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TRIBUTE

THE LIFE AND TIMES OF PROFESSOR DANIEL J. MORGAN, A.K.A. “DAN, THE MAN, MORGAN”

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Preparing for class, my brilliant thoughts are interrupted (or, at least I am interrupted) by Dan walking into my office. He need not knock; we have been colleagues and friends for decades. He will be animated as he enters and probably a little ruffled in a tweed jacket, looking every bit the Welshman he is. He might have mismatched socks if Andrea did not inspect his wardrobe before he left for work this morning. His face, complete with gray hair and beard, calls for a pipe, the pipe he gave up smoking many years before. The song “Let Me Entertain You”¹ should be playing, not so softly, in the background as he enters,² not because he has any similarity to Gypsy Rose Lee, thank the Lord. Rather, the song

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1. STEPHEN SONDEHEIM & JULE STYNE, *Let Me Entertain You*, in STEPHEN SONDEHEIM & JULE STYNE, *GYPSY* (1959).

2. Professor Michael Gibson astutely commented about Dan’s retirement when he stated: “Professor Morgan will miss his audience!”

should be playing because Dan will entertain me with a story or two,³ complete with Wyoming “Morganisms” that others will no doubt mention.⁴

The discussion will then likely morph into an intellectual debate about an aspect of the law or politics. The political arena will center on either national or regional issues or the really important and potentially bloodletting issues dealing with our little egocentric universe that is usually called a law school. Dispersed throughout this conversation where we will attempt to solve the problems of the world, or at least those of the law school, will be remarks and questions about our health, respective family members, and whatever personal challenge one of us is confronting at the moment (and dare I mention, many colorful metaphors and adjectives to add just a tad of spice). How many similar conversations have we had through the years? How many hours have we conversed? I would not hazard to guess; however, I do know with absolute certainty that these conversations will be missed.

Upon Dan’s retirement, the entire law school community, including the approximately 5,000 students he has taught during his career, will feel his absence.⁵ He has made too many significant contributions to describe in detail during both his Oklahoma and Wyoming lifetimes. Now, the beginning of this tale⁶ about “Dan, the Man, Morgan,” as he is so fondly referred to by his students. Perhaps an examination of his past explains the man Dan will become.

3. Since 1981, for 33 years, I have played the perfect straight-man for Dan’s jokes and storytelling. Finally, I have the stage without interruption.

4. For examples of “Morganisms,” please see Dean Valerie K. Couch’s tribute entitled, *Daniel J. Morgan: The Dean’s Dream*.

5. The exact number of students that Dan has taught through the years is unknown. However, he has taught first-year classes at either Oklahoma City University (OCU) or Wyoming for 35 years. Adding in the students in the upper-division electives that he also taught, Dan could easily have influenced the legal career of close to 5,000 students.

6. Alternative titles for this Tribute included “Dan Morgan, the Man, the Myth” and “Daniel J. Morgan, Boxers or Briefs.” Instead the title was selected in honor of Judge Roy Bean who, as legend has it, dispensed his own kind of frontier justice. See Allen Rostron, *The Law and Order Theme in Political and Popular Culture*, 37 OKLA. CITY U. L. REV. 323, 373 n.352 (2012). Sorry, Dan. I did not select this title because you resemble in any way Paul Newman, who played the western character in the 1972 film directed by John Huston. *THE LIFE AND TIMES OF JUDGE ROY BEAN* (First Artists 1972).

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Although Dan would say and most would assume that he is a “Wyomingite,” Daniel John Morgan was born in Sterling, Colorado, on November 19, 1944, to Jean Louise Blankenship and Chester Thomas (Tom) Morgan. Tom was a semi-pro baseball player and attended the University of Wyoming on a baseball scholarship. However, he had more success in law school than playing second base for the Cowboys. Dan’s mother attended Nebraska State Teachers College, known as the “Campus of a 1,000 Oaks,” in Peru, Nebraska,⁷ where she enjoyed her reign as May Queen. During her single years, Jean taught in an Episcopal school in Hawaii and worked at the Department of Agriculture in Washington, D.C., where she met Eleanor Roosevelt. Tom’s and Jean’s paths crossed when Jean was attending summer school at the University of Wyoming. As a newlywed, Tom worked for the Civilian Conservation Corps, which gave the country Hoover Dam, and as an attorney with the Antitrust Department in Washington, D.C. When World War II began, Tom resigned his position with the Antitrust Department to join the Navy,⁸ where he served as a Naval Corpsman attached to the Marine Corps through the war. When the Japanese attacked Okinawa Island,



Tom’s job was to take the casualties off the ships. While Tom was overseas, Jean lived with her parents in Sterling, Colorado, during which time Dan was born. After Tom returned from his service in the war, the family moved to Denver, where Tom was an Assistant U.S. Attorney for two to three years.

Not long after Dan’s birth, the couple decided that it would be best for Tom to enter private practice. They drove around Wyoming “looking” for home until they found the town of Gillette. In Gillette, Tom joined the law firm of Elwood, Anderson, Anderson and Morgan.

7. See *History and Heritage*, PERU ST. C., http://www.peru.edu/about/history_heritage.htm (last visited Jan. 10, 2015).

8. It remains a family mystery why Tom, a young man from a landlocked state, enlisted in the Navy instead of another branch of the military. As with most men who were members of the “greatest generation,” Tom did not talk much about his service or the horrors of war. However, Tom was quick to tell listeners that he was always seasick every time he had to go aboard a ship.

Wade Brorby was Tom's partner until Tom retired. Subsequently, President Ronald Reagan appointed Brorby to the Tenth Circuit. Another partner, Dan Price, became a Wyoming District Judge.

In the early years, the Morgan family originally lived in the Episcopal rectory where they would host traveling priests. As a child, Dan was the church bell ringer. His before-school chores included stocking coal at the church, the law office, and at home, as well as cleaning up the "clinkers."⁹ When Danny Boy was just a lad, he walked with his mom to the butcher shop about a half block off Main Street. Dan was looking dapper in a little Buster Brown suit. The butcher gave his mom sound advice when he said: "Ma'am, you better be getting that kid some jeans and boots if you intend to stay in these parts." At that moment, Dan began his transition into a cowboy and an outdoorsman. He also discovered his favorite attire, jeans.

Although technically a "city dude," Dan hung out with all the ranch kids. Dan describes himself as a lousy cowboy; however, he would go out to the ranches and build fences, herd and brand cattle, pull calves, and endure being thrown by the occasional horse. During his youth, Dan discovered his passion for hiking, trout fishing, and backpacking in the Wyoming foothills. To the west were the Big Horns and 75 miles east were the Black Hills and Devil's Tower. The occasional weekend camping trips with his high school buddies into the mountains are cherished memories from his formative years.

9. Coal "clinkers" are big, black, irregular chunks of the incombustible residue from coal and have to be cleaned out of a coal furnace to allow more heating efficiency from burning coal. Who knew? 3 OXFORD ENGLISH DICTIONARY 329 (reprt. 1991).

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Dan's activities during his school years provide a mirror reflection of his adult accomplishments. Some observe life from the sidelines; Dan is not one of those. He participates fully while at the same time being enough of an overachiever to keep things interesting. Until eighth grade, Dan was known as "Big Dan Morgan," because he grew into his approximate five-foot, nine-inch frame early in life. He was a broad jumper in track, played center on the basketball team, second base in



baseball, and guard and tackle in football¹⁰ in addition to calling the offensive plays because the quarterback “was too damn dumb” to do so. His lifelong interest in vocal music began when he joined the choir.¹¹ Foretelling his future expertise as a prosecutor and professor of trial practice, Dan was also a debater. He and his debate partner, Frank Hoadley, won third place at the state debate competition with the scintillating topic “Federal Aid to Education—Good or Bad?”¹² This early debate topic predicted a lifetime interest in education, both as a professional educator and as an advocate for increased financial support for our system of public education.

It is not surprising that Dan became interested in girls; however, it is surprising that he first fell in love with Joan Kennedy, Ted Kennedy’s wife. Dan fell in love with Joan when JFK was running for president. The 1960 Wyoming Democratic Convention to select delegates for the upcoming presidential election was held in Thermopolis, Wyoming.¹³ Dan’s father was the Platform Chairman for the convention, so Dan was off to Thermopolis to attend. His fantasies came true at the convention when he was introduced to the woman of his adoration, Joan Kennedy. Life was to become even more exciting for Dan the following day. He sneaked out of the convention to visit his real-life girlfriend at the time, Nancy Tiereny, at her place of employment at a local drug store. Dan walked in, and there was his heartthrob, Joan Kennedy. Much to Dan’s delight, Joan remembered him and gave him a welcoming hug. A young man’s dreams were fulfilled when he got to sit down on a stool at the drug store soda fountain and have a coke with Joan Kennedy.

10. Only Dan would remember that his high school football coach was a “New Deal Democrat.”

11. Dan has participated in church choirs throughout his life (you guessed it—Episcopalian). For over 20 years, Dan participated in the choir during Matriculation Convocation as a member of the OCU University Choir instead of walking with the faculty.

12. Of course, Dan as a “yellow dog Democrat” was more interested in the “pro” side of this argument, even though he had to not only advocate in favor of federal aid to education, but he had to additionally create a plan to fund and administer the federal aid to local schools. *See generally*, Reid Wilson, *Death of the “Yellow Dog” Democrat*, NAT’L J. (Aug. 25, 2011), available at <http://www.nationaljournal.com/columns/on-the-trail/death-of-the-yellow-dog-democrat-20110825> (stating that a “yellow dog Democrat” is a voter who would vote for a dog before he would vote for a Republican candidate).

13. Thermopolis is known for its volcanic steam and mineral baths, so it is a popular convention site. Who knew? I have heard of Metropolis, the home of Superman, but who knew that there was really a city called Thermopolis? *See Home*, TOWN OF THERMOPOLIS, <http://www.townofthermopolis.com/> (last visited Oct. 11, 2014).

Dan's early interest in politics shined in his service as president of his high school senior class. His platform was to acquire a mascot for the Campbell County Camels. After all, Texas had a Longhorn. So, why not a camel? In an attempt to fulfill his platform promise, Dan began his search for a camel in Wyoming and discovered a Passion Play in the Black Hills whose troupe was willing to sell its camel at the end of the production. Perhaps the class officers should have been suspicious of the quality of the livestock they were acquiring because the purchase price was only 25 bucks.¹⁴ One might simply blame the innocence of youth or the eagerness of the new student body president to fulfill his campaign promise because the president of the senior class, along with his buddies, without a second thought other than that they had made the deal of the century, or at least the deal of the century in Campbell County, immediately left on a road trip to the Black Hills with a horse trailer in tow. On the return trip, the boys heard an extremely loud thud coming from the horse trailer. Alas, the poor camel had dropped dead in the horse trailer!¹⁵ Of course, a camel is not the easiest animal to bury. They drove to a ranch outside the small town of Moorcroft and used a bulldozer to bury the camel in an unmarked grave.¹⁶ Regretfully, the lads never received a refund of the 25 bucks,¹⁷ and the Campbell County Camels still lack a mascot to this very day. However, archaeological theories will abound in a thousand years when they discover a dromedary camel buried in Campbell County.¹⁸

Dan graduated from high school in 1963. Of course, when it came time to pick a college, Dan decided to attend the University of Wyoming in Laramie. Although he only lived in the frat house one semester, he joined the Alpha Tau Omegas (the notorious ATOs) because former

14. The Author freely admits that she is ignorant of a camel's fair market value, but arguably 25 bucks should have raised a suspicious judicial eyebrow.

15. Perhaps PETA might be disturbed by this story.

16. Although Dan occasionally talks about visiting the gravesite to pay his respects, the grave is difficult to find because it is unmarked. Of course, it would be hard to have a proper marker for the poor creature because the camel had no name, or the name was unknown at the time of purchase. The only personal information known about the camel was that it was either male or female.

17. Perhaps this arguably unfair transaction of selling a camel that was on death's door led to Dan's interest in consumer law, including his expertise in the law of rescission.

18. As the reader is beginning to understand, Dan is known for his delightful and colorful stories. As Andrea once remarked, "most of his stories have some truth about them."

Governor and United States Senator Milward Simpson and future United States Senator Alan K. Simpson, both family friends, were ATOs. Andrea was a Kappa Kappa Gamma. Andrea (nicknamed “Andy”) and Dan began dating their freshman year and both were active in campus life, attending dances and parties that were offered by the Greeks.¹⁹ In their senior year, Andrea was elected the outstanding Greek woman and Dan, the outstanding Greek man.

Dan continued his interest in student governance and politics with his membership in the Student Senate and his election as Vice President



19. One year, Dan was in charge of the decorations for the “shipwreck” dance. He decided to use old bottles obtained from the bars all around campus as part of the decorations. The old bottles were to be hung from the ceiling with the added touch of a strobe light reflecting off the bottles that would create quite the kaleidoscopic ambience. Dan sent the pledges out to fill their trucks with old whiskey bottles. For some reason, Dan was called on the carpet by Dean Kinder, who apparently did not appreciate University of Wyoming students driving around Laramie with the beds of their pickup trucks filled with used whiskey bottles. Go figure. During his undergraduate career, Dan tended to see Dean Kinder on a somewhat regular basis. Again, go figure.

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of the Student Body his senior year. He was a member of ROTC and was the “guidon bearer” in formation. Dan’s major was American Studies, which allowed him to take a lot of seminars, wear tweed jackets, and smoke his pipe. He was constantly writing papers. Although he did not particularly enjoy the intense writing at the time,²⁰ the writing was immensely valuable preparation for law school.



Juxtaposed against the image of Dan with his tweed jacket and pipe is the image of Dan with a potato peeler. Dan worked in the ATO kitchen to earn spending money while in school. There were two benefits of working in the ATO kitchen. First, Dan ate like a king. Second, Dan was able to work with a lovely older African American woman, Moselle. On Friday, November 22, 1963, Dan walked into the ATO kitchen to find Moselle weeping uncontrollably. Dan rushed to her side, attempted to comfort her

20. Dan would invariably compose and type these papers around 2:00 or 3:00 a.m. on the day that they were due. Dan’s procrastination would frustrate Andrea because he would at times get higher grades on his papers that were prepared in the wee morning hours than Andrea earned on hers. Obviously, the ambiance created by Dan explains the quality of his work. In order to create a writer’s milieu, Dan would place a pair of leopard-print gloves by his typewriter, and he would don an old-fashioned “Wee Willie Winkie” black and gold nightshirt complete with a jauntily askew nightcap. Why? Please select one of the following choices:

- (A) Dan is superstitious and needed good luck.
- (B) Dan really likes costumes.
- (C) Dan wanted to drive his roommate crazy.
- (D) Wearing a “Wee Willie Winkie” nightshirt transformed writing college papers in the middle of the night into fun.
- (E) All of the above.

Dan and Andrea still have the nightshirt. As Andrea remarked, “Dan has made me laugh all these years.” Dan is rarely boring.

and find out what had happened. Finally, Moselle said between sobs, “Our President has been shot.” Members of the “greatest generation” remember what they were doing when Pearl Harbor was attacked. Members of more recent generations remember what they were doing on September 11.²¹ Our generation remembers what they were doing when President John Fitzgerald Kennedy was assassinated.

During most of his college years, Dan shared a fourth floor apartment with Rodney Hartman. The duo decided to host a pre-party for the annual Military Ball and Dinner.²² As was tradition, the champagne flowed freely. The next morning, Dan and Rodney awoke to an apartment full of empty champagne bottles and a call from Dan’s parents saying that they were in town and would pick them up in a few minutes for breakfast. Dan and Rodney had a brilliant idea to clear the apartment of champagne bottles by using the expedient method of putting all the bottles in the middle of a sheet. Each would hold two corners of the sheet and then carry all the bottles down from the fourth floor to the trash dumpster in one quick and efficient trip. The plan had the noble goal of having the mess cleaned up before Dan’s parents arrived. As luck would have it, Rodney dropped his corner of the sheet as they were proceeding down the stairs, and gravity took over. Probably a hundred champagne bottles began a very noisy trip down four flights of stairs, landing at the front door just as Tom, accompanied by United States Senator and former Governor of the State of Wyoming Milward Simpson, was entering the foyer. Senator Simpson simply looked at Dan and said, “Military Ball last night, I presume,” and proceeded to help clean up a bunch of broken and scattered bottles.

21. Oklahomans also remember what we were doing on the day that Timothy McVeigh bombed the Murrah Federal Building. See *Oklahoma City Bombing*, HISTORY, <http://www.history.com/topics/oklahoma-city-bombing/print> (last visited Oct. 11, 2014).

22. Rodney and Dan hosted several social events in their fourth-floor apartment. At one formal dinner party, Dan was serving spaghetti (what else would starving students serve at a formal dinner party?) when the spaghetti slid off the platter and down the bosom of his friend’s date’s low-cut dress. We can probably guess what caused Dan to be distracted from his serving duties.

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My personal favorite Dan story deals with chickens, more particularly blue chickens.²³ Picture Wyoming football. As Andrea observed, “you had to drink to prevent freezing when you watched Wyoming football.” Wyoming was playing their big rival, the Air Force. Dan and his co-conspirators bought two dozen chickens from the university egg farm. They dyed the chickens blue—Air Force blue. The blue chickens were smuggled into the football stadium by various coeds. Then students with the concealed blue chickens simply waited until the halftime show, when each year the Air Force mascot, a trained falcon, would perform. Just as the falcon’s handler released the falcon for performance, two dozen blue chickens were let loose on the playing field. Feathers flew. The falcon’s instincts trumped its training as it dove first for one blue chicken and then another.²⁴ At first, the crowd was somewhat mesmerized by the impromptu exhibition. However, the fascination turned to horror as at least one blue chicken was carried away by talons. Ultimately, the playing field was cleared of feathers so the game could proceed. The surviving chickens became free-range chickens. The Air Force was able to recapture its falcon.²⁵

Believe it or not, Dan was still able to graduate. He graduated from college in 1967 with a 3.3 or 3.4 GPA. Dan remarks that “Andy was the smart one because she graduated with a 4.0 and earned membership in Phi Beta Kappa.” The summer after their senior year, Dan and Andrea began their life together as husband and



23. Andrea wants a full disclaimer. She had no knowledge of this prank when Dan planned or implemented it.

24. Obviously, PETA would definitely not approve.

25. I know not if the traumatized falcon was ever able to perform at a halftime show again.

wife. They were married with all the accompanying embellishments on August 19, 1967, in St. Matthew's Cathedral in Laramie.²⁶ The couple has just celebrated their 47th wedding anniversary.

Dan began law school in the fall of 1967 at the University of Wyoming and became a serious student of the law.²⁷ He met one of his mentors on his first day of class, Professor Frank Trelease, who taught first-year Torts. At the time, Professor Trelease was a nationally recognized scholar on water resource law.²⁸ Dan became his research assistant and the Land and Water Editor of the Wyoming Law Review. Under Professor Trelease's tutelage, Dan began the road to academia.



26. I asked Dan for a wedding picture to accompany his tribute. He brought me a picture of him and Andrea taken at the wedding of one of their daughters. Really, Dan? In fairness, Andrea was not at home when Dan tried to complete this daunting task.

27. Although the '60s and '70s were tumultuous, Wyoming was fairly isolated from the political turmoil of the times. Due to the arrival of the miniskirt, it was also a fun time for Dan to walk across campus behind coeds. Dan's number did come up in the lottery for the draft during the Vietnam War, and he did show up for his physical for induction into the Army as so many other young men did during this era. However, he was unable to serve due to his vision. At the time, Dan's uncorrected vision was 20/300. Dan has suffered from serious vision problems his entire life, including a cornea transplant.

28. For information about Professor Trelease, see Joseph L. Sax, *Tribute, Tribute*, 22 LAND & WATER L. REV. 295 (1987). In his free time, Professor Trelease would assist African countries draft their constitutions.

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Dan's articles on Wyoming's navigation servitude²⁹ and on Wyoming county boundary disputes³⁰ remain the definitive research sources for their respective topics. Dan also wrote an article on the Clean Air Act when it was first passed in Wyoming.³¹ The publication of three law review articles while in law school is truly a remarkable accomplishment.

Dan graduated in 1970 and returned to Gillette to practice law with his father's firm. He was sworn into the bar early so that he could run for County Attorney of Campbell County. It is fairly common in the less populous areas throughout the country for young attorneys to serve in the role of County (or City) Attorney even though the position, depending on the size of the community, is part time.³² The new inductee into the bar engages in the private practice of law at the same time as he or she is a county attorney. These positions provide a new attorney with a wonderful opportunity to gain experience in a myriad of areas while allowing them to survive



29. See David G. Lewis & Daniel J. Morgan, Comment, *The State Navigation Servitude*, 4 LAND & WATER L. REV. 521 (1969).

30. Daniel J. Morgan, Comment, *Settlement of County Boundary Disputes*, 5 LAND & WATER L. REV. 467 (1970).

31. See Daniel J. Morgan & Brian T. McCauley, Comment, *The Wyoming Air Quality Act*, 4 LAND & WATER L. REV. 159 (1969).

32. See, e.g., Joan Barron, *Salary Bump Attracts Attorneys*, CASPER STAR TRIB. (Mar. 28, 2009, 12:00 AM), http://trib.com/news/state-and-regional/salary-bump-attracts-attorneys/article_a76ed6c0-c4c8-541a-a1fd-3e9345c6813d.html (explaining that some small counties still hire part-time district attorneys, although such "arrangement[s] can create conflicts").

financially until he or she can support himself or herself in the private practice of law. Needless to say, Dan won the election, and as his father had done before him, began two tours of duty (from 1970 until 1978) as the County Attorney of Campbell County at the same time that he practiced law as a partner in his father's law firm.³³

As County Attorney, Dan cut his teeth into trial work as the county prosecutor. During this time frame, Gillette was very much a western boom town (complete with a heavy influx of trailer homes) caused by the discovery and extraction of oil, uranium, and coal. There was no shortage of criminal prosecutions at this time because as Dan recalls, "there were too many men and too much booze." Each year, Dan would probably try



15 big cases and countless small ones in addition to all the motions, preliminary hearings, affidavits, and plea bargains that accompany the job of prosecutor.³⁴ He handled every type of case from petit larceny to murder with a topnotch success rate.³⁵ Wyoming had

33. Alan K. Simpson, who is known for his outspoken advocacy for equality, served as a United States Senator from Wyoming from 1979 until 1997. *Alan K. Simpson Biography*, BIOGRAPHY, <http://www.biography.com/people/alan-k-simpson-9484642> (last visited Oct. 11, 2014). When Senator Simpson was in town, the law office became the Republican headquarters. Perhaps this shows that Dan has an open mind because Dan is a proud Democrat. Senator Simpson's middle name is "Kooi," his mother's maiden name. Who knew? The following quote is attributed to Senator Simpson: "If you have integrity, nothing else matters. If you don't have integrity, nothing else matters." Martin Zwilling, *5 Ways to See If Your Business Integrity Is Showing*, FORBES (Mar. 30, 2012, 11:23 PM), <http://www.forbes.com/sites/martinzwilling/2012/03/30/5-ways-to-see-if-your-business-integrity-is-showing/>.

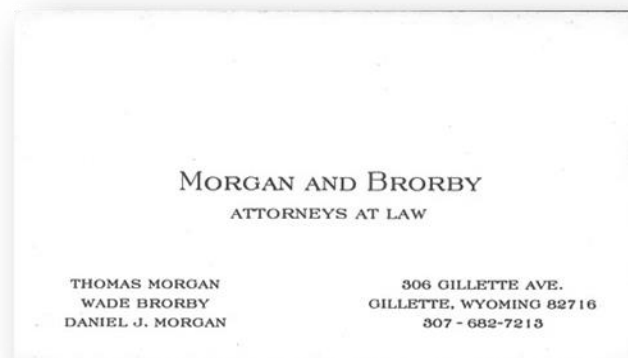
34. Although both his father and Tenth Circuit Judge Wayne Brorby had served two terms in the position of County Attorney, the prosecutorial aspect of the job was not as demanding when Tom served in that position. Tom's expertise was in contracts, transactional work, the Open Meeting Statute, and bond procurement. As a result, Dan's proficiencies as a prosecutor and trial lawyer were basically self-taught.

35. One type of case that Dan never won and that occurred fairly frequently involved those that dealt with, what was called at the time both regionally and nationally, Gillette Syndrome (referred to now, of course, as the battered wife syndrome). Typically, these cases dealt with a man who would work in the oil fields three or more weeks, come home to his trailer, get drunk, and beat his wife. Juries invariably rendered the verdict of "not guilty" when the wife shot the husband. Dan's job was to prosecute; however, I have to wonder what vote he would have cast if he had been on any of the juries that decided these cases.

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the Coroner's Inquest System which investigated every suspicious death to determine cause of death and if there was foul play. The County Attorney ran the inquests.

The breadth of experience that Dan received as County Attorney and practicing law is fascinating. The assumption is that lawyers with big metropolitan firms gain more experience than their brethren in more rural areas. The tendency is for the former to have a narrower, or more specialized, scope of practice. In contrast, Dan handled everything from the details of moving an old graveyard full of dead cowboys to negotiating waste and sewage contracts between the county and the city. As County Attorney, he represented all the Campbell County Boards, negotiated railway lines, and enforced environmental regulations. He also learned the fine art of negotiation,³⁶ handling the unexpected,³⁷



36. Two ranchers who owned contiguous tracts of land were fighting over the boundary line between their two parcels. Much like the Hatfields and the McCoys, one would occasionally shoot at the other across the boundary line. The human target would then want Dan to arrest the shooter. Back and forth the shooting went until Dan finally called both ranchers into his office and told them that if they wanted to pursue the matter, he was going to arrest them both and prosecute both ranchers to the fullest extent of the law. If the shooting stopped and never happened again, he would use his prosecutorial discretion. No more shots were fired. *See Hatfield & McCoy Feud*, HISTORY, <http://www.history.com/shows/hatfields-and-mccoys/articles/the-hatfield-mccoy-feud> (last visited Oct. 11, 2014).

37. In the courtroom, a new sound system was installed that would at times, for unknown reasons, pick up the local radio station. Meanwhile, the result of a murder trial hinged upon whether the wounds on the victim were offensive or defensive wounds. There was a witness to the stabbing, and Dan was cross-examining the witness to refute her credibility by establishing that she had been drunk when suddenly the *Beer Barrel Polka* began to play through the sound system. When the laughter finally ceased after several raps of the gavel, Dan had to smoothly resume his cross-examination. *See FRANKIE YANKOVIC & HIS YANKS, Beer Barrel Polka, on FRANKIE YANKOVIC AND HIS YANKS' GREATEST HITS* (Columbia Records 1966).

resolving matters outside the advocacy system,³⁸ and shouldering unpopular decisions.³⁹ In private practice, Dan did a lot of contractual work for the oil industry and grew into one “hell of an” oil and gas title attorney. The Truth in Lending Act (TILA) had just passed.⁴⁰ The firm represented the local banks, so Dan, as the junior partner, became the TILA expert.⁴¹ As a result, he gained experience in technical civil litigation in addition to experience as a prosecutor. Dan believes that at the time he decided to change career paths to academia, he had enough experience that proved “invaluable in teaching young lawyers but not too much so that he would fail to remember how hard it is to learn to practice law.”

Andrea reflects that their time in Gillette were “great years.” While in Gillette, Dan and Andrea celebrated the birth of their two daughters, Katherine Ann in 1972 and Sarah Elizabeth in 1976. The circumstances surrounding Kate’s birth were rather stressful. While Andrea was in labor, Dan was by her side for most of the contractions but was also kept busy running back and forth between rooms in Campbell County

38. There was the time when state undercover drug agents were arrested by the county sheriffs and Dan called up the state yelling, “Don’t send those bastards back to Campbell County without letting us know!” The reader will be glad to know that the agents went back on stake out and got the bad guys. There was more cooperation thereafter between the state and county despite the friendly rivalry regarding whether the state or county was better at drug busts. There was another time when representatives from “trailer park city” wanted Dan to make the oil company quit drilling in close proximity to the “city” and threatened to camp out on his front lawn to get his attention. Resolving this matter was completely outside any job description of County Attorney particularly because the oil company had a valid lease to drill. Although Dan is a fan of the First Amendment’s right to peaceful demonstration, he really didn’t want a protest on his own lawn (nor did Andrea). Therefore, the threat of the “sit-in” on the Morgans’ lawn provided the incentive for Dan to work out an amicable solution between the oil company and the residents of “trailer park city.”

39. The County Sheriff, “ole’ Spike,” received a call from an informant (a wife of a local country club member) that the husbands were gambling, playing cards, rolling dice, and losing \$3 to \$4 a throw in the country club locker room. Dan told the country club that the practice had to stop or he would have to raid the country club. The line in the sand was crossed and Dan ordered the raid. During the raid, the errant husbands flushed the cards and die down the toilets. The country club was on a septic system that was connected to the swimming pool. For a while, Dan was not the most popular person with the members of the country club because the die and cards messed up all the plumbing, and all the members had to pay an assessment to fix the plumbing.

40. Truth in Lending Act, Pub. L. No. 90-321, 82 Stat. 146 (1968).

41. Of course, this background proved invaluable when Dan began teaching Consumer Law and explains his academic interest in the field.

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Memorial Hospital so that he could take a dying declaration from a shooting victim who was in another hospital wing.⁴²

As so many young couples do when their children are young, Dan and Andrea had to make their own fun. There were three couples that lived on a cul-de-sac and they entertained each other by throwing parties and playing bad pranks on one another. For example, during one snow storm, the other two couples used large snow shovels to push snow against Dan and Andrea's front door so they were literally "snowed in" by a six-foot drift on the porch. A costume party was thrown every New Year's Eve. Dan and Andrea hosted the annual event one year and decided that the theme of the gala would be a "Pairs Party." The couples were to dress as pairs, such as "salt and pepper" or "me and my shadow." Dan and Andrea decided that they would be Winnie the Pooh and Christopher Robin.⁴³ Everyone was enjoying the party when the sheriff's office called. They had made a big drug bust and needed a probable cause affidavit. Dan prudently decided that he couldn't drive because he had consumed a drink or two or three.⁴⁴ The sheriff sent a deputy to drive Dan to the department so the probable cause affidavit could be delivered as soon as possible. That is how it came to pass that on that cold, snowy New Year's Eve Dan walked through the bullpen of the sheriff's office dressed as Winnie the Pooh.⁴⁵

The year before Dan left Gillette, his second term as County Attorney had expired and he was practicing law full time. During this time, he was appointed to represent a serial burglar and rapist. Andrea threatened to march on their own front lawn along with the American Association of University Women if Dan represented the serial rapist. Dan never had to make the choice between performing his court-appointed duty or pleasing Andrea because the serial rapist escaped from the new Campbell County jail. The rapist evaded justice despite warrants being issued for his arrest across the county. Then, the calls started. The rapist began to call Dan from all over the country and say, "Danny, how is my case going." Although Dan explained to him in very blunt

42. Subsequently, Dan was able to convict the shooter for second degree murder using the dying declaration. The dying declaration and evidence tracking the shot lines of the three shots rebutted the defense of self-defense.

43. Dan likes costumes. Who knew?

44. I hazard to point out that perhaps Dan should have also thought about his attire.

45. "Winnie the Pooh, Winnie the Pooh, / A tubby, little cubby all stuffed with fluff." RICHARD B. SHERMAN & ROBERT B. SHERMAN, WINNIE THE POOH, *on* WINNIE THE POOH AND THE HONEY TREE (Walt Disney Productions 1966).

language that he no longer represented him, the calls continued.⁴⁶ One factor in Dan's decision to leave the practice of law was to escape these calls.

Life can take rather curious turns through apparently fortuitous events. After a Wyoming football game in 1979, Dan ran into Larry Abrel, who was a commercial law professor at the University of Wyoming. The two football fans discussed teaching. Shortly thereafter,



Dapper Dan on his first day of teaching

46. To Dan's knowledge, the serial rapist was never apprehended.

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Dean E. George Rudolph called and offered Dan a teaching job, as well as a less frenetic life!

The family packed up and was off to Laramie where Dan was a visiting associate professor for the 1979–1980 and 1980–1981 academic years. When asked about his change of career paths, Dan stated that he had “absolutely no regrets” and that he has had “more damn fun” and “loves teaching and the students.”

While at Wyoming, Dan taught Criminal Law, Criminal Procedure, Torts, and Trial Practice. Dan was the coach for the American Trial Lawyers Association (ATLA) competitive trial practice team where the team, under his tutelage, won the National Championship.⁴⁷ Wyoming had no consumer law course, so Dan developed and taught the course Consumer Law.⁴⁸ He remained active in the bar association. Foretelling his lifelong interest in skills education, Dan developed, trained, and supervised students in the Prosecutorial Assistant Clinic in Cheyenne. Oklahoma City University School of Law (OCU) was very fortunate when Dan accepted the position of Associate Professor of Law in fall 1981.



47. Wow! Professors can spend their entire careers coaching teams without winning the “big one.” Way to go, Dan!

48. During this time, Dan also published his first law review article since he graduated from law school. See Gary B. Conine & Daniel J. Morgan, *The Wyoming Marketable Title Act—A Revision of Real Property Law*, 16 LAND & WATER L. REV. 181 (1981).



Dan remarks that during his time at OCU he was able to “write his own ticket.” OCU has always been supportive of his endeavors, and Dan has typically “done what he has wanted to do.”⁴⁹ Dan’s regular teaching load was Torts, Consumer Law, and Trial Practice, which he cultivated into the Trial Practice Litigation Sequence. Dan started the OCU ATLA team in 1981. He coached ATLA (which later became AAJ, or the American Association for Justice) until he retired, and Dan is very proud of his work with teams participating in the ATLA/AAJ competitions. He has worked with outstanding students and correctly believes that the students have benefitted greatly from ATLA/AAJ.⁵⁰ The OCU team has been very competitive in the national competitions and one year placed second in the Eastern Region. In later years, Dan solicited practicing attorneys to help coach his teams, and Dan thoroughly enjoyed co-coaching with Jeff Lynch and, for the last several years, Leslie Lynch. When Dan began the Trial Practice Litigation Sequence, Jeff Lynch and Bradley (Brad) E. Norman participated in the two-semester program.

49. To quote our good friend and colleague, Professor Von Creel, “Blessed be the person who finds satisfaction in his or her labor.” Vicki Lawrence MacDougall, *Professor Von Russell Creel: Chapters*, 36 OKLA. CITY U. L. REV. 33, 41 (2011).

50. In trying cases, the students gain invaluable expertise in working with the Federal Rules of Evidence and Civil Procedure.

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One of his first students in trial practice was Emmanuel E. Edem.⁵¹ Dan and Emmanuel remained friends after Emmanuel's graduation, and Dan is honored to have worked and been friends with Emmanuel in addition to Brad and John W. Norman of Norman & Edem. Dan's expertise in trial practice is illustrated by two milestones. First, Dan published his book, *Oklahoma Trial Practice*, in 1999.⁵² Second, Dan was honored and greatly appreciative when he was named the Norman & Edem Professor of Trial Advocacy.



51. Emmanuel Edem is one of the foremost trial attorneys in the region and has served for years on the Oklahoma City University Board of Trustees. At one time, Emmanuel also taught Trial Practice as an Adjunct Professor.

52. 7 JOHN R. MORRIS, DANIEL J. MORGAN & PATRICIA W. HATAMYAR, *OKLAHOMA TRIAL PRACTICE* (1999). Dan also coauthored with Professor Patricia Hatamyar the *2000 Cumulative Supplement*, the *2001 Cumulative Supplement*, the *2002 Cumulative Supplement*, and the *2004 Cumulative Supplement*. Prior to the publication of *Oklahoma Trial Practice*, Dan also coauthored with Professor Hatamyar the *1997 Cumulative Supplement* and *1998 Cumulative Supplement* to John R. Morris's *Oklahoma Trial Handbook*.

Dan teaches Torts.⁵³ Dan loves to teach first-year students who, of course, love the exposure to “Dan, the Man, Morgan.” Early in his career, a student brought Dan a stuffed “reasonable man.” The “reasonable man”⁵⁴ changed into the “reasonable person” with the unisex name, “Pat,” as we moved into more politically correct times. Dan loves a good prank, and most pranks played on Dan revolved around Torts. For several years, his birthday, November 19, would become the date for an annual birthday prank. For example, an unnamed professor hired a belly



53. Occasionally, Dan also taught Advanced Torts. At the end of the spring 2003 semester, Dan decided to sing a final exam question to his Advanced Torts class dressed as Elvis. Dan looked dapper in his garish white jump suit, black wig, and Elvis shades. Have I mentioned that Dan likes costumes? The lyrics, sung to the classic Elvis tune *Heartbreak Hotel* were as follows:

I've got old Elvis' costume;
I've got old Elvis' hair;
I've got old Elvis' pelvis;
And I've darned sure got his flair.

Man, I'm so studly baby,
Man, I'm so studly baby,
It almost makes you want to cry.

Now here's the question for ya:
If old Elvis' estate comes up short,
Can they sue, or boo, or hassle me,
Or take my tail to court?

Cf. ELVIS PRESLEY, *HEARTBREAK HOTEL* (RCA Studios 1956).

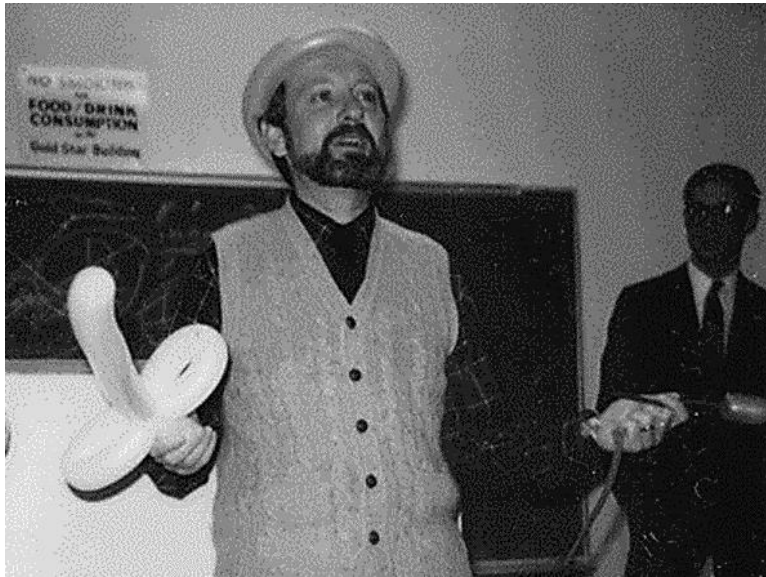
54. The “reasonable man” was the correct legal term when Dan and I first started teaching Torts.

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dancer to attend Dan's Torts class and surprise him one year. In another year, the same unnamed professor hid alarm clocks around Dan's classroom that would go off every 15 minutes while he was teaching.⁵⁵ Finally, the ultimate prank.⁵⁶ Dan walked into his office after teaching Torts on one November 19 to find the "reasonable man" in a very compromising position with a very imprudent inflatable woman on his desk. After the shock wore off, faculty members and Andrea enjoyed an impromptu birthday celebration. The reader may be aghast at such



55. I personally think that the alarm clock stunt was diabolically brilliant.

56. The same unnamed professor may have planned this "ultimate prank."

behavior given today's need for political correctness in any professional setting. However, faculty row was a "helluva" lot more fun when folks were less concerned about appearances and political appropriateness.

Dan has been our resident consumer law expert since his arrival at OCU.⁵⁷ Dan met Professor Alvin Harrell when he arrived in Oklahoma and began writing about rescission and TILA's Article 125.⁵⁸ According to Dan, "if I am an expert at anything it would be about the law of rescission." One of his most professionally rewarding experiences has been his corroboration with Alvin and Professor Fred Miller from the University of Oklahoma as coauthor of several books in the area of consumer law.⁵⁹ Another professionally rewarding experience was when he team-taught Consumer Law with local attorney, Eric Johnson. Clearly, OCU developed an extremely good commercial law department due to the presence of Dan and Professors Alvin Harrell, Peter Dillon, and Michael Gibson. Dan is also very proud that many of his students have moved on to represent banks, practice in the area of consumer law, and become consumer advocates.



57. Tomme Jeanne Fent & Daniel J. Morgan, Book Note, 16 OKLA. CITY U. L. REV. 505 (1991) (reviewing F. MILLER ET AL., PRACTITIONER'S GUIDE TO THE OKLAHOMA UNIFORM CONSUMER CREDIT CODE (1991) and F. MILLER, ADMINISTRATIVE INTERPRETATIONS OF THE UNIFORM COMMERCIAL CODE (1991)).

58. See Daniel J. Morgan, *The Right of Rescission Under Truth in Lending*, in THE LAW OF TRUTH IN LENDING (Alvin C. Harrell, ed., 2014); Daniel J. Morgan, *The Right of Rescission Under Truth in Lending*, in RALPH J. ROHNER & FRED H. MILLER, TRUTH IN LENDING (Supp. 2009); Daniel J. Morgan, *The Right of Rescission, Still Controversial After All These Years*, 49 CONSUMER FIN. L. Q. REP. 177 (1995); Daniel J. Morgan, *Rescission Under the Simplification Act: What's New (And Not So New) for Creditors*, 7 OKLA. CITY U. L. REV. 355 (1982).

59. FREDERICK H. MILLER, ALVIN C. HARRELL & DANIEL J. MORGAN, CONSUMER LAW: CASES, PROBLEMS, AND MATERIALS (2d ed. 2009); FREDERICK H. MILLER, ALVIN C. HARRELL & DANIEL J. MORGAN, CONSUMER LAW: CASES, PROBLEMS, AND MATERIALS (1998); FREDERICK H. MILLER, ALVIN C. HARRELL & DANIEL J. MORGAN, CONSUMER LAW: PROBLEMS AND MATERIALS (1986).

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While in Oklahoma, Dan has found his professional years rewarding. He is proud of the students we have educated through the years. He has been an active member in the Oklahoma Bar Association, a faculty liaison to the Oklahoma County Bar Association, and the faculty representative to the William J. Holloway, Jr., American Inn of Court. The Holloway Inn of Court has been affiliated with OCU since its inception, and Dan was instrumental in bringing this Inn to our campus. He has enjoyed friendships with local attorneys and trustees of the University including Bill Shdeed, J.R. Homsey, and Gary Homsey. Dan's presence is routine at law school events.⁶⁰ Although Dan has a long list of professional accolades, his most rewarding times revolve around his family.



60. Dan enjoys contact with our alumni. One year for the OCU Law Chili Cook-Off, Dan conned several members of the faculty to join him in dressing in medieval attire for the affair (of course, Dan was a knight). Their chili entry in the competition was called "Peach Orchard Boar Chili," in honor of the "Morganism," "as crazy as a peach orchard boar." Dan also has shown his affinity for costumes by donning a pink Easter bunny costume to perform as the six-foot tall pooka from the Jimmy Stewart classic, *Harvey*, at the retirement party for Professors Norwood Beveridge, Judith Morgan, and Fred Schwartz. Not only does Dan like costumes, he has a thing for pookas. Thereafter, it was great fun to accompany Dan and Andrea along with Professor Gibson to see a local production of *Harvey*. HARVEY (Universal Int'l 1950).



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After the move to Oklahoma, Andrea taught English and was the librarian at Piedmont Junior High and High School. Katie, Dan and Andrea's oldest daughter, followed in her mother's footsteps and became an English teacher at Bishop Kelley High School in Tulsa. Katie married Michael Abboud, a financial advisor, and they have two children, Morgan (who is nine) and Emily (who is six). Sarah attended OCU School of Law as a Hatton W. Sumners Scholar and worked for the prestigious law firm of Crowe & Dunlevy upon graduation.⁶¹ Sarah married John Balbás and the couple moved to Memphis to enable John to complete his orthopedic residency. While in Memphis, Sarah practiced law with a security regulation firm. Now John is an orthopedic surgeon in Tulsa,⁶² where the couple resides with their three children (Sophia is ten, Madeline is seven, and Daniel is three).⁶³ Dan refused to opine which grandchild would be the fourth generation lawyer. When asked to comment about his grandchildren, Dan remarked as follows: "Aw, geez! We laugh a lot, often at me. I'm really proud of them all, and I am their biggest fan. A real cliché—I hope they find true love and true joy in what they accomplish in life. It doesn't get any better than that."

61. Sarah worked in the bankruptcy department of Crowe & Dunlevy with Judy Morris.

62. It was a good move to get an orthopedic surgeon in the family due to Dan's various orthopedic problems. He is becoming a bionic man and has been known to set off metal detectors a time or two due to the steel parts he has acquired through the years.

63. Daniel was the first grandson and the first male born in two generations in the Morgan family. Of course, no family is complete without pets. Brandy was the family's beloved collie and Abigail, the family's beloved Dachshund. Jake, the border collie, was the escape artist who would herd neighbor children by nipping at their heels upon his escape. Dan tried many different ways to confine Jake, including an electric fence. Dan would get zapped all the time but it didn't deter Jake. Due to Jake's propensity to herd neighborhood children, Dan found Jake a home in the country with a former student. The family recently lost Molly, a 16-year-old Treeing Tennessee Walker Hound. Dan and Andrea's current pet is Birdie, a rescue Dachshund. For two years, Dan and Birdie competed in the annual Oklahoma City Dachshund Dash, which became quite the family event as all his children and grandchildren cheered them on. As Dan reflects, "A fat little Welshman couldn't really run fast enough to allow Birdie to live up to her potential." The third year, Dan's son-in-law, Michael Abboud, ran with Birdie and finally, much to the family's delight, Birdie was able to shine by making the semi-finals.



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I found out that Dan was retiring the same week that I found out that David Letterman⁶⁴ was retiring. Andrea asked me whom I would miss more. The answer is Dan. Indulge me as I supply the top-ten list of what Oklahoma City University School of Law and I will miss about Professor Dan Morgan.

Number ten on the top-ten list are Dan's storytelling and his sense of humor. Readers should insert their favorite Dan story or "Morganism" here. Examples of Dan's stories abound.⁶⁵ There was the time that Dan caught Professor Dennis Arrow from collapsing at a faculty retreat after Dennis allegedly smoked something, perhaps a Huge Collum cigar. Or, the times when he catches Associate Dean Eric Laity away from his office and moves his stapler slightly on his desk. Another favorite Dan story is the time that Dan, myself, and Professor Richard Coulson were trapped between floors on the elevator in the Gold Star Building. Dan, Richard, and I were working together when Richard mentioned he had to get lunch. Richard was a diabetic and had to eat at regular times to avoid serious physical consequences. We proceeded to walk down the hall to the elevator. Walking was the correct term to describe Richard, but it is perhaps a generous term in regards to Dan and me. Dan was hobbling on crutches because he had shattered his ankle. I was waddling because I was *really* pregnant and about to pop at any moment. At least we have an excuse for why three relatively intelligent people would voluntarily use the Gold Star elevator. When we reached the elevator, a student joined us for the ride to floor one. Unfortunately, the elevator only got to floor one and a half when it stopped. The student immediately began screaming nonstop: "I have to get out of here right now!" That is how a guy on crutches, a guy about to go into diabetic shock, a claustrophobic law student, and a pregnant woman became trapped in the Gold Star elevator. Everyone agreed that the first person that the firefighters would hoist off the elevator would be the claustrophobic student. Before the fire

64. David Letterman, NBC *Tonight Show* comedian revered for his "wit, gravitas and brilliance" and winner of nine Emmy Awards, announced his retirement on April 3, 2014. Brian Stelter, *David Letterman to Retire*, *Money*, CNN (Apr. 3, 2014, 9:55 PM), <http://money.cnn.com/2014/04/03/news/david-letterman-retiring/index.html>. His "top ten" lists have been admired by millions, including the White House. *Id.*

65. Dan enjoys a good joke, even if it is aimed at him. At times, he simply has a target on his back. Michael Gibson purchased United States postal stamps with a photo of Dan on them. This is a new product service provided by the postal service for a fee, and the stamps are legitimate. Who knew? Michael then had people from all over the country send stuff to Dan using stamps with his mug shot on them.

department arrived, Dan was trying to remember everything he could about child-birthing techniques.⁶⁶

The ninth thing that we will miss about Dan is his advocacy for and development of skills courses in our curriculum. Dan was a proponent of skills education before it became fashionable. Dan Morgan is the reason that we have a quality skills program at OCU.⁶⁷

The eighth on our list is Dan's scholarship. Dan is the author of many articles and books.⁶⁸ Much of his academic work focuses on consumer law⁶⁹ and consumerism, which reflects his deep personal feelings that the law is meant for everyone and to help "ordinary folks."

The seventh entry is his teaching. The absence of Dan's teaching ability is a huge loss to OCU. Dan has practiced oral arguments in my presence, and he is a skilled orator. Upon his retirement, we will have a curricular void in the areas of trial practice and the Uniform Consumer Credit Code.⁷⁰ At the May 2014 graduation, it was very important for me to sit next to Dan during the ceremony. Walking in, students called out in fondness, "Dan, the Man, Morgan." Dan would fondly comment about his students as they crossed the stage to be hooded: "I never could get him to talk slower." "She will be a good lawyer if she ever learns to lay a better foundation." "He did a terrific closing argument." Dan cares about teaching and his students. When people ask either Dan or me what we do for a living, we both respond by saying "we teach." And yes, Dan, you do. You teach!

66. Andrea is sure that his knowledge on this subject is practically nothing. Regardless, we are all relieved that his knowledge was not tested on that fateful day. However, Dan did provide my maternity leave shortly thereafter by teaching my two remaining classes for that semester (a maternity leave policy was wishful thinkin' at the time). Thanks for the maternity leave, Dan.

67. Professor Michael Mitchelson describes some of Dan's contributions to the development of our skills program in his tribute, *Come to the Gym, Morgan!*

68. Most of Dan's publications have been cited elsewhere in this Tribute. His other publications include various tributes to faculty members. See Daniel J. Morgan, *Von Creel: Oklahoma Historian*, 36 OKLA. CITY U. L. REV. 27 (2011); Daniel J. Morgan, *Judy Morgan, OCU's Unsung Heroine*, 35 OKLA. CITY U. L. REV. 527 (2010); Daniel J. Morgan, *Norwood Beveridge, a Professor for All Seasons*, 35 OKLA. CITY U. L. REV. 251 (2010); Daniel Morgan, *Fond Memories of Bob Lyman*, 29 OKLA. CITY U. L. REV. 9 (2004).

69. Professor Alvin Harrell describes the myriad of contributions that Dan has made in the area of consumer law in his tribute, *Dan Morgan—The Most Interesting Man in the World*.

70. OKLA. STAT. tit. 14A (2011) (OSCN through 2014 Leg. Sess.).

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The sixth on our list is Dan's leadership.⁷¹ You will find Dan's fingerprint on most of the major developments in the last 33 years of the law school's history. Dan is one faculty member you want on your side to get a proposal passed by the faculty. Dan is the quiet leader who has been instrumental in the resolution of most of the major issues confronted by the law school.

Dan's service is fifth on the list of the top-ten things we will miss upon his retirement. During his career, Dan has served on every major committee, including dean search committees, self-study committees, and appointment committees. He has spent a quarter of a century on the Admissions Committee. As previously mentioned, he has coached trial practice teams and traveled with them to competitions throughout the country for more than three decades. President Robert Henry remarked that Dan was a "Dean's Dream." Dan is always cooperative and determined to make things work. His sense of optimism and determination to make things work are irreplaceable.⁷² For example, on one of the faculty's darkest days, Dan stepped forward at great personal sacrifice and served as Associate Dean for four years.⁷³ On behalf of the faculty, thank you for your service, Daniel.

The fourth is Dan's bravery. Bravery? Yes, bravery. Dan is willing to stick his neck out if necessary to set things right. Unbelievably, former President Jerald Walker⁷⁴ would welcome the entering law school class each year with insulting remarks about lawyers, particularly their supposed arrogance. At one such event, Dan followed President Walker to the podium. Dan delivered an impressive and impassioned impromptu speech that began with a listing of significant judicial decisions that

71. One year, Dan was appointed to lead the discussion on bar passage rates at our annual faculty retreat at Lake Murray State Park. He brought a shotgun and laid it on the table to keep the discussion focused. That is what I call leadership! No worries. The shotgun wasn't loaded. At another retreat, he led the discussion regarding our self-study decked out as Socrates. After all, it was Halloween, and Dan rarely passes up the opportunity to wear a costume (one has to wonder if Dan was not allowed to go trick-or-treating as a child). Although a weekend full of faculty discussion can be a tad tedious, the evening poker games were a blast—especially because Dan never won!

72. Oddly, this is the trait that the faculty might miss the most and might not even realize its necessary presence.

73. Believe it or not, Dan lost his sense of humor toward the end of his service as Associate Dean.

74. President Jerald Walker was the 14th President of Oklahoma City University and served from 1979 until 1997.

helped shape our country, starting with *Brown v. Board of Education*.⁷⁵ Then, Dan explained to our entering class the importance of each and the significant role that lawyers play in our society. Dan was the only faculty member who ever publically rebuked President Walker after one of his anti-lawyer tirades.⁷⁶ That a boy, Daniel!

Counting down, the fact that Dan is a Democrat is the third thing that the faculty, or at least I, will miss about Dan. After all, diversity adds flavor to a faculty.

The second on our list is “talking Torts.”⁷⁷

Finally, the number one entry on the list of what the faculty and I will miss is the friendship that Dan Morgan gives freely. After all, there are not too many people in the world who really care what you are going to do for Thanksgiving dinner. Dan has seen me through marriage, divorce, childbirths, raising children, happiness, sadness, deaths, and, most recently, illness. Dan’s friendship is special and cannot be replaced. Fortunately, Dan is simply retiring. However, I will still miss Dan’s presence on the faculty on a daily basis at 800 North Harvey Avenue.

It is with great pleasure⁷⁸ that the Oklahoma City University Law Review proudly dedicates the Fall 2014 issue to Professor Daniel J. Morgan and celebrates his “life and times” at OCU. Since 1981, Professor Daniel J. Morgan has graced the hallowed halls of the law school. We have benefitted from his teaching; his leadership; his expertise in trial practice, torts, and consumer law; his scholarship; his passion for the development of a skills curriculum; his devotion to the law school; and the provision of quality legal education to his beloved students. His intellect curbed with common sense has served the law school well. Dan has helped build and shape the law school into its current form. Future students will be deprived of the “Dan, the Man” experience, including his genuine concern for their education. The law school’s reaction to Dan’s retirement is bittersweet. We are glad that Dan will be able to enjoy his grandchildren, trout fishing, and the mountains in Wyoming more frequently. However, the faculty will suffer huge gaps in a multitude of dimensions, including lack of entertainment, upon

75. See generally *Brown v. Bd. of Educ.*, 347 U.S. 483 (1954) (holding that the application of the “separate but equal” doctrine to schools deprived students of equal protection guaranteed by the Fourteenth Amendment).

76. Of course, this also illustrates Dan’s pride and love for his profession.

77. No further explanation is needed regarding number two. Dan and I have both taught Torts during his entire tenure at OCU.

78. And a tear or two.

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Dan's retirement. I join with the faculty as we say, "We love ya, Dan. Enjoy every minute of your retirement, but don't forget your friends at Oklahoma City University."



