

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

SPECIAL SESSION OF THE COURT
IN MEMORY OF

THE HONORABLE NORMA L. SHAPIRO

Thursday, The Fifteenth Day of June
Two Thousand Seventeen
Three O'Clock In The Afternoon

Ceremonial Courtroom
United States District Court
For The Eastern District of Pennsylvania
601 Market Street
Philadelphia, Pennsylvania

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Proceedings recorded by electronic sound recording, transcript
produced by transcription service.

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1 CLERK OF COURT KATE BARKMAN: Good afternoon,
2 everyone. Good afternoon and welcome, welcome to each and
3 every one of you.

4 We would ask you please now if you wouldn't mind to
5 turn off your cell phones. We still have folks coming in, so
6 we'll begin shortly. Thank you.

7 (Pause in proceedings)

8 CLERK OF COURT KATE BARKMAN: Fortunately, we are
9 facing a bit of a spatial crunch. This is good news. So we
10 could ask the people in the pews, so to speak, to sort of
11 scrinch, move closer together. The room is air conditioned.
12 It may not feel like it right now, but it really is. So
13 please move closer together so as many people can be inside as
14 can. Thank you.

15 (Pause in proceedings)

16 CLERK OF COURT KATE BARKMAN: The Honorable, the
17 Chief Judge and the Judges of the United States District Court
18 for the Eastern District of Pennsylvania, all rise please.

19 (Pause in proceedings)

20 MS. MADELINE WARD: Oyez, oyez, oyez, all persons
21 having business before the Honorable, the United States
22 District Court for the Eastern District of Pennsylvania are
23 admonished to draw near and give their attention for the Court
24 is now sitting. God save the United States and this Honorable
25 Court. Please be seated.

1 CHIEF JUDGE PETRESE TUCKER: Good afternoon.

2 Welcome to a Special Session of the United States District
3 Court for the Eastern District of Pennsylvania.

4 We are here to honor someone very close to our
5 hearts, someone from our court family and someone that we miss
6 very dearly.

7 I will begin by recognizing members of the judiciary
8 who are present. We have to my right members of the Third
9 Circuit, retired and former Eastern District of Pennsylvania
10 Judges, Bankruptcy and Magistrate Judges all on my left. We
11 have certain Commonwealth of Pennsylvania Court Judges, both
12 Superior Court and Common Pleas Court as well as Judges from
13 the Court of Common Pleas of Bucks County.

14 I also want to recognize the presence of the Chief
15 Executive -- Circuit Executive, many law school deans,
16 professors and representatives from the U.S. Attorney's
17 Office, Pretrial Services, Probation Office and the Defenders
18 Association.

19 Thank you to many of the Bar and Bar Associations
20 who are -- especially current and former members of the
21 Dechert Law Firm.

22 Judge Shapiro was not only an honored colleague but
23 she had a loving family and many friends who are here today.
24 Rather than take the time to introduce everyone individually,
25 I will ask her family and friends in the front to please

1 stand.

2 (Applause)

3 CHIEF JUDGE PETRESE TUCKER: Thank you. I would
4 also like to recognize Madge Ward who opened Court. Madge was
5 the beloved assistant of Judge Shapiro and she didn't retire
6 until Judge Shapiro retired. So we would like to address
7 you --

8 (Applause)

9 CHIEF JUDGE PETRESE TUCKER: We also have with us
10 Mark Rafferty, the ESR operator who was Judge Shapiro's ESR
11 operator.

12 (Applause)

13 CHIEF JUDGE PETRESE TUCKER: Now, let's get started
14 on the program. Our first remarks will be from the Honorable
15 Anita Brody.

16 JUDGE ANITA BRODY: The last time I spoke to a group
17 about my dear friend, Judge Norma Shapiro, was at her funeral
18 last summer. That was difficult enough because I was
19 anticipating the prospect of living and working without my
20 Norma. This past year has been very difficult. I miss Norma
21 terribly. Norma was the ultimate friend.

22 55 years ago, I arrived in the Philadelphia area
23 with a child in tow with neither friends nor contacts. I had
24 no intention of returning to my legal career until I perceived
25 working outside the home was manageable with young children.

1 You now know how long ago that must have been.

2 My first outing was a meeting of the area League of
3 Women Voters. Needless to say, back then a woman lawyer was a
4 real oddity. Perhaps feeling sorry for me, one of the League
5 members suggested I contact a lawyer she had heard about at
6 the other end of town who was also not actively practicing law
7 and offered to find her name and phone number. I still
8 remember the number, TE9-3037.

9 Please note there was no area code and letters
10 replaced numbers. That's how I met Norma and we bonded right
11 away. She was one reason for my moving to Lower Merion. She
12 was my senior and I became an adopted mentee of this
13 wonderful, giving, caring, kind person. That's how a lifelong
14 friendship began.

15 As our friendship grew, I was invited to participate
16 in her personal life. This included her family, her vast
17 number of friendships in the community, of great legal and
18 political circles. I remember joining the team that helped
19 elect Norma to the Lower Merion School Board.

20 How often we spoke of her beloved Dr. Bernie, the
21 love of her life since age 16, stories about how they met, how
22 Norma knew from the beginning that he was to be her life
23 partner and how we always seemed to pass the steps in front of
24 the church at Elkins Park where Bernie proposed to her.

25 Then there were great years together in Norway where

1 Bernie was doing medical research and painstaking building of
2 her lifetime home above the waterfall on the Schuylkill River
3 working with her architect, Louie Kahn.

4 Oh, how I miss the many, many family occasions and
5 dinners with her special Peter from Betty the Caterer. I see
6 her bright eyes as she kvelled over her outstanding son. Then
7 there was this closeness she shared with her brilliant
8 brother, Bob, the professor, how important he was to her and
9 how they connected over the University of Pennsylvania Law
10 School.

11 Norma's help to a friend was unlimited. This, for
12 example, would include recommending a discount auto body shop,
13 really, a place that she and I had too many occasions to
14 patronize. Not only did she urge me to use him but insisted
15 upon accompanying me on every visit to drive me to and from
16 the courthouse.

17 Norma enriches her friendships with the same
18 intensity as she did all other endeavors. Beginning from
19 early childhood and continuing to the very end, Norma rode
20 life as she gathered friends to join her. She was forever
21 intensely loyal to each one of them.

22 You hear about her elementary school friend whom she
23 ran to visit in New York City, how in later years she flew to
24 California for the wedding anniversary of her buddy from law
25 school and how she drove long distances to a wedding of a

1 post-grad friend she had met after spending a year in Norway.

2 I remember Norma coming to my granddaughter's bat
3 mitzvah during the worst snow storm ever at 10:00 a.m. with
4 one foot of snow already on the ground, there was Norma on her
5 scooter, scooting along happily announcing to the few early
6 arrivals I wouldn't have missed this for anything.

7 When I decided it was time to return to work, Norma
8 touched base with the Bar Review personnel to ensure that I
9 would be treated well, although I was an old woman in my
10 thirties. I had already -- I had already been admitted to the
11 Bar in two states but needed to pass the Pennsylvania Bar to
12 practice here.

13 I recall the first day of the bar review course when
14 the first order of business was to announce that Mrs. Brody
15 was to come up to the podium immediately. I assumed I had
16 failed to pay the tuition. You can imagine how surprised I
17 was to learn that the then Mrs. Shapiro had instructed the
18 lecturer to take care of me because she thought I might be
19 scared after having been away from the law for such a long
20 period.

21 At her request, the lecturer just wanted to reassure
22 me that I would do just fine. After that, Norma found a place
23 for me to work so that I would be in Montgomery County close
24 to my home. She managed to send me some clients, the whole
25 package.

1 Then we both became Judges. I think of the many
2 calls I would receive from my friend Norma at 7:00 in the
3 morning, never too busy or tired to talk with her, discussing
4 cases and rulings. Oh, I miss her. Yes, I had differences,
5 but after discussing them, we'd often reach consensus. Should
6 Senior Judges have a vote on the Court issues? How wise would
7 it be to tangle with the powers that be in the Court? All
8 this seemed pressing but now so unimportant.

9 How Norma loved her job, every decision, every case
10 was of prime importance to her. There was empathy for
11 litigants before her, what was right, what was just. How she
12 hated the Sentencing Guidelines when they were mandatory. I
13 remember the many, many times I would come to her chambers and
14 say to her law clerks, I'm just here to pick your Judge's
15 brain, and that's what I did.

16 No one, but no one, would listen and consider your
17 issue like Norma. I would share the issue with her, discuss
18 my thoughts and then Norma would address the issue, never
19 lecturing or dismissing, just simply considering.

20 Everyone knew Norma. If at a Judges' conferences I
21 identified as a Judge from the Eastern District of
22 Pennsylvania, the immediate response was, oh, Judge Shapiro's
23 Bench. I recall meeting a Chief Judge of the Sixth Circuit.
24 When he learned my name, his immediate response was, I know
25 you, Norma Shapiro says that you're her best friend.

1 It continues to happen. Last week I attended an
2 event at the Philadelphia Museum of Art. Someone came up to
3 me saying are you still judging? Is it still on Norma
4 Shapiro's Court?

5 And then she became so sick. I made it my business
6 to visit with her at least once a day. She kept her sense of
7 humor. Perhaps it's okay to be sick at this time, at least I
8 might not have to be around for a Presidency I would be very
9 unhappy with. She was alive and caring to the end. Judge
10 Shapiro was gentle and tough, forbearing and brave, gregarious
11 and principled, modest and ambitious, domestic and
12 professional and carefree and demanding.

13 But beyond combining these incompatibilities, there
14 was an animating spirit that places Norma Shapiro into a
15 category of her own, a gift to all who knew her. Good bye,
16 dear friend. We love you and we miss you.

17 (Applause)

18 CHIEF JUDGE PETRESE TUCKER: Thank you, Anita.
19 We'll hear now from James Giles -- Judge James Giles.

20 JUDGE JAMES GILES: May it please the Court, Chief
21 Judge Tucker, members of Judge Shapiro's family, dignitaries,
22 Judges from State and Federal. Several weeks ago, I sat in
23 Founder's Hall at Girard College periodically spellbound by a
24 mentoring talk being given to aspiring high school students by
25 a friend, one of the world's great orthopedic surgeons,

1 inventors and biomechanical engineers. Yet my mind wandered
2 to what I could possibly say to you today in only five minutes
3 about the impact of the judicial service of the Honorable
4 Norma Shapiro of this Court.

5 For brief moments I chided myself for not being
6 fully focused upon what Dr. Cato Laurencin, a native
7 Philadelphian, was saying because after all he was delaying a
8 trip to an important scientific conference in China to finish
9 his mentoring speech to these students. He was the 2015
10 recipient from President Obama of the National Medal of
11 Technology and Innovation, our nation's highest honor for
12 achievement and leadership in advancing the fields of science
13 and technology.

14 And he had, in collaboration with others, grown and
15 implanted a working ACO using textiles, nanofibers and stem
16 cells and recently had received a prestigious NIH grant to
17 grow a full human limb by 2035. But when he informed the
18 audience that he had reduced to three guiding principles his
19 formula for success in life, I sat up straight and smiled,
20 because he was describing attributes of Judge Norma Shapiro,
21 my former colleague on this Court, my adviser, mentor and
22 friend.

23 Dr. Laurencin's condensed principles were: One, be
24 a good person and strive to do something that creates a
25 legacy, that is, try to do something, however seemingly small

1 at the time, to make the world a better place for all
2 humanity; two, engage in honest collegiality; and, three,
3 joyously infuse in your children the first two principles even
4 if to do so entails sacrifice or curtailment of your own
5 short-term ambitions and adhere to a plan of action that is
6 resilient against the unpredictable flings and arrows of life.

7 These I think were fundamental principles of Norma's
8 life which I believe were developed from the totality of her
9 experiences, accumulated from early childhood, derived from
10 her wonderful 58-year marriage to Bernie, and which continued
11 to energize and motivate her after Bernie passed and even into
12 her last breath.

13 As the first woman Judge on this Court and in our
14 Circuit, undoubtedly she often had to endure and confront
15 insensitivities and sheer ignorance about women's aspirations
16 for and entitlement to equal treatment as men in the courtroom
17 and beyond. She did endure, but she was seldom silent or
18 without ready retort. Her presence and her personality on
19 this Court were powerful, transformative and genuine, all
20 consistent with her deep devotion to equal justice, fair play
21 and the proud legacy of this great Court.

22 For example, she was appalled and incensed by the
23 way new Judges were assigned cases. All the cases then on a
24 Judge's docket that barked were piled upon the calendar of the
25 new Judge, creating a burden inconsistent with the speedy and

1 just disposition of cases. That was her docket.

2 Anticipating my arrival in January of 1980, she
3 campaigned within the Court for an internal change. She won
4 because she was right. So for me and for all others who
5 followed cases are now assigned to the new Judge on a random
6 basis. That was a great victory for justice.

7 She was not reticent to speak out with honest
8 collegiality wherever she saw unfairness that affected the
9 administration of justice in this Court, regardless of gender.
10 She was a major champion of meaningful collegiality and that
11 translated into an effective and a productive Court.

12 For example, Senior Judges were comfortable carrying
13 full case loads, criminal and civil for long periods of time
14 because they thrived in and cherished the Court's
15 collegiality, but Norma had so much to do with creating and
16 sustaining. So I agree with many who say that Norma was the
17 mother of this Court. For our own good, she was brave enough
18 to tell us like it was, but she did so without absolute
19 confidentiality, class, respect and caring.

20 When other Chief District Judges would ask me how it
21 was that we had a collegial Court, I gave all the credit to
22 GSA for providing us a lunchroom and dining room where Judges
23 could all gather and break bread together, but I did not
24 divulge our secret weapon.

25 Judge Shapiro's corporate use of those courthouse

1 spaces to celebrate each Judge's birthday. With her own
2 money, she bought each of us a birthday cake, gave age-
3 appropriate gifts and sang to us a parody of some song that
4 was popular in the Judge's heyday. Her rhymed compositions
5 were usually short and sweet, but she always prefaced each
6 ditty with an apology for her cracked singing voice.

7 When asked at her oral ABA trailblazer history what
8 she wanted to be remembered as, she replied, I suppose at the
9 Court here I will always be known as the first woman and
10 second as the Birthday Judge. Now, while I do not recall the
11 birthday songs for any Judge, I remember Norma's. Until this
12 very moment, those lyrics written by former Chief Judge John
13 Fullam, a man of great wit and insight, those lyrics have
14 remained under lock and key.

15 But in observance of this special occasion, I
16 applied to and received from Chief Judge Tucker permission to
17 break that seal and to share with you the tribute song, the
18 birthday song to Judge Norma Shapiro. I apologize for my
19 cracked up voice but the words come from the heart of this
20 Court.

21 "Norma, oh, Norma, the Queen of our Bench,
22 We think of you as a Judge not a wench.
23 Norma, oh, Norma, our joy and our pride,
24 Proudly we serve at your side.
25 Norma, oh, Norma, you've proved to the world,

1 People can be good Judges even if they're girls.
2 Norma, oh, Norma, our pride and our joy,
3 We're glad that you're not a boy."

4 CHIEF JUDGE PETRESE TUCKER: Now, Mr. Heim, I don't
5 know if you're going to sing that.

6 MR. ROBERT HEIM: I promise that I won't.

7 CHIEF JUDGE PETRESE TUCKER: Robert Heim.

8 MR. HEIM: May it please the Court, Chief Judge
9 Tucker, Judge Shapiro's family and distinguished guests. Some
10 -- some think that the term trailblazer is a cliché and
11 probably some would say an overused cliché. But it aptly
12 describes the presence and the life of Norma Shapiro as a
13 lawyer, as a partner and as a firm leader in her years at
14 Dechert, Price and Rhoads, now, of course, simply known as
15 Dechert.

16 It may seem to some of you here to be one of those
17 curious historical facts that it was not so very long ago that
18 it was extraordinarily rare for a woman to be a member of the
19 Bar, much less a partner in a law firm or a Judge. In 1966, I
20 was a young naval officer on a small ship hoping to get off
21 that ship and head off to law school when someone sent me a
22 book called The Lawyers written by Martin Mayer.

23 It's an extraordinary book, it was extremely popular
24 at the time and sets forth in great detail the lives and
25 experiences of lawyers in all kinds of practice areas and also

1 has chapters on the business of Courts and how Judges deal
2 with cases. It was a wonderful book to read for someone who
3 was aspiring to go to law school, but you could look very hard
4 and in vain in 548 pages to find the use of the feminine
5 pronoun. It simply just wasn't there.

6 So when Norma was recruited from Penn Law School
7 where she had graduated magna cum laude and as an editor of
8 The Law Review and became Dechert's first woman lawyer, it was
9 a notable -- a very, very notable event. And although Norma
10 elected to take time off to raise her family, when she
11 returned to the firm, she was quickly elected as a partner,
12 and, of course, our first woman partner in addition to our
13 first woman lawyer.

14 I was a young lawyer then and I remember well how
15 all of us young lawyers wanted to work for Norma, and the
16 reason we all wanted to work for Norma, Norma did a lot of
17 securities cases and complex civil cases. But the reason we
18 wanted to work for Norma is that she would very quietly -- she
19 was a tutor, the quiet tutelage of Norma, not making you feel
20 like you didn't know what you were doing, and, of course, we
21 didn't know what we were doing, but she -- she would never let
22 you feel that way.

23 But she would help guide you and bring you along and
24 was always accessible. And so everybody -- when the young
25 lawyers would get together, would say, did you manage to get

1 on Norma's team, and Norma's team was where you wanted to be.

2 But I must tell you the story that I most remember
3 and most cherish about Norma. Dechert back then had a long-
4 standing tradition of all the partners meeting on Friday
5 afternoon for lunch at the Union League, the Friday afternoon
6 partners' lunch. In fact, Dechert still meets Friday for
7 lunch, all of the partners, but now it's big video screens
8 connecting people who are having cocktails on one end and
9 breakfast on the other end and in between.

10 But back then, it was a small group and we would go
11 to the Union League Friday and have the Union League lunch.
12 The purpose of the lunch was so people could lie to one
13 another about how good they were and all the matters that they
14 handled. I think all the time I went to a partners' lunch, I
15 never heard of us ever losing a case, you know, it was -- but
16 the problem, of course, was that when Norma was elected a
17 partner, the Union League had a policy then of not only not
18 admitting women as members of the League but women who wanted
19 to go and attend an event at the League had to enter by the
20 Sansom Street side door.

21 And I see some of you nodding and remembering that.
22 You couldn't go in the front door. You couldn't even go in
23 the 15th Street door. It was the Sansom Street side door.

24 So Norma learned of this shortly after she became a
25 partner, and it was Norma's way to respond to things like this

1 very calmly but very effectively. Norma said to the firm
2 leadership that she didn't think she would be able to join the
3 partners at lunch. She said that she -- she felt that the
4 practice of the Union League of requiring women to enter by
5 the side door was offensive and contrary to her beliefs, but
6 she didn't ask the firm to stop having lunch at the Union
7 League, to not have the -- the Friday lunch. She simply said
8 that she would not attend.

9 I'm proud that the firm leadership immediately went
10 to the Union League and said can we not have this practice for
11 our partner, Norma Shapiro, to which the Union League
12 immediately responded, no, that's our -- those are our rules
13 and we're going to abide by those rules. And, thereafter, we
14 had our Friday lunches every Friday at the Racket Club.

15 The League, of course, has since moved on and
16 recently elected a woman as the president of the Union League,
17 but there certainly are other causes that exist and other
18 battles to be fought. And I hope for all of our sake that
19 there are other Norma Shapiros. Thank you.

20 (Applause)

21 CHIEF JUDGE PETRESE TUCKER: Thank you, Mr. Heim.

22 Jonathan Segal.

23 MR. SEGAL: May it please the Court, the Judge's
24 family, fellow law clerks and distinguished guests, it is an
25 honor to be asked to speak today for a few minutes about the

1 Judge for whom I had the privilege and the joy to clerk.

2 I clerked for Judge Shapiro in 1985. It was but her
3 seventh year on the Bench. I remember the first summary
4 judgment opinion she asked me to draft. I looked at the names
5 of the well-known lawyers who wrote the opposing briefs, I
6 felt a little nauseous, and by a little I mean a lot. We
7 talked about the draft opinion. It did not feel like a Judge
8 imparting wisdom even though that's exactly what it was. It
9 felt like a Talmudic discussion where I had the opportunity to
10 observe a mind work like none I have ever seen before or
11 frankly since.

12 Here's the bottom line. The Judge saw immediately
13 the issue that both parties and I had missed. The Judge had a
14 brilliant, agile and questioning mind. She was determined to
15 do justice and justice she always did. As we all know, Judge
16 Shapiro was a role model and a mentor for so many women, but I
17 want to say as a man she was also a role model and a mentor
18 for me, too.

19 How lucky I am as a man for my first mentor to have
20 been such a remarkable woman. She has been an inspiration to
21 me in one of the professional roads I have traveled.

22 Gratuitously or perhaps not, one of my next and most
23 remarkable mentors will be speaking soon, Bobbi Liebenberg.

24 I admired not only the Judge's mind but also her
25 steely ethics. As we all know, the Judge faced less than

1 civil attacks in a highly publicized case involving prison
2 overcrowding. The Judge's dedication to the rule of law
3 remained unwavering, her dignity awe-inspiring.

4 Of course, nothing was more important to the Judge
5 than her true family. I clerked for her the year she lost her
6 Mom. During that year, between Court matters, the Judge
7 frequently went to visit her. I often went with the Judge and
8 drove -- careful -- her blue station wagon. If you know the
9 Judge -- if you knew the Judge, you will know it was not an
10 act of kindness that I had offered to drive. I simply wanted
11 to survive. I think her grandchildren can relate.

12 During our time together, we talked not only about
13 cases but also about life. I will always cherish those very
14 special moments. But it was not all serious, as hard as we
15 worked, I share with you but one story.

16 One day after my vacation, I arrived at work with a
17 beard. Everyone in chambers looked horrified. I had no idea
18 why. Then the Judge told me how many violent criminals had
19 beards. She followed up with, of course, I am not telling you
20 what to do. Of course not. Well, one day I was driving the
21 Judge to see her Mom.

22 There were no cell phones back then, but when we
23 returned to chambers, she told me a Marshal had called her to
24 make sure she was okay. She reported he was concerned because
25 she was being driven by some unknown bearded man. Those words

1 I recall exactly. At lunch, I shaved my beard. And then the
2 Judge said nonchalantly, oh, you decided to shave your beard,
3 as though it were not an issue. I laughed and then so did
4 she.

5 We worked very hard but we also had a lot of fun. I
6 loved the Judge's wry sense of humor and the fact that to work
7 with her was to smile with her, to laugh with her, to care for
8 her. My relationship with the Judge did not end with my
9 clerkship. I think I can speak for all of her law clerks in
10 saying she remained to us a lifelong source of wisdom, caring,
11 encouragement and friendship, and the warmth of the Judge's
12 strong but still gentle embrace extended to other members of
13 her judicial family, most specifically, Madge Ward and Jackie
14 Gallagher. The Judge cared for them as much as they cared for
15 her -- immensely.

16 I remember my last conversation with the Judge. I
17 was struggling with an issue and I called her for advice.
18 During that call, one of her beloved grandchildren called, so
19 she immediately told me she had to call me back and got off
20 the phone. But sure enough, about an hour later I was told
21 Judge Shapiro is on the phone and wants to speak with you. I
22 think that says it all. And by the way, her advice was sage.

23 Yes, it was special to be part of her judicial
24 family but her real family, Bernie, her three sons, Finley,
25 Aaron and Neil, her daughters-in-law and her seven

1 grandchildren, they were the center of her life. How gracious
2 all of you have been to share this special woman with all of
3 us. It is a better world because of Norma Levy Shapiro. How
4 blessed I am to have been part of her world. I love you, NLS.
5 Thank you.

6 (Applause)

7 CHIEF JUDGE PETRESE TUCKER: Can we have Norma's law
8 clerks stand to be recognized.

9 (Applause)

10 CHIEF JUDGE PETRESE TUCKER: Thank you. There are
11 some seats over here if anybody wants to be seated and over on
12 the -- on either side.

13 Our next speaker is Judge Marjorie Rendell.

14 JUDGE MARJORIE RENDELL: Ah, the Birthday Judge.

15 Looking back on my first days on the District Court
16 in early 1994, I was intimidated by my amazing colleagues and
17 worried I would not be able to measure up to these legal
18 giants.

19 So a week or so after my swearing in, I went to the
20 Judges' lunch room where Norma was in her element. It was
21 Judge Ditter's birthday. Norma had not only brought a fancy
22 cake but she had wrapped presents for him -- I'm not sure how
23 age appropriate they were, Jim -- and had written a ditty, a
24 ditty for Ditter, to the tune of Yankee Doodle Went to Town
25 with copies for all of us to sing along, and she got the

1 biggest kick out of it as did we all.

2 Well, I said to myself, these are real people.
3 Well, 200 birthday celebrations later, I say now more than
4 ever, Norma Shapiro was real people. When I was honored by
5 the Friends of Fairmont Park on a Saturday afternoon in June
6 soon after Bernie had died, who came? Norma Shapiro. When I
7 celebrated my birthday every year, and I mean every year until
8 last year, Norma appeared in my chambers -- more recently
9 motoring in -- a wrapped trinket invariably golf-themed for
10 the occasion -- real people.

11 Her genuineness came forth in one-on-one get-
12 togethers where she would speak to you as if you were her most
13 intimate confidante and in her opinions and work on the Bench
14 in which she told it like it was.

15 In one such instance, we had reversed and remanded a
16 matter to Judge Shapiro, and on remand, she expressed her
17 strong disagreement with our ruling. She then went on to
18 explain that she was ruling against the company on remand
19 because our panel's ruling was a decision on a matter of law
20 and granting relief would "subject me to contempt by the Court
21 of Appeals."

22 I had the distinct pleasure of not only sitting in
23 the District Court with Norma as my colleague but she also sat
24 with me by designation in the Court of Appeals, and I take
25 pride in the fact that we agreed on all of the cases or maybe

1 she was just being nice to give me her vote -- not likely. As
2 nice as Norma was, she was a woman of conviction as well, and
3 that made me respect her as well as love her.

4 And on the Court of Appeals, I graded her papers as
5 Judge Brody would say. When I saw Norma's name on the
6 District Court opinion, I knew that I would have the distinct
7 pleasure of reading a thoughtful, thorough, well-crafted
8 opinion. Her work product was of the highest caliber. Her
9 legal reasoning sound.

10 Now, we didn't always agree with her, but we always
11 knew that her dispositions were the product of much thought,
12 effort and sometimes convictions firmly held.

13 In one opinion, an appeal in the Harris case, Judge
14 Sloviter, on a panel with Judge Mansmann and now Justice
15 Alito, wrote that, "While we felt compelled to reverse the
16 District Court's dismissal of the City's motion to modify the
17 consent decree and direct the District Court to address its
18 merits on remand, we said, 'Throughout our review of the
19 extensive record in these and related appeals, we have been
20 impressed with the dedication and perseverance of the District
21 Judge notwithstanding the City's repeated evasion of
22 responsibilities that it voluntarily fashioned and undertook
23 more than eight years ago.'"

24 Surely, there was no Jurist more dedicated to her
25 work than Judge Shapiro.

1 When Kathleen Wilkinson was writing her article
2 about Judge Shapiro for the Philadelphia Lawyer, she asked me
3 for a quote and I said the following: "Norma Shapiro was one
4 of the most caring individuals I have ever met. She cared
5 deeply about the law and about fairness to people affected by
6 it. She cared about the Court as an institution and
7 especially her Court family.

8 "Norma Shapiro did care about all those things, but
9 ultimately, it was her view of the Court as an institution
10 that could play a role in helping people in their daily lives
11 that stands out to me. She viewed herself as just one player
12 in the larger mission. And as pointed as she could be with
13 her views as to how we should carry out that mission in
14 varying situations, she was when all is said and done, real
15 people."

16 After I wrote these remarks, I happened to be
17 flipping through old speeches and came across my remarks at
18 Judge Shapiro's portrait presentation in October, 2003, her
19 25th anniversary of judicial service. I would like to
20 incorporate these remarks in the record of these proceedings
21 but would leave you with the closing paragraph I delivered
22 then.

23 "And that reminds me, when I was on the District
24 Court and my son Jesse was acting out in some way in his
25 adolescence, I was lamenting to Judge Shapiro my need to work

1 hard and not be as available as I otherwise might. Well, the
2 next day, Norma brought me a book. Now, I know it was on
3 loan, Norma, so I'm returning it to you now, give it to your
4 grandchildren. This act of kindness was but one of many in
5 the wonderful life and career of our own Judge Shapiro. For
6 that personally, I thank her."

7 The book was entitled, My Mother Worked and I Turned
8 Out Okay. Real people, indeed.

9 (Applause)

10 CHIEF JUDGE PETRESE TUCKER: Thank you, Judge
11 Rendell.

12 Before we hear from our next speaker, I'd like to
13 read a letter that I received from one of the colleagues that
14 could not be here.

15 "I am very sorry that I am not able to be present
16 this afternoon for the Special Session of the Court in memory
17 of my dear friend and colleague, Norma Levy Shapiro. At the
18 time of her death last July, we had known each other for
19 almost 50 years.

20 "She had started as an associate at Dechert, Price
21 and Rhoads in 1956 and left in 1958 to rear her three boys.
22 She returned to Dechert in 1967 and it was at that time that I
23 first met her as I had just arrived at the firm as a new
24 associate.

25 "In 1967 the firm had about 80 lawyers. She was a

1 member of what was quaintly known as the Trial Team. The team
2 which consisted of 23 lawyers had a meeting every Friday
3 morning in the large conference in the firm's offices at Three
4 Penn Center. The firm's cases, recent developments, Court
5 victories and trial techniques were all topics of discussion.
6 Norma Shapiro was not bashful in these meetings as the only
7 woman surrounded by men, including such luminaries as Philip
8 Price, Owen Rhoads, Francis DeLone, Hastings Griffin and
9 Robert Landis.

10 "I vividly remember that she impressed all of us
11 with her insightful questions and thoughtful comments. In due
12 course, on July 2nd, 1973, she became the firm's first woman
13 partner and one of the first, if not, among the larger law
14 firms in Philadelphia. I do not recall anyone making a big
15 deal about this event as a giant step for women which, of
16 course, it was. Norma Shapiro became a partner because she
17 deserved it, plain and simple, and everyone recognizes this
18 fact.

19 "Within five years, in 1978, she was appointed to
20 this Court. She was the first woman to sit on the United
21 States District Court for the Eastern District of Pennsylvania
22 in its then 189-year history. She would serve with
23 distinction for the next 38 years.

24 "I will leave it to others to review in detail her
25 many achievements. She was a civil leader and a member of the

1 Lower Merion School Board. She held high leadership positions
2 in both the Philadelphia and the American Bar Associations.
3 She made many great decisions as a Judge in the Philadelphia
4 Prison and the Chester Housing case among others. Her efforts
5 to promote gender equality and to help women in navigating
6 their careers and home lives constituted a defining feature of
7 who she was.

8 "There was another important dimension to Norma
9 Shapiro that must be emphasized. She was the first -- she was
10 first and foremost devoted to her beloved husband, Bernie, and
11 to their children, Aaron, Finley and Neil. And then, of
12 course, there were her daughters-in-law and her grandchildren
13 who were very special to her.

14 "In addition to her amazing accomplishments and her
15 love of her family, I think of her primarily as a caring
16 friend not only to me but to countless others including
17 members of this Court. She was always available to provide
18 wise counsel.

19 "For 38 years she remembered the birthdays of each
20 of her judicial colleagues with a cake and a song. Because of
21 the quantity of cakes she purchased over the decades, the
22 bakeries in the area were very happy to see her cross their
23 threshold.

24 "Every Valentine's Day we all found a piece of
25 chocolate candy in the shape of a heart in our internal

1 mailboxes at the courthouse. While there was never a note
2 identifying the donor, there was no real mystery as to where
3 the chocolate came from.

4 "I was very fortunate to have had her as a friend, a
5 law partner and a judicial colleague for many years. I miss
6 her greatly. If Judges wore numbers on their robes the way
7 baseball players wear numbers on their uniforms, Norma
8 Shapiro's number would be retired. Harvey Bartle."

9 (Applause)

10 CHIEF JUDGE PETRESE TUCKER: Now, we'll hear from
11 Bobbi Liebenberg.

12 MS. ROBERTA LIEBENBERG: May it please the Court,
13 Chief Judge Tucker, Judges of the Court, distinguished guests,
14 colleagues and family, I am truly honored and privileged to
15 speak this afternoon in memory of Judge Shapiro.

16 Judge Shapiro was a generous mentor and adviser to
17 me and countless other women attorneys and Judges, both here
18 in Pennsylvania and around the country. She was also
19 extremely generous in devoting her time and energy to the
20 important work of the ABA and the PBA and the Philadelphia Bar
21 Association, and it's this work that I'd like to briefly
22 describe to you today.

23 Judge Shapiro's tireless service to the ABA was
24 legendary. She served with distinction on the ABA Board of
25 Governors and was a member of its House of Delegates for many

1 years. She chaired numerous ABA entities including the
2 Conference of Federal Trial Judges, the Standing Committee on
3 Federal Judicial Improvements and the Judicial Division.
4 Simply put, she was an integral part of the ABA.

5 And in recognition of her many significant
6 contributions to the ABA she received several of its most
7 prestigious awards including the John Marshall Award for her
8 dedication to the administration of justice, the Meador-
9 Rosenberg Award for her outstanding work in support of the
10 judiciary and judicial independence, and the Margaret Brent
11 Women Lawyers of Achievement Award which is the highest award
12 bestowed on women attorneys by the ABA.

13 In addition, in 2015, she was presented with the ABA
14 Presidential Citation honoring her exemplary leadership in the
15 ABA, in the profession and in the Justice System.

16 Judge Shapiro also made a real difference in the
17 Pennsylvania Bar Association. For example, when the PBA's
18 Commission on Women in the Profession was first founded, we
19 held our meetings in her chambers which ensured that the
20 Commission would gain immediate prominence and credibility.

21 She provided us with real world guidance based on
22 her own experience of what it was like to often be the only
23 woman lawyer in the room. She showed us how we could succeed
24 while balancing our personal and professional obligations, and
25 she inspired us to strive for leadership in our law firms and

1 in our Bar Association.

2 Just last spring, Judge Shapiro was presented with
3 the PBA's Anne Alpern Award and in her acceptance speech she
4 noted how thrilled she was to accept an award that was named
5 after one of her own mentors.

6 As you've heard, Judge Shapiro had a number of
7 firsts throughout her career and this was also true in the
8 Philadelphia Bar Association. She was the first woman to
9 serve on the Board of Governors and became its first woman
10 chair.

11 She was the first recipient of the Philadelphia Bar
12 Association's Sandra Day O'Connor Award which she said was
13 especially meaningful for her because it was based not only on
14 professional achievement but also her long-time support of
15 other women in the law. She was also particularly honored
16 that her good friend, Justice Sandra Day O'Connor presented
17 the award to her personally.

18 One of Judge Shapiro's favorite quotations was from
19 the Roman philosopher Gaius. He stated that, "A wandering
20 traveler whose lamp lights another along the way gives no less
21 light after providing that help."

22 Justice O'Connor referred to that quote in her
23 tribute to Judge Shapiro in the University of Pennsylvania Law
24 Review commemorating her 25th anniversary on the Bench.
25 Justice O'Connor emphasized that as Judge Shapiro's career

1 progressed, her light continued to shine in dark corners where
2 women never before had traveled. We are all so fortunate that
3 Judge Shapiro lent her light to shine the way for each of us
4 and for future generations of Judges and lawyers. She will be
5 greatly missed and long remembered. Thank you.

6 (Applause)

7 CHIEF JUDGE PETRESE TUCKER: Thank you very much.
8 Now, we'll hear from Judge Gene Pratter.

9 JUDGE GENE PRATTER: Welcome to all of you. Thank
10 you very much for coming here. It's a pleasure to be a voice
11 for a very important remembrance that we've received here.

12 In November, I happened to be in the Supreme Court
13 and was in Justice Ginsburg's chambers. I was -- she was
14 reminded I was from the Eastern District of Pennsylvania. She
15 said how are things going there? I said well, we miss Judge
16 Shapiro terribly. Without missing a beat, Justice Ginsburg
17 said, well, follow me.

18 I went into her chambers and she reached up onto one
19 of her high bookcase shelves, but within her reach, she pulled
20 down immediately from 30 different photographs, one, and she
21 said, here's a picture of me and Norma. And she then waxed
22 eloquent with her memories of Judge Shapiro. So it was
23 greatly -- it was really no surprise when Justice Ginsburg
24 sent to us some observations that she asked be read here
25 today, and it is my pleasure to do so. This is from Justice

1 Ginsburg.

2 "Before the term work/life balance was coined, Norma
3 Shapiro showed what an intelligent woman could accomplish both
4 professionally and in partnership with her husband as parent
5 of three boys. She was first again and again, first woman to
6 gain a Pennsylvania Supreme Court clerkship, first woman to
7 become a partner at the Dechert firm, first woman to serve on
8 the Board of Governors and then as head of the Philadelphia
9 Bar Association, first woman to be appointed to a Federal
10 District Court within the Third Circuit.

11 "Legions of younger women were inspired by her
12 example and she encouraged legions to do fearlessly what their
13 God-given talents enabled them to do.

14 "Norma and I were beneficiaries of President Jimmy
15 Carter's determination to change the complexion of the U.S.
16 Judiciary by appointing to the Bench women and members of
17 minority groups in numbers not as a one-at-a-time curiosity.
18 We also shared a Jewish heritage, one that prizes the pursuit
19 of justice. That heritage in growing up in the dark days of
20 World War II made her acutely aware of the evils of racial
21 prejudice and social injustice and hugely appreciative of the
22 blessings of liberty.

23 "She was ever ready to help repair tears in the
24 society in which she lived. It was my great good fortune to
25 have known her as judicial colleague and valued friend. Ruth

1 Bader Ginsburg, Associate Justice, Supreme Court of the United
2 States."

3 (Applause)

4 JUDGE GENE PRATTER: If I may take just two minutes
5 for my own comments some of which are frankly on behalf of a
6 number of us. The word sitting has some special meaning for
7 Judges as my long-time friend and colleague, Judge Rendell,
8 has used it, but I use now the word sitting in its most
9 familiar sense.

10 The first time I sat next to Norma was 13 years ago,
11 actually 13 years ago tomorrow when I was sworn in here on the
12 Court. True to her nature, I was sitting next to Judge
13 Shapiro and she successfully calmed me and made me feel most
14 welcome.

15 The next very memorable time I really sat -- that I
16 can remember and talk about -- the next time I sat with Judge
17 Shapiro was considerably less calm. Here I speak for friends
18 and colleagues who have had this -- or a similar experience.
19 Maybe seven, eight years ago, Norma was seeking company to
20 join her for a women's Federal Judges meeting with women
21 members of Congress in Washington, D.C. Think I, I'm up for a
22 field trip, no problem.

23 So I said, I knew I could fit the scooter in our
24 car. We'd done it a number of times. So I said, sure, I'll
25 be happy to go with you. I misunderstood. We were going to

1 take her vehicle. Okay. No problem said I, happy to drive
2 your vehicle. Oh, contraire. 25 years had past since
3 Jonathan got to drive, I don't know what was wrong with me,
4 but I was not to be the driver.

5 Okay. I was to sit and be the passenger. Norma was
6 the driver. Happy to be the navigator say I. Not in the
7 cards. So I was to sit basically be quiet and be a passenger
8 only. We hit the road, right down I-95. Once we hit traffic,
9 as, you know, we were going to, we were running late and Norma
10 was in her element. Side roads it was. I was sweating; she
11 was confident.

12 It got seriously stressful when we got into the D.C.
13 City limits and she said she was sure she remembered the
14 Senate office building where this meeting was going to take
15 place. Well, you know, that was her optimistic side coming
16 through. She did not. But she knew how to drive with one
17 hand and use the cell phone with another, and she got some
18 hapless staff person on the phone to basically guide her in
19 like, you know, the planes being guided in by the Traffic
20 Control.

21 We made it into some building, it was either the
22 northwest corner of this building or the southeast corner, who
23 knows. All I know is we were late and she -- there was no
24 parking place. We dropped the car, we get the scooter out.
25 The poor staff person is, you know, going crazy.

1 My job was to simply be in her wake, and just bask
2 in Norma's wake, and that's the place to be. It was fabulous.
3 Literally the rest of the event was one person after another
4 essentially saying make way for Judge Shapiro, Norma's here.
5 Oh, thank goodness, let me touch base with Norma. Let's get
6 her advice. Let's ask Norma.

7 I sat next to her throughout the entire event. I
8 was proud to bask a tiny bit in her limelight and then towards
9 the end of the event, it struck me. Oh, dear, we have to get
10 back home. Back in the van, the reverse is true. Suffice it
11 to say, the return trip she drove, she was in charge. But now
12 it was filled with her commentary about everybody we had met,
13 which was great. I knew -- I learned a lot.

14 So those are my two references to sitting with my
15 good friend, Judge Shapiro. Let me say, I'd give anything to
16 be sitting here with her today, so maybe she's on our
17 shoulders, sitting, protecting all of us.

18 (Applause)

19 CHIEF JUDGE PETRESE TUCKER: Thank you, Judge
20 Pratter.

21 Judge Cynthia Rufe.

22 JUDGE CYNTHIA RUFÉ: It makes it very difficult to
23 continue because of the many wonderful comments and memories
24 of Norma Shapiro, our colleague and our friend, the Judge, the
25 mother, the grandmother, the community activist, the Bar

1 leader, the brilliant Judge, and we've heard from her friends
2 and colleagues beautiful stories, wonderful remembrances, and
3 that's what we wanted this day to be about.

4 Let me start by saying I can add to the chorus of
5 those colleagues who found themselves accompanying Norma to
6 events, conferences, dinners, flights all over the country.
7 We were in New Orleans at one of the many ABA mid-year
8 conferences she attended, and as usual, I worried the details.
9 How would we get her safely to her committee dinner? The
10 restaurant, is it accessible? Isn't that through Bourbon
11 Street? It's Saturday night. What are we going to do?

12 My husband was with me, and these were questions I
13 only dared ask John because I knew if I voiced them to my
14 friend, Norma, I would be scolded. Stop mothering me. I
15 heard that more than a few times. So the question was
16 instead, John, how are we going to keep up with her?

17 This is the vision I want to paint to you and it's
18 -- maybe as colorful as the one Judge Pratter just recounted.
19 This beautiful woman, absolutely stunning woman seated with
20 such dignity on her scooter, blond, blue-eyed, wearing her
21 signature bright red lipstick, dressed elegantly as always,
22 driving herself straight to the restaurant from the hotel, no
23 detours, no side streets this time and no sidewalks.

24 And, yes, the seas parted for her. I was dutifully
25 following, not running well in heels, but I had to keep up if

1 she should need me. She didn't, but I needed her -- I needed
2 her not to fall. She took care of me by not falling and my
3 husband was amused by our affectionate dance. And this was a
4 dance that Norma and I performed often enough.

5 We were always ready to help each other having
6 become unintentionally at least initially bonded, if I may use
7 that term, even before we met, before I joined the Federal
8 Bench.

9 Our "bonded by branding" -- my term -- occurred in
10 2001 when I was informed that despite a quite good White House
11 interview, I would not be appointed to this Bench, that I
12 reminded my interviewer a bit too much of Judge Norma Shapiro,
13 who I truly admired and so had declared when they said, what
14 Judges do you admire? The woman in the legal profession and
15 the first woman Judge on this Court who was a role model to
16 all of us. Was I going to lie to the White House? No. So I
17 told them the truth.

18 Nevertheless, with ground support, much ground
19 support from loyal sponsors, I did get this nod obviously and
20 was appointed and confirmed without one more whimper from
21 Prison Litigation Reform Act supporters. Ironically or
22 intentionally instead of being placed in the seat vacated by
23 my Bucks County colleague, Ed Ludwig, I was slotted to fill
24 Judge Shapiro's seat, bonded by branding, with Judge Norma
25 Shapiro, by good or bad ideological positions or circumstances

1 was and is all good by me.

2 Norma learned later about this back story. She knew
3 none of it from my lips and she expressed concern that her
4 handling of the Philadelphia prison case could have such an
5 effect on my or anyone's aspirations to be a Federal Judge,
6 but she had nothing to make up for for me. I had much to live
7 up for, however, for her and our Court, for the mantel of her
8 position remains an important legacy.

9 Judge Shapiro's work has set a course for judging.
10 Justice in this Court and every Court, that is the beacon that
11 guides us all. That is the course of justice delivered with
12 humanity, compassion, creativity, service, intelligence and
13 allegiance to the law.

14 "Justice, justice, thou shalt pursue." She did and
15 so shall we. Perhaps that's why she was awarded the highest
16 honor by the Philadelphia Bar Association in addition to all
17 of her other honors and awards, the William J. Brennan Award,
18 for her course in developing a better system of justice.

19 Norma Shapiro was also my mentor and my friend, and
20 I am one of many, I know, I share that with everyone else in
21 this room and maybe everybody can say that. We all miss her,
22 remember her and always and forever do so with a smile and
23 also with some tears. So many tributes, many more than we can
24 memorialize here today, are just waiting to be spoken and
25 shared.

1 This Court then is collecting more wonderful
2 memorabilia, more memorials and articles and creating a
3 compendium on the EDPA website to further honor our colleague,
4 mentor and friend. Contributions have already begun to be
5 submitted. Here is just a sneak peak and if it whets your
6 appetite just a bit and your interest, please feel free to
7 look in the program as to how you can contribute.

8 There is a book chapter about Judge Shapiro co-
9 authored by one of her former law clerks, Reid Kress Weisbord,
10 Vice Dean and Professor of Law and Judge Norma L. Shapiro
11 Scholar, along with David Hoffman, Penn Law Professor. This
12 chapter is titled, "Are there really plenty of Shapiros out
13 there?"

14 Another entry, book dedication, Justice for all:
15 How the Jewish Bible Revolutionized Ethics. It was published
16 this March. Please review the dedication of this book in one
17 of the lobby showcases where you will be at the reception
18 which display a few, very few pieces of her citations and
19 awards garnered throughout her lifetime. There are many, many
20 that would fill libraries.

21 David Smith shared with me that Judge Shapiro was a
22 long-time member and a past president of the JPS Board and
23 that the Jewish Publication Society had hoped to honor Judge
24 Shapiro with this book during her lifetime.

25 And also lovely personal memories from many of her

1 law clerks and colleagues, perhaps even our remarks today and
2 a video of the service. I want to thank our Clerk of Court
3 and her staff and in particular Fran Shapiro from the Shapiro
4 family for all the work that was done towards making today a
5 possibility and for your participation, and, of course, always
6 Madeline Ward, for her painstaking, heartbreaking yet
7 meticulous inventory and dissemination of the material part of
8 Judge Shapiro's work.

9 I understand, law clerks, there are boxes for you up
10 in chambers and perhaps somewhere else that can be located.
11 We don't want you to leave. It was Judge Shapiro's wish and
12 the family's wish that you go through those. And to our
13 colleagues, thank you, who planned, worked on and will
14 continue to sustain the legacy of our Norma.

15 (Applause)

16 CHIEF JUDGE PETRESE TUCKER: Dr. Levy, before you
17 get started, I want to see if there's anyone among our
18 colleagues that had something that they would like to say.
19 Judge Schiller.

20 JUDGE BERLE SCHILLER: I have a few words to say.
21 First of all, Norma used to say with that sly laugh of hers
22 when she'd say it, at the time that she was talking to Senator
23 Specter about becoming a Federal Judge, she complained that
24 there were more Kellys on this Court than there were women.
25 And evidently that made some kind of impression. Then she

1 became the first woman on this Court, but we still had two
2 Kellys.

3 Second, I don't know how many of you out there
4 appeared in front of Judge Shapiro, a show of hands? Because
5 you remember with great trepidation you appeared in front of
6 Judge Shapiro. I remember the first time I did a Rule 16
7 conference, and the first thing you want to do is make sure
8 you get her name right, because that was a death sentence
9 right off the bat.

10 We sat around the table, and this goes to the family
11 consciousness she had. I pointed out to her since it was now
12 2:00 in the afternoon, that since I was going to pick up my
13 children around 3:00 and I had to drive an hour to pick them
14 up, could she please hurry things along, and she says -- she
15 said, absolutely, family comes first.

16 I said this is all right. This -- this Judge knows
17 what's important. And that's my first meeting with Judge
18 Shapiro in a Rule 16 and I -- I never forgot that, because she
19 taught me that you don't want to lose that idea that family
20 comes first even when you're a Judge and maybe especially when
21 you're a Judge.

22 Now, you heard the stories about her car. So I get
23 on the Court and she knows I'm living out in her neighborhood.
24 She says let me drive you home. I didn't know any better. I
25 never thought taking corners at 60 miles an hour in Lower

1 Merion would be so scary. It was the first and last time I
2 let her drive me anywhere.

3 And I will say this about the ABA. Norma became my
4 mentor, too, but it was about the ABA. She got me involved in
5 the Federal Judges Conference. She asked me to take part in
6 it and they asked me to serve on the Board. I ultimately
7 ended up as the Chairman of the Federal Judges Conference of
8 the ABA. And through that, I got to learn from the other
9 Federal Judges in what high esteem Judge Shapiro was held.
10 She was -- she was like walking on water every time when they
11 talk about her. She won numerous awards.

12 In fact, I had the pleasure of presenting one of
13 those awards to her in Hawaii at an ABA meeting. You know, if
14 you're going to present an award to somebody, you can't beat
15 Honolulu, you know. Anyway, it was -- it was the famous
16 Chihuly Sculpture that she had. I don't know who has -- one
17 of the members of the family does. But that was -- first of
18 all, I learned how to spell Chihuly but I've forgotten now.
19 But it was a beautiful, beautiful bowl.

20 And, finally, I want to say when I visited Norma and
21 Bernie at their house, and I guess most of you have visited
22 that house, the one thing I noticed, I said to Norma, I said,
23 Norma, you're right here in the woods. I said there's a lot
24 of deer here. Most of you don't know, I'm a bow hunter. And
25 I said, boy, this -- so Bernie says, come out here, set up a

1 tree stand, you can hunt. And Norma said, no, he won't. That
2 was the end of my hunting at Norma's house, but she did enjoy
3 the venison stew, I will tell you that.

4 We're very fortunate that we had Norma as a
5 colleague. I want you to know the mantle of the birthday
6 songs was handed to me when she passed away. So that's what I
7 do now.

8 (Applause)

9 CHIEF JUDGE PETRESE TUCKER: Dr. Levy. Yes.

10 DR. ROBERT LEVY: I suppose I should start by saying
11 that sometimes despite what the Judge says, family comes last.

12 I won't overwhelm my allotted time, but I'd like to
13 tell you a few stories about my sister. I was somewhere
14 between 12 and 14 I think in my bedroom on a Saturday
15 afternoon when I heard my father in the car in the driveway,
16 motor running, honking the horn loud enough to disturb the
17 people a mile away. He was -- he was waiting for my sister to
18 come down. I assumed she was still in the house.

19 I found her facing a mirror in my mother's bedroom
20 slowly, deliberately straightening the seam in her 1940s
21 nylons stockings. I don't know whether you'll even remember
22 what it was like in those days, serenely oblivious to my
23 father's to me frightening imperative. Her cool, the strength
24 she had to oppose my father's mandate, amazed me.

25 The memory is vivid despite all the years, some 73,

1 that have past, because it was a symbol of my sister's
2 strength and her ability to hold her own, to withstand
3 powerful forces seeking to compel her judgments and her
4 behavior. It's a very vivid memory.

5 She could be tough and fiercely maternal. On one
6 occasion when Finley was about six months old, she put me in
7 charge of his safety on the bed in her bedroom while she was
8 changing. I somehow allowed Fin to roll off the bed and onto
9 the floor. I don't remember her words but my memory of the
10 occasion and her incisive and effective, her verbal response
11 to the event and my chagrin.

12 When I decided to join the Minnesota faculty, I
13 visited Louie Schwartz of Penn because I was to teach anti-
14 trust law and Lou was one of my most admired teachers. He
15 gave me a file of the exam questions that he used and the
16 answers of the best student Blue Books he had saved over the
17 years.

18 I immediately recognized Norma's handwriting and
19 read her answers to the Standard Oil merger question. It
20 helped my career a great deal by teaching me that even the
21 best law students learning from the most talented teachers
22 frequently write very low quality answers to Blue Book
23 questions.

24 I learned a great deal from Norma while she was
25 judging and I was teaching. The time I have been allotted

1 limits the number of examples. Here's one.

2 I was in Philadelphia and in Norma's chambers when
3 she had scheduled a meeting with the Board of Directors of the
4 Barnes Foundation. I cannot now recall whether there was a
5 lawsuit or it was simply a meeting that she called as a member
6 of the Board, but it was clear that the subject was whether
7 and in what fashion the Foundation should relocate from the
8 Barnes home in Lower Merion to its present location on
9 Benjamin Franklin Parkway. I was given permission to attend
10 the meeting.

11 And the answer was, to say the least, contested. I
12 no longer remember who wanted what, but it was clear that the
13 Federal Judge chairing the meeting was in control and that she
14 shepherded the group to what appeared on the surface to be a
15 unanimous decision to move, a decision now widely praised.
16 Brilliant mediation, patience, toleration of dissent and
17 instinctive knowledge as to how to command a meeting and
18 produce agreement without becoming a dictator, Norma had the
19 skills.

20 I watched Norma preside at a number of hearings,
21 summary judgment motions and sentencings when it was difficult
22 for her physically to reach the Bench but always, at least
23 while I was present, she was patient yet firm and precise. At
24 home with Bernie and the kids as well as in social situations,
25 she was tolerant, understanding and always willing to make the

1 effort to be helpful.

2 Norma established and maintained close relationships
3 with an astonishing number of relatives and friends, former
4 law clerks -- well, you've heard a great deal about that today
5 -- court employees and a huge number of lawyers who had
6 appeared before her. She never forgot a colleague's birthday
7 I'm told.

8 Over the years, I have continually appreciated what
9 a grand, talented, wise and lovely parent, lawyer and friend
10 she was to so many and what a sister. Thank you very much.

11 (Applause)

12 CHIEF JUDGE PETRESE TUCKER: I'd like to thank all
13 our speakers and everyone in attendance. We will have --
14 well, it's all set up from Betty the Caterer out in the Edward
15 R. Becker Lobby.

16 CLERK OF COURT KATE BARKMAN: All rise. Court is
17 now adjourned. Please remain standing until the Judges leave
18 the bench. Thank you.

19 (Proceedings concluded at 4:25 p.m.)

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C E R T I F I C A T I O N

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5 I, Lois A. Vitarelli, court approved
6 transcriber, certify that the foregoing is a correct
7 transcript from the official electronic sound recording of the
8 proceedings in the above-entitled matter.
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14 _____ June 25, 2017

15 LOIS A. VITARELLI

16 DIANA DOMAN TRANSCRIBING, LLC
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