

OPINION

A Counselor to Presidents But, First And Foremost, a Lawyer

To Robert Strauss, the practice of law was all about solving problems.

BY MARK MACDOUGALL

Robert Strauss died on March 19 in Washington at the age of 95. He was immediately remembered with titles worthy of his remarkable and diverse life—politician, diplomat, lobbyist, Washington insider, adviser to presidents, savior of the Democratic Party after the 1972 election.

But before Bob was any of those things, he was a lawyer, and the law firm that he founded in 1945 still carries his name.

I first shook hands with Bob in 1976, when I was a 19-year-old college sophomore. Strauss was chairman of the Democratic National Committee and had just finished a rousing speech to a student-run “mock” political convention. I was one of probably 100 students milling around the lobby of Stepan Center at Notre Dame that day, but Bob didn’t stop until he had finished working the crowd like it was a high-end fundraiser.

I didn’t see Strauss again until 10 years later. With a newly issued law



degree, I took a job with what was then the small outpost of Akin Gump Strauss Hauer & Feld in Washington. On the first day of work, our group of new associates was led into Bob’s office and formally welcomed to the law firm. Except for a detour of a few

years in the Department of Justice, I have been at Akin Gump ever since.

While at DOJ, I was assigned to a bank fraud task force in Dallas but could never really get very far from Strauss. He was a legend in his hometown, and the stories would flow

whenever my history with Akin Gump entered the conversation with judges, prosecutors, defense attorneys, the bankers we were prosecuting and most everyone else I met.

IN FRONT OF A GRAND JURY

The centerpiece of that legend, at least in the Earle Cabell Courthouse, was how Bob was the only lawyer ever to have personally convinced a federal grand jury—the strict rules of secrecy notwithstanding—to refuse to return an indictment against his client. As Bob and others later confirmed, that is exactly what happened.

Bob's client, a wealthy and well-known North Texas businessman, got himself into some trouble on a flight to Dallas. The plane was met by the FBI on arrival at Love Field, the client was arrested and the airline insisted that he be prosecuted. After entreaties to the chief executive officer of the airline and the U.S. attorney went nowhere, Bob called the chief judge of the U.S. District Court for the Northern District of Texas—the storied Barefoot Sanders. Even Sanders could not stop the process, but he said he would order that Strauss be allowed to make his client's case to the grand jury.

There was only one way it would end. Bob argued to the grand jury, no true bill was returned and Strauss never paid for dinner in Dallas for the rest of his life.

Bob brought a straightforward wisdom to the practice of law and introduced maxims to generations of lawyers that many of us have stolen and now claim as our own. He would counsel the overly exuberant litigator to remember: "The value of a lawsuit is in the threat and not the suing."

And when disjointed pieces of strategy were being debated around the coffee table in Bob's office, he was always the first to emphasize the value of those facts that enjoyed "the added benefit of being true." Strauss invented that phrase. I know that because anyone I have ever heard use it, in more than 20 years, has admitted to having heard it first from him.

To Bob Strauss the practice of law was all about solving problems, no matter what the dimension. Tom Lister—a partner of the legendary private-equity investor Ted Forstmann—tells a story about the role Bob played during the turnaround of Gulfstream Aerospace Corp. during the 1990s. Forstmann asked Strauss to become a director as the company struggled for survival under \$400 million in bank loans that were at risk of default. By 1994, all hands at Gulfstream—including the board of directors—were scrambling to sell executive jets, one at a time, to keep the company alive.

One day, Lister looked up from a conference call to see Bob walking into his office. Before he could put the call on hold, Strauss had dropped an envelope on his desk and strode out of the office without a word. When Lister opened the envelope, he found orders for eight Gulfstream IV jets from the government of Japan worth more than \$250 million—the largest single order in the company's history.

ONE LAST VISIT

I last visited Strauss two weeks before he died. It was a shiny late winter morning, and we sat in the living room of his Watergate apartment as the housekeeper made his lunch in the kitchen. As always, he wanted to know

about how his beloved law firm was doing. Memory fades with great age and, before every visit, I would try to recall a few old tales that I thought Bob might enjoy rehearing.

As I stumbled through one of those stories, he stopped me and asked if I remembered a client to whom he had introduced me many years before. I said that I did.

"He used to own the newspaper, didn't he?" Bob asked. I agreed—that was the same client.

Then Bob nodded and said, "That guy was a mean little sumbitch."

He was indeed. I could not stop laughing for a full minute while Bob just grinned back at me. When our visit was over, I walked back to work at my office in the law firm that Bob Strauss built.

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