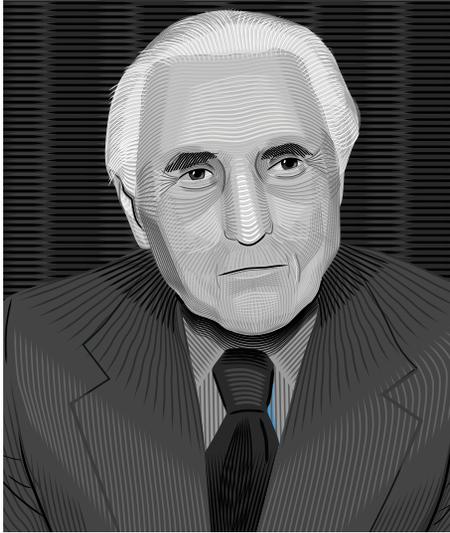


In Memoriam

# JACOB A. STEIN



KENNETH P. NOLAN

The author, a senior editor of *LITIGATION* and the author of *A Streetwise Guide to Litigation* (ABA 2013), is counsel to Speiser Krause, Rye Brook, New York.

I once thought that all lawyers were articulate, erudite, and magical. Once consulted, through expertise and experience, problems disappeared. Whatever the headache—criminal or civil, big or small—a lawyer had a simple and immediate solution. Alas, once admitted, I quickly learned that Atticus Finch existed only in imagination. That most of us are pedestrian Clydesdales, with limited insight and knowledge. Then I met Jake Stein.

With his two-toned shoes, double-breasted suits, and bow tie, Jake was my ideal. A Renaissance man, Jake read and wrote, juggled and painted, played tennis and ran marathons. Each day, he

would steal an hour or two for a “siesta,” where he would read and think without interruption. I had the privilege of serving with Jake on the editorial board of *LITIGATION* for more than 20 years, where he provided sage advice, all with understated humor. From 1976 to 2008, he wrote 38 fascinating articles in *LITIGATION*, including these classics: “Keep Your Big Mouth Shut” (Vol. 16, No. 3, Spring 1990), “The Judge Hates Me” (Vol. 21, No. 1, Fall 1994), and “Liars Don’t Always Lose” (Vol. 22, No. 3, Spring 1996).

After our meetings ended, all would do work by the pool. Except Jake. He would sit alone in the town square, observing the people, the scene. We big-shot

lawyers would be endlessly on the phone, reading briefs, obsessed about this case or that. Not Jake. He knew life was more than litigation, that time was precious, that inspiration was earned through silent contemplation.

When you worked with Jake, he listened, thought, and then provided wisdom in clear prose. “He’s the kind of lawyer that if you were indicted for murder, found guilty, and hanged, you’d still think you had a good defense,” said Senator Robert Packwood, whom Jake successfully defended against criminal charges. Jake’s client Kenneth W. Parkinson was the only person acquitted in the Watergate scandal, which brought down President Nixon. In the face of a perjury indictment in 1998, Jake obtained immunity for Monica Lewinsky in the Clinton affair. In 1984, he was appointed independent counsel to examine the financial affairs of Edmund Meese, then President Reagan’s attorney general nominee. His investigation, which concluded there was no basis for a criminal prosecution, was quick and thorough—completed within six months after interviewing 200 witnesses. His list of high-profile cases seems endless, yet Jake treated all clients with equal vigor and intelligence.

The son of a Washington, D.C., lawyer, Jake was respected and admired not only by the bar but by the bench, who felt honored to have him in their courtrooms. Law was never a business; it was a majestic profession, where trials were won by calculated strategy, by intellect and integrity. Yet, he wasn’t perfect—Jake always said that a trial lawyer who never lost a case hadn’t tried very many.

With his elegant and personable wife, Mary, Jake lived a wonderful, rich life until his death this past April at age 94. His type—articulate, erudite, successful, and humble—are dinosaurs. I was fortunate to know Jake—and more fortunate to learn from him. ■

Illustration by Daniel Hertzberg