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34 years, 7,200 opinions for Shadur

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Whenever he's asked to single out his most noteworthy rulings, U.S. District Judge [Milton I. Shadur](#) is reminded of a classic comedy routine.

In skits that were recorded on five albums, Mel Brooks played a 2,000-year-old man, and Carl Reiner was his interviewer.

Reiner asks Brooks if he has any children.

"Yes, I have 2,000 — and not one sends me a card on my birthday," Brooks replies.

Having written more than 7,200 opinions in his 34 years on the bench, Shadur has plenty of options to single out as his most significant.

Instead of picking from his many cases that have made headlines, Shadur said he likely would choose a case that presented an intellectual challenge.

"There are cases that, in global terms, have not had a lot of significance but have contained a legal issue that I have found particularly challenging and interesting," he said.

And the chance to tackle complex legal issues is the aspect of serving on the trial bench that he enjoys most.

"I love legal problems, I love to try to solve them and, as you might guess, I love to write," he said.

A former law clerk, [C. Steven Tomashefsky](#) of Stein, Ray LLP, said working for Shadur was a great education.

"I think I learned more from him in one year of clerking than I learned in three years of law school," Tomashefsky said.

He said Shadur gave litigants in his court the same kind of attention he gave his law clerks.

The judge was “extraordinarily conscientious and eminently fair in how he dealt with the cases before him,” Tomashefsky said.

Shadur, who turns 90 today, was born in St. Paul, Minn., and raised in Milwaukee.

He completed high school at the age of 15 and graduated from the University of Chicago at 18 with a bachelor’s degree in mathematics and physics.

It was 1943 by then, and World War II was raging.

“I enlisted in the Navy because everybody wanted to get into the service in those days,” Shadur said.

After serving as a radar officer aboard aircraft carriers in the Pacific for three years, Shadur returned home and married his wife, Eleanor. They’ve been married for 68 years.

“I call it a trial marriage, you understand,” Shadur said. “And so far, the trial seems to be working.”

The Shadurs have two surviving children, Robert and Beth — a third child, Karen, died in 2010 — three grandchildren and four great-grandchildren.

Eleanor Shadur occasionally makes an appearance in her husband’s writings.

For example, Shadur in one opinion rejected the assertion that he had given a litigant the equivalent of a blank check by letting him file a second amended complaint.

In fact, Shadur wrote, he “issues blank checks to no one other than Mrs. Shadur.” *Curtis Jones v. Greyhound Exposition Services, et al.*, No. 05 C 6168.

After leaving the Navy, Shadur worked in a family business for a time and then enrolled at the University of Chicago Law School.

He had not previously considered a career in law but quickly discovered he had a knack for it.

“From the day I started law school, I really had a happy home,” Shadur said.

He was editor-in-chief of the bar review and graduated in 1949 with what is believed to be the highest grade point average any student at the school has received.

After completing his law studies, Shadur joined the firm that had been established under the name of Goldberg and Devoe. He was made partner two years later.

The firm — which was called Shadur, Krupp & Miller when Shadur was appointed a judge 31 years later — has produced several members of the bench.

In addition to Shadur, they include former U.S. Supreme Court justice Arthur J. Goldberg; [Abner J. Mikva](#), who served on the U.S. Court of Appeals for the District of Columbia Circuit and is now with JAMS Inc.; and U.S. District Judge [Elaine Bucklo](#).

While he handled some civil rights cases on a pro bono basis, Shadur was essentially a transactional lawyer. He represented clients on matters concerning taxes, securities, corporate governance and real estate.

During President Gerald Ford's administration, Shadur was on the short list of candidates for a seat on the 7th U.S. Circuit Court of Appeals. The position ultimately went to [William J. Bauer](#).

Shadur said it's just as well he was not selected.

Compared to the work of a district judge, he said, the job of an appellate judge tends "to be much more sterile" because it involves "much less communication with the human condition."

In 1980, President Jimmy Carter appointed Shadur to the federal trial bench.

Although he took senior status in 1992, Shadur carries a full load of civil and criminal cases.

And despite his preference for the trial bench, Shadur until recently served as a visiting judge on federal appeals courts around the country three or four times a year.

While his law clerks provide valuable research and insight into legal issues, Shadur said, he writes his own opinions.

Those opinions often contain quotes from such sources as Shakespeare, Abraham Lincoln, Lewis Carroll, Gilbert and Sullivan and the Bible.

In a 2012 opinion in *Inland Mortgage Capital Corp. v. Chivas Retail Partners LLC, et al.*, No. 11 C 6482, he poked fun at himself with a reference to "the time before Noah's flood" when he was in private practice.

Shadur included some colorful — but more serious — comments in an opinion last week explaining why he was exercising his privilege as a senior judge to step aside from a lawsuit filed by Michael Jordan. *Michael Jordan, et al. v. Dominick's Finer Foods LLC, et al.*, No. 10 C 407.

Shadur had ruled in favor of the former Chicago Bull on his claim that a grocery store chain misappropriated his identity in an advertisement.

But Jordan's attorneys alleged that Shadur disparaged their client both before and during the battle over damages that followed.

The attorneys at Schiff, Hardin LLP objected to Shadur's use of such words as "greedy" and "grasping" when asserting that Jordan's damages demand was excessive.

Other evidence of Shadur's bias against Jordan, the attorneys contended, was his use in a 2011 court hearing of a Wall Street saying: "The bulls may make money and the bears may make money, but the hogs get slaughtered."

In his opinion, Shadur denied that he was required to recuse himself. But he wrote he was relinquishing the case for fear that "subliminal forces" might influence his rulings.

Later, in an interview, Shadur said he considered the matter carefully before stepping aside.

“It was not an easy decision, in large part because I don’t like to bum rap lawyers,” he said.

However, he said, he was “extraordinarily troubled” by what he viewed as an attack by Jordan’s attorneys on his integrity.

“To find myself charged with having the appearance or the fact of impropriety was, I thought, ultimately insulting,” Shadur said.

The feeling seems to have cut especially deep for a man who enjoys his job so much he is essentially donating his services.

When he took senior status 22 years ago, Shadur could have retired and collected the same salary.

But he’s not ready to give up his work.

“To me,” he said, “it’s like meat and drink.”

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