paul to Warren and Elizabeth Montpetit. He graduated from Cretin High School in 1961, received his B.A. from Saint John's University in 1965, and earned his law degree from William Mitchell College of Law in 1969.

Joel loved the law and understood the practice to be a true honor and privilege. He was the founding partner of his firm in South St. Paul (Montpetit, Freiling & Kranz) and served clients with distinction. For much of his career he focused on plaintiffs' personal injury cases. He also served as general counsel for Chris Craft Boat Company and Donzi Marine (Sarasota, Florida). At his core, he was a relationship builder and a connector. He generously shared his talents and invested in people. Civility, kindness and humor were non-negotiable aspects of his engagement with others, and he found the greatest return on his life energy knowing he made a difference for someone else.

He was a leader in the community, coaching youth hockey for over a decade and serving as two-time president of the Woodbury Athletic Association, and president and lead fundraiser for the Hill-Murray Booster Club. He also promoted professional boxing, an endeavor that earned him a spot in the Mancini's Sports Hall of Fame. He was a behind-the-scenes influencer for numerous other organizations, events, and programs.

Joel had no shortage of hobbies and boating on the St. Croix River was at the top of the list. In 1988, he was a lead founder of the Bayport Marina Association, and in 2000 he served as the association's Commodore. The marina was a place he loved and home to his Chris-Craft 410 Commander (the Sorceress). He thoroughly enjoyed hosting guests on his boat (usually legal professionals), and he entertained with his quick wit and one-liners. He also enjoyed history, skiing, Harleys, good music, travel, filling bird feeders, and quiet evenings on his porch. He was a diehard Saint John's fan and rarely missed a football game. In 1984, he worked with Coach Gagliardi and Don Riley (longtime Pioneer Press sports columnist) to publish the book *Gagliardi: The Coach, The Man, The Legend*.

Joel took tremendous pride in his family, especially his children and grandchildren. He was the family (and extended family) trusted advisor and the selfless supporter. Judy and Joel celebrated 56 years of marriage before his passing. Together they had four children: Lisa Brabbit (Robert), Todd (Susan), Jeff (Karen) and Aimee Topp (Jeff). He adored his nine grandchildren: Emily, Alley, Isabelle, Anna, Lucas, Olivia, Logan, Carson and Ella. His extensive and diverse social circles brought him endless joy and positive energy, and he leaves behind a considerable legacy to the thousands of lives he touched.

Respectfully submitted by Lisa Montpetit Brabbit

Katherine Burke Moore

February 16, 1955 — January 29, 2021

Kathy was born on February 16, 1955, in St. Paul, MN and was the third of four children born to Alice and James Burke. She was raised in White Bear Lake, MN and received a Bachelor of Science degree from the University of Wisconsin-River Falls in 1977, majoring in Elementary Education with a Reading/Language Arts Specialty. Kathy then spent 6 years teaching 6th, 7th and 8th graders in Wisconsin and Minnesota before deciding to return to school. She began working toward a master's in public administration before turning her focus to law school. Kathy earned her law degree from William Mitchell College of Law in 1988.

After graduating from William Mitchell, Kathy started a career with the state of Minnesota that ultimately spanned over 20 years, most which was spent with several divisions of the Minnesota Department of Public Safety ("DPS"). She began her post-law school career as an Administrative Rules Coordinator for the Commissioner of the Minnesota DPS. In less than two years, she became the Director of Driver and Vehicle Services, a division of the Minnesota DPS. Kathy became the Assistant Director of the Office of Traffic Safety in 1998, where she served for 10 years. In 2008, Kathy became the Executive Director of the Emergency Medical Services Regulatory Board, a position she held for three years.

In her career with the Minnesota DPS, she served to reduce motor vehicle crashes, deaths, and inquiries on Minnesota's roadways, with a particular focus on increasing seatbelt use and getting impaired drivers off of the roads. She testified in front of state senate and house committees to work for the passage of .08 blood alcohol content level for impaired drivers and developed a reputation among members of the state legislature for being a reliable and knowledgeable source on traffic safety questions and statistics. She served as the Public Safety Lead in developing and completing the nation's first Comprehensive Highway Safety Plan in conjunction with the Minnesota Department of Transportation. Kathy's work, along with the work of her colleagues over the years, contributed to keeping all Minnesotans safer on the roads.

Throughout much of her career, Kathy was also a member of the American Association of Motor Vehicle Administrators ("AAMVA"), a voluntary association representing the motor vehicle administrators and chief law enforcement officials in North America, an organization in which she held several positions, including Vice Chair and Chair of the Board. Among her many notable achievements, and true to her reputation of being able to recall and present reliable information, as Chair of the Board of AAMVA, Kathy testified in front of the United States House Committee on Ways and Means on use of social security numbers by state DMVs.

While her career and professional accomplishments made her a giant in her own right, it is impossible to fully honor her life and who she was without mentioning how she achieved those accomplishments as a woman devoted to her family. Kathy married her husband, Cliff, in 1984, and together they raised three children, Jameson, Libby, and Riley. Almost as if she had the ability to be in four places at once, she never missed an opportunity to help with homework or attend sports games, band concerts, and dance recitals of her three children. She packed bagged lunches with original cartoon drawings on the bags and put dinner on the table virtually every night. On an average day, she had a to-do list of almost impossible scale, that she completed with an almost impossible level care and attention every single day. She was the best wife, mother, and grandmother her family could ask for, and it is not lost on us that she showed this

same dedication to her career and all of the personal and professional connections she made along the way. She was fully present with you, no matter your relationship to her, and she deeply cherished her friends and family and the joy they brought to her life.

In 2013, Kathy was diagnosed with early-onset Alzheimer's, the disease that eventually took her life. Despite this diagnosis, she fought to hold onto her buoyant sense of humor, brilliant mind, kindheartedness, and resilient sense of self for as long as she possibly could. Kathy passed away on January 29, 2021. She is survived by her husband Cliff, daughter Libby (Dan), sons Jameson and Riley (Jana), grandchildren Frederick, Weston, Nettie, Carter and Harlan, her brother Tom (Barb) and her sister Liz.

While Kathy left us too soon, she gave more to those around her in one lifetime than anyone else could hope to give in multiple. For that, we are all better off and eternally grateful.

Respectfully submitted by Riley C. Moore, on behalf of the Moore and Burke Moore family

Holly Jean Newman

August 30, 1971 — November 24, 2020

Holly was taken too soon by the scourge that is cancer. Her family and clients miss her terribly. Ensuring the success of her family and her clients were her priorities. She did this with incredible strength, drive, and dedication. Holly was a true believer and epitome of success coming from hard work. By the time she was 20 and while working full-time, Holly earned two undergraduate degrees, with high distinction, from the University of Minnesota-Morris. She moved on immediately to the William Mitchell College of Law, where she graduated magna cum laude, continued to work full time, and started a family. She graduated from law school while on bed rest with her first son.

Her professional career began shortly thereafter. She worked tirelessly for her clients. Her desire to advocate for her clients brought her admissions to the U.S. Court of Appeals, U.S. District Court (Minnesota, North Dakota, and Wisconsin), and State Supreme Courts (Minnesota, North Dakota, and Wisconsin). She maintained law licenses in Minnesota, North Dakota, and Wisconsin. While humble in her personal successes, Holly took great pride in working hard and advocating for her clients and family. Some of her biggest smiles came from a simple thank you note from a client. She shed true tears of joy as her sons grew to adulthood.

Her true strength and grace came to light during her battle with cancer. She was diagnosed in October 2017. The cancer had already metastasized. There was no cure. She took the news, set a battle plan, and dug in for a protracted war—I marveled at her stoicism. Her battle plan was underpinned by her desire to provide for her family and advocate for her clients. Their progress was motivation for her. It got her through treatment, surgeries, and dark days. It bought me more time with her. Holly died on November 24, 2020. She is survived by her mother, sister, two sons, and a loving husband. We lost a wonderful family champion. The legal profession lost a brilliant mind and an unparalleled client advocate.

Respectfully submitted by Lance Newman

Stephen John Rowley

January 8, 1943 — April 25, 2021

Stephen "Steve" Rowley was born in Madison, Wisconsin on January 8, 1943, the second child and first son of Gilbert and Geraldine Rowley. He graduated from the University of St. Thomas with a degree in Political Science in 1965, followed by a law degree from the University of Wisconsin Law School in 1968. Then began his 33-year career as a corporate attorney with the 3M Office of General Counsel, where he was Assistant General Counsel and Assistant Secretary. In his final two years at 3M, he served as the General Counsel of Dyncon, a subsidiary of 3M. In that position he traveled to China many times, doing something he truly loved—becoming immersed in a country, its people, and its culture.

Serving as a pro bono attorney for parents adopting children from other countries, Korea, Vietnam, and India for example, was a true labor of love and his favorite of all his pro bono cases. Using his legal skills to join adoptive parents and children was a source of tremendous joy and satisfaction.

Most of all, Steve cherished his home and family, attending sports and school events, generously and enthusiastically hosting family gatherings, and working on remodeling projects at his home and those of his children. He was proud that his three sons followed him in obtaining legal training and that his daughter established a counseling practice—to balance out and keep the legal minds sane. Steve's love of music, especially played at a thunderous volume while he was working around the house, ran the gamut from rock and roll, to classical music of all kinds, and especially to opera.

Steve will be remembered for his love of life, his enthusiasm, optimism, his generous spirit, and his sense of humor which never left him even through his declining health.

Steve is survived by his wife Trish Bohen Rowley; their three sons Michael (Sarah) and David (Angela Fritz) of St. Paul; Christopher (Christina Baelum) of Vejle, Denmark; daughter Sarah Barrett (Jason) of Mendota Heights, Minnesota; and their seven grandchildren Nathan and Carolyn Rowley; Christian, Thomas and Benjamin Rowley Baelum; and Joseph and Lizzy Barrett.

Respectfully submitted by Michael S. Rowley

Alan William Weinblatt

Alan William Weinblatt graduated from the University of Minnesota Law School in 1968. His first appointment was a year clerkship with Judge Phillip Neville. Alan and Judge Neville established a close friendship and Alan was asked to be one of the speakers at Judge Neville's funeral. Alan's first job was with the firm of Altman, Gerrity, Leonard and Mullaly. After one year he went out on his own with Richard Leonard. His first law case was a bankruptcy for which he was paid with a bag of potatoes and onions. That client stayed with Alan—and paid in cash—for the next 45 years.

Alan's main client was the Minnesota DFL. He became famous for the reapportionment of the State of Minnesota 1970, 1980, 1990, 2000, 2010. Another strong suit was the recounts for DFL candidates. Judge Ed Devitt once asked Alan if he had the book of MN Election Laws memorized. Alan answered, "In all honesty, yes."

Alan hired new lawyers to help him with cases. He gave the lawyers full responsibility so they could learn under his watch. Many went on to be great lawyers and note they got their start from Alan.

Helping others was Alan's goal. He represented Royal Zeno, pro-bono, against the MN Airports Commission. Zeno and his five partners ran the shoeshine business at the airport. The Airport Commission wanted him to leave. Zeno went to his good friend Alan Weinblatt and Alan promised to help. Alan called a radio DJ and asked him to ask his audience to call and email the airports and tell them this is wrong—if those six Black men lost their jobs, they would be on welfare. Result: for three days the commission could not use their phones or computers because of the number of calls and emails coming in. Tom Brokaw, of NBC News, called Alan and came to Minnesota to do a bit on Royal Zeno. They filmed at the Minnesota Airport. People Magazine called and did a full-page story on the Zeno Shoe Shiners. After this media blitz, Alan negotiated a 5-year contract, at a reduced rate and in five locations. Note: the shoe shiners are still there today and are owned by Zeno's daughter, Rosemary.

Loyalty was important to Alan. Kris Ronning Quicksell was Alan's secretary from 1968 to 2021. In 1984, Alan took out an ad in the Ramsey County Bar Association News honoring Kris for her 25 years of service. Kris ran the office so well she deserved a law degree.

Few know that Alan had EZ Mini Storage as a client. To help run the business, Alan wrote the laws for the mini storage industry in the state of Minnesota.

When Alan turned 68 years, he started College Advisors Network, a business that helped students and parents choose, apply to, and pay for college. Those that utilized his services were amazed at Alan's knowledge and suggestions. It was a success and is going strong today with new owners.

Alan took time to travel. In 1980, with wife Gloria, they traveled to the USSR to deliver Israeli citizenship papers to Jewish families so those families could leave Russia for Israel, to become Israeli citizens.

Alan was born in St Paul and was father to four children. He instilled in them a love of travel and knowledge. Melinda, Tanya, Adam, and Shay describe their childhood as one big adventure. The seven grandchildren loved to come to Grandpa's house to spend time. In 2001, Alan learned to swim so he could be in the swimming pool with his grandchildren.

Besides law, Alan loved theater, reading, listening, traveling, and learning. As a kid, he read the Collier's Encyclopedia three times. Alan's mind was a gift and he passed it to others.

Respectfully submitted by Gloria Weinblatt