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ORIGINAL

NORTHAMPTON COUNTY MEMORIAL SERVICE

Tuesday, September, 19, 2017

Honorable Paula A. Roscioli Presiding

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CLERK OF SUPERIOR COURT  
NORTHAMPTON COUNTY, PA.

HONOREES:

BRUCE E. DAVIS, ESQUIRE

THOMAS J. FISCHER, ESQUIRE

WILLIAM G. ROSS, ESQUIRE

1                   THE COURT: On behalf of the bench of  
2 Northampton County, I would like to welcome all of you to  
3 today's memorial service. This is an honored tradition  
4 during which we gather for the purpose of celebrating the  
5 careers of those members of the Northampton County Bar  
6 who passed away this past year.

7                   This year we celebrate the lives and  
8 distinguished careers of Attorney Bruce Davis, Attorney  
9 Thomas Fischer, and Attorney William Ross.

10                  Each of our colleagues who are being  
11 honored here today once stood before this bench and took  
12 their oath of admission to practice before the Court of  
13 Common Pleas of Northampton County.

14                  These men came from various locations  
15 within our county and practiced in different areas of the  
16 law. But what they each had in common was a commitment  
17 to community and a sense that the practice of law was an  
18 honor and a profession and not simply a job.

19                  We offer our condolences to their  
20 families and we want you to know that in addition to the  
21 memories you have of them, we have our memories as well.

22                  Through their representation of clients  
23 and their mentorship of young lawyers, they impacted the  
24 lives of many. We express our gratitude for the  
25 contribution that our departed colleagues gave to the

1 community.

2 At this time the Court recognizes the  
3 Honorable Roy Manwaring, II, who will make some remarks  
4 regarding Bruce Davis, Esquire.

5 JUDGE MANWARING: Good morning. May it  
6 please the Court, ladies and gentlemen, friends and  
7 family. My name is Roy Manwaring, and it's a pleasure to  
8 appear before you today on behalf of my friend and  
9 colleague, Bruce Davis.

10 Bruce Davis was a longstanding member of  
11 the Northampton County Bar Association, passed away in  
12 March of this year at the age of 85.

13 I first met Bruce as a young attorney  
14 when I joined the law office of Maloney, Danyi, Davis and  
15 Danyi. And I worked for Bruce for about three years.  
16 Bruce was a proud mountaineer. He was born and raised in  
17 West Virginia. He attended West Virginia University as  
18 an undergrad and he also attended law school of West  
19 Virginia.

20 He served in the Army during the Korean  
21 War, received an honorable discharge with the rank of  
22 Captain.

23 Following a two-year stint as an  
24 associate with a law office in Chicago, Bruce joined  
25 Bethlehem Steel as a corporate attorney. He served in

1     that capacity for approximately 20 years in the sales  
2     department. It was rumored that although he was counsel  
3     to the sales department, Bruce was responsible for the  
4     sale of more steel than anybody else in the sales  
5     department.

6                     In the mid-1980s I think Bruce saw the  
7     writing on the wall and he left Bethlehem Steel and  
8     started a private practice where he joined as a partner  
9     with the law office of Maloney, Danyi, Davis and Danyi.

10                    It occurred to me as I was preparing my  
11    remarks that at this stage in Bruce's life, he probably  
12    could have opted for retirement and the life of leisure  
13    playing golf at Saucon valley Country Club. But that  
14    wasn't Bruce Davis. He was not one to sit idle.

15                    Bruce had always impressed me as an  
16    individual who needed to have a purpose in life. He  
17    needed a place to go every morning. He liked being  
18    involved in projects. And as a civic-minded individual,  
19    he knew he had more to offer at that stage of his life.

20                    His accomplishments and achievements  
21    while in private practice are impressive. He helped form  
22    an entity known as REBCO, the Retired Employees Benefits  
23    Coalition. The purpose of this entity was to serve the  
24    interest of the displaced white collar employees who had  
25    lost their jobs at Bethlehem Steel, and Bruce fought

1       tirelessly to make sure that those employees got their  
2       benefits.

3                       From 1996 to 2012, Bruce hosted a weekly  
4       radio program, "The Lehigh Valley Means Business", which  
5       aired on WGPA 1100.

6                       Bruce was always conscious of improving  
7       the life of the citizens in the Lehigh Valley. He was  
8       instrumental in making sure that the Route 33 extension  
9       was completed. Some of us may remember when Route 33  
10      just simply stopped at Route 22 and it never connected to  
11      Interstate 78. Bruce was instrumental in making sure  
12      that that was completed.

13                      He also would be very happy right now,  
14      although the rest of us probably wouldn't necessarily  
15      agree with him, he saw the problems with Route 22 and he  
16      knew that Route 22 needed to be improved and he worked  
17      tirelessly to push the expansion of Route 22 forward on  
18      PennDOT's agenda.

19                      Bruce was a longstanding member of Saucon  
20      Valley Country Club and he was instrumental in bringing  
21      the 1992 U.S. Senior Open to Saucon Valley Country Club,  
22      and his performance during that time was incredible  
23      because he pulled it off very well.

24                      He reprised his role 10 years later in  
25      2002, when the U.S. Senior Open returned to Saucon Valley

1 Country Club. Bruce's achievements and accomplishments  
2 highlight his tremendous organizational and communication  
3 skills. Bruce had a very unique ability to form  
4 coalitions to bring people together to successfully  
5 accomplish projects that he felt were important for the  
6 Lehigh Valley as a whole.

7 He was a tireless advocate on behalf of  
8 the Lehigh Valley in improving the quality of the life of  
9 his citizens. He was the consummate professional and  
10 gentleman. He was proud to be an attorney. He was proud  
11 to be a member of the Northampton County Bar Association.  
12 It's been an honor to speak on his behalf here this  
13 morning. Thank you for your time and attention.

14 THE COURT: Thank you, Judge Manwaring.  
15 The Court now calls upon Attorney Michael Shay to say a  
16 few words on behalf of Thomas Fischer, Esquire.

17 MR. SHAY: Thank you, Your Honor, members  
18 of the bench, members of the bar, family and friends of  
19 those whom we honor today. It is my privilege today to  
20 make a presentation in memory of honor of Thomas Fischer.

21 Tom graduated from Lehigh in 1970. He  
22 was a local boy born, raised, and educated in Bethlehem.  
23 Although he was two years ahead of me at Lehigh, I do  
24 have some recollection of being involved with him on some  
25 common organizations. However, it was not until I was

1 admitted to practice here in 1975 that I made the  
2 acquaintance professionally with Tom Fischer.

3 Tom Fischer, again, was here two years  
4 before I was. He was somewhat of a pioneer in that he  
5 dedicated his early career to community service.

6 He was employed by Lehigh Valley Legal  
7 Services. Now, at that time Lehigh Valley Legal Services  
8 had a more expansive role in representing the indigent  
9 than legal services does today. And it was in that  
10 context that I had some professional situations with him,  
11 cases where we were on the opposite side.

12 At the time I was affiliated with a small  
13 firm in Bethlehem that did insurance work, and one of the  
14 jobs I did as an young attorney was to do what we call  
15 subrogation actions, when the insurance company was  
16 trying to recover from an uninsured driver who was  
17 responsible for the accident, the money the insurance  
18 company paid to its policy.

19 At that time Lehigh Valley Legal Services  
20 often provided representation for these indigent  
21 Defendants. So it was a situation where I was going up  
22 against someone who was represented gratis, a Defendant  
23 from whom I was trying to recover.

24 Now, Tom was a consummate professional.  
25 He represented his clients extremely well. He was an

1 effective advocate. But it was never personal with him.  
2 It was never hostile, and I think today we could use more  
3 of Tom's example in how to handle litigation and  
4 adversarial context without being hostile and engaging in  
5 what we in our profession call Rambo tactics.

6 After completing his service with Lehigh  
7 Valley Legal Services, Tom entered private practice in  
8 1980. He was an active member of his community, sang in  
9 a number of choirs, was involved in the Emery Track  
10 Association, and was a very visible part of the  
11 community, not just the legal community.

12 Unfortunately, in 2008 Tom had to  
13 abruptly terminate his practice due to illness. He had  
14 to wind up his practice. He resigned his membership in  
15 our bar association because he was no longer capable of  
16 participating in bar association activities for a  
17 representation of clients. That illness plagued him  
18 until he died this past January.

19 My wife and I attended the calling hours  
20 for Tom's service, and one of the reasons was I was there  
21 in my capacity as president of the bar association,  
22 but I was also there, as I pointed out to his wife Mary  
23 Beth, in a personal capacity, since I had known Tom for  
24 so many years. My wife also accompanied me because she  
25 knew his wife, Mary Beth.



1                   Now, it may seem anachronistic today, but  
2 back in the late 1970s when our bar was predominantly  
3 male, we had an organization called the Northampton  
4 County Law Wives. It was actually a wonderful  
5 organization because spouses of attorneys got to know  
6 each other, and through our spouses interacting socially,  
7 we, as husbands, also did the same thing.

8                   And that organization produced a  
9 cookbook, which is still in my wife's bookshelf. It's  
10 called "Deed to Delectable Dining". It is an excellent  
11 cookbook. I don't know if we still have copies left, but  
12 it would probably be a good idea to somehow try to pass  
13 those copies on.

14                  It had such sections as -- very cleverly  
15 done -- Breakfast Briefing, Barristers' Brunches, Lawful  
16 Lunches, Judicial Dinners and so on. And Tom's wife,  
17 Mary Beth, is listed as one of the members of the  
18 cookbook committee.

19                  And so today we honor the memory of Tom  
20 Fischer, his wife and his family who we express our  
21 sympathy to. Again, as Judge Roscioli has pointed out,  
22 we hold up Tom and other members that we honor today as  
23 exemplary examples of our profession and it's involvement  
24 in the community. Thank you for this opportunity.

25                  THE COURT: Thank you, Counsel.

1 Attorney Richard Santee will now say a  
2 few words on behalf of William G. Ross, Esquire.

3 MR. SANTEE: May it please the Court,  
4 honored guests, friends and members of the bar  
5 association. It is with a deep sense of loss and regret  
6 that I report the untimely death of William G. Ross on  
7 December 6th, 2016, at the age of 82 years. And I  
8 request leave to offer some remarks and present an  
9 appropriate resolution on behalf of the Northampton  
10 County Bar Association.

11 William G. Ross was born on March 5th,  
12 1934, in Scranton, Pennsylvania. Following his  
13 graduation from Jamestown High School in Jamestown, New  
14 York, Bill enlisted in the United States Army, ultimately  
15 obtaining the rank of Sergeant. And he served honorably  
16 until his discharge in 1957.

17 He subsequently enrolled in Allegheny  
18 College, from which he graduated in 1961, and thereafter,  
19 received his law degree from Temple University School of  
20 Law in 1964.

21 Coming to the Lehigh Valley in 1966, Bill  
22 proceeded to embark on a distinguished career as a civil  
23 trial attorney in the state courts of Northampton and  
24 neighboring counties, as well as Federal Court in the  
25 Middle and Eastern Districts of Pennsylvania.

1 Bill had three children with his former  
2 wife, Susan, who predeceased him in 2004. A daughter,  
3 Kirsten Ross-Hiller. A son, Tobin Ross. Both of  
4 Bethlehem. A son Tucker who predeceased him in 2001.  
5 Bill's career as a civil litigator and active member of  
6 the Northampton County Bar Association was exemplary.

7 Early in that career Bill actually served  
8 as a county public defender, and later on as a Special  
9 Deputy Attorney General for the Commonwealth. In his  
10 private practice, he served as solicitor for the Borough  
11 of Bath, Moore Township and the Lower Nazareth Water  
12 Authority.

13 A longtime member of the Board of  
14 Governors of the Northampton County Bar Association, Bill  
15 served as President of that association in 1984. He was  
16 also active in the Pennsylvania Bar Association during  
17 that time and served as Zone 2 Governor on the PBA Board  
18 of Governors.

19 But it was the courtroom that defined  
20 Bill Ross. He was an awesome and prolific litigator.  
21 Many lawyers today considered it a busy year if they try  
22 four or five cases to verdict in civil court. Bill  
23 routinely had that many cases on any civil trial list in  
24 Northampton County. Trying two cases during one of those  
25 trial weeks was not unusual for Bill.

1 I remember it well as a young associate  
2 in his office in the '70s and '80s. I spent many  
3 evenings hunting down witnesses, very often appearing at  
4 physician offices at 9 o'clock at night with a subpoena  
5 to appear in court later that week because of one of  
6 Bill's impending trials that, gee, it's going to go this  
7 week.

8 Bill was by no means one dimensional. He  
9 attacked life with the same passion and single-mindedness  
10 that he applied with the practice of law. When Bill got  
11 interested in something, he immersed himself in it. That  
12 included golf and tennis, skiing and horseback riding.

13 He became a runner in his late 30s and  
14 ultimately ran and completed, never would not finish, all  
15 eight marathons he entered. He became interested in  
16 mountain climbing and ended up climbing mountains all  
17 over the world, including Mt. Rainier and Mt. Washington  
18 in the United States. Mt. Kilimanjaro in Tanzania.  
19 Mt. Aconcagua in Chile, and Mt. -- I can't pronounce this  
20 one, Kanchenjunga in Nepal, where Bill ended up spending  
21 a number of months traveling the countryside by himself,  
22 much to the consternation of family and friends who had  
23 no idea where he was, what he was doing, pursuing some  
24 spiritual goal.

25 He ended up visiting more than 30

1 countries all over the world. Given his retirement and  
2 his subsequent move to Florida a number of years ago, it  
3 is likely that many of you here today don't remember or  
4 didn't remember Bill very well and that's too bad.

5 Bill was a hard-nosed litigator who  
6 represented his clients with passion. When he was trying  
7 a case, nothing else mattered. In thinking about my  
8 remarks for today I was trying to share with you the  
9 essence of Bill Ross. Bill Ross the litigator.

10 I asked several of my colleagues who were  
11 in practice with Bill when he was active to do a little  
12 word association, to give me one word that came to mind  
13 when I said his name, Bill Ross. I got some interesting  
14 comments. Most of them printable. It included  
15 competitive, curmudgeonly, tough, angry, advocate,  
16 combative, and of course Danny Cohen couldn't just come  
17 up with one word, he had to come up with two words, and  
18 the words he came up with remind me how Danny is  
19 sometimes inexorably linked with his partner and mentor  
20 Norm Seidel. Jack Sigmon. Jack Sigmon and Bill Ross  
21 were partners for almost 20 years. And it was during  
22 their partnership that the Bar Association President,  
23 Michael Shay, and I came to know and appreciate Bill  
24 Ross' talents.

25 We both started our careers as associates

1 in that office, and although their partnership  
2 unfortunately, like all too many partnerships in our  
3 business, did not end gracefully or amicably, when it was  
4 good, when they were running an active civil litigation  
5 practice, it was great. Great in particular for young  
6 lawyers who wanted to learn the craft of trying cases.

7 Mike and I tried all of our cases at  
8 least three times before we entered the courtroom.  
9 Usually once at a staff meeting, a Thursday night weekly  
10 affair that my wife lovingly dubbed the staph infection.  
11 We would weekly set up at 5 o'clock and at the conclusion  
12 of the meeting at 7:30, would go to the Minsi Trail Inn  
13 for a dinner. I got to know that menu by heart. And we  
14 would inevitably try our cases yet again. And sometimes  
15 when Bill drove home after a few drinks, we would try the  
16 case a third time as we were in the parking lot getting  
17 ready to depart for the evening. We were ready. We were  
18 never sent out unprepared.

19 After the firm parted ways in 1985, Bill  
20 opened his own office. My other law partner, Joanne  
21 Kelhart, spent several years in the fire of Bill's  
22 single-minded litigation and witnessed firsthand how Bill  
23 either came back with his shield, or on it. And it's in  
24 that context that I found the word that I think about  
25 most when I think of Bill. Driven. Bill Ross was

1 driven. Driven to succeed as a litigator, a lawyer.

2 He never did anything halfway, whether it  
3 was running a marathon, climbing a mountain or trying a  
4 case. It was all out. No holds barred. It didn't  
5 always make him a lot of close friends among his circle,  
6 but it earned him a lot of respect.

7 The condolences of our bar are extended  
8 to the surviving children, Tobin, Kirsten and her husband  
9 Jack. We, as Bill's colleagues of the Northampton County  
10 Bar Association, share in their sorrow and loss.

11 On behalf of the Northampton County Bar  
12 Association, I would respectfully request that when this  
13 Honorable Court adjourns for the day, it does so out of  
14 respectful for and in memory of all of our departed  
15 colleagues, Bruce Davis, Tom Fischer and Bill Ross.

16 THE COURT: Thank you. And now we'll  
17 have some final and brief remarks from our current  
18 President of the Northampton County Bar Association,  
19 Michael P. Shay, Esquire.

20 MR. SHAY: Again, thank you, Your Honor.  
21 May it please the Court, fellow members of the bar,  
22 especially family and friends of those who we honor  
23 today. This is one of the duties of the President of the  
24 Bar Association that I hoped to avoid, as do all of our  
25 presidents. Because when we fulfill this duty, when we

1 go forward with this event on the court calendar, it  
2 means that we have lost some of our members during that  
3 year. Recently one of our past presidents had the good  
4 fortune of not having to perform this duty because we did  
5 not lose any members during his year of service as  
6 president. I and we are not so fortunate.

7 And yet despite that, it is an honor and  
8 a privilege for me to be here on behalf of the bar  
9 association to participate in this memorial service. And  
10 I do so not just in my capacity as president, but I do so  
11 in a very personal capacity, because I have known and did  
12 know all three of those whom we remember today, not just  
13 professionally, but personally and in many instances  
14 socially.

15 I've already told you about Tom Fischer.  
16 With regard to Bruce Davis, I would like to share an  
17 anecdote with you that probably no one else knows, not  
18 even his family. It's an anecdote that I think  
19 illustrates the kind of lawyer and person he was, always  
20 quick with a smile, a pleasant word, who even when  
21 performing a professional duty took the time to be  
22 personable and talk with the people who were involved in  
23 that transaction.

24 In the late 1980s my mother-in-law and  
25 father-in-law purchased a piece of property across the



1 street from Saucon Valley Country Club. I represented  
2 them at the closing, and Bruce represented the seller.  
3 The seller was a former executive of Bethlehem Steel  
4 Corporation. At that settlement Bruce was his charming  
5 self and very professional and once again very  
6 personable.

7 At the conclusion of the settlement, as  
8 we were leaving, my mother-in-law said to me, who is that  
9 man? He is a very professional, pleasant man. Now, I  
10 don't know how to put this other than to say that my  
11 mother-in-law can be a very difficult person to please.  
12 And the fact that she was so impressed with Bruce speaks  
13 volumes about the lawyer and man he was.

14 Finally, Bill Ross. And Rick has alluded  
15 to the fact that we basically grew up together with Bill  
16 teaching us how to be trial lawyers.

17 He was our mentor. He was our friend. I  
18 did a great deal of things with him recreationally,  
19 socially. His wife and he, and my wife and I, would  
20 attend member guest dinner dances after I participated  
21 with Bill at Brookside Country Club as his guest. So  
22 obviously I know him very, very well.

23 I will share just one brief anecdote  
24 about Bill, which I think illustrates him not only as a  
25 lawyer, but him as a person. Back in the late 1970s,

1 early 1980s, everyone was running and everyone was  
2 running races. I got caught up in that movement at the  
3 time and did so before Bill did. And my ultimate goal  
4 was to run a marathon. And I started methodically, 5K  
5 races, 5 mile races, 10K races, 10 mile races, and  
6 eventually got to the marathon, finished and completed  
7 one of the three that I did.

8 Now, Bill, being Bill, after he took up  
9 running, I think partly because of me, decided not to  
10 waste his time with those shorter races. Instead he went  
11 for the big enchilada right off the bat, a marathon. The  
12 day he ran a marathon, I wasn't there, but I do remember  
13 that weekend. It was in late November, unseasonably  
14 warm, high humidity, high temperature, to such an extent  
15 that during the course of the race, organizers ran out of  
16 water for the runners.

17 Bill being Bill finished that race and he  
18 was going to finish that race no matter what toll it took  
19 on him. Yet I think the fact that the race conditions  
20 were so difficult that day and the fact that Bill decided  
21 to do a marathon as his first race, illustrates the  
22 toughness of Bill Ross and his rising to any challenge.

23 Unfortunately, next year we are going to  
24 have another one of these memorial services, and our  
25 president for next year, Dan O'Donnell, will be here

1 before you again at about the same time, in July. One of  
2 our very esteemed members, Frank Danyi, died. We were in  
3 the process of planning this memorial service, and we  
4 gave the option to his wife and his family to defer his  
5 recognition until next year, and they chose to do that.

6 In late August, while the plans for this  
7 event for this service had been set, we lost another  
8 member of our bar, Margaret Poswistilo. That was at the  
9 very end of August of this year. I did attend the  
10 calling hours and advised families of Frank Poswistilo,  
11 her husband, and another member of our bar association,  
12 and his family that attended those services that we would  
13 be recognizing her next year at this service, out  
14 consideration for their recent loss and the amount of the  
15 travel that would be involved for some family members to  
16 come back on some short notice.

17 So next year we will with be you again  
18 and hopefully, hopefully, those will be the only two that  
19 we will have to recognize and remember during this  
20 memorial service.

21 And along with Rick I would ask the Court  
22 and would join in his motion that at the conclusion of  
23 the proceedings today that the Court adjourns in honor of  
24 our three esteemed colleagues who we have recognized and  
25 remembered today. Thank you.

1                   THE COURT: Thank you, Attorney Shay.  
2     And thank you everyone. Let us leave here not with a  
3     sense of loss, but with a sense of gratitude for the  
4     services to society which Bruce E. Davis, Thomas J.  
5     Fischer, and William G. Ross rendered.

6                   A reception will be held in the jury  
7     lounge immediately following today's memorial service,  
8     and we will reconvene in 10 minutes then for the call of  
9     the argument court list. Thank you.

10                   (Memorial service concluded.)  
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