

Letter from the Editor

The past several weeks have been tough on the Milwaukee legal community. We lost Dave Cannon, Judge Terry Evans, and—as the *Messenger* went to press—Nathan Fishbach. Nathan died of pancreatic cancer September 17 at age 58.

I write about Nathan, the day before his funeral, because he was a personal friend. Of course, many, many of us, and many more outside the legal community, can say the same. Nathan had no shortage of friends.

I met Nathan in 1979, when he had just started at the U.S. Attorney's Office in Milwaukee, and I had—well, just started. It turned out that his wife was Susan Stolzer; I knew her and her family well from high school days in Western Pennsylvania. The Fishbachs quickly became family friends. Nathan is known to many of his colleagues as Nate; I call him Nathan because that's what Susan calls him. Through the soccer games, bar mitzvahs, and the stories we swapped when we met for dinner on the occasional Saturday night (too few, in retrospect), my wife Robyn and I watched their three sons—Jeffrey, Brian, and Michael—grow to adulthood, and Susan and Nathan watched our three kids do the same.

My path crossed Nathan's professionally, too: occasionally as adversaries, more often as co-counsel, and sometimes on projects that had nothing to do with clients. Nathan referred many cases to me over the years, but that was just the tip of the iceberg. He was never too busy to lend an ear, offer counsel, or strategize. I turned to him at dark moments. He gently coaxed me into bar activities and other projects, showing without telling me how I could grow by helping others. He was at once a contemporary and a

mentor. Had he lived to 100, instead of being robbed of the chance to see his sons marry and give him grandchildren, I could never have repaid him.

As an advocate, Nathan was flat out brilliant. He had an uncanny, astounding instinct for finding the truth—quickly. The undisputed master of all manner of complex cases, he was a big picture guy *par excellence*. He was decisive and unerring in hitting on the right strategy. He was the ultimate realist, never allowing wishes or sentiment to fog the clarity of his vision. I lost count of how many files were closed with the words, or the thought, “Nathan was right.”

Nathan had a edgy and potent sense of humor, with impeccable timing. Sometimes I found it difficult to keep up with him: he spoke quickly, which, it finally occurred to me, was because he thought more quickly than I. Yet he spoke to a jury so easily and naturally, it was as if he were sitting with them in their living rooms. Nathan had a way of making you feel like the smart one, when in fact all the brainpower was coming from him. He was a formidable advocate, to say the least, but never once flaunted it, never once rubbed anyone’s face in it, never once disrespected anyone. This was a prosecutor who, after the guilty verdict came in, made sure to shake the defendant’s hand and wish him luck.

Nathan never, ever, subordinated the cause of justice to his own aggrandizement. Of the thousands of lawyers I have met, Nathan is the very last one I could imagine bending or skirting even the most minor of rules. He not only played by the rules; he breathed life into them. He showed us, without telling us, why they are important.

But again, Nathan’s advocacy is the tip of the iceberg. His legacy soars far above his successes in individual cases. It is understatement to observe that he was selfless in

service of the profession and the community. He found the time for any worthwhile project, law-related or otherwise. Most readers of this publication know of Nathan's professional accomplishments. He was the driving force to establish the MBA in its present home. The State Bar can say the same about its home. He helped launch the Milwaukee Justice Center. It is difficult to think of any significant initiative in the Milwaukee legal community during Nathan's career that does not bear his imprint.

This year, Nathan received lifetime achievement awards from the MBA, the Eastern District of Wisconsin Bar Association, and the Seventh Circuit Bar Association—the trifecta, as I kidded him. At the MBA's Annual Meeting in June, when he accepted the award, his voice and message were strong and clear. His ordeal had visibly aged him, but he looked solid, on the upswing. I convinced myself that he had beaten it. It is hard to accept, now in September, that he is gone.

I'll have you know that Nathan practiced law ferociously right up to the end. He refused all distraction from this single-minded focus. He confounded his doctors and nurses with the conga line of colleagues who sought consultation with him while he was in hospital. He worked the phone from his living room chair while he recuperated from chemotherapy. He rarely wished to discuss his deadly illness, and had no use for ineffectual expressions of sympathy. There was not an ounce of quit in him.

My selfish lament is that I won't be able to turn to Nathan for guidance during my stewardship of this organization. When Robyn and I had dinner with Susan and Nathan just a few weeks ago, I told him I was counting on him as my go-to guy. He enthusiastically accepted the role and, being Nathan, launched a discussion then and there of how I should approach the task. Of course, he knew he wouldn't be around. I imagine

he must have tolerated my characteristic myopia with inner bemusement, this one last time. At one point that evening, he asked me what it felt like to be a grandparent.

The memory of the example Nathan set will have to serve. It will have to serve us all. Nathan is gone from us, much too soon. The loss of this extraordinary lawyer and human being sorely diminishes us. We shan't see his like again.

—C.B.