

## EUGENE B. STRASSBURGER AND THE ALI

10/3/2023

GOOD AFTERNOON!

IT IS BOTH A PRIVILEGE AND AN IMMENSE PLEASURE TO SHARE WITH YOU A LITTLE ABOUT MY GRANDFATHER, EUGENE B. STRASSBURGER, AND TO TIE THAT INTO HIS INVOLVEMENT WITH THE AMERICAN LAW INSTITUTE.

AT THE OUTSET, LET ME CLEAR UP ANY CONFUSION SOME OF YOU MAY HAVE. THE SUBJECT OF MY REMARKS IS NOT TO BE CONFUSED WITH MY FATHER, EUGENE B. STRASSBURGER, JR., OR MY BROTHER, THE HONORABLE EUGENE B. STRASSBURGER III. SR., JR., AND THE THIRD ARE THE ONLY 3 GENERATIONS OF FAMILY MEMBERS WITH THE SAME NAME TO HAVE BEEN GRADUATED FROM HARVARD LAW SCHOOL. THE SAME THREE WERE MEMBERS OF THE ALI. YOU WOULD NOT BE OFF-BASE TO CONCLUDE THAT I HAVE BEEN THE UNCHALLENGED BLACK SHEEP IN THE FAMILY.

MY REMARKS ARE QUITE PERSONAL BECAUSE I HAD THE GOOD FORTUNE TO HAVE A CLOSE RELATIONSHIP WITH MY GRANDFATHER FOR THE FIRST 31 YEARS OF MY LIFE AND THE LAST 31 OF HIS. FOR THAT ENTIRE TIME, UNTIL HE DIED IN 1978 WELL INTO HIS 92<sup>ND</sup> YEAR, MY GRANDFATHER AND I LIVED VERY NEAR EACH OTHER. AND I CAN HONESTLY SAY THAT OUR RELATIONSHIP WAS MOSTLY A POSITIVE ONE- THE ONLY NEGATIVES BEING FIRST: WHEN HE WAS QUITE SURE THAT I

HAD BROKEN HIS CAR RADIO BY CHANGING THE KDKA PRESET BUTTON, SO HE COULDN'T LISTEN TO BOB PRINCE BROADCAST HIS BELOVED PIRATES (HOW MANY PEOPLE DO YOU KNOW WHO HAD SEASON TICKETS TO EXPOSITION PARK, FORBES FIELD, AND 3 RIVERS STADIUM?); THE SECOND NEGATIVE IN OUR RELATIONSHIP WAS MY BEING A DEMOCRAT; AND YOU WILL JUST HAVE TO TAKE MY WORD THAT THERE WAS A THIRD ONE.

MY GRANDFATHER, THE YOUNGEST OF THREE BROTHERS, WAS BORN IN 1886 ON SHEFFIELD STREET IN MANCHESTER IN WHAT WAS THEN ALLEGHENY CITY. HIS FATHER SAMUEL, AN 1850s GERMAN IMMIGRANT, STARTED AS A DRY GOODS PEDDLER AND LATER OPENED A STORE ON FEDERAL STREET. POM POM, AS HE WAS AFFECTIONATELY CALLED BY HIS GRANDKIDS, ATTENDED CENTRAL HIGH SCHOOL, LONG AGO DEMOLISHED, WHICH WAS LOCATED AT THE CORNER OF CRAWFORD ST. AND BEDFORD AVE ABOVE THE FORMER CIVIC ARENA SITE. BECAUSE HE LIVED OUTSIDE THE CITY OF PITTSBURGH, HIS PARENTS HAD TO PAY FOR HIS CENTRAL EDUCATION. ONE OF HIS HIGH SCHOOL CLASSMATES WAS THE LEGENDARY SARA SOFFEL, PENNSYLVANIA'S FIRST FEMALE COMMON PLEAS JUDGE AND, COINCIDENTALLY, HERSELF A MEMBER OF THE ALI. IT WAS A REAL HIKE FROM HOME TO SCHOOL AND BACK, AND THERE WAS A PENNY TOLL EACH WAY TO USE THE BRIDGE ACROSS THE ALLEGHENY RIVER.

IN 1904, HE ENROLLED IN HARVARD COLLEGE AND 6 YEARS LATER WAS GRADUATED FROM HARVARD LAW SCHOOL, HAVING EARNED BOTH A B.A. AND AN LL.B. AT LEAST IN THE BEGINNING, HIS CAMBRIDGE COMMUTE WAS NO LESS CHALLENGING THAN HIS HIGH SCHOOL TREK.

HE HAD TO TAKE A TRAIN TO NEW YORK AND A BOAT FROM THERE TO BOSTON, BOTH LEGS BEING OVERNIGHTERS.

IN 1910, BACK IN PITTSBURGH, HE BEGAN A 3-YEAR PRECEPTORSHIP UNDER JAMES BEAL AT WHAT WAS THEN REED SMITH SHAW AND BEAL. IN HIS OWN WORDS, "I DIDN'T LIKE SITTING IN THE LIBRARY AND WORKING ON NOTHING BUT BRIEFS." SO HE WENT TO WORK FOR A SOLE PRACTITIONER, WHO HAD A THRIVING PRACTICE, BUT ALSO A DRINKING PROBLEM. A COUPLE YEARS LATER, J. FRANK MCKENNA, THE SON OF A FORMER PITTSBURGH MAYOR, JOINED THE PRACTICE. IN 1919, THE HEAVY DRINKER SUCCUMBED TO HIS ADDICTION AND STRASSBURGER & MCKENNA WAS BORN. IT IS NOW INTO ITS 105<sup>TH</sup> YEAR. THE BUSINESS COMBINATION OF A CATHOLIC AND A JEW WAS REMARKABLE AT THAT TIME AND REMAINED SO FOR DECADES TO COME.

MY GRANDFATHER'S PROFESSIONAL LIFE FROM 1919 UNTIL HIS DEATH 59 YEARS LATER HAD TWO POLESTARS – COMMUNITY SERVICE AND THE LAW. I WILL MENTION ONLY TWO OF THE ALMOST ENDLESS ASPECTS OF HIS INVOLVEMENTS.

FIRST, FROM 1920 TO 1942, HE TAUGHT TWO COURSES IN THE EVENING AT DUQUESNE UNIVERSITY LAW SCHOOL – NEGOTIABLE INSTRUMENTS AND SURETYSHIP, PRECURSORS TO THE UNIFORM COMMERCIAL CODE. IN 1930, DUQUESNE AWARDED HIM AN HONORARY DOCTOR OF LAWS DEGREE. MUCH LIKE THE STRASSBURGER & MCKENNA COLLABORATION, AT THAT TIME, IT WAS A RARE DISTINCTION FOR A JEW TO BE SO RECOGNIZED BY A CATHOLIC UNIVERSITY.

WHICH BRINGS ME TO THE REASON EVERYONE IS HERE THIS AFTERNOON – MY GRANDFATHER’S INVOLVEMENT WITH THE AMERICAN LAW INSTITUTE. IN 1946, HE BECAME A MEMBER, WAS SOON ELECTED TO THE COUNCIL, AND SHORTLY LATER TO THE EXECUTIVE COMMITTEE.

ONE OF THE MOST SIGNIFICANT UNDERTAKINGS OF THE ALI WAS A JOINT VENTURE WITH THE UNIFORM LAW COMMISSION TO CREATE A UNIFORM COMMERCIAL CODE. IT WAS A DECADE-LONG UNDERTAKING, BOOKENDED BY WWII AND 1954, WHEN PENNSYLVANIA BECAME THE FIRST STATE TO ADOPT IT. MY GRANDFATHER AND CHARLES BUNN, A UNIVERSITY OF WISCONSIN LAW PROFESOR, WHO WAS ALSO THE EDITOR OF THE ENTIRE CODE, WERE THE CO-DRAFTERS OF THE NOW OBSOLETE ARTICLE 6, COVERING BULK SALES.

PERHAPS AN EVEN MORE SIGNIFICANT CONTRIBUTION TO THE ALI WAS AS ONE OF THE SEVEN MANAGERS OF THE MAURICE AND LAURA FALK FOUNDATION. THE FALK NAME IS WELL-KNOWN IN PITTSBURGH, BUT FEW STILL AROUND KNOW WHY. THERE IS THE FLAK CLINIC, THE FALK SCHOOL, FALK MEDICAL LIBRARY, AND OTHER MEMORIALS TO THIS INCREDIBLY PHILANTHROPIC FAMILY.

MAURICE FALK MADE HIS FORTUNE IN THE METALS INDUSTRY, HAVING ESTABLISHED AND/OR BEEN A MAJOR INVESTOR IN MANY HEAVY INDUSTRIAL CORPORATIONS, INCLUDING WEIRTON (LATER NATIONAL) STEEL.

THE FALK FOUNDATION WAS CREATED IN DECEMBER OF 1929, AT THE BEGINNING OF THE GREAT DEPRESSION, IN MEMORY OF MAURICE'S WIFE, WHO HAD DIED THE YEAR BEFORE. MAURICE BELIEVED THAT (AND I QUOTE FROM THE FOUNDATION'S ARTICLES OF AGREEMENT):

ONE, WHO BY GOOD FORTUNE HAS ACCUMULATED WEALTH BEYOND HIS PERSONAL, ECONOMICAL REQUIREMENTS, SHOULD HOLD IN TRUST THAT WEALTH TO BE EXPENDED FOR THE BENEFIT OF AND IN HELPFULNESS TO MANKIND. . . . [FOR] EDUCATIONAL, RELIGIOUS, CHARITABLE, PHILANTHROPIC AND PUBLIC USES.

NOT SURPRISINGLY, FALK TOOK A PAGE FROM THE PLAY BOOK OF THE MOST FAMOUS STEEL MAGNATE, ANDREW CARNEGIE, WHO HAD FAMOUSLY SAID THAT "A MAN WHO DIES RICH DIES DISGRACED."

PURPOSEFULLY, THE FOUNDATION WAS TO HAVE A LIFE OF 35 YEARS. ITS ORIGINAL SEVEN MANAGERS INCLUDED THE PRESIDENT OF THE FARMERS DEPOSIT NATIONAL BANK, THE PRESIDENT OF WEIRTON STEEL, THE PRESIDENT OF MORRIS KNOWLES ENGINEERING, THE PRESIDENT OF EDGEWATER STEEL, MR. FALK'S NEPHEW (LEON FALK, JR.), MR. FALK'S EXECUTIVE SECRETARY, AND MY GRANDFATHER, WHO SERVED AS A MANAGER FOR THE ENTIRE 35-YEAR EXISTENCE OF THE FOUNDATION.

OVER ITS LIFETIME, THE FALK FOUNDATION MADE GRANTS TOTALING MORE THAN \$33 MILLION IN THREE FIELDS:

- \$6 MILLION FOR ECONOMIC RESEARCH
- \$4 MILLION FOR POLITICAL EDUCATION
- MORE THAN \$20 MILLION FOR PITTSBURGH EDUCATION, MEDICINE AND CULTURE

FOR ECONOMIC RESEARCH, THE ALI RECEIVED \$1.2 MILLION, ABOUT 20% OF THE FOUNDATION'S GRANTS IN THAT FIELD:

- APPROX. 1/3 OF THE ALI GRANTS WERE DIRECTED TO THE UCC PROJECT, WHICH CONSTITUTED WELL OVER HALF OF THE FUNDING FOR THAT PROJECT
- THE OTHER 2/3 FUNDED A LANDMARK ALI STUDY OF FEDERAL INCOME, ESTATE & GIFT TAX LAWS
- IN TODAY'S DOLLARS, GRANTS TO THE ALI WOULD BE WORTH ABOUT \$16 MILLION
- THE \$33 MILLION IN TOTAL DISTRIBUTIONS BY THE FALK FOUNDATION WOULD BE WORTH OVER \$400 MILLION TODAY.

HOW DID THIS NOW LARGELY FORGOTTEN PITTSBURGH FOUNDATION BECOME SO CONNECTED TO THE AMERICAN LAW INSTITUTE? NO DOUBT ALL OF YOU REMEMBER ARMY'S CONSECUTIVE HEISMAN TROPHY WINNERS IN 1945 & 1946, DOC BLANCHARD AND GLENN DAVIS – FAMOUSLY KNOWN AS “MR. INSIDE AND MR. OUTSIDE.” AT VERY MUCH THE SAME TIME, THE FALK FOUNDATION HAD ITS OWN MR. INSIDE AND MR. OUTSIDE, THE GOOD FRIENDS FROM PITTSBURGH – MY GRANDFATHER, WHO WAS INSIDE THE FOUNDATION (BUT ABSTAINED FROM VOTING ON THE ALI GRANTS), AND JOHN BUCHANAN, WHO MADE THE ALI REQUESTS TO THE FOUNDATION, WAS MR. OUTSIDE.

I HAVE MORE THAN EXHAUSTED MY ALOTTED TIME. TO JUDGE CONTI GOES MY SINCEREST THANKS FOR AFFORDING ME THIS WONDERFUL

OPPORTUNITY TO REMINISCE PUBLICLY ABOUT THE PATRIARCH OF THE STRASSBURGER FAMILY.