

MEMORIALS

Friday, November 20, 2020

Remote presentation via Zoom and YouTube Live

Two o'clock

"To live well and honorably and justly
are the same thing."

— Socrates

RCBA
RAMSEY COUNTY BAR ASSOCIATION

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William B. Barte

April 7, 1933 — January 8, 2019

William B. Barte was born on April 7, 1933 in Clarksdale, Mississippi. Throughout his life, Bill was an explorer and an inventor who loved books. As a patent attorney, he combined his love of figuring out how things work with his deep affection for the law.

Born the third child of six, Bill grew up near the bluffs of the Mississippi in St. Paul, where he spent endless hours exploring. As a child, he had a natural affection for taking machines apart and putting them back together, with occasional success. He married his lifelong partner, Joan Pulkrabek, in 1953 and was drafted into the Army in 1954. In the next six years, he would finish a two-year stint assigned to the White House, have five children, graduate from the University of Minnesota, and start his long employment with 3M. In his first career, he worked as a physicist in Central Research at 3M. As a physicist, Bill worked on the foundational technology for Magnetic Resonance Imaging and other technologies used in medical imaging techniques today.

Eventually, Bill decided that he wanted to make the leap from research at 3M into a law practice focused on intellectual property, where he could use his background in physics. He graduated from William Mitchell College of Law in 1973. He joined the firm of Alexander, Sell, Steltdt, and Delahunt, which became the in-house department known as the 3M Office of Patent Counsel. At 3M, Bill secured patent protection for his client through patent filings in the US and throughout the world. He negotiated sophisticated and important intellectual property license and joint development agreements that became the foundation of 3M magnetic media and memory technologies. He worked to define product industry standards for data storage products, facilitating usage and availability of products around the world. One of the notable technologies that Bill worked to provide patent protection on is in the field of “Optical Traffic Preemption,”—those are the devices on traffic signals that detect the flashing lights on emergency vehicles and change traffic lights to allow emergency vehicles to pass.

Throughout his career, Bill was known as a natural and kind teacher of both young lawyers and staff, happy to pass on his knowledge to his coworkers.

Bill Barte was a true renaissance man: he spent his days studying science and drafting complex legal patent applications; he sang opera with the St. Paul Civic Opera; he was highly involved in church leadership for decades; he created many lovely household items in his amateur woodworking shop; he was a devoted fisherman; and he was a voracious and non-discriminating reader.

Bill loved his profession. It gave him the ability to explore, create, and learn constantly, especially in his beloved sciences. His dedication and affection for the legal profession inspired two generations of family members to attend school at William Mitchell and practice law.

Respectfully submitted by Christine B. Courtney and Karen B. Bjorkman

James R. Berens

March 6, 1946 — January 7, 2019

My brother, Jim Berens, was born in St. Paul on March 6, 1946 and died in St. Paul on January 7, 2019. In between, he covered a lot of ground.

Jim grew up in New Ulm, Minnesota. Our father, Bob Berens, was the County Attorney and maintained a general law practice. For both of us, the law was in our blood from birth.

Jim graduated from Cathedral High School in New Ulm, then from the University of St. Thomas, where our uncle Leonard Rogge was the Vice-President for Business Affairs. From St. Thomas, Jim moved on to the University of Minnesota Law School, from which he graduated in 1971.

Jim made a lot of good moves in his life, but the best of them was marrying Lois Munsell during his first year of Law School. They were a devoted pair for 49 years.

After law school, Jim and Lois moved to Des Moines, Iowa, where Jim initially was Assistant General Counsel at a company known as Dial Financial Corporation. Dial eventually became Wells Fargo Financial, and Jim rose through the ranks to become President of the company. He retired from that position in 1999 at the young age of 53.

In due course after retirement, Jim and Lois moved to St. Paul and took up residence on Summit Avenue. There was another Summit Avenue resident, by the name of F. Scott Fitzgerald, who once wrote that there are no second acts in American lives. Jim was an exception. After his retirement, he became a philanthropist, focusing especially on various Catholic charities: the Holy Family Inner City School Foundation and the Dowling Catholic High School Foundation in Des Moines; St. Agnes Church and the Cathedral of St. Paul here; and many others. He gave both time and treasure to the organizations he cared about, and his support left its mark for the betterment of each of them.

Jim was an avid sports fan all his life. For many years, he and Lois had season seats on the 50-yard line for Minnesota Gophers football. He was also a season ticket holder at Texas Tech in Lubbock, Texas, during the years when Bob Knight and Pat Knight coached there – and yes, he actually was a close personal friend of Bobby Knight. In more recent years, Jim and Lois became avid Twins fans and could be found in their seats behind home plate for most home games.

My brother lived a life of integrity and service, and his corner of the world is better because he was in it. It was a privilege for me to grow up with him and know him. Rest in peace, Jim. You did well.

Respectfully submitted by Bill Berens

Kent Edwin Charpentier

January 26, 1950 — December 25, 2019

Kent Charpentier was born on January 26, 1950 in Maplewood, Minnesota. He passed away from early onset Alzheimer's disease on Christmas Day 2019. He is survived by his wife of 48 years, Deb, his children Reid, Brett, and Noelle, and their spouses, plus two granddaughters, Nora and Maddy.

Kent went to Kellogg High School in Roseville and did his undergrad work at the University of Minnesota. He attended William Mitchell College of Law and graduated in 1976. During law school, he was honored to be a clerk to Judge Thoreen in Washington County. His first position as an attorney was at the law firm of Jardine, Logan and O'Brien in St. Paul. He then became house counsel for Great American Insurance Co. in Minnetonka. In 1984, he joined the law firm of Koll/Morrison in St. Paul, and he eventually became a partner. Kent retired in 2011. Kent was very dedicated to his work and became life long friends with his fellow employees. Kent was a person of integrity and was always clear and transparent in his relationships with his clients and partners. He was also a wise mentor to younger associates in the firm.

He worked long hours but family was extremely important to Kent. He never missed one of the kid's athletic matches or a school concert. He helped lead Y guides and was a coach and confirmation leader.

But, what Kent will be remembered most for was his sense of adventure. He was very active and passionate about skiing, biking, kayaking, and hiking. He loved sharing the stories of his adventures. Well into his journey with Alzheimer's, his friends and family made sure he was able to continue his activities. In 2017, he even went cliff diving in Jamaica. Kent and his wife were fortunate to travel quite a bit before his health decline. They cruised the Baltic Sea, the British Isles, and Alaska. But his favorite place was the mountains, no matter what season.

Above all, Kent loved being with people. Remembering his sense of humor and booming laugh brings a smile to many of our faces.

Respectfully submitted by Laurence Koll

Augustus Wilson Clapp III

November 10, 1931 — August 18, 2019

Bill Clapp was an attorney, environmental advocate, and river rat.

Bill's full name, Augustus Wilson Clapp III, has a proud and haughty ring to it, appropriate for a member of one of St. Paul's oldest, and most respected families. But many of his friends from the first half of his life knew him as "Gus" and friends in the second half usually called him "Bill." Both nicknames were more suited to this unpretentious, wryly funny, good-hearted, and quietly competent gentleman. Bill kept the affection and respect of his friends and colleagues—even those who were his adversaries in contentious environmental disputes.

He was a steadfast advocate for protecting all of Minnesota's water resources—our lakes, streams, wetlands and ground water. But he was most passionate about the St. Croix River, where he earned the respect of National Park Service managers, Boundary Area Commission members, local government leaders, and others associated with the river. He and his wife, Sharon, also provided significant, ongoing support to the Minnesota Center for Environmental Advocacy, where their daughter, Merritt, following his example, later served as a board member for several years.

Bill was born on November 10, 1931, in Longview, Washington. He grew up in St. Paul, and was a graduate of St. Paul Academy and Harvard University. He started his career working for Weyerhaeuser Co. but was not happy being a businessman. He took the Strong Interest Inventory to assess his occupational interests, and the results were striking. His top two interests were forest ranger and lawyer.

Bill graduated from the University of Minnesota Law School in 1973 and went to work for the Minnesota attorney general's office, specializing in laws protecting wetlands and water.

Former Vice President Walter Mondale said that Bill was instrumental in helping protect the St. Croix River from development. Mondale, a longtime friend, worked to have the St. Croix River designated in 1968 as one of the Nation's first Wild and Scenic Rivers.

Bill served on the St. Croix River Association, the Minnesota-Wisconsin Boundary Area Commission, the St. Croix Conservation Collaborative, the Standing Cedars Community Land Conservancy, the Minnesota Center for Environmental Advocacy, the Sierra Club and the Minnesota Land Trust. He was very smart, he knew his law, and he was very determined. He worked on a lot of important cases protecting our water resources throughout the state.

Bill excelled as an attorney because he was good at getting along with his adversaries. He was not only a really good attorney, he was an extremely decent man. He was a good representative in an area of law where things could be very polarizing. He believed in public service, and he was respected by everybody.

Bill died August 18, 2019, after suffering a stroke at his cabin on the St. Croix River. He is survived by his wife, Sharon; five daughters; eight grandchildren and six great-grandchildren.

Respectfully submitted by Gail Lewellan, Steve Thorne, Mary Devine, and Beverly Conerton

William “Bill” Cosgriff

March 3, 1941 — January 3, 2018

I am Dan Cole, retired lawyer from the Briggs and Morgan law firm which, as of January 1, 2020, is now the Taft law firm. I am greatly honored to give this memorial for a truly remarkable Saint Paul person. I am not from Saint Paul. After four years in the Army JAG Corps, I started as an Associate at Briggs and Morgan in May, 1973. A good friend of mine, Mike McKim, (who we eulogized at this event several years ago), helped me get my job at Briggs. At that time, Mike worked at the Doherty Rumble & Butler law firm and he worked with Bill. Mike introduced me to Bill and, from that time on, Bill treated me like one of his close friends. I think that is how Bill treated everyone. I had the good fortune of working on a few deals with Bill over the years and on various Bar projects. In 1999, Bill joined the Briggs firm when Doherty closed, and he became my law partner. Bill worked primarily on real estate matters, as did, I so we talked a lot.

Bill died on the 3rd day of January, 2018, after a long battle with Parkinson’s Disease. By rule, memorials are given the year AFTER a lawyer dies. We could not do the memorial last year because of some conflicts, so here we are in 2020.

1. A quick overview of Bill’s life and career:

- a. Bill grew up in St. Paul—attended St. Luke’s Grade School, Cretin High School, and St. Thomas College.
- b. Bill attended the University of Minnesota Law School and graduated in 1966.
- c. The war of the day, Vietnam, required that Bill immediately seek employment with one of the military organizations that had work. Bill chose the Navy JAG and, as we used to say at the time, he took a “burst of 3” from 1966 through 1969.
- d. Bill was an astute person but he must not have been paying attention on a day when he was standing in a line of Navy JAG Officers and the Commander asked for volunteers to serve with the First Marine Division in Vietnam. No one stepped forward but unbeknownst to Bill, his fellow JAG Officers all took one step back—so Bill volunteered to work with the Marines for one year “in country.”
- e. After serving in the JAG Corps, he joined the Doherty Law Firm where he practiced law in the commercial and real estate areas from 1969 through 1999.
- f. From 1974 through 1987, Bill was the Managing Partner of Doherty. At the time he took over, I believe he was the youngest managing partner of a large law firm in the Twin Cities at age 33 – think about it. Those of you who have been around long enough, remember those were years of tremendous change and growth in the legal profession.

- g. On a very sad day in 1999, Doherty closed its doors. Fortunately for Briggs, Bill and several of his colleagues joined us and it was a great success.
- h. During his long career, Bill received many awards recognizing his achievements. He was regularly selected as a “Super Lawyer” and was selected as the top 40 Real Estate Lawyer in the State. Bill was a state bar certified Real Estate Specialist.
- i. When once asked, Bill stated that the greatest satisfaction from his long career was to be able to drive around the Twin Cities and see buildings and projects that he had worked on. All those projects helped people, produced products, increased jobs and saved jobs. He was proud of his accomplishments.

2. In his personal life,

- a. Bill was a lifelong resident of Saint Paul except for his time in the Service. Bill had met Maureen when they were both in school and they married in 1970. Bill and Maureen had one son, John, married to Theresa, and grandchildren, Parker and Lucy. Bill has numerous cousins, nephews and nieces.
- b. He had an active social life with his many friends. He was involved in extensive travels and enjoyed photography, reading, and gardening.
- c. Bill was tremendously involved in community activities. In his resume, there are about eight pages listing his community service involving charities, various non-profits, the bar association and various community events. He did so much for his community that then Mayor, Chris Coleman, declared January 10, 2008, as William J. Cosgriff Day in Saint Paul.

3. In conclusion, Bill was,

- a very good lawyer.
- very hard working. His practice and his clients were of the highest priority to him. He didn't even play golf. Think about how much work you could get done if you didn't play golf.
- a complete gentleman.
- a great partner and boss, helpful, pleasant, respectful, willing to do and willing to listen.
- As evidenced by the many awards for his community activity, he worked tirelessly for the good of his community and the people around him. For me, this is part of being a good lawyer.

4. God Speed, Bill Cosgriff.

Respectfully submitted by Daniel J. Cole, Jr.

Gary A. Davis

August 24, 1941 — March 22, 2019

Gary A. Davis was a “true gentleman.” This is how Ramsey County Attorney John Choi described Gary, who served the public in that office for more than 41 years. “His thoughtful and insightful opinions and advice were always delivered with the highest level of respect and kindness.” This is how so many who knew and worked with Gary would also describe him. He was kind, decent, respectful, friendly, and generous. He was a trusted and trustworthy counselor; a reliable, respectful voice of reason; and a constant source of measured advice and good judgment.

Gary was born in St. Paul on August 24, 1941 to John and Kathryn (Utecht) Davis, and grew up with his older brother, Jack. A grade school classmate at Nativity recalls Gary’s early knack for cartooning, drawing a character named “Doodle” who usually had a neat car. Cartooning, drawing, and cars were among the things he enjoyed throughout this life.

Gary graduated from Cretin High School in 1959, the University of St. Thomas in 1963, and William Mitchell College of Law in 1969. His classmates knew him to have an engaging personality and a sharp wit.

The citizens and governmental agencies of Ramsey County are indeed fortunate that Gary chose to spend his career as a lawyer in the Civil Division of the County Attorney’s Office. Over the course of more than four decades, he served in many roles. In the 1970s, he was the legal advisor for land acquisition and construction of St. Paul Ramsey Hospital (now Regions Hospital), and served as general counsel for St. Paul-Ramsey from 1974 to 1983. Gary also served as general counsel for both the Ramsey County Library Board and the county’s Community Human Services Department.

One of Gary’s colleagues, Jim Grieman, who worked in Human Resources Employee Benefits for Ramsey County, wrote this remembrance: “I admired his knowledge and style. He never spoke loudly or forcefully but always commanded the respect of those he worked with. He always listened before speaking, and then spoke confidently and respectfully to convey his thoughts. The consummate professional!”

Later in his career, Gary served as the county’s data-practices expert, responding to requests for information and determining what parts of the public record might need to be redacted. He also provided devoted service and sage counsel as a trustee of the Ramsey County Law Library.

Gary was a man who had a strong faith in the Lord. He served on both the St. Pius X Parish Council as well as the School Board for Hill-Murray High School.

And he worked with private organizations related to his Church, including the St. Paul Serra Club—where he was past president of the USA Council of Serra International.

Gary was married to his beloved Marilyn (Schwartz) Davis for 51 years. He was the loving father of Gary (Julie) Davis (Milwaukee, Wisconsin), Shannon (Daniel) Pezolt (Dunwoody, Georgia), Thomas Davis (Lake Wylie, South Carolina) and Julie (Michael) Piehl (Lake Wylie, South Carolina); and dear grandfather of Nicholas, Zachary and Madison Davis, Andrew and Matthew Pezolt, Vincent Davis, Donaldson Fanord Davis, Alexander and Olivia Piehl.

Gary was also loving brother to Jack Davis, with whom he shared weekly calls reminiscing about “the old days” as well as their mutual love of cars and airplanes, to whose children Gary was a cherished uncle to John, Katherine, Michael, and Denton.

Steve McLaughlin, a fellow attorney at the Ramsey County Attorney’s Office for many years, came to know Gary “as a father figure because he not only taught me how deal with legal matters and deal with sometimes difficult people but he also showed by his example of how to be a father, a community leader, and a grandfather.”

Gary’s family, friends, co-workers, colleagues, and clients have all been enriched by his contributions to our lives, and we will always remember his example as a “true gentleman.”

Respectfully submitted by Thomas H. Boyd

Honorable Roland Faricy, Jr.

September 15, 1934 — October 19, 2019

Judge Faricy was appointed to the Ramsey County Bench in 1968 at 35 years old and served Ramsey County until his retirement in October of 1998. He also served the branch as a senior judge. In 1970, Judge Faricy served as vice chairman for a community action group that started Project Remand, which for nearly 50 years has provided pretrial services like diversion and conditional release supervision for individuals charged with crimes in Ramsey County. Among his more notable decisions is his 1990 ruling that the Amateur Bowlers Tour had discriminated against Joe Big Bear, a member of the Minnesota Chippewa Tribe, by barring him from a tournament because he wore a ponytail. Judge Faricy's ruling upheld a decision by the St. Paul Human Rights Commission that said the Tour had discriminated against Mr. Big Bear based on his gender. The Tour had no rules on the length of women's hair. Another significant decision came only weeks before his retirement in 1998 when he ruled unconstitutional a new welfare law that allowed the state to deny benefits to new Minnesota residents if the number of out-of-state welfare applicants hit a certain threshold. The state moved to overturn the decision, but withdrew when the U.S. Supreme Court issued a ruling in a California case that was similar to the case decided by Judge Faricy.

After retiring from the bench, Judge Faricy continued to serve as a senior judge around the state, but his daughters would tell you that as a judge his true love was juvenile court, especially when finalizing adoptions. Each child to be adopted got to pick out a stuffed animal from Judge Faricy's collection. Judge Faricy also kept a collection of neckties with cartoon characters that he wore to court for the children.

Judge Faricy was a certified scuba diver, loved to perform weddings, and once officiated an underwater ceremony in Square Lake. Another time he dressed as a Tasmanian devil for a Halloween wedding. He enjoyed trips to the Boundary Waters Canoe Area and loved hunting deer, turkey, pheasants and grouse, and enjoyed looking for agates and Morel mushrooms. He liked to unearth coins and trinkets with his metal detector, and on at least one occasion dug up rare antique bottles in an abandoned outhouse. I saw him several times walking down the parkway on Summit Avenue in St. Paul searching for such treasures, and he was happy to show off his latest finds to attorneys during chambers' conferences. Judge Faricy volunteered in St. Paul's Hmong community and at the Union Gospel Mission. He was a man who loved and enjoyed his family, his life, his years as a judge, and, unlike many of our colleagues, his retirement. I remember Judge Faricy as a fair and empathetic pragmatic person—a teacher, a mentor, and everything judges should aspire to be.

Finally, I would like to quote another judge whom I admire and respect, our colleague Judge Kevin Burke. He memorialized Judge Faricy this way, “There are many people who have served Ramsey County as judges. Among the best was Judge Rollie Faricy. After he retired, he continued his service to the community, not just as a senior judge, but was a fabulous mediator. He had the qualities good judges need. He was a good listener and was respectful to those who appeared before him. He was compassionate, which is a quality all of us could have more of, and that is so true.”

Rest in peace Judge Faricy. We miss you!

Respectfully submitted by Judge George Stephenson

Raebern B. Hitchcock, Sr.

August 12, 1933 — December 12, 2019

My name is Ed Hitchcock, the son and law partner of Raebern B. Hitchcock, Sr. Raebern passed away on December 12, 2019. Please join me for a few moments in remembering Raebern's contributions to our profession and his community.

Raebern was truly a "People's Attorney" for over 56 years. Raebern's dedication to the common citizen, his humility, honesty and hard work were an inspiration for all of the clients and attorneys he touched.

Raebern was born in Austin, Minnesota in 1933. He grew up in Little Rock, Arkansas. Raebern graduated from the University of Arkansas in 1955 with a degree in Finance. He then served actively in the U.S. Air Force in Germany shortly after the Korean War. Raebern went on to graduate from the University of Arkansas Law School in 1962. He initially practiced law in Pine Bluff, Arkansas. He then joined forces with his father and stepmother, Ed and Marie, in the firm of Hitchcock, Hitchcock and Hitchcock in Saint Paul. From there, Raebern worked as a sole practitioner for many years before forming the Hitchcock Law Firm with me. In later years, the entire Hitchcock lawyer family joined together to have three generations of attorneys serving clients at the Hitchcock Law Firm. Raebern represented thousands of clients regarding their personal legal matters.

In 1985, Raebern successfully argued before the Minnesota Supreme Court in the Beecham Case, which has been a landmark decision in Minnesota for implied contracts. He was an adjunct professor at William Mitchell College of Law during the 1970s. In 1998, Raebern was named Business Man of the Year by the Payne-Arcade Business Association. Over the years, Raebern had been a frequent lecturer on the topic of real estate law. Raebern was a past Master of Montgomery Lodge 258 in Saint Paul and was a 32nd degree Mason.

Raebern will be remembered for his quick wit, great sense of humor and his Southern gentleman style. He will also be remembered for his tremendous love for his family. He was still actively practicing law at 86 years of age, before his brief battle with pancreatic cancer.

More important than his many accomplishments was Raebern's commitment to his clients and his mentoring of other attorneys. Throughout his career, Raebern inspired others to enter the practice of law and had been a mentor to many. He selflessly provided help to all those who had come to him in need, and he did so in a way that always made his clients and peers feel special.

Respectfully submitted by Edward J. Hitchcock

Russell “Russ” James Jensen

May 21, 1931 — September 20, 2019

Russell James Jensen was born in Chicago but grew up in Minnesota. He died after a courageous and enduring battle with cancer. Please join me in remembering his contributions to the legal profession.

His mother was a homemaker. Russ grew up knowing hard work. He and his only sibling brother, Bill, helped their dad build concrete stanchions for gas tanks in greater Minnesota. That experience instilled a lasting respect and appreciation for people of all walks of life. Russ graduated St. Thomas Academy and St. Thomas College where he was enrolled in ROTC. Following graduation, he joined the United States Air Force and was stationed in Japan. Upon leaving the Air Force, he attended William Mitchell College of Law, received his law license in 1961 and was admitted to the federal bar in 1962.

Russ began his law practice in downtown St. Paul with Brennan, Sweetman & Jensen practicing mostly securities and corporate law. His clients were well-known businesses in the metropolitan and greater Minnesota area. He valued and had the utmost respect for his clients and had a special friendship and bond with them that lasted a lifetime. When his clients were not able to come to the office because of age or disability, etc., he went to their home; consequently, his associates referred to him as the “Country Doctor of the Lawyers.” In the 1970s Russ was one of the first lawyers in St. Paul to use advanced computer technology in his practice.

He was impressed and inspired with the legal employees and administrative assistants’ desire to form an educational association. In 1985 he was instrumental in the formation of St. Paul Legal Employees Educational Association, later Twin Cities Legal Employees Educational Association, known as LEEA. Speakers at their monthly meetings were attorneys or others in the legal system. The members appreciated Russ presiding at their annual installation ceremony, reciting the Code of Ethics to each officer. Due to life changes, LEEA disbanded in 2018 but their social bond continues.

Acting as writers, producers and directors, Richard Grayson and Russ initiated the “skits” that were performed by judges and lawyers at the annual Ramsey County Bar Association Judges’ Dinner. Russ had a great sense of humor and creativity and re-wrote the words to many songs from Broadway hits for these events, such as *The Wizard of Oz*, *Music Man*, *Oklahoma*, and *Guys and Dolls*. The performing judges felt that *Guys and Dolls* was “one of the really good ones.” It was later performed at the Minnesota State Bar Convention in St. Paul. Russ had to get copyright approval before it was performed there. He thought it would be an awful place to be accused of copyright infringement. All shows ended with the cast lining up, Russ leading the group singing, “Oh Lord It’s Hard To Be Humble When You’re Perfect In Every Way.” Later he re-wrote three verses with the title, “My Briefs Are

All Perfect and They Get Better Each Day.” This was always a curtain call ending. One judge commented that “those were the most fun ever.”

In addition to lawyering, Russ had a passion for flying which he incorporated into his law practice. He received his pilot training at Laredo Air Force Base, Texas, qualifying in jet and multi-propeller airplanes. His favorite was the F-89. He piloted his clients to various locations such as Washington, D.C, Belize, Wyoming, Louisiana, and other states. He also served as the pilot for Mayor George Latimer during his 1986 campaign for governor.

Russ was a Lieutenant Colonel with over 30 years in the Minnesota Air National Guard and flew many missions to Southeast Asia during the Viet Nam war. He retired in 1981, a veteran of the Korean and Viet Nam Wars. Russ was awarded the Saint Thomas Academy Fleming Veteran Alumni Award and FAA Master Pilot Award for over 50 years of safe licensed flying.

Russ had a great interest in historic preservation. He restored homes in the Cathedral, Ramsey and Summit Hill areas and acquired historic aircraft for the Minnesota Air National Guard Museum.

In his spare time he enjoyed golf. When playing with his friend and former law associate Robert “Bob” Gearin, there would be a betting game; Bob always made sure the loser deposited his money in the empty coffee can in the trunk of his car. It was the comradery he so enjoyed; at the same time improving his game.

After more than 55 years of practicing law, Russ retired in 2017. During his long legal career, he conducted himself in a respectful and ethical manner. He believed all counsel should be in the best interest of the people involved resolving the conflicts of his clients, avoiding litigation and everyone departing satisfied with dignity and respect for each other.

He was proud of his seven children, eleven grandchildren and four great grandchildren. He encouraged his family to strive for goals that would make them happy. Their Gull Lake cabin was a family favorite. He and best friend-wife, Julie, traveled world-wide; stateside in his Ercoupe airplane. They treasured winters in Palm Springs, California.

A former law associate remembers how funny he was. “He always tried to rattle our cages, but in a fun way. He had a tremendous sense of humor.”

Despite enduring several bouts of cancer over many years, Russ kept a positive spirit until his death. In addition to being remembered for his long and respected legal career, Russ will be remembered for his cigars, ready smile, quick wit, gregariousness, humor, humbleness, classy ties and compassion to both clients and friends.

Respectfully submitted by George Latimer and William Mahlum

James J. Lawton III

December 22, 1946 — December 30, 2019

If you had asked Jim Lawton 50 years ago whether he wanted to pursue a career as a lawyer or as a baseball player, he probably would have hesitated. Ultimately, he would have reminded you that it's false choice, he could do both and he did.

Jim was born in Brooklyn, New York in 1946, which made him one of the first baby-boomers. He moved with his family to Minnesota because his father accepted a position at the University of Minnesota as a pioneering child psychiatrist. He had three siblings, one of whom, Bob, also became a lawyer and practiced law with Jim for most of his career. He attended St. Thomas Academy, St. Thomas College, and William Mitchell Law School. He started practicing law in 1972 as a solo practitioner focusing on the field of family law. As his practice matured, he became a sought-after mediator in family court matters. For a number of judges in Washington County, he was their “go to” mediator. He believed that most disputes could be resolved with the application of a little common sense.

But the one enduring theme of his life was his devotion to amateur baseball. He played with St. Paul's Highland Park Class A team for 50 years, long beyond the typical amateur ballplayer's career. He then acted as a player/manager of the team and later as the manager. He played his last baseball game at the age of 70. He managed the team to 24 state tournament appearances and two state championships. He retired with a .384 lifetime average and in 2011 he was inducted into the Minnesota Baseball Class A Amateur Baseball Hall of Fame.

Even more important to him was his family. One thing Jim often said was “it's not quality, it's quantity” when it came to being a dad. And, quantity he gave—hours and hours of conversations, rides, sitting in gyms and at fields while his kids participated in numerous sports through high school and college. He loved his kids with everything he had, and that commitment was magnified when grandchildren entered into his life. He will be missed.

Jim is survived by his children Patria Lawton, Megan Lawton, Lara Cappelen, James Lawton, and four grandchildren Maggie, J.T., Tyus, and Miles, as well as his brothers John Lawton, Robert Lawton, and sister Jeanne Ward.

Respectfully submitted by Kelly Rogosheske, Bob Lawton, and Mike Black

Ronald Eugene Martell

July 31, 1936 — February 25, 2019

Growing up in South Minneapolis, Ron enjoyed sports, Boy Scouts, and learning about birds. As a Boy Scout, he ushered at University of Minnesota football games, beginning a lifelong love of Gopher sports. Ron graduated valedictorian from Roosevelt High School and then attended the University of Minnesota's 3-3 undergraduate and law school program. He graduated from the University of Minnesota Law School cum laude in 1961. After law school, Ron and Joe Burkhardt, his moot court partner, formed a partnership in which Ron's practice included serving as a town counsel and practicing criminal and civil law.

He also served as a member of the Selective Service Board, determining conscientious objectors' classifications during the Vietnam War. Ron then joined Moore, Costello and Hart, where he became one of the nation's leading construction and surety law practitioners, arbitrators, and mediators. He was a founding fellow of the American College of Construction Lawyers and was a charter member of the Minnesota Chapter of the American Board of Trial Attorneys. Ron served on the Council of the Section of Public Contract Law of the American Bar Association from 1980 to 1983. He was a member of the Minnesota State Bar Association for more than 50 years. Ron shared his expertise as a continuing legal education speaker in Minnesota and throughout the nation and was always willing to share his extensive knowledge of the law. He enjoyed reading Minnesota Supreme Court opinions during his entire career and even after.

Ron enjoyed hobbies. Some, like birdwatching, bridge, and reading, continued throughout his life. Others followed in sequence over the years, ranging from nature photography, to decoy carving and painting, to woodworking, stamp collecting and dealing, to research and writing history. Two of his nature photographs appeared as cover photos of *Bench & Bar* magazine. His book, *Showdown in the Pacific War, Nimitz and Yamamoto* was published in 2015. His almost-finished second book, *Victory in the Pacific War*, will be completed as he requested.

Ron is survived by his wife, Sandra Adkins Martell; his son, Thomas R. Martell; his daughters, Laura Martell and Judy (David) Day; his sister-in-law, June Martell; and nieces, Karen and Erica.

Respectfully submitted by Sandra Adkins Martell

Paul F. “Twoey” McCloskey, Jr.

August 13, 1940 — December 21, 2019

Paul F. McCloskey, Jr. was born on August 13, 1940, in Dayton, Ohio. Named after his father, Paul was soon known to family and friends, and eventually co-workers and clients, as Twoey. Paul Sr. and his wife Evelyn moved their young family with his sons Twoey and Terry, and daughter Catherine, to St. Paul. Twoey’s mother passed away when he was only nine years old, and he quickly assumed the role of big brother. Paul Sr. eventually re-married and sisters Kathleen and Joan joined the family. Paul Jr. became the surrogate father to his younger siblings.

Paul became a proud St. Paulite graduating from Immaculate Heart of Mary Grade School, Cretin High School, the University of Minnesota and William Mitchell College of Law. Paul was hired by then St. Paul City Attorney Joe Summers as an Assistant City Attorney. Like most of us in the City Attorney’s Office (CAO), Paul began his legal career in the Criminal Division prosecuting misdemeanors and petty misdemeanors. He then joined the Civil Division where he served as legal counsel to the Police Department, the Department of Parks and Recreation, the Personnel Department, and the Civic Center Authority. Twoey was held in high regard by his clients for his down to earth style and easily understood advice.

Twoey was a competitive soul. He enjoyed games of chance, especially if wagering was involved. He played cut-throat hearts with his colleagues during the lunch hour, and later serious rounds of Trivial Pursuit. For many years Paul, other lawyers inside and outside of the CAO Office, and a few City Hall clients gathered for low stakes poker games on Friday nights.

Paul retired in 1999 at the age of 59 after a 30 year career with his only employer, the City Attorney’s Office. Paul quickly changed gears upon retirement and began volunteering at the Hubbs Center on University Avenue, a basic education program serving adults who lacked reading, writing, math and other basic skills need to function in our society. Paul’s students included both native English speakers as well as immigrants and refugees.

Twoey enjoyed a life-long interest in DFL politics. Although never a candidate for office, he was primarily an observer and pundit. Twoey had a routine, and he enjoyed keeping it. His interest in wagering took him frequently to Las Vegas where he sat at Blackjack Table 14 at the New York New York Casino. Paul was a lifelong Viking fan, but he bet against them if he believed the odds were in his favor. He had a wonderful sense of humor and an infectious smile.

Paul passed away on December 21, 2019, after struggling with declining health for several years. He was 79 years old.

Paul was preceded in death by his sister Catherine and brother Terry, also a well known Ramsey County lawyer. He is survived by his daughters Molly and Meghan, their husbands and children, as well as his sisters Kate and Joan, and many nieces and nephews.

Respectfully submitted by Terry Garvey and Frank E. Villaume III

Bert J. McKasy

January 10, 1942 — February 8, 2019

The loving husband of Carolyn, proud father of four children and their spouses, and the doting grandfather of ten grandchildren died at the age of 77. Bert's life was as broad as it was deep—and it was inspiring.

Bert was a modern-day renaissance man. His intellect, curiosity and winning personality led him to successfully pursue an array of interests that would take an average person three lifetimes to achieve.

After graduating from the University of St. Thomas, Bert received his J.D. from the University of Minnesota. He practiced law at Lindquist & Vennum (now Ballard Spahr) where he became a partner. While he loved law, Bert also used his legal training as a springboard to engage in the broader world in many impactful ways.

With the support of family and enthusiastic volunteers, Bert took Mendota Heights by storm when he ran for the House of Representatives in 1987. What the campaign committee lacked in political sophistication they made up with sheer energy and an obsession for door-knocking. The inaugural McKasy campaign led to three terms in the legislature and introduced Bert to the State of Minnesota as an effective public servant. He was widely recognized as an elected official who worked with people from “across the aisle” for the benefit of the greater good. His reputation and effectiveness made him a sought-after leader.

Bert's first stop after St. Paul was our nation's capitol where he served as US Senator Dave Durenberger's Chief of Staff. From there he returned to St. Paul where he was appointed by Governor Arne Carlson to be the Commissioner of Commerce. Not finished with public service, Bert accepted Governor Ventura's—and later Governor Pawlenty's—appointments to the Metropolitan Airports Commission where he served for 11 years.

Bert's commitment to building a stronger community and state expanded beyond his involvement in government. He was an engaged civic leader involved in such endeavors as the St. Paul Winter Carnival (chairman) in its centennial year, treasurer of Children's Hospital, and trustee of the F.R. Bigelow Foundation. He served on many boards of directors including Mairs & Powers Mutual Funds (board chair), U-Care, Lec Tec, Northstar Ice, and the American National Bank of St. Paul. He was a business owner with his wife Carolyn, founding together McKasy Travel. And if his community interests were not enough, Bert's love of golf led him to become the president of Somerset Country Club.

A resume can illuminate a person's interests and tangible contributions but it does not capture the heart of a man. Bert was a caring and humble man. He cared deeply

about his family, his friends and the greater community. His endeavors were never about him but rather were his life commitments in action. He stayed connected to people and you felt better for being in his presence. A life well-lived. Bert exemplified the best of our profession and showed us how to serve others with grace and humility.

Respectfully submitted by Kathleen Blatz

James P. Nelson

May 27, 1930 — May 17, 2019

James Paul Nelson was born in Harvey, North Dakota, on May 27, 1930. Soon thereafter, his family settled in Southern Minnesota, where Jim grew up in Mankato and graduated from Mankato West High School.

Jim grew up in a lively and energetic America during the post-World War II years, where neighborhoods were alive with business and community growth. It was a good time. He enjoyed hunting upland game, geese, and ducks throughout the Minnesota River valley.

He loved baseball as a youngster, and after high school he played in the semi-professional Southern Minney league, which at times helped pay his tuition at college. Later in life, he enjoyed attending the Minnesota Twins home games and, at one stretch, saw 45 consecutive Twins home openers.

Jim graduated from Mankato State University and joined the US Army. Commissioned a 2nd Lieutenant, he served with the 3rd Infantry Division in Korea from 1953-1954. When he returned home, he married Darlene Beverly Johnson and began working with the 1st Trust Company in St. Paul. It was while he was with the 1st Trust that Jim began attending William Mitchell College of Law.

Jim was admitted to the bar in 1960. He began his practice with Alden Schlager and Dwain Legler, and became a partner in the firm shortly thereafter. Jim remained a partner with Schlager, Legler, Nelson and Rosenblad for his entire professional career. In 1995, while teaching evening classes at William Mitchell, he suffered a debilitating stroke which curtailed his professional practice.

Jim was a founding member of St Andrews Lutheran Church, in Mahtomedi, Minnesota, where he served as a church council member. He also served as a member of the Mahtomedi school board, and was active in The March of Dimes and many other charitable events, and he provided pro bono legal work for worthy causes.

Jim was an absolute loving father, grandfather, and there was no finer friend to be found in your corner. Jim was humble beyond his success. He was filled with compassion and understanding. An educated man to be sure, blessed with intellect, fair-mindedness, and a practical approach to life, family and friends. Jim was a respected civil servant, a neighbor, a parishioner, and family man.

James P. Nelson is survived by his son James, and his daughter Connie.

Respectfully submitted by James P. Nelson, Jr. and Constance Lee Toman

Paul Nesvig

August 28, 1942 — March 12, 2019

Paul Nesvig was born in Gainesville, Florida and grew up in Gaylord, Minnesota. He graduated from Gaylord High School, the University of St. Thomas, and the University of North Dakota Law School. He moved to St. Paul, Minnesota upon graduation, where he lived with his wife and two daughters.

Paul worked as a claim adjustor for State Farm Insurance for five years, and then opened his law office in 1973. He rented office space in the Pioneer Building in downtown St. Paul and began his practice of 45 years. Paul specialized in family law. He always put his clients first, working tirelessly to obtain optimum results. Upon his death, so many of his clients wrote or spoke of his loyalty and generosity.

In addition to his law career, Paul was a member of Gopher State Officials, refereeing high school and college football and basketball. He also served on the Gopher State Board in charge of any legal issues. Paul also was an avid golfer, spending hours practicing his swing until lowering his handicap into the single digits and scoring eleven holes in one. When Paul retired, he began to play serious bridge, becoming a life master in just a few years, and taking first place in several regional and national tournaments.

Paul was diagnosed with non-smokers lung cancer in 2014. It spread to his spine in 2016 and finally took his life in 2019. He lived a good life, enjoying his family, his career, and his hobbies. He is greatly missed.

Respectfully submitted by Douglas Nesvig

Kenneth Lloyd Port

October 18, 1960 — September 27, 2019

Kenneth Lloyd Port passed away peacefully in hospice surrounded by his family on Sept. 27, 2019. He was 58. He loved traveling with his family; teaching abroad; writing articles and books; spending time at his cabin in Wisconsin; and cooking for friends and family.

Port is survived by his wife, Paula; daughters Emily and Elissa; parents Robert and Jean Port; and siblings Kathy, Mary Jean, Mike, Terri, Nancy, and Brenda.

Kenneth Lloyd Port was born to Robert and Jean Port on October 18, 1960. He grew up in a family of seven children in Cloquet, Minnesota. He attended Macalester College as an undergraduate and attended law school at the University of Wisconsin.

He practiced law as an associate in Chicago for several years before diving into the world of academia as a visiting professor. A prolific author, Port wrote 10 books and authored dozens of law review articles focusing on domestic, comparative, and international intellectual property law. His work was consistently some of the most downloaded legal research on the online research community SSRN.

Early in his career, his intelligence and diligence were recognized as he received his first Fulbright Research Grant to study Japanese trademark law at Tokyo University and served on ABA committees and international panels addressing the topic. Port would go on to receive a second Fulbright Research Grant to study Japanese trademark law.

He had a lifelong fascination with Japanese history and culture. He was not only fluent in Japanese but also read, wrote, and made presentations in the language. Port lived in Japan several times over the years with his wife and daughters and maintained lifelong friends throughout Japan. He also served as president and a board member of the Japan America Society of Minnesota.

He also gained unprecedented access to archives in China and Japan to investigate the World War II atrocities committed by the Japanese military. Port published his work as a book, *Deciphering the History of Japanese War Atrocities: The Story of Doctor and General Shiro Ishii* that sparked interest from as far away as China. He continued to research and teach Japanese law, including a final trip to Japan in March of 2016 with his Japanese Comparative Law class from Mitchell Hamline School of Law and his adventurous and devoted wife, Paula.

Port joined Mitchell Hamline predecessor school William Mitchell in 2001 as a visiting professor, was named a professor in 2002, and spent the rest of his career

at the law school. He founded the Intellectual Property Institute and served as its director until 2016. He was an associate director of the Institute at the time of his death. He was also a faculty adviser to the Student Intellectual Property Law Association, the *Cybaris Intellectual Property Law Review*, and many students' research projects.

Professor Port is remembered by his colleagues and students as a vigorous scholar and dedicated teacher. His wry sense of humor brought depth to even the driest of subjects and the longest of final exams. He had a fierce dedication to his students—even when facing the life-shortening diagnosis of multiple myeloma, he did not stop teaching. His first semester back, he opened class by explaining his health challenges, instructed the students on what to do if he collapsed in class, and then dove right into the material. In his last few months, when he was too ill to be at school, he still continued to work with students, supervising their research and writing.

While some people may have become bitter or harder with such a diagnosis, Port continued to be compassionate, kind, humor-filled, and optimistic. He especially connected with his students facing health challenges and encouraged them to continue to pursue their goals and dreams. To his students he was demanding yet understanding. He pushed them to do their best, but was the first to forgive their mistakes and urge them to move forward to try again.

He viewed law school as far more than a vocational school aimed solely at passing the bar. Instead, he pressed his students to pursue intellectual curiosity and think deeply about what was behind the black letter law. As he said, "Because the best legally trained person not only knows the right answer, they know why it's the right answer, it is important that law students spend a significant amount of time and energy grappling with 'why'. Because there are so many different career paths law students might choose upon graduation or later in life, it is fundamental that they possess critical thinking skills that will serve them no matter what job they happen to have."

He was a valued husband, father, colleague, friend, and mentor, and he will be greatly missed.

Respectfully submitted by Alissa Marie Harrington

Honorable Steven E. Rau

September 14, 1956 — November 8, 2019

Steve Rau lived his life with passion, joy, and an enthusiasm that lighted every room he entered and energized every person he met.

Steve was raised in an Air Force family, living in several states and Kabul, Afghanistan. He attended Carlton College where one of his professors was future senator Paul Wellstone. He then earned his law degree from William Mitchell College of Law. He was an outstanding student, on law review, and a founder of the Burger Inn of Court. He later served on the law school's Board of Trustees, and received the Marcy S. Wallace Award from the Mitchell Hamline Law Review.

Steve clerked for the Honorable Douglas Amdahl, who was then Chief Justice of the Minnesota Supreme Court. He was Steve's mentor and hero. When he later went on the federal bench, Steve worked tirelessly every day to fulfill Chief Justice Amdahl's famous "Judge's Prayer."

Following his clerkship, Steve practiced with Lindquist & Vennum. He then joined Maun & Simon, one of St. Paul's great law firms. Steve later formed a law firm with Paul Floyd in Minneapolis, and thereafter was a partner with Flynn Gaskins & Bennett.

His practice included all aspects of business litigation. Steve had a brilliant legal mind, and he was an outstanding trial lawyer.

Steve was very active in the Minnesota Chapter of the Federal Bar Association, where he helped found the Pro Se Project to provide free representation to underprivileged litigants in federal court. He also led the Federal Transportation Program, which enabled children to visit their mothers in federal prisons.

Steve was appointed United States Magistrate Judge for the District of Minnesota on January 14, 2011. He was reappointed to a second term, and he continued to handle a full workload on the court until very shortly before his death.

Chief Judge John Tunheim described Steve as "a splendid colleague, a judicial leader who was passionate to ensure legal justice for all," and a judge who was "always going the extra mile and further, always willing to take on the toughest cases." He said Steve epitomized late Senator Robert Kennedy's famous quote, "one man can make a difference."

When all was said and done, Steve fulfilled Justice Oliver Wendell Holmes' admonition to be a lawyer in a "grand manner" and Chief Justice Amdahl's standard to truly be "worthy to be called Judge."

Steve is survived by his loving wife, Christine L. Meuers, and children Victoria C. Rau, Edward J. Rau, and Alexander S. Davis, the “Federal Family” on the U.S. District Court, and his many heartbroken friends in the bar and throughout the community.

As Shakespeare wrote in *Romeo and Juliet*, “So tedious is this day”—and so tedious is this world—without Steve. Our lives are not as colorful or as fun without him; but our memories of Steve will remain bright, and our lives will continue to be inspired by his life.

Respectfully submitted by Thomas H. Boyd

Honorable Thomas W. Walsh

December 30, 1930 — December 21, 2018

“I do know this, that Tom Walsh was a special person. He made everyone feel better. He was a kind man, plain and simple. He was always a gentleman. And I mean always.” These words from a practitioner who often appeared before Judge Thomas Walsh represent a common theme among those who shared their remembrances with me for today—I couldn’t agree more.

It is my honor to present a tribute to Judge Thomas W. Walsh, who was highly regarded and respected by the attorneys and their clients during his tenure as a Minnesota workers’ compensation judge. As one of the first judges I appeared before at the Office of Administrative Hearings, I recall how congenial he was to all in the courtroom as he directed us through hearings in a professional and gracious manner. He was also a mentor and role model for many attorneys who appeared before him.

Judge Walsh served as a judge with the State of Minnesota and the Office of Administrative hearings for over thirty years, during which workers’ compensation law underwent significant changes along with the evolution of courtroom processes; he aided in those transitions.

Many attorneys who specialize in this area of law shared with me their reminiscences; the common thread was the recollection of his demeanor, and that he was a kind, affable, gentle person. He was a tall man with an impressive shock of white hair, but his presentation was softened by his infectious laugh. He listened carefully, he tried to accommodate all in the courtroom, and was a consummate jurist who took his job, and not himself, extremely seriously, to the extent he would almost visibly agonize over objections and arguments raised at trial before issuing his ruling. He was professional and impartial, his written decisions were carefully explained, and he was universally accepted as being unwaveringly fair.

Judge Walsh always encouraged young attorneys. For example, one recalled nervously walking into Judge Walsh’s courtroom for a hearing 40 years ago, three days following his swearing-in as an attorney, and finding the judge to be remarkably helpful about guiding him through the process. Another attorney recalled that many of his clients, never before in a courtroom, entered hearings with a high level of fear and anxiety and were put at ease by Judge Walsh.

Judge Walsh hailed from St. Paul, Minnesota, where he attended the College of St. Thomas and William Mitchell College of Law, and later moved to Roseville, Minnesota. He lived a long and fulfilling life, and passed away on December 21, 2018, at age 88. Most important to him was his family, and he proudly spoke of them to all. He was preceded in death by his wife of 49 years, Rosemarie, and

was survived by a sister and brother-in-law, his daughter and three sons and their spouses, and eleven grandchildren, all of whom were the light of his life.

Judge Walsh had deep and varied interests outside the courtroom. He loved classic literature, especially Tolstoy and Dickens, enjoyed travel (he especially loved Venice), was known for his study of history, and had an affinity for watching WWII movies. He also enjoyed golfing, loved dogs, and spent many happy times swimming and vacationing at his beloved Gull Lake.

His family, his colleagues and the attorneys who appeared before Judge Walsh warmly recall his big laugh, booming voice, and huge heart. The following words from one of the members of the workers' compensation bar sum it up well: "Judge Walsh always treated everyone with respect. It took a lot to upset him. I can't remember him ever harshly reprimanding an attorney." He further emphasized that "Judge Walsh had an abundance of empathy. He was honest and thoughtful. He led a good and decent life. His children should be proud of their father. For me, it was pleasure knowing this man. He will be remembered fondly by many."

All who knew Judge Walsh were enriched by knowing him. We in the legal profession strive to maintain civility and professionalism; Judge Walsh's strong but humble influence endures and shaped how attorneys presented their cases and practiced law. His legacy is long-lasting, and I am proud to honor that legacy.

Respectfully submitted by Miriam P. Rykken

