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A COMMITMENT TO EXCELLENCE AND
PRIDE OF ADVOCACY

ARTHUR J. KANIA*

NOW that Bob Garbarino has left Villanova Law School, it is appropriate that his friends and associates acknowledge his contribution to Villanova and the legal community. Others may express more eloquently their thoughts and feelings, but none will write with more sincere passion and respect than I have for the most important friendship and relationship I have experienced in my entire career. My pen suggested that I should write that it was the “most important *non-family* relationship” I have enjoyed. But such a qualifier would inaccurately suggest that Bob was not “family” to me—and quite frankly, the spirit of the wonderful mutual respect and fellowship that has made our relationship so special is nothing less than familial in its truest sense.

I have known Bob for more than forty years. Our recent law school reunion was a most pleasant reminder that we have spent over two thirds of our lives as friends and family. Perhaps being part of the first Villanova Law School class created an affinity and bonding of greater endurance than typical classmate experiences. The commitment and resolve of that class was unquestionably special. Dean Reuschlein’s leadership inspired a tenacity that permeated the will of all who survived as graduates of the 1956 Class. Bob Garbarino was a model of the Reuschlein commitment. He led our class academically, morally and spiritually. He was an essential part of the first Moot Court team, which gained immediate national recognition for our upstart law school. This unexpected result turned heads and brought accolades and identification most needed and welcomed by the faculty and administration. Bob became Editor-in-Chief of the *Villanova Law Review*, another resounding success for a fledgling institution. Upon graduation, Bob was further distinguished by induction into the Order of the Coif, another Villanova first. It is fair to say that Bob was involved in every aspect of student activity pursued by the law school. This participation was natural to Bob because he is a doer. It was equally important because Bob believed it was the obligation of the first class to excel, set the pace

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and bring the recognition that Dean Reuschlein set out to achieve. It was this recognition and excellence that allowed Villanova to achieve early prominence for its commitment to quality law school education, and Bob's contribution to this success is universally acknowledged and applauded.

The Bob Garbarino I knew in law school was a bright, creative and committed scholar with the ability to lead, teach and mentor others interested in a comprehensive and moral commitment to the practice of law. Upon graduation, Bob accepted a clerkship with Judge Thomas Cleary of the Federal District Court, again a major acknowledgement of his already recognized skills and talents. We parted ways as students and classmates to begin our individual career paths. I knew then I would miss the everyday experience of Bob's fellowship and guidance, but I also knew we would track each other's career and maintain the strong friendship created in the pioneer Class of 1956.

The first several years of our careers were a real blur—Bob moved from the chambers of the District Court to the position of Associate General Counsel at Philadelphia Electric Company. Again, success followed Bob. He pioneered Philadelphia Electric's effort into the nuclear generation by strategizing legislation and drafting some of the earliest documentation utilized by the industry. Bob and I spoke on a regular basis and despite his success as in-house counsel, I perceived a need for a broader expression of his skills and talents. It was also apparent to me that Bob's desire to teach and mentor could be better expressed in a relationship with clerks and associates with whom he would work in private practice. After casual and then more serious discussion, Bob and I became partners and again rekindled and revitalized the friendship which began in 1953.

Over the next twenty-five years, Bob and I enjoyed many remarkable and memorable experiences. The years that followed were exciting times. We helped create and finance many entrepreneurial ventures in the health care, pharmaceutical, chemical and financial service industries. Together, we were involved in creating one of the first proprietary health care systems in the United States, as well as the third fully operational hotel-casino in Atlantic City. Bob tried and won a precedent setting case that allowed employee recovery for employer violation of occupational safety. This was well before OSHA and at a time when the employer umbrella of workmen's compensation was sacrosanct. Bob invoked the precept of common law deceit, tried the case nonjury and achieved the

then highest damage award in the county in which the case was tried.

Together, we also represented numerous players, coaches and athletic personalities, an area of representation especially appealing to Bob. Looking back, however, I believe one of Bob's most rewarding experiences was a virtual pro bono representation in opposition to the creation of the Tocks Island Dam. Here, we represented a group of third and fourth generation farmers and rural residential property owners whose properties were subject to condemnation at price levels and under conditions that would strip them of their family homesteads and their livelihoods. The resulting hardship and injustice was most apparent and disturbing and after several meetings, Bob was convinced that the moral commitments we made at law school dictated representation of this group of almost helpless farmers. While we shook our heads in disbelief as we made many long, mostly evening and weekend trips to the Pocono Mountains, we knew we were doing what we had to do. Bob led the fight and I am certain he is remembered regularly in the prayers of many whose family legacies remain intact. Although there were no memorable fees associated with this representation, I know it will be remembered by Bob as one of our more rewarding experiences.

Bob's commitment to excellence and the strength of his advocacy were admired by clients, associates and the legal community. My assessment that teaching and mentoring were deeply imbedded in Bob's sense of advocacy also proved to be correct. Law clerks and associates sought out Bob for work related experiences and advice, and many students requested clerkships at our firm solely for the purpose of experiencing Bob's mentoring. Working with and/or for Bob was not always easy, however. He demanded excellence. Expenditure of time was subordinate to achieving the best result for our client. Bob often said, "If we can't be proud of our work product—our client should not be satisfied with our representation." This often meant redoing and refining the brief, memorandum, pleading or documentation. It was only when Bob looked up and smiled did an associate know that it was a job well done.

Bob and I often reminisce about the many years we spent together and we jest that the strongest test of our relationship was the fact that, except for the times when we were separated by out-of-town trips or one of us was otherwise away from the office, we shared lunch every day of our practice. It was fun to be with Bob and it was always refreshing and rewarding to break bread and ex-

change thoughts, ideas and feelings. Quite often our discussion turned to family, another passion in Bob's life. His love for his most charming, caring and understanding wife, Joyce, and his paternal commitments and concern for Steven, Lisa, Mark and Lynn set an example and standard for those who know, love and respect the Garbarino family.

The inevitable happened one day in 1981. It was not unexpected. Bob often told me he would like someday to further touch the lives of aspiring young lawyers by becoming more involved in academics. Bob is a lifetime member of Villanova's Board of Consultants, and I sensed his excitement and psychic reward in being involved in law school policy and administration. Finally, an opportunity was presented. The law school was about to fill the position of Associate Dean for Administration, with an opportunity for limited teaching. I knew Bob would take this position. I knew Bob *should* take this position. I also knew it would be a breach of trust to dissuade his desire to fill this void in the commitments he had made to himself upon graduation in 1956. It would be trite to say "Our loss was Villanova's gain," but no other expression would be so accurate. Bob's bond to Villanova was so deep that he blended immediately into the newly created deanship. His contribution was enormous. While his main duties were largely administrative, he sought ways to satisfy his strong desire to be involved with the student body. The Reuschleinism in Bob emerged, and almost immediately he created a course study in Sports and Entertainment Law and ultimately the Villanova Sports and Entertainment Law Forum.¹ His newly created courses, Interviewing and Counseling, and Lawyering Skills, were the Law School's most oversubscribed offerings. He was always available for special student counseling and guidance. Touch the students, he did. Upon his retirement, Bob was the recipient of the Medallion Award, the Villanova Law School's highest form of recognition. I had the pleasure of being invited to this Commencement exercise and I beamed with pride (really swelled up with tears of joy) when upon presentation of the Medallion, the entire student body rose in long and sincere applause and ovation. This extemporaneous tribute was truly extraordinary and I, more than others, understood fully the joy and satisfaction Bob realized at this most special time in his life. His mission was accomplished—his job well done.

1. In 1995, the *Forum* achieved journal status and is now the *Sports & Entertainment Law Journal*.

When Bob left for Villanova, he did not take with him that very special bond our entire office shared for all those many years. His experiences and teaching still permeate our workplace. Those who remain with us have been mentored by Bob and their effort and work product continues to express his commitment to excellence and pride of advocacy.

Bob is a consummate professional. His career has been marked by his scholarship, honesty, remarkable work ethic, integrity and moral leadership. He is the epitome of the professional Dean Reuschlein sought to create. Perhaps it is evident from this writing that I enjoy a most special relationship with a most outstanding person. It is not difficult to write accolades about Bob. All one need do is relate experiences. It is even easier for me to do so because I love Bob Garbarino—he is a trusted, true friend who will always be part of my family.

