

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

PRINCE GEORGE'S COUNTY BAR ASSOCIATION

MEMORIAL SERVICE

FOR

BARBARA M. RADCLIFF

E. ALLEN SHEPHERD

ROBERT M. TOBIN

THURSDAY, NOVEMBER 20, 2008

3:00 P.M.

COURTROOM 3400

COURTHOUSE

UPPER MARLBORO, MARYLAND

Esther L. Thompson

Official Court Reporter

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1 P R O C E E D I N G S

2 The Court convened en banc at 3:00 p.m., there
3 being present the Honorable WILLIAM D. MISSOURI, Chief
4 Judge; THOMAS LOVE, Administrative Judge for the Fifth
5 District; THOMAS P. SMITH, Associate Judge; MAUREEN M.
6 LAMASNEY, Associate Judge; RONALD D. SCHIFF, Associate
7 Judge; CATHY H. SERRETTE, Associate Judge; JULIA B.
8 WEATHERLY, Associate Judge; SEAN D. WALLACE, Associate
9 Judge; ALBERT W. NORTHRUP, Associate Judge; CRYSTAL D.
10 MITTELSTAEDT, Associate Judge.

11 JUDGE MISSOURI: We welcome you here today for
12 this special session of the Prince George's County
13 Circuit Court in honor of some of our deceased members.

14 At this time I recognize, of course, our major
15 guru of the Court of Appeals, Glenn T. Harrell, Junior;
16 retired Circuit Court Judges Platt and Sothoron; Court
17 of Special Appeals Judge, the hard-working Honorable
18 James P. Salmon. And I note that Judge McCullough,
19 retired Chief Judge of the Seventh Judicial Circuit, and
20 Judge Mason are in attendance today. We welcome
21 everybody here, all the Judges here. And sitting with
22 us is the Honorable Thomas Love, who is Administrative
23 Judge for the Fifth District.

24 Today we gather and we welcome the families of
25 the deceased members of the Prince George's County Bar

1 Association. And we gather today, as we have for many
2 years, to honor our colleagues, associates and friends
3 who have passed on. The Court is honored to welcome
4 family, friends and guests of those that we are here to
5 remember today. We are paying tribute today to Barbara
6 M. Radcliff, the Honorable E. Allen Shepherd, and Robert
7 M. Tobin.

8 The Court at this time will recognize William
9 J. Parker, Junior, President of the Prince George's
10 County Bar Association.

11 MR. PARKER: Thank you, Your Honor. Members of
12 the Bench, honored guests and family members, the Prince
13 George's County Bar Association is honored to sponsor
14 the annual Memorial Service. For years we have been
15 privileged to have as our Committee Chairman the
16 Honorable Vincent J. Femia. Judge Femia approached me
17 this year and suggested that it was time we had new
18 Chairmen in our various committees, and I reluctantly
19 agreed. I have been very fortunate to have Ben Woolery
20 and Mary Crawford agree to be cochair for next year and
21 for future Memorial Services.

22 We thank Judge Femia for the tireless efforts
23 that he has made to make this service successful, and we
24 thank him for all the kindness that he has extended to
25 members of the Bar and to the families of the members of

1 the Bar.

2 With that, I turn the service over to the
3 Honorable Vincent J. Femia.

4 JUDGE FEMIA: Chief Judge Missouri, fellow
5 members of the Bench, President Parker, ladies and
6 gentlemen, this year we have three members to honor.
7 Luckily we only have three members to honor, and I'm so
8 glad I'm not one of them. I didn't see Tom come in. Is
9 Tom Downs here? Right in front of me. He's obviously
10 using Prednisone. Tom Downs is going to remember
11 Barbara for us.

12 MR. DOWNS: Judge Missouri and Honored Judges,
13 Judge Femia, thank you. Barbara Radclilff was a friend
14 of mine. I met Barbara because she was my successor as
15 I was a clerk for Judge Ahalt, and at the time that
16 Judge Ahalt was -- when I was clerking for him, his
17 method of selecting a successor clerk was to have his
18 current clerk and his administrative assistant Anna Mae
19 Neltner interview the current candidates, and so I had a
20 chance to go through the resumes of all the candidates.

21 There were many good candidates. Barbara's
22 resume stood out. And when we met with her, she clearly
23 was outstanding and we recommended her highly to the
24 Judge. The only hesitation I had about Barbara was her
25 credentials and her experience and her presentation was

1 so much more impressive than my own. You know, you
2 don't want to have your successor be so much better than
3 you. But she was a wonderful person and we got to know
4 her over the course of the years because when we do
5 Judges' dinners, I'd usually see her through that
6 context.

7 In preparing remarks today, I talked to a
8 number of people who Barbara had worked for and worked
9 with. I should also welcome Ed Radcliff. I'm not sure
10 if he's here today or not. He is. Barbara's brother is
11 here today, and we had a chance to talk. I have not
12 talked to Ed before, and Ed shared some reminiscences of
13 their childhood experiences. They grew up here, but
14 they had family in North Carolina, so they would go back
15 and forth between North Carolina and here. And in the
16 summer they would have a southern accent, and they would
17 come to Maryland and they would lose that southern
18 accent.

19 And he was also, I think, an inspirational
20 character in leading Barbara to become an attorney. He
21 said that she was such an argumentative little sister
22 that he said, "Well, you should just be a lawyer," and
23 she ended up being that.

24 I have a quote from *Roughing It* by Mark Twain
25 of the process of trying to find something to say about

1 someone who has died. In that book, the character
2 Scotty Briggs is trying to get a pastor to say the
3 funeral of a friend of his. And the pastor says, "Well,
4 was he a good man?" And Scotty says, "A good man, says
5 you? Pard, it ain't no name for it. He was the best
6 man that you ever -- pard, you would have doted on that
7 man. He could lam any galoot of his inches in America."
8 I'm not sure if that's exactly what the pastor warned,
9 but I think "lam any galoot" means to be able to beat up
10 anybody his own size.

11 In talking about an attorney, that is somebody
12 who really sometimes takes on roles that are not the
13 most popular roles. I talked to people who Barbara had
14 worked with in the County Attorney's Office, and they
15 worked representing the Police Department in civil
16 matters. And Barbara, one of her chief functions was to
17 do merit board hearings for police officers, which are
18 difficult hearings because the main witnesses you often
19 have are coworkers and other police officers who don't
20 want to necessarily participate in the process.

21 Steve Orenstein, who's done that work for a
22 longtime, had worked with Barbara extensively in that
23 area and said Barbara did do a wonderful job of walking
24 the line between being an advocate and being a
25 fair-minded person.

1 I talked to Perry Becker, who had been --
2 Barbara had been in the firm with Perry Becker and Judge
3 Northrop for a long time period up in Bowie, and he told
4 me that there was an outing where the firm went out and,
5 I guess they went to a West Virginia cabin owned by
6 Judge Northrop, and they would go out and tend to drink
7 alcohol and shoot guns. A great combination. There are
8 six guys out at the outing and they decided, well, they
9 invited Barbara along. And Barbara was a very
10 sophisticated, refined person, but when she showed up at
11 the outing, they wondered how she would weather this,
12 and she had her own Smith & Wesson and was actually
13 quite competent at defending herself.

14 JUDGE NORTHROP: She kept it under the pillow
15 at night.

16 MR. DOWNS: I practiced a general practice for
17 a long time period. I don't know about the rest of
18 Barbara's practice. I know that she did a general
19 practice of law. I only had one other case where we
20 were on the other side of that case and that was a
21 contested custody case. And if you've ever handled
22 domestic cases, they tend to be a strain on everybody
23 involved, including the lawyers and including the
24 relationships of the lawyers, and it was a pleasure
25 having Barbara on the other side of the case where we

1 could actually work together to help a family resolve
2 some difficult issues.

3 Barbara always had a lot of integrity in what
4 she did. She was a person who you could count on what
5 she would say. She was a good lawyer and a good friend,
6 and she will be missed by the Prince George's County Bar
7 Association.

8 JUDGE FEMIA: Thanks, Tom. Now I am going to
9 call on Judge Ahalt to remember Al Shepherd. And
10 this -- I want to tell you the truth. Some of you know
11 that I've written the President, as I just announced, I
12 wrote to the Bar and said, "This is my last year of
13 doing this." I've been doing this now for twelve years,
14 and when I had to do Al Shepherd's Memorial, I said,
15 "I'm not doing it anymore. This is it."

16 I went way back with Al. Way back. And it's
17 time for somebody else, somebody younger, to take over,
18 and this is the one that made that decision for me.
19 Monty.

20 JUDGE AHALT: Chief Judge Missouri and Bill
21 Parker, and most importantly Juanita and Al and Chuck --
22 Juanita, Cindy and Chuck, it is a privilege for me to
23 make these remarks, and when I struggle, you will
24 understand why.

25 I share Vince's comments. We thank you, Vince,

1 for carrying this burden these many years. You know,
2 Vince, I'll do this as an introduction here, not only
3 has done these Memorial Services, but, you know, when
4 any of his colleagues, or friends, or anybody gets in
5 any trouble with the medical community, Vince is right
6 there to become their advocate. So, it's kind of like
7 an inside joke that you know when Vince calls and wants
8 to come to see you, it's not a good sign. But he is an
9 extraordinary good friend, and an extraordinary good
10 friend to our friend and colleague Al Shepherd.

11 Judge Shepherd, to me, was a man's man, a
12 lawyer's lawyer, and a Judge's Judge. A man who you
13 could respect in everything he did as a husband, as a
14 father, as a member of his church. As a lawyer, you
15 will hear in a few minutes what he did to many members
16 of our Bar, but he taught us the law. And as a Judge,
17 he continued being a teacher and a mentor to many.

18 Al's mark was, I think, really his diversity in
19 life and in the law. I mean, he was an extremely widely
20 read individual, an individual who knew and understood
21 just an enormous breadth of knowledge, from guns, to
22 history, to the civil war, to the symphony orchestra,
23 and that diversity carried over with him in the practice
24 of law.

25 He started out not in this community practicing

1 law, but in Baltimore where he joined an insurance
2 defense firm that represented, a main part, the State
3 Farm Automobile Insurance Company. And he did that for
4 about four or five years, and it really, in talking to
5 Al over the years, set the foundation for him in many
6 regards.

7 He then had the opportunity to become a State's
8 Attorney here in this county over in the now refurbished
9 old courthouse. And as Vince has pointed out -- Vince,
10 by the way, not only does he organize all of this, but
11 all of these words here in this nice program are usually
12 written by Vince. And, so, Vince has really laid that
13 out for Allen. And as he pointed out, Allen, as a
14 State's Attorney, was a tenacious, zealous advocate for
15 the people in the State of Maryland. I mean, he didn't
16 ever, ever want to lose a case and he worked hard and
17 prepared hard. Of course, that was the mark of that
18 office in those days, that they had esprit de corps to
19 never lose a case and they just worked hard and they
20 were zealous in their advocacy. And when I started out
21 as a defense lawyer, it wasn't any fun because they were
22 good, and they were sharp, and they were ahead of you,
23 and Al was the leader of that group.

24 And then he decided that, I guess along with
25 Ben Wolman, he decided that he had done his service to

1 this community in that regard enough that he left that
2 post and went into the private practice of law with Ben
3 Wolman and several other local lawyers and had a diverse
4 and wide practice of law representing injured
5 plaintiffs, criminal defendants, family cases, domestic
6 cases, custody cases, contract cases, business cases,
7 just a tremendously diverse practice.

8 And during that period of time, he accepted the
9 appointment as specially assigned public defender in the
10 southern counties in Charles and St. Mary's and Calvert
11 counties to those who had committed the most heinous of
12 crimes. It's hard enough to get a lawyer in a big
13 populous area like Prince George's County, but in a
14 small community, a rural community, it is impossible to
15 get a lawyer for the worst of the worst type of crimes,
16 and Al became the go-to lawyer in southern Maryland.

17 The public didn't much like him because he was
18 good at what he did. He made the State prove their
19 cases, and he, at many times, was not looked upon
20 favorably by many in the community. Although his
21 colleagues on the Bench and in the Bar always knew that
22 he was the best of what he was doing.

23 From there he went on to be appointed as the
24 Public Defender, a terrific benefit to the people of
25 Prince George's County because he put that office in

1 tremendous good order, overcame the same type of process
2 we're going through now where government money dries up
3 because of economic circumstances, and the first thing
4 to go is the budget of the Public Defender's Office.
5 And that just puts enormous strain on these folks that
6 have this duty and obligation to represent people
7 accused of crimes. And, so, he put that office in
8 straight order and overcame those many difficulties, and
9 then acquired this desire, because many of his friends
10 were telling him to, to seek a judicial career.

11 Now, you have to imagine that here is a guy
12 that has spent a good portion of his professional career
13 representing individuals who were not particularly
14 well-liked. One of his clients was Jack Jones, which is
15 the case of Stephanie Roper which created the Roper
16 Committee. So, during that period of time, here's
17 lawyer Shepherd trying to become a Judge with the Roper
18 Committee looking over the shoulders of every politician
19 in the State of Maryland, and it was not an easy task to
20 become a Judge under those circumstances. Especially
21 for an individual who had really no political leanings
22 or interests ever in his professional career.

23 But through persistence, he prevailed and made
24 it as a Judge on the District Court. And then his
25 friends, me included, said, "Well, you know, Judge

1 Shepherd, you really ought to apply for some of these
2 vacancies in the Circuit Court. And he said, "No, no,
3 no, you know, I'm fine." You know, we kept after him
4 and after him, "No, you ought to really do this." And
5 then he did and he was unsuccessful. And he was
6 unsuccessful once, and twice, and three times.

7 And I wrote a letter to Governor Schaefer in
8 March of 1990 and I started it out, before I told
9 Governor Schaefer how wonderful this man would be as a
10 Circuit Court Judge, I started it out by saying that,
11 "As you will recall I had the opportunity to write a
12 similar letter in August of 1987 when Mr. Shepherd was
13 being considered for appointment to the Circuit Court.
14 Mr. Shepherd must be closing in on the record for the
15 most number of nominations to the Court from the
16 Judicial Nominating Commission for that appointment. He
17 has been found most fully and professionally qualified
18 for appointment to the court four times." And, of
19 course, he was unsuccessful that time. It was, I think,
20 the next time when Judge Salmon went on to the Court of
21 Special Appeals that he was finally successful.

22 Now, as you know, Judge Shepherd was a very
23 humble man. He never talked about himself. Really, I
24 mean, just to give you an example, when he was appointed
25 to the Circuit Court, he said that no party, no

1 reception, no nothing in the courtroom, just bring the
2 clerk up to my chambers and I'll be sworn in. Typical
3 of Al Shepherd. So when Juanita asked me to do this,
4 she said, "Al has one request." And I said, "What's
5 that, Juanita?" She says, "What you say has to be very
6 short." And, so, Al is imposing that time limit right
7 now.

8 But Judge Femia encouraged me to take a little
9 bit more time, and I figured out a legal loophole, and I
10 figured my friend and colleague Al Shepherd would go
11 along with this because now I'm not going to do anymore
12 talking about Al Shepherd because what I did was I went
13 out and did some investigative reporting and talked to a
14 bunch of you about Al Shepherd, so I'm going to read
15 what you said. And, therefore, Al, it's not me, it's
16 these other people that are taking up all this time.
17 But, you know, one thing that I discovered in this
18 process was the best way to remember somebody is to talk
19 to some of you about them. I mean, it's just terrific
20 what other people can do for you when you talk about
21 them.

22 So, I talked first to a Judge who just had been
23 appointed to the Circuit Court, and he was kind of a
24 surprise appointment on the Circuit Court to many,
25 although none really in the courthouse because they knew

1 of his exceptional credentials, Nick Rattal. And I
2 said, "So, Judge, what did you think of Al?" And he
3 says, "Well, you know, I wouldn't be here today except
4 for Al. He hired me as a Public Defender. He started
5 my career." He said Al was quiet and thoughtful, easy
6 to work for. A Trial Judge who let lawyers do their
7 work. He said, "I tried several murder trials in front
8 of Judge Shepherd," his former boss, and he described
9 him as a lawyer's Judge.

10 And then I talked to Judge Maureen Lamasney,
11 who also worked for Judge Shepherd, and Maureen said he
12 was a mentor to whom she owed so much because of what he
13 had taught her. He appointed her as a Deputy in the
14 office, and although she commented he suffered a lot of
15 heat from his unpopular clients, victims and victims
16 rights groups and the press, he had the capacity to rise
17 above the criticism. He always taught his employees to
18 always do the right thing.

19 And then I talked to Bruce Marcus. Bruce had
20 the privilege of being appointed Public Defender
21 co-counsel on some very, very terrible cases, and so
22 Bruce got to know him really well through those
23 experiences as co-counsel, and he described Al as an
24 exceptional human being, a regular guy with strong
25 religious convictions who kept them to himself. He said

1 Al had enormous grace, poise and dignity and humility
2 under fire, and that he had tremendous love for his wife
3 and children.

4 He was, in Bruce's mind, one of the greats of
5 the Bench, of the Bar. And then a more telling remark
6 in my mind, he said prosecutors never had to worry about
7 his trial tactics as they were always, always above
8 board.

9 And then I spoke to this man out here in front,
10 Judge Femia, and he's written a lot of this, but Judge
11 Femia hired Al. He said to replace Ron Willoner. Now,
12 I found that a little bit hard to believe that anybody
13 could replace Ron Willoner, but I'm sure Al succeeded in
14 doing that really far better than anybody expected.

15 But, clearly, he made Vince look good from his hire
16 because he became the go-to guy in the State's
17 Attorney's Office and was known for his own tenacious
18 advocacy. Vince remarked that he had a quiet demeanor,
19 but was always super prepared. And that was true.

20 My first criminal trial, he prosecuted. I was
21 representing a defendant accused of armed robbery of the
22 then Palmer Drive-In Theater on Palmer Highway, which is
23 now Martin Luther King Highway, and Al prosecuted that
24 case. And he knew what I was going through because it
25 was my first case. And, so, he just whipped my butt in

1 a very gentlemanly fashion.

2 Then I talked to his longtime assistant, Ruthie
3 Jones. She was an administrative assistant to Al in the
4 Public Defender's Office, and then on the Bench. So,
5 close to twenty years she was there at Al's side, and
6 she said, "You know, Al was so honorable that there are
7 not many stories about him." She said, "He's as close
8 as humanly possible to a perfect man, lawyer and Judge."
9 As a Judge he always did what the law required even when
10 his sympathy tugged at his heart to do different.

11 And then I talked to Judge Shepherd's first
12 clerk, John McKenna, who is now a criminal defense
13 lawyer. And John said, not unusual for a clerk, you
14 know, clerks, including Tom, my first clerk, tend to be
15 rather loyal to their Judges. John said, "You know, he
16 was a personification of what a Judge should be." He
17 said -- and this was also telling in my mind -- "You
18 could never guess what he was thinking during a trial.
19 And although he was a very, very tough sentencing Judge,
20 he was one who gave a defendant an extraordinarily fair
21 trial, and that's one reason why the defense bar always
22 thought it was a good draw when they got Judge Al
23 Shepherd assigned to try their case." As his clerk,
24 John said that he was taught that if you can't say it in
25 one page, it isn't worth saying. Too bad Al didn't

1 teach a lot more of the members of our Bar. He said
2 that Judge Shepherd was an end of an era, and I think
3 that was true, and the mold was broken.

4 And the last person I talked to is here today,
5 Bill Haskell. Bill Haskell was the last partner that Al
6 had before he left the private practice of law and went
7 on to the Bench, and Bill commented that, he said,
8 "Judge Shepherd had a different way of looking at
9 things." He said, "Once we were walking down Main
10 Street to the old courthouse, and everybody was outside
11 and it was early in the morning and the courthouse was
12 closed, and probably evacuated for, I suppose, a bomb
13 threat, and Judge Shepherd was asked what was going on,
14 what he thought was going on, and he says, 'Oh, nothing
15 much, the Sheriff is just reminding the Judges who
16 really is in charge.'" And, finally, Bill said that Al
17 was an intensely religious but private man.

18 And then his colleagues in the Judicial
19 Conference, when he retired, had these comments about
20 their colleague, Judge Shepherd. "On March 23rd, 2007,
21 the end of an era occurred: Judge Shepherd took the
22 bench for the last time as a sitting judge.

23 "A beloved figure in Upper Marlboro for 40
24 years, Judge Shepherd's retirement saddened the
25 courthouse community on a personal and professional

1 level. The court lost a wonderful person and an
2 outstanding trial judge.

3 "Born in Bridgeport, Connecticut on March 26,
4 1937, Judge Shepherd received his B.S. from the
5 University of Maryland in 1960 and his Juris Doctorate
6 from George Washington University Law School in 1963.

7 "While pursuing his education, Judge Shepherd
8 served his country in the United States Naval Air
9 Reserve from 1954 until 1962.

10 "After passing the bar, he was associated with
11 the firm of Rollins, Smalkin, Weston & Andrew until he
12 joined the State's Attorney's Office in 1967.

13 "As a District Public Defender, he was
14 responsible for managing the county's largest criminal
15 defense firm. Judge Shepherd managed, motivated and
16 mentored dozens of young lawyers throughout the years.
17 His legacy of professional competence and responsibility
18 will long be remembered.

19 "As a Judge he handled some of the county's
20 most highly publicized cases and was a model of judicial
21 temperament and judgment.

22 "One county's legal community hopes he will be
23 recalled," which he was, "as a retired Judge." And he
24 came back and did many, many trials until his untimely
25 death.

1 All in all, I think the Profit Micah best
2 summarizes our friend Al. He said he asked God what he
3 needed to do to overcome his failings as a human being,
4 and Al did what God told Micah, which was to do justice,
5 love mercy and walk humbly with his God. Thank you.

6 JUDGE FEMIA: Thanks, Monty. A correction, if
7 I may -- and Judge Missouri will appreciate this -- I
8 was indeed the Deputy State's Attorney when Al was
9 hired, but if you knew Bud Marshall, only one person in
10 that office hired or fired, although I never heard him
11 fire anybody, and that was Bud Marshall.

12 I have hesitated to write this down. It's
13 something about Al that I personally knew, and some of
14 you I've told this to, but in my opinion, this vignette
15 marks the man. It was, as I recall, a spring morning,
16 and I was walking down Main Street from the old
17 courthouse down in front of the old, what was then the
18 Old Towne Inn. I was going to one or another of the
19 offices down there, and Al was coming the other way down
20 the street and he was staggering. I mean, literally,
21 (Demonstrating) side-to-side, 11:00 in the morning. And
22 I stopped him and I said, "Al, what's the matter?"

23 He said, "I have just been appointed to a
24 case." You know, like this isn't new? He said, "My
25 defendant is Jack Jones. Do you know who my daughter

1 is? I only have one daughter." He was so torn up by
2 that appointment that he was going to defend a man who
3 had committed probably what in our community was the
4 vilest thing that any of us ever heard of. And yet, as
5 history shows us now, he defended him and defended him
6 well, because that's the kind of man and lawyer Al
7 Shepherd was. It tore him up inside, but he did his
8 job. And that, in my opinion, is the mark of a true man
9 and lawyer. And I'm going to miss him big time.

10 The last person we're going to remember today
11 is Bob Tobin, and anybody who's ever walked through
12 Upper Marlboro knows who Bob Tobin was. I've asked Joe
13 Vallario if he would be kind enough to make remarks on
14 Bob's behalf.

15 MR. VALLARIO: Chief Judge Missouri and Chief
16 Judge Love, and members of the judiciary, both the
17 District Court, Circuit Court, Court of Appeals, and
18 anybody I might have left out, retired or not retired,
19 it's certainly great honor to be here today on behalf of
20 Bob Tobin.

21 I met Bob Tobin in 1972. A long time ago. He
22 had just been married four or five years at the time and
23 was raising a family and he wanted to be a law clerk,
24 and I said to him, "Well, how are you at hanging signs?"
25 He said, "Pretty good." "And how are you at painting

1 signs?" And that was my first law clerk, Bob Tobin.
2 That's how he got the job. But he did more than that.

3 He was an inspiration to all of us. And I went
4 through the list of some of the lawyers that were around
5 at that time and that were associated with me and the
6 firm up there on St. Barnabus Road. We had a little
7 house up there which is right in the middle of the
8 intersection, which is now right in the middle of the
9 cloverleaf at St. Barnabus Road and the Beltway, and
10 Sebert Keiffer was there, Dave Rumsey, Richie Palumbo,
11 John Curley and Dave Megel was there around that time.
12 Richard Collins, of course, and he survived that.

13 So, after that, he went to work for Bud
14 Marshall and stayed there a great number of years as a
15 law clerk and an intern and so forth and studied for the
16 Bar. And I still remember to this day there were many
17 of the lawyers and judges that had so much respect for
18 him that they gave their time to help tutor him to get
19 through the Bar. In particular, my recollection was
20 that Chasanow tutored him for awhile and eventually he
21 passed the Bar.

22 He was born in Washington, D.C., and he went to
23 St. John's Military Academy, the place I graduated from
24 myself. That helped him a little bit, too. Anyhow,
25 when you think about living in District Heights and

1 going to Military Road where the school was, it was
2 pretty tough and the parents really had to put out a lot
3 to get their child from District Heights all the way to
4 Military Road every day. But eventually he ended up
5 going to law school and passing the Bar.

6 He died on September the 10th, but I guess what
7 all of you do know is that he had a physical right prior
8 to that and, of course, the results came out right after
9 he passed away that he passed everything with flying
10 colors. So sometimes we never know how long we're going
11 to be here or what might happen to interrupt our
12 lifestyle.

13 He was a very hard-working person. He did
14 everything he could, especially for his family. In
15 particular, every time his children were to move on to
16 another part of their career, he would always say
17 something to me, and what he wanted Rob to do, or what
18 Rob was doing, what Kim was doing. And, of course, the
19 idol of his life is his granddaughter, and, of course,
20 his wife.

21 His wife Kathy, when you got Bob Tobin, you
22 probably got a two-for-one deal. Of course, she was
23 around a lot of the time, especially in the office in
24 Upper Marlboro. When he finally went out to practice,
25 he rented a space from a place that I happened to have a

1 piece of ownership in. The reason I'm mentioning that
2 is this: That Kathy would plant the flowers in front of
3 the building there, and Bob was always the on-site
4 superintendent. He would be whispering in my ear from
5 time to time what one tenant was doing and what one
6 other tenant wasn't doing, and he always kept his eye
7 out for me, something that I always did appreciate.

8 Of course, he was retired -- well, not retired.
9 He was in the Marine Corps and he never failed to let
10 you know that he was in the Marine Corps for a number of
11 years. Once he passed the Bar, he started practicing,
12 and the people that -- he went straight out into a firm
13 on his own, by himself. Him and his wife built the firm
14 from what it was. And they did a great job. He
15 represented the people that did not qualify for the
16 Public Defender, as a lot of us have, but can't afford
17 any high-priced lawyers. So, they're really something
18 right in the middle.

19 He served the public, he served the community,
20 and he did such a great job. He didn't have any famous
21 clients, but he had the people, and his life was totally
22 devoted towards people. You could not come to the
23 courthouse without running into him either coming or
24 going. And if you ran into him, you did have a
25 conversation with him. He would not let you get away

1 until he talked to you for awhile. All of us know that.
2 And if you wanted to find out what was going on in Upper
3 Marlboro, just ask Bob Tobin, he was right there on
4 that.

5 He did serve a term as a Commissioner in Upper
6 Marlboro for the town of Upper Marlboro, and, of course,
7 he was always referred to as about to be almost the
8 Mayor of Upper Marlboro. Everybody knew him and
9 everybody in the town knew him, and everybody that came
10 to the town knew him.

11 He had a famous watering hole, and the watering
12 hole was the Subway, believe it or not. He was in there
13 on a daily basis, and he always ate his lunch there,
14 very frequently, and he was well-known there.

15 Bob Tobin was extremely a family man. He was
16 an investor, too, believe it or not. But when he
17 invested, everybody and his brother knew what he was
18 going to buy before he bought it because he would tell
19 everybody and get their opinion on it. He had to have
20 96 appraisals before he would buy anything. But I was
21 always one that he would call upon, and I was always one
22 that could call upon him when I needed something.

23 If I needed something, he was there.
24 Politically, he worked in my campaign. He worked in Bud
25 Marshall's campaign. And he worked on many other

1 people's campaigns, and he was always there and always
2 willing to help.

3 We're all going to miss him. It's just
4 unfortunate that at such an age of 61 that the Lord
5 decided to take him.

6 I leave you with this thought that -- I do want
7 to at least tell a couple of stories on him. One time I
8 said, "Look, you've got to go downtown and pick papers
9 up, or something downtown." And he says, "It's
10 snowing." And I took him out, "Why? Are people falling
11 down in the street?" I went outside, I said, "Ain't
12 nobody falling down, go ahead and get in the car and go
13 down," and he went down and took care of it. I still
14 remember that story. "It's not slippery out there, you
15 will be fine. You'll get there."

16 He was really a trip, though. And the other
17 one was, somebody came in to see us and I said, "Okay,
18 go ahead, you talk to him." Bob talked to him, gets all
19 the information. The next thing you know, he comes
20 back, he says, "This guy's got 500 shares of S.O.,
21 Standard Oil, so many shares of Chrysler, so many shares
22 of this and so many shares of that." "What's he want?"
23 "He wants us to handle his estate." I said, "Okay.
24 Well, keep working on it. Get all the information from
25 him." Well, it ended up the next thing you know, he

1 said, "He needs \$40." "Forty dollars for what?" "He's
2 a little short." So, I give him \$40. Now he needs a
3 ride downtown. Next thing you know, Bob is taking him
4 downtown. Well, I'll tell you, we all got taken for a
5 ride, me for the \$40. But it was one of those things
6 that, this is the greatest thing in the world, we've got
7 this big client, owns real estate all over the place and
8 everything, and we always talked about the guy that took
9 the firm of Vallario and Keiffer.

10 In any event, he's been such a great friend.
11 He was always there. I'm going to miss him. And on
12 behalf of the members of this Bar and the friends that
13 he had an opportunity to deal with and meet, Bob, until
14 we meet again, may the good Lord look out for you.
15 Thank you very much.

16 JUDGE FEMIA: Chief Judge Missouri, I would be
17 remiss to offer the proceedings to you for closing if I
18 did not mention the passing of a gentleman who is not a
19 member of the Bar, not a lawyer, but was known to all of
20 us, at least on the Circuit side, Lou Hernandez, who
21 just passed away a short while ago, who was a bailiff
22 around here, I don't know how many years.

23 JUDGE MISSOURI: He was my bailiff before he
24 retired.

25 JUDGE FEMIA: Was your bailiff. Did you ever

1 learn to say Buenos dias?

2 JUDGE MISSOURI: No, but I learned to have him
3 interpret for me in court.

4 JUDGE FEMIA: Every time I saw him, "Buenos
5 dias." That's the only words I knew in Spanish, that
6 and Taco Bell. What the hell else do I know? Lou was
7 in his eighties and had real problems. He's no longer
8 with us, and he also will be greatly missed.

9 And with that, Judge Missouri, I turn the
10 proceedings back over to you.

11 JUDGE MISSOURI: El gusto es mio. For the
12 record, I want to recognize our State's Attorney, Mr.
13 Glenn Ivey, and his Deputy present. Also the Clerk of
14 the Circuit Court without whom we could not do our job,
15 Peggy Magee. And also I want to recognize one of our
16 colleagues, and I'm going to let him come on through and
17 sit over here at this time, Joseph Dugan, the Honorable
18 Joseph Dugan from the Sixth Judicial Circuit.

19 JUDGE FEMIA: Where is your passport?

20 JUDGE DUGAN: I'm still a member of the Prince
21 George's County Bar.

22 JUDGE FEMIA: Let's see your membership card.

23 JUDGE DUGAN: I consider it an honor to sit up
24 here.

25 JUDGE MISSOURI: We're just happy to see our

1 colleague Judge Dugan from Montgomery County, who, along
2 with myself and some others, worked with Robert Tobin in
3 the State's Attorney's Office. And Bob is a dear friend
4 of ours.

5 I know that Vince spoke to a lot of people
6 about Edward. Most people probably didn't know what the
7 E stood for. I always called him Edward. So, Edward
8 was really a fantastic person, and when he retired he
9 came back to sit and it was my pleasure to say to Judge
10 Harrell, "Would you please make sure that he has an
11 opportunity to come back and sit." And Glenn, of
12 course, is the person that I turned to for those high
13 level things like that, and he was kind enough to honor
14 the request. And everyone talks about how easy he was
15 to work for. Well, he was one of the most forthcoming
16 Judges that I have had the opportunity to serve as
17 Administrative Judge for. He never ended up in my
18 Chambers saying, "I don't want to take anything." If he
19 came there, it was for a different reason. He always
20 was forthcoming and took whatever case came down the
21 pike. So, we are all going to miss Edward very, very
22 much.

23 And as far as Robert Tobin, Chairman Vallario
24 is absolutely correct, because just before he passed,
25 about a week before he passed, I was walking through the

1 Bourne wing and I saw Bob and said, "Hi, Bob," and I
2 started to walk by and I couldn't because he grabbed my
3 shoulder and said, "You know, Bill, come let me tell you
4 some stuff," and he started telling me stuff. I was
5 there for two hours. So, the talk went on. So, Kathy,
6 I know that you and your children are going to miss him
7 very, very much, and please know that we, his friends,
8 miss him also.

9 To everyone here assembled, President Parker,
10 we thank the Bar Association for always coming forth and
11 presenting this service on behalf of our deceased
12 members. We all appreciate that, sir. On behalf of the
13 Judges of the Circuit Court and the District Court, both
14 of our trial courts here at Prince George's County, we
15 are grateful to the Prince George's County Bar
16 Association and the members of the committee for the
17 presentation of these memorials and making arrangements
18 for this ceremony. So, I presume, Judge Femia, that
19 these are for the families, is that correct? There on
20 the table, I presume that's what they were for.

21 JUDGE FEMIA: I assume so, but I'm trying to
22 figure out who the fourth one is for, unless it's me.

23 JUDGE MISSOURI: I'm not touching that one.
24 It's a very fine tradition that we have maintained in
25 Prince George's County for many, many years. We pause

1 from the usual matters taking place in the courtroom,
2 and we honor our departed brethren and sisters and pay
3 tribute to their memories. Many of you have enjoyed a
4 very pleasant and warm, personal relationship with those
5 we have memorialized today.

6 The Court will direct that the memorials
7 presented will be spread upon the permanent records of
8 the Court and that copies will be sent to the families
9 of those colleagues we are honoring today.

10 In conclusion, we now ask the bailiff, in honor
11 of our departed brothers, that you may now announce
12 adjournment of this Court.

13 THE BAILIFF: All rise. This special session
14 is now adjourned.

15 (End of memorial service.)

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REPORTER'S CERTIFICATE

I, Esther L. Thompson, an Official Court
Reporter for the Circuit Court of Prince George's
County, Maryland, do hereby certify that I
stenographically recorded the Prince George's County Bar
Association Memorial Service on November 20, 2008.

9 I further certify that the page numbers 1
10 through 32 constitute the official transcript of the
11 proceedings as transcribed by me from my stenographic
12 notes to the within typewritten matter in a complete and
13 accurate manner.

15 In Witness Whereof, I have affixed my signature
16 this 13th day of February, 2014.

Esther L. Thompson, RPR.
Official Court Reporter