

Remembering Mel Goldman

Dear MoFo Family,

It is with great sadness that I write to remember our friend and former colleague Mel Goldman, who passed away Wednesday morning, January 11, at the age of 86 after a long battle with cancer.

Mel grew up on the northwest side of Chicago in a neighborhood of Polish immigrants. He paid for his first years of college selling women's shoes. He obtained his B.S. degree in accounting from DePaul University and graduated from Northwestern University School of Law after serving as managing editor of the Law Review and being elected to the Order of the Coif, the law honorary society. He made his way to California in 1961 as a teaching assistant at Stanford Law School, graduating with the degree of Master of Laws (LLM). At Stanford, he met his wife Bonnie (whose maiden name was also Goldman), and they married in 1963.

After teaching, he spent a year at Kirkland & Ellis in Chicago but returned to San Francisco a year later, joining Brobeck, Phleger & Harrison to practice antitrust law. Soon after, Mel decided to leave Brobeck for Morrison, Foerster, Holloway, Clinton & Clark.

Mel joined the Firm in 1965 and became a partner in 1969. Simply put, Mel was a giant in the history of MoFo (although he would not like that notion). During his five-decade tenure, he helped build one of the top securities litigation practices in the nation. He was listed for over 25 years in The Best Lawyers in America as a leader in the fields of Bet-the-Company Litigation, Criminal Defense - White Collar, Securities - Capital Markets Law, and Commercial Litigation. Because Mel was known for being a specialist in several areas, he attracted huge numbers of exceptional lawyers to the Firm who wanted to work with him.

Mel's experience with securities litigation was legendary; for decades he was one of a few "go to" securities litigators in Silicon Valley and the country. He represented Memorex Corporation in the

first large securities class action filed against a Silicon Valley high-tech company. He was involved in well over 100 securities cases, both in California and throughout the United States, representing numerous technology companies, financial institutions, and their directors and officers. His practice also focused on the defense of private and government antitrust actions. He was retained by Barnes & Noble (to defend the company in an antitrust lawsuit brought by the American Booksellers Association and individual retail booksellers) and The Coca-Cola Company (to defend antitrust claims of transshippers), among many others. He was a tenacious, strategic advocate and exemplified the highest standards of civility.

Mel embodied the core MoFo value of “clients first,” always, teaching generations of lawyers how to do the same. He set the standard as a mentor: he was instrumental in hiring, mentoring, and furthering the careers of many lawyers, including many who went on themselves to make significant contributions to the Firm and the legal profession. Paul Friedman said about Mel, “Always sharing the credit. Always spreading the work and the client relationships. Always bringing along the younger lawyers, and enabling us to achieve our best potential. Always the mentor. Always teaching by example. Always the mensch.” Jordan Eth noted that “what would Mel do?” was a guiding principle for those lucky enough to have worked with him.

Mel also carried well the MoFo tradition of service to the legal profession through active participation in bar organizations. He lectured to numerous professional organizations in the areas of securities law and complex commercial litigation, including the Practising Law Institute, California Continuing Education of the Bar, San Diego Securities Regulation Institute, and ALI/ABA. He served as a lawyer representative from the Northern District of California to the Ninth Circuit Judicial Conference, was involved in the Northern District Historical Society, was a member of the American Law Institute, and was a Fellow of the American Bar Foundation. He served as president of the Bar Association of San Francisco in 1995.

As a leader within the Firm, Mel served in almost every conceivable leadership capacity. He was on the Management Committee from the early 1970s and was head of the Personnel Committee in the mid 1970s. Under his leadership, the Firm hired a number of women who went on to become the first women partners at the Firm. He served as chair of the Litigation department from 1978 to 1982. In later years, he served on the Executive Committee to then-chair of the Firm Steve Dunham. From 1992 – 2000, he served as chair of the Points Committee.

Jack Londen wrote, before Mel's passing, "It is impossible to know Mel Goldman well and not admire and enjoy him. All the external emblems of success in our line of work have come to Mel. He earned a sterling reputation for the quality and success of his advocacy as a pre-eminent figure in antitrust and securities litigation, and as a bar leader. That said, Mel's greatest accomplishments are not external. He combines brilliance with great strategic judgment. He is very funny, with an ironic perspective on himself and almost everything else. I have known Mel for 42 years, and rarely have we had a discussion of any length that has not included a laugh or two. What is greatest about Mel is his character. He is completely unstinting in his attention to the matter at hand. Mel's effort is never half-hearted. Those of us on Mel's team could give him our best work, and he would always see something we had missed. He is a generous teacher, passing along insights and techniques that his teachers had given him. But the best lessons came from watching him work—with a focus and intensity that make words like diligence and dedication seem too weak."

Mel was an extraordinary inspiration to so many of us. He will be greatly missed, and we send our condolences to his wife Bonnie, their two surviving sons, many grandchildren (who he always spoke of with great pride and a huge smile), and his close family and friends.

Eric

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