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A Heartfelt Tribute to Jeff Gaba

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A HEARTFELT TRIBUTE TO JEFF GABA

*Julie Patterson Forrester Rogers**

WITH the retirement of Jeff Gaba, the law school is losing an all-around good guy. Our jobs as members of the law school faculty entail three areas—teaching, scholarship, and service, and Jeff has excelled at all three. He is an outstanding environmental law scholar, a wonderful and caring teacher, a helpful and available colleague, and the guy who would say “yes” when asked to do one of those time-consuming jobs that comes with little recognition. His other faculty colleagues and I will miss him immensely—and not just because he takes on those not-so-fun tasks.

Jeff is a prolific environmental law scholar. He has a national reputation with many articles, a casebook, and treatises on environmental law, including one on the law of solid waste.¹ Jeff has an excellent sense of humor and has often joked about the fact that his area of special expertise is solid waste. His interest in environmental law began early with a stint as Notes and Comments Editor for the *Columbia Journal of Environmental Law* and with jobs for the Environmental Defense Fund and the EPA, the latter culminating with the position of Acting Assistant General Counsel before Jeff began teaching at SMU.

Jeff has a high level of intellectual curiosity and branched out of the environmental law arena for other pursuits. On his first research leave, he attended Harvard University to obtain a Master of Public Health. He taught as a visitor at the University of Hawaii, running a marathon while there, and later taught at Meiji Gakuin University in Tokyo, taking his family with him. Jeff also loves Shakespeare, which led him to research and publish an article on Shakespeare and eighteenth-century English copyright law.² He incorporates Shakespeare into conversation, into his teaching, and into his scholarship. Who other than Jeff could find a way to cite Shakespeare in an article about hazardous waste?³

* Professor of Law and former Associate Provost, SMU Dedman School of Law. Thanks to Paul Rogers for his comments on a draft of this tribute.

1. JEFFREY M. GABA & DONALD STEVER, *THE LAW OF SOLID WASTE, POLLUTION PREVENTION AND RECYCLING* (2020).

2. Jeffrey M. Gaba, *Copyrighting Shakespeare: Jacob Tonson, Eighteenth Century English Copyright, and the Birth of Shakespeare Scholarship*, 19 *J. INTELL. PROP. L.* 21 (2011).

3. Jeffrey M. Gaba, *Regulation by Bootstrap: Contingent Management of Hazardous Wastes under the Resource Conservation and Recovery Act*, 18 *YALE J. ON REG.* 85, 87 (2001).

As our resident environmental law teacher for many years, Jeff has guided and mentored many students who wanted to practice in the area. He has also been a mainstay of our first-year curriculum, ably teaching Property to thousands of students.

Jeff and I both enjoy teaching the intricacies of future interests in the first-year Property course—and we do admit to being rather nerdy when it comes to the subject. We have spent countless hours over the years talking about hypothetical future interest problems. He would trek down the hall to my office or I to his when a prickly Property problem needed discussion. And we would often review drafts of each other's exams before giving them to our students.

Jeff was not, however, always easy to find at the law school. One of his favorite spots to prepare for class or to work on an article was the Starbucks on Hillcrest Avenue near the law school. He could also be found on occasion at Bubba's, our local chicken eatery, and the story is that he met his wonderful wife Brenda there.

When Jeff came to my office, we would not only discuss future interests, but we would also compare notes on our children who are close in age. Jeff is very proud of his two sons and justifiably so.

As a colleague, Jeff was always available to consult on any issue or to add some levity to a situation. And he really did undertake many unpopular jobs. He chaired both my tenure committee and my promotion committee and has probably chaired as many of those as any other faculty member. He served as chair of the appointments committee, a quite arduous job, for a number of years, and as his swan song, he served as Senior Associate Dean for Academic Affairs. He was also a go-to person when we needed someone to chair an ad hoc committee to study some then-pressing issue or to recommend policy changes. Many of these jobs were extremely time-consuming and provided little reward, but Jeff rolled up his sleeves and did them without complaint.

So, Jeff really was that all-around great colleague. I was so happy to have the privilege during my year as the law school's interim dean of awarding him the M.D. Anderson Foundation Endowed Professorship. The title was a tangible way to acknowledge Jeff's scholarship, teaching, and service to our law school community.

We will miss not only Jeff, but also his better half Brenda, and I would not presume to call her that except for the fact that Jeff often did. We wish them all the best for their life in Santa Fe and hope that they will often make it back to Dallas for a visit, for retirement is such sweet sorrow.⁴

4. See WILLIAM SHAKESPEARE, *ROMEO AND JULIET* act II, sc. 2, l. 184 ("Parting is such sweet sorrow.").