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Footnote for a Friend—Robert K. Puglia

Jed Scully*

Most who pass through life will be remembered at their death by a brief sentiment incised on a marker. The words are usually not those chosen by the dead, nor in most cases, by their living survivors. The verbal statements are “in another’s words” because our loss renders us mute and inarticulate in our attempts to feel and to share how we feel.

As children we are told to be guided by our deeds, not our words about our deeds. In Bob Puglia’s case, throughout the twenty-five years I knew him, his words were his deeds; and very well chosen ones at that. The news story reporting his death states that Justice Puglia “authored more than 4000 opinions—more than 400 of them published.” That clearly understates what his friends knew of him. Every day of his life was an opinion, spoken or written with élan, clarity, humor, inclusiveness, and a viewpoint. Verbal oatmeal and equivocation was for the temporizers and for those unwilling to get into the intellectual boxing ring with him for a round or two. And if you were up to it, it was Mr. Toad’s Wild Ride, and an experience none of us will ever forget.

I first met Bob on a glorious sunny day in the backyard of former McGeorge Dean Gordon Schaber’s home. From what I knew of his background and mine, I expected that our conversation would be brief and formal. Within a few moments, the introductory mumbles gave way to riotous anecdotes about Columbus, Ohio and Hollywood, California, solemn recollections about the Korean “Conflict,” and contrasting views about the ills of the world and who were responsible as the “usual suspects.” We left as friends, not acquaintances.

Both before and after this social meeting, I had appeared before Justice Puglia as an advocate; never successfully, as far as my clients were concerned. But no one was ever a loser in his courtroom. Not winning was not the equivalent of losing. A lawyer and client left with the feeling that they had received the best professional treatment, a full and fair hearing, considerate regard for the persons before him, and yes, an opinion.

I came to know Bob best during the fifteen years we served together as members of the Kennedy Inn of Court. Bob followed Milt Schwartz as President of the Inn. As his assistant, we worked very closely for three great years, and then further, until his death, as members of the Inn. He had the amazing capacity to unite people in a common endeavor, while at the same time rendering strong opinions on life, mores, and the law. Further, he respected and encouraged dissent. Debate was pointless unless it was robust. In our idealized view, this is how we envision debate in legislatures, at New England town meetings, and in a

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less polarized America. It was easy to see how a panel of judges, encouraged to find legal consensus, and who do not normally rise to these positions because of their own lack of ego, would see in Bob, their natural leader. Differences of opinion were never a point of difference with Bob. They were the point—as was collegiality, inclusiveness, professional respect, and kindness.

I will continue to remember Bob at Inns of Court program meetings, sitting front row on the aisle in the McGeorge courtroom, usually flanked on his right by Fred Morrison (it is somewhat difficult for me to conceptualize anyone flanking Bob on the right), lobbing verbal grenades—no, more like a firecracking piñata—at a statement made or a position taken with less fidelity to the law or to logic than he thought warranted. He was like the legendary Brooks Atkinson of the New York Times, front center and on the aisle at Broadway openers.

One of our commonalities was growing up just missing World War II, and with the insanity of pubescence, both regretting being too young to serve. I made the grade in Bob's book when I correctly identified the array of units with which he served as a frontline combat infantryman. At the same time, I was stateside at Fort Lewis, seeing fellow eighteen and nineteen year-olds returning wounded from a war, officially downgraded to a "conflict."

About a year ago, I located a baseball cap with the legend "Korean War Veteran" and the normal display of combat ribbons, plus Bob's 3rd Infantry Division insignia. I was holding it for him, for a suitable presentation time, in memory of a program in which he roleplayed my *aide de camp* in a mock court martial of Lieutenant Kelly Flynn. Flynn was the first female B-52 pilot in the Air Force, who was cashiered for romance with a fellow crewmember.

Bob did not need to go to a costume rental company for his outfit. He showed up in his Korean War olive drab uniform, with Master Sergeant stripes, ribbons, Combat Infantry badge, and 3rd Infantry Division patch. The crease on his trousers was as razor sharp as was his commentary, the belly as flat as a tabletop, and the uniform fit as perfect as it did fifty years earlier. I ruefully was reminded that the only way I could fit into my old uniform was with the assistance of a punishing and lengthy Atkins diet and an expert tailor.

In these hours of loss, my own gift from Bob is a sense of warmth to have been included in the very wide circle of Bob's friendship, and my opportunity to add this grateful footnote to his final, published, life opinion.