

Michael M. Baylson

Born: 1939, in Philadelphia, Pennsylvania

Federal Judicial Service:

Judge, U.S. District Court for the Eastern District of Pennsylvania
Nominated by George W. Bush on January 23, 2002, to a seat vacated by Robert F. Kelly.
Confirmed by the Senate on April 30, 2002, and received commission on June 19, 2002.
Assumed senior status on July 13, 2012.

Education:

University of Pennsylvania, B.S., 1961
University of Pennsylvania Law School (now Carey Law School), LL.B., 1964

Professional Career:

Law Clerk, Hon. Joseph Sloane, Court of Common Pleas of Philadelphia County, Pennsylvania:
1965
Assistant District Attorney, Philadelphia, Pennsylvania: 1966-1970
Private Practice, Philadelphia, Pennsylvania: 1970-1988; 1993-2002
U.S. Attorney for the Eastern District of Pennsylvania: 1988-1993

* * *

Judicial Biography

Judge Baylson was appointed to the U.S. District Court for the Eastern District of Pennsylvania by President George W. Bush and took office on July 12, 2002. He graduated from Cheltenham High School (1957), the Wharton School of Finance & Commerce (B.S. Econ., 1961) and the Law School (LL.B., 1964) of the University of Pennsylvania.

After clerking for Judge Joseph Sloane of the Philadelphia Court of Common Pleas and volunteering with the Defender Association, Judge Baylson began serving as an Assistant District Attorney under District Attorney Arlen Specter in January 1966, and became Chief of the Homicide Division in 1969. In January 1970, Judge Baylson joined the law firm of Duane Morris and became a partner in 1974. He handled complex civil litigation matters and tried numerous cases, specializing in class actions, antitrust and securities issues.

After serving as United States Attorney for the Eastern District of Pennsylvania from October 1988 through January 1993, Judge Baylson returned to Duane Morris and resumed an active law practice. He served as Chair of the Trial Department and as a member of the firm's Executive Committee.

Judge Baylson was a founder, and later counsel, to Gaudenzia, Inc., the largest non-profit provider of drug, alcohol and mental health rehabilitation services in Pennsylvania.

Judge Baylson served as a member of the Advisory Committee on Civil Rules of the Judicial Conference of the United States from 2005 to 2010 and the Third Circuit Committee on Model Criminal Jury Instructions. He has served as an Adjunct Professor at the University of Pennsylvania Law School.

He assumed senior status on July 13, 2012.

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Biographical Materials

1. Transcript of admission to the Bar of the Court of Common Pleas of Philadelphia County, May 4, 1965.
2. Transcript of Induction of Michael M. Baylson, Esquire as Special Prosecutor, June 22, 1973.
3. Transcript of Induction of The Honorable Michael B. Baylson as Judge of the United States District Court of the Eastern District of Pennsylvania, July 12, 2002.
4. Program booklet for Special Session of the Court for the Presentation of the Portrait of the Honorable Michael M. Baylson, April 15, 2016.
5. Transcript of Special Session of the Court for the Presentation of the Portrait of the Honorable Michael M. Baylson, April 15, 2016.

IN THE COURTS OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

A D M I S S I O N

of

MICHAEL M. BAYLSON

To The Bar of The Courts of Common Pleas
For Philadelphia County

Room 483 City Hall
Philadelphia, Pa.

May 4, 1965

BEFORE: THE HONORABLE JOSEPH SLOANE, P.J.

Isadore Baylson, Esquire, Sponsor

THE COURT: I am pleased to recognize Mr. Baylson.

ISADORE BAYLSON, ESQUIRE: If the Court please, I have the strong pride in presenting to your Honor for admission to the Court my nephew, Michael M. Baylson, who has filed a Board of Examiners' certificate, is duly qualified to appear before you for admission.

I would like to say that he is fortunate in having had your Honor as his preceptor, and I hope and know that he will faithfully follow the guidelines that you have established for him.

THE COURT: Thank you.

Mike told me not to make a speech. And I promised him I would not. But if I were to say what I promised I would not say, it would be -- and it comes out of me like an ooze, so I can't stop it -- it would be that I have not met a finer young man than Mike. He has loyalty, integrity, understanding, decency. He's a good boy.

That's about the best speech I can make.

- - - -
(Michael M. Baylson was duly sworn at the Bar of the Court.)
- - - -

PRECIOUS (Put Away)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

+ + + + +

INDUCTION CEREMONY

of

MICHAEL M. BAYLSON, ESQ.

as

UNITED STATES ATTORNEY

for the

EASTERN DISTRICT OF PENNSYLVANIA

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BEFORE: HONORABLE JOHN P. FULLAM, CHIEF JUDGE

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MOVANT:

ARLEN SPECTER, ESQ.

UNITED STATES SENATOR, PENNSYLVANIA

SPEAKER:

HENRY T. REATH, ESQ.

DUANE, MORRIS & HECKSCHER

+ + + + +

Philadelphia, Pennsylvania
Courtroom 15A, U. S. Courthouse
Monday, October 17, 1988

LOUIS RICHARDSON

OFFICIAL COURT REPORTER

ROOM 2722 U.S. COURTHOUSE

PHILADELPHIA, PA 19106

WALNUT 5-0490

Induction of Michael M. Baylson, Esq.

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PRESENT:

Mr. and Mrs. Herbert Baylson

Frances R. Batzer, M. D.

Todd Baylson

Ariella Baylson

Mira Baylson

ALSO PRESENT:

Relatives, many friends

and associates.

+ + + + +

1 (9:00 o'clock A. M.)

2 THE COURT: Good morning. Be seated, please.

3 I caution members of the press present it is by special
4 dispensation you are allowed to photograph this occasion. You
5 can wear out your welcome by being too obtrusive. So behave
6 yourselves.

7 We are honored to have with us this morning the
8 distinguished United States Senator from Pennsylvania,
9 Arlen Specter.

10 The Court now recognizes Senator Specter.

11 SENATOR SPECTER: May it please the Court, I am
12 delighted to be present this morning to join in the induction
13 ceremony of the new United States Attorney for the Eastern
14 District of Pennsylvania, Michael Baylson.

15 Mr. Baylson is a man whom I have known and worked
16 closely with over the past 22 years. I came to know him in
17 1965 when he was among the first of the young lawyers whom I
18 asked to join me in the Philadelphia District Attorney's Office
19 after the 1965 election.

20 And in that office for somewhat over four years I saw
21 a young man of ability and integrity and dedication, who tried
22 some of the toughest cases, was Chief of the Narcotics Division,
23 was Chief of the Homicide Division, was really an outstanding
24 prosecutor.

25 Since that time, he has practiced with distinction

1 in the firm of Duane, Morris & Heckscher. He is a partner
2 there. He is an outstanding litigator. I know personally of
3 his capabilities as an administrator, and I am sure he will do
4 really an outstanding job in the United States Attorney's Office.

5 That office is one of great importance in this region
6 and the ten counties served by the Eastern District of Penn-
7 sylvania. That office has tremendous responsibilities. It has
8 been an illustrious office in the past.

9 Michael told me that Mr. Lee will be staying on as
10 First Assistant United States Attorney. Tom Lee has done a
11 fine job in that office and recently as Acting United States
12 Attorney.

13 When Senator Heinz and I had made our judgment to
14 recommend Michael Baylson for this position, I called Mr. Lee
15 and told him of my high regard for him. He is in the courtroom
16 today. He came to Washington at one of our drug meetings, and
17 I salute him for his work.

18 There is a very important responsibility for this
19 office in terms of the prosecution of organized crime and now
20 with the enormous emphasis on the drug problem. It is a matter
21 for judicial notice, one of the open and notorious facts, that
22 this community has to rely largely on the United States District
23 Court for the administration of justice in this community. We
24 have too many problems in the State Courts, problems which I
25 have seen over the past two or three decades.

1 In this Court there is the Speedy Trial Act. In this
2 Court there is an individual Judge calendar. In this Court
3 when a defendant comes in he knows he will look at the same
4 Judge and justice will be dispensed here. We have a new Drug
5 Task Force; the armed criminal bill is in the administration.

6 I commend the Court, Chief Judge Fullam. We have as
7 of Friday night returned you to full strength. You have had a
8 few Federal Judges.

9 THE COURT: Really needed indeed.

10 SENATOR SPECTER: You also have a new Circuit Judge.
11 We also have a new Judge in the Western District of Pennsyl-
12 vania, which may eliminate some of the necessity for travel.
13 I know you have gone there yourself to sit as a visiting Judge,
14 and we are on our way to having a fourth Pennsylvania Judge in
15 the Western District. We are still working on one more in the
16 waning days of the 100th Congress.

17 This is an outstanding judicial district with the
18 Court and an outstanding United States Attorney's Office. I
19 know Michael Baylson will be a top-notch United States Attor-
20 ney; and I am very pleased to join with my colleague, Senator
21 Heinz, in having recommended him for this position.

22 Senator Heinz would have been here this morning. His
23 schedule made it impossible.

24 Thank you very much.

25 THE COURT: Thank you, Senator Specter.

1 I do not mean to sidetrack the important central issue
2 this morning by commenting upon how grateful the Court is for
3 Senator Specter's services in getting us Judges when we need
4 them and particularly in the Western District where they are
5 really desperate for them.

6 Thank you, Senator.

7 SENATOR SPECTER: Thank you.

8 THE COURT: The Court now recognizes Henry Reath, Esq.

9 MR. REATH: President Judge Fullam, --

10 THE COURT: No, Chief Judge. President Judges are in
11 a different courtroom.

12 MR. REATH: Give me the correct title, and I will
13 state it again correctly.

14 THE COURT: Chief Judge.

15 MR. REATH: Chief Judge Fullam, Senator Specter,
16 Mr. and Mrs. Baylson, Sr., the Baylson family, and all of the
17 wonderful friends and supporters of Mike who have appeared
18 today:

19 When Mike asked me if I would appear today, knowing
20 of my strong allegiance to the loyal opposition, he said:
21 "Would you have any objection of being on the same platform
22 with Arlen Specter?" I said: "No, of course not; but what
23 about Arlen?" But Arlen is here, and we are all together.
24 It is a happy day to honor such an outstanding person and such
25 an outstanding lawyer.

1 On a higher plane, if I can just jump there for a
2 moment, I think that the thing that unites us all in this
3 courtroom and certainly unites Arlen and I and Mike and every-
4 body else here is what I call a passion for justice. And a
5 passion for justice knows no political bounds, and it brings
6 us all together for a common goal.

7 Judge Learned Hand, speaking to the graduating law
8 class of 1931 -- that was your class, wasn't it, Arlen?

9 SENATOR SPECTER: '21.

10 (Laughter.)

11 MR. REATH: -- made a very profound statement. I
12 think his words are very short, and I think it is worth sharing.
13 Speaking of the inconsistencies and the credulities, the delays
14 and weaknesses of our judicial system he said: "Despite these
15 shortcomings, without it we cannot live. Only with it can we
16 insure the future which by right is ours. The best of man's
17 hopes are enmeshed in its success. When it fails, they must
18 fail. The measure which it can reconcile our passions, our
19 wills, our conflicts is the measure of our opportunities to
20 find ourselves."

21 And that is the passion I think that is shared by
22 Michael Baylson and represents the kind of standards that he
23 will have to meet in this new office.

24 Mike, as I think everybody in this room knows, is a
25 man of many seasons and many colors.

1 In addition to sharing the passion for justice, he has
2 a number of extra-curricular activities. I think one in par-
3 ticular should be noted. And it is particularly appropriate
4 that Senator Specter would be here because for many of you in
5 this room who may not know it, it was in the 60s when Mike was
6 still in the Narcotics Section of the District Attorney's Office
7 that he was asked by Senator Specter, then the District Attor-
8 ney, to show a passion, national concern, for people who were
9 afflicted with drugs, even though their job was to prosecute
10 and to the fullest extent of the law. And that was the
11 beginning of an organization called Gaudenzia House.

12 Mike was one of the co-founders of Gaudenzia House and
13 has been one of the leading lights in that organization for
14 many, many years, giving it inspiration and leadership and up
15 until this very moment continuing to serve as its counsel. It
16 is a wonderful activity and one that we can all be proud in
17 and be proud of Mike for.

18 Finally, I would be derelict in my speaking about Mike
19 and the man of many seasons that he is if I didn't observe in
20 addition to some of the great writings that he has done in the
21 legal field, his great success as a trial lawyer, his involve-
22 ment in a host of many other public and civic activities,
23 that in spite of all that Mike is a man who has found and has
24 made time, and quality time, to be with his lovely family.

25 I think the presence of his son, Todd, and his

1 daughters, Mira and Ariella, here today is a great testament
2 to the kind of person that Mike is. And I know that his mother
3 and father, who are here, are equally proud. Probably most
4 proud of all is his wonderful wife, who is a distinguished
5 professional in her own right, and she is here supporting Mike.

6 So, your Honor, Chief Judge Fullam, I think this is
7 a very exciting day to the administration of justice in this
8 state. And I am honored to add to the remarks of Senator
9 Specter in presenting Michael Baylson to this distinguished
10 group.

11 THE COURT: Thank you, Mr. Reath.

12 Mr. Baylson, will you come forward, please. I under-
13 stand when the time comes to administer the oath the Bible will
14 be held by two distinguished citizens, your daughters, Ariella
15 and Mira. If you could have them come up also.

16 (Mr. Baylson and his two daughters at the bar of
17 the Court.)

18 THE COURT: For the benefit of the members of the
19 public, after the oath is administered the applicant, Mr.
20 Baylson, will be required to sign the oath form. And in
21 addition to the public oath, which I am about to administer,
22 the persons present should be aware that Mr. Baylson will also
23 be certifying under oath that he is not now participating in
24 any strike against the Federal Government, that he does not
25 have any current plans to go on strike against the Federal

1 Government, and that he has not paid any bribes or offered any
2 bribes to get the job.

3 Mr. Baylson, would you place your hand on the Bible
4 and repeat after me.

5 I, your name . . .

6 MR. BAYLSON: I, Michael Baylson . . .

7 THE COURT: . . . do solemnly swear . . .

8 MR. BAYLSON: . . . do solemnly swear . . .

9 THE COURT: . . . that I will support and defend the
10 Constitution of the United States . . .

11 MR. BAYLSON: . . . that I will support and defend
12 the Constitution of the United States . . .

13 THE COURT: . . . against all enemies foreign and
14 domestic . . .

15 MR. BAYLSON: . . . against all enemies foreign and
16 domestic . . .

17 THE COURT: . . . that I will bear true faith and
18 allegiance to the same . . .

19 MR. BAYLSON: . . . that I will bear true faith and
20 allegiance to the same . . .

21 THE COURT: . . . that I take this obligation freely
22 . . .

23 MR. BAYLSON: . . . that I take this obligation
24 freely . . .

25 THE COURT: . . . without any mental reservation
. . .

Oath of Office
U. S. Attorney Baylson

1 MR. BAYLSON: . . . , without any mental reservation
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3 THE COURT: . . . or purpose of evasion
4 MR. BAYLSON: . . . or purpose of evasion
5 THE COURT: . . . and that I will well and faithfully
6 discharge
7 MR. BAYLSON: . . . and that I will well and faith-
8 fully discharge
9 THE COURT: . . . the duties of the Office
10 MR. BAYLSON: . . . the duties of the Office
11 THE COURT: . . . on which I am about to enter
12 MR. BAYLSON: . . . on which I am about to enter
13 THE COURT: . . . so help me God.
14 MR. BAYLSON: . . . so help me God.
15 THE COURT: Congratulations.
16 (Applause.)
17 THE COURT: Ladies, you did a beautiful job. You
18 didn't drop it or anything.
19 U. S. ATTORNEY BAYLSON: Your Honor, I would like
20 very much to thank your Honor for presiding here this morning.
21 I would like to thank Senator Specter in particular
22 whom I have known and admired for many years, since December
23 of 1965 when he interviewed me and offered me a job at \$6,277
24 per year and I accepted very gratefully.
25 THE COURT: How does that compare with what Mr. Reath

1 has been paying?

2 MR. REATH: Well, I started at \$3,500, your Honor.

3 U. S. ATTORNEY BAYLSON: I don't know how it compares
4 with some of the new lawyers coming into our firm as compared
5 to the new lawyers coming into the U. S. Attorney's Office.

6 I very much appreciate Senator Specter's confidence
7 in recommending me for this position and the confidence of
8 Attorney General Thornburg and members of his staff who inter-
9 viewed me and also express confidence in me; particularly also
10 to my wonderful wife, Frances, who has given me great support;
11 three children, Todd, Ariella, and Mira; and also to my former
12 partners, and I say that regretfully, of Duane, Morris &
13 Heckscher, particularly Henry Reath who has been my mentor and
14 friend for many years and who I greatly respect. I hope I will
15 exhibit fidelity to the Court as well as to my client at all
16 times.

17 I think this is an outstanding Office. I will do my
18 very, very best to keep it that way; and I look forward to
19 working with everyone there. And I appreciate everyone
20 coming today.

21 Thank you.

22 THE COURT: Thank you, Mr. Baylson.

23 There are those of us who are firmly of the view that
24 you are joining the best United States Attorney's Office in the
25 nation, and I congratulate you.

1 The Court also notes the presence of Mrs. Baylson,
2 Mrs. Frances Batzer, the honoree's wife, and his parents, Edna
3 and Herbert Baylson.

4 And having done that, we now declare this session of
5 Court in recess.

6 (Adjourned at 9:16 o'clock A. M.)
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12 Reported by:
13 Louis Richardson
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IN THE COURT OF COMMON PLEAS
FIRST JUDICIAL DISTRICT OF PENNSYLVANIA

INDUCTION OF:

MICHAEL M. BAYLSON, ESQUIRE

Philadelphia, Pa., June 22, 1973

Room 246 City Hall

BEFORE: HON. ROBERT W. WILLIAMS, JR., J.

PRESENT:

ARLEN SPECTER, ESQ.,
District Attorney, and
MICHAEL J. ROEKO, ESQ.,
Deputy District Attorney,
for the Commonwealth.

MR. SPECTER: Good afternoon, Judge Williams. Judge Williams, I have the pleasure this afternoon to present to Your Honor Michael M. Baylson, Esquire, for the purpose of having him sworn in as Special Prosecutor in the case of Commonwealth vs. Greg Walter.

This is a matter which has been before Your Honor, and a question was raised as to the propriety of having First Assistant District Attorney Richard A. Sprague continue the prosecution, and those proceedings speak for themselves, and I have acted to ask Mr. Baylson to undertake this case as special prosecutor with the responsibility to report directly to me and to no one else, and I am pleased to present Mr. Baylson to the Court at this time.

He has a very distinguished background. He served in the District Attorney's Office from January of 1966 through 1970. He has tried many very significant cases. He has served as Chief of the Homicide Division, a successor in a title of many illustrious Chiefs of Homicide including Assistant District Attorney, now Robert Williams, back in 1961, circa 1961, he is now in private practice, associated with

firm of Duane, Morris & Heckscher, and I am pleased to present him to Your Honor at this time.

I will hand up the oath of office.

 (The following oath of office was administered by the Court:)

"I, Michael M. Baylson, do solemnly swear that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity."

 THE COURT: Mr. Baylson, as you know, we have known you for a number of years. We have had the privilege of watching you and observing you as a prosecutor. At one time I had the misfortune of defending a client where you were the prosecutor, and I must say that with your scholarship, your sense of fairness, and your dedication to duty I know the Commonwealth in this instance will be well represented, and I think that the judgment ^{of} Mr. Specter in selecting you is not only an appropriate one but is a fair and just one. ^{Jud.}

I will only ask that after you have had sufficient time to familiarize yourself with

the facts and circumstances of the case, that you will confer with counsel for the defendant and then advise this Court at an appropriate time when you feel, that is, mutually agree, that this case should be heard, so we can dispose of it.

MR. BAYLSON: Thank you, sir.

THE COURT: Shall I say welcome aboard?

MR. BAYLSON: Thank you, sir. I will follow Your Honor's instruction and be in communication with counsel for the defendant, Mr. Harvey.

THE COURT: Mr. Rotko?

MR. SPECTER: Good afternoon. Do you want to keep a copy of one of the oaths for your records?

THE COURT: Very well. I might say in passing also that I will be on vacation, I think it is the first week in August. If you find it convenient to dispose of this case before that time, very well. If you find it convenient to dispose of it after that time, very well. I will leave that decision as a matter to be reposed in your office, together with the agreement of defense counsel.

MR. BAYLSON: Your Honor, I would propose to speak to Mr. Harvey some time next week and then be in communication with Your Honor about

what remains open in the case, and what to schedule.

THE COURT: I think that will be a good idea.

MR. SPECTER: Thank you very much.

THE COURT: Very well.

(Hearing concluded)

DRAFT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

INDUCTION
OF
THE HONORABLE MICHAEL M. BAYLSON
AS JUDGE
OF THE
UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

FRIDAY, JULY 12, 2002
CEREMONIAL COURTROOM
PHILADELPHIA, PENNSYLVANIA

PRESIDING:

CHIEF JUDGE JAMES T. GILES

APPEARANCES:

HONORABLE ARLEN SPECTER
HONORABLE WILLIAM P. BARR, JR.
HONORABLE MICHAEL J. ROTKO
SHELDON M. BONOVIKZ, ESQUIRE
MICHAEL J. HARLE
HONORABLE MARJORIE RENDELL
HONORABLE EDWARD R. BECKER

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

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1 CLERK: All rise, please. All rise, please.

2 (Pause). Oh yez, oh yez, oh yez, all persons having any matter
3 to represent before the Honorable Judges of the United States
4 District Court in and for the Eastern District of Pennsylvania
5 may at present appear and they shall be heard. God save the
6 United States and this Honorable Court. Court is now in
7 session. Please be seated.

8 THE COURT: Good afternoon. Thank you all for being
9 here. Mr. Baylson, soon to be Judge Baylson, has picked a very
10 fine day weather wise, so he must have a lot of wisdom. This
11 is a long awaited occasion, and the Court thanks all of those
12 persons and entities, bodies that had something to do with
13 filling this vacancy and filling the vacancies of this court,
14 so that we can dispatch the business of the Court in the
15 interest of the public.

16 And, I thank Sen. Specter, and Sen. Santorum, the
17 President, the Senate, the American Bar Association, and all
18 those others who played significant roles in bringing Mike
19 Baylson to this point. This audience is full of persons who
20 should be recognized by name, but I won't, because I wouldn't
21 want to leave out anybody. And, Sen. Specter wants this matter
22 to get on, I'm sure, as quickly as Mr. Baylson.

23 But, I want you to know, Sen. Specter, that two of
24 the persons that you have enabled to come onto this court have
25 been put to work already. They have not been robed, but they

1 have been put to work. And, Judges Davis and Rufe sit there
2 not yet robed ceremoniously, but they will soon be. And, we
3 look forward to that occasion -- or those occasions. And, with
4 that, we recognize you, Sen. Specter.

5 SEN. SPECTER: I'm interested to hear that Judge
6 Davis and Judge Rufe haven't been robed. I wonder what they
7 wear when they sit. I'm going to have to come to court to
8 check their -- to check that out. Well, this is, indeed, an
9 outstanding day for this very distinguished court. This court
10 for the Eastern District of Pennsylvania has been categorized
11 as the best in the country, and I think that's accurate.

12 Since Sen. Heinz and I had used the merit selection
13 process, followed by what Sen. Waford and I did and now Sen.
14 Santorum and I, there have been really outstanding jurists
15 appointed to this court, and we intend to keep them coming. I
16 counted the list, and I note that there are 29, counting Judge
17 Davis and Judge Rufe, whose investitures will be next Friday
18 and the Friday after, and it is indeed an outstanding group.
19 And, there are two more in the wings.

20 There are 17 Judges who are now waiting confirmation
21 by the United State Senate, and that is involved in a delay on
22 some 70 nominations, judicial and otherwise, because one
23 Senator doesn't like what's happening with one nominee to one
24 federal agency. And, that requires, under the Senate practice,
25 what we call cloture to cut off debate, and that takes quite a

1 while. So, we are now in that process.

2 The Senate is a -- I don't know what word to describe
3 it -- unique, different, we certainly couldn't say special,
4 couldn't say deliberative when we have filibusters -- one
5 Senator can attack the whole process. But, soon there will be
6 two more Judge who will grace this bench. And, I know you have
7 a very, very heavy work load, and we want to proceed as
8 promptly as we can.

9 Michael Baylson is an extraordinary lawyer. He comes
10 to this bench with really very diverse credentials. I met
11 Michael Baylson in November of 1965, and he was among the first
12 ten Assistant District Attorneys whom I hired at that time.
13 And, it was quite a splash.

14 There was a lot of interest in that particular
15 election the first time -- I won't mention the parties, that
16 would be inappropriate in this room. But, someone of the other
17 party had been elected, and the news media took great delight
18 in analyzing and studying every one of the new Assistant D.A.s.

19 And, among their procedures was to call up the
20 Assistants and find out all about their background. Well, Mike
21 Baylson wasn't at home, he was at work. He was clerking for
22 Judge Sloane -- Judge Joseph Sloane, one of the really great
23 jurists of -- of this country's history. And, the newspaper
24 man instead got Michael Baylson's father. Murray Levin knows
25 this story. He's already smiling.

1 And, the question to the father was what's Michael
2 Baylson's registration? And, Mr. Baylson, Sr. said he's a
3 Democrat, but he'll change. And, when I found out he was a
4 Democrat, I told him he didn't -- he didn't have to change.
5 So, whatever he's done in that respect is just as a result of
6 maturation and -- maturation and wisdom. And, there are --
7 there a lot of stories of those who didn't change.

8 At the end of my term at the beginning of 1974, I
9 talked to one of my young assistants, a very active, very able
10 young man who said I'd like to go into politics. And, I said,
11 well, I'd be glad to introduce you to Billy Meehan, the
12 Republican Leader. And, he said, Arlen, I'm a Democrat.

13 Who was it? Oh, yeah, that was Eddie Rendell, who --
14 who told me finally that he was a Democrat after working in the
15 office for seven years. And, Frank Ford, also known as Ed
16 Feldman, praised -- commented frequently. I got a lot of free
17 advertising on his radio program for never having asked Lynn
18 Abraham what her registration was, because it was an
19 irrelevancy.

20 And, I'm pleased to say that we have an arrangement
21 where we have worked out the nominations for this court on a
22 bipartisan basis. We followed the lead which Sen. Moynihan and
23 Sen. Javitz had of dividing the judgeships, three for the
24 President in power and one for the party out of power.

25 We had a sequence of some 20 years out of 24 where

1 the 20 years where one party controlled, and many fine young
2 lawyers were precluded from becoming Judges because of party
3 affiliation. And, I had made a number of efforts to change
4 that from 1980 to 1992, and finally we succeeded in doing that.
5 So, we are bringing forward people from both parties.

6 But, after Mike Baylson became an Assistant D.A., he
7 excelled. He was Chief of the Narcotics Division, which was a
8 very, very difficult division in the late sixties. And, then
9 he was Chief of the Homicide Division, which was even a -- a
10 tougher area.

11 And, then he became an associate at Duane, Morris and
12 later a partner, and then United States Attorney, where he
13 served with great distinction. And, then back to Duane,
14 Morris, where he's had an exceptional career as a trial lawyer
15 with experience in anti-trust and securities and complex
16 litigation.

17 And, at the same time, he has shown diverse interest
18 in community activities and a real sensitivity for defendant's
19 rights, did a lot of work with Gaudenzia House which has drug
20 rehabilitation, and comes to the bench with just extraordinary
21 trial practice. He will not only hit the ground running, he
22 will hit the ground at full speed.

23 And, I know this District has a lot of very, very
24 important work, and we are trying to change the protocol to try
25 to take politics out of the confirmation process, with the

1 President with one party and the Senate with another. And,
2 when we had the situation reversed, it was just as bad.

3 And, I've put forward a protocol that we ought to
4 make the nominations -- have hearings within a certain number
5 of days and then executive action voting up or down out of
6 committee, and then on the Senate floor a specific time later.
7 And, if it's a straight party line vote in committee, they
8 ought to go to the full floor, because the Constitution says
9 the confirmations should be the Senate, not by the Judiciary
10 Committee.

11 And, with Michael's accession to the bench here, I
12 will -- we will lose him for so many of the activities when he
13 dons those robes, and I'm looking forward to seeing him robed
14 as I am to seeing Judge Rufe and Judge Davis in the ensuing two
15 weeks. Thank you, very much, Your Honors.

16 THE COURT: Thank you, Senator. Sen. Santorum could
17 not be present, but he has sent his regards to Mike Baylson.
18 We'll now hear from the Honorable William P. Barr, Jr.

19 MR. BARR: Thank you, Your Honor. May it please the
20 Court, Sen. Spector. It's a real privilege for me today to
21 join such a distinguished group in this induction ceremony and
22 honoring Mike. I first met Mike when I was at the Main Justice
23 Department Building in Washington and he was United States
24 Attorney here in Philadelphia.

25 As most of you know, there are 92 U.S. Attorneys in

1 this country, and they're not shrinking violets. A lot of them
2 see themselves as, you know, future Governors and even
3 Presidents. But, Mike stood out even among that group, and he
4 rapidly became a leader in the department, spending a lot of
5 his time in Washington working very closely with the leadership
6 at Main Justice.

7 A lot of great ideas were coming out of Philadelphia.
8 I guess nothing has changed since 1787. And, Sen. Specter
9 played, I know, a large role in that, because he was intent
10 that this office here serve as an incubator for many of the
11 serious problems we faced on the national level.

12 And, Mike had quite a few great ideas and executed
13 them brilliantly. Any time I wanted to know whether things
14 were actually that bad or rather that someplace things were
15 going right, I came and visited Philadelphia and spent a lot of
16 time here.

17 The fact is that his successful programs here in
18 Philadelphia served as a template for our national policy and
19 our national initiatives. Out of the Violent Traffickers
20 Project, we developed Project Trigger Lock, which later became
21 Project Exile, which this President has been advancing as a
22 national program. And, we developed the National Gang Program
23 modeled specifically after what was going on here in
24 Philadelphia with Mike's office.

25 And, Mike played a lead role in developing the Weed

1 and Seed Program which is now in 270 areas in the country. And
2 he led the effort in cracking down on health care fraud which
3 became a major initiative, not only at the end of the Bush
4 Administration, but also later in the Clinton Justice
5 Department.

6 But, more than just a great leader, as you all know,
7 he is a superb lawyer -- Mike is a superb lawyer. And, he's
8 fair, he's diligent, he's a man of the utmost character. And,
9 he became a counselor to me when I served as Attorney General
10 and one of the leading members of the Attorney General's
11 advisory group.

12 And, when I went into private practice and became
13 responsible for the legal business at Verizon, Mike became one
14 of my principle counsels for our most sensitive and important
15 matters. So, he's going to be a big loss to us now that he
16 goes on the bench, but a great gain for the country.

17 I think we're fortunate that people of Mike's caliber
18 are willing to go on the bench. I think one of the terrible
19 things today is that, because of the sort of scandalous
20 salaries, that it's very hard to attract good people to the
21 bench. But, I can't think of anything that's more critical to
22 the survival and health of our way of life than getting Judges
23 of the highest caliber.

24 And, I know that this court has been fortunate to
25 have superb jurists on the bench. In fact, shortly after I

1 left the Department of Justice, I think my first real exercise
2 back in private practice was arguing a case here in the Third
3 Circuit. Judge Becker and, I think, Judge Pollak were on the
4 panel. And, I still tell people to this day that it was the
5 most satisfying experience I've had in the courtroom in the
6 United States. The level of argument was so high, the
7 engagement of the bench.

8 And, you know, that -- when I left the courtroom, I
9 said to the lawyers who were helping me -- I said, now, those
10 are Judges. And, you know, this is a terrific bench here, and
11 I can't think of anyone better to carry on this tradition of
12 excellence than Mike.

13 THE COURT: The Court recognizes the Honorable
14 Michael J. Rotko.

15 MR. ROTKO: Chief Judge Giles, Judges of the District
16 Court, Chief Judge Becker, wherever -- there you are -- other
17 Judges of the Circuit Court, and distinguished guests, and,
18 most importantly, family.

19 When I took the oath as United States Attorney, when
20 Mike left and I succeeded him, he held up a brief that I had
21 written in the District Attorney's Office -- it must be 30
22 years ago now -- on stop and frisk. At that time, it seemed an
23 important topic. I guess, it's long gone now.

24 And, he held it up -- he still had this brief, it was
25 pretty thick -- and he waived it around in front of a crowd

1 like this and said, this was a great brief, but it was the last
2 brief Mike Rotko ever wrote. I don't know whether that was
3 true or not, but now it is my turn. I'll try to be honorable.

4 I've known Mike as a friend, colleague, mentor, boss,
5 so forth, for over 40 years. It's a long time to be friends
6 with someone. I've known Frances even longer. Our families
7 were friends, and I've known her for over 50 years. She's not
8 quite that old. She really was a toddler when I met her, she
9 was, and I've known her a long time.

10 I have a recollection of sitting in the library in
11 the D.A.'s office on the fifth floor before they got married in
12 1969, I think it was, and Mike coming to me and asking me to
13 lend hm \$10 to take Frances out to dinner. This shows you how
14 long ago it was that, for \$10, you could take your girlfriend
15 to dinner.

16 And, I gave him the \$10, and I take this occasion to
17 remind you that you haven't paid me the \$10. I suppose the
18 Court would rule that the Statute of Limitations has probably
19 run.

20 In any event, Mike and Frances have been dear
21 friends. She went to Swarthmore, he went to Penn,
22 undergraduate and law school. And, despite the fact that he
23 only went to Penn and she went to Swarthmore, she married him
24 anyway. And, it seems to have taken, I guess. If my math is
25 right, it's 33 years now.

1 They have a wonderful family sitting on the front
2 row. Todd, who's sitting next to Frances, who is formerly a
3 member of the ski patrol at Squaw Valley and is now a graduate
4 student in City Planning at the University of Pennsylvania.
5 Maybe it was Tahoe -- was it Tahoe or Squaw Valley or -- one of
6 the two. It doesn't matter.

7 But, you have to wonder. Here's a fellow that could
8 be skiing and kayaking in Squaw Valley or Tahoe, and he's
9 living in West Philadelphia going to school. So, that's a lot
10 of courage.

11 Ariella is -- or was Phi Beta Kappa at Skidmore, and
12 she is now at Jefferson Medical Collage carrying on half the
13 family's tradition. Mira is, of course, as most of you know, a
14 wonderful cellist and is a student at Westland. So, the
15 educational tradition of this family is pretty terrific.

16 The Baylsons are very cultured and literate people.
17 Mike and Frances go the opera a lot. We used to go together,
18 but my tendency is toward Puccini, Verdi, Donzetti, and theirs
19 is to the avant-garde. Avant-garde opera is an opera seen once
20 and that's it. So, -- but, they do go to those operas, and
21 they saw them. They can say that.

22 I remember very well both sets of parents, Max and
23 Marion, Frances' parents, Herb and Edna, Mike's parents, may
24 they all rest in peace. I remember particularly Mike's mother
25 who was a small woman but wore basically huge hats. And, I

1 would see her walking around 21st and Chestnut. I think she
2 lived at the William Penn House or somewhere in that area.
3 And, I would see her frequently walking around there.

4 Mike started in the D.A.'s office with me. Sen.
5 Specter told that story. There are two other aspects to that.
6 One is that, in the -- Sen. Specter interviewed, he said,
7 hundreds of people for these jobs, and none of us thought we'd
8 get one.

9 But, Mike, at that time, was working for the
10 defender, as I recall, in the old Dewey Building. Some of us
11 of a certain age remember that building. It was at 13th and
12 Market. And, I was working for the criminal lawyer, Don
13 Goldberg.

14 And, we came down in the elevator together on the
15 afternoon that Sen. Specter that informed us that we both had
16 these jobs. And, neither wanted to say anything to the other
17 for fear of hurting the other's feelings, but we later found
18 out. Then there was the newspaper incident that Sen. Specter
19 spoke about.

20 But, what followed was a frantic call from Mike
21 Baylson, either that night or the next morning, really afraid
22 that he had lost the job, would he still get the job. And, I
23 assured he probably would, and he did, of course.

24 Chief of Narcotics, Chief of Homicide. Homicide, at
25 that time, when Mike was Chief, was in a loft on the fifth

1 floor. And, there were a series of metal bars that ran across
2 the hallway, and they were painted yellow and black so you
3 would miss them.

4 But, most of the time, people didn't miss them, and
5 that was one of the problems with our Homicide Division. They
6 were constantly hitting these bars. But, Mike held it
7 together, and he did a good job.

8 I remember Mike as a young assistant going to down to
9 his -- the store that was in his mother's side of the family,
10 Golden Harry's. It was on Second -- Second and something.
11 They call it Northern Liberties now or whatever. And, he as an
12 assiduous worker.

13 But, I always thought that, as the person who was
14 assigning the weekend assignments to the Round House, the
15 Police Administration Building, that he was working here to
16 avoid that. He would say, well, I have to work Golden Harry's.
17 I can't go to the Round House. It worked. He didn't go.

18 Mike is really a wonderful person. He's a kind,
19 sensitive, generous, thoughtful, and diligent human being.
20 He's really a prince in my opinion. I think he'll fit right in
21 in this -- with this august court. He is truly a lawyer's
22 lawyer.

23 When he was the United States Attorney, he actually
24 tried cases, he wrote briefs, he argued appeals. He had the
25 mock court before the Appellate argument. He was not just an

1 administrator. He was truly a lawyer. You'll hear more about
2 his -- his work with Gaudenzia from Mike Harle, who will be
3 speaking later.

4 Mike -- I understand -- I don't know if it's true
5 that he went to Shelly Bonovitz when this possibility of going
6 on the court came up -- and Sheldon being the Chairman of
7 Duane, Morris -- and asked him what he thought of the idea.
8 And, I don't know, I heard that Sheldon said that, well, you've
9 lost your fast ball, it's time to be an umpire. Whether that
10 happened or not, I don't know.

11 But, I wish you every bit of success and happiness.
12 You will be an ornament to this court, and I consider this a
13 very happy day. Thank you.

14 THE COURT: The Court recognizes Sheldon Bonovitz.

15 MR. BONOVIKZ: Thank you. May it please the Court,
16 Sen. Specter, Mike, your family, and honored guests. And,
17 Mike, -- for the record, Mike Rotko, I didn't say that, didn't
18 even think it.

19 This is a great day for Duane, Morris and for me
20 personally, and also a very sad day for us. We're seeing a
21 great person, wonderful person becoming a Judge, and Duane,
22 Morris is losing a great leader, a great lawyer, and great
23 spirit in the firm.

24 I became Chairman of the firm in -- on January 1,
25 1998. And, one of my first appointments was to appoint head of

1 the Trial Department. And, it was very easy for me to make
2 that decision. Mike was clearly the right choice. It was --
3 you know, we, as a Quaker firm, always did things by consensus.

4 This was clearly consensus driven, and Mike became
5 Chairman of the Trial Department or Trial Practice Group, as
6 well as a member of the Executive Committee. And, Mike has
7 served on our five person Executive Committee helping to govern
8 the firm since that appointment until yesterday -- or almost
9 yesterday.

10 Mike joined the firm in 1970 and was my partner for
11 32 years, less the five years he served as U.S. Attorney. As a
12 member of the firm, he exhibited all of the qualities that one
13 could dream of in terms of leadership, judgment, self
14 effacement, and one of the great signs of a leader is leading.

15 Mike always said we, always advocated on behalf of
16 people in his practice group, always praised others, really was
17 truly a fine human being in terms of the way he dealt with the
18 lawyers in the office, as well as his clients.

19 His clients -- I -- one of Mike's faults was that he
20 -- his clients always were going to win, they always had the
21 strong -- we had contingent fee committee meetings. And, if
22 Mike were there, it's -- Mike was really -- his love of winning
23 and love of representation sometimes colored his judgment a
24 little bit I thought. But, on the whole, his judgment was
25 great.

1 When Mike took over as Chair of our Trial Practice
2 Group, we had about 70 lawyers in the group, and probably our
3 revenue was about \$35M. Now, as Mike leaves, we have revenue
4 of about \$80M and 150 lawyers in that -- more than 150 lawyers
5 in that practice group, a law firm in and of itself.

6 Mike -- and the firm, in that time has about doubled
7 in size from about 250 lawyers to 500 lawyers, and Mike has
8 gone through all of the growing pains in leadership with us as
9 we've grown. The firm has, as I mentioned, a Quaker tradition
10 that is probably unique in terms of the way we govern.

11 We've never had a vote in the firm. We always do
12 things by consensus. And, I remember, as a young lawyer with
13 -- in my early partner meetings, and there were actual
14 disputes. The disputes were about money. And, the disputes
15 were that the senior partners in our firm were making too much
16 and they wanted the other lawyers in the firm to share more of
17 the income of the firm.

18 And, this sort of tradition of leadership and not
19 being driven by money is personified by Mike. In fact, I
20 remember we had a conversation about compensation this year,
21 and Mike was adamant that he should go down in compensation.
22 He really -- there's room for others.

23 And, I think it's great, in this day and age, to see
24 this among partners and see this in a firm when you have the
25 greed factor involved in so much of what we do today. And, I'm

1 not surprised that Mike went on the bench in terms of giving up
2 income, because Mike has never been driven by income at all.

3 He's been a great partner, we're losing a good
4 friend, and we'll continue to be friends. But, the firm, in
5 terms of his own participation and activity, will be missed.
6 And, I want to thank Mike personally for his leadership in
7 helping the firm take it -- in helping take the firm to where
8 it is today. Thanks.

9 THE COURT: Judge Baylson's first assignment will be
10 the review of fee petitions. Mr. Sprague could not be with us
11 today. We will now hear from Michael Harle.

12 MR. HARLE: Judge Giles, I'm probably the most
13 intimidated by this day, but I'll move right along. Hello, my
14 name is Mike Harle. I'm the President and Executive Director
15 of Gaudenzia, Incorporated. I'm honored to speak here today.
16 This is a well deserved milestone for Judge Baylson. Judge
17 Baylson, sounds good, otherwise known to me as Michael.

18 If it were not for the foresight and social
19 conscience of Michael and others, including some in the room
20 today -- many in the room today, Gaudenzia would not probably
21 exist. What he and those colleagues -- Judge Giles, Sen.
22 Specter, Mr. Rotko, Mr. Botel, who's not -- I didn't see in the
23 room, but many of the people here, we would not exist.

24 He helped begin 33 years ago what was Pennsylvania's
25 first drug free residential program in partnership with a group

1 of recovering addicts, law enforcement community, and the
2 business community. In 1969, that took a lot of courage. They
3 started -- we started a program in a formerly condemned row
4 house in North Philadelphia.

5 The partnership with the business and law enforcement
6 community has been shepherded by Michael over those many years.
7 There was no Government funding in 1969. The food and other
8 necessities came from the community who were willing to donate
9 them.

10 The group's endurance came from the support of a
11 board of directors who believed that we could convince the
12 City's people that the value of rehabilitation for those
13 affected by chemical dependency was a laudable goal. It took
14 true vision and courage, and we believed in this concept in
15 1969 and Michael did believe in it. He was on that first board
16 of directors.

17 He later became our legal counsel, which he remained
18 for the least 33 years. And, I want to mention -- they talk
19 about not having the robes. I have a picture of Michael with a
20 pair of madras shorts on and a t-shirt and a broom cleaning out
21 a condemned building in West Chester, along with Max Botel and
22 some of the other young Assistant District Attorneys that I
23 tease him about, because you really want to keep them robes on
24 him. You really don't --

25 And, to speak of the courage a little bit, one of the

1 things -- I was talking to Michael before this, and Mike said,
2 you know, you gotta be there on time, and we had a little bit
3 of discussion. One of the things Mike said was, you know, you
4 gotta wear a suit.

5 I said, Mike, I've been wearing -- we've been wearing
6 suits for a long time, because, you've got to remember, in
7 1969, we had long hair, sweaters, dashikis, Afros, -- we were a
8 scary group for the District Attorney's Office, I'm sure. But,
9 we've been wearing suits many days now. I'm the only person in
10 the room that has a suit.

11 Michael's competence gained the respect of the
12 District Attorney then, Arlen Specter, who led the way for new
13 direction in national drug treatment policy and concepts which
14 were put in action at Gaudenzia. Today, Gaudenzia is one of
15 the largest and most respected treatment organizations in the
16 nation, operating over 50 programs throughout the Commonwealth
17 and most recently opening in Baltimore, Maryland.

18 For people that addiction, mental illness, and
19 related problems that complicate their lives and disrupt their
20 families and communities, Gaudenzia has become one of their
21 only refuges, so you ought to be proud of Michael and what he
22 has accomplished. Many of those people are indigent, can't
23 speak for themselves, and had a voice for people like --
24 through people like Michael.

25 None of this would be possible without his commitment

1 and vision. Michael has helped us in the past by fund raising,
2 along with helping him with firm. I heard you talk a little
3 bit about contingent fees.

4 Every time Michael would do a case for us at Duane,
5 Morris, -- I can give this up now, I wouldn't have said it
6 before -- we would have a long discussion about discounts. We
7 really can't afford this Michael, you know we can't afford it.

8 So, he was looking forward to every one of those --
9 every time he did something for us, he knew he was going to get
10 a second phone call. And, every time, he came through, every
11 time.

12 You heard about his help during the time he was a
13 District Attorney in bringing in the Weed and Seed Program to
14 Philadelphia. We needed that. I think it's one of the -- a
15 nationally renowned program now.

16 He served on the board until 1969, and then he became
17 the legal counsel. He remained on our advisory board for the
18 next 16 years, and then became U.S. Attorney. He pulled us
19 through during the time of his -- Duane, Morris pulled us
20 through numerous zoning and property battles, as you can
21 imagine.

22 Michael single handedly arranged for the transfer of
23 our largest campus, Gaudenzia House, West Chester, from the
24 Commonwealth of Pennsylvania, Gaudenzia, to Gaudenzia, by
25 showing a cost benefit greater than the value of the property

1 to the Commonwealth, which is now one of the largest and most
2 respected programs in Eastern Pennsylvania.

3 Since returning as our legal counsel, Michael, with
4 the substantial resources of Duane, Morris, and Heckscher, has
5 helped us. You already heard about that. Something we teach
6 our clients to never forget is where you came from. Michael
7 never forgot.

8 Michael Baylson has been a strong advocate for the
9 agency throughout that time, for 33 years, and continues to do
10 so today. We believe that he has enhanced the lives of the
11 citizens of the Commonwealth and he has envisioned -- that he
12 had early on envisioned.

13 On behalf of the Board of Directors of Gaudenzia and
14 the thous -- the ten thousand people that have walked through
15 our doors, we want to thank you, and we want to honor you
16 today. Thank you.

17 THE COURT: Judge Rendell? Thank you, Chief Judge
18 Giles, Sen. Specter, distinguished colleagues, Baylson family
19 and friends gathered here today. If an idle mind is the
20 devil's workshop, I have no doubt that Mike Baylson and
21 Beelzebub will never, ever meet in this world or any other, for
22 that matter. There is nothing idle about the mind of Mike
23 Baylson, and today we are all so much the better for it.

24 I first met Mike when he was one of Arlen's stars. I
25 joined Duane, Morris largely because I thought so highly of

1 Mike as a person and of his reputation from the D.A.'s office
2 as a fine lawyer. Only later did I really come to know Mike as
3 a colleague at Duane, Morris, a neighbor, a family friend, and
4 then as a ride sharer, as we went to and from work together.

5 Let me tell you, you really get to know someone when
6 you car pool, as Mike and I did for several years, especially
7 those years when we were very busy, to say nothing of our
8 spouse's and children's lives.

9 Mike can fit more into a moment than anyone I've ever
10 known, even my husband. Several balls are always in the air.
11 Eating a plum, reading a slip opinion, -- and there was a time
12 when I thought that slip opinions got their name because they
13 kept slipping and overflowing out of Mike Baylson's briefcase
14 -- seeking my view on an issue, -- do you know anyone who's
15 favorite phrase is, "Let me ask you something" -- all the while
16 trying to figure out how Ariella will go to her after school
17 activity and Mira will be picked up. Fortunately, I drove the
18 car and we didn't have cell phones.

19 Mike comes to the District Court with all the right
20 stuff. He has the ability to balance it all, as I've alluded
21 to, which will come in handy when juggling guilty pleas,
22 sentencings, settlement conferences, while conducting a trial
23 and drafting a summary judgment opinion. No problem.

24 But, there's more. Mike truly excels in the
25 qualities that will make up the total package. Brilliant

1 intellect coupled with unique intellectual curiosity, concern
2 for justice, love of hard work and willingness to take on
3 difficult issues, constancy of values, including the importance
4 of family. And, his family, Frances, Todd, Ariella, and Mira,
5 are special indeed.

6 He has a healthy perspective as well. But, last, but
7 not least, he has a sense of humanity and an understanding of
8 the little guy. Notwithstanding the big firm rep, Mike
9 represented many a little guy, and I'm sure he would mention
10 quite a few of them among his most meaningful cases and
11 proudest accomplishments.

12 At the farewell party given by Duane, Morris, Mike
13 alluded to three standout qualities at Duane that he valued,
14 and I was struck by the similarity to the experience that he
15 will have as a District Court Judge. First, the striving for
16 excellence. You will definitely replicate that value on this
17 superb District Court. Second, the concern for the ability to
18 get along with your colleagues. And, nowhere could you hope
19 for a better Esprit de Corp than you will experience on your
20 court.

21 Lastly, you valued the time sheets. Now, I know you
22 did it in a serious way, in a value oriented way. But, I don't
23 think you're going to find anything quite like that on the
24 District Court, unless it's the Civil Expense, Time, and Delay
25 Reduction Act somehow fitting in there.

1 But, I will tell you that you will find yourself
2 absorbed in an issue only to look up three hours later and say,
3 oh, if I could only bill for that time. Boy, was that
4 valuable. Now, the bad news is that you'll be paid roughly
5 \$67.97 for those three hours. But, the good news, it was for
6 you and for the system, as they say, priceless.

7 Others have extolled Mike's legal feats, and they're
8 truly stellar. We all know he'll be a wonderful District Court
9 Judge, and what's more, Mike, you will love it. The only
10 regret I have is that we haven't had you gracing and
11 benefitting out trial court bench sooner.

12 But, I think -- as I think of Mike and his workaholic
13 proclivity, together with his family's longevity, he'll
14 probably serve, hmm, until he's 85 or so, so a good 25 years.
15 But, that's going to translate into 40 years of anyone else's
16 work product. And, Mike, had you come to us much earlier, you
17 might have eventually worn yourself out. But, as it is, you'll
18 just be hitting your stride at the year 2025.

19 Mike and I often talked about aspiring to the federal
20 bench, and I'm really happy that he now has made the trip down
21 Market Street to join me here. And, maybe we can ride share
22 again, who knows?

23 It's a great thing for Mike, it's a great thing for
24 the court, and great for the republic. Mike, I'm personally
25 and judicially thrilled, and I offer you my hardest and

1 warmest congratulations.

2 THE COURT: Chief Judge Becker?

3 JUDGE BECKER: May it please the Court. Sen.
4 Specter, General Barr, Judge Rendell, Fran and the Baylson
5 family, and distinguished guests all. It is a pleasure to be
6 able to speak on behalf of my longtime friend, Mike Baylson.

7 With respect to Mike Baylson's qualifications for
8 this job, I offer only a brief concurrence in everything that
9 has been said, that is unless you would like me to deliver a
10 full fledged opinion.

11 Mike will be a superb Judge. He has all the
12 equipment. He has proven himself to be a first rate litigator,
13 a serious legal scholar, and a lawyer of wide fo varied
14 experience. He is also a man of great industry.

15 I also concur on the comments about Mike Baylson as a
16 human being. He is a truly decent person and will be a fair
17 Judge, as well as a wise one. And, I join in the comments
18 about Mike as a family man. He and Fran have an absolutely
19 wonderful marriage, and they have so much in common.

20 One of the things they have in common is opera.
21 Opera was mentioned. Mike knows more about opera than Justice
22 Scalia and Justice Ginsberg combined. I remember one time we
23 were going to a -- we were going to see an opera -- we were --
24 Flora and I were going to Paris to see an opera -- well, we
25 were going to Paris and we were going to see an opera.

1 And, we looked up the opera in the opera book and it
2 wasn't there. So, we wondered about it and Flora called Mike
3 on the phone. Mike knew everything about the opera, he knew
4 who was going to sing in it, he had the libretto. If Mike
5 knows as much law as he knows about opera, you're all in for a
6 real treat.

7 But, there is one dimension of Mike Baylson that has
8 not been spoken of until now, but one which must be placed on
9 the record, and that is his bravery. Now, to demonstrate my
10 point, I will relate an incident that occurred one fall evening
11 in the late 1960s at 15th and Lombard Streets.

12 I was not present, but the following is related to me
13 by my good friend Steve Harmelin, who is here and whom I have
14 sworn before the proceedings. He was upstairs in the apartment
15 that he and Mike Baylson shared. It was to Steve that Mike
16 related the details immediately afterwards.

17 So, in light of the oath, this event, which was not
18 only exciting, but also reflected Michael's present sense
19 impression, will be, I hereby declare, admissible under Federal
20 Rule of Evidence 803(1) and also Federal Rule of Evidence
21 803(2).

22 Anyway, Mike was coming home and, right outside on
23 Lombard Street, he's approached by a man who pushed him against
24 the wall, told him to put his hands up, said don't move, give
25 me your wallet, and he stuck a hard object into Mike's back,

1 which could have been a gun.

2 Well, what do you think Mike did? After a pause, he
3 said, you can't rob me, I'm an Assistant District Attorney,
4 whereupon the guy turned and ran, and he dropped the
5 screwdriver. Michael chased him, but the guy got away. Now,
6 coupling this with all of the other qualifications you have,
7 could you imagine anyone better qualified to be on the federal
8 bench?

9 Mike, I congratulate you, I welcome you to the
10 company of Federal Judges. I have been a Federal Judge for 31
11 and a half years. It is the greatest lawyer's career in the
12 world, and I know you'll be very happy at it. And, I'll be
13 glad I'll be able to see a lot of you. Thank you.

14 THE COURT: Mike, would you please stand, and Dr.
15 Frances Baylson, would you please stand, and Todd, and Mira,
16 and Ariella. Mr. Kunz, would you read the commission.

17 CLERK: May it please the Court. George W. Bush,
18 President of the United States of America, who often shall see
19 these presence, reads, (inaudible) special trust and confidence
20 in the wisdom of rightness and learning of Michael M. Baylson
21 of Pennsylvania I have nominated (inaudible) consent of the
22 Senate to appoint him United States District Judge for the
23 Eastern District of Pennsylvania and to authorize and empower
24 him to execute and fulfill the duties of that office according
25 to the Constitution and Laws of the said United States, and to

1 have and to hold this same office with all the powers,
2 privileges, and (inaudible) for the same (inaudible) unto him
3 the said Michael M. Baylson (inaudible).

4 In testimony whereof, I have (inaudible) to be made
5 (inaudible) and the seal of the Department of Justice to be
6 hereunto affixed. (Inaudible) in the City of Washington this
7 19th day of June, in the year of our Lord, Two Thousand Two,
8 and the Independence of the United States of America 226.
9 Signed by the President, George W. Bush, John Ashcroft,
10 Attorney General.

11 THE COURT: Thank you. Would you all please rise.
12 Mr. Baylson, I will now administer to you the oath of office.
13 Raise your right hand. I, and state your name.

14 JUDGE BAYLSON: I, Michael M. Baylson, --

15 THE COURT: -- do solemnly swear or affirm --

16 JUDGE BAYLSON: -- do solemnly swear --

17 THE COURT: -- that I will administer justice, --

18 JUDGE BAYLSON: -- that I will administer justice, --

19 THE COURT: -- without respect to persons, --

20 JUDGE BAYLSON: -- without respect to persons, --

21 THE COURT: -- and do equal right to the poor --

22 JUDGE BAYLSON: -- and do equal right to the poor --

23 THE COURT: -- and to the rich, --

24 JUDGE BAYLSON: -- and to the rich, --

25 THE COURT: -- and I will faithfully and

1 impartially --

2 JUDGE BAYLSON: -- and I will faithfully and
3 impartially --

4 THE COURT: -- discharge and perform all the
5 duties --

6 JUDGE BAYLSON: -- discharge and perform all of the
7 duties --

8 THE COURT: -- incumbent upon me --

9 JUDGE BAYLSON: -- incumbent upon me --

10 THE COURT: -- as United States District Judge --

11 JUDGE BAYLSON: -- as United States District Judge --

12 THE COURT: -- under the Constitution and laws of the
13 United States, --

14 JUDGE BAYLSON: -- under the Constitution and laws of
15 the United States, --

16 THE COURT: -- and that I will support --

17 JUDGE BAYLSON: -- and I will support --

18 THE COURT: -- and defend --

19 JUDGE BAYLSON: -- and defend --

20 THE COURT: -- the Constitution of the United
21 States --

22 JUDGE BAYLSON: -- the Constitution of the United
23 States --

24 THE COURT: -- against all enemies --

25 JUDGE BAYLSON: -- against all enemies --

1 THE COURT: -- foreign and domestic, --

2 JUDGE BAYLSON: -- foreign and domestic, --

3 THE COURT: -- that I will bear true faith and
4 allegiance --

5 JUDGE BAYLSON: -- that I will bear true faith and
6 allegiance --

7 THE COURT: -- to the same, --

8 JUDGE BAYLSON: -- to the same, --

9 THE COURT: -- that I take this obligation freely, --

10 JUDGE BAYLSON: -- that I take this obligation
11 freely, --

12 THE COURT: -- without any mental reservation --

13 JUDGE BAYLSON: -- without any mental reservation --

14 THE COURT: -- or purpose of evasion, --

15 JUDGE BAYLSON: -- or purpose of evasion, --

16 THE COURT: -- and that I will well --

17 JUDGE BAYLSON: -- that I will well --

18 THE COURT: -- and faithfully --

19 JUDGE BAYLSON: -- and faithfully --

20 THE COURT: -- discharge the duties of the office --

21 JUDGE BAYLSON: -- discharge the duties of the
22 office --

23 THE COURT: -- on which I'm about to enter, --

24 JUDGE BAYLSON: -- on which I'm about to enter, --

25 THE COURT: -- so help me God.

1 JUDGE BAYLSON: -- so help me God.

2 THE COURT: Thank you. Mr. Kunz, would you escort
3 the 83rd Judge of our court to the bench. Thank you. You may
4 be seated. There are several Judges who have something to say,
5 and I will now call upon Judge DuBois.

6 JUDGE DUBOIS: Michael, we have all heard a great
7 deal about the life of Michael Baylson in all of its varied
8 aspects. But, Mike, I can quickly add that you can breath a
9 sigh of relief. I'm not going to regale this distinguished
10 audience with the things I have learned about you in the more
11 than 30 years we have known one another.

12 What I am going to do is share with you what the
13 noted philosopher and teacher, Maimonides, said about the
14 qualities of a good Judge. This is what Maimonides said about
15 a Judge's qualifications. He said a Judge must have wisdom, a
16 Judge must have humility, a Judge must have fear of God -- and
17 I can safely say that, because we're not sitting in the Ninth
18 Circuit -- a Judge must have disdain of gain, a Judge must have
19 love of truth, a Judge must have love of his fellow man -- and
20 I'm going to add a postscript to what Maimonides said and I
21 will add fellow woman -- and, lastly, a Judge must have a good
22 reputation.

23 I can say with some confidence, having known you for
24 so many years, that I believe you will make the kind of Judge
25 Maimonides so appropriately described. And, I welcome you,

1 Michael, and you, Frances, and your family to our judicial
2 family and look forward to serving with you, Michael, on this
3 bench for many, many years to come.

4 JUDGE BAYLSON: Thank you.

5 THE COURT: Judge Waldman.

6 JUDGE WALDMAN: Thank you, Chief. I just want to
7 take a second and also personally welcome Mike. It is my
8 understanding, Bud, that Maimonides' nomination is still
9 pending in the Judiciary Committee. But, I think his words
10 are, nonetheless, wise and worth noting.

11 Mike, you don't realize what an enormous tribute it
12 is to you that, on a Friday afternoon in July, instead of being
13 on Route 42 heading for the ocean and the beach, we are all
14 here, and it is with a genuine and sincere regard and warmth
15 for you.

16 Now, I need you on this court also, Mike, because you
17 are a graduate of Penn, and we need your help against these
18 Yalees, let me tell you. They're all around. Look to your
19 right, look to your left. I think, with your addition, we are
20 now just barely back in the (indiscernible), so I am certainly
21 grateful for that.

22 I was also very appreciative and relieved by the
23 remarks of Sen. Specter that this Court had been selected
24 through merit selection. I had been earlier misinformed by
25 some people that politics might have been a factor. But, it --

1 in the case of Michael, it truly is a merit appointment.

2 Mr. Rotko referred to Michael's tenure as U.S.
3 Attorney when -- in a somewhat unusual fashion, Michael would
4 be hands on. He tried cases. I know that, because he tried
5 one of them in front of me, a prominent case that got quite a
6 bit of publicity involving the murder of a federal witness.

7 I think, at the time, actually it might have been the
8 first death penalty case brought in many, many years in this
9 district. And, Michael did a great job and justice was done,
10 thanks to Michael, and thanks to the sentencing Judge as well.

11 But, Michael, it really is a personal as well as a
12 professional joy to have you here, and I just wanted to welcome
13 you.

14 JUDGE BAYLSON: Thank you.

15 THE COURT: Those remarks well sum up the sentiment
16 of our court. And, now we'll hear from Judge Baylson.

17 JUDGE BAYLSON: Thank you, Chief Judge Giles, and
18 thank you for -- everyone for being here this afternoon, when
19 many other activities beckon on a gorgeous Friday in the middle
20 of summer.

21 Although I want to thank hundreds of people for their
22 kindness and encouragement and over a very long career --
23 already long career, I have one person to thank most of all for
24 helping me through life and helping me to be the person I am,
25 and that is my wife, Frances. I have one person to thank most

1 of all for my being right here and right now to embark on a new
2 career, and that person is Sen. Specter.

3 I only regret that my beloved parents, Edna and
4 Herbert Baylson, died before today's events. They were present
5 when I was sworn in as United States Attorney in 1988, and I
6 was privileged to share their pride on that day.

7 I just want to say a few other words about my wife,
8 Frances, because she means so much to me and her support has
9 been so wonderful. She is the paradigm of the modern woman.
10 She is, most of all, a wonderful wife and mother, and we are so
11 proud of our three children, Todd, Ariella, and Mira.

12 Frances, as many of you know, also has a very
13 significant professional life. She is a caring physician for
14 whom her patients are number one. But, she has also personally
15 accomplished many advances in her exciting field of
16 reproductive endocrinology. I would like to tell you more
17 about it, but I just never got it straight.

18 And, as busy as she is with patients, she continues
19 to speak and write on significant issues of women's health and
20 is devoted to advancing health care for women. I often wonder
21 how she gets it all done, along with swimming her laps every
22 day. But, she has tireless energy, and just sitting her must
23 be very hard for her. But, she is for me standing large and
24 tall. So, thank you.

25 Sen. Specter has, for the most part, but only for the

1 most part, accurately described our relationship, and it's true
2 that it goes back to December 1965. As a matter of fact, the
3 only time I've been more nervous than today was the day he was
4 going to interview me for a job in his office in the PSFS
5 Building where it said Specter & Katz on the front door.

6 But, as Mike Rotko said, I did get the job, and I was
7 very excited, but kept my mouth shut when we went down that
8 elevator in the Dewey Building. But, those are the events that
9 stand out in your life forever.

10 What many people don't realize is that Sen. Specter
11 is not only an outstanding public servant and a great
12 representative of the people of Pennsylvania, he is absolutely
13 a top notch lawyer. And, when we were in the D.A.'s office, he
14 had the highest standards of quality, and that's what got me on
15 the quality kick and something that I tried to carry forward at
16 Duane, Morris in whatever I did. And, I will to try to do my
17 best on that as a District Court Judge.

18 And, Sen. Specter -- his public service goes way
19 back. And, sometimes, unfortunately, he's only known for what
20 happened in the last half hour. But, some of us remember that,
21 over many, many decades, he's made a real mark on public life
22 in this country, and in this state, and in this city. And, I
23 very much appreciate his friendship to me and to Frances and
24 our whole family. And, as long as I keep the grass cut, we
25 will be good neighbors.

1 All of the speakers here today represent and
2 important part of my life, and I very much appreciate your
3 taking time to be here today. And, just let me say a few
4 words, because each of them is distinguished in a very
5 meaningful way.

6 Bill Barr is one of the great Attorney Generals of
7 the United States. He was creative in ways that no other
8 Attorney General before him had been in clamping down on
9 violent crime and on drug gangs and having the perception to
10 see what federal prosecutors could do.

11 He also led the charge against financial institution
12 fraud which had mushroomed in the early 1990s. And, the growth
13 of the U.S. Attorney's Office, while I was U.S. Attorney, was
14 due to Bill Barr's confidence that this office -- and it is a
15 great office and has been and will continue to be -- could get
16 the job done, and we tried our best.

17 Mike Rotko has been a friend for many years. When I
18 was in the D.A.'s office, Rotko would boss me around without
19 any forgiveness whatsoever. And, I was fortunate to have him
20 return to public service in the U.S. Attorney's Office. And,
21 he excelled in that job and later succeeded me as U.S. Attorney
22 and was outstanding.

23 Sheldon Bonovitz has been a tremendous leader of
24 Duane, Morris. I only speak in superlatives about Duane,
25 Morris, which I truly hesitated to leave, even as this

1 appointment got closer. It's a group of lawyers dedicated not
2 only to helping clients, but helping each other, both
3 professionally and personally. I was privileged to be there as
4 we grew and prospered.

5 Shelly was an outstanding tax lawyer for many years
6 and the business advisor to many clients. Shelly calculates
7 logarithms in his head quicker than most of us can add two plus
8 two, and he has been a tremendous leader of the firm. His
9 vision for the firm and his unending work have resulted in
10 tremendous growth, both in terms of numbers and in reputation.

11 The Trial Department, second to none in its quality,
12 industry, and service. And, I hope my many colleagues there --
13 and many of them are here today -- will stop by and say hello
14 and not forget me, because I won't be handling any Duane,
15 Morris cases for quite a few years.

16 Mike Harle and Gaudenzia have meant a lot to me, and
17 I have watched the growth of that organization, and I'm very,
18 very proud of my work there. Some of it was as their counsel,
19 but a lot of it was pro bono, and it really exemplified the
20 opportunities that lawyers have to use their legal ability in
21 helping society.

22 And, Gaudenzia has been a great success story, not
23 just for me, but for the many, many young lawyers who
24 participated in that. Mike Rotko was the Chairman of the Board
25 for many years, and we -- it was a great time.

1 Judge Rendell is a tremendous role model for the
2 women at Duane, Morris, in our city, and throughout the nation.
3 She put up with me for eight years in car pooling, and I only
4 hope I don't get reversed too often for the things I said in
5 the car.

6 And, Judge Becker, as the Chief Judge, he had the
7 last word. He is a real role model and the closest I know to
8 the proverbial Renaissance Man. You should all know that this
9 year Judge Becker is being awarded the Devitt Award, which is
10 the leading award for jurisprudence in the United States of
11 America, and nobody could deserve it more than he can. He's
12 already ruled against me many times, but we're still friends.

13 As you heard, I like opera, and The Magic Flute is
14 one of my favorites. Its story of Tamino and Papageno going
15 through trials to find wisdom is a metaphor for life, and it's
16 something that I'm sure I will experience as I read briefs and
17 listen to arguments on the District Court trying to find the
18 right answer. I'll do my best.

19 I've been very lucky and challenged. But, the
20 responsibilities I take on today are the hardest. Thank you
21 all very much for coming.

22 THE COURT: We welcome you, Mike, and we welcome the
23 Baylson Family to this judicial family. Mr. Kunz?

24 CLERK: Thank you, Judge Giles. Ladies and
25 gentlemen, Judge and Mrs. Baylson, the court would invite all

1 in attendance to a reception (inaudible). Thank you all. All
2 rise, please. Court is adjourned.
3
4

5 * * * * *
6
7

8 C E R T I F I C A T I O N
9

10
11 I, Frances L. Maristch, certify that the foregoing is a
12 correct transcript from the record of proceedings in the above-
13 entitled matter.
14

15
16 _____
17 DATE

18 _____
19 FRANCES L. MARISTCH
20
21
22
23
24
25



**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
PENNSYLVANIA**

Special Session of the Court

for the

Presentation of the Portrait

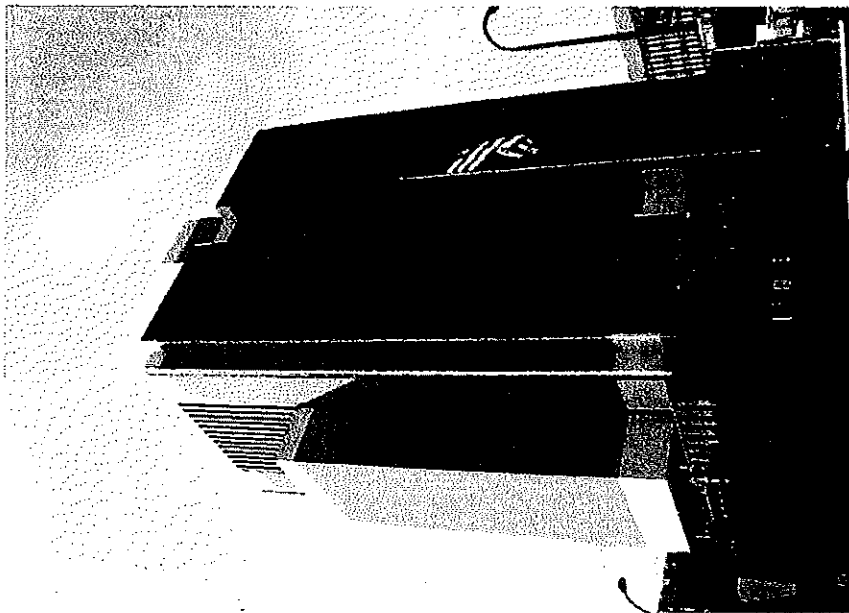
of the

Honorable Michael M. Baylson

*Friday, the fifteenth of April
Two Thousand Sixteen
Four in the afternoon*

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

Equal Justice Under Law



Justice

The Guardian of Liberty

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Judges of the United States District Court

Honorable Petrese B. Tucker, Chief Judge

Senior Judges

Honorable J. William Ditter, Jr.
Honorable Norma L. Shapiro
Honorable Thomas N. O'Neill, Jr.
Honorable Robert F. Kelly
Honorable Jan E. DuBois
Honorable Ronald L. Buckwalter
Honorable Harvey Bartle III
Honorable Stewart Dalzell

Honorable John R. Padova
Honorable J. Curtis Joyner
Honorable Eduardo C. Robreno
Honorable Anita B. Brody
Honorable Berle M. Schiller
Honorable R. Barclay Surrick
Honorable Michael M. Bayison

Judges

Honorable Legrome D. Davis
Honorable Cynthia M. Rufe
Honorable Timothy J. Savage
Honorable James Knoll Gardner
Honorable Gene E. K. Pratter
Honorable Lawrence F. Stengel
Honorable Paul S. Diamond
Honorable Juan R. Sanchez
Honorable Joel H. Slomsky
Honorable C. Darnell Jones II

Honorable Mitchell S. Goldberg
Honorable Nitza I. Quifones Alejandro
Honorable L. Felipe Restrepo
Honorable Jeffrey L. Schmehl
Honorable Gerald A. McHugh
Honorable Edward G. Smith
Honorable Wendy Beeststone
Honorable Mark A. Kearney
Honorable Gerald J. Pappert
Honorable Joseph F. Leeson, Jr.

Clerk of Court

Michael E. Kunz



Honorable Michael M. Baylson

HONORABLE MICHAEL M. BAYLSON

Michael M. Baylson was appointed to the U.S. District Court for the Eastern District of Pennsylvania by President George W. Bush and took office on July 12, 2002. He was born in Philadelphia in 1939, and graduated from Cheltenham High School (1957), the Wharton School of Finance & Commerce (B.S. Econ., 1961) and the Law School (LL.B., 1964) of the University of Pennsylvania.

After clerking for Judge Joseph Sloane of the Philadelphia Court of Common Pleas, Judge Baylson began serving as an Assistant District Attorney under District Attorney Arlen Specter in January 1966, and became Chief of the Homicide Division in 1969. In January 1970, Judge Baylson joined Duane Morris and became a partner in 1974. He handled complex civil litigation, and tried numerous cases, specializing in class actions, antitrust and securities issues.

After serving as United States Attorney for the Eastern District of Pennsylvania from October 1988 through January 1993, Judge Baylson returned to Duane Morris and resumed an active law practice. He served as Chair of the Trial Department and as a member of the firm Executive Committee.

Judge Baylson was a founder, and later counsel, to Gaudenzia, Inc., the largest non-profit provider of drug, alcohol and mental health rehabilitation services in Pennsylvania.

He has served as a member of the Advisory Committee on Civil Rules of the Judicial Conference of the United States from 2005 - 2010, and currently serves on the Third Circuit Committee on Model Criminal Jury Instructions. He has also served as a moderator at the Aspen Institute Justice and Society program in Aspen, Colorado. As a member of the American Law Institute, Judge Baylson is an Adviser on the Restatement of copyright law, and is a frequent speaker at Continuing Legal Education programs.

Judge Baylson is currently an Adjunct Professor at the University of Pennsylvania Law School, where he conducts a seminar entitled "Commercial Litigation Strategy," which he developed and has taught since 2008. He has taught at the Temple University Beasley School of Law program at Tsinghua University in Beijing, China; and in Zanzibar, Tanzania he conducted a course in forensic evidence for a group of African lawyers through the International Law Institute, based in Kampala, Uganda.

He is married to Frances Ruth Batzer Baylson, M.D, M.B.E. They reside in the East Falls neighborhood of Philadelphia. Their children, Todd, Ariella and Mira, all reside in Philadelphia with their families.

PROGRAM

Welcome

HONORABLE PETRESE B. TUCKER
Chief Judge,
United States District Court
Eastern District of Pennsylvania

Remarks

HONORABLE MARJORIE O. RENDELL
Judge
United States Third Circuit Court of Appeals

SHANIN SPECTER, ESQUIRE
Kline & Specter, P.C.

KELLY D. ECKEL, ESQUIRE
SANDRA A. JESKIE, ESQUIRE
Duane Morris, LLP

MICHAEL J. ROTKO, ESQUIRE
Former United States Attorney

SARA ARONCHICK SOLOW, ESQUIRE
Domestic Policy Advisor to Hillary Clinton

JOHN BIDWELL
Astor Curator and Department Head-Printed Books and Bindings
The Morgan Library and Museum
New York City, NY

PROGRAM

KATYA HELD
Artist

MIRA BAYLSON, ESQUIRE
Drinker, Biddle & Reath, LLP

Portrait Unveiling
ZOE FRANCES GLAZER

IZAAK GRANT BAYLSON

LILLY MAE GLAZER

Response
HONORABLE MICHAEL M. BAYLSON

RECEPTION
Edward R. Becker Lobby

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>U. S. District Court Judges</u>	<u>Date of Appointment</u>
Francis Hopkinson	September 26, 1789
William Lewis	July 20, 1791
Richard Peters	April 11, 1792
Joseph Hopkinson	October 23, 1828
Archibald Randall	March 8, 1842
John K. Kane	June 16, 1846
John Cadwalader	April 26, 1858
William Butler	February 19, 1879
John B. McPherson	March 2, 1899
James B. Holland	April 19, 1904
J. Whitaker Thompson	July 16, 1912
Oliver B. Dickinson	April 28, 1914
Charles L. McKeenan	February 9, 1923
William H. Kirkpatrick	March 3, 1927
George A. Welsh	May 30, 1932
Albert Branson Maris	June 22, 1936
Harry E. Kalodner	July 6, 1938
Guy K. Bard	December 20, 1939
J. Cullen Ganey	June 19, 1940
James P. McGranery	August 7, 1946
Frederick V. Follmer	August 8, 1946
Thomas J. Clary	October 21, 1949
Allan K. Grim	October 21, 1949
John W. Lord, Jr.	May 20, 1954
Francis L. Van Dusen	August 1, 1955

<u>U. S. District Court Judges</u>	<u>Date of Appointment</u>
C. William Kraft, Jr.	August 12, 1955
Thomas C. Egan	August 25, 1957
Harold K. Wood	September 10, 1959
Joseph S. Lord, III	September 15, 1961
Abraham L. Freedman	September 22, 1961
Alfred L. Luongo	September 22, 1961
Ralph C. Body	April 4, 1962
A. Leon Higginbotham, Jr.	January 6, 1964
John Morgan Davis	January 7, 1964
John P. Fullam	August 11, 1966
Charles R. Weiner	June 14, 1967
Thomas A. Masterson	June 15, 1967
E. Mac Troutman	June 16, 1967
John B. Hannum	May 6, 1969
Edward R. Becker	October 14, 1970
Donald W. VanArtsdalen	October 15, 1970
Daniel H. Huyett, 3rd	October 15, 1970
J. William Ditter, Jr.	October 15, 1970
James H. Gorbey	December 21, 1970
Raymond J. Broderick	April 23, 1971
Clarence C. Newcomer	November 30, 1971
Clifford Scott Green	December 9, 1971
Louis C. Bechtle	March 7, 1972
Herbert A. Fogel	May 15, 1973
Joseph L. McGlynn, Jr.	March 8, 1974

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>U.S. District Court Judges</u>	<u>Date of Appointment</u>
Edward N. Cabn	December 20, 1974
Louis H. Pollak	July 12, 1978
Norma L. Shapiro	August 11, 1978
James T. Giles	November 27, 1979
Thomas N. O'Neill, Jr.	August 5, 1983
James McGirr Kelly	August 6, 1983
Marvin Katz	August 6, 1983
Anthony J. Scirica	September 18, 1984
Edmund V. Ludwig	October 17, 1985
Robert F. Kelly	June 26, 1987
Franklin S. Van Antwerpen	December 9, 1987
Robert S. Gawthrop, III	December 9, 1987
Lowell A. Reed, Jr.	April 20, 1988
Jan E. DuBois	July 27, 1988
Herbert J. Huiton	August 12, 1988
Jay C. Waldman	October 17, 1988
Ronald L. Buckwalter	March 12, 1990
William H. Yohn, Jr.	September 16, 1991
Harvey Bartle, III	September 16, 1991
Stewart Dalzell	September 16, 1991
John R. Padova	March 18, 1992
J. Curtis Joyner	April 13, 1992
Eduardo C. Robreno	June 30, 1992
Anita B. Brody	October 2, 1992
Marjorie O. Rendell	February 11, 1994
Bruce W. Kaufman	November 12, 1997

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>U.S. District Court Judges</u>	<u>Date of Appointment</u>
Mary A. McLaughlin	May 31, 2000
Petrese B. Tucker	June 1, 2000
Berle M. Schiller	June 2, 2000
R. Barclay Surrick	June 5, 2000
Legrome D. Davis	April 23, 2002
Cynthia M. Rufe	May 3, 2002
Michael M. Baylson	June 19, 2002
Timothy J. Savage	August 1, 2002
James Knoll Gardner	October 3, 2002
Gene E. K. Pratter	June 16, 2004
Lawrence F. Stengel	June 21, 2004
Paul S. Diamond	June 22, 2004
Juan R. Sánchez	June 24, 2004
Thomas M. Golden	June 13, 2006
Joel H. Slomsky	October 8, 2008
C. Darnell Jones II	October 31, 2008
Mitchell S. Goldberg	November 13, 2008
Nitza I. Quiñones Alejandro	June 19, 2013
L. Felipe Restrepo	June 19, 2013
Jeffrey L. Schmehl	June 27, 2013
Gerald A. McHugh	March 28, 2014
Edward G. Smith	March 31, 2014
Wendy Beetlestone	November 21, 2014
Mark A. Kearney	December 4, 2014
Gerald J. Pappert	December 4, 2014
Joseph F. Leeson, Jr.	December 5, 2014

ARTIST



Katya Held, an accomplished professional artist for 18 years, a graduate and an art instructor at one of the world's premier realist art schools, Studio Incamminati, founded by Nelson Shanks in Philadelphia, PA, received her MFA from St. Petersburg State Academy of Art and Industry, named after Alexander von Stieglitz, in Russia.

Katya has had her artwork exhibited worldwide in preeminent galleries and museums, including the Philadelphia Museum of Art, Steglitz Museum and Central Exhibition Hall in St. Petersburg, Russia, National Arts Club in New York, S.R. Brennan Fire Art in Santa Fe, NM, Freeman's and Newman Galleries in Philadelphia, Maurice Sternberg Gallery in Chicago and many others.

Katya's paintings are displayed in numerous private collections and corporate headquarters throughout the world, including Sunoco and ARC Wheeler Group, which commissioned her work for their collections.

Held finds meaning and beauty by carefully studying the observable world around us. Her work encompasses a wide variety of subjects: portraits and figures, city scenes and rural landscapes of foreign lands, still life and floral compositions. Katya maintains her studios in Philadelphia and St. Petersburg.

For more information about the artist, please go to her website: www.katyaheld.com

LAW CLERKS TO THE HONORABLE MICHAEL M. BAYLSON

Jason Casell	2002-2003	Alyssa Saunders	2010-2011
Helen Mountain	2002-2003	Amy Laura Cain	2010-2011
Fred Bicknese	2002-2003	Todd Hutchinson	2010-2011
Colleen Shanahan	2003-2004	Amelia Medina	2011-2012
Matthew Ryan	2003-2004	Katherine Burdick	2011-2012
Jeff Pollack	2003-2004	Josh Sussman	2011-2012
David Degnan	2004-2005	Matt Jasilli	2012-2013
Mary Beth S. John	2004-2005	Michael Cornett	2012-2013
Katherine Caldwell	2004-2005	Sara Aronchick Solow	2012-2013
Kelly Diffity	2005-2006	Julie Foster	2013-2014
Richard Scott	2005-2006	Christopher Berg	2013-2014
Chris Leahy	2005-2006	Caitlin McCusker	2013-2014
Maura Caffrey Smith	2006-2007	Carol Trewey	2014-2015
Amalia Jorns	2006-2007	Jared Thompson	2014-2015
Marc Shapp	2006-2007	Adam Schupack	2014-2015
Dana Bazelon	2007-2008	Stephen Henrick	2015-2016
Clare Pozos	2007-2008	Ilana Cohen	2015-2016
Kathy Stroker	2007-2008	Selby Brown	2015-2016
Lauren Moore	2008-2009	Cecily Harris	2016-2017
Shelley de Alth	2008-2009	Sarah Kuliik	2016-2017
Tony Sacchitano	2008-2009	Jessica Rogers	2016-2017
James Petkun	2009-2010	Christina Matthias	2017-2018
Erica Lai	2009-2010	Julia Schlozman	2017-2018
Phillip Mariani	2009-2010	Garrett Schuman	2017-2018

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

SPECIAL SESSION OF
THE COURT

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) Philadelphia, PA
) April 15, 2016
) 4:03 p.m.

TRANSCRIPT OF SPECIAL SESSION OF THE COURT
FOR THE PRESENTATION OF THE PORTRAIT OF
HONORABLE MICHAEL M. BAYLSON
UNITED STATES DISTRICT JUDGE

APPEARANCES:

Welcome:

HONORABLE PETRESE B. TUCKER
CHIEF JUDGE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
16613 United States Courthouse
Independence Hall
Philadelphia, PA 19106

Remarks:

HONORABLE MARJORIE O. RENDELL
JUDGE
UNITED STATES THIRD CIRCUIT
COURT OF APPEALS
21613 United States Courthouse
601 Market Street
Philadelphia, PA 19106

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DUANE MORRIS, LLP
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Philadelphia, PA 19103

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FORMER UNITED STATES ATTORNEY
Unionville, PA

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DOMESTIC POLICY ADVISOR TO
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Philadelphia, PA

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ASTOR CURATOR AND DEPARTMENT HEAD
PRINTED BOOKS AND BINDINGS
THE MORGAN LIBRARY AND MUSEUM
225 Madison Avenue
New York City, NY 10016

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Philadelphia, PA

MIRA BAYLSON, ESQUIRE
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Portrait Unveiling:

ZOE FRANCES GLAZER

IZAAK GRANT BAYLSON

LILY MAE GLAZER

Response:

HONORABLE MICHAEL M. BAYLSON
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF PENNSYLVANIA
3810 United States Courthouse
601 Market Street
Philadelphia, PA 19106

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PROCEEDING

PAGE

Special Session of the Court

4

1 (Special Session of the Court commenced at 4:03 p.m.)

2 MICHAEL E. KUNZ: Oyez, oyez, oyez. All persons
3 having any matter to present before the Judges of the United
4 States District Court for the Eastern District of
5 Pennsylvania, may at present appear, and they shall be heard.

6 God save the United States of America and this
7 Honorable Court.

8 Court is now in session. Please be seated.

9 THE HONORABLE JUDGE TUCKER: Good afternoon, ladies
10 and gentlemen.

11 IN UNISON: Good afternoon.

12 THE HONORABLE JUDGE TUCKER: We are gathered here
13 today for a Special Session of the United States District
14 Court for the Eastern District of Pennsylvania for the joyous
15 occasion of the presentation of the portrait of our dear
16 friend and colleague, the Honorable Michael M. Baylson.

17 On behalf of the Court, I am happy to welcome all of
18 you here in attendance today. Long after a great judge leaves
19 the bench, his or her presence in the court is memorialized in
20 his or her written judicial opinions.

21 These opinions have a profound influence on future
22 judges, lawyers, and, indeed, sometimes the entire nation.

23 In the Eastern District, we additionally memorialize
24 these great jurists by commissioning a portrait in honor of
25 each of them.

1 Since the founding of the Historical Society in
2 1964, this makes the 35th time that the Society has
3 coordinated the presentation of a portrait for an Eastern
4 District Judge.

5 This handsome collections serves us as a bridge
6 between the large metropolitan court now, in its third
7 century, and the early days of this court and the country.

8 We are joined this afternoon by many distinguished
9 guests, as well as members of Judge Baylson's family.

10 We will first welcome his wife, Frances.

11 THE HONORABLE JUDGE TUCKER: Their son, Todd
12 Baylson, and his wife, Meg.

13 THE HONORABLE JUDGE TUCKER: Their daughter, Ariella
14 Glazer, and her husband, Matt.

15 THE HONORABLE JUDGE TUCKER: And, their daughter,
16 Mira Baylson, and her husband, Hal Morra.

17 THE HONORABLE JUDGE TUCKER: And, we can't forget
18 the grandchildren, Zoe, Izaak, and Lily.

19 THE HONORABLE JUDGE TUCKER: Before I continue, I
20 would like to recognize some of our other distinguished
21 guests. We have many people here from the Third Circuit Court
22 of Appeals.

23 We have: Chief Judge McKee; Judge Sloviter; Dolores
24 Sloviter; Judge Anthony Scirica; and Judge Marjorie Rendell,
25 who is going to be our speaker; as well as Cheryl Ann Krause;

1 and our newest Court of Appeals judge, Felipe Restrepo.

2 THE HONORABLE JUDGE TUCKER: We have a visitor from
3 across the water, Judge Anne Thompson.

4 THE HONORABLE JUDGE TUCKER: As well as former
5 judges, Bill Yohn and James Giles.

6 THE HONORABLE JUDGE TUCKER: We have the magistrate
7 judges. We have Chief Linda Caracappa and her colleagues here
8 to my left, as well as the Honorable Eric Frank, Chief
9 Bankruptcy Judge.

10 Mr. Zane Memeger, the U.S. Attorney for the Eastern
11 District of Pennsylvania and his colleagues.

12 David Webb, the U.S. Marshal for the Eastern
13 District of Pennsylvania.

14 And, Leigh Skipper, the Chief Federal Defender.

15 THE HONORABLE JUDGE TUCKER: Judge Baylson was a
16 distinguished and well-known Philadelphia trial lawyer when he
17 was appointed to the bench in 2002 by President George W.
18 Bush.

19 A native Philadelphian, Judge Baylson is a graduate
20 of both the Wharton School of Finance and Commerce and the Law
21 School of the University of Pennsylvania.

22 After graduation, Judge Baylson had a clerkship with
23 the Philadelphia Court of Common Pleas. This was followed by
24 service as an Assistant District Attorney under then-District
25 Attorney Specter, and he became Chief of the Office's Homicide

1 Division.

2 In 1970, he joined the Philadelphia law firm of
3 Duane Morris where he became a partner in 1974.

4 At Duane Morris, he handled complex civil litigation
5 and tried numerous cases with focuses on class actions and
6 antitrust and securities litigation.

7 Judge Baylson was appointed U.S. Attorney for the
8 Eastern District of Pennsylvania in 1988.

9 He continued to hold that position until 1993.

10 At that time, he returned to Duane Morris, and he
11 became Chief of the Trial Department and a member of the
12 firm's Executive Committee.

13 Since his appointment as a judge in 2002, Judge
14 Baylson has garnered both the respect of the bench and the bar
15 for his ability, integrity, and demeanor as a judge.

16 In addition to trying cases, he has served for five
17 years as a member of the Judicial Conference Advisory
18 Committee on Civil Rules, and he currently serves on a number
19 of this Court's committees.

20 Before proceeding, I'd like to read to all of you a
21 brief letter from Justice Samuel Alito dated February 16th.

22 "Dear Mike,

23 "Congratulations on having your portrait hung in the
24 courthouse in Philadelphia.

25 "Unfortunately, on the day of your hanging, we have

1 one of our weekly conferences that I must attend.

2 "Martha-Ann and I wish we could be there, but we
3 need to stick close to Washington. The day will be cause for
4 celebration with your family, and we are sorry to have missed
5 it.

6 "I hope we will be able to see the portrait at
7 another time, and I thank you for the invitation."

8 Now, we'll move on to our speakers, who I understand
9 have been told that they have five minutes each.

10 I don't have a hook, but I have a cane.

11 So, Judge Rendell, you're first up.

12 THE HONORABLE JUDGE RENDELL: May I please the
13 Court, Chief Judge Tucker, I hope not to be the first victim
14 of that cane. I'll do what I can.

15 I think Mike asked me to speak because I may have
16 known him the longest of all his judicial colleagues. We've
17 known each other for 45 years. A little more than that.

18 We actually went to kindergarten together. That's a
19 laugh-line. We're a little older than that.

20 No, actually, we met when Mike was in the DA's
21 office with Ed in the late '60s.

22 So, when I transferred to Villanova Law School in
23 1971, and I interviewed with Duane Morris, Mike was a familiar
24 face there.

25 Based largely on his assessment of the firm, I

1 accepted a summer law clerk position at Duane, and the rest is
2 history.

3 I remained at Duane for 21 years before coming to
4 the District Court.

5 And, as a tribute to Mike and to the firm, that he
6 returned there after his stint as U.S. Attorney was over in
7 1993.

8 While at Duane Morris, Mike and I carpoled from
9 East Falls together.

10 You really get to know someone when you carpool with
11 them. Especially Mike's car.

12 I was searching for a way to describe Mike, and I
13 came up with this thought. What you see is what you get.

14 Carpooling, yes, we would usually go in Mike's car.
15 An ancient red station wagon whose interior ambiance, a big
16 mess, was only outdone by the splendor of its exterior, ready
17 for the wrecking ball.

18 When Mike would emerge from the car with tie askew,
19 jacket ruffled, brown bag, and tattered briefcase in hand, you
20 knew they, Mike and the car, were meant for each other.

21 He said to keep it light.

22 His daily attire was only outdone by his golf outfit
23 and golf swing, on those few occasions at Buckhill Falls when
24 Mike attempted the game, and I do mean "attempt," in Gumby-
25 like fashion.

1 Mike's manner as lawyer and colleague also fits the,
2 "what you see is what you get" mold.

3 Mike can be either serious or light-hearted. He
4 will go from intense scrutiny and inquiry into a broad smile
5 and laughter quite easily.

6 There is little in between.

7 He will seek out your counsel, and unlike some
8 people, really want to know what you think. He enjoys
9 examining all sides of an issue. He can seem brusque at times
10 because of all those thoughts that are invading his brain.

11 He's anything but shy and retiring, as we learned
12 several years ago when he was unimpressed with the way the
13 Executive Branch was processing citizenship applications of
14 licensed residents awaiting their lengthy security clearance.

15 Mike wrote in Mocanu v. Mueller that the process was
16 not intended to be, and I quote, "torturous, expensive,
17 mystifying, and delayed, but it is."

18 He wrote that the FBI name-check process was causing
19 a, quote, "small-scale litigation epidemic similar to a sudden
20 bout with the measles, and in my opinion, just as readily
21 curable," end-quote.

22 As a District Court judge now for 14 years, Mike has
23 been described by lawyers in the Almanac of Federal Judiciary
24 as "bright," "fine," "sharp," "quite sharp," "his legal
25 ability is excellent," "superb," "pragmatic," "scholarly,"

1 "erudite," "wonderful demeanor," "perfect demeanor."

2 He's direct. You know where he stands. And, since
3 I had the pleasure of grading his papers, as it were, I would
4 echo these sentiments. His work-product is always
5 comprehensive, scholarly, and very, very thoughtful.

6 Mike has sat by designation on the Court of Appeals
7 six times, which might be a record.

8 This additional duty is voluntary, and I have
9 enjoyed being on a panel with Mike for one such sitting where
10 he penned six opinions for our Court, including two
11 precedential opinions.

12 Mike seizes his work and loves it. He's issued
13 1,415 rulings in his time on the District Court, several of
14 which have been cited hundreds of times.

15 He fancies himself as a lover of the arts. He and
16 Frances regularly attend the opera in New York, and he enjoys
17 making historical and literary allusions in his judicial work,
18 including references to de Tocqueville, the trial of William
19 Penn, and once likening a plaintiff in a case to the hero in
20 Wagner's The Flying Dutchman.

21 But, Mike is at bottom a wonderful, genuine human
22 being, a mensch, as Melissa Maxman once noted.

23 He loves family, including in-laws, travel to exotic
24 places, where he and Frances can't resist buying real estate,
25 and he invites fortunate friends to come and visit and share

1 in the beauty of these places.

2 Yet, he's devoted time over the years to Guadenzia,
3 a nonprofit drug and alcohol rehabilitation facility, which he
4 helped to found.

5 I'm lucky to have gotten to know Frances, Ariella,
6 Mira, and Todd over the years. In fact, my daughter-in-law
7 planned both Ariella's and Mira's wedding, and we're happy to
8 be East Falls neighbors.

9 And, it's a tribute to Mike and Frances that two of
10 his three children and spouses live a stone's throw from them
11 in East Falls.

12 All of the Batzer-Baylson clan are caring, giving
13 people who make wonderful friends, and I value their
14 friendship greatly.

15 I could go on and tell you of my many trips to the
16 now-closed family clothing emporium, Golden Harry's, and the
17 way -- and the number of outfits that Mike's special aunt
18 forced me to take without accepting payment. But, I realize
19 that now that I left that off my application for the Federal
20 Judiciary, so I better not get into that.

21 But, instead, I will close by noting that the phrase
22 I have used as a descriptor of you, Mike, is particularly apt
23 today, given that we will see your portrait.

24 "What you see is what you get."

25 Congratulations and best wishes on this wonderful

1 occasion.

2 THE HONORABLE JUDGE BAYLSON: Thank you.

3 THE HONORABLE JUDGE TUCKER: Thank you, Judge
4 Rendell.

5 For those of you who are standing, there are seats
6 up front, if you want to move up and have a seat.

7 I would like to now call on attorney Shanin Specter
8 to speak with us.

9 MR. SPECTER: Thank you very much, Chief Judge
10 Tucker. May I please the Court.

11 I am deeply honored to speak to you today for 50 --
12 I mean five minutes.

13 I have been asked to summarize the 51-year
14 relationship between the Batzer, and Specter families in five
15 minutes, and I will do the best that I can.

16 Mike Baylson was hired by my father to work in the
17 DA's Office in January of 1966 when he was 27 years old, and
18 he was one of the first young Assistants to take upon himself
19 that task to help protect the City of Philadelphia.

20 But, Mike took that task, I think, bit too much to
21 heart, and was perhaps a bit too enthusiastic about his job.

22 And, that's because on one particular evening when
23 he was headed back to his home that he was sharing with Steve
24 Harmelin, who I see in the room today, in the 1500 Block of
25 Lombard Street, he was accosted by a crazy man wielding a

1 screwdriver who rushed at him and thrust the screwdriver at
2 his abdomen and demanded that Mike pay over 50-cents.

3 This, of course, being 1966.

4 And, Mike said to him, "You're under arrest," upon
5 which the assailant quickly fled.

6 That is taking your job too seriously.

7 Mike followed and took part in my father's career in
8 politics and had great interest for it. So much so that he
9 did something else that I think exhibited too much enthusiasm,
10 and that is that he volunteered to be the campaign treasurer
11 for my father's Senate campaign committee, in which he served
12 in that capacity from 1980 to 1988.

13 Now, being the treasurer of a U.S. Senator's
14 campaign committee ordinarily qualifies you and the senator
15 either for Federal Prison or for high Federal office.

16 And, -- or both.

17 And, perhaps, it was a factor in President Reagan's
18 mind when he nominated Mike to be the Federal Prosecutor for
19 this District, that he had kept my father out of Federal
20 Prison for those eight years.

21 And, Mike served with great distinction, as Her
22 Honor noted, in those five years.

23 Nine years later, of course, my father, again, made
24 a recommendation for Mike to serve on the Federal bench, where
25 he served with great distinction in the intervening 14 years,

1 as Judge Rendell has spoken about, but at that time in 2002,
2 my parents really felt that they hadn't gotten even close to
3 the Batzer-Baylsons, so they decided to move next door where
4 they shared a common boundary without incident for the next 12
5 years.

6 And, it's with great affection and pride and honor
7 that I thank Mike on behalf of our family for the many
8 kindnesses that he and Frances showed to my parents' during my
9 dad's last days and to my mother during her first days alone.

10 One more personal comment, if I may, if I haven't
11 already convinced you about the closeness between the Specter
12 family and the Batzer-Baylson family, let me offer to you this
13 observation.

14 Many of you may know that Frances is a specialist in
15 assisting couples who want to have children, and Tracey and I
16 wish to thank her for the presence of Sylvia Specter, Perry
17 Specter, and Lily Specter.

18 So, it is with greatest pleasure that I offer these
19 few words of commentary on the great and wonderful personal
20 and professional life of Mike Baylson.

21 And, Your Honor, I yield back the balance of my
22 time.

23 THE HONORABLE JUDGE TUCKER: Thank you, Mr. Specter.

24 THE HONORABLE JUDGE TUCKER: Representing Judge
25 Baylson's former law firm, Duane Morris, I now call on a duo,

1 Kelly Eckel, and Sandra Jeskie.

2 MS. ECKEL: Thank you, Judge Tucker. May it please
3 the Court.

4 Sandy, I am so glad Mike asked us to come and
5 prepare for this occasion because I don't think I could do it
6 in front of everybody for the first time, so let's talk about
7 what we might want to say about Mike for his portrait
8 presentation.

9 I was kind of thinking we would do a take-off of
10 James Joyce's first novel, Portrait of the Artist as a Young
11 Man, and I was kind of searching the Internet.

12 And, I found this. This looks to be James Joyce.

13 It says, "Portrait of the Artist as a Young Man,"
14 and I thought, "Wow, what a striking resemblance," because we
15 can do "Portrait of the Jurist as a Young Man."

16 And, what we could do to kind of illustrate the
17 portrait of the jurist, we could tell everybody about just a
18 few of Mike's most endearing character traits that should be
19 captured in this version of the portrait.

20 For example, Mike is the true mentor. One of the
21 greatest things about working with Mike, I think, was the
22 degree of confidence that he had in us.

23 We were only second-year associates, and we were
24 arguing motions for summary judgment in District Court for the
25 Virgin Islands in shorts in a multi-million dollar dispute

1 between a Finnish bank and a hotel management company.

2 Oh my God, there were so many stories, it would take
3 far too long, but I think the cherry on top was towards the
4 end.

5 We had been in St. Thomas for two weeks preparing
6 for trial. We were a nervous wreck. We didn't realize, for
7 example, that we needed to actually give the other side actual
8 exhibits instead of just the lists, but Mike's only concern
9 when he appeared, I think it was the day before trial, was,
10 "Where's my light pen?"

11 So, we have a light pen here.

12 That would be one.

13 MS. JESKIE: Well, one of my favorite stories is the
14 fact that Mike, as you all know, is the kind of multi-taskers.

15 He can accomplish many, many tasks at one time.

16 And, one of the things that he was able to do was he
17 could argue a motion anywhere doing anything else at the same
18 time.

19 And so, on the same multi-million dollar case in St.
20 Thomas that Kelly just referenced, Judge Baylson, Mike at the
21 time, asked the Court if he could telephonically appear to --
22 in the courtroom.

23 And, of course, we're talking about early '90s, mid-
24 '90s, back then, and so, the Court had to bring in a telephone
25 and have it put on the bench and had to have it connected so

1 that his voice coming through the speakerphone would resonate
2 through the courtroom.

3 And so, both Mike and counsel for Hyatt were there,
4 and in fact, we had a packed counsel table. And, Mike
5 presented his argument quite well, counsel presented their
6 argument, and at that point in time, the judge asked his law
7 clerk to come up to the bench so that they could confer about
8 rendering a decision.

9 And, that went on for several minutes, and all of a
10 sudden, we hear Mike's voice boom through the courtroom, "Your
11 Honor, I'm struggling to hear what you're saying. Could you
12 raise your voice, please?"

13 And with that, the courtroom erupted.

14 Of course, counsel for the other side started
15 objecting that Mr. Baylson had just heard everything that was
16 said, and of course, we all just smiled to ourselves.

17 MS. ECKEL: I think there are so many multi-tasking
18 stories, I have to add one.

19 I remember my first weeks of working at Duane
20 Morris, I worked pretty much exclusively for Mike, and I
21 always felt the need to tell him where I would be.

22 If I had an appointment, I would be having to leave
23 at 3 o'clock, and if I had to be working in a conference room,
24 I would tell him, "I'm going to be in Conference Room 41A.

25 After about the third time that I did this, he

1 interrupted me and said to me, "You don't need to tell me
2 these things all the time. One of the best things about the
3 legal profession is that you can work, you can do you work
4 from anywhere.

5 "You can work in a sauna."

6 He didn't really care.

7 Mike practiced what he preached, and although I'm
8 not sure he ever solved a client's problems in the sauna, I
9 was on many calls with opposing counsel when Mike would
10 participate by phone from the sidelines of his children's
11 sporting events, so much so that opposing counsel would ask,
12 and this is similar to Sandy's story about the phone, "Mike?
13 Mike? Are you at a game? I hear cheering in the background."

14 So, Mike is definitely the ultimate multi-tasker.

15 MS. JESKIE: And, Mike also always walked to the
16 beat of his own drum.

17 He also, for those of you who know him well, has a
18 great sweet tooth.

19 And, he had the good fortune back in the early '90s
20 to represent Whitman's Chocolate when they were being merged
21 with Russell Stover, and the Pennsylvania Attorney General had
22 brought -- sought to enjoin the companies of -- because of
23 antitrust laws, and the litigation ensued, and the trial team,
24 as part of this, the issues were, you know, what was the
25 market and who were the competitors.

1 And so, the trial team went out, and they purchased
2 candy and a lot of chocolate.

3 They went to the drug stores and the food stores and
4 the candy stores, and they acquired all this chocolate.

5 During the trial, it was moved into evidence. And,
6 there was a table next to counsel table with all of the
7 evidence, and I think probably towards the end of the trial,
8 temptation just became too great, and to the horror of his
9 colleagues, Mike was caught eating the evidence.

10 And, possible spoliation issues aside, I think never
11 ever became of that, but at the end of the trial, I know I
12 heard, rumor has it, that he met with his colleagues to
13 prepare for closing argument.

14 For breakfast, he arrives with no legal pad or
15 anything, and says, "Well, what issues do you think we should
16 raise today in the closing argument?"

17 A few comments were made, and Mike took a napkin
18 out, and scribbled a few notes on the napkin, and to the shock
19 of his partners, at the closing argument, he pulled out the
20 napkin and gave this very, very eloquent closing argument and,
21 of course, prevailed.

22 MS. ECKEL: I, too, have a "Mike marches to the beat
23 of his own drum," napkin-esque story.

24 I remember one case he had -- probably just before
25 leaving to go on the bench, he had a case with one of our

1 senior partners, cases before Judge Cohen in the Court of
2 Common Pleas. Mike and Nolan had a hearing, and they were
3 getting ready to go to that hearing.

4 And, Nolan came over to Lynn Meyer's, Mike's
5 secretary, desk. Nolan had a litigation bag in one arm,
6 another litigation bag in the other arm.

7 He's waiting, he's looking at his watch. They need
8 to be at the courthouse. Mike is on the phone in his office.

9 Mike completes his phone call, comes flying out of
10 his office, holding a yellow pad, and says, "I'm ready to go,"
11 and I'm sure he was because he was that good. So.

12 MS. JESKIE: And, I have one more story that I'd
13 like to share.

14 So, as a young associate starting off with the firm,
15 I was absolutely thrilled to work with Mike Baylson, the soon-
16 to-be Trial Department Chair, and we worked very closely
17 together.

18 And, it wasn't long before I heard the legend and
19 the stories about missing computers, laptops, damage to
20 laptops whenever they were in Mike's possession, and after
21 hearing Judge Rendell's remarks, I'm wondering if some of them
22 may be in the car.

23 And so, he calls me into his office one day, and he
24 says to me, "Sandy, I am no longer allowed to take laptops out
25 of the firm.

1 "I've been prohibited by our IT Department from
2 requesting them, so I need you to request them on my behalf,
3 and then give it to me."

4 So, this went on for many months, and we went
5 through this charade, and of course, as a young associate, I
6 was very nervous about what happen should anything happen to
7 the laptop, and we were on a business trip at one point, and
8 we happened to also be there with the IT Director.

9 And, we were at the baggage claim, and we were --
10 the three of us were chatting, Mike, the IT Director, and
11 myself, and Mike had apparently checked his luggage with the
12 laptop in the side pocket, and his luggage comes down onto the
13 luggage carousel, the laptop falls out onto the carousel,
14 itself, and now the laptop that has the little "Duane Morris"
15 tag is going by on the carousel while we're talking to the IT
16 Director.

17 And of course, I just had to plead the Fifth. I had
18 no idea how he could have possibly have gotten that laptop.

19 But, it's been a true pleasure and honor to have
20 worked with you all these years, Mike.

21 MS. ECKEL: Thank you.

22 THE HONORABLE JUDGE BAYLSON: Thank you.

23 THE HONORABLE JUDGE TUCKER: Thank you for your
24 remarks. I now call on former U.S. Attorney Michael Rotko, an
25 associate and friend of Judge Baylson.

1 MR. ROTKO: Thank you, Judge Tucker, and may I
2 please the Court, although perhaps not Judge Baylson.

3 I must first say that I have known -- I'll have to
4 say, "Mike," -- for 55 years.

5 Which is a long time in anyone's lifetime to have a
6 friend, so I'm deeply honored to be here.

7 I've known Fran since were both 14. Our families
8 were friends. I won't say how many years ago that was because
9 that would be a confidential matter.

10 Mike and I went to law school together at Penn. I
11 think he was a year behind me.

12 We both worked in a building only you older folk
13 will remember called the "Dewey Building." It was at 13th and
14 Market.

15 I think it's the Marriott now.

16 And, Mike worked for the defender, Herman Pollack,
17 and I worked for the late, I think great, Don Goldberg.

18 We applied for a job with Arlan to be in his group
19 of first ten assistants. You know, a new broom sweeps clean.

20 One day, we were coming down in the elevator
21 together, and I had been offered the job, and I didn't want to
22 tell him that because I didn't want him to feel bad.

23 We've all been in that situation, I think.

24 And, he didn't tell me that he had the job.

25 So, we both went our ways, and we later found out

1 that we were both offered the job, and of course, we both
2 accepted.

3 There was one little bump on the road.

4 A newspaper reporter was tracking down the politics
5 or the political party of all the first ten people, and I was,
6 I think, I can't even remember these things, an independent,
7 and Mike was a Democrat.

8 Well, what happened was the reporter calls his
9 father, and Mike wasn't there, and his father said, "Oh, he's
10 a Democrat, but he's going to change."

11 And, Mike called me and said, "Oh my God, this is
12 the end of my career.

13 And, he called Arlen and said, "I'm resigning my" --
14 "I'm going to resign my position because of that," and that's
15 somewhat ironic since Arlen, himself, had been a Democrat
16 until that year.

17 So, we went on from there.

18 You talk about Golden Harry's. Mike tried to use
19 that work as an excuse not to work on weekends at the
20 Roundhouse.

21 But, you know, family came first. And if, -- of
22 course, Mike is wearing a robe, and he's very well-dressed
23 today, but if you knew him over the years, as was stated
24 before, this is not always the case.

25 If you could imagine Mike Baylson giving you

1 clothing advice at a clothing store, I can no more imagine
2 that than my having Jack Kevorkian as my doctor. Not going to
3 happen.

4 In any event, when we went over many years, early in
5 our term there, Mike came to me in the library; we were then
6 in the fifth floor of City Hall, that's where the library was,
7 and he said, "I have a date with a girl from Swathmore."

8 Of course, firstly, I'm his friend, and my first
9 reaction was, "She must be some kind of an intellectual," you
10 know, well, she is.

11 And he said, "Look, could you do me a favor, I
12 can't" -- "I don't have any money. Can you lend me money for
13 dinner?"

14 This was so long ago that dinner was \$10, which
15 included tax and tip.

16 And, by the way, --

17 What are you thinking? You want me to compound
18 interest on it, too?

19 Anyway, it was -- it's lasted many years.

20 I remember one other clothing incident. Mike and
21 Fran had gone on a trip somewhere where they were driving.
22 They were driving back from the South somewhere, and there was
23 a major case that was going to be announced, and I was going
24 to do the press conference, and don't make any mistake, every
25 prosecutor wants to do the press conference.

1 It's not, like, something you want to be shy about.
2 I thought, "Good, I'm going to get to do this big
3 case."

4 No, here comes Mike rushing back, driving 80 miles-
5 an-hour in that junker, and he gets here, and he's wearing a
6 total resort outfit, and he says to me -- and, this is what I
7 have to give up, "Please, would you give me my" -- "Give me
8 your jacket?"

9 And, given his Golden Harry's experiences, this was
10 the nicest jacket he's worn -- well maybe I shouldn't say,
11 "ever," but it was a nice jacket.

12 And, he did the press conference, and, you know, he
13 was able to do it.

14 Anyway, it is a real honor for me to be here and to
15 speak in honor of Mike, and he's been a dear friend for many,
16 many years, and I really love him. Thank you.

17 THE HONORABLE JUDGE BAYLSON: Thank you.

18 MR. ROTKO: All right, I have used up all my time,
19 but I have one other thing.

20 Mike and Fran do have an opera series, as does my
21 wife and I, although we like Verde, Puccini, people like that.

22 He likes operas that are seen once and never
23 performed again. So, now that I'm retired, I can give a judge
24 a gift.

25 This is a tie from the Metropolitan Opera, and it's

1 Verdi.

2 THE HONORABLE JUDGE BAYLSON: Thank you very much.

3 THE HONORABLE JUDGE TUCKER: Thank you very much.

4 THE HONORABLE JUDGE BAYLSON: This will go on my
5 disclosure statement.

6 MR. ROTKO: It's not worth that much.

7 THE HONORABLE JUDGE TUCKER: I now call on Sara
8 Aronchick Solow to speak. I believe she's a former law clerk
9 to Judge Baylson.

10 MS. ARONCHICK SOLOW: Thank you, Chief Judge, and
11 may I please the Court.

12 I am Sara Aronchick Solow, I clerked for Judge
13 Baylson a couple of years ago. I also clerked for Judge
14 Scirica, and so, spent two great years in this courthouse,
15 went on to clerk for Justice Breyer, practiced law, and now I
16 am back and I am so honored to follow all these other
17 wonderful speakers, and to be here with all of you.

18 So, I represent -- I'm here on behalf of a large
19 group of law clerks who have had the fortune to clerk for
20 Judge Baylson.

21 And, to have had him for a mentor for all the years
22 after our clerkship. We really do cherish those days. I tell
23 my family, my brother's clerking now in this courthouse, that
24 this -- clerking here is really the two best years -- two of
25 the best years of my life.

1 So, thinking on -- about what I would say today,
2 when you clerk for the judge, you learn quickly of his passion
3 for the opera, which we've heard of so far today, and the
4 meaning that he finds in this great art form, and his opinions
5 are filled with operatic references.

6 The years that I clerked for him, I think we were
7 able to work it into an opinion about BitTorrent copyright
8 infringement. We got opera in that one.

9 A case about adult pornography. Definitely got
10 opera in that one.

11 And, several others.

12 And so, I thought that we could look to the opera to
13 paint a sketch of Judge Baylson's life over the years, so a
14 couple of opera references.

15 So, Judge Baylson came to Philadelphia young and
16 idealistic in search of love and always standing up for his
17 principles.

18 And, this is like Cavaradossi -- okay, I'm going to
19 pause.

20 I actually have no idea who any of these opera
21 characters are, but I consulted some opera experts to get
22 references, so.

23 So, this is like the character Cavaradossi in Tosca,
24 the idealistic painter who was madly in love and who strongly
25 defended his political allies, even in the face of death.

1 Judge Baylson lived simply. Sometimes like a
2 hippie.

3 He preferred camping to fancy hotels, campfires to
4 restaurants, and with a passion for life.

5 So, in some ways, this is like the bohemian poet,
6 Rudolpho, in La Bohème.

7 Years later, we see Judge Baylson the law enforcer,
8 perhaps a kinder version of Scarpia, the Chief of Police in
9 Tosca.

10 Or, maybe he was more like the softie, Don José, who
11 let Carmen out of jail with a hug and a kiss.

12 Now, we get to our more recent years where we see
13 the judge evolve into another operatic role, the wise,
14 worldly, deep-thinking, philosophical figure of Wotan from The
15 Ring Cycle, carrying all of the world's sorrow and attempting
16 to bring justice and meaning to our existence.

17 Now, for those of you who know The Ring Cycle, you
18 also know that Wotan was also called, "The Wanderer."

19 He would show up in unlikely places, often in
20 disguise, and not wanting to be treated in any special way,
21 but preferring to blend in with the regular folk.

22 So, many of us who clerked for Judge Baylson would
23 often see him navigating the streets of Philadelphia by
24 himself, buying his own cups of coffee or his newspapers,
25 living simply and without pretense.

1 However, he does not quite reach Wotan's powers
2 because also the year that I clerked for him, he had a leg
3 injury, and so he would also be seen rolling around
4 Philadelphia on a small scooter getting from place to place.

5 So, I polled some of the law clerks so that I could
6 collect memories and thoughts about Judge Baylson, and there
7 were a few themes that emerged and that also resonated with me
8 very deeply.

9 One commonly shared memory, a fond memory, was
10 seeing that you got the unmistakable coffee ring mark of
11 excellence on a draft of an opinion for the judge.

12 You know if you got that mark that he was really
13 thinking about what you had given him and pausing to reflect
14 on it.

15 So, that was a good sign.

16 A second memory, snacks. So, those who have spent
17 time in Judge Baylson's chambers know, for instance, he has a
18 very large candy jar, and people will just throw things in it
19 when they have other candy lying around.

20 But, when Judge Baylson digs around to pick out the
21 candy, he would always craftily pick around everything but the
22 butterscotch.

23 So, fill it up with butterscotch.

24 And, also, the trays of cookies and coffee cakes
25 always in the morning would start all full and Judge Baylson

1 would go back for a little half a piece here, a little half a
2 piece there, and then by the end of the day, all of us would
3 just -- there were just crumbs.

4 A very common theme was the judge's fairness.
5 Decency and fairness in judgment.

6 One clerk shared a memory where -- it was of a
7 sentencing hearing where there was a young man before the
8 judge who had clearly just turned his life around.

9 And, Judge Baylson did everything that he could to
10 craft a fair sentence that amounted to exactly the amount of
11 time that the guy had already served, and then Judge Baylson
12 asked about his future vacation time and make sure that he
13 would be sentenced to just that time so the man wouldn't have
14 to lose his job.

15 Because the judge could tell if he lost this job,
16 then he was really going to go off on the wrong track again.

17 And, that is a similar experience that many of us
18 had with the judge.

19 Also, his humility. One clerk recalled how the
20 year -- around when he was clerking for him -- the judge had a
21 case that went up to the Third Circuit. It was reversed. It
22 went up to the Supreme Court. That was reversed.

23 So, the Supreme Court ended up ruling the same way
24 as Judge Baylson.

25 And, what Judge Baylson said was, "You know, who

1 knows? When you have a case like this with a really
2 complicated law and facts, we all just" -- "every judge just
3 does their best and tries to be fair."

4 And, I also remember the judge's -- he was very
5 decent, very fair, but also professional. He ran that
6 courtroom like a tight ship. If any lawyer came in and wasn't
7 ready to go, the judge wouldn't have it.

8 If someone wasn't cooperating in discovery, the
9 judge would bring them in, get them on the phone. No games.

10 And, we had many crea -- we had many unique cases my
11 year.

12 One involved -- it was a trial that involved
13 hundreds or thousands of pages of adult -- of adult
14 pornography, and the case required us to go through these
15 thousands of pages of adult pornography and determine whether
16 the people in these pictures were clearly mature or not.

17 So, this could be a very awkward experience for a
18 judge and his female law clerk to do.

19 But, instead of it being super embarrassing and
20 awkward, we just did it. We plowed through, we decided the
21 case, and it was actually a great experience.

22 My dad came too. I brought in a lot of friends and
23 family to come watch some of the trial days because there were
24 unique witnesses and experts in that one.

25 So, and a final thing that really emerged was

1 mentorship.

2 The judge treated each clerk as a full 360-degree
3 person. A person that had their own interests, their own
4 family, their own passions, their own future.

5 He often calls us back, invites us to chambers.
6 He'll walk us around the courthouse to talk to other judges or
7 other people visiting, and the way that he -- and, especially,
8 you know, as a woman, just will open up his network to you and
9 try to deepen your own network in the city, and wherever he
10 can think of a touch-point is really unbelievable.

11 The year I clerked for him, I had a baby. I was
12 able to come back, and we had that trial, and the judge moved
13 back the start time of trial everyday by ten minutes, so I had
14 enough time to feed the baby in the morning and come to court.

15 It was just amazing and not a typical experience.

16 So, I am so fortunate for the year we had together,
17 as I know all of our -- all the former law clerks feel, and
18 congratulations on this wonderful occasion.

19 THE HONORABLE JUDGE TUCKER: Thank you. I would now
20 like to welcome John Bidwell of the Morgan Library and Museum
21 in New York City for a few remarks.

22 MR. BIDWELL: Thank you, Judge Tucker. May it
23 please the Court.

24 Mike Baylson won't take no for an answer.

25 No doubt, force of will is a valuable trait in the

1 legal profession, but it is also an essential ingredient of a
2 collector.

3 That is the reason why I am here to explain a
4 salient point in the portrait we are about to see.

5 Mike is holding a book. Books are business at the
6 Morgan Library and Museum, where I look after our holdings and
7 printing history, from the invention of print technology up to
8 the digital era.

9 Mike and Frances get the credit for being the first
10 to realize the importance of printing in the career of the
11 greatest artist of the 20th century, Henri Matisse.

12 In a few words, I will try to tell you how Mike
13 became a single-minded, obdurate, indefatigable collector of
14 Matisse and what he achieved with his collection.

15 The story begins more than 50 years ago when he paid
16 a visit to the Barnes Foundation.

17 In those days, it was almost inaccessible, but Mike
18 wouldn't take no for an answer.

19 There, he saw some of the greatest modern art in
20 America, including spectacular paintings by Matisse.

21 That was, he says, "a life-changing experiencing."

22 A few years later, he met Frances, who had written a
23 senior paper on Matisse in college, but had never seen his
24 books.

25 Mike pulls strings so she could see them, and then

1 decided she should own them.

2 Not an easy task in those days because the articles
3 about his drawings had neglected that part of the career, and
4 no one had tried to compile a list of the illustrated books.

5 Sure, the Mattisians admired the full page etching
6 of Mallarmé of May 1932, the black-as-night linocuts in the
7 Pasiphaé of 1944, the sensual lithographs in the Ronsard of
8 1948, but there was a lot more.

9 Mike knew it, and went out to find it.

10 He haunted bookstores in Philadelphia, he bought
11 books at auction. He ordered them from catalogues. He
12 discovered unusual and unique items in unlikely places. His
13 persistence paid off with a comprehensive collection
14 containing more than 300 reference books and nearly 50 limited
15 editions.

16 Some of these books, Matisse signed and inscribed to
17 friends and family.

18 One of them is a legendary rarity printed in an
19 edition of five, one of which has just gone missing in a Paris
20 library, so we are now down to four.

21 His greatest achievement was to obtain a copy of the
22 famous Jazz of 1947, a bravura display of 20 color prints,
23 accompanied with a text written out by hand.

24 Limited to 370 copies, it was difficult to produce
25 because of his insistence on the highest standards of color

1 reproduction.

2 But, it now stands out as the most acclaimed
3 illustrated book of the 20th century.

4 The rock musician Sting has just sold his copy of
5 Jazz for a price that buy you a rather nice house in Princeton
6 New Jersey.

7 When Frances passed her Medical Boards, an important
8 step in a medical career, Mike made the most of this gift-
9 giving opportunity with a surprise present of Jazz. That is
10 the book he is holding in the portrait.

11 One last thing to say about his Matisse collection.

12 In 2010, Mike and Frances donated it to the Morgan
13 Library and Museum. In gratitude for that gift, the Morgan
14 put on a major exhibition of Matisse book illustrations
15 accompanied with a catalogue containing a prefatory essay by
16 Mike and Frances.

17 The exhibition was a success, I think, and got
18 reviews in The New York Times and The Wall Street Journal.

19 Suddenly, the art world learned that Matisse
20 excelled in printing, as well as painting.

21 That revelation is due to Mike's prescience and
22 persistence. Congratulations, Mike, for all this and more.

23 THE HONORABLE JUDGE BAYLSON: Thank you.

24 THE HONORABLE JUDGE TUCKER: Thank you, Mr. Bidwell.

25 I now call on the person whose efforts were absolutely

1 indispensable to this Special Session, the internationally
2 famous artist who painted this outstanding portrait, Katya
3 Held.

4 MS. HELD: Last year I received a call from Judge
5 Michael Baylson, who introduced himself and told me that he
6 would like to commission a portrait.

7 He invited me to meet and talk about the commission
8 details in his chambers.

9 Until that day, I didn't have direct contact with
10 judges and prosecutors. So, I was a little bit nervous.

11 And, -- about my initial meeting with the judge.

12 In my head, I built an image of a painting, big,
13 welded iron doors and heavy metal locks with light green
14 patina, in front of them, a judge with a strict face and arm
15 raising, "Law will protect you."

16 A complex procedure of going through security in the
17 Federal Court building strengthened this image of my future
18 portrait of a judge.

19 And, to my surprise, when I entered Judge Baylson's
20 chambers, I was greeted by a beautiful person with a kind,
21 charming smile and slight squint of attentive, astute eyes.

22 He was surrounded by light and air, the painting in
23 my head immediately broke into little cubes like a child's
24 mosaic picture.

25 After exchanging a few phrases, I understood that

1 Judge Michael Baylson belongs to the generation that received
2 a broad education, and I became anxious to start working with
3 this interesting person.

4 I soon realized that I had become a victim of the
5 charming personality of this gentleman.

6 The technical part of my work has begun.

7 During the initial visit, hundreds of photos were
8 taken of Judge Baylson in his surroundings.

9 The session allowed me to analyze my subject from
10 different angles and get a feel for how Judge Baylson's
11 personality may best come across in the painting and problem-
12 solve any challenges with the pose or the set-up.

13 I was trying to capture his expression that is
14 recognizable and typical for him. And seek for his and his
15 family approval of my vision.

16 I was hoping that we would have similar views, and
17 we did.

18 I like painting portraits that emit a casual,
19 nonchalant narrative, and I find it particularly challenging
20 to engineer a composition that continues to do so while using
21 a blunt and direct view of the subject.

22 Judge Baylson was very open about composition and
23 allowed me a free ride.

24 I arrived at the final composition after a day of
25 photoshoot and initially quick sketching.

1 In order to describe a deeper image of Judge
2 Baylson, I decided to include in the painting the objects that
3 are meaningful to him.

4 His favorite book of Matisse from his collection,
5 photos of children, a tie a pattern that Frances designed, a
6 cup with the signature of Arlen Specter, an antique map from
7 his historic collection, a historic desk.

8 In the background, I included an iconic image of
9 Philadelphia with its rich history, the city where Judge
10 Baylson was born and appointed to defend.

11 Then, we move to the practical side of work, and
12 Judge Baylson found himself in a difficult role of model.

13 What kind of model he was? Well, this was a skill
14 where he could continue to perfect.

15 His short visits at my studio after work, before he
16 goes to opera, visits of grandchildren, and family events.

17 Most of the time I spent working on the portrait in
18 my studio using photographs and my memory. The expression of
19 his happy face when he greeted people at the Matisse book
20 exhibition opening at the Morgan Library or when he guessed
21 from the first notes what classical piece was playing on the
22 radio.

23 Throughout the whole process, I was captured by the
24 charm of Judge Michael Baylson and his supportive family.

25 Every morning, during many weeks, as I stepped into

1 my studio, I looked at the portrait and said, "Hi."

2 I knew I would be sad once it leaves my studio.

3 And, today, I am saying to my portrait, "Goodbye, be
4 happy, and live a long life."

5 THE HONORABLE JUDGE TUCKER: Thank you. Now, before
6 I call on attorney, Mira Baylson, I want to recognize Joan
7 Specter, who has come in and we've mentioned her names a
8 couple of times already.

9 Mira.

10 MS. BAYLSON: Thank you, Chief Judge Tucker. May it
11 please the Court, Dad.

12 My dad also told me to keep it light. Just keep
13 that in mind.

14 So, thank you all so much for coming.

15 My husband and I, we play a little game on vacation
16 in which we try and envision what a person's autobiography
17 should be entitled.

18 And, we're still waiting to hear back from the
19 publisher on this, but here are the top few so far for my
20 dad's yet-to-be-written masterpiece.

21 "Three Scoops of Justice: Baylson's Two Great
22 Loves, Ice Cream and the Law."

23 "There's Nothing Wrong with Moldy Bread' and Other
24 Life Lessons from Mike Baylson."

25 And, my personal favorite, "They Didn't Object: The

1 Mike Baylson Story."

2 You've just heard from a litany of people who
3 described for you my dad's career and his successes and his
4 strengths.

5 And, I think that leaves it up to me to let you all
6 in on the real, Mike Baylson, dad, husband, Acme supermarket
7 fan, and ice cream sales enthusiast.

8 There are many eclectic facts about Mike Baylson.

9 For example, he was raised in Philadelphia and is a
10 product of Central High School and Cheltenham High.

11 Growing up, he was what we now refer to as an,
12 "indoor kid," for example, he had a baseball card club going
13 on, but no one ever came unless his mother served ice cream.

14 He met my mom on a blind date set up by a judge who
15 also moonlighted as a matchmaker for young Jewish singles.

16 As a young attorney, he was detained by the PATCO
17 Police on his way to court in Camden. The Honorable Stanley
18 Brotman had to call and get him out of custody, this is a true
19 story.

20 It seems that in his haste to see the judge, he
21 committed some infractions.

22 Still haven't gotten the details on that one.

23 He's frugal. He loves day-old bread, sales of any
24 kind, and he bought his first new suit, not from Golden
25 Harry's, for my bat mitzvah, and I'd like you to keep in mind

1 I'm the youngest of three. We all had bar mitzvahs.

2 He is the kind to cat nap. He can literally sleep
3 anywhere for any amount of time.

4 The couch in his chambers, the opera, the Phillies
5 game.

6 Those who appear in front of him, don't worry, he
7 keeps a stash of Diet Coke and the aforementioned
8 butterscotches behind the bench just so he can stay sharp
9 while he's up there.

10 And, he has horrendous handwriting. I mean,
11 handwriting so bad you don't bother to read it, just pick up
12 the phone and call him. And, on this, my heart goes out to
13 clerks, I have no idea how you guys do it.

14 He loves to dance, which I know the former Assistant
15 U.S. Attorneys in this room will remember from his annual
16 parties.

17 I want you to know that the 13 year-old me is
18 cringing at that image.

19 I'm sure some of them will also remember his efforts
20 at water preservation, also making me cringe a little bit
21 inside.

22 And, he loves his family. He would do anything for
23 us. I remember prepping my first jury trial with him when I
24 was at the Defender's Association, and with his help, I out-
25 thought the prosecutor at every turn.

1 No surprise, he still thought they should have won.
2 And, he does the same for the rest of our family.
3 You should see the boot camp he runs for our
4 grandchildren.

5 Zoe's first words, after "Mom" and "Dad," were
6 "Order in the court."

7 I've worked hard to balance that out, also teaching
8 them, "Power to the people," and "Innocent until proven
9 guilty."

10 And, since we're here to celebrate his time on the
11 bench, over ten years ago, I wanted to share to you the five
12 biggest changes to our lives since my dad became a judge.

13 Number one, his attitude at home. Everyday, he has
14 three amazing law clerks, a courtroom deputy, and a secretary
15 available to help him with anything.

16 So, when he comes home, I mean, who knew that
17 judicial immunity could be used to avoid washing dishes. Just
18 saying.

19 I blame this all on the stellar commitment and
20 service that he has received from Lynn Meyer, from Joanne
21 Bryson, and from Lori Di Santi.

22 It doesn't make it any easier for us at home,
23 though.

24 Laws have become a lot more available to
25 interpretation. Those pesky Customs law which dictate how

1 cheese and meat are not supposed to cross international
2 borders, maybe not so cut-and-dry now.

3 And, if you have four hours to kill on any given
4 day, you should ask him about constitutional law as it relates
5 to buying wine across state lines via the Internet.

6 A lot of opinions. A lot of opinions. I'm telling
7 you right now.

8 Number three, he now has an iron-clad excuse to get
9 out of any political discussion with my mother, myself, or my
10 siblings.

11 He always says, "I'm out of politics. I'm a judge.
12 I can't say" -- "you know, I don't have an opinion."

13 I noticed he only uses this when he's losing the
14 argument, but it seems to be working for him.

15 Number four, this robe, this black robe, natural
16 coverall.

17 My father, as many of you know, is not the most
18 fastidious person when it comes to fashion. There might be
19 some holes in the socks. There might be some spots on the
20 suits. Maybe a stain or two on the tie.

21 These are minor things to him.

22 But, his elevation to the bench came along with this
23 black robe, and let me tell you, in some ways, best fashion
24 decision he ever made in his life.

25 And, I know at least from my mom's perspective.

1 And, finally, number five, free parking.

2 My father has spent his entire life trying to get
3 free parking downtown. We are not a family that pays for
4 parking. And, we do not take cabs. Right? We do not.

5 So, right here, right now, this is the peak of his
6 career by far.

7 I will tell you, though, that if you are going
8 anywhere with my dad downtown, you better bring your walking
9 shoes.

10 It doesn't matter if it's north Philly, south
11 Philly, even the zoo. Start from Sixth and Market, and you're
12 walking.

13 On the whole, though, having our father become a
14 judge has been wonderful because he loves it more than
15 anything. I know that he takes his job very seriously, and I
16 am proud that he believes in justice. And, not just the
17 justice that he strove for as an Assistant District Attorney
18 or as the U.S. Attorney.

19 No, what I mean by justice is also fairness.

20 Fairness to each of the litigants in his courtroom,
21 to the people of the Eastern District of Pennsylvania.

22 I can say as both his daughter, and an officer of
23 this Court, that I am proud to have him on the bench.

24 On behalf of my mom, Frances, and my siblings and
25 our families, I want to thank you all for being here to

1 celebrate with us, and I just want to take a moment to mention
2 my grandparents, Edna and Herbert Baylson, and my uncle, Joel
3 Baylson, who I know are with us in spirit today.

4 They were amazing people, loving and generous, and
5 my grandparents instilled in my father the amazing work ethic
6 that he has to do this day, and I know he would not be who he
7 is or where he is without them. Thank you.

8 THE HONORABLE JUDGE TUCKER: Thank you. Now, the
9 moment has arrived. Frances, will you come with the
10 grandchildren, Zoe, Izaak, and Lily? (Portrait unveiled.
11 Applause)

12 THE HONORABLE JUDGE TUCKER: Good job. Judge
13 Baylson.

14 THE HONORABLE JUDGE BAYLSON: Thank you very much,
15 Chief, and thanks to everybody who's here, and I very much
16 appreciate all the efforts that have gone into this event, and
17 I would like to thank Chief Judge Tucker, and I would like to
18 thank our Clerk of Court, Michael Kunz, and his staff, who
19 have made this possible.

20 And, I just have a few -- I thought I just had a few
21 remarks, Chief, and I know you thought I was going to be five
22 minutes, but I need an hour for rebuttal.

23 I will keep it short.

24 First, to Judge Rendell, who has been a virtual
25 lifelong friend, and who has been an elegant and distinguished

1 First Lady of Philadelphia and First Lady of Pennsylvania and
2 First Lady of the Third Circuit for many of us.

3 I know you have other female colleagues there, but
4 for me, you're the first.

5 And, it will remain that way.

6 And, Judge Rendell had a very good memory of a lot
7 of embarrassing events, and but, the one -- what I learned and
8 it helped me later when I became a judge is that when we used
9 to carpool, and we ran into traffic, and the driver -- we had
10 a rule that the driver picked the route and the passenger
11 didn't criticize, even if it turned out to be a disaster and
12 we ended up an hour late, but it was a -- it was a fun time,
13 and a time to chat and reminisce about being in this law firm
14 and doing our different work, and I cherish our relationship
15 over those many, many years.

16 I really appreciate Shanin speaking here, and I
17 appreciate Joan Specter being here, as well.

18 Arlen Specter was, of course, a great District
19 Attorney and a great senator, and I owe it to him the
20 confidence that he showed in hiring me back in 1966, and the
21 training, the skills that he imparted to me that I have found
22 very useful over the years.

23 And, I just want to repeat a quotation from Oliver
24 Wendell Holmes, Senior, that I think fits Arlen Specter to a
25 T.

1 "Greatness is not where we stand, but in what
2 direction we are moving. We must sail sometimes with the wind
3 and sometimes against the wind. But, sail we must, and not
4 let our boat lie at anchor."

5 And that encapsulates, I think, Arlen's philosophy
6 and his life, and he set an example for me and so many others,
7 so I am thankful to him for having been the United States
8 Attorney and thankful to him being a judge, and there's no
9 question about my appreciation for my continuing wonderful
10 relationship with the Specter family and thank you, Shanin,
11 for being here, and thank you, Joan, for being such a good
12 neighbor and still a very good friend.

13 Mike Rotko and I did work together, as we did --
14 just as with Sandy and Kelly, and all of their embarrassing
15 stories are true. I have very little to say about that.

16 I've been blessed with wonderful law clerks from the
17 day I started until today, and I have a couple of future law
18 clerks here, and I'm looking forward to working with them.

19 And, they're all very talented. As I keep telling
20 them, I couldn't get into law school today, and I'm very
21 envious that they did, but I try and impart to them -- my
22 overriding philosophy is that I try to take my work seriously,
23 but I try not to take myself too seriously, so that has served
24 me well.

25 Of this portrait, I want -- we wanted something

1 different, and I thank Frances very much for being the guiding
2 light here, but basically, I'm standing at my desk, and I'm
3 very lucky, as many of us are, that when we work, we look at
4 Independence Hall. This building, itself, is one of the worst
5 architectural models of a courthouse you can imagine.

6 But, the wonderful thing about it is that most of
7 the judges can see Independence Hall as we work, and it
8 reminds us everyday of what we're doing here, and why -- the
9 importance in what we have to keep in mind. And, that is, our
10 liberty and our freedom.

11 And that is so emblematic of looking at Independence
12 Hall everyday, and there it is right out my window.

13 And, I -- it's right I have -- I have our copy of
14 Jazz, and John Bidwell, by the way, is one of the great
15 experts in the world today on the history of books and
16 illustrated books, and the Morgan Library, if you've never
17 been there, I urge you to go.

18 It is the greatest repository in the world of
19 illustrated books because J.P. Morgan was a great collector,
20 he was one of the greatest collectors ever, of books,
21 particularly illustrated books.

22 Gutenberg Bible, medieval illustrations, on up to
23 the present day.

24 And, Frances and I were very pleased and grateful to
25 John's leadership in curating the exhibit and in writing the

1 catalogue of our collection, which brings the Morgan Library
2 into the 20th century. Matisse was really one of the great
3 illustrated book artists, even though he's not the best known
4 for that, but because of John's work in the exhibit, and the
5 catalogue, I think Matisse will now be known as a great book
6 illustrator, along with being a great painter and a great
7 artist in all other respects, and we really thank him for his
8 friendship and his dedication.

9 And, Katya did a great job trying to visualize the
10 things that were important to us, and we really appreciate
11 that.

12 And, Mira and all our children, we're very proud of
13 you, and thank you very, very much for making today possible.

14 But, I must reserve my final and most sincere
15 comments for my wife, Frances, who has also had a life lived
16 well.

17 She started out, when I first knew her, as a Matisse
18 scholar, and the paper she wrote at Swarthmore is still a
19 pioneering discussion of Matisse and his work on the famous
20 cut-outs that he did late in his life.

21 And, she lead me into the world of art and enabled
22 me to try to appreciate it as much as she had learned to do.

23 And then, she became a medical student and worked
24 very hard for ten years as a student and then as a resident
25 and as a fellow and followed that up, at the same time, with

1 becoming a mother and a wonderful mother.

2 And, all the time, remaining a wonderful wife.

3 And, she rose to all of the challenges, and she also
4 rose to the heights of her medical profession because she was
5 a pioneer in the treatment of women who were having problems
6 with infertility.

7 And, she gave the gift of life to thousands of
8 women. And, she was a role model for many women, as well, and
9 now she's become a grandmother and is doing very well with
10 that.

11 So, she keeps telling me that I have had five
12 careers, but she's had five careers, too, and she's done very,
13 very well in all of them.

14 At home, she is fussy and fastidious, but forgiving,
15 and for that I love her.

16 And, I'd like to end with a poem that she sometimes
17 tells me, and now it's my turn to tell her.

18 And, it's by William Butler Yeats, and it goes as
19 follows.

20 "Wine comes in at the mouth. And love comes in at
21 the eye. That's all we should know for truth. Before we grow
22 old and die, I lift the glass to my mouth, I look at you, and
23 I sigh."

24 Thank you very much.

25 MICHAEL E. KUNZ: Ladies and gentlemen, Judge

1 Michael and Frances Baylson and their entire family cordially
2 invite all in attendance to a reception, which will be held in
3 the Edward R. Becker Lobby, which is to your immediate right
4 as you leave the ceremonial courtroom.

5 Thank you. Court is adjourned.

6 (Special Session of the Court ended at 5:12 p.m.)

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

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I, Elena Zoniadis, court approved transcriber, certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter.

/s/ Elena Zoniadis

April 23, 2016

ELENA ZONIADIS

DATE

DIANA DOMAN TRANSCRIBING