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**ANNUAL MEMORIAL SERVICE  
OF THE  
ALBANY COUNTY BAR ASSOCIATION**

HON. CHRISTINA L. RYBA, JSC  
Presiding Justice  
ACBA President

BARTLEY J. COSTELLO, ESQ.  
Committee Chairman

December 10, 2018  
at 9:30 a.m.

Albany County Courthouse  
Third Floor  
Albany, New York

**IN MEMORIAM**

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2  
3 Honorable Francis W. Landry (December 15, 2017)  
4 Eulogized by Joseph Culella, Esq. -- page 6  
5 Jerome Lefkowitz, Esq. (December 21, 2017)  
6 Eulogized by John Wirenius, Esq. -- page 10  
7 Robert P. Roche, Esq. (January 9, 2018)  
8 Eulogized by Honorable Joseph Teresi -- pg 16  
9 Honorable Robert F. Doran (January 15, 2018)  
10 Eulogized by Matthew McNamara, Esq. -- page 28  
11 Honorable Thomas W. Keegan (February 17, 2018)  
12 Eulogized by Honorable John Egan -- page 35  
13 Terence J. Burke, Esq. (February 22, 2018)  
14 Eulogized by Roland Cavalier, Esq. -- page 38  
15 Cynthia Dee Shenker, Esq. (March 26, 2018)  
16 Eulogized by Douglas Clark, Esq. -- page 46  
17 Frank J. Lasch, Esq. (May 16, 2018)  
18 Eulogized by Stephen T. Helmer, Esq. -- pg 50  
19 Honorable Nicholas J. Greisler, Jr. (April 2, 2018)  
20 Eulogized by Gretchen Greisler, Esq. -- pg 55  
21 James Chilton Blackmore, Esq. (May 24, 2018)  
22 Eulogized by James A. Resila, Esq. -- page 61  
23 Francis Thomas Roach, Jr., Esq. (June 7, 2018)  
24 Eulogized by William Harris, Esq. -- page 67

**IN MEMORIAM (continued)**

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James H. Tully, Jr., Esq. (June 10, 2018)

Eulogized by Susan Tully Abdo, Esq. -- page 73

Fred Stanton Ackerman, Esq. (September 16, 2018)

Eulogized by Andrew Safranko, Esq. -- page 76

Francis Howard Anderson, Esq. (October 24, 2018)

Eulogized by Michael Hutter, Esq. -- page 82

Joseph F. Monaghan, Esq. (November 5, 2018)

Eulogized by Jeremiah F. Manning -- page 93

Thomas W. Jeram, Esq. (November 10, 2018)

Eulogized Honorable Roger Fritts -- page 95

1 (The justices entered.)

2 CHARLES DIAMOND: All rise. The Supreme  
3 Court for the County of Albany, New York, is  
4 now in session. Judges and justices of the  
5 court. The Honorable Christina L. Ryba,  
6 presiding.

7 HON. CHRISTINA L. RYBA: Please be seated,  
8 everyone. Good morning.

9 THE ASSEMBLAGE: Good morning.

10 HON. CHRISTINA L. RYBA: I have the great  
11 honor of presiding over this memorial service.  
12 On behalf of all the judges today and the  
13 officers and the members of the Albany County  
14 Bar Association, I want to extend a heartfelt  
15 welcome also to the family and friends of your  
16 colleagues being honored and remembered today.

17 As president of the Albany County Bar  
18 Association, I believe that this service is  
19 one of the best events that our bar puts  
20 together. Indeed it gives us an opportunity  
21 to remember and eulogize our members who have  
22 passed away in the preceding 12 months, many  
23 who made a difference in the lives of so many  
24 of you here today.

1           Thank you to Charlie Diamond for  
2           organizing the space and also thank you to  
3           Judge Breslin for allowing us to use the  
4           facility today.

5           I would like to now turn the program over  
6           to our committee chair, BJ Costello, who will  
7           be introducing the speakers here this morning.

8           BARTLEY J. COSTELLO III, ESQ.: Thank you,  
9           your Honor. May it please the Court, members  
10          of the judiciary -- Judge Weiss, it's so great  
11          to see you, my father's classmate -- members  
12          of the bar, presiding Justice Ryba, family and  
13          friends, thank you for the introduction.

14          Today we celebrate the lives of 16  
15          individuals who chose to lead their  
16          professional lives as lawyers. They accepted  
17          difficult assignments. They worked  
18          tirelessly. They accepted thousands of  
19          individuals who came to them for their care  
20          and service.

21          As you can see from listening today, each  
22          journey was quite different, marked by grave  
23          personal challenges and high achievements, but  
24          the common theme was their acceptance of the

1 privilege and the honor of being lawyers, in  
2 the very best sense of the word.

3 With that I would like to call upon Joseph  
4 Culella to eulogize Francis Landry.

5 JOSEPH CULELLA: Good morning.

6 THE ASSEMBLAGE: Good morning.

7 JOSEPH CULELLA: Thank you all for coming  
8 and giving me this opportunity to speak about  
9 Frank. When I was asked to speak about Frank,  
10 my initial reaction was we were competitors,  
11 but he's such a significant individual in our  
12 life and in the industry that I accepted this  
13 honor.

14 I remember Frank as being a fierce but  
15 quiet competitor. He was competitive in  
16 nature, and he had an expansive knowledge of  
17 real property law and real property community,  
18 which established Frank as a trailblazer.  
19 Someone else referred to him as a kingpin of  
20 our industry in real property.

21 One of the things that Frank did, he --  
22 when I moved up here about 40 years ago, Frank  
23 was with Intercounty Title. It later became  
24 U.S. Life Title, and he built that in the area

1 to such a point that when Title Guarantee, a  
2 national company, wanted to come into the  
3 area, Frank was guy they went to. They  
4 brought Frank on, and Frank became the  
5 representative for Ticor Title Guarantee, and  
6 ultimately Ticor Title became a part of  
7 Chicago Title, so we got to work together for  
8 about four years.

9 In the time we worked together -- bear  
10 with me a little. Just before that I remember  
11 in the Ticor office -- they had an office at  
12 110 State Street, which was a two-story  
13 building with a glass room. I remember  
14 walking past there and Frank would always be  
15 there, and I would always be wondering if this  
16 competitor of mine was looking down at me, and  
17 I was concerned. I knew of him, I just saw  
18 him, and I always felt his presence.

19 When he joined us, we got to share the  
20 benefits of having Frank's knowledge and  
21 expertise. He was only with us at Chicago  
22 Title for four years. It was Frank and his  
23 staff he brought with him. His openness and  
24 his willingness to share that knowledge. I

1 believe he started back in the late '60s with  
2 Intercounty Title.

3 He had an open-door policy. He was a  
4 quiet guy, but if you wanted to see him,  
5 wanted to talk to him, he was always open to  
6 hear your questions and come up with  
7 solutions. That's what he did, and he did it  
8 very well. He was quiet, but when it was time  
9 to emphasize things, he emphasized things  
10 quite loudly and clearly, a wonderful person  
11 to work with.

12 Part of what he brought to us, in addition  
13 to his knowledge, was a great relationship  
14 with many people, builders, developers in the  
15 area, certainly obviously essential to our  
16 business. His ability to interact in that  
17 community was a big asset to us, and he did it  
18 very well. Some big names, the Michaels  
19 Group, McDaniels, and Galesi all came to him  
20 for knowledge and for guidance in real  
21 property matters.

22 He was with us for four years. He left  
23 Chicago Title in 1995, so it's been a while.  
24 After he left -- he was 69 years old -- he



1           didn't retire. Frank loved to work. He went  
2           and established another national title insurer  
3           in Albany County, and that was Commonwealth  
4           Title. Ultimately, Commonwealth Title became  
5           part of the same family -- that's what happens  
6           -- and Frank moved on.

7           I think he retired, but he never really  
8           retired. He was working with individual  
9           agencies and sharing that knowledge with,  
10          again, people in our industry as long as he  
11          could, and I suspect that was the rest of his  
12          life. He was an extraordinarily worker. He  
13          loved to work.

14          As I said, unfortunately for me it was  
15          only about four years that we were able to  
16          work together. I will just say this: It was  
17          an honor not only to work with him but to  
18          share my memories of him with you.

19          I thank you all.

20          BARTLEY J. COSTELLO III, ESQ.: Today we  
21          are without a microphone so I would ask each  
22          speaker to speak slowly and loudly, and if you  
23          could also, when you finish, make sure I get a  
24          copy of your remarks or your notes, and I will

1 pass them on to Lesley.

2 With that I would like to call John  
3 Wirenius to eulogize Jerry Lefkowitz.

4 JOHN WIRENIUS, ESQ.: Good morning.

5 THE ASSEMBLAGE: Good morning.

6 JOHN WIRENIUS, ESQ.: To appreciate the  
7 achievements of Jerry Lefkowitz as a lawyer,  
8 you have to remember three things: First,  
9 when the Public Employment Relations Board was  
10 created by the legislature in 1967 under the  
11 Public Employees Fair Employment Act, which is  
12 now called -- it's universally known as the  
13 Taylor law, its powers were very minimally  
14 described.

15 Second, the one thing everybody could  
16 agree on was this: The statute that the  
17 Taylor Law replaced, the Condin-Wadlin Act,  
18 had been an abject failure. It was so  
19 stringent that it was literally unenforceable,  
20 because if you enforced it, public sector  
21 employers would have almost no employees. So  
22 that did not serve as much guidance in  
23 interpreting and understanding the broad  
24 commands of the Taylor Law.

1           Third and finally, the new Taylor Law,  
2           from the moment it was enacted, was wildly  
3           unpopular with both management and labor.  
4           Management was deeply suspicious of the rights  
5           to organize and negotiate granted by the  
6           Taylor Law. Unions hated, viscerally loathed,  
7           the prohibition of the right to strike.

8           So PERB's first chair, Robert Helsby, was  
9           famously described by one of Governor Nelson  
10          Rockefeller's inner circle as, and I quote  
11          with apologies to the board, "that Goddamned  
12          Benedict Arnold". Jerry was pilloried by a  
13          pro-labor paper as, and I again quote, a  
14          "would-be labor Messiah". Other than that, he  
15          had it easy.

16          Although he wasn't the first chair of  
17          PERB, as the first deputy chair of PERB, Jerry  
18          was tasked with writing the decisions for the  
19          Board. That meant he was tasked with taking  
20          those broad concepts in the law and converting  
21          them into specific doctrines that could  
22          actually be used to resolve concrete disputes  
23          between unions and management, unions and  
24          their own members, and create an actual body

1 of jurisprudence that could bring stability  
2 and coherence to public sector labor law.

3 The concerns and questions that faced the  
4 public sector were very different from those  
5 which faced the private sector. So the  
6 National Labor Relations Act and precedents by  
7 the NLRB were of very limited use to Jerry.  
8 So how did he fill in these gaps? How did he  
9 answer these questions? Pragmatically, that's  
10 how.

11 Since power to prevent either side from  
12 violating the Taylor Law was not originally  
13 incorporated in the statute, Jerry added it  
14 into the rulemaking process. It was necessary  
15 because without such power the Taylor Law was  
16 in danger of becoming a dead letter, just like  
17 Condin-Wadlin had been.

18 In this case Jerry won by losing, because,  
19 although the appellate division struck down  
20 the provision of the rule that Jerry had  
21 added, the legislature basically adopted it  
22 almost verbatim.

23 When PERB celebrated its 50th anniversary  
24 last year, I exhumed from our archives Jerry's

1 essays and speeches and pamphlets and books.  
2 The creative ferment of those first ten,  
3 twenty years of PERB was extraordinary. You  
4 can see Jerry arriving at the guiding  
5 principles that would steer PERB's decision  
6 makers through that period and, in a great  
7 way, to the present day.

8 And he found them -- he crafted them by  
9 writing, writing about the fundamental  
10 policies that animated the law. Between the  
11 lines, you can see in his book *Public Employee*  
12 *Unionism in Israel* the evolving philosophic  
13 premises under the Taylor Law, and you can see  
14 that by finding which principles of Israeli  
15 law he notes approvingly and which he  
16 moderately demurred.

17 Not unlike Lin-Manuel Miranda's portrayal  
18 of Alexander Hamilton, Jerry wrote like a  
19 fiend. He filled pages upon pages with  
20 thoughts on how to make this law work, how to  
21 explain it to its constituents, how to win its  
22 legitimacy. He succeeded. Time and time  
23 again he wrote until he found a path that made  
24 sense to him, and started a conversation with

1 all who came after him about the goals of the  
2 law and how to achieve them.

3 More than anyone I have ever known, Jerry  
4 Lefkowitz knew what Oliver Wendell Holmes  
5 called the "secret, isolated joy of the  
6 thinker who knows that, a hundred years after  
7 he is dead, those who have never heard of him  
8 will be moving to the measure of his thought."

9 These achievements alone make Jerry's life  
10 worth celebrating, but as we are now less than  
11 two weeks from his *Yahrzeit* -- Jerry died on  
12 December 21st, 2017 -- something should also  
13 be said of the man. At his funeral, his  
14 devotion to his family, his beloved wife,  
15 Myrna, his children, and their ten  
16 grandchildren were emblazoned for all to see.

17 So, too, was his deep rooted and deeply  
18 held Zionism, which impelled him to, under the  
19 cover of researching a scholarly article on  
20 Russian labor law, take a dangerous, two-week  
21 vacation to Russia during which he was  
22 actually gathering information and reporting  
23 on the status of Jewish dissidents under the  
24 Soviet regime.

1           I can't leave without pointing out my own  
2           experience, both of his kindness and his  
3           subtle, almost hidden but very real,  
4           adventurousness.

5           As to kindness, early in my tenure as his  
6           deputy chair, Jerry sought advice on a matter  
7           from both myself and Monte Klein, who was our  
8           director of Public Employment Practices  
9           Representation. Monte and I sharply  
10          disagreed. Jerry heard us both out and then  
11          asked us to return in an hour with a joint  
12          recommendation.

13          As we left his office, Monte turned to me  
14          and said, "You know what just happened,  
15          right?"

16          I said, "Yes. You and I are going to go  
17          have lunch, and we are going to come back and  
18          we are going to recommend what you suggested,"  
19          because Jerry was giving me a chance to climb  
20          down gracefully, and I was not foolish enough  
21          to refuse it. And he only did that out of  
22          kindness, because he didn't want to embarrass  
23          his new deputy.

24          Later in my tenure I learned that his

1           granddaughter Talia, who had previously served  
2           in the Israeli Defense Forces, had been  
3           reactivated due to a mobilization that took  
4           place while she happened to be in Israel.

5           I asked him if he was worried, because in  
6           his place I would have been.

7           "No," he answered simply.

8           "Why not?" I couldn't help but ask.

9           "I'm too proud of her," was his answer.

10          Again, this was Jerry demonstrating  
11          another part of the passage from Holmes I  
12          previously quoted, where Holmes writes that  
13          "to think great thoughts, you must be heroes  
14          as well as idealists." Jerry was both.

15          May his memory inspire more heroes and  
16          more idealists.

17          BARTLEY J. COSTELLO III, ESQ.: I'm now  
18          going to ask Judge Teresi to come and eulogize  
19          Robert Roche.

20          HON. JOSEPH TERESI: May it please the  
21          Court, honorable members of the judiciary,  
22          members of the Albany County Bar Association,  
23          friends and family of the deceased members,  
24          and members of the family of Robert P. Roche,



1           it is beyond an honor and privilege to be here  
2           today to remember Bob Roche in his  
3           professional accomplishments and life.

4           Ardent advocate, possessing a keen  
5           analytical mind with a vast understanding of  
6           the law, collector of old and unusual stamps,  
7           lover of all things Irish, and part leprechaun  
8           is how one might describe Bob Roche.

9           He was a part of the Albany legal  
10          community as an active practitioner for  
11          58 years. Born on Ground Hog Day in 1937 and  
12          raised in Albany in that part of the city that  
13          was then considered uptown, that is, the  
14          Delaware Avenue area in the neighborhood of  
15          the former St. James Church, there he attended  
16          his parish grade school where the seeds of his  
17          devout faith were planted.

18          At an early age he exhibited the talents  
19          of an entertainer with music and singing  
20          abilities. He was a regular performer in the  
21          new 1950s era of television, which was then  
22          only black and white. He appeared many times  
23          on Tommy Sternfeld's *Teenage Barn* talent show,  
24          which was on Channel 6 weekly. He trained

1 under the watchful eyes of Gertrude Hallenbeck  
2 who, at that time, owned the leading dance  
3 studio in Albany. He was a song-and-dance  
4 man, and along with other local talents,  
5 including the now well known actor William  
6 Devane and his brother Joe Devane, he sang and  
7 danced his way onto television and into  
8 Capital District homes via the new technology  
9 of television.

10 He attended high school at Vincentian  
11 Institute over on Madison Avenue and Ontario  
12 Street. There the Holy Cross Brothers taught  
13 him college preparatory courses and he sang in  
14 the Glee Club. He then graduated on to the  
15 College of the Holy Cross, class of 1958, *cum*  
16 *laude*, where the Jesuits molded his intellect  
17 as he took prelaw courses and joined the Holy  
18 Cross Glee Club, which performed all over New  
19 England. Summers he worked pumping gas and  
20 changing oil at Floyd's Mobil gas station on  
21 the corner of Delaware Avenue and Whitehall  
22 Road with another local kid, Tom Keegan, later  
23 to be Supreme Court Justice Keegan, who lived  
24 in that area.

1           After graduating from Albany Law School  
2           and passing the bar examination, he settled  
3           into a law practice here doing general  
4           litigation, criminal defense, and estate work.  
5           Over the years he developed an expertise for  
6           legal and judicial ethics and professional  
7           responsibility. He became the upstate expert  
8           in those areas, lecturing on those subjects  
9           before various bar associations statewide.

10           Along with that expertise came the  
11           representation of lawyers and judges who had  
12           strayed in their professional and ethical  
13           responsibilities through their practices and  
14           errors. He not only provided excellent legal  
15           representation but also the necessary  
16           emotional support and sensitivity to his  
17           clients, even when they had little or no  
18           defense for their actions.

19           He did the best he could to save  
20           professional careers, reputations, and his  
21           clients' professional lives. Bob had a unique  
22           understanding of the human spirit, its  
23           weaknesses, and the tendency to err in the  
24           decision-making process. He always argued

1           strongly on behalf of his clients, giving each  
2           of them expert legal representation from day  
3           one to the end of the case.

4           Bob's legal practice grew, and he was a  
5           part of several law firms over the years,  
6           working to expand his practice. He developed  
7           an interest in politics. While he never ran  
8           for public office, he was an Albany County  
9           Democratic Committeeman, campaigning for  
10          candidates, working behind the scenes for all  
11          -- that is, Democrats, naturally -- and he  
12          defended and represented members of the  
13          Democratic party and its members when outside  
14          agencies came to the area, such as the State  
15          Investigation Commission when it had come to  
16          town to investigate the City of Albany's  
17          competitive bidding practices, or lack  
18          thereof, and the State Organized Crime Task  
19          Force when it came around to investigate the  
20          Albany Police Department and its members.

21          He was often retained to defend members of  
22          law enforcement and the county sheriff in  
23          federal and state court when they were sued.  
24          He represented Albany County as its county

1 attorney and was a member of the Capital  
2 District Transportation Authority, serving as  
3 its chairman to help guide it during its early  
4 growth years as it became the primary source  
5 of mass transportation in the Capital  
6 District.

7 He was a member of the New York Guard, not  
8 to be confused with the New York State  
9 National Guard, and when asked what the New  
10 York Guard did, he would respond with a  
11 straight face that its primary mission was to  
12 defend New York State from any invasion and  
13 occupation from the State of Vermont.

14 He was recognized internationally as an  
15 astute legal mind, and was asked to go to  
16 Dublin, Ireland, as an impartial observer  
17 during the political trials of IRA members and  
18 to report on the fairness of those  
19 proceedings. His loyalty to his Irish roots  
20 led him to purchase a cottage in the Old Sod  
21 that he owned for many years, and he supported  
22 Irish-rooted groups such as the Ancient Order  
23 of Hibernians and the Irish Northern Aid  
24 organization, leading him to know Irish

1           leaders such as Gerry Adams and Martin  
2           McGuinness, both internationally known Irish  
3           Republican leaders.

4           Bob and his partner, Joe McCoy, organized  
5           and led the infamous post-election day  
6           cultural trips to Ireland for many years. Joe  
7           did the work organizing the trip, signing up  
8           the travelers, getting their money, arranging  
9           for the itinerary, hotels, flights, and ground  
10          transportation, and Bob humbly took credit for  
11          those successful trips.

12          Now, don't get the wrong idea. Those  
13          trips were not generally tours of the many  
14          Irish historical sites, churches, libraries,  
15          and museums, but targeted the local pubs such  
16          as John Rabbits in Galway, Bruxelles in  
17          Dublin, Judge Roy Bean's, also in Dublin, and  
18          Murphy's in Killarney.

19          The attendees of these week-long  
20          pilgrimages included judges, lawyers,  
21          including district attorneys and public  
22          defenders, bail bondsmen in there, too,  
23          members of various state and local police  
24          departments, and citizens of the Albany

1 community, ranging in age from their twenties  
2 to 70-plus years. Attendance ranged from 20  
3 to 30 or more pilgrims.

4 It was amazing that everyone got there and  
5 back home safely, with the most serious  
6 incident occurring when one of the lawyers  
7 could not find his passport when leaving to  
8 fly home, having lost it either on the way to  
9 the airport or in some pub the night before.  
10 It was never determined which.

11 So an assistant U.S. attorney in the group  
12 had to intercede with U.S. Customs and  
13 Immigration at the airport in order to get the  
14 lad back into the U.S.A., certifying that the  
15 lawyer was, indeed, a U.S. citizen and not a  
16 member of some foreign subversive group.

17 Bob's clients ran the gamut of the Albany  
18 citizenry, from blue-collar workers with large  
19 families, trying to scrape together a living,  
20 for whom he charged very little or nothing, to  
21 the community leaders, including bankers,  
22 business people, attorneys, judges, and the  
23 longstanding mayor of Albany, Erastus Corning.

24 Bob was devout in his Catholic faith,

1 attending mass at St. Mary's church every  
2 Sunday and many weekdays. He was a cantor  
3 there, exhibiting his melodic singing voice.

4 But his favorite connection with that  
5 church was the Sunday morning coffee group  
6 that met after the 8:30 a.m. Sunday mass. In  
7 attendance were the charter members: Judge  
8 John Klein, the county judge fondly known by  
9 the lawyers as "Maximum John"; Frank O'Brien,  
10 a local insurance executive, preeminent Notre  
11 Dame alumnus and community leader; John Yanas,  
12 former president of the New York State Bar  
13 Association, former Albany City judge, and  
14 practicing attorney; Tom Burke, Albany police  
15 chief; and Reverend James Lefebvre, pastor of  
16 the church, irreverently referred to by Roche  
17 as "Frenchy," who presided and directed the  
18 subjects on the agenda. Many a problem was  
19 solved, at least in theory, during these  
20 sessions. Local political agendas and  
21 conspiracies were analyzed and debunked -- or  
22 created -- over coffee.

23 Bob was a great storyteller who often took  
24 license and embellished the facts. If you



1 heard him tell the same story twice, there was  
2 always a twist in the facts to give it a new  
3 spin. He could entertain an entire room. He  
4 did exactly that at the annual holiday party  
5 of the Bethlehem Professional and  
6 Businessmen's Association, which has been  
7 celebrating camaraderie and the holiday spirit  
8 annually for over 50 years.

9 There he often served as the master of  
10 ceremonies, often showing the requisite levels  
11 of disrespect and humor at anyone present,  
12 including judges and public officials. More  
13 than once a judge or official who was the  
14 target of Bob's barbs did not return a second  
15 year because of his sensitivity or Bob's lack  
16 of the same.

17 Bob's legal career included some of the  
18 lore of the local courthouses, and  
19 demonstrates his commitment to his clients and  
20 the judicial system. He once represented a  
21 married couple who were seriously injured in a  
22 car accident. The case was tried in  
23 Rensselaer County Courthouse, and Bob went  
24 over on a Monday with his adversary and picked

1 a jury that would decide the case.

2 The lawyers reported the next day to  
3 deliver their opening statements to the jury.  
4 As often happens, there were some discussions  
5 in chambers and a settlement figure was agreed  
6 to. However, Bob would not put a settlement  
7 stipulation on the record unless opening  
8 statements were made.

9 The trial judge, Honorable John T. Casey,  
10 was an exceptional trial jurist, former  
11 Rensselaer County district attorney and county  
12 judge, elected to the state Supreme Court, and  
13 later served as an associate judge in the  
14 appellate division, but a jurist not known for  
15 an overabundance of patience in his briefcase.

16 Hearing that, the judge looked at Bob and  
17 said, "Mr. Roche, are you out of your mind?  
18 You have a settlement. Put the stipulation on  
19 the record and send your clients home."

20 Without missing a beat, Bob said, "With  
21 all due respect, your Honor" -- now let me  
22 digress a minute and explain to you, as these  
23 judges know or should know, that when a lawyer  
24 starts a sentence to a judge with the phrase

1 "with all due respect, your Honor," that means  
2 you are about to get thrown a curveball down  
3 low and away over the plate, which you will  
4 never get your bat on.

5 So Bob continued, "With all due respect,  
6 your Honor, my opening statement is one of the  
7 finest pieces of oratory that will ever be  
8 heard in this courthouse. I put a lot of  
9 effort into its preparation and stayed up all  
10 night writing it and am very proud of it, and  
11 the jury is entitled to hear it. Further,  
12 since your Honor teaches New York trial  
13 practice at Albany Law School, I believe that  
14 even you would benefit from hearing my opening  
15 statement."

16 Now Judge Casey had no retort, and Casey  
17 at the Bat struck out. He relented, and both  
18 lawyers went out into the courtroom and made  
19 their opening statements before the jury,  
20 putting the stipulation of settlement on the  
21 record immediately thereafter.

22 Those who knew Bob Roche, traveled with  
23 him, litigated cases, or were represented by  
24 him or sought his advice are better people for

1 knowing him and, I'm sure, benefited from  
2 those associations. He established a level of  
3 jurisprudence excellence that has set a high  
4 bar for the rest of us to match.

5 Thank you.

6 BARTLEY J. COSTELLO III, ESQ.: Judge  
7 Teresi is selling that particular opening  
8 statement to anybody who wishes to purchase  
9 it.

10 Judge Robert F. Doran will be eulogized by  
11 Matthew McNamara.

12 MATTHEW H. MCNAMARA, ESQ.: Thank you,  
13 your Honor.

14 I had the pleasure of being an office-mate  
15 of Bob's for 20 years and went out to lunch  
16 with him four or five times a week for those  
17 20 years. He is going to be very disappointed  
18 in me in that he trained me to be a trial  
19 lawyer and I'm going to have to refer to notes  
20 and essentially read because I'm a little  
21 worried I will get too emotional if I don't.  
22 Forgive me, Bob.

23 Bob was born in Rochester, New York, in  
24 1930. His family moved to Albany where he

1 attended high school and eventually Siena  
2 College and Albany Law School, graduating in  
3 1957. He served in the Air Force during the  
4 Korean War.

5 In 1957 he married the love of his life,  
6 Joan. Together they have five children and 13  
7 grandchildren. Bob's children and  
8 grandchildren were a great source of pride to  
9 him. He spoke often of their successes. The  
10 only thing that Bob loved more and loved to  
11 talk about more than law and politics were his  
12 family. The only time I remember Bob taking  
13 time off for work was either for opening day  
14 at the track or to spend time with the family  
15 in Cape Cod.

16 Bob started his legal career in Albany at  
17 Newkirk Associates in legal publications. In  
18 1967 he became town justice in Clifton Park.  
19 He then opened a law practice which ultimately  
20 became Carola, Doran, Grogan & Heggen, as well  
21 as a legal publishing business, Doran  
22 Publications.

23 It was at this firm that Bob first started  
24 training lawyers. My father worked for Bob at

1           this firm, and he loves to tell the story  
2           about getting a Sunday morning away from his  
3           wife and screaming children to go play golf.  
4           They stopped into the office to pick up  
5           passes, and Bob was sitting at the desk. So  
6           nobody played golf and everybody got to work.  
7           And no words were spoken by Bob, but it was  
8           understood that lawyers worked on Sunday.  
9           They didn't go play golf.

10           In 1978 Bob was elected to Saratoga County  
11           Surrogate Court, and he served there until  
12           1985, when he was elected to the Supreme  
13           Court, serving in both the Fourth Judicial  
14           District and in New York County until 1993.  
15           He was also acting county court judge for  
16           major felony cases.

17           He was known for his deep humility and  
18           generosity. He was very approachable. It was  
19           widely acknowledged and understood that Judge  
20           Doran knew the law. He accomplished much on  
21           behalf of the people he served, including  
22           clearing the calendars in all the courts where  
23           he worked over the years.

24           The only things Bob loved more than the

1 law was politics: He was a longstanding  
2 member of the Republican party. He served as  
3 interim Saratoga County GOP chairman in 1976.  
4 He was active in politics throughout his life,  
5 and he served on the board of his homeowners  
6 association up until the time of his death.

7 Bob's biggest political claim to fame is  
8 he got the Saratoga County sheriff elected,  
9 and the year that they did that the sheriff  
10 was actually dead. He spoke often about how  
11 he got a dead man elected. It was one of the  
12 things that he was most proud of.

13 My personal relationship began with Bob in  
14 1999 when I became a lawyer. It was very  
15 clear from the first day that if you had a  
16 question or needed to know anything, Bob was  
17 the man to see. He was more than willing to  
18 sit and listen to a newly admitted lawyer  
19 explain how brilliant he was and how he was  
20 going to change this law and how this was all  
21 going to work out. Even though he knew that  
22 you did not have a chance, he sat and he  
23 listened and he let you go through the whole  
24 thing. He even let you kind of get out of the

1 office before he started chuckling under his  
2 breath.

3 He was a lawyer's lawyer, and he loved the  
4 profession. He loved everything about it. He  
5 loved the academics of it, but he really loved  
6 the competitive aspect of it. He loved the  
7 adversarial process.

8 I remember one particular case I had with  
9 Judge Nolan. We lost on summary judgment. I  
10 went to Bob and explained why we were right.  
11 He took an interest in the case and agreed  
12 with me. So every now and then during the  
13 appeal process I would go see him, and he  
14 would listen. He was probably 85 or so at the  
15 time. He had already been through one bad  
16 illness where he had been hospitalized. He  
17 had been taking a cab down to the office. He  
18 was starting to fail a little.

19 When the decision came in, I came into the  
20 office and I skipped to the part where it said  
21 "reversed and remanded". He lit up like I had  
22 never seen him, and he just let out the  
23 biggest cackle. He was so happy that Judge  
24 Nolan was overturned. So he immediately



1           picked up the phone and started calling Judge  
2           Nolan, 45 minutes of explaining to him how he  
3           was wrong and we were right. "Matt McNamara  
4           knows more than you." I kind of snuck out of  
5           the room because I did not quite have the  
6           cache that Bob did to be needling a sitting  
7           judge.

8           Bob's willingness to help went well beyond  
9           the lawyers in our office. I always sat in my  
10          office next to him. He was quite loud on the  
11          phone, talking to the lawyers about their  
12          cases, local judges about their campaigns and  
13          their prospects, friends with legal issues,  
14          and neighbors who needed political help in  
15          getting a job. All day he would just be on  
16          the phone, offering advice and encouragement  
17          to everyone, never asking for anything in  
18          return. It was a little troubling when I  
19          became a partner and realized he was not  
20          billing anyone or keeping track of his time,  
21          but he gave of himself freely.

22          He was dedicated to his fellow lawyers, as  
23          we all know. He joined every bar organization  
24          he could, attended meetings every night, sat

1           on the board of every organization he could.  
2           We often joked him how he was the only  
3           Irishman in the Italian-American Bar  
4           Association.

5           No remembrance of Bob would be legitimate  
6           without discussing what a hard worker he was  
7           and how incredible his work ethic was. As he  
8           got older and couldn't see and couldn't drive,  
9           it became difficult for him and he had an  
10          extended period in the ICU when I went to  
11          visit him and his wife told me they didn't  
12          think he was going to make it. He made it and  
13          he came back to work every day. And when his  
14          eyesight failed, he took a cab to the office  
15          every day. That's extremely inspirational to  
16          everyone who knew Bob.

17          I think the only person who didn't  
18          appreciate his work ethic was his wife, Joan,  
19          who just wanted to go to Florida for a month  
20          one year in her life and Bob could not take  
21          the time away from his work.

22          Bob loved being a lawyer. He loved you  
23          all. He loved his profession. I was a  
24          witness to that. He was always willing to

1 help and to listen and to offer advice to  
2 anybody that needed it. He taught a lot to me  
3 about what it means to be a lawyer, and I  
4 think to everyone in this room.

5 Thank you.

6 BARTLEY J. COSTELLO III, ESQ.: Judge  
7 Thomas Keegan will be eulogized by the  
8 Honorable John Egan.

9 HON. JOHN EGAN: Judge Ryba. Good  
10 morning.

11 THE ASSEMBLAGE: Good morning.

12 HON. JOHN EGAN: Thomas W. Keegan was a  
13 good, good friend for a lot of people in this  
14 room. He was also a respected judge, a humble  
15 public servant, an excellent lawyer, a mentor,  
16 a fisherman, and a beloved husband, father,  
17 and grandfather.

18 Tom Keegan was born in Albany in 1940. He  
19 attended VI, Siena College, and Villanova  
20 School of Law, and will be best known for his  
21 work here in Albany as a judge, first in  
22 Albany police court, then in Albany County  
23 Court, and finally in the Supreme Court.

24 He retired early, moved to North Carolina

1 with his wife, Veronica, and enjoyed many  
2 years of happiness there. He passed away this  
3 February in Florida on his way to the Daytona  
4 500.

5 The qualities that made Judge Keegan a  
6 true asset to the judiciary were many: his  
7 legal knowledge, his integrity, and especially  
8 his compassion and humanity. His dedication  
9 to finding for every litigant who came before  
10 him a fair and just resolution of the problem  
11 at hand.

12 Many area judges have had the pleasure of  
13 learning and serving with Tom during which  
14 time there were many occasions when faced with  
15 a difficult problem they would ask him how he  
16 would handle it, for he had an authority and  
17 sureness about him that instilled confidence.

18 We judges knew that he would leave no  
19 issue unexamined and that his decision would  
20 not be driven by the consensus of the moment  
21 but would be the product of a careful  
22 consideration not only of the facts and the  
23 law but also the practical effects and  
24 potential broad impacts that his or our

1 decision might make.

2 He had a unique ability to fashion a fair  
3 decision because he really cared about people  
4 and the impact that that decision would have  
5 on them. He never lost sight of the fact that  
6 for every litigant there was no case more  
7 important, no cause more compelling, than  
8 their own. While he was attending to that  
9 cause, it became the most compelling thing for  
10 Judge Keegan as well, as he truly sought to  
11 understand how a resolution of the facts would  
12 impact their lives.

13 He was not only an exceptional judge with  
14 unerring good judgment, but he was a fine man  
15 whose concern and affection for his friends  
16 and colleagues will not soon be forgotten by  
17 anyone who had the good fortune to know him.

18 He worked hard and loved being a judge but  
19 never thought himself more important or better  
20 than anyone else. Judge Keegan was a true  
21 legal giant whose kind demeanor made all who  
22 appeared before him feel at ease. He has  
23 earned his place in Albany history as one of  
24 our finest jurists and will surely be missed.

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BARTLEY J. COSTELLO III, ESQ.:

Terence J. Burke will be eulogized by Roland Cavalier.

ROLAND CAVALIER, ESQ.: Thank you and good morning.

It was my good fortune to have practiced law with Terry Burke for 39 years. We first met at Albany Law School when we were working together on a project for the *Law Review*. I graduated at the end of that year and took a job at Nolan & Heller. Terry was one year behind me, he was a junior at that time, but we reconnected the following year when Terry also took a job at Nolan & Heller.

We worked there as associates for a long period of time, but also we became close friends with each other. I got to know him very well during that time, and I had a great deal of admiration for his legal skills and also for his work ethic.

Although I graduated a year earlier than Terry, I knew he was some few years older than I was. One day we were having lunch at Nolan & Heller, and I asked him, "Terry, what

1           did you do in the years between when you  
2           graduated from college and when you graduated  
3           from law school?"

4           He said he had an engineering degree and  
5           he worked at the Knolls Atomic Power Lab.

6           I said, "What did you do at Knolls?"

7           And to my surprise he said, "Well, I  
8           designed nuclear reactor cores for the U.S.  
9           Navy nuclear submarine fleet."

10          Needless to say, I was impressed.

11          But then I asked him, "Why did you leave  
12          such a promising career to go into law?"

13          What he said surprised me. He said that  
14          he noticed that engineers worked in a large  
15          room. They didn't have individual offices,  
16          and they had these grey metal desks of the  
17          kind that you were likely to find in any  
18          government agency. But from time to time he  
19          would need to consult with the Knolls legal  
20          team, and he noticed that they had individual  
21          offices with doors and windows and fancy  
22          wooden desks.

23          So he went home that night and spoke with  
24          his beloved wife, Phyllis, affectionately

1           known as Pfee. He said, "Pfee, you are going  
2           to have to support us for the next three years  
3           because I'm going to law school." And that's  
4           exactly what he did and he, of course,  
5           graduated from law school near the top of his  
6           class.

7           We were together for about three years at  
8           Nolan & Heller, kind of learning the nuts and  
9           bolts of the practice of law, but like many  
10          lawyers at that time we had a dream of  
11          starting our own little firm. In those days a  
12          lot of the lawyers had a broader spectrum.  
13          They weren't as specialized as we are today.  
14          I was a little skittish about leaving a good  
15          job at a good firm, but Terry had sort of an  
16          inner confidence that everything was going to  
17          be okay. He talked me into *Let's go and do*  
18          *this thing.*

19          So after three years at Nolan & Heller we  
20          decided to start out on our own. We formed a  
21          two-man firm. Our first discussion was what  
22          we were going to call the firm. I thought  
23          Cavalier & Burke sounded good; he favored  
24          Burke & Cavalier. What to do with this



1           conundrum? We flipped a coin, and Burke &  
2           Cavalier was formed. We rented some space, we  
3           got some used law books -- this was well  
4           before the days of computers -- and we began a  
5           partnership that lasted 36 more years.

6           One of his many skills, in addition to his  
7           legal talent, was what I call his people  
8           skills. He was Irish, and he had the gift of  
9           the gab, and he had the ability to draw people  
10          to him. He always saw the good side of  
11          people, and people always liked him back.

12          Using his powers of persuasion, he  
13          attracted several other lawyers to our firm.  
14          In time Burke & Cavalier become Burke,  
15          Cavalier & Lyman. And then, a year or so  
16          after that, it was Burke, Cavalier, Lyman &  
17          Shanley.

18          In addition to growing our firm and our  
19          legal team, he was also a significant factor  
20          in our firm's bringing in clients. He was big  
21          on the book of business.

22          There came a time when the state  
23          legislature passed laws concerning industrial  
24          development revenue bonds, which were designed

1           for developers to get some tax breaks if they  
2           got the bond through the industrial  
3           development building authority. Terry thought  
4           this could be a lucrative thing for the firm,  
5           and he convinced all of the partners that this  
6           was something we could do.

7           But there was a problem. In order to do  
8           an industrial development revenue bond job,  
9           you had to be listed in something called the  
10          Red Book, which was a list of all the lawyers  
11          who had done revenue bond work. They were  
12          mostly New York City firms and some of the  
13          larger upstate firms. But in order to get  
14          into the Red Book you had to have done a bond  
15          deal. So there was this Catch-22 situation  
16          where you couldn't do a bond deal unless you  
17          were in the Red Book, but you couldn't be in  
18          the Red Book unless you did a bond deal.

19          I thought, *Well, there goes a wonderful*  
20          *opportunity*, but Terry persisted. He had a  
21          client who wanted to use the benefits of this.  
22          So he went and talked to the lenders and  
23          convinced them that he knew exactly what he  
24          was doing and, after all, if he could design

1 nuclear reactors, he certainly could close a  
2 bond deal.

3 So they agreed, he completed the job, we  
4 got into the Red Book, and that launched our  
5 firm to the next level. For several years  
6 Terry was the go-to guy for bond deals in the  
7 Capital District. I referred to him as the  
8 Bond King.

9 Several years later Terry was at a wedding  
10 at which he happened to be seated next to a  
11 senior partner of the Harris Beach law firm,  
12 and he struck up a conversation and, wouldn't  
13 you know it, within a couple of months we  
14 became the Albany office of Harris Beach. He  
15 was just that kind of a guy who could convince  
16 people to do what was good for the firm.

17 Terry was always -- in all of the firms  
18 that we had he was always the ethics expert.  
19 If, like me, you have practiced law for a long  
20 time, 49 years in my case, you may come into a  
21 situation where a client asks you to take a  
22 position or to make an argument that may not  
23 be quite proper.

24 But with Terry it mattered not how

1           important the client was or how large the fee  
2           was. He always kept our firm on the straight  
3           and narrow. Anytime I had a legal question  
4           Terry was always my go-to guy.

5           He was not only a talented lawyer but a  
6           loyal friend and a great family man. He  
7           adored his wife, Phyllis, and his daughter,  
8           Erin. Whenever he had free time -- whenever a  
9           lawyer has free time -- he spent all of his  
10          time with his family. He was also an avid  
11          golfer and attempted to teach me to play golf,  
12          but that was a lost cause.

13          In all the time I knew him he had only one  
14          vice: He loved the pies from Grandma's pie  
15          shop. He had a bit of a sweet tooth. He was  
16          a regular customer, and almost every night  
17          after dinner he would have a slice of pie.  
18          Phyllis, who was responsible for watching his  
19          waist, wasn't quite so happy about that, but  
20          sometimes after she went to bed Terry would  
21          sneak downstairs to have another slice.

22          As he approached retirement he went back  
23          to where it all started at Nolan & Heller and  
24          became a special counsel working part-time

1           there. He was the neighbor and a close  
2           personal friend of Rich Weiner, who was the  
3           managing partner, who was another fantastic  
4           lawyer who also left us far too soon.

5           When his daughter, Erin, married and moved  
6           to Louisiana, he and Phyllis bought a home  
7           there, and they spent most of the rest of  
8           their time at their Louisiana home or at their  
9           condo in Naples, Florida.

10          When I look back at all the years I have  
11          been practicing law, the times with Terry were  
12          some of the happiest years of my career. In  
13          39 years together there was never a harsh word  
14          spoken, there was never an argument over  
15          money. He was a talented lawyer, a great  
16          friend, and a wonderful colleague. Even today  
17          when I face a problem that I am struggling  
18          with, I ask myself, "What would Terry do?"

19          He left us far too soon, and I and anyone  
20          who had a chance to know him will certainly  
21          miss him.

22          Thank you.

23          BARTLEY J. COSTELLO III, ESQ.: Cindy Dee  
24          Shenker will be eulogized by her partner,

1 Douglas Clark.

2 HON. CHRISTINA L. RYBA: I want to remind  
3 the speakers to project so everyone can hear.

4 DOUGLAS CLARK, ESQ.: Thank you all for  
5 honoring Cindy today. Cynthia -- "Cindy," as  
6 she was known by all of her friends and family  
7 and virtually everyone who ever met her --  
8 passed away this year peacefully at her home  
9 surrounded by her loving family, following a  
10 brief but sudden illness.

11 Cindy was born April 4th, 1955, in the  
12 Bronx, growing up in Rockland County and  
13 graduating from Spring Valley High School.  
14 Cindy then attended Cornell University's  
15 School of Industrial and Labor Relations,  
16 earning her degree in 1976 in just three  
17 years. It was a surprise three years. She  
18 didn't realize she had that many credits  
19 already.

20 So when she was -- in her surprise senior  
21 year she was interning in the New York State  
22 Assembly for the Labor Committee. Upon her  
23 surprise graduation she took a job with the  
24 Assembly in the 1977 legislative session and

1 entered law school that fall, attending  
2 Western New England Law School at night,  
3 graduating in 1981, all the while continuing  
4 to work full-time in the Assembly.

5 She later became counsel to the majority  
6 leader, serving in that capacity for almost 20  
7 years for three different majority leaders.  
8 Following the Assembly she joined the law firm  
9 of Wilson, Elser, Moskowitz, Edelman & Dicker  
10 in 1994 as a founding member of the firm's  
11 Albany government relations practice. She  
12 attained full equity partnership quickly and  
13 also served on the firm's first International  
14 Executive Committee.

15 Cindy left Wilson Elser in 2015 to create  
16 her own firm of Shenker Russo & Clark. Under  
17 her leadership Shenker Russo & Clark has grown  
18 in a short time to a staff of nearly 20  
19 professionals. So we had to get offices above  
20 BJ's because we couldn't fit into her kitchen  
21 any longer.

22 All of that information, while impressive,  
23 does not begin to tell you who Cindy really  
24 was. Known for her unparalleled generosity,

1 Cindy was never too busy to stop and help her  
2 colleagues, friends, and family, no matter how  
3 small or how significant the request. She was  
4 a force of nature, who took the time to give  
5 of herself to almost everyone she came into  
6 contact with.

7 She was a loving, doting mother who would  
8 do anything for her two daughters. She was a  
9 daughter who would do anything for her  
10 parents. She was wife who would do anything  
11 for her husband. She was a boss who would do  
12 anything for her employees. She was a woman  
13 who would do anything to champion other  
14 women's rights. And she was a friend who  
15 would do anything for her friends.

16 I can list all her other myriad  
17 accomplishments: recognition as one of the  
18 Best Places to Work by the *Albany Business*  
19 *Review*, a New York State certified woman-owned  
20 business, as well as numerous other staff  
21 awards for community service and a commitment  
22 to diversity. But, again, that won't nearly  
23 describe who Cindy was. She was tenacious,  
24 with a "never give up" personality, impeccable



1 reputation, exceptional legal acumen, and an  
2 unwavering commitment to superior service both  
3 professionally and in the community.

4 Cindy was a resident of the Capital  
5 District for over 40 years and served her  
6 community by participating on a number of  
7 local and statewide boards and organizations,  
8 including Congregation Beth Emeth, To Life!,  
9 Eleanor's Legacy, Family Planning Advocates,  
10 and Jewish Family Services.

11 Cindy was recognized by the Albany County  
12 Legislature as a "trailblazing woman who has  
13 shown an outstanding commitment to our  
14 community and changed our history"; by a Woman  
15 of Distinction Award presented by the New York  
16 State Assembly "for making a difference,  
17 showing leadership, and continuing to inspire  
18 all"; and by *City and State's* Albany Power 100  
19 in 2015 and '16.

20 Cindy asked us to continue Shenker Russo &  
21 Clark as her legacy. I am happy to say that  
22 we have been able to do so, and we are  
23 continuing to grow and be successful. We  
24 continue to operate by asking ourselves, "What

1           would Cindy do?" And this direction has never  
2           failed us.

3           Cindy is survived by her husband, Jim  
4           Campbell, and her daughters, Alexandra and  
5           Madeline. She also has a brother, Bruce  
6           Shenker; a sister, Karla Reynolds; and seven  
7           nieces and nephews. Her parents, Martin and  
8           Joyce Shenker, also survive her.

9           Thank you very much.

10           BARTLEY J. COSTELLO III, ESQ.: Frank  
11           Lasch will be eulogized by his son-in-law,  
12           Steve Helmer.

13           STEPHEN T. HELMER, ESQ.: May it please  
14           the Court, honorable members of the judiciary,  
15           colleagues, friends, and family.

16           I want to thank the Albany County Bar, in  
17           particular BJ Costello, for the great honor of  
18           allowing me to eulogize a great man and a  
19           great lawyer, my father-in-law and my personal  
20           hero, Frank Lasch.

21           A native of Albany, Frank lost his parents  
22           when he was quite young. His aunt and uncle,  
23           Kate and George Foy, became his surrogate  
24           parents. You may know those names. Kate was

1           one of the first female graduates of Albany  
2           Law School, and George was one of the founders  
3           of the DeGraff Foy firm where Frank later  
4           practiced for decades.

5           Frank graduated Christian Brothers  
6           Academy, Holy Cross College, and Cornell Law  
7           School, earning honors and distinctions in all  
8           three places. Before embarking on a 40-year  
9           career at DeGraff Foy, Frank served as a  
10          lieutenant JG with the U.S. Navy, which  
11          cemented his love of the water.

12          Shortly after his honorable discharge and  
13          the commencement of his practice, Frank met  
14          Mary Ellen Gallagher Luddy, the widow of  
15          Frank's high school and college roommate and a  
16          member of the bar, Robert Luddy, who had died  
17          in a tragic accident in 1963. Mary Ellen had  
18          seven children when they met, and when they  
19          married in 1965 and had two more children,  
20          Frank earned the moniker of the Bravest Man in  
21          America. To pay for all those mouths to feed,  
22          Frank had to have a successful career, and he  
23          did.

24          As a lobbyist and as a lawyer, Frank

1           excelled. In talking to his former partners  
2           and colleagues, I heard many of the same  
3           things said more than once: "Frank's word was  
4           his bond." "Frank had instant integrity."  
5           "Frank had a tremendous work ethic." "He was  
6           the first to the office and the last to  
7           leave." "Frank with a pragmatic problem  
8           solver." "Frank always gave good and  
9           thoughtful advice." "Frank once talked me out  
10          of a bad decision, and I am still grateful for  
11          that."

12                 I even heard Frank called patient and  
13                 kind. For those of us who sailed as crew on  
14                 Frank sailboat, we know that those words  
15                 weren't so in those situations.

16                 In Frank's obit' it is noted that in his  
17                 40 years of practice, Frank represented  
18                 clients both large and small. I had the good  
19                 fortune to witness the truth of that  
20                 statement.

21                 Once on a Sunday afternoon when my family  
22                 were visiting in town, Frank asked me to take  
23                 a ride to friend's house to be a witness to  
24                 the will he had prepared for his friend's

1 elderly mother. The woman was quite old, but  
2 she asked clear and good questions. Frank  
3 patiently and thoughtfully answered each and  
4 every question, giving her the same patience  
5 and attention he would also give to the  
6 presidents and CEOs of the many large  
7 organizations he represented and lobbyists.

8 On that score I remember Frank coming to  
9 the family cottage on Lake George in the  
10 summer after a long and brutal legislative  
11 session. He was exhausted and happy as he  
12 came in late one night. He told me he just  
13 killed a bill in the legislature that was an  
14 important bill for a large trade association  
15 he represented.

16 Well, he thought he had killed the bill,  
17 because in the morning when he read the  
18 newspapers, he realized that after he had left  
19 town someone had snuck into the governor's  
20 office to obtain the first Governor Cuomo's  
21 signature, and the bill had been signed.

22 When he read that, he picked up the phone  
23 and he called his client, and he drove back to  
24 the city and explained what had happened to

1 his client face to face. That was a hard  
2 thing for Frank to do. He worked awfully hard  
3 to get up to the lake every summer. He was  
4 devoted not only to his family but also to his  
5 clients.

6 There's not enough time here for me to  
7 list all of Frank's accomplishments, his  
8 honors, or the positions where he served the  
9 community and the institutions he loved.  
10 Suffice it to say that Frank gave far more  
11 than he ever took in this life.

12 Emblematic of that is a note written to my  
13 mother-in-law, Mary Ellen Lasch, after Frank  
14 passed away in May. It was written to her by  
15 H. Douglas Barclay, former state senator and  
16 the former U.S. ambassador to El Salvador.

17 With the Court's permission, I would like  
18 to read it into the record.

19 HON. CHRISTINA L. RYBA: Yes.

20 STEPHEN T. HELMER, ESQ.: It reads as  
21 follows:

22 *Dear Mrs. Lash,*

23 *I was saddened to learn of Frank's*  
24 *passing. I knew him for at least 50 years*

1           *since I was elected to the Senate in 1964.*

2           *He was a very good friend and a remarkable*  
3           *person. He had the best knowledge of the*  
4           *legislature of anyone and was so kind and*  
5           *personable. He helped me out on a number of*  
6           *occasions for which I am very grateful. He*  
7           *was an institution for legislators, whether*  
8           *they were Republicans or Democrats.*

9           *I know you have been through a difficult*  
10          *time, but you should be proud and heartened by*  
11          *Frank's efforts and his accomplishments over*  
12          *so many years.*

13          *He will be missed in the state and in*  
14          *Albany. I send my deepest sympathy to you and*  
15          *your family.*

16          *Sincerely, Doug Barclay*

17          So I end where I began: Frank truly was a  
18          great man and great lawyer.

19          Thank you very much.

20          BARTLEY J. COSTELLO III, ESQ.: Gretchen  
21          Greisler will eulogize her father, Nick  
22          Greisler.

23          GRETCHEN GREISLER, ESQ.: Good morning.  
24          I'm off to a bit of an inauspicious start. I

1 got distracted talking to my former law  
2 partner and failed to check in.

3 Thank you all for being here to honor my  
4 father and the other members of the Albany  
5 County Bar Association who we lost this year.  
6 I very much appreciate being asked to speak  
7 today.

8 When I was planning my comments I was  
9 going to make at my father's funeral, my  
10 husband quite wisely told me that I was  
11 planning to speak too much about my father the  
12 attorney and not enough about my father the  
13 man. But the fact is my father's work was so  
14 much a part of his life and of our life as a  
15 family that it was pretty hard to leave that  
16 part out. So I'm very glad to be able to talk  
17 about his career today.

18 My father was born in Scotia to my  
19 grandparents, who owned a stationary store.  
20 After my grandfather passed away when my  
21 father was just seven, my grandmother worked  
22 as a Catholic school teacher. So my father  
23 was very excited. A German, Catholic school  
24 teacher, so that should tell you something



1 right there.

2 He went to St. Bonaventure, and after  
3 graduating he worked for a few years, most  
4 notably with the Department of Health, where  
5 he was assigned to asking people where they  
6 had caught venereal diseases and then  
7 interviewing them about who else they passed  
8 them onto. I often thought that was pretty  
9 good training to be a judge because after you  
10 have delivered that type of news, handing out  
11 a sentence probably wasn't that big of a deal.

12 While obtaining his law degree at Albany  
13 Law School, he served in the National Guard.  
14 During this time he met my mother. They were  
15 married for over 40 years before her death in  
16 2011. When he graduated he made \$7500 a year,  
17 and my mother lorded over him the fact that at  
18 the time she made more than he did. But she  
19 did say that paying for his law degree was one  
20 of her best investments.

21 My father worked for several firms  
22 throughout his career, first in Schenectady  
23 and then Albany. Over this time he honed his  
24 skills in transactional and health care law.

1           While they don't make television shows about  
2           these area of practice, he truly loved it and  
3           he was exceptionally good at it.

4           I had the privilege of working with him  
5           for many years, and I got to see firsthand  
6           what a knowledgeable and skilled attorney he  
7           was. It was clear to me that my father was  
8           one of those few blessed people who had chosen  
9           the career that he was born to do.

10           In 1973 my father was appointed a town  
11           justice in Colonie. While my father loved the  
12           practice of law, it was his judicial career, I  
13           think, that he was most proud of. He was  
14           honored to wear the robe. I have been told by  
15           many people, from attorneys to clerks to  
16           defendants, what a great judge he was.

17           In fact, one of my earliest memories was  
18           seeing him preside in court. I'm not really  
19           sure why I was there, but I remember the court  
20           officer said, "Please rise," and a hush fell  
21           over the room, and the only sound that could  
22           be heard was me asking my mother loudly, "Why  
23           is Daddy wearing a dress?"

24           That actually isn't my favorite story



1           and he showed it to my dad and he said, "I  
2           wanted to let you know I got it back." And he  
3           pointed to a young woman looking at jewelry  
4           and he said, "That's my fiancée. She never  
5           would have agreed to marry the man who  
6           appeared in front of you that day. I just  
7           want to thank you, because you are the only  
8           person who ever believed in me and you really  
9           changed my life."

10           My father certainly didn't shy away from  
11           handing down harsh sentences when necessary,  
12           but he treated everyone with respect. He  
13           believed that our justice system, when the law  
14           was applied fairly and appropriately, could  
15           help people to change their lives for the  
16           better.

17           My father retired from the bench in 2001  
18           and from his law firm, Lemery Greisler, in  
19           2011. Unfortunately, Parkinson's disease made  
20           it impossible for him to continue to practice.  
21           Had it not, I'm pretty sure my father would  
22           have been in the office until his last day.

23           I am very blessed to have been raised by  
24           such a wonderful man and to have learned from

1           such an amazing attorney and judge. I think  
2           of the lessons that he taught me when I put on  
3           my robe. And every time when I am really  
4           struggling with a case I do have my own secret  
5           weapon, which is asking myself, "What would  
6           Dad do in this situation?"

7           So thank you, all. Happy holidays.

8           BARTLEY J. COSTELLO III, ESQ.: Thank you.

9           James Blackmore will be eulogized by his  
10          partner, James Resila.

11          JAMES A. RESILA, ESQ.: We had our office  
12          holiday party last week, and it was in the  
13          90 State Street building, which is where you  
14          go for events now. And I was in there, and  
15          that was the old National Savings Bank  
16          building, and I remember getting my first  
17          mortgage there. But then I'm looking around  
18          at it and looking at this beautiful building,  
19          much like in this beautiful courtroom. I  
20          said, "That's a Blackmore bank."

21          Jim Blackmore was a throwback. With the  
22          way the practice of law is now, everything  
23          electronic and whatnot, he was a throwback to  
24          the '60s, probably the 1860s. I don't

1           remember him practicing with quill pens, but  
2           if he could get away with it, that's what he  
3           would do.

4           I started with the Carter Conboy law firm  
5           in 1990, and I got to know Mr. Blackmore,  
6           first as a terrified associate. He was  
7           probably most well known for his work ethic.  
8           I started there -- I had clerked for a couple  
9           years in the federal court for a judge known  
10          for his work ethic, how often he was in the  
11          office.

12          I was really surprised by how much Jim  
13          Blackmore put into the practice of law. He  
14          was in every morning before everyone else, and  
15          I don't think anybody knew when he left or if  
16          he left. We are still waiting for him to come  
17          back to the office. It's all there with his  
18          name on it, and the desk is still there, too.  
19          Once in a while somebody would try to rival  
20          him with, *Oh, I'm going to come in earlier,*  
21          and that just never worked out.

22          Jim was known for working for many bank  
23          institutions throughout the Capital District  
24          and throughout the state. He received many

1           awards for his work in that regard.

2           As I said, he was a throwback, a rather  
3           unique individual, and anyone who knew him  
4           would attest to that. He did things the  
5           old-fashioned way, did everything by hand just  
6           about.

7           I had the opportunity to work with him on  
8           a case. He found himself in an ERISA case in  
9           federal court. I had some experience in  
10          federal court, so he asked me to help. This  
11          was a fellow who prepared, prepared,  
12          overprepared: belt and suspenders.

13          And he said to me, "We have this Rule 16  
14          conference coming up, and I'm concerned that  
15          I'm going to mess it up."

16          I said, "Mr. Blackmore, it's really you  
17          just get together with the other side and you  
18          work out deadlines, and then you go see the  
19          magistrate judge or maybe his law clerk.  
20          That's it. It's not a big deal."

21          Well, everything about the practice of law  
22          was a big deal to Jim. First, you have to  
23          have your meeting with your adversary, which  
24          nowadays is usually over the phone. You take

1 a few minutes and say, *Okay. What do we got?*  
2 *Let's check all these boxes off. Let's get it*  
3 *to the Court ten days before the conference.*

4 Well, he had a meeting with his adversary  
5 in the office for about three or four hours,  
6 going over the issues in the case. Then we  
7 worked out all those deadlines, and he wanted  
8 me to go with him to the courthouse for the  
9 conference.

10 Now, most of these Rule 16 conferences  
11 were by phone conference, but these were in  
12 person then. I said, "Well, you don't really  
13 need me. The judge will take care of it. The  
14 magistrate judge will take care of it or maybe  
15 his law clerk."

16 "No. You have to go. I'd feel better if  
17 you came with me."

18 So we went along, and we were walking down  
19 the hill in front of the courthouse right on  
20 Broadway, and he said, "We have to stop." We  
21 had to stop and get our shoes shined, because  
22 that's what he did. That's what he put into  
23 everything he did as a lawyer.

24 You may say, *Well, this guy, he works for*



1           *banks and he's just sort of a, you know, maybe*  
2           *sort of, oh, I'm a heartless person and that*  
3           *sort of thing. I'm just here to make money*  
4           *for my clients.*

5           Some unique things -- as I said, I was a  
6           terrified associate when I first started with  
7           the firm because he was a little bit difficult  
8           to approach at first.

9           We have our holiday traditions at the  
10          firm, and one which I discovered two months in  
11          was Mr. Blackmore would dress up as Santa  
12          Claus, and I thought that was rather unique.  
13          I got to see a little bit different side of  
14          him, until about ten years ago when he went to  
15          Florida around Christmastime and he said, "You  
16          are going to be Santa Claus."

17          One thing he also liked to do is -- I  
18          think we just brought back the clambake  
19          recently. That was a big deal years ago. He  
20          never went to the clambake, but we were sort  
21          of all invited -- at least all the associates  
22          were all invited over to his house afterwards.  
23          I'm not going to tell you stories of what  
24          happened at the Blackmore house, but it was a

1 lot of fun to get to know him as a person.

2 He was my neighbor for 20-some-odd years.  
3 Our offices were next to each other. He did  
4 everything by speakerphone, which was fine  
5 until the day got on. He would be yelling by  
6 about 4 o'clock in the afternoon.

7 But that was his practice. He had many  
8 loyal clients that he served. He was what I  
9 would call the original artist. His clothes  
10 -- he had probably about 15 suits. Every one  
11 was the same, white monogrammed shirt, every  
12 day the same.

13 In today's world where things are just too  
14 fast, where we do things out of convenience,  
15 maybe it's better -- maybe it's better that we  
16 practice by emails and text messages, efilings.  
17 But Jim Blackmore practiced when there was a  
18 personal touch, and I think the practice of  
19 law is losing something by losing that  
20 personal touch. The practice of law has lost  
21 a lot with Jim Blackmore's passing.

22 Thank you.

23 BARTLEY J. COSTELLO III, ESQ.: Francis  
24 Thomas Roach will be eulogized by William

1 Harris.

2 WILLIAM HARRIS, ESQ.: Good morning,  
3 everyone.

4 THE ASSEMBLAGE: Good morning.

5 WILLIAM HARRIS, ESQ.: We are all familiar  
6 with the parable about the five blind men who  
7 encounter an elephant for the first time and  
8 each explores a different part of the beast.  
9 One wraps his hand around the leg and declares  
10 that it's like a tree trunk. Another grabs  
11 the tail and describes it as a rope. Yet a  
12 third touches the trunk and is sure that it's  
13 a snake.

14 In my brief remarks on Tom Roach, please  
15 understand that, although I knew him for over  
16 40 years primarily in a working relationship,  
17 I don't profess to know every aspect of his  
18 life. As a result, my comments are limited to  
19 my interactions with this remarkable  
20 individual. Whether I had the trunk or the  
21 tail, I cannot say.

22 Here's what I do know: Tom graduated from  
23 Syracuse University and Albany Law, where he  
24 was editor of the *Law Review*, and then

1 embarked on an accounting career with George  
2 Dorfman & Company in Gloversville. In the  
3 early '60s, Tom and Harvey Stulmaker formed  
4 the accounting firm of Stulmaker & Roach,  
5 which under his leadership flourished and  
6 became one of the largest and most prestigious  
7 firms in the area. At one time it had, I  
8 think, up to 57 employees.

9 Tom was chairman of the firm until his  
10 retirement as an accountant in 1991. During  
11 his tenure in the accounting practice, Tom  
12 mentored numerous young CPAs, including Jim  
13 Drislane, Steve Obermeyer, Paul Goldman, Jim  
14 Cole, Tony Duffy, Tim Pierce, just to name  
15 few.

16 He was a perfectionist and a stern  
17 taskmaster, but in the end these young  
18 accountants learned what it takes to be a  
19 successful practitioner in this often  
20 stressful field, especially around tax time,  
21 and they owe a debt of gratitude to Tom for  
22 guiding them along the way.

23 While at the firm, Tom created a thriving  
24 legal practice in estate planning and estate

1 administration, mainly using the accounting  
2 firm's client base. This was always a source  
3 of contention with his other partners because  
4 here he was a CPA in an accounting firm and he  
5 had this sideline practice. But since he was  
6 the primary rainmaker for the firm, there  
7 wasn't a heck of a lot they could do about it.

8 I was first introduced to Tom in the  
9 mid-'70s when he was looking for help with his  
10 estate administration practice. He was pretty  
11 frantic at that time. I was two years out of  
12 law school and, although I had some experience  
13 in that area, he hired me anyway in spite of  
14 my lack of experience because he was so  
15 desperate. I don't know if it was a great  
16 move for him, but it certainly worked out  
17 great for me.

18 No one worked harder than Tom or more  
19 diligently for his clients. From him I  
20 learned not only the nuts and bolts of estate  
21 practice but also the work ethic that was  
22 required. With his accounting background, he  
23 always sought perfection. I think perfection  
24 is something that maybe is more easily

1           attained on an accounting ledger than in a  
2           legal practice or in surrogate's court.

3           Any success that I have enjoyed in my  
4           legal practice I attribute to his mentoring  
5           and guidance. When he retired from his  
6           accounting firm in 1991, we formed a law  
7           partnership which continued until we merged  
8           with Lavelle & Finn in 1999.

9           Tom completely retired in December of  
10          2005, which is something I thought would never  
11          happen. We all thought he was going to die  
12          behind his desk, for sure. He was an  
13          archetypal workaholic, Type "A" personality,  
14          and he loved the office. So now he's not  
15          going to die behind the desk, but it looks  
16          like I may.

17          Tom's brother, James Roach, was a Naval  
18          pilot who died at a young age in an airplane  
19          accident, and this had a profound effect on  
20          Tom. It was something he often mentioned. To  
21          his credit Tom set up a scholarship fund at  
22          Siena College in his brother's memory. I  
23          believe that will continue on after his death.

24          Tom is survived by his wife of almost 60

1           years, Roseanne, and his four children,  
2           Eileen, Kathy, and the twins, Tommy and Ted.

3           Tom's other interests included golf. He  
4           was captain of both his high school and  
5           college golf teams, and he was a long-time  
6           member of Wolferts Roost, which was  
7           conveniently just down the road from his home.

8           He was also a devout Catholic, attended  
9           church religiously. He served on the board of  
10          Siena College, Teresian House, and DePaul  
11          Management. When Tom joined the board, he was  
12          all in. He went to the meetings, he joined  
13          committees, and shared his impressive  
14          financial and auditing skills.

15          I can't resist sharing a couple of Tom's  
16          peculiarities with you. Although he achieved  
17          significant financial success, he could be  
18          quite tight with a buck. After he retired he  
19          would invite some of the women at Lavelle &  
20          Finn out for lunch. Actually, he called them  
21          "the girls". I think that's a generational  
22          thing. He would inquire if any of them wanted  
23          a drink, and then he would wince if any  
24          actually accepted and took him up on it.

1                   And after lunch -- he always did this.  
2                   After lunch, he would say, "I guess you girls  
3                   would like to share a dessert, wouldn't you?"  
4                   And then he would order one dessert with a lot  
5                   of forks.

6                   Speaking of lunch, when we were downtown  
7                   Tom and I would go out to lunch just about  
8                   every day. Tom was so anxious to get back to  
9                   work he would almost inhale his food. Maybe  
10                  when I had finished a quarter of my sandwich,  
11                  he would start fidgeting and say, "Ready to go  
12                  back? Ready to go back?" He loved being  
13                  behind that desk.

14                 Tom and I were complete opposites. He was  
15                 a Type "A"; I'm a "B" or "C" at best, maybe  
16                 less. He was Catholic; I'm Jewish. He was an  
17                 early riser; I am a late sleeper. He was a  
18                 very serious individual, and I was the comic  
19                 relief. He was a conservative Republican; I'm  
20                 a Democrat. Somehow it all worked. I don't  
21                 know why.

22                 I loved him dearly, I think of him often,  
23                 and I miss him very much.

24                 Thank you.



1           BARTLEY J. COSTELLO III, ESQ.: We are now  
2 going to honor James Tully. He will be  
3 eulogized by his daughter, Susan Tully Abdo.

4           SUSAN TULLY ABDO, ESQ.: Thank you.

5           Your Honors, members of the bar, friends  
6 and family, my name is Susan Tully Abdo. I  
7 appreciate this opportunity to say a few words  
8 about my father, James H. Tully, Jr., also  
9 known as Jim.

10           My father died six months ago today. I  
11 know he is with me in spirit, but he would  
12 much rather be here in person. He would have  
13 wanted to talk to everyone in the room, hear  
14 about your life, how things are going, share  
15 stories.

16           He loved God. He loved his family, his  
17 country, hard work, and, perhaps  
18 unfortunately, the New York Mets. He truly  
19 enjoyed people. He shared in their hopes and  
20 tragedies. He prayed for everyone. He helped  
21 as many people as he could. He was an  
22 incredibly intelligent and complex man, yet he  
23 still took medical advice from the guys in the  
24 locker room at the Fort Orange Club.

1           He had tremendous respect for the law. He  
2 rarely spoke about his work on a day-to-day  
3 basis, but he did tell me one story when I was  
4 a new lawyer.

5           He had argued a case in front of the court  
6 of appeals and said, "No matter what happens,  
7 do not lose your cool. Do not get angry.  
8 Remain calm. Answer all their questions."

9           Then he did not take his own advice. He  
10 got yelling and rattled and angry, was  
11 pointing fingers, and knew as soon as he did  
12 it. His heart sank and he figured his case  
13 was a goner.

14           He slowly walked back to his clients,  
15 thinking, *How will I explain this one?* His  
16 client was beside himself. He was ecstatic.  
17 He said, "You gave it to them, Jim. You told  
18 them a thing or two." They lost.

19           I think it's very telling that the one  
20 case he really talked about was one where he  
21 lost. He was a very humble, humble man. I  
22 know many of you are aware of his career  
23 accomplishments, which were varied in both  
24 politics and private practice.

1           He was the youngest state assemblyman for  
2 quite some time. That would be the mid-'60s.  
3 He had a whole bunch of little children at  
4 home. One of us put a Teddy bear in his  
5 briefcase. He popped it open in the Assembly  
6 chamber, slapped its forehead, and said, "This  
7 is ridiculous."

8           When he was state tax commissioner, he was  
9 under the helm of Governor Carey when New York  
10 State was facing a dire fiscal crisis. New  
11 York City was on the verge of declaring  
12 bankruptcy. Governor Carey told him to go  
13 after every tax he could, aggressively.

14           He promptly handed Governor Carey a bill  
15 for \$522.60 for use of the state helicopter.  
16 He then sued Governor Carey's brother for  
17 several hundred thousand dollars on back taxes  
18 for a petroleum business. He was president of  
19 the tax tribunal. That was his last position.

20           He achieved much in private practice with  
21 DeGraff Foy. He raised five children, was  
22 married to my mother for almost 60 years.  
23 They have ten grandchildren. And he would  
24 still be working today if it wasn't for his

1 cancer diagnosis.

2 He called me and said, "Well, I'm  
3 unemployed."

4 I said, "Dad, at age 86, most people call  
5 that retired."

6 When I called him at work, he would bark  
7 into the phone, "Tully here." But when he  
8 would call me, he would say, "This is your  
9 beloved father speaking," and then he would  
10 hand the phone to my mother.

11 He was and always will be my beloved  
12 father. He is greatly missed, and will be  
13 missed as a member of the bar.

14 Thank you.

15 BARTLEY J. COSTELLO III, ESQ.: Fred  
16 Stanton Ackerman will be eulogized by Andrew  
17 Safranko.

18 ANDREW SAFRANKO, ESQ.: Judge Ryba, your  
19 Honors.

20 To the Albany County Bar Association and  
21 BJ Costello, thank you for the opportunity to  
22 honor the life of my father-in-law,  
23 Fred S. Ackerman, or better known to the bar  
24 as F. Stanton. To all other families in

1 attendance today who have lost a loved one,  
2 please accept our condolences for your loss  
3 and know that our thoughts and prayers are  
4 with you.

5 Last year I was here to honor my father,  
6 Stephen Safranko. I vowed at that time to  
7 attend this ceremony this year to offer  
8 support to those families who are honoring  
9 loved ones today because I was so touched by  
10 all of the support provided by the bar  
11 association. Little did I know, not only  
12 would I be in attendance this year, but I  
13 would have to speak as well. I pray that the  
14 streak ends this year.

15 All the outpouring of love and support  
16 over the last few months has been overwhelming  
17 and means more to the Ackerman family than we  
18 will ever be able to express, and for that we  
19 say thank you.

20 The stories of cases with my father-in-law  
21 that have been shared with me over the last  
22 few months are, to say the least, very  
23 interesting and colorful. Quite simply, Fred  
24 was a character. He loved the practice of the

1 law and took pride in all the law gave him.

2 I miss having him walk in the courthouse  
3 and announce his presence. This was his  
4 trademark. In a crowded courtroom just like  
5 this, he would walk in and, while everyone was  
6 waiting in line to see assistant district  
7 attorneys, scream, "I am here." If you knew  
8 his shtick, you would laugh or shake your  
9 head. For those who didn't or the younger  
10 lawyers, they would simply say, "Who is that?"

11 As a lawyer Fred fought hard for the  
12 justice he believed his clients deserved. He  
13 was not afraid to take on a hard case or a  
14 difficult issue and, yes, he truly relished  
15 his high profile cases. Fred was very proud  
16 of the firm he built and was loyal to his  
17 partners over the years, including Stewart  
18 Finton, Elliot Wachs, Paul Evangelista, and  
19 Justin deArmas.

20 He was a workaholic except during July and  
21 August when you would find him at one of his  
22 happy places: the Saratoga racetrack. He  
23 loved the track and all it stood for. Like  
24 many of you here, we would not have to work

1           today if most of the tips he had received or  
2           voiced had come to fruition. In his later  
3           life he enjoyed snow-birding in Florida and  
4           always enjoyed playing a round of golf  
5           followed by a game of cards.

6           As outgoing and loud as he was in the  
7           courtroom, my father-in-law at home was a very  
8           different person. He was calm, low key, and  
9           mellow. This would be until one of his  
10          beloved Pittsburgh sports teams would make a  
11          bad play. And then you could hear him for  
12          miles. He had a knack for sleeping in his  
13          favorite chair but, of course, he could tell  
14          you the exact score and game situation. And  
15          God forbid you tried to take that remote away  
16          from him when he was sleeping.

17          I had a very unique relationship with my  
18          father-in-law, as he and my mother-in-law were  
19          close friends with my parents as I was growing  
20          up. Fred was present throughout my life and,  
21          in fact, gave me my first job in the legal  
22          profession as a law clerk after my first year  
23          in law school.

24          Growing up, I was a pretty decent golfer.

1           As I became more skilled, Fred was always  
2           there to provide a tip. His golf stories were  
3           legendary and most not appropriate for this  
4           courtroom. However, this one golf story just  
5           about sums up my father-in-law in life and on  
6           the course.

7           Shortly before my wife, Julie, and I were  
8           married, Fred and I played in a golf  
9           tournament together. It was a three-day  
10          tournament. On the third day we were in  
11          contention to win a significant amount of  
12          money. We were one stroke up going to the  
13          17th hole, and I had just made a long par putt  
14          to what we thought would have tied the hole.

15          Fred had about a three-foot putt, straight  
16          as an arrow. When I tell you it was straight  
17          as an arrow, it did not break. Of course, he  
18          misses the putt, and, unfortunately, our  
19          playing partners then made a lengthy birdie  
20          putt, and now my father-in-law needed to make  
21          the putt so that we would maintain our  
22          one-shot lead. You can all guess the outcome:  
23          He missed the putt.

24          Now, with one shot gone, we were tied



1           going to the 18th hole. This time I needed to  
2           make a birdie putt to win the match or to tie.  
3           I had an eight-foot, downhill, side hill  
4           bender of a putt, which, of course, I missed.

5           As we walked off the course and every time  
6           we played golf together for the next 16 years,  
7           he would always tell people how I cost him a  
8           lot of money on the golf course by not making  
9           that putt. And, of course, he never advised  
10          anybody that he missed the putt on the hole  
11          before.

12          Fred loved his family and most especially  
13          my mother-in-law, Harriet. He loved being  
14          with her, and as he was so sick this past year  
15          she rarely ever left his side. He may not  
16          have always said it or been the best at  
17          expressing his emotional side, but he relished  
18          and loved every minute of every day that he  
19          was with her. He loved her unconditionally.

20          In addition to my mother-in-law, he was  
21          doting on his three daughters, Sheri, Pam, and  
22          Julie. He taught them to be strong and  
23          independent, and was very proud of the women  
24          and mothers they became. I am pretty sure he

1 never uttered the word "no" to any of his  
2 three daughters or to his seven grandchildren  
3 and his one great grandchild. He was their  
4 Poppy, a role he truly enjoyed.

5 Fred will be missed by all that knew him.  
6 In the years to come lawyers will continue to  
7 hear the stories about the legend and  
8 character of Fred Ackerman. May his memory  
9 always be a blessing to all who knew him.

10 BARTLEY J. COSTELLO III, ESQ.: Francis  
11 Howard Anderson will be eulogized by Michael  
12 Hutter.

13 MICHAEL HUTTER, ESQ.: Good morning.

14 THE ASSEMBLAGE: Good morning.

15 MICHAEL HUTTER, ESQ.: It's a great honor  
16 and a privilege to be participating in this  
17 wonderful ceremony, and it's even more of an  
18 honor to be here to honor the legacy of Frank  
19 Anderson.

20 Frank was a member of the greatest  
21 generation. In fact, he was a war hero. He  
22 witnessed firsthand the horrors of war through  
23 the pass in Anzio, going up the boot of Italy.  
24 He also experienced personally the cost of

1 war. He lost his beloved brother in the South  
2 Pacific. He was killed in action. He knew  
3 what was going on with war.

4 He came back like others of that  
5 generation, believing he had a responsibility,  
6 a responsibility to live a purposeful life, to  
7 live a life that does honor to the legacy of  
8 those who did not come back, including his  
9 brother. He lived such a life, never  
10 bragging, boasting, shirking his obligations.

11 He accomplished much in his 70 years after  
12 coming back from the war. Frank, in many  
13 respects, lived by a code. I think that code  
14 had three things: First, love of the family.  
15 Without a doubt, his beloved wife, Ruth, his  
16 five sons, and his daughter, he was absolutely  
17 devoted to them, always first in his mind,  
18 always came first.

19 His two others which I want to talk a  
20 little bit more about today was his respect  
21 for the law, implementation to achieve  
22 fairness in the justice system, and then  
23 dedication to the students of Albany Law  
24 School that he taught. I have more to say

1           than time permits, but I would like to share  
2           at least three anecdotes that will illustrate  
3           those last two points.

4           I first heard about Frank -- and I  
5           literally mean heard about Frank -- when I  
6           came to the law school in April of '76 to  
7           interview for a job. Of course, I'm nervous,  
8           so the first thing I look for is the men's  
9           room. I go down to the men's room and then I  
10          became acquainted with what was, I guess, the  
11          social media of Albany Law School in the '70s:  
12          the stalls in the men's room. On there were  
13          written such things as "Beware of the Duke,  
14          but fear Andy," and on and on and on like  
15          that. I had no idea what it meant, other than  
16          to know that they were references.

17          Mike and Peter, you probably remember  
18          that, down in the bowels underneath the west  
19          wing all the comments about faculty members  
20          written there.

21          So I went back up and I met with Ralph  
22          Semerad, and I said, "Who are these two  
23          mythical characters?"

24          He said, "You will soon find out."

1           Sure enough, here comes the Duke, all of  
2           six-four Frank Wallace, and then Andy, all  
3           five-seven of him. Before Andy even sat down,  
4           he immediately started in on me. It was  
5           nothing about "How are you doing?" or "Where  
6           are you from?" or any little stuff like that.  
7           He immediately zeroed in on the law.

8           I was interviewing for a position teaching  
9           federal law, and he immediately had me --  
10          raking me over the coals by reading the  
11          Supreme Court decision, the *Younger v. Harris*  
12          trilogy, dealing with that. He went on and  
13          on. He clearly knew the stuff. He clearly  
14          was grilling me.

15          After a while he left, and I looked at the  
16          Duke and I said, "Is he like that in the  
17          classroom?"

18          And the Duke said, "Worse."

19          My next experience with Frank was after I  
20          joined the faculty early on. After class I  
21          went into the faculty lounge, and there were a  
22          couple faculty members sitting there and they  
23          were surrounding a table. At the table was  
24          Frank Anderson and a man I wasn't sure of. It

1            looked like -- because I saw his picture  
2            before -- Judge Jack Casey. What they were  
3            doing was arguing.

4            Frank taught criminal law. Judge Casey  
5            taught criminal procedure. Andy was a little  
6            more a libertarian, and Judge Casey was not a  
7            reactionary conservative but he's a  
8            conservative, and they were going back and  
9            forth, back and forth, comment after comment.

10            After a while finally Andy stands up and  
11            says, "You are nothing but a rust picker."  
12            Now, I know from my dad, who was in the  
13            Marines, that "rust picking" was a term of  
14            endearment for Navy personnel. I said, *That's*  
15            *not a good thing.*

16            I knew Judge Casey had been in the Navy,  
17            so I was waiting to see what Judge Casey's  
18            reaction was going to be. He looked at him  
19            and he said something I couldn't hear. I  
20            don't know whether it was Italian, Latin,  
21            maybe his South Troy Irish dialect, but it  
22            came across that obviously it was a slur back  
23            at Andy about the Army. Instead of calling  
24            the MPs, they stood up, shook hands, smiled,

1           and went out. It was that civility, that  
2           dedication to the laws of discussion, which  
3           was wonderful.

4           I could see that Andy was concerned about  
5           the recent court of appeals decision, search  
6           and seizure, and he was troubled by how is he  
7           going to teach this to the students, how to  
8           implement it, what is going to be the nuances  
9           of it. And what better foil to Judge Casey?  
10          And Judge Casey was learning a lot from Andy.  
11          So it was just a wonderful idea of exchange of  
12          ideas in a civil tone, which is so much  
13          missing nowadays, and the idea of progressing  
14          the law to its fullest.

15          My last story has to do with Andy with  
16          respect to -- in the early '80s, probably  
17          around 1980, Andy asked me to get involved in  
18          representing the indigents in the Third  
19          Department. Andy was always into representing  
20          the underprivileged. Andy did *pro bono* before  
21          *pro bono* was even a term. He was dedicated to  
22          making sure people got representation.

23          I said, "Well, sure. How do I get on that  
24          list? It sounds interesting."

1           Well, at that time, John O'Brien was the  
2 clerk of the court, and John was a classmate  
3 of Andy. So I got my first assignment. I  
4 handled it. Then I got a second one. Then I  
5 come out of the class, and there's a little  
6 "You missed this call," that sort of slip. It  
7 said "Call John O'Brien." I said, *I'll call*  
8 *him. What did I do wrong?*

9           So I call him, and John said, "I have to  
10 relieve you of your current assignment."

11           I said, "Why?"

12           "The prisoner requested it."

13           "Why?"

14           He said, "Did you write a letter on your  
15 letterhead to him?"

16           I said, "Yes." I'm thinking, *What the*  
17 *hell did I say that really turned this guy off*  
18 *and get him so upset that the clerk of the*  
19 *Court is calling me?*

20           "I have to tell you this. The person that  
21 you are representing was sentenced by John  
22 Klein as a second felony offender. His first  
23 felony was a result of Frank."

24           What did Frank do? Frank was driving to



1           the law school, going down New Scotland,  
2           passing the Bank of America -- I think it was  
3           Bank of America back then. He sees someone  
4           running out of the building, holding an object  
5           in his hand looking like a pistol, holding  
6           literally a money bag. He saw someone in the  
7           doorway and he shouted. So what did Frank do?  
8           Stopped his car and chased him down, and he  
9           captured him.

10           It was a remarkable feat, and John O'Brien  
11           was telling me about this. John knew all  
12           about Frank's exploits. He said, "This is his  
13           dedication. He was not going to see this guy  
14           escape."

15           I said, "Well, I guess I have to step  
16           down."

17           He said, "Yeah, because the guy doesn't  
18           want anyone from Albany Law School  
19           representing him."

20           I said, "Fine." I understood that.

21           Getting back now to the law school with  
22           all that in mind. As Andy progressed through  
23           his career, he easily made the transition to  
24           teaching. He was a thoroughly prepared

1           teacher. He was incredible.

2           His son passed on to me and to the law  
3 school Frank's notes going back 30, 40, years.  
4 In one group that I looked at was his notes  
5 for Constitutional Law. Unbelievable. What  
6 he did with every Supreme Court case, he would  
7 cut them with a razor blade from the  
8 complementary subscription we had. It would  
9 be written up, underlined, comments on, and  
10 then transposed into notes. Everything was  
11 organized. It was clear he spent numerous  
12 hours in preparation for class.

13           He was more thoughtful. He wasn't  
14 interested in the publishing side. At that  
15 time Albany Law School was most known for its  
16 preeminence in New York law, whether it was  
17 Dave Seigel in procedure, Bob Barker in  
18 evidence, Jack Welch in trusts and estates and  
19 property.

20           Frank said, "They do that well. I'm going  
21 to teach well." And that's what he was  
22 dedicated to. He did not endeavor to be a  
23 Mr. Chips, that was clear. He was using  
24 basically his wartime experiences. He was

1           fond of cold-calling students at random and  
2           grilling them. Woe be to them if they were  
3           unprepared. Woe be to them if they didn't  
4           really understand the material. But Frank  
5           went through a grilling of them. And he did  
6           it expecting the students to be prepared. He  
7           knew that students didn't want to be  
8           embarrassed and wanted to do good, so he got  
9           them to be prepared.

10           It was a carryover from his days in World  
11           War II. I can't imagine a more terrible  
12           obligation to hold but to lead 30 men, 40 men,  
13           in combat, whether it's a platoon or maybe a  
14           company of more than a hundred. He knew that  
15           he was responsible for their lives. And he  
16           was transposing that obligation to his  
17           students.

18           He knew his students were going to be out  
19           there in the courtroom. They are going to be  
20           representing clients. He wanted to make sure  
21           that they were prepared every time, and that's  
22           going back to my two previous stories. So he  
23           was out there with them, grilling them. They  
24           didn't like it, but he was doing it to make

1           them better. I look at this, and I think he  
2           was damn good at it. I looked at his notes,  
3           his questions, his Socratic questions. All of  
4           them were right on the money.

5           Now, in that respect, he clearly had a lot  
6           of friends, a lot of supporters. He did have  
7           his detractors. A lot of students didn't like  
8           that, but Frank did it not because he was a  
9           mean, nasty person. He was doing it to make  
10          sure the students were prepared. That was his  
11          goal.

12          Let me conclude by quoting Jackie  
13          Robinson. Andy had great respect for Jackie.  
14          Jackie once said, "A life is not important  
15          except in the impact it has on others."

16          Francis Howard Anderson has had an  
17          immeasurable impact on the thousands of  
18          students that he has taught, mentored,  
19          advised, and after graduation befriended.  
20          They will always be grateful to him. It is  
21          his legacy. It is that great legacy of being  
22          a wonderful teacher and the impact he had on  
23          all these students.

24          Andy, rest in peace. You truly have

1           deserved it.

2           Thank you.

3           BARTLEY J. COSTELLO III, ESQ.: Joseph  
4 Monaghan will be eulogized by Jerry Manning.

5           JEREMIAH F. MANNING, ESQ.: Your Honors,  
6 fellow members of the bar, and especially  
7 family members. I know I speak for myself and  
8 everyone. We are sorry we lost our fellow  
9 lawyers.

10          My name is Jerry Manning, and I am proud  
11 to present and celebrate the life of Joseph  
12 Monaghan.

13          Joe was a tall, good looking Irishman and  
14 a lifelong Democrat. He died November 5th,  
15 2018. He was a lifelong resident of Troy and  
16 Watervliet. He graduated from Siena and he  
17 earned his law degree from Villanova Law  
18 School. He was an Army reservist. He entered  
19 private practice on Main Street in Watervliet  
20 in 1961. He practiced as a sole practitioner  
21 since 1961.

22          He was a working man's lawyer and,  
23 interestingly enough, that sometimes means he  
24 got paid in kind. Not cash, kind. I worked

1           on a case with him one time, and we got paid  
2           in purple asparagus, which is actually very  
3           delicious with eggs in the morning.

4           I think his greatest achievement in life  
5           was he was married to his wife, Jean, for  
6           53 years. Jean and Joe had four wonderful  
7           children. In many ways Joe's relationship  
8           with Jean and their children are similar to  
9           the honorable President Bush, 41. His life  
10          was his family.

11          What was his greatest virtue? I believe  
12          it was his ability to instill trust of him in  
13          his friends and his clients. As one of his  
14          admirers wrote to me, "Joe created solid  
15          relationships built on trust, and he was  
16          trustworthy."

17          He did not have any enemies, though a  
18          strong advocate of the law and his politics.  
19          He was a man of his word. His smile and  
20          strong handshake -- he smiled and always gave  
21          a strong handshake every time I met him --  
22          were an indication of a confident, happy,  
23          honest, straight shooter who enjoyed people  
24          and meeting new people. He respected all his

1 friends and clients and fellow members of the  
2 bar.

3 Yes, I knew Joe for almost 50 years. Yes,  
4 I respected him personally as a friend and as  
5 a professional for all those years. And, yes,  
6 I will miss him.

7 Thank you.

8 BARTLEY J. COSTELLO III, ESQ.: Our final  
9 eulogy will be delivered by Roger Fritts, who  
10 will eulogize Thomas Jeram.

11 HON. ROGER FRITTS: Your Honor, members of  
12 the court, fellow attorneys, members of the  
13 Albany County Bar Association, but, most  
14 importantly, family members.

15 I have known Tom Jeram for years and years  
16 and years. Tom was a long-time member of the  
17 Albany County Bar Association. He was a  
18 highly accomplished and respected attorney and  
19 specialist in real property law. If you had a  
20 real property question or a problem or if you  
21 needed a title researched, Tom was your man.

22 His familiar voice and his always apparent  
23 smile made the Albany County Clerk's Office a  
24 great place to be. And if you have been to

1           the Albany County Clerk's office, it's full of  
2           books and books and books. It was a real  
3           pleasure to hear Tom or to see Tom and to  
4           realize that here was a real person doing a  
5           tremendous job and loving every minute of it.

6           He was a member of law firm of D'Agostino,  
7           Hoblock, Flannery & Jeram, but Tom was much  
8           more than a lawyer or much more than a real  
9           property expert. He was a devoted father who,  
10          along with his wife, Ann, of 58 years, favored  
11          the world with eight wonderful children  
12          followed by 14 grandchildren. I would submit,  
13          a perfect example of mathematical progression.

14          He was a communicate of St. Thomas the  
15          Apostle Church in Delmar. He was a loyal  
16          contributor to its religious activities and  
17          its purpose. He was an active member of the  
18          community. He helped coach his kids' athletic  
19          teams, which, in and of itself, would be a  
20          full-time job. He was a faithful attendee at  
21          all those events when he wasn't coaching. He  
22          served in the National Guard, and he  
23          volunteered as the attorney for the Selkirk  
24          Volunteer Fire Department.



1           The Albany County Bar Association is  
2           particularly indebted to Tom for his years of  
3           service as its president and treasurer. And  
4           he single-handedly organized this very event  
5           for I don't know how many years, but he was a  
6           picture doing it.

7           There's also a little known contribution  
8           to the Albany County Bar Association that Tom  
9           made. When the association finally hired a  
10          full-time director, Tom, accompanied by a  
11          couple of his kids, would go in Saturday  
12          morning after Saturday morning after Saturday  
13          morning to help the new director get the  
14          office in an organized splendor and to get the  
15          files in place and to get the filing done.  
16          This he did entirely on his own. No one asked  
17          him to do it. That's the way Tom was.

18          It's difficult to really put in words the  
19          kind of person that Tom was, but I can tell  
20          you this: I knew him personally for many,  
21          many years, and a finer person you could never  
22          meet.

23          One very vivid memory I have of Tom,  
24          however, sort of fills out the picture of him,

1           because I can tell you that with the proper  
2           preparation, Tom could recite "Casey at the  
3           Bat" better than anybody you have ever heard  
4           in your life.

5           Rest in peace, Tom Jeram. You served your  
6           profession well and you made your family  
7           proud.

8           Thank you.

9           BARTLEY J. COSTELLO III, ESQ.: I would  
10          like to thank everyone who came today to be  
11          with us. This is a really important event,  
12          and we learned a lot about the variety of  
13          people who were honored today.

14          I would also like to thank those who did  
15          the eulogies and ask that you provide a copy  
16          of your remarks or whatever you have so that  
17          Lesley can move along with the transcript.

18          Then I would move the Court that a  
19          transcript of these proceedings be provided to  
20          the Albany County Bar Association, who will,  
21          turn, provide it to the families of those who  
22          were honored today.

23          HON. CHRISTINA L. RYBA: Approved.

24          BARTLEY J. COSTELLO III, ESQ.: Thank you,

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your Honor.

HON. CHRISTINA L. RYBA: I would like to invite all of you to attend a reception downstairs in the rotunda immediately following the program.

On behalf of the Albany County Bar Association, thank you for attending this memorial service.

At this time we stand in recess.

(Whereupon, at 11:05 a.m., proceedings in the above-entitled matter were concluded.)

\* \* \*