

Gary Gertzog, the general counsel of NFL Properties, was formerly a trademark lawyer at a New York law firm.

I myself am a licensing attorney by training. I used to license NBA team trademarks; now I license publicity rights; tomorrow I could get a job at Disney licensing Mickey Mouse and Goofy. I'm a licensing transactional attorney.

The list goes on and on.

The point is this: Sports organizations don't need lawyers who can cite *Moneyball* chapter and verse, or know a sport inside and out, or have encyclopedic knowledge of every player in a league, or even have a passion for sports.

They already have people like that. They're called general managers, coaches, agents, and fans.

What employers in the sports sector need are good lawyers who can do the work that is required of these organizations: licensing of trademarks, labor law advice, antitrust counseling, litigation, real estate financing, commercial transactions, etc.

So my advice to you is summarized in the thank-you email that you'll find on the back of your program. I received it a few months ago following a



A quilt given as a gift to Gary Way by Margaret Murphy, L'13, former Marquette–Nike extern.

long lunch I had with a recent law school grad, named Joseph, from a Midwestern law school. Joseph was in the Portland area for military-reserves training before being deployed to Afghanistan. He looked me up, and I knew that this was a guy I was going to make time to see: he had me at the word *deployed*.

I first tried to get him to focus on his job at hand, which was slightly more important than sports law jobs: being a platoon leader in a combat zone. Then I talked through with him what I have outlined for you all:

Don't seek to be a sports lawyer. Simply aspire to be a good lawyer, doing things of relevance to a sports organization, and trust that a prospective sports industry employer will recognize from your résumé how your conventional practice experience can translate into its world.

Joseph clearly got it. He wrote, "I will take the best job I can find and strive to be the best lawyer I can be." And he maintained the conviction that he would make it into sports—and the hope that our paths will cross sometime down the road.

I hope that that's your takeaway, also. Thank you. ■

Joseph D. Kearney

Remarks at Memorial Ceremony for Judge John L. Coffey

The U.S. Court of Appeals for the Seventh Circuit convened in Ray and Kay Eckstein Hall, the home of Marquette Law School, on April 17, 2013. The court's session included a ceremony remembering the late Judge John "Jack" L. Coffey, L'48. Chief Judge Frank H. Easterbrook presided at the memorial session and was joined by eight of his Seventh Circuit colleagues and more than 200 guests. These are the remarks of Dean Joseph D. Kearney, who was among the speakers.

Thank you, Chief Judge Easterbrook, and May It Please the Court. Marquette Law School looks a little different since Your Honor stood in a field, on this spot, shovel in hand, almost five years ago, helping us break ground for this building. Hopefully,

Eckstein Hall does *not* look terribly different from *three* years ago, when Judge Diane Sykes helped us dedicate the building, let alone two weeks ago when she was here for our Jenkins Honors Moot Court Competition, so named after the late James Jenkins who served as



“ Jack Coffey focused relentlessly on the future. For example, when he called me as dean (as he often did), it may have been to recall a relationship or an acquaintance, but only so that he could tell me not about his past with that person but rather of the judge’s latest idea about what that person could do for Marquette.”

the first Seventh Circuit judge from Wisconsin before being appointed to—none dare say promoted to—the inaugural deanship of Marquette’s law school. The Law School has long benefited from Judge Richard Cudahy’s various contributions, from his days as a faculty member to his essay last year, joining Tom Merrill, Randy Picker, and a number of others, in marking in the *Marquette Law Review* and *Marquette Lawyer* magazine the 125th anniversary of the Interstate Commerce Act. And, for all we know, one of the students in this room is the beneficiary of the scholarship recently created by his friends in memory of the late Judge Terry Evans. In short, even if we might always wish for greater success at the Court in that especially important sphere, applications of our students and graduates for judicial clerkships, let no one doubt that the Seventh Circuit and Marquette Law School have supported one another in a variety of ways almost since the Evarts Act in 1891 and the establishment of the Milwaukee Law Class the next year.

No one played a larger or longer role in this respect than the late Judge Jack Coffey, whom we remember today. I cannot adequately detail Judge Coffey’s career. For Jack Coffey graduated from Marquette Law School in 1948: while more than 20 of that year’s Marquette lawyers would become judges, none had a greater variety of roles or achieved greater prominence than Jack Coffey, who was a trial judge for almost a quarter-century, a member of the Wisconsin Supreme Court for some four years, and a member of this Court for longer than those two periods combined.

Nor is it really necessary for me to summarize his career. One will be able to read his work, as an appellate judge at least, for years to come. What is more, no doubt Judge Coffey would have regarded,

as his *greatest* legacy, his family, whom it has been a privilege for me as dean to come to know. It is thus appropriate that the Court will soon hear from his son, Peter Coffey, a Marquette lawyer, who had the good judgment to marry Kris Cleary, another Marquette lawyer, and from Peter Robbins, the son of Judge Coffey’s daughter, Lisa Robbins, who together with her husband, Stephen Robbins, and son-in-law, my former student, Jeff Ruidl, has shown great kindness to my family and me over the years. To give a further sense of the matter, only good judgment (grounded, admittedly, in the Establishment Clause) deterred me from suggesting to Collins Fitzpatrick that Judge Coffey’s nephew, Father Gregory O’Meara of the Society of Jesus and a tenured faculty member here, open today’s court session with a prayer. So, in a most important sense, concerning his family, Judge Coffey’s legacy is a living one, with all the dynamism and hope for the future that that implies.

But this does bring me to the one central attribute of Jack Coffey that I want to remember—even promote—today: *my* Judge Coffey, if you will. Jack Coffey focused relentlessly on the future. For example, when he called me as dean (as he often did), it may have been to recall a relationship or an acquaintance, but only so that he could tell me not about his past with that person but rather of the judge’s latest idea about what that person could do for Marquette. To the extent that the call was not about a person, it was about the Law School’s program: how in the judge’s estimation we might improve it (Judge Coffey was an early promoter of judicial internships and of a professionalized legal writing program), or what another law school was doing based on promotional

material that he had received as a federal judge. Nor did he expect each of his ideas to be immediately or even ever accepted or acted upon. No matter: he likely was on to his next idea for Marquette Law School.

One conversation made a particular impression on me. Early in my deanship, in 2003 or so, when the solution to our facilities problem looked more likely to be a third addition to our 1924 building than an altogether new facility, I allowed to Judge Coffey over the phone that I was disinclined to be the dean who led us out of Sensenbrenner Hall. To this the judge said, “I don’t know why not. If you have a chance to get the hell out of there, you should do it.” In fact, his particular reaction reassured me that



Portrait of Judge John (“Jack”) L. Coffey in Eckstein Hall’s Appellate Courtroom

our alumni more generally knew that Marquette Law School is about the university’s *mission*—Excellence, Faith, Leadership, and Service—in the context of the law and is not bound up in a building. Judge Coffey was a conservative, but in this regard, at least, about the substance not the form. And his interest was in the future.

In concluding remarks at the groundbreaking in May 2008, Your Honor, as chief judge of this court, said, simply but elegantly of this law school, “I anticipate great things to come.” For more than six decades, Judge Coffey concurred in this. We are fortunate to have

counted him among our alumni and to remember him, in any number of respects, today and hereafter. Thank you. ■

Alumni Awards | Donald W. Layden

Marquette University Alumnus of the Year Remarks

Marquette University recently presented its highest alumni honor—the university’s Alumnus of the Year Award—to Donald W. Layden, Jr., Arts ’79, L’82. Mr. Layden’s many contributions to the university include his current service as chair of the dean’s advisory board at the Law School. Here are his remarks in accepting the award at a dinner on April 27, 2013, held in the Alumni Memorial Union and concluding the Alumni Awards Weekend.

Thank you. I am overwhelmed and humbled by the extraordinary grace you have given to me in recognizing me as the Alumnus of the Year. As I listen to the stories and contributions of my fellow awardees, and as I consider the countless contributions made by over 100,000 alumni every day, I am struck by a sense of overwhelming humility and gratitude that you would choose to recognize me and my accomplishments. Thank you very much.

Many people have encouraged me on this journey, and I am so very pleased that many of you chose

to be here tonight to celebrate with our family and me. When I told the people closest to me about this recognition, their responses provided an interesting insight into our relationship. Mary Jo dismissed my surprise, suggesting that my contributions to the communities in which we live and my professional accomplishments make me a natural choice. Her confidence in my ability to make change happen and to take risks has made those choices easy. She has been a remarkable partner, friend, and the love of my life. My parents were of course very proud, and I ►►