

PRESS RELEASE

Leo Bearman Jr., 1935 – 2020

September 22, 2020

It is with deep grief that Baker, Donelson, Bearman, Caldwell & Berkowitz, PC announces the passing of a legal legend and our dear colleague, Leo Bearman Jr.

Over his career spanning more than 60 years, Leo Bearman Jr. exemplified professionalism, ethics, civility and excellence, and a vision of legal service as a distinguished profession. He graduated magna cum laude from Yale University in 1957 and earned his law degree from Harvard Law School in 1960. He returned to his native Memphis to practice law with his father. In the early 1980s, their firm merged with another and grew to become what is now known as Baker, Donelson, Bearman, Caldwell & Berkowitz, a nationally recognized law firm and one of the 100 largest law firms in the country.

An experienced litigator who has represented clients in civil litigation, class action defense, antitrust matters, insurance defense litigation, products liability defense, intellectual property litigation, professional negligence defense and commercial litigation, Mr. Bearman is well-known for his involvement with high-profile cases that have had a tremendous impact on the landscape of his community. He acted as counsel in a significant patent case representing the world leader in medical technology. The trial, held in the United States District Court in Memphis, was deemed the longest running trial in the history of the Western District of Tennessee. As part of the outcome, the jury granted the client's request for the right to continue to use the technology and intellectual property at issue, which is the cornerstone of its highly profitable \$1.8 billion-a-year spinal business.

Mr. Bearman served as Counsel of Record for the City of Memphis and the local utilities division in an action before the U.S. Supreme Court concerning the City's groundwater supply. He successfully represented local governments in a landmark case where the Tennessee Supreme Court struck down a law which, if upheld, would have severely impacted the financial stability of the major cities in the state. He was also part of a pro bono team representing a group of Memphians in a voting rights litigation that arose from the proposed consolidation of the City and County governments. These significant cases are just a small sampling of the extensive body of exceptional work that is the hallmark of his distinguished career.

A 2009 feature article in *Mid-South Super Lawyers* highlighted the regard held for Mr. Bearman within the legal community, noting that his "courteous, respectful, kind and never condescending" nature made him "one of the most admired trial lawyers in Memphis." In the words of other attorneys, he was the pre-eminent trial lawyer of his generation in his community, one of the very best lawyers in Tennessee, and the finest lawyer of his generation.

Mr. Bearman's commitment to the legal profession goes well beyond the level of excellence he achieved in his practice. He has a long track record of service to the legal community, having served on the Tennessee Supreme Court Advisory Commissions on drafting Rules of Evidence and on amending the Rules of Civil Procedure, and the Tennessee Supreme Court Disciplinary Board Hearing Committee. He has also served as president or chairman of numerous legal organizations including the Memphis and Shelby County Bar Associations and the Leo Bearman, Sr. Inn of Court.

Mr. Bearman was actively involved in the Cecil C. Humphreys School of Law at the University of Memphis. In addition to his service as an adjunct professor for the school, he also served as honorary chairman for its

Annual Campaign in 1991-92 and 1992-93, and as honorary chairman for the Annual Campaign for the school's law library in 1991-92.

He was also widely respected and regarded as a mentor. Because of his stature as a pillar of the legal community, other lawyers frequently sought out his advice and guidance. In describing his role as a mentor, Mr. Bearman said, "Part of my job here is to give my fellow attorneys the benefit of my experience. I enjoy doing that. The door always stays open and hopefully people have no reluctance to come in and say, 'What do you think I ought to do?'"

He was passionate about education and drew from his love of classic literature to inspire and shape his renowned communication style, making him not only a skilled attorney, but an impactful mentor as well. "I preach to my law school students [at the University of Memphis] and my young associates in the law firm – and to anybody else who will listen – that lawyers are communicators. Some of us try to communicate with jurors or judges. Some of us communicate by drafting wills. But we are basically communicators. So why not read the greatest communicators who ever lived? Why not read Shakespeare and Dickens and Dostoevsky?"

Not surprisingly, Mr. Bearman received numerous recognitions highlighting not only his excellence as a lawyer but also his contributions to the profession and his community. His legal skill was recognized by *The Best Lawyers in America*® (including being named Memphis' "Lawyer of the Year" numerous times, most recently in 2019 for his appellate practice). He has been listed in *Chambers USA* since 2004, among the top 50 attorneys in Memphis and top 100 attorneys in Tennessee since 2006 by *Mid-South Super Lawyers*, and was named "Litigator of the Year" in 2009 by the Tennessee Bar Association Litigation Section. He received the 2011 "Pillars of Excellence" award from the University of Memphis Cecil C. Humphreys School of Law Alumni Chapter, in recognition of the significant contributions he made to the practice of law. He also received the "Lawyer's Lawyer" award from the Memphis Bar Association in 1989, which is given to the attorney in Memphis who best exemplifies professionalism and civility. Most recently, he was selected to receive the prestigious 2020 American Inns of Court Lewis F. Powell Jr. Award for Professionalism and Ethics, which recognizes exemplary service in the areas of professionalism, ethics, civility, and excellence in the legal profession.

In addition to his contributions to the legal profession, throughout his life Mr. Bearman demonstrated an exemplary level of service to his community. His involvement included serving on the Board of Directors of Metropolitan Inter-Faith Association, as president of the Memphis Orchestral Society, president of Goodwill Homes for Children, Inc., president of Temple Israel and a teacher at Temple Israel since 1960.

One of his most enduring contributions to his community was his leadership of what became an institution in the Memphis legal community, the Barristers' Pancake Breakfast benefitting Susan G. Komen for the Cure® in the fight against breast cancer. Held annually for 20 years, the event involved distinguished members of the legal profession donning pink aprons to serve pancakes, eggs, sausage and bacon to hungry guests. All proceeds from the breakfasts ticket sales benefitted the Memphis-MidSouth Affiliate of Susan G. Komen for the Cure. Since its inception, this event raised nearly \$225,000. The enduring success and substantive impact of the event were due in large part to Mr. Bearman's tireless advocacy and commitment to it.

Leo Bearman was a widely respected leader in the legal and local communities. His professionalism, ethics, civility, and excellence are broadly recognized throughout the Bar and the Shelby County community. His steadfast commitment to professionalism and ethics were evident throughout his long career. While he will be sorely missed, he leaves a legacy that is evident not only in his enduring impact on the legal profession and his community but is also deeply woven throughout the careers of the many attorneys who turned to him for counsel, guidance and perspective.