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# JOHN J. TIGERT VI REMEMBERED: AN ENCOMIUM TO A GIANT

CHARLES A. TARPLEY\*

## I. INTRODUCTION

**J**OHN TIGERT WAS a big man. Standing more than six feet, four inches tall, he physically dominated most settings. Even if it had not been so, he would have dominated by force of intellect and commitment to purpose. John was a scholar, lawyer, mentor, and pilot. He could be one or more simultaneously and invariably was. In each role, he was superb; in a combined role, he was magnificent. He was also a philanthropist. Finally and always, he was a gentleman, and he was my friend.

## II. SCHOLAR

That John was committed to scholarship was foreordained. It was in his genes! John's great-great-grandfather<sup>1</sup> was the founder and first chancellor of Vanderbilt University; his grandfather<sup>2</sup> earned his undergraduate degree there and was the first Rhodes Scholar from the State of Tennessee and later the United States Commissioner of Education, president of the University of Florida, and president of the Southeastern Athletic Conference.

In the family tradition, John chose Vanderbilt where he was selected as both a Woodrow Wilson Fellow and a Fulbright Scholar, admitted to Phi Beta Kappa, and elected president of the student body. Following Naval service, John continued his commitment to scholarship at the University of Chicago Law

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<sup>1</sup> Bishop Holland Nimmons McTyeire.

<sup>2</sup> Dr. John J. Tigert IV, who was a three sports letterman and team captain at Vanderbilt. In addition, Dr. Tigert was the father of the athletic scholarship in collegiate athletics.

School, graduating with distinction in 1973. In the years that followed, he was a frequent speaker at aviation legal conferences here and abroad, including of course the SMU Air Law Symposium.

### III. LAWYER

Following graduation from the University of Chicago Law School, John began his aviation defense practice in Chicago at Lord, Bissel and Brook, the firm where we practiced together. Four years later, John accepted an appointment to the Department of Justice where he served as a senior trial attorney before leaving two-and-a-half years later to form his own firm. He continued in private practice for the better part of the next two decades and was at the time of his death the senior partner of the firm of Tigert & Ledig.

John's clock continually ran at one speed only—fast. He got more out of an hour than some got from three. For him, an honest half-day's work was twelve hours. He often continued longer; his energy was boundless.

John's inherent ability to analyze a case and thereafter make clear, concise recommendations about its handling quickly made him a favorite of insurance company claim executives. His ability as a negotiator in resolving cases that could be settled was equally prized. In the cases that could not be settled, John did epic battle in the courtroom with some of the best lawyers the plaintiff's bar could field. He won many cases and lost a few, but regardless of the outcome, John's post-trial ruminations generously featured the unalloyed brilliance of plaintiff's counsel and the unstinting efforts of his own defense team. He always portrayed himself as little more than a mere spectator. In the appellate setting, John's legal briefs were models of clarity and incisiveness. So too were his oral arguments. Whether as appellant or appellee, John won many more cases than he lost.

The ultimate tribute to John as a lawyer comes from other counsel. Since his death, countless lawyers have written or called me to say that one of the joys of their professional association with John was his inviolate honesty in his dealings with them. John's word was his bond; its term was infinite and its value was never discounted. As so many stressed to me, you never needed to confirm in writing that John had granted additional time in which to plead, answer, or file. You needed only to note John's agreement in your file as he did in his. John

valued his professional relationships and never took unfair advantage of anyone.

#### IV. MENTOR

A mentor is also a teacher. John was uniquely both. He guided the careers of many lawyers. If a young lawyer was eager to learn, willing to work, and strove to improve, John was the ultimate teacher. He would state with precision and at length what he expected from the lawyer and then lay out a road map with the destination prominently illuminated. He left it to the lawyer to choose the route.

New associates in his firm were required to submit a draft of every letter, instrument, or pleading before John allowed it to leave the firm's offices. John required the draft to be the lawyer's best effort. Thereafter, John would patiently critique that which was required to reach his unwavering standard. He expected the second submission to be the last. A second critique requiring a third draft usually presaged an associate's short tenure, but the associate who listened closely and acted resolutely on John's counsel did well indeed. He was at once the young lawyer's severest critic and greatest champion. After all it was really very simple: John never expected more than perfection.

#### V. PILOT

John loved flying. He loved to fly airplanes, see them at air shows, in movies, on television, in museums, in photographs—wherever. John's father,<sup>3</sup> who began naval flight training in the mid-thirties, was the first aviator in the family. His father's aviation career continued for more than four decades as he rose through the ranks of management at Pan Am, retiring as a vice president.

Following graduation from Vanderbilt, John followed his father's footsteps into Naval pilot training. After winning his "Wings of Gold," John served in the Vietnam War as a Navy pilot. Upon release from active duty and subsequent enrollment in law school, John continued flying in the Naval Reserve, but after a decade in which he flew dignitaries including a Vice President of the United States, he foresaw that his advances in rank

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<sup>3</sup> Mr. John J. Tigert V, who retired from the Navy Reserve in the rank of Captain. Continuing the family tradition, Mr. Tigert enrolled at Vanderbilt, but upon completion of his second year, he transferred to the School of Engineering at the University of Florida, where he graduated in 1935.

and assumption of command responsibilities would ultimately force him from the Navy cockpit.

Facing the prospect of no longer flying as a Navy pilot, John transferred to the Air Force Reserve and began flying its largest aircraft, the Lockheed C-5A "Galaxy." John was recalled to active duty in the Gulf War and served with distinction there. He ultimately retired from the Air Force in 1993.

No matter how much satisfaction he found in the Navy or Air Force cockpit, John's desire to be an airline pilot burned white-hot. It was true the day I met him; it was true days before his death when we last talked. John did not merely want to be an airline pilot; he wanted to be a pilot for his father's airline—Pan Am. It was a goal that eluded him for nearly two decades. Fortunately, his dream was finally, if only briefly, realized. In 1987, Pan Am hired its first pilots since 1968. John was one of them. We celebrated! On July 1, 1987, the day after John's forty-seventh birthday, he began training at the Pan Am International Flight Academy in Miami, approximately five miles from his birthplace. I was his instructor. The course of instruction was rigorous and fast-moving, but John mastered every nuance, and within months, he was selected as an instructor. We celebrated! John continued as a Pan Am check airman until sadly the airline ceased to fly on December 4, 1991. We commiserated. Of the few thousand ever selected to wear the wings and fly the Clippers, no one ever enjoyed being a Pan Am airman more than John.<sup>4</sup> For him, it was a part-time job and a full-time love to be infinitely enjoyed in between his full-time law practice and service in the Air Force Reserve.

## VI. PHILANTHROPIST

Like scholarship, the tradition of giving, whether time, money, or both was in John's genes. In addition to his great-great-grandfather, John's great-grandfather<sup>5</sup> was a Bishop of the Methodist Episcopal Church, South.<sup>6</sup> Their visible good works and concern for their fellow man were neither the first in John's family, nor the last, but they were a shining guidepost for John and shaped his own commitment to service and philanthropy. His pro bono work was never heralded, but it was enormously appreciated by the many John helped. John wrote checks in-

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<sup>4</sup> I was a close second!

<sup>5</sup> Bishop John J. Tigert III.

<sup>6</sup> A denominational forerunner of what is today the United Methodist Church.

stantly when he felt a cause needed uplifting or required redress, and as the rewards from his law practice increased, so did the magnitude of this benevolence.

Surely the most visible of John's time commitments was SMU. For the past decade-and-a-half he served tirelessly as a member of the Board of Advisors to the *Journal of Air Law and Commerce* and its Air Law Symposium. In my last conversation with John, we discussed the many continuing preparations for the 1997 Air Law Symposium. The least visible of John's fiscal commitments was his financial assistance to student editors of the *Journal of Air Law and Commerce*. These gifts were known only to the Dean and the recipients.

John was passionate about the Air Law Symposium. His service to it was a labor of love. For him, it elevated the scholarship of the profession, contributed needed funds to the Law School and its students, and brought friends together every year.

## VII. GENTLEMAN

John was a gentleman; he was by birth a Southern gentleman. His lineage is easily traceable to pre-Revolutionary times in the South, through South Carolina, to Tennessee and his birthplace Florida. John always credited his upbringing to his mother,<sup>7</sup> a gentelady from South Carolina, and to the traditions from which each of his parents descended. John was taught to respect everyone, but particularly women and his elders.

He always opened a door for a lady, and he stood when she entered the room or arose from the dinner table. When opposing counsel was a woman, John unfailingly treated her with the courtesy owed a lady regardless of how heated the deposition, hearing, or trial became. She was always regarded as a formidable opponent, but treated with respect. For him, she was a member of the fairer sex, never the weaker sex.

John believed every man was a gentleman until his conduct proved otherwise. He said "Sir" to any man older than he whether the man was the janitor, wing commander, doorman, or Vice President of the United States. Few mistook his courtliness and civility for weakness; those who did so regretted it.

John always wore a blue suit. It was either a pinstripe or a Pan Am, Navy, or Air Force uniform. In each John looked every inch the gentleman. It was no illusion; he supremely was.

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<sup>7</sup> Mrs. Iris Machen Tigert.

## VIII. FRIEND

John and I practiced, played, and flew together over a span of more than two decades. When it was time to work, no one was more serious than John. He viewed his representation of clients as a trust that demanded his earnest best effort. Whether the representation was compensated or pro bono, no client got less than John's best, and indeed it was the best. When it was time to fly, Pan Am, the Navy, or Air Force benefited from John's considerable aviation skills. When it was time to play, John was just a big kid. He was irrepressible and wondrously fun to play with. Whether watching the Cowboys or Redskins or revelling in some flying movie with the sound turned down, we laughed and talked far into the night.

John was a passionate talker. When we were together, we talked endlessly about anything, everything, and sometimes really nothing at all. When we were not together, we talked continually, and again sometimes endlessly, as our telephone bills silently attest.

John always spoke at the same volume—LOUD!! Once we were flying from Washington to New York on a Pan Am turbo-prop commuter. John was seated in the front row in an aft-facing seat. I was seated in the last row, facing forward. During the flight, John explained some arcane principle of law to his random seatmate, and over the drone of the engines, to the other thirty-seven passengers as well. We were all fascinated. On deplaning, I playfully recited the substance of the conversation to John. He was embarrassed and protested that he had only been talking in his usual "conversational voice." I counseled him that indeed he had been!

John valued loyalty more than any other human trait. If you were John's friend, he was fiercely loyal. It is impossible to imagine anything that John would not have done for a friend. The loyalty was reciprocated. John's friendship was a treasure.

## IX. CONCLUSION

Scholar, lawyer, mentor, pilot, philanthropist, gentleman, and friend: John was all of these and more. He was so much more.

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