



Dear Reader,

The Board of Editors is particularly proud to present this very special issue of the *Oklahoma City University Law Review* that you're now holding in your hands. The issue is exceptional for two quite distinct yet inextricably related reasons. First, the Articles, Note, and Comments within have been chosen for their individual and collective examination of local-interest topics. These selections explore some of the facets of the law in Oklahoma, shedding light on what it means to practice in our great State.

Second, the Oklahoma City University School of Law community recently lost our great friend, mentor, and champion. We can think of no more fitting way to honor him than to dedicate this issue to J. William Conger, who passed away on January 1, 2013. The following Tribute includes excerpts from the January 7 Memorial Service, held in the Bishop W. Angie Smith Chapel on the Oklahoma City University campus; excerpts from the January 24 Student Celebration of Life, held in the Homsey Family Moot Courtroom of the Sarkeys Law Center; and contributions from Oklahoma City University School of Law Professors and one of Professor Conger's past students. This sampling of the outpouring of emotion underscores what so many of us have already known: Bill's impact on the school, its faculty and students, our city, and the State of Oklahoma is indescribable. Bill Conger's presence enriched the lives of those who knew him so well and, through them, the lives of those who had not yet had the chance.

Though our hearts are heavy from his loss, it is with our minds yet open and free—as Professor Conger taught us to be—that we present our *Oklahoma Issue*. We hope that you find reading it as inspirational as we found editing it.

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TRIBUTE

J. WILLIAM CONGER

EXCERPTS FROM

JANUARY 7, 2013, MEMORIAL SERVICE

Reverend Margaret A. Ball*

I don't know how many of you here today remember how the winter of 1991 started here in Oklahoma City. It was a really very typical autumn. Things were beginning to cool down just like they normally do. By the latter part of October, some of the leaves of the trees were just beginning to turn. For the most part, almost all the plants were still pretty green. Well, things were going along on a very normal schedule weather-wise here in Oklahoma City, but then on the very last day of October, a very abnormal thing happened. We had a hard, hard freeze, and it lasted several days. It was kind of a freakish thing. Most of the plants really hadn't had the time to prepare themselves for the onset of winter, and all at once, winter was here, and winter was here in spades.

* Vice President of University-Church Relations, Oklahoma City University.

Because so many of the plants were still green at that time, there was a lot of speculation throughout the winter—those of us who love plants and are graced by their beauty were concerned about what’s going to happen next spring. Are they going to survive this horrible, horrible winter? But we just had to exercise our patience and wait and see what happened. Well, that spring did come. The spring of 1992 was a riot of beautiful flowers, bushes, flowering quince, the yellows of forsythia, all the wonderful glories of the red bud trees—everything was out and beautiful. The plants had survived that winter, and they were not only proclaiming the beauty of God’s world and God’s creation, but they were offering a visible witness to the strength of life over death.

Well, I wonder today if we may not feel a little bit like those plants in 1991. Bill had dealt with health issues over many years, but it always seemed like he was able to bounce back. He would always come back from something that seemed so dire and so difficult. And so in the midst of us beginning to just expect he would always do that, this does feel very sudden for us; we weren’t prepared for it, we were all in shock. We didn’t really have time to brace ourselves for this. And so, we wonder if we, too, will ever recover from this pain, this grief that came so abruptly. So, today, I want to remind you of those plants that survived the winter of 1991 because God created them with the resources to be able to withstand the ravages of harsh winter. And I want to remind you that God has created us in the same way: with the resources to withstand the difficulty of this difficult time so that we can emerge from this winter of our lives at the appropriate time. There’s much healing to be done in the midst of this pain, and some of it will take a long, long time.

My hope is that today, during this service, we can begin to take some of those first steps into the springtime that we’re looking for in our lives. The best way I know for that to happen is to share some special stories about why Bill was so important to us and to God’s world. This telling of stories is an important part of a memorial service, for that’s what we’re here to do today—to memorialize the one we love so much.

We want to remember him, but I want to remind you there’s a longer or a broader sense of the word “remembering.” Break it down for just a minute. Part of what we’re here to do today is to re-member him: to claim him again as a part of this group of people who love him so very, very much; as a part of this family who adored him. We will continue to always have him as a member of all that we are, of all the communities that he has touched. Today we re-member him in our hearts as well.

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Bill's life was incredibly rich. I'm sure that all of us here would aspire to live such a life: highly respected attorney, much loved professor and mentor to students here at OCU's Law School, president of the Oklahoma Bar Association, recipient of innumerable awards, honors, and accolades, and, of course, wonderful friend and loving patriarch of his family.

It was my privilege to work with Bill here at OCU: to get to know him as a dear, dear colleague. And as he dealt with a variety of health issues, I became even more privileged to become his pastor. I learned lots of meaningful things about Bill during visits at the hospital, including the deep and abiding faith that undergirded his life. But, you know, I learned some new things about Bill when I was visiting with his family last week. Did you know that Bill absolutely loved Elvis *and* that he did a great Elvis impersonation? Now, wouldn't you have loved to have seen that? George said that he and Bill saw Elvis at the *Louisiana Hayride* when they were still teenagers, and Bill came away saying, "This is the coolest guy ever." They told me that Erin said the first time she ever saw her dad cry was the day the news came on that Elvis had died. I also learned that Bill had a file of scriptures and other inspirational readings that were in his own handwriting; page after page of words of encouragement and hope that he no doubt turned to over and over again. I learned that his children, like the OCU Law students, also saw him as a wise mentor. They said his guidance and approval meant everything to them, and he could always be counted on to close a conversation with "*Carpe diem*," reminding them to seize the day.



This picture was taken at the Oklahoma City Golf and Country Club's Boomerang Tournament. Bill and his brother, George, entered the tournament that year as team partners. Bill's wife, Sherry, loves this cute picture of the two brothers. She was in charge of coordinating their attire for the three-day tournament! Needless to say the boys got a few jabs from fellow golfers!

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Tom McDaniel*

Well, it's a difficult day. Sherry, Christen, Jennifer, Erin, all of the Conger family, your Bill, our Bill, was a man for all seasons. He was highly respected, admired, and loved by many, as you can see, including Brenda and me. I'm honored to be included among his friends and to be asked to be a part of this very special day. I begin by borrowing some words from one of his favorite poets:

*Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time.*¹

Those words reminded me, and I would assume remind everyone gathered here today, of what a really special and unique human being Bill Conger was: a man that was devoted to his family, to his friends, to his profession; blessed with a keen mind, a generous spirit, and that special heart, the heart of a servant. It's with some deal of pride that I share with you today some of the footprints that I think he left for all of us to follow.

It's really great, Sherry, that you decided to come to this chapel, a place with which he was so familiar, a place that he often came. He came here for Vespers² with you; he came here for many university events over the years. Even the midyear Law School commencement was held here. He made me promise to never come to this building without saying (and especially on a day like today when we heard the beautiful pipe organ), "Aren't we lucky that Wanda Bass gave us that beautiful pipe organ for all of us to enjoy today?" Well, he loved this place. We have chapel every week, where the Oklahoma City University family gathers at 1:00, and Bill was a frequent visitor, a frequent worshipper, always sitting in the back. He liked to sit back there so he could see the beautiful stained glass windows representing the four seasons of the year. So here we are, in a place that Bill truly loved, surrounded by people that he loved, to say goodbye, each in our own way, and to celebrate a life that was well-lived.

* Close friend and colleague who served as President of Oklahoma City University during Bill Conger's tenure as General Counsel and Professor of Law.

1. HENRY WADSWORTH LONGFELLOW, *A Psalm of Life*, in FAVORITE POEMS 12, 13 (London, George Routledge & Sons 1878).

2. The Christmas Vespers concert is presented by Oklahoma City University musicians each December in the Bishop W. Angie Smith Chapel.

Well, as all of us know, Bill had a gift for connecting with others, and more importantly, most importantly, he had a gift for *staying* connected. He was that football player that fell in love with the homecoming queen, so he married her and then spent the rest of his life with her. He's that guy who, from his high school days and his college days, established and made friendships which have lasted the rest of his life. And I guess I just have to say that there is ample evidence here today that he built relationships in the legal community that would be underscored by all of you here today. I have to say, Sherry, I believe that there would be a tear of pride in his eye as he saw the wonderful group of people who have gathered here to remember him.

Well, Bill came to the OCU family a decade ago now. He was already established in his profession. It was the autumn of his life. He was a founding partner and a named partner in one of Oklahoma's leading law firms.³ I think that there were many people who found it strange (Sherry may have been one of them) that he would leave the firm that he founded, that cushy corner office that the partners have, and take less money (Bernie Patterson⁴ would say a lot less money) to come to this university. We were able to persuade him that we needed his wise counsel, that by his coming, the image of our law school would be lifted in the community and in the state. More importantly, we convinced him that he could teach, he could mentor, and he could inspire a whole new generation of students who dreamed of being a lawyer just like Bill Conger. And the miracle was he came. He came.



3. Bill Conger was a founding partner of the Oklahoma City firm Hartzog Conger Cason & Neville.

4. Bernie Patterson was Provost and Vice President for Academic Affairs of Oklahoma City University from 2002 until June 2010.

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As we reflect on the day, it was a decision that he relished, and it provided an opportunity that he wholeheartedly embraced. While he was here, he was elected and served as president of the Oklahoma Bar Association. While he was here, he was inducted into the American College of Trial Lawyers. While he was here, this university conferred upon him an honorary Doctor of Laws degree, and, very recently, Dean Couch announced that the Moot Courtroom in OCU's new law school facility will bear his name. As we now look back on it, the timing was exquisite. Bill was overwhelmed. It ensures for all of us that as long as there is an Oklahoma City University, be it 100 years or 1,000, Bill's contribution to this university will be remembered.

And perhaps his most lasting legacy will be his impact, his influence, on the hundreds of young law students whose lives he touched while he was here. Like the rest of us, they were attracted to him. He connected. He stayed connected. They flocked to his classes. They flocked to his office. In 2005, when the students selected him as the Law Professor of the Year, the young woman, Ashley Bowen (now Ashley Bowen Murphy), who was to present him the award, broke down in presenting it to him, filled with the emotion of the hour. So did Bill. So did Bill. His ability to relate to students, I believe, will be that lasting legacy that will have an impact on the bench and the bar in our state and far beyond for many years to come. Over the past months, as the autumn of his life faded into the winter of his life, he continued to teach, grading papers on January 1, 2013. Grading papers...

During these pending winter days of his life, we talked more. We talked every week. We had lunch. On one of those recent days, the subject sort of shifted to regrets. "Any regrets?" I asked him. With that twinkle in those killer blue eyes, he said, "Well... I, I always wished I could hit a golf ball like my brother George Robert. I always wished I could've gone to a party and sat down at the piano and been a big hit there like Burns Hargis or Robert Henry." And he said, "I'm ashamed to admit that I even often wished for my friend Frank Hill's Thunder tickets." And more soberly perhaps, he said, "I wish I had said 'thank you' more to Maggie for all of her spiritual support over these last few years, and to my great friend and my great doctor, Charlie Bethea, for all the many considerations and care that he gave to me." But he said, "All in all, no regrets. No regrets. I've loved my life with Sherry and my girls and my family and my friends. I've loved those lazy sunny days at Grand Lake. I've loved those trips with my buddies to hear the blues festivals in

the South. I loved that time when Heritage Hall was in its infancy and we were trying to shepherd it to be the place we all dreamed it would be.” And he said, “I loved being a lawyer and a teacher. No regrets.”



No regrets. Perhaps that’s the place I should close—no regrets. Sherry, I borrow words from a musical that Bill and I saw here at OCU, *Children of Eden*; there’s a song from that show called *The Hardest Part of Love*,⁵ and the lyrics are these:

*You cannot close the acorn
once the oak begins to grow
And you cannot close your heart
to what it fears and needs to know
That the hardest part of love...
is the letting go.*

Letting go is really hard for us all here today, but we do so with the footprints, the memories that are etched in our consciousness, and the love that he has left embedded in each of our hearts. Bill Conger, a man for all seasons.

5. STEPHEN SCHWARTZ, *CHILDREN OF EDEN* (RCA VICTOR BROADWAY 1998).

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Dean Valerie K. Couch*

I stand here today to be the voice and the physical presence of all of you here in this room, and beyond this room, who have been befriended by Bill Conger, who have been mentored and loved by him, and who have been made stronger and better through his kind regard. I know that standing here in this capacity, I represent hundreds and hundreds of people, but I, perhaps more than others, have benefited from his friendship because life simply brought us together in so many different settings.

In 1983, fresh out of law school, I joined the small, new renegade firm that Bill had just formed with his friends Larry Hartzog and Len Cason. Now, legend has it that the firm was founded in the back of a pickup truck, but I guarantee you by the time I made it there (and I was really one of the early ones) we were not operating from a pickup truck. To the contrary, Larry and Len and Bill had already assembled some of the most hardworking, smartest, high-achieving lawyers around, and I managed to squeak into this early circle. Through their leadership and over the many years, this firm eventually became a thriving, formidable law firm, handling the most complex and difficult kinds of legal work. Bill and I practiced together at this firm for sixteen years. But I want to go back to the early days of the firm and tell you a story about how my friendship with Bill Conger really began. I know each of you has such a story. Mine goes like this.

In the first year or so that I was at the firm, Bill and I represented CMI Corporation, a local company that manufactured heavy road building equipment. We filed a lawsuit on CMI's behalf in federal court against a former employee. This engineer, who had been an employee of CMI for many years, had simply stolen engineering plans for a number of machines, made some clever changes, moved down the road a few miles, and started building these machines and competing against CMI. Well, we sued this person on a slew of causes of action. While it was complicated technically, we learned all about the engineering and we lined up a great expert witness. We worked for months and got ready for trial. Finally, on the day of the trial, we assembled our boxes, our exhibits, our case files, our notes for opening statement, and our notes for

* Valerie K. Couch became the 12th dean of Oklahoma City University School of Law on April 12, 2012. She is the first woman and the first federal judge to move into the leadership role of the school. Her friendship with Bill Conger began in 1983.

witness examinations, and we showed up early at federal court.

The case was assigned to Judge Lee West. As the young attorney on the team, I busied myself in the courtroom. I got all of our exhibits and charts out, I got our witnesses lined up for the morning, and though I was very busy, I noticed that Bill, the opposing counsel, and Judge West were back in Judge West's chambers talking. I would pop my head in occasionally to see what was going on, and I knew that, at least in part, they were talking about whether this case could be settled, but I didn't think too much about that at the time. I didn't know Lee West either at the time; I didn't know how intensely he valued settlements. After a while, Bill came back into the courtroom and started packing up our boxes. He turned to me and said, "We settled the case." Well, I was stunned. I was stunned, and I was upset. "You settled our case? You know, we were going to win this case. We were going to win it hands down; we had a great story to tell!"

Other than that initial burst, I was thankfully, looking back now, quietly upset. And as we rode back in Bill's car, we rode back in total, absolute silence. For days I gave him the cold shoulder, freeze out, silent treatment. I was disillusioned. I mean, what was the purpose of lawyers if not to go into a court of law and have a jury decide a case and right a wrong under the rule of law? I was really just sick about it, but after about two days of this, Bill came into my office and he said, "Hey, what gives? I don't get it." And so I just poured out my complaint to him. He was perplexed at my reaction, but he patiently emphasized to me that this guy had no assets, no money, was about to go into bankruptcy, and there was no way Judge West was going to let a jury sit in the courtroom for five days under these circumstances, so it was a good result.

Well, I thought about it all day and all night, and luckily for me, the monthly issue of *The New Yorker* contained the perfect cartoon that saved me and launched my friendship with Bill Conger. The cartoon shows two guys outside, sitting under a tree, playing chess, and one simply looks up at the other and says, "Would you mind if I took those last three moves back?" It was perfect, and so I cut out that cartoon, and the next day I gave it to Bill. I was embarrassed by my conduct, but he had patiently helped me learn a very important lesson as a lawyer—about the value of pragmatic results—and, of course, he let me take those last three moves back.

And so began one of the most dynamic friendships in my life. That cartoon became a mantra of our friendship. We would trade it back and

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forth, sometimes he would give it to me, and sometimes I would give it to him. It became worn and tattered as we shared it, but we would always allow each other to take the last three moves back and start fresh.

We practiced together for sixteen years and were involved in litigation all over the country. Bill Conger was an awesome trial lawyer. He had an amazing instinct for moving the case incrementally in the right direction, and you would never, never, ever want to be cross-examined by Bill Conger. I pitied people who had to withstand cross-examination by him. Of course, Bill learned to be a lawyer by watching great trial lawyers like Earl Mills, but he still had a very distinct talent himself for bringing a case along. Juries trusted him and strongly wanted to be with him. And even opposing counsel. They wanted to be with him. Everywhere we went across the country, we made friendships, sometimes lifelong friendships, with our opposing counsel.

Another important feature of my friendship with Bill was what I call “The Conger Rehash.” You may have even experienced a bit of this yourself. He learned it from his own daddy, and his family did it all through their growing up. “The Conger Rehash” is this: You sit down together in a relaxing place, and you go over every small detail of an experience or an event that you just had. It unfolds very incrementally, with questions like, “Okay, Val, tell me, now, when you woke up, what were you thinking? And then, when you walked in, what’s the first thing you saw? Well, what was going through your mind? What did the guy say? And then what did you say back?” It was very, very incremental. “Then what happened next?” It was a step-by-step review of what had happened. Through this rehash process, the significance of what happened subtly emerges, and if there is a lesson, it becomes clear. By going over all these details, you plant them distinctly in your memory so that you can really own the experience and remember it years from that time. “The Conger Rehash” is a very helpful and useful technique, and it’s probably the reason I have so many clear memories of practicing with him. It was also an extremely subtle way of giving me mentoring without risking injury to my pride. The lesson simply emerges from the details. “The Conger Rehash,” as you can imagine, led to many great conversations, a lot of laughter, and a bit of crying, too.

Now, I want to talk about Bill and women. This is a very important topic. Bill loved women, and women loved Bill in the very best way. Bill was able to mentor women lawyers, and women law students, and women in other contexts as well, without any patronizing or overbearing

ways. As you can imagine, we at the school have been inundated with emails, letters, calls, and communications of all kinds from men and women who were mentored by Bill and who are in pain right now, but it is striking how many of them are women.

I have thought a lot about why Bill had this extraordinary ability to mentor women. I feel sure that it goes back to his great love and respect for his sister, Julia, and his twin sister, Betty, and that was followed by his sustained devotion for the beautiful Sherry Martin, and his profound attachment to his daughters, Christen, Jennifer, and Erin. He has always lived in an estrogen-rich environment, and he loved it. It enabled him to be vibrantly in our corner without undue interference. With his support, I went from a person who was kind of a smart observer to a person who's really in the middle of the action, a player in the arena. And, you know, between rounds I would always collapse in the corner and there would be Bill Conger, blotting up the blood in the cut under my eye, giving me a cool drink of water and sending me back out into the arena with words of encouragement.

Many of us have had him in our corner, and I'm thinking of the attorneys in our firm, especially early on: Kathy Taylor, Laura McConnell, Melanie Jester, Susan Shields, and many others, and students—law students—so many. Wonderful women like Leah Avey, Kendra Robben, Keren McLendon, Naomi Smith, Joni Autrey, Karli McMurry, Mandy Rehling, Cassi Dillingham. Bill's niece, Lillian, goes in that category, and Meghan LeFrancois. There are so many more that I almost hate to stop that list. Women leaders of the bar. Cathy Christensen, Deb Reheard, Peggy Stockwell, and others. He had your back, and he was your ally. And judges—he loved women judges, and they loved him. Robin Cauthron and Vicki Miles-LaGrange, Bana Roberts, Arlene Johnson, Yvonne Kauger, Noma Gurich, Barb Swinton, many, many others. And he loved them not because they did him any favors—they did not—but he loved their meticulous independence and the fresh, direct way they presided in a court of law. He was absolutely thrilled when I became a judge, even though it meant the end of our long partnership, and I moved to the federal courthouse with his blessings.

At this point, "The Conger Rehash" took on a new dimension because we began the habit of getting together every Friday afternoon for a thorough rehash of what he was up to, his work, his adventures at the lake, the latest history book that he read, his beloved grandchildren, and, of course, all that I was learning and seeing and doing as a new judge,

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and all the goings on at the court from a judge's point of view. That was new, fresh territory for us. We rehashed at length, and, yes, it did involve a martini or two. My wonderful husband, Joe, provided his psychoanalytic contributions to the conversation, and he was the one who shook up the martinis. We eventually added Bill's amazing brother, George Conger, to the circle and other friends, and the circle grew.

It was also during this time while I was on the court that Bill and I began teaching together. We started teaching trial practice and taught for over ten years together. He thrived in the classroom. He was a natural born teacher. He adored the students, and they adored him. And I must say, Tom McDaniel, we plowed some very nice, easy, fertile ground for you to walk on as you came to knock on Bill's door to become university counsel.

I know exactly what happened when he got here to this university. I know the calm and comfort that he brought to this campus. I know how big his umbrella is, and I know he brought many people under that umbrella and gave them shelter. Students, faculty, university presidents, university chaplains, and more—all found shelter there.

And they also found the crying chair. Bill and I always called the chair that was right in front of his desk "The Crying Chair," and it was at the firm for a long time and then moved to the campus. At the awards gala in November, when I was able to give him the award for lifetime achievement in law, I asked the audience for a show of hands, "How many of you have ever sat in that reddish-purple 'Crying Chair' to seek advice and counsel from Bill?" In that huge and crowded room, virtually every hand was raised, and Josh Snavelly and Lorenzo Banks, I think your hands were waving, not just raised, but waving.

When I joined the University as the Dean of the Law School, Bill and I began working together again, but now in a different dynamic. Finally, he had to admit that I was his boss. This was a great triumph of my career. That was just a few short months ago, and so much has happened in that time. We've purchased a beautiful, historic building in downtown Oklahoma City, where, as you've heard, we're going to name the courtroom after Bill. We went through a very grueling accreditation visit, I think with flying colors. We started marshaling our team and resources for the future because we are facing one of the most challenging and unpredictable times in the history of legal education.

During this time we were also seeing that Bill was struggling with his health. He never complained, never lost his high and joyful spirit, and

we just never realized the full extent of his struggles. He had risen so many times before following serious illnesses that I think all of us expected him to rise and rally again. We did not expect him to leave us, and we did not expect him to leave us without saying goodbye. Then, last Thursday, two days after his death, I received a letter from him in the mail.

I opened the mailbox on our porch, and there was an envelope addressed in Bill's distinctive handwriting. My heart stopped. And after a few moments of holding it, I opened the letter. The letter was to me and Joe, and it was dated December 31, the day before he died. He was thanking us for something and, in pure Bill Conger style, was expressing gratitude, joy, and, in particular, excitement about the future of our law school. There it was: his goodbye. Standing there on my porch, with the winter sun on me, with that letter, I felt his hand on my back, very gently pushing me forward. And I assure you we will move forward, but right now we are dealing at this school and in this community with an outpouring, an enormous outpouring, of grief and pain and shock.

That same evening that I had received the letter, my family gathered—my husband, Joe, and our sons, Daniel and Ross. Dan and Ross grew up with Bill and spent many, many hours with him at Grand Lake boating and fishing, so they knew him very well. We understood our own responses to his death, but we were wondering and questioning and pondering, how do we understand and explain this overwhelming response, this widespread response? And we sat there for a moment, thinking quietly, and Ross said this: “Bill had charisma.” And that's right, he did. He had charisma. But what is “charisma”? I looked it up in the dictionary, of course, my type A personality coming through, and the dictionary says it's “a rare personal quality of leaders who arouse fervent popular devotion and enthusiasm,” or it can mean “personal magnetism” or “charm.” But you know, what was interesting to me was that originally it had a theological meaning. It's from the Greek word *kharisma* which means a divine favor or gift, and it meant originally an extraordinary power, such as the ability to work miracles granted by the Holy Spirit.⁶

Now, I do love Bill, and I will always love Bill, but I'm not willing to go so far as to say he was actually divine in any literal sense, although, wouldn't he love that? Oh, my gosh. But let me take a moment, just a

6. WEBSTER'S THIRD NEW INTERNATIONAL DICTIONARY 377–78 (2002).

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few seconds really, to say what all of you know: Bill Conger was not a perfect human being. He had a ferocious temper; he was stubborn, and he was just flat wrong many times. I was frustrated and angry with him hundreds of times, and I bet you were, Sherry, maybe thousands of times in your long marriage. I'm thinking also of Len Cason. Len, I think there was a time or two that you were frustrated with Bill, as were maybe all who worked with him, especially in that early time: Steve Davis, Roger Graham, and Cliff Hudson; and then Ryan Wilson, Drew Neville, Burns Hargis, I bet all of you fit into that category. And Bill's dear doctor Charlie Bethea; I'll bet he had a few frustrating moments with Bill as well.

But far dominating and overwhelming those moments was Bill's charisma. He had an almost supernatural capacity for friendship. One source of his charisma arose from something very subtle. It seemed to me that Bill was uniquely able to hold within him at all times the Bill Conger of all ages: that six-year-old going off to school with his twin; that ten-year-old, self-appointed commander of the neighborhood army of kids patrolling Ontario Street in Shreveport, Louisiana; that twelve-year-old boy who neatly stenciled on his bedroom door "J. William Conger, Attorney at Law"; the seventeen-year-old prankster who rang the doorbell at Sherry Martin's house and, when the door was opened, threw a big basket of live, black snakes onto the porch;⁷ the fraternity boy; the young father; and then the twenty-seven-year-old young lawyer growing with experience into the veteran counselor and lawyer that we all knew.

He held all of those realities in himself—and more—and they were vividly present and accessible to him. I think we sensed him to be this man in full from beginning to end, and that in itself created connections with us on so many levels.

Yes, Bill had charisma in a most profound sense. He was a full-spectrum life force. He had the power to plant that life force in us in a way that we can sustain it and use it ourselves. He loved each of us, and his life force now is right here, right here in our minds and in our hearts. We have the power now to transfer that life force to others, and isn't that a great and divine gift from Bill Conger?

I thank God for Bill Conger, and for his family, and I pray that God's blessings and protections surround you. I thank God for every single one

7. But, it wasn't Sherry who opened the door. It was her mother, who almost died of fright.

of you who were friends of Bill. As we move forward, I hope we can use his gift well. Let's have joy every day. Let's remember to always let our friends have three moves back. Especially if they ask nicely. Let's do "The Conger Rehash" often and well. Let's stay in someone's corner always, ready with a cool drink of water. And let's live in such a way that Bill's powerful life force continues to reside within us.



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Bill King*

We're here to celebrate Bill Conger's life, but I've been crying for nearly a week now and if I'm not able to suspend my grief as well as I hope to, bear with me.

Looking around this beautiful chapel, this very crowded hall, it strikes me that I see something I've never seen at a memorial service. When we remember guys Bill Conger's age, it's usually a room full of people in their sixties. In this crowd of people who love Bill Conger I see students, I see young lawyers and old ones, friends from every demographic out there. How typical of what I would have expected at a gathering to remember our very atypical friend Bill Conger.

Bill has said that the years at OCU were the happiest of his life. And why not? He was teaching—he was a natural teacher. He was working with young people—perfect for a guy who was a young person even when his body wasn't. He was learning and always reading, and what better place than a great university to keep learning?

But most of you here today have known Bill as an adult. You've known the mature Bill: feared litigator, President of the State Bar Association, revered professor. You've no doubt seen the playful side of Bill. It was an inescapable part of him, healthy or not, good times and not so good. That's the part Sherry asked me to talk about: the funny—hilariously funny when he took off on a story—upbeat guy I've known for over fifty years. In fact, when Sherry asked me to say a few words this afternoon, she knew well that the Bill I knew (and the Bill that both of us reverted to instantly every time we've been together since high school) was totally the playful Bill.

I told Sherry that for me to tell any story that Bill Conger ever told would be sacrilege; Bill was a raconteur for the ages. I'm not. I was the audience, and an appreciative one. Conger liked to say that only my wife Robin was a "cheaper laugh" than I was. I know better. Only for Conger were we cheap laughs.

Here's what else I know: Bill Conger started out with advantages not all of us have.

* Bill King and his wife, Robin (Cypert) King, met Bill and Sherry (Martin) Conger when the four were high school classmates in Bartlesville, Oklahoma. While the Kings lived in Nashville and the Congers in Oklahoma City, they remained close friends for the next fifty years.

A big heart, huge heart.

A very big funny bone.

And not a mean bone in his body, not one.

When you're young and growing up together, you know each other's parents. Bill was a product of the South, and his Mom and Dad showed the sophistication and the gentility we've come to associate with the deep South, in their case Louisiana. I can still see George Conger Sr., sitting in a lawn chair in the front yard early in the morning (he'd already had his morning walk). "Hello King," he'd say. "I'm just here cogitating. What do you and Bill Conger have cooked up today?"

"I'm just cogitating." I bet you've heard Bill Conger say that. I have. Like his Dad, Bill thought about things. Like his Dad, he was the best kind of philosopher. And like his Dad, he became a lawyer. One of the things Bill cogitated about, I suspect, was very simply what's right and what's wrong. He had a strong sense of that, of social justice, and those of us who knew him well saw it exhibited, quietly, in how he dealt with people; all people, all the time. He'd never have said that's why he became a lawyer, but I think it was.

But who thought about those kinds of things when you were 16? That's how old Sherry was, too, when she met him. It's the same with my wife Robin, and Marilyn and Charlie Bethea—Charlie who not only was Bill's high school classmate and his fraternity brother at OU, but the same Charlie we can all thank for being the always-there, devoted, caring cardiologist for Bill for all these years. All of us were 16 then. Sherry asked me the other night if I remembered when I first met Bill. I sure do... the very first night.

Bill's parents were transferred from Shreveport to Bartlesville. Small towns aren't always that easy to break into, but when Bill Conger showed up it was different. He was a big city kid (Shreveport!) and he had friends with names like "Blocker," not John and Allen and Charlie. Besides, he was a TWIN. And not just a twin—his twin was a girl, a beautiful girl! So the exotic Bill and Betty Conger fit right in. But only after we showed them our own classy style.

That first night the guys (and several of them are here today: you know who you are!) took Bill out for a Bartlesville rite of passage in his own car, a '53 Chevy Bill had dubbed "The Green Hornet." We waited for the Daylight Donuts out on Frank Phillips Boulevard to close. Then we went around back, and sure enough, they'd loaded a couple of trashcans with that day's unsold donuts. We loaded them up in the Green

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Hornet. We drove to Claudia Bradshaw's house. Now some people thought t.p.-ing a girl's house was cool. Not us—we were cooler. We “donuted” Claudia's lawn, her driveway, her front porch. We made a tower of donuts up the antenna of her car. And when her Dad flew out of the house, we ran like hell. But not to the Green Hornet. Mr. Bradshaw got there first. And when the police arrived, he gave them the keys. On Bill Conger's first night in Bartlesville, we successfully begged the police not to call our parents. Bill was a great negotiator that night; we should have known he'd be a great lawyer.

We've howled about that first night in Bartlesville. And I think it was the absurdity of the situation that Conger loved most about his first night in town. What he had then, and never lost, was that incredible ability to laugh at himself. He loved laughing at himself. That's who he was. That's what was so, so hilarious about Bill's stories. They were almost always at his own expense.

More than once this afternoon we've heard Bill described as a “mentor.” Clearly that's why he was a beloved teacher, but even to our little posse, that's kind of what he was. He was the guy you wanted to hang with. The basement of his house was kind of our clubhouse: a lot of slow dancing to Johnny Mathis there with our girlfriends, our few first beers, a lot of hanging out.

That Shreveport sophistication taught us stuff. We skipped school. Bill would say, “Hey let's take an Izaak Walton,”⁸ so we went fishing that day. We didn't just skip school. Our Izaak Walton's were the action version of cogitating. Or one day we skipped off to Tulsa to catch Brigitte Bardot in ...*And God Created Woman*—as risqué as it got in those days, and we weren't going to miss it. We took in Revivals at the Fire Baptized Holiness Church.

And memorably, when Bill's friend “Blocker” came up from Shreveport for a week's visit with his old pal, we picked him up at the airport in Tulsa, headed toward Bartlesville, and when we got to tiny Ochelata, we pulled in and Conger said, “Well, here we are!” Bill laid it on thick, showing off the few “downtown” buildings, and his family's new home, a farm straight out of *The Grapes of Wrath*. Hook, line and sinker, Blocker bought it. So if you wondered when the practical jokes started, that may have been it.

8. Izaak Walton, a 17th century author, wrote what some might consider the definitive book on fishing. See IZAAK WALTON, *THE COMPLEAT ANGLER; OR THE CONTEMPLATIVE MAN'S RECREATION* (London, Ward, Lock, & Co. 1653).

But there was also Bill the athlete. A really good basketball and baseball player, and not a bad footballer, either. Here's how he told it when we all came back to a Thunder game last year. Bill, imitating the radio announcer's voice: "Parsons back to pass, ball's in the air, perfect spiral, Conger downfield, this could be a Wildcat touchdown... OH MY, it bounces off the back of Conger's helmet, Ponca City wins!"

But then Bill grew up (well, not really) and became an Oklahoman. Here's how he grew up.

Many years ago, my secretary Peggy, new on the job and a little insecure, received a phone call. I wasn't in. "Miss Dennis," the caller said, "this is Detective Conger, from the Oklahoma City Police Department. I need to ask you some questions. Has Mr. King been to Oklahoma City recently?" I had been, which "Detective" Conger of course well knew. When Peggy indicated I had, Detective Conger said, "Well, Miss Dennis, that's what I was afraid of. I'm afraid Mr. King has been in our city, at our hospital here, claiming to be Dr. William Vogelfanger, and he's been giving pelvic examinations to the patients. I must ask you to say nothing to Mr. King. The police will be by soon."

Peggy never met Bill, but it wasn't the last time she was taken in. Actually I think the last time was when he left a message indicating that I had asked him to call and have her dismiss the office at noon that day, in honor of Armistice Day, a holiday still observed in France and Belgium, I think, but definitely not in Nashville. When I got back to the office, no one was there.

Bill could have been an actor; he would have been a great one. He was unbelievable with kids, with a manner eerily similar to Bill Cosby's. I asked our sons to tell me their first memory of Bill: For both, it was Park City, 1980—three Conger girls and two King boys, ages 5 to 12 or so, on their first ski trip. Both remember climbing into the 4-person gondola. Bill, wearing those silver one-way sunglasses, carefully removed his ski glove, reached out to shake our eight-year-old's hand, and, with great seriousness, introduced himself: "Bond. James Bond." It's become part of our family lore.

Pretty much all of us work hard to strike a balance between our careers, our family, our faith, our priorities. So I think most of us save our greatest admiration for those who strike an elegant balance. I don't know anyone who did it better than Bill. His career speaks for itself.

I never saw him in a courtroom, yet I always said if they caught me, call Conger.

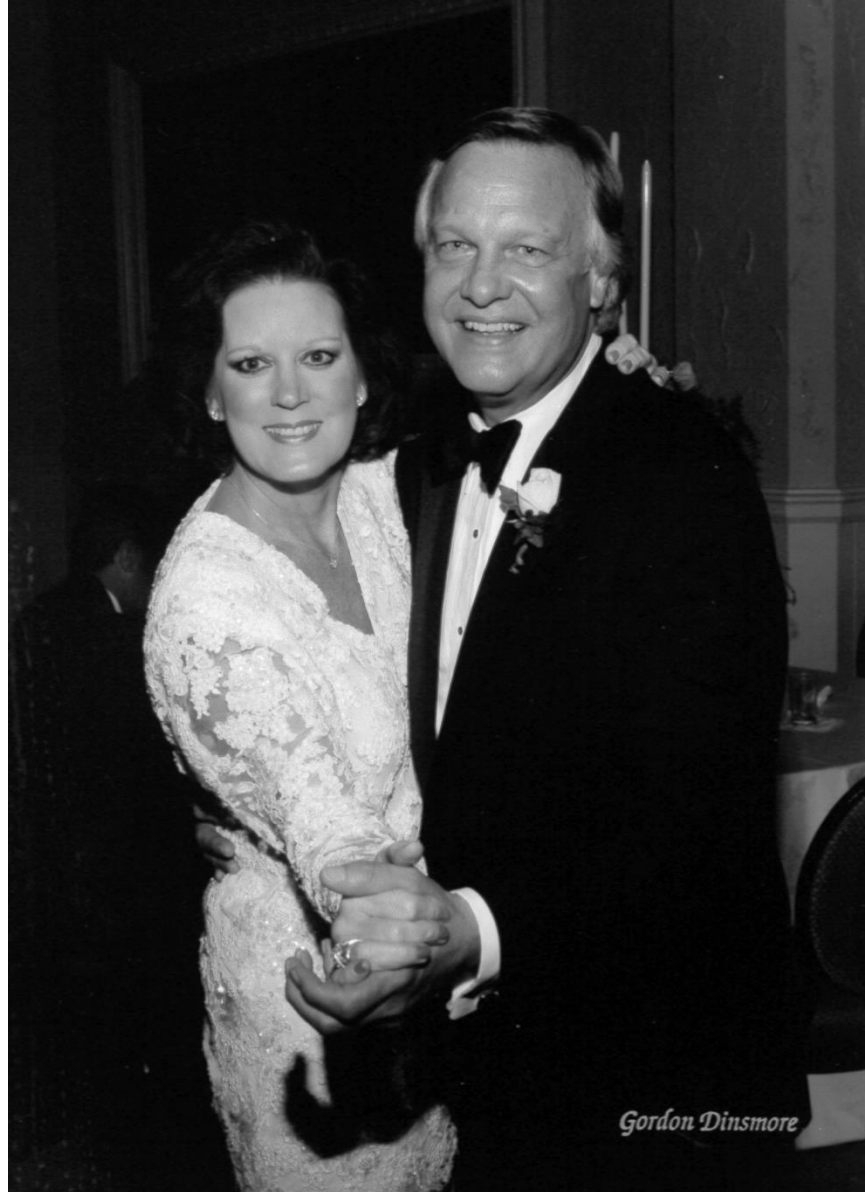
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I never saw him teach, but when he won the Professor of the Year award at the law school, pretty much as a rookie, was anyone surprised?

But he didn't live for his career, even with all his success and all his recognition, never once did I see him struggle with that balance. His family was first. Terribly proud of them, always there for them, shaped by his family as he helped shape them. Bill was the best. Period, end of story.

Erin, Jennifer, Christen... Parker, Julianne, young two-month-old Vivian... George Robert, Betty, Julia... Sherry, the love of Bill's life and his tower of strength, as a young woman and as Bill's lifelong mate, and never more than you've been this week, thanks for sharing this remarkable being with us.





EXCERPTS FROM
JANUARY 24, 2013, CELEBRATION OF LIFE

James Judd*

First, I'd like to thank everyone for attending tonight. For those of y'all that don't know, my name is Zeb Judd, and I'm the Student Bar Association President here at OCU. As a man of faith, I know that Professor Conger is looking down here right now smiling, and he is truly honored that the students and the friends that he loved so much have come here to celebrate his life.

I had Professor Conger in my second year for Legal Profession, and I didn't really know him before that time, but during that semester I came to realize that he is the kind of man that I want to be. During the course of that semester, he fell and injured his face pretty bad, and we had a handful of substitutes, but during that time while he recovered, every one of those substitutes took time at the beginning of class to talk about what a great man he was, and not because of the success that he had attained as a lawyer, or even the fact that at one point he got to represent Snoop Dogg, what they talked about was the fact that he was truly an honorable man, an ethical man, a man that you could talk to, and when you did, he would look you in the eyes, and you knew he was telling you the truth. He didn't have to make promises because you knew he was telling the truth, and after Professor Conger's untimely death, I continue to hear these good things, and again, none of it was about his success as a lawyer, but his success as a man.

* J.D. Candidate, Oklahoma City University School of Law, 2013. The first real contact I had with Professor Conger was during Legal Profession in the Fall of my 2L year. However, throughout my time on the SBA Executive Board and as a class officer, I had the privilege of getting to know Professor Conger outside of the classroom and came to think of him as a mentor and someone I aspired to be like.

And so, as I reflected on that, I came to realize that's what I want to be, and when my time on this earth comes to an end, I don't want people to talk about the money I've made or the cases I've won, I want them to talk about how I was an honest and ethical man, the same as Professor Conger. And so that's why I will model my life on his and follow his example.



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Joni Autrey*

I first met Professor Conger when I came to visit OCU in the early part of 2009 for High Ideals. I wasn't sold on law school at all and I certainly wasn't sold on OCU or Oklahoma. But I was sold on taking a mini vacation from work so I came, and at dinner I was seated between another potential student and the keynote speaker for the evening, J. William Conger.

As we ate, the student on my left kept talking about how reading *Brown v. Board of Education* was what made her want to be a lawyer. I had never read any legal case, couldn't have told you anything about *Brown v. Board of Education* and I couldn't have named a single legal decision that had motivated me to do anything. I was a music business major who had been out of school almost a decade and was only considering law school because I hated my job and a J.D. seemed more practical than an M.B.A. So I sat quietly. Those of you who know me are shocked.

But, because Professor Conger was the kind of charismatic and welcoming person that wants everyone around him to feel included, he went out of his way to ask me about my life, my journey, and he made me feel like I was just as fascinating as any Supreme Court decision. We talked about everything from faith and living a life with meaning to lawyer jokes. You see, I love lawyer jokes. My best friend, my sister, and my brother-in-law are all attorneys, and way before I ever thought about becoming one myself, I loved to mock and ridicule the profession. One of my all-time favorites is in *Bee Movie* when the mosquito becomes an attorney and says, "I was already a blood-sucking parasite. All I needed was a briefcase!"¹ But Professor Conger spoke about the honor of the legal profession and how he wanted to live and practice in a way that would make lawyer jokes obsolete. In fact, his entire speech that evening was about that very topic—what an honor it was to be an attorney and how important it was for every member of the profession to guard and protect the reputation of the entire bar. I got teary-eyed and a little convicted but most of all, I got inspired. I left that dinner and called my

* Joni is first-year associate at Hartzog Conger Cason & Neville. She enjoyed lunching and laughing with Professor Conger while seeking his wise advice as often as possible and occasionally had crisis counseling in his crying chair. When she struggles with the stresses of practicing law, her mom sometimes asks her, "Well, what would Conger do?"

1. BEE MOVIE (DreamWorks Animation 2007).

mom. I said I wanted to go to OCU, work for Hartzog Conger, and I wanted Professor Conger to be my mentor.

When he and I would talk about this later, we'd both laugh because I never actually dreamed this would be my life—that I actually would end up in Oklahoma at OCU, that I would be blessed to clerk at the firm he built, that I would actually receive my permanent offer from Professor Conger himself. But most incredible of all, I was blessed for the time in his presence as a mentor. It's the thing that I'm most grateful for and what I mourn losing most of all. For the next few moments, I just want to share a few of the things I loved about Professor Conger.

First of all, I loved his stories. The man could tell a story and he always had the perfect anecdote for any situation you found yourself in. I remember having lunch with him right before I took the bar last summer, and he started telling me a story that I thought was meant to make me feel better, to encourage me. He talked about how success in law school and other academic endeavors usually translates to success on the bar. He said it would be an anomaly for someone like me not to pass. But then he told me while he was at LSU there was a fellow who finished in the top of his class, had always done well in school, studied hard and did all the right things, and somehow failed the bar. And so I waited for the punch line or for him to distinguish that story from my situation, but he seemed to be done. So I finally said, "Was that supposed to make me feel better?" And he said, "Well, I guess if you fail the bar, you can take comfort that your classmates will still be talking about how crazy it was 40 years from now," and he totally cracked up. But after he quit laughing and saw my crazy bar face, he looked me straight in the eye and said, "I believe in you and I'm not a bit worried." If he'd seen my MBE score, he'd have known he should have been.

I loved how passionate and emotional he was. Whatever you were feeling while you were with him, you knew he felt it right along with you. I saw those big beautiful blue eyes well up with tears on many occasions when he was telling about how proud he was of a former student or colleague or sharing the struggles of balancing a successful career and life outside of the office or the joy of being a lawyer. He was so proud to be an attorney—and not just the big stuff like litigating before the world court. He was proud of changing lives like working on adoptions.

I loved his laugh. Some of you will have to forgive me but when I hear the line from the Taylor Swift song—"you throw your head back

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laughing like a little kid”²—it always makes me think of how Professor Conger laughed. He was so full of childlike innocence and joy and love for life. He loved to tease. When he asked me to assist him with research my 3L year, I made a spreadsheet of my schedule and when I envisioned working and sent it to him, apologizing for being so type A. He sent back an email that said “you are kind of nerdy but I like that about you.”

I love how open and accepting he was, especially for someone of his generation and given the level of success he had achieved. It would have been easy for him to judge or look down on those of us just entering the profession, but he didn’t. When OCU had the first Innocence Clinic Gala, Professor Conger invited me and a guest to sit at his table. For the first time in a long time I was ashamed of my tattoo. I didn’t want him to see it so much so that I actually went to a makeup counter and had them cover it. But I should have known better. When he passed away, a girl a few years ahead of me who had a beautiful, full color sleeve of tattoos posted that Professor Conger always said she had the prettiest arm in law school. He was just that cool.

I loved his style. I loved his seersucker suit and his bright pants and his spiffy ties. He always reminded me of Matlock but so much smoother and cooler—like Matlock meets James Bond.

I loved how he made an effort to get to know me and learn about my life and the lives of my classmates.

I loved how he liked to say “have joy” in cards, in emails, in conversations, and I loved how he lived that example. Professor Conger truly was one of the most joyful people I ever knew.

I loved how he embraced change—all the changes in the law, changes in Oklahoma, changes here at OCU.

I loved how proud he was of this university and his vision for this law school that he worked tirelessly to bring to pass. He was such a committed cheerleader and champion for all of us here and played a huge role in so many of the advancements that this law school has experienced.

I loved how thoughtful he was. He made great effort to reach out and encourage all of us. After the bar results came out, I got an email saying how proud he was of me. I heard from a number of friends from different states, he did the same for them. He took the time to find out when results were posted, check them, and follow up with us. And for a few of

2. TAYLOR SWIFT, *Begin Again*, on RED (Big Machine Records 2012).

my friends who didn't pass, he was quick to encourage them and offer to help them in any way he could. Then he did. He followed up with calls and emails, and when they were successful, he celebrated their successes with every bit as much enthusiasm and excitement as they did.

I loved and will always love Professor Conger for the same reasons so many of you loved and will always love him—because we all have these memories and stories and moments. I am just one of many who are forever changed because our paths crossed his. I am just one of many who will practice law differently, who will live differently than if I had not been blessed to know him. Everyone that got to know him as a friend or mentor or teacher or colleague was changed for the better. We all feel like we were special to him. That he cared about us. That he really saw us and saw something in us that was wonderful and powerful and unique. Sadly, that doesn't happen nearly enough. It truly is rare in life to find someone that impacts another someone in such a profound and eternal way. It is incredibly special when one human being's life inspires and empowers the life of another human being. But when one person impacts and inspires hundreds on that same powerful level, it's miraculous.

The thing I loved most of all about J. William Conger is that he loved God. And he lived and worked and served out of that love. From the very first moment I met him, we shared about faith, and the great majority of our conversations were in some way centered on God, His will for our lives, living a life that honors Him, making Him great even as we go about our day-to-day lives. And for a girl who wasn't sure about law school or OCU or even being an attorney, I knew from that first encounter that if I were ever an attorney, I'd want to be the kind that Professor Conger was.

*Beloved, let us love one another, for love is from God, and whoever loves has been born of God and knows God.*³

And so the very thing that made him so charismatic and that drew all of us to him and that makes the loss of him so hard to bear is also the very thing that gives me great peace. Bill Conger lived his years on this earth well. He used his moments in this world to invest in his family and friends and all of us that were blessed to know him. He loved God, and by that love, he was able to love all of us so well. He was a miracle. He made us all witnesses to the miraculous. And for that I'm eternally grateful.

3. 1 John 4:7 (English Standard).

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Drew Neville*

I met Bill Conger in 1965, the spring of 1965, when he appeared at my home. He was the rush chairman for the Beta Theta Pi fraternity, and he was the Pied Piper if there ever was one. In the fall of 1965, sixty-five of us, the largest pledge class in the history of the Beta Theta Pi fraternity at OU, followed him to the University of Oklahoma, and with his boundless energy and his zest for life, we became very fast and close friends. He was always my mentor, and he still is my mentor. He had this fabulous career, you know, he had many big-time clients, and he had high profile cases, but I'm going to bet you he never told you about the great mouse case.

Sometime in the late '80s, Conger called me, 'cause we always would have conversations about our cases, and he says, "Neville, I'm going to get to represent Coca-Cola." I said, "Gah, Bill, that's awesome. Coca-Cola, Atlanta, Georgia, that's big time," and he says, "Yeah, Coca-Cola." I said, "What kind of case is it?" He says, "It's a products liability case." And he said, "But I need to talk to you about it, I need to strategize with you about the case." I said, "Well, great, I'm available." So I go down to see him and he says, "Now, here's what happened. This woman goes into a 7-Eleven, she buys a Coca-Cola, she gets home, and there's a mouse in the Coca-Cola, and she faints, and has all kinds of sickness, and she sues Coca-Cola for all kinds of emotional distress with respect to this mouse that's in this Coke can." I said, "How are you possibly going to defend this case?" He says, "I have no idea. I have no idea, but I'm going to go to Georgia, and I'm going to go through the manufacturing process at the Coca-Cola plant and I'm going to find out if a mouse could really get in the Coca-Cola can during the manufacturing process."

And off he went to Atlanta. And he came back, and still he had no theory or theme of the case. And he said, "Here's what I'm going to do, Neville. Here's how we're going to win the case: I'm going to have this mouse autopsied." I said, "*Conger!*" I said, "You are crazy. How are you possibly going to get this mouse autopsied?" He said, "I'm going out to the state medical examiner." And he took this mouse out to the state

* Drew Neville knew Bill Conger from his days at the University of Oklahoma as members of the same fraternity, Beta Theta Pi, beginning in 1965. Drew and Bill remained close friends and eventually merged their two law practices together to form Hartzog Conger Cason & Neville in 2000.

medical examiner, and asked him to do an autopsy, and they did. And because it came out for his side, it proved that the mouse couldn't have been in the Coke bottle at the time of the manufacturing—somebody had to have put the mouse in the Coke bottle. And it was the plaintiff who did that.⁴ Now that's the creativity and the intensity and the zest for trial practice that Bill Conger had, and he won that case. He won it going away because he had the creativity to think of having the mouse autopsied.

In 2000—Bill and I had always talked about practicing together—and in 2000, we finally got that done. And as you all know, in 2003, he started experiencing serious health problems and he had a very severe heart attack, a heart condition that required quadruple bypass surgery. And so I'd go up to see him, and visit with him and Sherry and the girls, and decided I'd kind of leave him alone and let him convalesce a little bit. He didn't need to see my face every day, so about four weeks went by and he calls me up, "Neville. What're you doing?" I said, "I'm sitting here, just practicing law, Cong, what are you doing, why are you calling me, why aren't you in bed at home?" He says, "Let's have lunch." Now, this is four weeks after his surgery. He says, "Let's have lunch." I said, "Cong, why don't you let me go get some lunch and I'll bring it out to you and we'll—" "No, no, no," he says, "I want to go to Irma's Burger Shack." I said, "*Cong!*" I said, "You are four weeks out of quadruple bypass surgery, and you want to go to Irma's Burger Shack?" He said, "Yeah, I want to go to the one up on 63rd Street 'cause they won't see me at the school if we go to Irma's Burger Shack." So I came by, picked him up, and we went to Irma's Burger Shack, and he had the biggest double cheeseburger with fries you've ever seen. He could never pass up

4. About the infamous "mouse in the Coke can," Dean Valerie K. Couch would add some further explanation: "It wasn't an autopsy really. We actually canned about two dozen mice with Stan Kosanke, the veterinary pathologist who was working with us. (I know it's awful, but these were mice that were going to die anyway.) We knew when the Coke had been canned because it had a date code on it, and we knew when it had been opened by this poor woman who was frightened and had emotional distress: it was about five weeks. So we had our veterinary pathologist open up a can every week to see the condition of the mouse inside. Well, the mouse that had been found in this can was this fresh little mouse, just like a little puppy almost, with the hair and little pink eyes and the tail. But after a week in a Coke, the mice were slimy and deteriorated (it will get you off Coke really quickly if you're trying). Then progressively after five weeks, the mice turned into the most putrid, smelly, awful stuff imaginable. No one could have drank from that—it was just impossible—and it just didn't match the picture of this nice little furry thing that you could have seen in a cartoon."

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a double cheeseburger with fries, so that's what we had four weeks after his heart event.

You know, there's a great book—won the Pulitzer Prize, it's one of my favorite books and definitely one of my favorite movies—*Lonesome Dove*.⁵ Anybody familiar with it? Great story of two old, retired Texas rangers who put together a cattle drive from South Texas all the way to the Powder River in Montana, and they put this group together and they drove this herd of cattle northward into Nebraska where one of the favored employees, a scout—an Indian scout by the name of Josh Deets—died, and he was the trusted scout leader of Augustus McCrae and Captain Call. They buried Josh Deets, and standing over the grave, some of the guys in the troop are asking themselves, well, what do we do now? We've lost our leader, we've lost the guy that's shown us the way, we've lost our star. And Gus McCrae, being the wily ol' veteran he was, gathered up the team and rode on.⁶

“We've got to ride on.” If Bill Conger were here today, that's exactly what he'd tell you. He'd say, “We've got to ride on with a grin on our face and a heavy heart, but that's what we have to do.” Bill Conger's legacy will ride on in the hallways of this building and these classrooms: his unique perspective on life; his infectious smile that we all got to see and enjoy every day; his creativity, and his sense of humor; his passion for teaching, his love for the Stars of Oklahoma City University, and, especially, his love for all of you, his students. God bless Bill Conger. Amen to his life and times.

5. LARRY MCMURTRY, *LONESOME DOVE: A NOVEL* (1985).

6. *See id.* at 733–35.



THINKING OF BILL

Arthur G. LeFrancois*

First, a word of warning: At a Law School gala in November of last year, Bill Conger was named the recipient of the Marian P. Opala Award for Lifetime Achievement in Law. Dean Valerie Couch, Bill's former law partner, delivered her typical homerun of an introduction—a thoughtful and moving portrait of Bill and his career, including his important contributions to the Law School. I sat across from him (he had been kind enough to invite me and my wife, Betsy, to sit at his table) and could see how much he was moved (as was everyone) by the Dean's words. A microphone was brought to Bill so that he could make a few remarks in accepting the award. The first thing he said was, "And to think, I could have had Art LeFrancois introduce me."

Bill was a life-enhancer. He was charismatic beyond telling, was a raconteur whose next untold¹ story could make you ache with anticipation,² and was a pretty good listener as well. He knew how to be a good friend, but if he hadn't, you really wouldn't have cared. You just wanted to be his.

Having spent the majority of his career building his firm, he transitioned with joy and ease to University General Counsel and Distinguished Lecturer.³ He made an instant connection with our students, who routinely sought him out as a mentor. He relished the role. Perhaps he made more than a few of his colleagues appreciate more deeply some of the insufficiently explored opportunities we had as faculty members.

* Professor of Law, Oklahoma City University.

1. Perhaps I should say "unheard." But Bill told stories so well, I'm not sure he ever told the same one twice. I want to cite Heraclitus here, but the analogy's not quite right. I'll have to make do with the gratuitous reference, a practice Bill enjoyed, but not so much that he, well, practiced it.

2. And even if Bill *did* tell the same story more than once, it was (nearly) always by request.

3. Bill would have appreciated my Teutonic capitalization here.

I met Bill in January of 1999, when, as part of the American Bar Association's Central and East European Law Initiative, I took a delegation of Armenian defense attorneys to the offices of the firm he had founded with Larry Hartzog and Len Cason. While my charge was to give the delegation a sense of our criminal justice system, I thought a visit to Bill's firm could be instructive in a number of important (and relevant) ways. So we gathered in the conference room. Bill was gracious and informative in his remarks, and prior to these he made small talk and answered questions with an enthusiasm that I soon came to realize was either innate or perhaps even an artifice (great trial attorney that he was) he could muster on demand. I wasn't sure there was a difference, and, in my own case, would have been happy with the latter.

Some of our visitors from Armenia had been asking, since their arrival in Oklahoma City, just how the prosecutor went about selecting defense counsel for criminal trials. I repeatedly denied the factual predicate of this question (and I distinguished practices such as court appointment). Their responses to my denials and distinctions were unfailingly polite and uniformly insincere. Which is to say, they became more intrigued with why I should deny such an obvious fact⁴ than with the fact itself. I mentioned the issue to Bill, so that he would not say anything that could accidentally buttress their Procurator-General-on-Steroids theory of criminal justice in the United States, or at least in Oklahoma. Which is not to suggest that we didn't have a boatload⁵ of problems in our criminal justice system then, or don't now.

During his formal remarks to the delegation, Bill thought it would be useful to talk about bar disciplinary procedures. This resulted in much of the follow-up Q&A being devoted to issues of how much control the bar association had over each criminal trial, how the association selected defense attorneys for each criminal trial, how the membership of this powerful association was determined, and so forth. Bill looked at me for some succor during this avalanche of questions about the central role of the bar association in criminal litigation. I provided little. Looking back, I realize this was the only time I was ever, on any issue, as persuasive as Bill.⁶

Bill's later years were filled with medical challenges. He was in the hospital with disconcerting frequency and seemed to be in a constant

4. By which I mean "fact," as I do in its (fact's) next instance.

5. "Fleetload" is more accurate, but I can't locate a cooperating dictionary.

6. As in, neither of us was the least bit persuasive.

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Thinking of Bill

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state of convalescence from one thing or another. Heart and lung issues were exacerbated by back pain. Medications had side effects. Oxygen concentrators had to be dragged along.⁷ Incredibly, Bill's desire to be out and about, to be in the middle of things, did not wane. His *joie de vivre* seemed undimmed. So there he was, in his office, at Law School and University social events, at informal social gatherings, and in his classroom. Again I wondered, as I had when I first met him, whether he just had an inexhaustible reservoir of the stuff of life, or whether, through an act of will, he was able to simulate it or somehow manufacture it. I also wondered why so many people, including me, seemed to do so much more complaining about their health than did Bill.

In August of 2006, Bill and I drove⁸ to the Sunflower River Blues Festival in Clarksdale, Mississippi. This was an annual trip Bill made with a number of friends (a somewhat shifting cast of characters), and this was the first time I was able to go. We stopped in Shreveport (Bill's hometown), where I met his twin sister, Betty, who, like Bill, looked years younger than she was, and with whom we had dinner, along with her husband, Arnold. At the airport in Jackson, Mississippi, we picked up the other half of our crew, attorneys John Schaefer and Roland Tague. From there, we traveled to Raymond, Vicksburg, Greenville, Indianola, Leland, Cleveland, and finally, Clarksdale. We visited a "Battlefield Park" that consisted of a cannon on an abandoned concrete highway. We bought garish pink and yellow floral-patterned lawn chairs⁹ for six dollars each (surprisingly, they were on sale) so as to more comfortably listen to the blues in Clarksdale. We toured county courthouses, Civil War and blues museums, colleges and universities, Civil War cemeteries, and much more. My point (besides holding that trip in memory like a living slice of time) is that through it all, Bill was with us pretty much every step of the way, his health challenges taking a distant back seat to his curiosity, enthusiasm, and general ebullience.

This was so two years later when Bill served as president of the state bar. And it continued until the first day of this year. He poured himself into life and into lives. Not long ago, a very close friend told me Bill had taught her not to fear lawsuits. Think about that. Another spoke of Bill's

7. "I'll be the guy with the thing up his nose and a canister over his shoulder," Bill wrote in an email in January, 2011.

8. Okay, Bill drove. I rode.

9. Seriously. See John Schaefer, *Journal of 2006 Delta Blues Tour: August 9–13, 2006*, at 15, 20 (2006) (unpublished manuscript) (on file with author).

feminism. At Bill's memorial service, Dean Couch named an impressive number of women Bill had mentored, as he had her. My younger daughter, Meghan, was lucky enough to have been his friend. Her birthday is Valentine's Day, and Bill forwarded to me, years ago, the first email in which she thanked him for his birthday wishes and accepted his avuncular entreaties to be his Valentine.

I have made some good friends through Bill's auspices. Among them is his younger brother, George.¹⁰ George and Bill would regale friends with family stories, including loving portraits of parents George and Lil. The only stories of meanness I've heard about Bill (this is to be distinguished from firmness, or, say, candor) involved liquids. The first was a kind of experiment in perspective, when Bill provided young George with the opportunity to use all his senses in experiencing, close up, the flushing of a toilet. As George recounts it, a neighbor from whom he sought therapy shortly after the event reminded George of it many years later, even as the neighbor was in his dotage. (George does have a follow-up story about the day, long after the flushing, that forever marked the end of his being treated like the little brother.) The second has to do with the time Bill had a dozen mice drowned in soda, where they were immersed for varying periods of time pre- and postmortem. (This was to defend a case in which it was germane to have evidence about, yes, how mice look when they have been immersed in soda for varying periods of time.) Bill's best defense of this? "They would have died anyway." As Bill said at least once to me, in another context, and without a suggestion of fatalism, so shall we all.

I suppose I had another point in describing our Clarksdale trip, which is to extol the virtues of saying "yes." I've got an email inbox with too many (declined) invitations from Bill to go on any number of road trips—to Wisconsin to visit a provost-turned-college-president friend (and to stop at my alma mater on the way), to Civil War battlefields, to Clarksdale, and to New Orleans. There were several of these New Orleans invitations, the last of which he sent in October of last year. He wanted to drive together to the AALS conference, which, as it turned out, began three days after his death. Bill never stopped looking forward to his future.

10. George may not hold it against me if I point out that he has, on occasion, claimed that he differed from Bill in a good number of respects; among them, that George was the better looking and better storyteller of the two.

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Thinking of Bill

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To Sherry, to George and Betty and Julia, to Christen and Jennifer and Erin, and to Parker and Julianne and Vivian—we share your sadness. We miss Bill deeply. We miss him every day. Most of us would be content to be as happy as he was on his saddest day and to face our only certain future with his grace, his equanimity, and his joy.





BILL CONGER: MENTOR

Daniel J. Morgan*

Sometimes friendships can be summarized by recurring themes. After over twenty years of hanging out with Bill Conger on a professional level, but most importantly on a personal one, I can tell you that mentorship was at the core of the Bill I knew.

My first recollections of Bill go to the 1980s. We met through Oklahoma County Bar and Holloway Inn activities. I became involved with the County Bar (a relatively unusual pursuit for an academic type) because of Bill's desire to involve the law school, and especially our students, with Bar activities. In the Holloway Inn, which has its antecedents in the English Inns of Court, in which senior lawyers and judges mentor law students, Bill was in his element. Walking into an Inn gathering, Bill could always be located by the laughter and smiles of students surrounding him as he spun another one of his stories.

My daughter, Sarah Balbás, an OCU Law alumna, had a summer internship with Conger Cason, and her fondest memories of that time were conversations with Bill about the law, homespun practical advice, and a few stories about her Dad that she had not yet heard. Sarah's experience was typical for students involved with the firm. All had Bill's interest, his ear, and his advice. All were special to him, and they knew it. Bill began teaching and mentoring young lawyers a long time before he came to OCU.

Bill's arrival at OCU was a natural fit for his ultimate ambition. His official titles were things like General Counsel and Professor of Law, but his true calling was Mentor in Chief to a legion of fledgling attorneys. From the beginning, Bill's office door, first on the top north floor, was always open. Nine out of ten times, a peek into the office would reveal a student in the easy chair before Bill's desk. Sometimes there would be laughter, sometimes a glint of tears, and often the intent posture of a

* Professor of Law, Oklahoma City University.

student enthralled by yet another Conger story. All were special in Bill's eyes, and he was never more complete in himself than in those times of communion with those students.

My running joke was always that the only "face time" I could achieve with Bill was through email. He didn't deny it. The exception was the cold Saturday mornings in January in the Sarkeys building where Bill and I would visit briefly on our way to trial competition practices with our respective teams. I would: 1) be attempting to wake up and/or thaw out, 2) be feeling a little sorry for myself as I thought of colleagues tucked snugly in their beds, and 3) praying that the team captain had remembered the coffee this time. Bill would be ebullient, often slapping me on the back and exclaiming, "Hell, Morgan, another three hours with just us and a group of crazy young trial lawyers! What could be better than this?" For me, those moments were the essential Bill Conger. How could you not love him?

Bill continued to commit serial acts of empathy right to the end. My last email from Bill was a message to the faculty extolling the virtues of student mentorship and encouraging increased sign-ups for mentorship during the spring semester; just the sort of thing you would expect from Conger.

From beginning to end, his lifelong theme of mentorship remains intact, inspiring a new generation of young lawyers. What greater example and legacy can one leave? Rest well, old friend.

BILL CONGER, THE BLIND PRINTER

Paula Dalley*

I got to know Bill Conger at lunch. Or rather, at a series of lunches during which we would indulge our common weakness for hamburgers. Bill introduced me to a number of fine dining spots. My favorite, I think, is the Runway Café at Wiley Post airport,¹ but our most memorable lunch for me was in the stockyards. Not the Cattlemen's Steakhouse that everyone knows and loves (or not). This was the restaurant inside the gates of the stockyards that I believe is called the Stockyards City Café. As I recall, we went in through a door off the street, but guys with boots and big hats came in through another door, where I imagined that you could "see 'em swimming," as the lobster restaurants at home used to say.² The image of the exquisitely dressed lawyer (Bill) and the near-vegetarian (me) sampling out-of-the-way burger spots captures the incongruity of Bill and my friendship rather well.³

I found some aspects of Bill's life and nature completely incomprehensible. He was able to converse comfortably with anyone at any time. He knew practically everyone in Oklahoma City. He was incredibly well-dressed. He had a funny accent. He drove a gigantic Lexus. He had hundreds of wonderful stories about his varied life, which he told with great charm. He seemed indefatigable. In all these respects I found him a strange and foreign creature. But Bill's ability to be at home with "strangers" made our differences unimportant and amusing. That

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1. We invariably got lost on the drive to Wiley Post, a fact which I now find almost as mysterious as the location of the airport. On one occasion we gave up and ate at a tiny greasy-spoon we happened upon. Of course, Bill ran into several people he knew, and the burgers were excellent.

2. This was a particularly bizarre experience for me, considering that the cattle trucks on I-70 had turned me into a vegetarian (mostly).

3. Bill and I often ran into each other at the supermarket on Sunday evening, when each of us was wearing our "hope we don't see anyone we know" clothes—another incongruity I always found hilarious, for some reason.

ability was an essential part of him, and it ultimately, of course, enriched my life as it had so many others’.

As some of the other tributes in this issue note, Bill was an extraordinary teacher and mentor. That is what he was known as around the law school, and the many lawyers (and others) he has mentored will be an important part of his legacy. I, however, would not describe Bill as my mentor. Rather, for me Bill was a promoter. I moved to Oklahoma City in 1996, but Bill, whom I met in 2003, was the first person here who encouraged me to use my talents outside the classroom and opened opportunities for me to do so. Bill treated me as a peer; he sought my advice about university matters and got me more involved in university affairs. I am convinced that I would not have been asked to serve on the 2009 Presidential Search Committee, for example, were it not for Bill. When I was asked to chair the 2011 Law School Dean Search, Bill convinced me, despite my extreme reluctance, to take the job. Although I say it who shouldn’t, I did not need a mentor to be able to do those things—I had been trained and mentored in my previous life as a lawyer. What I needed in my professional career were opportunities and an ally. Bill provided both. Unlike everyone else I knew in Oklahoma City at the time, Bill did not see me as a woman and an out-of-towner who had none of the local credentials, family, or social connections that make one important. Bill saw one’s strengths and one’s promise; he saw opportunities—ways to help build those strengths and fulfill that promise. That is why he was such a good mentor and teacher.

But what made Bill truly extraordinary was his blindness to all the other things that most people, unfortunately, see so clearly. He was blind to those external characteristics by which most of us judge each other; he did not notice or care that a person differed from the typical. Whether in burger joints or people, he saw only what matters. I believe that was why Bill was a mentor to so many women lawyers in our boys’ club world, a fact that is particularly remarkable considering that Bill was part of that world himself. He was firmly fixed in the establishment, but he had no fixed notions. He was an Okie who loved the Ivy League, a conservative who loved the Aspen Institute,⁴ a real-world trial lawyer who loved academia. All because he judged for himself based on what he saw, and he saw so little.

4. The Aspen Institute is staunchly non-partisan, but it has, I believe, a reputation for being liberal.

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Bill Conger, the Blind Printer

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The word “stereotype” comes from a printing process that uses a solid metal plate.⁵ Earlier processes printed from a type-set “forme” comprising many individual loose “sorts” of type.⁶ In stereotyping, a mold is made of the forme, and the mold is then cast into a metal plate, which is called the stereotype. The stereotype was able to reproduce text perfectly over and over, while the sorts were then removed from the forme and used for other purposes. The stereotypes could be stored so that printers could make additional print runs later without resetting the type. In other words, the stereotype replicated a piece of text, without any change, for decades. Our use of the word seems stunningly apt: the typical lawyer, the typical leader, the typical professor, reproduced mindlessly, decade after decade.

Bill Conger was a blind printer. Somehow, he failed to see the stereotype; he went to the other “sorts” who could complete the text. In his blindness to the stereotype, he was willing to reset the forme and change the font. Bill pulled me out of the box into which I had thoughtlessly been cast and set me into a new story. Today, there are whole volumes of new stories, and new editions of old stories, because Bill did not see so many of us in the usual way.

5. The word comes from the Greek for “solid type.” See 16 THE OXFORD ENGLISH DICTIONARY 651–52 (2d ed. reprt. 1991).

6. See HARRIS B. HATCH & ALEXANDER A. STEWART, ELECTROTYPING AND STEREOTYPING 45–48 (1918). Sorts are the characters or letters of a particular font of type. See THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 1720 (3d ed. 1992). The forme is a metal frame filled with individual pieces of type, set with quoins to hold the type in place. See *Forme*, MUSEUM VICTORIA, <http://museumvictoria.com.au/collections/items/1311155/forme-franklyn-typesetting-early-20th-century> (last visited Feb. 28, 2013).



J. WILLIAM CONGER—AN INSPIRATION TO CHINA'S FUTURE TRIAL LAWYERS

Lee F. Peoples*

Oklahoma City University School of Law began developing an innovative non-degree Certificate Program in American Law for Chinese law students in 2006.¹ We decided that a week-long introduction to American trial practice capped off with a one-day mock trial would be a worthwhile component of the program and that Professor Conger was the perfect person to teach it. Bill joyfully accepted this challenge and brought Dean Couch, at the time Magistrate Judge Couch, into the program to co-teach and judge the students' mock trials.

Bill was a true pioneer in taking on this part of the program. The traditional model used for trials in the Chinese legal system is the civil law inquisitorial model where the judge, and not the lawyer as in the United States, collects and prepares the evidence for trial.² Criminal trials in China recently began adopting elements of the common law adversarial process, including the accused's right to confront witnesses and present rebuttal evidence.³

In only a few short days of class, Bill prepared students with no background in the common law adversarial trial system for a full day mock trial. The Chinese students typically ranged in age from seventeen to twenty one and had varying levels of English proficiency. In class he pushed the students to work with new and complicated legal concepts

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1. I had the pleasure of serving as Program Director for the Certificate Program in American Law from 2007 to 2010.

2. Robert Lancaster & Ding Xiangshun, *Addressing the Emergence of Advocacy in the Chinese Criminal Justice System: A Collaboration Between a U.S. and a Chinese Law School*, 30 *FORDHAM INT'L L.J.* 356, 359 (2007). See WEI LUO, *THE CIVIL PROCEDURE LAW AND COURT RULES OF THE PEOPLE'S REPUBLIC OF CHINA* (2006) for further information on civil trials in China.

3. Lancaster & Xiangshun, *supra* note 2, at 362.

and helped them with their English.

After each morning's class, Bill ate lunch with the students in the cafeteria and returned to his office to catch up on his hectic duties as University General Counsel. But he would frequently spend several hours each afternoon with students who stopped by for help preparing for the next day's class.

As the mock trial drew closer, the students became even more committed to living up to Bill's high expectations for them. These students were young, and many were away from home for the first time. Their mock trial was held at the conclusion of the program. The following day, the students departed for a week-long vacation in the United States before returning to China. If you didn't know Bill you might expect the students to slack off and turn their minds to their upcoming vacation. In reality, the students worked harder than ever preparing for the mock trial. Many worked through the night. Bill's teaching and the students' hard work always paid off. When asked about the performance of the students Bill remarked "I didn't know whether I was asking too much of them to actually put them in a trial setting where they played the roles of lawyers, they played the roles of witnesses, and they did it, and they did an outstanding job."⁴

News about Professor Conger's introduction to American trial practice course quickly spread among Chinese law schools. Dean Larry Hellman traveled extensively in China promoting the program at numerous law schools. He reported that students would frequently inquire whether Professor Conger was scheduled to teach before signing up for the program.

Bill's success with the Chinese students comes as no surprise. They saw the same things in him that all of his American students and colleagues saw: a strong commitment to the values of the American legal profession, a joyful spirit, and a unique personal style. His zeal for life and the law translated across oceans, cultures, and generations.

4. Certificate in American Law Program Promotional Video (Oklahoma City University 2007) (on file with author).



Bill and one of his Chinese exchange students enjoying coffee after lunch at Hartzog Conger Cason & Neville. Summer, 2007.



Bill showing off the city during a tour of his firm.



A familiar sight: Bill mentoring one of his students.

WORDS OF MEMORY REGARDING BILL CONGER

Brendan S. Maher*

Bill Conger and Emma Rolls taught the first semester of my Civ Pro class while I was on research leave. Below is what I said at the start of my first class back, January 15, 2013.

Before we begin Civ. Pro II in all its glory, there is something I must address. As you no doubt know, over the break the University and the law school suffered a terrible loss.

Bill Conger, your professor, and my friend, died on January first. A few words about Bill.

Bill was a man with many gifts.

He was a *wise man*; he was just wise, you know. He understood how the world worked and he was a terrific guy to get advice from. Perspective. Experience. Judgment. Bill offered “counsel” as the word originally meant.

He was *principled and trusted*. Bill was the guy everyone believed would always put the University, the law school, and the right thing before his own personal interests. He was an honest broker who was greatly respected for his willingness to treat all sides fairly.

Now, once Bill decided what was right—once he had decided what the best thing for the school was—he had tremendous, *TREMENDOUS*, *powers of persuasion*. When you think of persuasion, you may think of

* Associate Professor of Law, Oklahoma City University.

animated orators behind a podium. Blowhards like me. Nope. There's a higher level of persuasion—the type of persuasion where the person being persuaded to change his mind doesn't even know it. A person would start with, let's say Position A, and Bill would start... "Congering" him, slowly working the person into believing Position B and *also getting the person to believe that he was in favor of Position B from the start!* It was amazing. Bill was a lawyer, and also apparently a Jedi.

However, those were not Bill's most important qualities, in my mind. His most important quality was simple: Bill was a *VERY good guy*. He impacted positively the lives of countless people, including Dean Valerie Couch when she was a young lawyer. If you asked someone if they knew Bill, they'd often say "Bill? Very good guy. You can count on him." In today's world, the sad fact is that very good guys are in short supply. And now there is one less. That is what makes the OCU community, including me, so very sad.

But Bill, as you may or may not know, was not all a sad fellow. He liked stiff drinks, Elvis, and wry jokes. So tonight, *AFTER* you do the Civ. Pro reading, do this: Have a few drinks, put on some Elvis, and laugh with your friends. And while you're doing that, please think good thoughts of Bill Conger. I absolutely promise you that he deserves them.

J. WILLIAM CONGER: THE LAGNIAPPE

Emma V. Rolls*

I had the opportunity to co-teach Civil Procedure with Bill during the last few months of his life. Initially, when Dean Laity asked whether I wanted to co-teach Civil Procedure with Bill, I was hesitant; frankly, I lacked confidence in my ability to effectively teach the subject. However, after discussing the opportunity with Bill, I quickly became enthusiastic about the prospect of teaching with him. He assuaged whatever hesitations I had (he had a unique ability to make others feel confident), and we immediately started meeting for class preparation.

During these meetings, of course we talked about subject coverage, class assignments, and the normal issues involved in teaching a class for the first time (neither Bill nor I had ever taught Civil Procedure before). What I remember and cherish most about these meetings, however, were our discussions about our teaching philosophies. We both shared a belief that a law professor could be rigorous yet kind. Bill was immensely concerned about civility in our profession, and he believed that we had a duty to model civility both inside and outside the classroom.

After having these discussions with Bill, I was eager to see him in action in the classroom. On the first day of class he announced that his intentions were not to humiliate, bully, or intimidate students. He spent a considerable amount of time that first day recognizing the anxiety of first-year law students. With that said, however, he also informed them he had high expectations of them, and he would not tolerate lack of preparation. He concluded his remarks by saying, "Plus, when students are not prepared, it hurts my feelings." He said this without a hint of sarcasm; he was being utterly sincere. Our students bought into his system. Not once during the semester did a student announce she was unprepared to brief a case or work through a jurisdictional problem. Nobody wanted to disappoint Bill.

* Legal Research and Writing Professor, Oklahoma City University.

As the semester progressed, I felt the students fall in love with Bill. As they were learning about the rules of Civil Procedure, he was able to provide the context in which this information would be useful. He drew on his forty years of practice experience, and the students were enthralled by his stories. He often concluded these stories with the phrase, “that’s your lagniappe for today—just a little something extra.” I admit, the first time I heard him use the term “lagniappe,” I was not sure what it meant. After class I looked it up and learned that it is a term popular in Southern Louisiana meaning “[s]omething given over and above.”¹ I was struck by how perfectly this unusual term illustrated Bill’s approach to teaching. He was willing to extend himself and provide “just a little something extra” so that students could flourish.

My favorite time with Bill was the hour we spent together after class each Tuesday and Thursday. We used this time to discuss our class, but more memorable to me, was that we engaged in what Dean Couch has termed “The Conger Rehash.” Dean Couch described “The Conger Rehash” in her beautiful eulogy for Bill, and such discussions involved dissecting a memorable event in extraordinarily vivid detail. We had a particularly poignant “Conger Rehash” after the 2012 Oklahoma City University School of Law Awards Gala when he received the Justice Marian P. Opala Award for Lifetime Achievement in Law. Although Bill was aware he would be receiving this prestigious award at the gala, he did not know Dean Couch had plans to announce that the courtroom in the law school’s new downtown campus would be named after him. He was completely surprised by the announcement. As he told me about the honor, he wept with joy, describing the night as one of the happiest moments of his life.

As the semester neared its end, Bill started experiencing some severe problems with his back, and I became aware that he was in constant pain, resulting in exhaustion. Despite this tremendous pain, he never missed class, he never missed an appointment with a student, and he remained enthusiastic in the classroom. He still continued to practice the concept of “lagniappe” and give that “little something extra.”

On January 1 when I got the call that Bill had passed, I was heartbroken. He and I had grown close while teaching together. Not only was Bill a generous colleague but he was a loyal friend. His death was a personal loss for me. But, what saddened me more was the idea that

1. 8 THE OXFORD ENGLISH DICTIONARY 590 (2d ed. reprt. 1991).

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J. William Conger: The Lagniappe

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classes to come would not know him. I found it hard to imagine the law school without him. After a little time, I came to realize that although he would no longer be with us physically, we could carry him with us by honoring his generosity of spirit. I intend to honor him by carrying forward his spirit of lagniappe.





REMEMBERING BILL CONGER

Lawrence J. Trautman*

Bill Conger was already a legend in the Oklahoma legal community by the time I arrived at OCU. Along with partners Larry Hartzog and Len Cason, he had founded and built the Oklahoma City law firm of Hartzog Conger & Cason (later Hartzog Conger Cason & Neville) into a major presence in the Oklahoma legal community. Many contributing to this issue in tribute to Professor Conger have covered at length his many years of service to the Oklahoma County and Oklahoma Bar Associations, his wisdom and guidance provided to the Oklahoma City University community, and the gifted leadership he provided to many civic and community organizations. He was loved by the Oklahoma City University faculty who had the great fortune to know him, many of whom have remembered him eloquently in these pages.

As a non-traditional law student returning to study law after several careers, my relationship with Bill Conger was a little different. During the mid-1980s, I was working as an investment banker in New York City at Donaldson, Lufkin & Jenrette and as a corporate director of several oil and gas companies. Many years later, Bill and I would reminisce about our representations of many of the same individuals and corporate clients during that difficult time of petroleum boom and bust in Oklahoma economic history; he as legal counsel and I as their investment banker. In later years, these discussions often took place at an ad hoc Friday lunch at a sandwich shop near campus, brief conversations that would prove to be, for me, among the most enjoyable I have had in life.

I remember Bill Conger as uniquely gregarious and likeable. He attracted people like a magnet, and it was just fun to be in his presence. My first recollection of him was at student orientation my first day at the law school campus. I remember him as never at a loss for words, and I recall Bill pausing in the middle of his presentation about “what a lawyer

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does” to observe, “Hell, I’m a trial lawyer... I’ll talk to a post for an hour.” My guess is that many who knew Bill would pause, as I did, to reflect about exactly what aspect of his personality contributed to his singular ability to “brighten the day” of almost all those he encountered. I’m sure opposing counsel would prove an exception to this otherwise universal truth.

Bill was a natural born teacher. My classroom experience with Bill was limited but rewarding. My personal interest at the time was in transaction law, corporate governance, securities, and mergers and acquisitions. Accordingly, not wanting to practice as a trial lawyer myself, I didn’t take either Bill’s “trial practice” or “complex litigation” courses, maybe the most popular and difficult classes to take due to limited capacity and huge student demand. I was able to enroll in his class “introduction to legal practice,” co-taught with Melanie Jester. This course proved to be of great practical importance, providing an insight to the daily challenges of legal practice. The practice of law is a highly stressful career choice. Bill’s distinguished legal career over many years provided him with valuable life experiences that he was able to share with students. His exceptional perspectives about real daily challenges facing attorneys represent an asset that will be sorely missed at OCU Law.

I think it was the discussion of ethical legal issues in the Introduction to Legal Practice course that is responsible for my greatest appreciation of who Bill Conger was and his lasting legacy to the legal profession. Bill was scrupulously honest and his moral compass was helpful to all aspiring young lawyers who were about to embark on navigating a career in the practice of law. As a young lawyer, the hours can be long, the stress and anxiety unbearable, and the human ethical issues among the most perplexing imaginable. Bill provided his students with the benefit of his many experiences and offered a roadmap for navigating the future.

Not surprisingly, Bill’s memorial service at OCU’s Bishop W. Angie Smith Chapel was filled to overflowing capacity. Tributes by his friends, the Reverend Margaret A. Ball, Tom McDaniel, Dean Valerie Couch, and Bill King all contributed eloquently to the loving celebration of Bill’s life.

It is an appropriate tribute that the courtroom at the new law school downtown campus will be named in his honor. It was important to him that he skillfully and diligently teach, mentor, and inspire a whole new generation of young lawyers. Bill is reported to have said that “the best

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Remembering Bill Conger

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years of his life have been at Oklahoma City University School of Law.” For those of us fortunate enough to have considered Bill Conger a friend and mentor, his leadership and influence will be felt for many years to come.



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