

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

PRINCE GEORGE'S COUNTY BAR ASSOCIATION

MEMORIAL SERVICES

FOR

ROBERT F. SUTPHIN

MICHAEL J. MILLER

HERVEY G. MACHEN

R. KENNETH MUNDY

WILLIAM E. BROOKE

JACK D. GUERTIN

BOND EDWARD RHUE

L. CHARLES MILLER

THURSDAY, NOVEMBER 16, 1995

4:00 P.M.

CEREMONIAL COURTROOM 300M

COURTHOUSE

UPPER MARLBORO, MARYLAND

Linda C. Anderson
Official Court Reporter

P R O C E E D I N G S

. . . The Court convened en banc at four o'clock p.m., there being present Honorable ROBERT J. WOODS, Chief Judge, HOWARD S. CHASANOW, Court of Appeals, JAMES P. SALMON, Court of Special Appeals, GRAYDON S. MCKEE III, AUDREY E. MELBOURNE, WILLIAM D. MISSOURI, RICHARD H. SOTHORON, JR., ARTHUR M. AHALT, E. ALLEN SHEPHERD, and STEVEN I. PLATT, Associate Judges. . .

JUDGE MCKEE: I have been asked to make some opening comments on this very solemn and very special occasion for which the Court convenes once a year. We have sitting with us today Judge Chasanow from the Court of Appeals, which is the State's Supreme Court. He has asked that I explain to you that it is the custom of that Court to wear the robes which the Judges of the seventeenth century wore for their sessions. I have also been asked to tell you that he is not one of the original judges.

The Circuit Court is honored to have sitting with us also Judge Salmon from the intermediate Court of Appeals, and they wear the traditional black robes.

The Court will now recognize the president of the Prince George's County Bar Association Mr. Spellbring.

JUDGE SPELLBRING: May it please the Court, family and friends of those that we remember today, members of the Bar, and guests. As president of the Prince George's County

1 Bar Association, I have certain privileges and
2 responsibilities. One of those privileges is to address
3 this gathering here today.

4 It is right that we gather here today and remember
5 those of our members who have died within the last year;
6 many of whom we fought with, agreed with, disagreed with,
7 laughed with, and perhaps cried with. Some say that our
8 profession dehumanizes its members. This Memorial Service
9 today disproves that allegation and recognizes both the
10 dignity of this profession and the humanity of its members
11 and, as such, I would like to thank each and every one of
12 you who has gathered here today.

13 It is my privilege at this time to turn the service
14 over to the Honorable Jacob Levine or Levin, as we sometimes
15 call him, who is the Chair of our Memorial Committee. Judge
16 Levin.

17 JUDGE LEVIN: I assume everyone has a copy of the
18 program. And the first departed member to be eulogized will
19 be done by Harry L. Durity.

20 ROBERT F. SUTPHIN

21 MR. DURITY: If it please the Court, I'm
22 particularly honored to be before the Court today to speak
23 in memory of Robert Sutphin. Mr. Sutphin was a County
24 Commissioner during the time that I was counsel to the Board
25 of County Commissioners. It seems like an extremely long

1 time ago, and I won't prevail upon your time to speak at
2 length about Bob Sutphin, but he was a very fine gentleman
3 and was recognized in many other areas besides the
4 activities with the Bar.

5 Mr. Sutphin was 85 at the time that he passed away
6 in February of 1994. He was a Prince George's County
7 Commissioner from 1962 to 1966, and he died on February 4th
8 of last year. He was a resident of the Washington area
9 since the 1930's, and he lived in Suitland. He had
10 practiced law since 1952. He was a D.C. firefighter from
11 1935 to 1951 when he retired as a sergeant after being
12 injured in an explosion.

13 While serving as County Commissioner, he was
14 Chairman of the Water Division of the Metropolitan Council
15 of Governments. He was also the liaison of Maryland
16 Assessments and Taxation Department.

17 Mr. Sutphin was born in Mount Airy, North Carolina.
18 He served in the North Carolina National Guard and with the
19 Marine Corps in Nicaragua. He received his law degree from
20 American University.

21 He was active in local Democratic Party clubs. He
22 was a 33rd degree Scottish Rite Mason, treasurer and past
23 grand high priest of the Royal Arch Masons of the District
24 and commander of the Washington Commandery of the Knights
25 Temple. He was a department commander for the D.C. Veterans

1 of Foreign Wars and a trustee and lay leader of Corkran
2 Memorial United Methodist Church in Temple Hills.

3 His first wife, Beatrice Dyson Sutphin, died in
4 1947.

5 Survivors at his death include his wife of 42
6 years, Doris Thrift Shank Sutphin of Suitland; two
7 stepchildren, Helen Jean Schlueter of Rochester, New York,
8 and John William Shank II of Mount Airy, North Carolina; he
9 had four sisters, Annie Meeks of Ridgeway, North Carolina,
10 Mary Jane Travis of Flint, Michigan, and Bessie Gunn and
11 Virginia Wicks, both of Colonial Heights, Virginia; two
12 brothers, Raymond Sutphin of Colonial Heights and William
13 Earl Sutphin of Chamblee, Georgia; seven grandchildren and
14 two great-grandchildren.

15 I was acquainted with him when he was the member of
16 the County Board of Commissioners. He always conducted
17 himself very mannerly and was certainly a benefit to Prince
18 George's County.

19 In my recollection one of the pieces of material
20 that I received when I inquired about his obituary had to do
21 with his burial. He was buried February the 11, 1994 and he
22 was interred at Arlington National Cemetery. At the
23 conclusion of the burial, the ceremony had to do with
24 passing the flag to the widow. It was mentioned in the
25 material that I received that that was done during a severe

1 sleet storm. So Mrs. Sutphin is to be recognized in
2 connection with the memorial for Mr. Sutphin here today.
3 Thank you all very much.

4 JUDGE LEVIN: Michael J. Miller is to be eulogized
5 by the Honorable Albert T. Blackwell, Jr.

6 MICHAEL J. MILLER

7 JUDGE BLACKWELL: May it please the Court, Judge
8 Chasanow, Judge Salmon, Chief Judge Robert Woods, the Court,
9 Administrative Judge, and Associate Judges. I'm here this
10 afternoon to speak a few words on behalf of Michael Miller.

11 Michael Miller was born in Cheverly in 1953, so he
12 is the true son of Prince George's County. He lived for a
13 while in Baltimore while his father worked for State Farm
14 Insurance Company but came back to the Lanham Seabrook area
15 in 1960 at the approximate age of seven. His father Marvin
16 Miller was the former President of the Bar Association, and
17 Michael's mother Virginia was the former special court
18 liaison for the Department of Social Services to this Court.

19 Michael moved with his family to the
20 Kettering-Brock Hall area and lived there until attending
21 college. Michael is the husband of Wanda Garvin Miller.
22 Wanda is not able to be here today. He has two children,
23 Benjamin Mickey, who is eleven, and Dale Emily, who is nine.
24 He has one older brother, Marvin Brian Miller, and a sister
25 Lisa Miller Delity and her husband Tony, who are here with

1 us for these proceedings.

2 Michael attended the University of Maryland and
3 graduated from Georgetown Law School. He law clerked, upon
4 graduation from law school, for my associate Jim Couch. And
5 he did that while Jim was on the Circuit Court bench and
6 when he moved to the Court of Special Appeals, so Michael
7 was able to work in those two offices with Judge Couch.

8 In 1977, upon completion of his services there, he
9 went in the law office of his father Marvin Miller in the
10 office of Miller, Markey, and Hoffman and worked there from
11 1977 until 1984. I presume if I had still been in the law
12 office instead of on the bench at that time, he would have
13 been my associate in the law firm.

14 One of his life-long ambitions was to be a member
15 of the FBI, Federal Bureau of Investigation, and in 1984 he
16 did receive an appointment to that job as an agent in the
17 FBI and attended their academy. The FBI Academy presumably
18 where the Court visited recently. He was assigned during or
19 after his graduation to a field office, I believe, in Omaha,
20 Nebraska, and it was there his responsibility to deal with
21 drug cases and stolen cars taken in interstate
22 transportation, and related type of work.

23 He also worked on white collar crime and
24 legislation for the Federal Bureau of Investigation. In
25 1990 he resigned from the FBI and came to practice in the

1 County again with Lancaster, Bland, Eisele & Paul Herring,
2 and he worked there until 1993.

3 Michael told me in 1993 that the FBI made him such
4 an attractive offer that he couldn't refuse, and he went
5 back to work for the FBI investigating unsolved homicide
6 cases. So the FBI obviously thought quite a bit of him to
7 put him in the special assignment such as that.

8 After doing that for a period of time, he became
9 restless, his mother told me, and he asked that he be
10 reassigned to the field because he liked working on the
11 line, so to speak, rather than at a desk. That transfer
12 hadn't come through. As is the quirk of fate, he was still
13 in the office at the time of this incident which took him
14 from us.

15 He was, of course, like any other hero who served
16 in the military or for his country. He was working on the
17 front lines in a high-risk occupation, and that's what he
18 liked. He wouldn't have had it any other way.

19 Michael was an avid soccer player and basketball
20 player at one time in his life. It became his lot to be
21 able to coach young fellows, young children, boys and girls
22 in soccer and in basketball. He also was a Boy Scout troop
23 leader.

24 But one side about Mike as coach was he was a
25 tactician. He wasn't satisfied to merely coach the

1 youngsters how to run up and down the field and chase the
2 ball with you. He would always have them take part with him
3 in a game plan, and he would always explain what he would
4 like to do at different times during the game. So they had
5 the insight not only in being able to play and have fun, but
6 in thinking about what they were doing and planning for an
7 occasion like a game and how important it is for a
8 youngster. So when they were playing basketball he would
9 send in a change of defense. They will know man to man,
10 they wouldn't just run up and down the field. Or in soccer
11 he would have each player designated to a particular
12 position, and they had an overall plan in mind and they were
13 able to stick to it. And they derived a great deal of skill
14 in thinking about their lives and the lives of playing in
15 the sport.

16 Mike from the time he was small, and I remember him
17 from the time he was roughly seven, was a happy, sparkling
18 and out-going individual. He had a great disposition, a
19 smile, and a warm hand shake for everyone. He was really
20 quite an individual. He always took the time to talk and
21 discuss his friends and himself. He would talk about
22 himself, and he would like to know about you, and he made a
23 person feel like he really cared. He was in effect an
24 exemplary citizen, lawyer, FBI agent, husband, and father.
25 We will miss his warmth and wit as a lawyer and friend and

1 family man.

2 May it please the Court, I would like to move that
3 these comments be spread upon the permanent records of this
4 Court and that a transcript of these proceedings be sent to
5 his mother and father who are on a cruise and not able to be
6 here. And also to his sister Lisa Delity. Thank you.

7 JUDGE MCKEE: Thank you.

8 JUDGE LEVIN: The Honorable Hervey G. Machen will
9 be eulogized by the Honorable James Magruder Rea.

10 HERVEY G. MACHEN

11 JUDGE REA: May it please the Court and traveling
12 Judges, the Honorable Hervey Machen is, of course, honorable
13 because he was the Congressman from Southern Maryland. You
14 could take the lives of Hervey Machen and his wife Marion
15 and put them as simple characters in a saga or historical
16 novel about the middle part of the twentieth century in
17 Prince George's County.

18 He was born in 1915, was raised in Hyattsville,
19 graduated from the old Hyattsville High School. He was a
20 Boy Scout. His father was Hervey, Sr., who was at one time
21 a sergeant on the Prince George's County Constables. That
22 organization became what we know today as the Prince
23 George's County Police Force.

24 His father was the first Ford dealer in
25 Hyattsville. His grandfather was Buck Middleton who was the

1 County Commissioner from the Camp Springs region of the
2 County. He had a brother Stanley and a sister Theo.

3 As a youth and a young man, he went to law school
4 and graduated from Southeastern University. He was admitted
5 to the Bar in 1939. He worked in the Prince George's Bank
6 and Trust Company on Baltimore Avenue in Hyattsville. When
7 you come over the viaduct there to Baltimore Avenue, that
8 building that has NationsBank on it is where he worked.

9 He started practicing law and during that time he
10 came down with appendicitis and was admitted to Sibley
11 Hospital in Washington at which time he met Marion, his
12 nurse. Shortly thereafter World War II erupted, and while
13 he was in the Army, he married Marion.

14 Hervey served overseas for five years in the
15 Quartermasters Corps and went in as an enlisted man and was
16 discharged as a captain. He raised five children; Billy the
17 surveyor, who is here today with his wife; hervey III with
18 his wife Loretta; Susan who was a nurse; Theodore Mike who
19 was a member of this Association and an attorney, and is
20 deceased; and Judy Amanda who is an attorney with the
21 Securities and Exchange Commission.

22 One time they lived in the house on 42nd Street or
23 Avenue and then they moved to a much bigger and nicer house
24 over on Hamilton Street where he and Marion resided for many
25 years.

1 In his days in Hyattsville as a young man he was
2 associated with such people as Senator H. Winship Wheatley,
3 the Honorable Tom Brooks, Paul Herring, Ernie Curry, and Bob
4 Edwards. They were his contemporaries.

5 When Hervey returned from the war he became
6 Assistant State's Attorney for the County, and he served in
7 that position from 1946 to 1950. Quinn Bowie, who was the
8 State's Attorney, didn't get re-elected and so Hervey was at
9 the law office. He set up his practice on Farragut Street
10 in the building at that time owned by the Hyattsville
11 Building and Loan Association. He shared office space with
12 Walter Burnside, one of our past presidents, and another
13 past president T. Hammond Welsh.

14 In his practice as a lawyer he received the highest
15 verdict that year in this court for two firemen that were
16 killed by a tractor trailer running into the Hyattsville
17 fire truck. He was very active in zoning cases, and the
18 Board of Directors of Prince George's Country Club -- the
19 old Beaver Dam, as I know it -- decided they were going to
20 sell the club, and the membership didn't think it was quite
21 correct. Hervey saw that case through the Court of Appeals.
22 The case to this date stands for the proposition that the
23 Board of Directors of the corporation can literally not take
24 the primary assets of the corporation and dispose of them
25 without the consent of the stockholders.

1 He eventually bought the building with his brother
2 Stanley. Stanley had his surveyor practice on the second
3 floor. On the unused space up there the law firm of Berkett
4 and Nussbaum were tenants. He only had two partners in his
5 long time practice as an attorney. That was Jerome
6 Stansbury and Donna Aldridge.

7 His clients had a lot to do with the growth of the
8 County and were basically bed rock people. Among them, and
9 I'm going to miss some I know, among them was Jack Long,
10 Irving Kidwell, Winfield Kelly, and Leo Storch.

11 He became co-trustee with myself of the William
12 Pinkney Magruder Estate with which we eventually built the
13 wing on the Prince George's General Hospital. The estate
14 still is operating.

15 Another one of his clients was Sonny Mothershead.
16 He wasn't of this association.

17 He became a politician. I guess he was born a
18 politician. In his background he was one of the original
19 organizers of the Prince George's County Young Democrats.
20 In 1954 he was elected to the Maryland legislature and
21 served with the Honorable H. Winship Wheatley, Philip
22 Nichols, Sr., Lansdale Sasscer, Jr., Carlton Sickles, and
23 the Honorable Ernest Loveless.

24 He was elected to Congress in 1964 and served two
25 terms. Hervey served in Congress under Lyndon Johnson and

1 was part and parcel of the great society that we still hear
2 about today even, and he served on the House Armed Services
3 Committee. He was, of course, very friendly with such
4 people as Hubert Humphrey, Tip O'Neill, and Lyndon Johnson.

5 After he left Congress he did quit his civic and
6 political affairs, and he became what I call the statesman,
7 and he dealt primarily with people working in the Democratic
8 party. He sat on the Commission that distributed the county
9 for the County Council. It was a very difficult thing how
10 they drew those districts. Hervey was able to handle that
11 very well.

12 Hervey was a sportsman. He played golf at the old
13 Prince George's Country Club, the new Prince George's
14 Country Club, in Florida, and he was a very avid fisherman
15 and fished from the place down at Broomes Island that he
16 inherited from his father.

17 And I can remember down there that Hervey and
18 Marion were some of the best host and hostesses that have
19 ever been in this area. They used to have the great crab
20 feast at Broomes Island.

21 He was active in the Episcopal Church and very
22 active in the Kiwanis Club and I know worked on numerous
23 organizations that I obviously have overlooked. He was a
24 good citizen, a good lawyer, a good politician, and a fine
25 father, sportsman, and to me and many that are here a good

1 friend.

2 Thank you, Your Honor.

3 JUDGE LEVIN: Ken Mundy will be eulogized by Robert
4 D. Mance III.

5 R. KENNETH MUNDY

6 MR. MANCE: May it please the Court, on behalf of
7 Ken Mundy I feel as though although I make my living by the
8 spoken and written word, sometimes you sense the feeling of
9 inadequacy when trying to put words in the place that give
10 the true sense of the meaning of the person. I spent much
11 time trying to, as most of us do when we lose someone who is
12 close, make some sense out of the timing of Ken's passing.
13 In doing so I thought to myself that every man's life is
14 just a day in the annals of time, and we are judged at the
15 end of that day by what we have done and what we have
16 contributed, and that also applies and will apply to Ken
17 Mundy.

18 We all knew Ken as a superior litigator, trial
19 lawyer, but I think more importantly he was a superior human
20 being. And before he could begin to apply his trade Ken had
21 a very strong family foundation which was the basis of who
22 he was. His wife Mignon, son Keith, grandchildren, these
23 were his priorities.

24 In trying to look back on Ken, I met Ken in 1968
25 when I was in law school. I was the first clerk that he

1 ever had. And as I looked back over his career in terms of
2 what he accomplished and what he did, I noticed there is
3 something very significant about Ken. With all those
4 successes that he had, Ken Mundy was the same person,
5 exhibited the same personality in 1995 that he did in 1968
6 when I first met him.

7 He was unselfish with his time. Totally unselfish.
8 He always found time to assist lawyers, students. He had
9 gotten to the point where he wanted to teach and did,
10 indeed, teach at Harvard and Howard on a lecturing basis.

11 He also made it a point to spend time helping those
12 who really could not afford to pay him. When I say time, I
13 mean time late into the evening, ten o'clock at night,
14 trying to assist those who came to him because they had no
15 place else to turn. Ken never said no. And I can tell you
16 in terms of going through and trying to fill in and handle
17 some of the cases that he took into the office, I can say
18 that there are some times that possibly he should have said
19 no but didn't.

20 He was the consummate litigator. He loved to win,
21 but not at any cost. The win was only important if it could
22 be done on the highest level of professionalism. That's the
23 way he lived, that's the way he taught, and that is the
24 message that he tried to impart not only to me when I
25 started, but to those associates who came after me. He was

1 a relentless competitor. Ken was one who toiled at the
2 practice of law. Consistent long hours.

3 I can remember, I think it was March of 1994, I was
4 in Florida playing golf with Ken's son. He says what is dad
5 going to do, is he going to retire or what? I said, Keith,
6 I don't know. He talks about it but he's like the Eveready
7 battery. He just keeps going and going. And Ken would
8 tire, but other people were always placed first. Ken had no
9 quit in him.

10 I think that when I look on the last years that we
11 had and the many conversations that we had concerning what
12 he wanted to do, he was still toying with the idea with
13 whether he wanted to give up the practice and teach or
14 exactly what he wanted to do. But one thing is sure, and
15 that is that at Ken's stage in life and at heights that he
16 had reached, he did not have to take on the burdens that he
17 took on in the latter part of his career. He did it for the
18 love of the practice and the love of being in the fight for
19 the litigation because he liked people.

20 And I would say, as I look back on Ken knowing
21 that, he was tiring even on our best day. Even when we were
22 having our best day having fun and savoring every moment, as
23 the day goes on we begin to tire. We begin to get weary and
24 find it hard to go on.

25 And in thinking about Ken's life, being a day in

1 the annals of time, I can only imagine that in April of 1995
2 a Supreme Being could see the fatigue in Ken, could see that
3 he had accomplished all there was to be accomplished, had
4 given all there was to give, and so on April 15, 1995, Ken
5 Mundy received the message that comes to us all at some
6 point in time. Come home, Ken Mundy, the day is finished.
7 Thank you.

8 JUDGE LEVIN: William E. Brooke will be eulogized
9 by Richard Allen James.

10 WILLIAM E. BROOKE

11 MR. JAMES: Members of the bench, I've been given
12 the pleasure of commenting on behalf of Bill Brooke who was
13 a very good friend of mine.

14 Bill was an attorney in Prince George's County for
15 almost forty years, and during that period of time in his
16 professional life he was the president of the Bar
17 Association. He was the president of the Rotary Club in
18 Prince George's County. He was a member of many, many
19 organizations in this County and certainly an active lawyer.
20 He was one of those lawyers who had throughout his career a
21 private practice. He was never really anything more than
22 one man practicing law in this County.

23 I learned from Bill's friends that there were other
24 dimensions in his life which were very interesting to me.
25 For example, Bill was an avid dancer and on Thursdays at

1 least twice a month he could be seen at Blob's Park dancing
2 traditional German dances in costume. So that was a very
3 interesting side of his life.

4 He was also a tremendous skier and skied all over
5 the world. He's the only person in the world that I knew
6 that in July he took a ski trip to South America. When you
7 do it during the summer months of Maryland, this beautiful
8 weather we have, you know you're an avid skier.

9 In addition to that, Bill was a great fan of
10 Maryland football. I think one of his great days was
11 attending those games. His grandson graduated from the
12 University of Maryland and the University of Maryland Law
13 School.

14 He was a man of great character and a man who loved
15 his family and was very devoted to his family. I think one
16 of the things about Bill that is extremely interesting are
17 the dimensions of his life and how he was able to enjoy life
18 to its fullest.

19 Bill was taken very suddenly and very shortly after
20 the time that he had actually retired from practicing law.
21 But fortunately for Bill, fortunately for his family he was
22 able to enjoy his life prior to his death. He will be
23 missed by his friends and his family. Thank you.

24 JUDGE LEVIN: Jack D. Guertin will be eulogized by
25 John Foran.

JACK D. GUERTIN

MR. FORAN: If it please the Court, sixty-three mostly fun and happy years was Jack Guertin's allotted time on this earth. Those of us who felt close to him saw what he endured in the end, had hoped and prayed for Jack, believing that if courage and determination were pre-conditions for the miracle, then Jack certainly had one coming for him. Unfortunately it was not meant to be in the grand scheme of things.

We don't have any answers why. So at a time like this, we simply try to determine what each person meant to us. When I think of Jack I think of Rudyard Kipling once defined manhood when he says "it's filling the unforgiving moment with 60 second's worth of distance run."

Jack's moments towards the end were more unforgiving than most, however, he ran them hard with courage, with determination, sometimes with disappointment and frustration, but always with the optimism that he could finish the race. As Kipling would say, causes him no dishonor. We all will at sometime be in that position. He gave it his best shot. At the end that's all any of us can do.

Jack had a strong will and a good heart. And through all of his recent battles, an odyssey that not many of us could survive with those qualities intact, he always

1 seemed to retain the sense and the understanding that the
2 struggle itself was an accomplishment.

3 Many of us have our own particular remembrances of
4 Jack. Those of us who knew him well remember him as the
5 vibrant person who brought joy and sincerity into our lives
6 and the genuineness of the people that he touched.

7 Over the last few years I had the privilege to work
8 with Jack on many legal cases. He didn't have the zest any
9 more for the trial work that he had during the younger part
10 of his career, so when he got to the point where it had to
11 go to trial he would farm some cases out to other lawyers.
12 It was a particularly gratifying experience to me. I
13 learned a lot from him in the process.

14 The one thing I found on dealing with Jack on a
15 personal and professional level was here was a lawyer who
16 understood what the word to be a gentleman was. Jack was
17 the consummate gentleman. Consummate gentleman lawyer.

18 I think if he were to stand before a group of
19 lawyers today and had to give advice to a group of lawyers
20 today that would probably be the word that he would say and
21 recommend to you. That if you want to practice law,
22 practice it as a gentleman or a gentle woman. You can still
23 be an aggressive advocate, but there's always a place in the
24 practice of law for that kind of a person.

25 Early in Jack's career he shared space with Bond

1 Holford and Don Caufield. Later he shared space with Alvin
2 Walker and Bill Stevens. Alvin and Jack bought the building
3 over on Bladensburg Road. Jack then practiced law in the
4 same office with Alvin and Howard Wilson during recent
5 years. Jack's practice was always the general local private
6 practice. That's the way he wanted it. That's what he
7 enjoyed doing the most.

8 I know the one thing that he got a great deal of
9 enjoyment was when he set up his wife Dodie in a title
10 company and watched her make a success of that venture.

11 Jack was a fun guy to be around. He enjoyed the
12 company of his many friends. He had a group of friends some
13 of you may know that used to tour Annapolis' favorite
14 establishments on Friday afternoon and talk about all
15 things, mostly about sports. And that was one of the
16 enjoyments that he had in life.

17 He had become an avid golfer during the last few
18 years. I had the opportunity to play golf with him on
19 several occasions. Just like the rest of his life during
20 the time that I knew him Jack displayed a sense of serenity
21 and calmness on the golf course that many of us might not
22 feel quite that way. Jack did not let anything control him.
23 He controlled it. He enjoyed himself in the process. He
24 just liked to have fun at whatever he did.

25 Another part of Jack's life that I admire, during a

1 lot of the personal conversations I had with him by
2 telephone and in person during the last few months of his
3 life was the love that he had for his wife Dodie and his
4 children. In many of those conversations Dodie's name came
5 up regularly. He was very proud of what she had
6 accomplished in her life.

7 I guess in terms of the lesson from Jack's life
8 it's not only the lesson of courage, compassion, and
9 hggentility, but it's mostly the lesson that you can still
10 have fun in the whole process. You can still enjoy life and
11 still work hard.

12 When I think of where we are and the legacy Jack
13 has left us with, that's the type of things that I think of.
14 The directed energy and courage that was so much of Jack's
15 life, particularly evidenced by the last few months of his
16 life. Really the perseverance that he had shown had really
17 become part of my mind of his own immortality that I will
18 remember.

19 Captain and Tennille had the song that I think
20 expresses, at least in title, words that we think of
21 sometimes when we go through time of grief when we lose a
22 friend or loved ones. It's we really never say goodbye.
23 Those words are really meaningful. It helps us get through
24 times of grief sometimes.

25 In Jack's case I'm sure Dodie and the family can

1 rely on these words. That as Jack's wife and his family,
2 all of his friends are fused together into one heart and one
3 soul we realize we are not saying goodbye to Jack. We are
4 saying farewell. We are going to see him some day. Until
5 we do we can remember Jack as somebody that always brought
6 to us a smile, carried away a smile, and kept it for
7 eternity. Thank you.

8 JUDGE LEVIN: Bond E. Rhue will be eulogized by
9 Judge Graydon S. McKee.

10 BOND EDWARD RHUE

11 JUDGE MCKEE: Bond Edward Rhue was a close personal
12 friend of mine, as he was of a great number of you who have
13 been involved in the legal profession. Been a member of the
14 Bar since 1968. Passed away September 18, 1995 in Atlanta,
15 Georgia. This was the result of injuries he suffered when
16 the airplane he was flying on as a passenger crashed on its
17 way to Gulfport, Mississippi.

18 Bond Edward Rhue was the first attorney at the
19 Department of Justice who died in the line of duty. He was
20 making that trip as a result of an investigation and the
21 case he was preparing for the United State's Government. At
22 the time of his death, he was on special detail as a special
23 prosecutor assigned to the Strike Force with the United
24 States Department of Justice working on organized crime
25 working as the Organized Crime Division.

1 Bond was born in Washington, D.C. At the time of
2 his death he was only 56 years old. By my calendar that's a
3 young man. He graduated from Roosevelt High School,
4 Montgomery College, and the University of Maryland.

5 We were close, close personal friends, even though
6 he served in the United States Navy. He graduated from the
7 University of Maryland School of Law in 1968.

8 Most of us remember him for his long and
9 distinguished career as a prosecutor here in this County.
10 We not only remember him for the excellence of his trial
11 work, but for the kindness, the humanity that he introduced
12 into that particular job.

13 He served as the County's first police legal
14 adviser and was on call twenty-four hours a day. It was
15 during this period of time that he associated with the firm
16 that I was with and had a civil practice. It was in that
17 relationship I developed and learned more about that man
18 than I ever knew just in the professional capacity.

19 I can say without a doubt he was one of my very,
20 very closest friends. And it's interesting because as I was
21 riding to his memorial service, the person I was riding with
22 made exactly the same comment, that he was, in fact, one of
23 his very close personal friends, and he was one of the few
24 people who really had a profound impact upon that person's
25 career.

1 At the funeral services, I think those who were
2 there really showed how he was respected among the
3 professions. Janet Reno was there. Top level federal
4 prosecutors were there. U.S. attorneys from Miami,
5 Philadelphia, Chicago, and it went on and on, as well as
6 numerous prosecutors and/or defense attorneys from this
7 area. He was respected among every level of the profession.

8 He taught at the University of Maryland. He had
9 been a lecturer at the FBI Academy. He had taught at the
10 Metro Transit Police Academy as well as other law
11 enforcement agencies throughout the State.

12 He was probably one of the most knowledgeable
13 people I've ever run into regarding the Fourth Amendment of
14 the Constitution. I can remember -- I know this probably
15 sounds very boring to you, but I can remember spending many
16 an evening getting into discussions with him about the
17 Fourth Amendment. And if you ever told me I'd waste ten
18 minutes talking about that, I would never believe it, but he
19 just had that ability to get you to be interested in
20 something you might think you wouldn't be interested in at
21 all.

22 He is survived by two daughters, Elizabeth and
23 Jennifer, who he was extremely proud of. He had two
24 grandchildren; Kathleen and Alex. And I hope I pronounced
25 that right. His mother is also with us today. And he left

1 behind a very dear friend, Kay Beckman.

2 Bond touched the lives of everyone that he came
3 into contact with. I can remember him walking, stopping
4 down the hallways of the old courthouse and taking fifteen
5 or twenty minutes trying to talk to one of the new attorneys
6 that was in the State's Attorney's Office helping that young
7 person deal with a particular problem. I see that young
8 person in the courtroom. No longer young. A well known,
9 well respected trial attorney today. I must think that
10 maybe Bond had something to do with that also.

11 Bond Rhue was not only a good personal friend of
12 mine, he was a good friend of the profession. He was the
13 type of person that we would want our sons or our daughters
14 to look to as an example of the upright example of what a
15 good lawyer should be.

16 I know that even today as he's ascended to that
17 Supreme Court on high that he's still trying those cases
18 with the Supreme Being.

19 JUDGE LEVIN: L. Charles Miller will be eulogized
20 by Edward Sobansky..

21 L. CHARLES MILLER

22 MR. SOBANSKY: Honorable Judges, fellow attorneys,
23 family and friends, many of you may look down at the name on
24 the program and say L. Charles Miller, who's that? Because
25 everybody in this courthouse knew him as Chuck Miller,

1 that's the kind of man he was. In fact, I even had to ask
2 his family what the L stood for. It was Lawrence.

3 He was born June 13, 1930. He grew up in
4 Connecticut. He never quite lost that Connecticut accent.
5 His good friend Kay Parris told me of the story where he
6 used to love to go over to the School House Pond in Upper
7 Marlboro to watch the birds, especially the gray heron, and
8 he would engage anyone in conversation. That was the type
9 of man he was.

10 He puzzled one poor lady one day by going on and on
11 to her about how beautiful the gray herons were.
12 Unfortunately she kept looking down in the water because
13 with his Connecticut accent it came out gray herrings.

14 He grew up in Connecticut. He played point guard
15 in high school where he was All-State. He played for the
16 University of Connecticut as starting point guard. Nowadays
17 playing that might bring you great fame and fortune, but at
18 that time it brought him a good education. That's all he
19 wanted out of it.

20 He joined the 82nd Airborne. He became an officer.
21 I often kidded him why did you jump out of a perfectly good
22 airplane. He said somebody had to do it. It was his
23 attitude about life. Went through, whatever the job was,
24 when he knew he had to do it, somebody had to do it.

25 He was a member of the American Legion, the Knights

1 of Columbus, and he and his wife Adel raised five children,
2 Kevin, Kerry, Tim, Mark, and Faye. All four boys went to
3 Dematha and Faye went to Seton.

4 He joined the FBI where he really liked the work.
5 He received two commendations from J. Edgar Hoover, but the
6 life of the FBI agent he felt was not good for the family.
7 Too much moving around. Too much uncertainty. And he left
8 the agency. He left the agency to become an attorney here
9 in Prince George's County.

10 I used to like to get stories about the FBI from
11 him because secretly when I grew up as a kid I really wanted
12 to be an FBI agent, too, but I never had the ability. I
13 respected him for the ability. It was a hard thing to
14 become an FBI agent.

15 The one story he liked to tell about J. Edgar
16 Hoover was one not too many people knew. That was one day
17 one of Hoover's agents got into an automobile accident in
18 D.C. by trying to turn left. From that day forward Hoover
19 instructed his chauffeur whenever he wanted to make a left
20 hand turn, to make four right hand turns around the block to
21 get him wherever he wanted to go.

22 I wanted to collect memories not just of myself but
23 of friends to make this speech. I really wanted to do a
24 good job for Chuck. I really felt like the reporter in
25 "Citizen Kane." There is one defining word, if you

1 remember, in the movie. The defining word was Rosebud. But
2 that was the dark, secret word. The defining word for Chuck
3 was Dematha. This was the bright shining word that
4 illuminated his life. Dematha High School in Hyattsville.

5 His four boys went there. On any Friday afternoon
6 I don't look for Chuck in the office, look for him at
7 Dematha helping out with whatever is going on there. It's
8 sports or any other of the things behind the scene. The
9 fund raising.

10 He had the paramount belief in the beneficial
11 effect on young people of the character raising abilities of
12 sports. He didn't care a bit about professional sports. To
13 him that was a business. I think the last couple of years
14 he really brought that home to a lot of people. He loved
15 sports. His daughter Faye played basketball at Seton. All
16 of his boys played various sports.

17 Chuck's friends Joe Young and Bernie Campbell
18 formed the triumvirate at DeMatha that was very helpful. I
19 spoke to many people at DeMatha with regard to this. They
20 got things done was always the statement people made.

21 He helped found with Father Claude of DeMatha the
22 first hockey team of Dematha. Father Claude said he was
23 never loud, he was never showy, he was always there. Morgan
24 Wooten, the great basketball coach, always remembers him
25 being there. Every year he traveled to the tournament at

1 Cumberland. He was always at every game. Sometimes taking
2 tickets, sometimes doing whatever job they had him to do but
3 he was there for the boys.

4 Sam Serio remembers that at the junior varsity
5 lacrosse games, not exactly the glamorous game of the
6 world, junior varsity, he sat in the rain with Sam. He
7 didn't even have a son in that game but Sam did. He was
8 there with Sam.

9 Bill Parker thought he was the best roommate he
10 ever had on the road trip whenever they traveled down to
11 North Carolina for the games. The people at DeMatha loved
12 him.

13 And I talked with Bill McGregor, the football
14 coach. He gave him one of the championship rings from the
15 team inscribed with his name. Even near the end the nurses
16 couldn't convince him to take it off.

17 The four pillars of his life were God, the law, his
18 family, and Dematha. The second pillar of his life, the law
19 he loved. And I was reminded of a rather pompous speech
20 that the Dean at my law school once made when he said that
21 the law school was going to turn out architects of the law.
22 And the very next day a sign appeared in the law library
23 saying we are forming the carpenter's union. Chuck was the
24 carpenter of the law as most of us in here are. We're in
25 here every day working the hammer and the saw of every case

1 by the sweat of our brow. Very few of us get to be
2 architects and wear seventeenth century robes, but I think
3 he would like to be compared to the carpenter because like
4 the son of the carpenter who was the carpenter himself two
5 thousand years ago, he loved the thought of carpentry.

6 Judge Nolan probably knew him the best of any
7 member of the bench. She was very disappointed not to be
8 able to be here. She worked for him as a secretary, she
9 knew him as a lawyer, she knew him as a domestic relations
10 master, as a Judge, most importantly, as a friend. She said
11 he was always bright, busy, efficient, and always on the
12 job. Judge Kratovil remembered him as the tenacious
13 adversary who at the same time was a gentleman.

14 During his last long lingering illness there wasn't
15 a week that didn't go by that the clerks and the bailiffs in
16 the courthouse used to ask me how's Chuck doing? I remember
17 we would sit around and brain storm and come up with wild
18 attacks and defenses and he used to love that. Thousands of
19 criminal appeals he did and the thousands and thousands of
20 District Court cases that we did together in District Court,
21 he was always very creative. Always thinking.

22 The third pillar of his life, of course, was his
23 devotion to God as a Catholic and a member of the Knights of
24 Columbus. He was held in very high regard, especially by
25 Father Claude from Dematha who attended him in his last

1 hours.

2 The fourth pillar was his family. You see them
3 here. He was devoted to them. He even gave up the FBI work
4 that he loved, but he never expressed any regret to anybody
5 about that. He was as proud as any father could be of his
6 sons and his daughter. And he was very supportive to my
7 wife and me in our struggle to have a child. He was
8 delighted when we were successful.

9 It is perhaps ironic but in the same sense maybe
10 even appropriate that a man who loved sports and was a great
11 athlete himself, remained active in golf, tennis, boating
12 should succumb finally to a disease named for a great
13 athlete, Lou Gehrig.

14 In closing, I'd like to leave you with the thoughts
15 of Grantland Rice, the great sports writer. "When the one
16 great scorer comes to write against your name, he marks not
17 that you won or lost but how you played the game." L.
18 Charles (Chuck) Miller played the game of life as well as
19 any man, and I was proud to know him.

20 JUDGE LEVIN: If it please the Court, this
21 concludes the eulogies, and before I make the appropriate
22 motion I am going to tell the respective families that there
23 is an evergreen that will be presented to you after the
24 conclusion of these services by the President of our Bar
25 Association. So when we finish, please come up and make

1 yourselves known.

2 I knew each of the deceased brethren that we have
3 honored today. I knew them all personally. I know it's
4 hard for you all to believe that I'm that old. They were
5 all good persons, they were all good lawyers, and we shall
6 all miss them.

7 Accordingly, Judge McKee, I move at this time that
8 the minutes of these proceedings be spread upon the records
9 of this Court and that each eulogy be sent to the family of
10 the deceased members, and at the appropriate time that this
11 Court adjourn in honor of our deceased brethren.

12 JUDGE MCKEE: Judge Levin, the remarks will be
13 spread upon the records of this Court and retained in
14 perpetuity. And I'm directing the reporter to transcribe
15 each of these eulogies and then to have them sent to the
16 members of the family.

17 Mr. Bailiff, please announce a recess of the
18 special session of the Court.

19 (The proceedings concluded at 5:12 p.m.)

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