

1968

In Memoriam: Otto C. Sommerich

Recommended Citation

In Memoriam: Otto C. Sommerich, 2 INT'L L. 588 (1968)

<https://scholar.smu.edu/til/vol2/iss4/3>

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the Committee on Policy Planning and Coordination from 5 to 6, and the Chairman named George W. Haight to be a member of the Committee to serve with the present members.

Annual Meeting

The program planned for you at Philadelphia is outstanding. Highlights include international patent problems, foreign investment regulations, international law in decision making and an address by the President of the Inter-American Bar Association.

The Council will have its first meeting on Sunday, August 4. Chairmen of Section Committees are invited to attend meetings of the Council. By meeting jointly, the Council can have the benefit of the Chairmen's advice and can become better acquainted with committee activities.

JOE C. BARRETT,
Chairman

In Memoriam

We note with deep sorrow the death on January 10, 1968, of OTTO C. SOMMERICH in his native city of New York.

Mr. Sommerich was graduated from the City College of the City of New York in 1896 and received his M.A. at Columbia where he also took his law degree. He was admitted to the New York Bar in 1899. He served as Honorary President of the American Foreign Law Association, Honorary Vice-President of the American Branch of the International Bar Association, and as a director of the Consular Law Society. He was a member of the Association of the Bar of the City of New York, New York County Lawyers Association, and the New York Law Institute. He was the co-author, with his partner, Benjamin Busch, of the outstanding work *Foreign Law—A Guide to Its Pleading and Practice*, published in 1959 for the Parker School of Foreign and Comparative Law, Columbia University.

As Chairman, from 1954 until his death, of the Section's Committee on European Law, Mr. Sommerich annually submitted learned reports which serve as abundant testimonial to his legal scholarship, initiative, and ingenuity. He commandeered experts, whether or not members of his Committee, to submit articles and undertake research on specific topics relating to fields of concern to his Committee. These

articles and reports would themselves make an excellent volume, or perhaps two volumes, on comparative European law.

Among the subjects which he and his Committee researched and on which he had special articles written by his Committee members and other specialists were:

1. Formal requirements, evidence, offer and acceptance in the comparative law of sales of goods, and under relative sections of the Uniform Commercial Code in Austria, Belgium, Denmark, France, Germany, Italy, Netherlands, Russia, Spain, Sweden, and Switzerland.

2. Enforcement of judgments under long-arm statutes in Austria, Belgium, England, France, Germany, Italy, Norway, Spain, Sweden, and Switzerland.

3. Liability of a parent corporation for the obligations of its foreign subsidiary in Austria, Belgium, England, France, Germany, Italy, Netherlands, and Switzerland.

4. Enforcement of American money judgments and arbitral awards in Austria, Belgium, France, Netherlands, Poland, and Switzerland.

5. Judicial review of administrative decisions in foreign countries—Austria, England, and France.

6. Comparative survey on products liability law applied to motor vehicles in Austria, Belgium, England, France, Germany, Italy, Netherlands, the Soviet Union, Spain, Sweden, and Switzerland.

7. Recognition of Mexican divorces under the laws of Austria, Belgium, France, Germany, Italy, Netherlands, Scandinavian countries, Spain, Switzerland, the United Kingdom, and the U.S.S.R.

Other topics which were the subject of his Committee's reports included marriage in French and American law; observations on the current status of the Tate Letter; extra-territorial effect of injunctions in antitrust cases within the Anglo-American orbit; flags of convenience ships; the Court of Justice of European Communities.

Such extensive effort on the part of members of his Committee reflect the inspiring leadership of Mr. Sommerich and the loyalty and esteem in which he was held by his colleagues on the Committee. Throughout his long career at the Bar, Mr. Sommerich was known as an indefatigable fighter for a cause or a client. In litigation matters, he was learned in substantive principles and their exceptions, and astute in procedural techniques.

He was counsel in many historic cases including *Nortz v. U.S.* 294 U.S. 317 (involving the "gold clause" in U.S. obligations) and

Wulfsohn v. Russian Socialist Federated Soviet Republic 234 N.Y. 372 (dealing with rights and obligations of the unrecognized Soviet Government).

Usually mild in manner and speech, Mr. Sommerich had an intensity in advocacy which sprang as much from his love for the law as from the enthusiasm for his cause. He had a vast knowledge and understanding of the law and unceasingly pursued the study of the law throughout his long life at the Bar. He was reputed to have never missed reading a single issue of the *New York Law Journal* from beginning to end. He had the same rare ability as Supreme Court Justice Owen Roberts in recalling a precedent and giving the name of the case as well as the volume and page in which it was reported. To him, the law was a servant of justice and equity its conscience.

He sought to broaden the horizon of legal knowledge not only for himself, but to instill learning among the young men who came to him frequently for advice. He was a quiet, retiring family man who never sought the limelight or public acclaim but always enjoyed good books, good music, good food, and good friends. He was an inspiration to all those who had the good fortune to come within his sphere of influence.

His passing is a great loss to the legal community and an especial loss not only to his family and firm but to the members of our Section.

MAX CHOPNICK