

**MEMORIAL RESOLUTION UPON
THE DEATH OF JAMES K. THOMAS**

James K. Thomas passed peacefully from this life on September 11, 2009 in Fort Myers, Florida, surrounded by family and friends. His earthly body was laid to rest in the clear, aqua blue waters off of Sanibel Island, Florida. There his ashes joined with those of Ezzie Thomas, his wife and companion for life, who preceded him in death.

In his passing, his family, the Bar, and especially those of us at Thomas Thomas & Hafer have lost our founding partner, our loyal friend and our colleague.

Jim was a practitioner of the “old school” in the truest sense. He genuinely liked lawyers; and he like being surrounded by lawyers,. He served his community, the Bar and his firm in the highest traditions of the “old school”. In trial no one was a more skilled advocate, but no one more embodied the notion that we should aspire to “do as lawyers do in the law: strive mightily, but eat and drink as friends.”

Jim was a native of Stoneboro, Pennsylvania, born there November 24, 1921, the son of John and Lina Elizabeth Thomas. He and his brothers, John, Chuck and Phillip, were proud of their Welsh heritage, and each one of them achieved much during their lifetimes. Each ended up a in a profession—be it law or medicine. He and his brother Chuck (with whom he was a partner in the firm of Metzger, Hafer, Keefer, Thomas & Wood), founded what would become Thomas & Thomas in 1977. Chuck, who was a renowned PUC attorney, was the one who encouraged Jim to come to Harrisburg in the first place, and preceded him in death several years ago. Between the two, three sons—Jim, Tom and Mark Thomas—inherited the “lawyer gene” and have become noted practitioners in their own right.

Jim was a member of what would later be referred to as the “greatest generation”, a term now widely attributed to Tom Brokaw. I suspect Mr. Brokaw had men like Jim in mind when in his book he described the dedication and self-sacrifice of those who put aside their own success in order to fight—and in some cases die—for their country. While attending Grove City College, Jim answered that call to duty and served in the United States Army during World War II. As a Second Lieutenant, and later Captain, in Battery B of the 557th Anti-Aircraft Artillery Automatic Weapons Battalion, he saw action in the Battle of the Bulge in northern France, the Ardennes, the Rhineland and central Europe, earning numerous medals including four battle stars.

He returned to Grove City after the war to complete his undergraduate education and there met the girl who, for over forty years, to be his sweetheart, wife and guiding light. While Jim was the master of the courtroom, no one was ever in doubt as to who ruled the home front! Though diminutive in size, Ezzie’s full-sized personality left no doubt who was in charge there. Truly it can be said of this couple that behind each successful man was a good—and extremely patient—wife.

Jim was a graduate of Grove City College, and an honor student while there—a fact he never emphasized. He matriculated at the University of Pittsburgh Law School and while there was a member of the Law Review. Jim tried to project an “I’m just a plain old country lawyer” appearance—a mask his protégé, Joe Hafer tried to emulate—but it was just that, an appearance. Shielded behind that courtroom “aw shucks” face was the mind of a true legal scholar and tactician.

Perhaps one story will illustrate the fact that Jim possessed not only a keen legal mind, but also the impish nature to keep his opponents guessing. In the “old days” before depositions, Jim represented a driver who was involved in a motor vehicle accident. He was a furnace cleaner, and showed up for trial dirty as a door nail, fresh from a good old fashioned furnace cleaning, and covered with soot. Jim’s opponent, John Krafsig, took one look at the defendant, and given the man’s disheveled appearance, was certain he’d surely win this one against Jim. Jim, however, made sure his client got an immediate bath—and got him a shirt and a suit at G.C.Murphy’s—a dime store which was across from what is now the Whitaker Center—to boot. When the defendant walked into the courtroom freshly pressed, John Krafsig hit the roof, and objected, but to no avail. Judge Wickersham just smiled and called for opening statements.

Jim had scores of trials with the true legends of this Bar, including Jim Evans, Bruce Cooper, Wilhelm Shissler, Dick Cleckner and many, many others. Each one had a story, and each lawyer had his own “Jim Thomas story” too. Jim delighted in regaling us all with stories of Judges Kreider and Shelley, and the other legends of the Dauphin County courthouse. His font of knowledge and his raconteur—both personal and legal—was as boundless as it was amusing.

Balancing the demands of a growing practice and raising three children—John, Jim, and Kristi—Jim found the time to serve as one of the early Presidents of the Cumberland Valley School Board, skillfully guiding it to the position of prominence it holds today. Indeed, two members of the firm—Joe Hafer and Ed Jordan—followed his example and served on the same Board. He also served the Bar, as President of the Dauphin County Bar Association, where his major accomplishment was the hiring of Al Leventhal for the grand sum of zero dollars per year! He was also past president of the West Shore Country Club. In his retirement he became an avid—if perhaps not entirely stellar—boater, and was elected Commodore of the Royal Palm Yacht Club, where his personal ensign hangs in perpetuity. His boat, named the “Cruel But Fair”, pretty well summed up Jim’s view of the practice of law. But to be honest, he was a whole lot more ‘fair’ than he ever was ‘cruel’.

He did often say, however, that “the practice of law is hell”, a motto picked up by Pete Curry, who learned at Jim’s knee. Pete and Jim would go on for hours about the trips to Danville, trying malpractice cases, sometimes perhaps overindulging, and coming home to find out what “hell” can be when it’s three o’clock in the morning, you are not in full possession of your faculties, and your father-in-law is standing at the top of the steps! Jim himself was known to enjoy a cocktail or two, or three.....and his beverage of choice was invariably V.O. on the rocks. I’m told that when Jim passed, stock in Seagrams plummeted.

When Jim retired nearly 20 years ago, his retirement dinner set the bar for “roasts”. To this day, the evening’s festivities are the stuff of legend. His roasters included Bart Gephart, Joe

Hafer, and two late, great and departed members of this bar: Bruce Cooper and Dick Cleckner. The evening was topped off by a belly dancer and plenty more V.O. ...and to think, it's all on tape! If there was an evening more hilarious than that, I don't know that it's been recorded.

Jim's enthusiasm for life was both infectious and unparalleled. He practiced law like he loved it, and he cherished the family and friends that constantly surrounded him. His personal magnetism and charm disarmed even the most hardened of judges and witnesses. His wit and "bonhomie" made all who were in his presence feel good. He truly was the "Pied Piper" of the Dauphin County Bar Association. Jim had an ability to see greatness in all of us—including the famous "reindeers" at the annual Christmas party—held at the Bar Association. If he was your friend, he was a friend for life; but he did not suffer fools lightly—however, he had the sense and graciousness not to let that affect his work. His clients adored him; his family doted on him, and his partners and associates looked up to him for guidance and advice. Isn't that what we would all want to be remembered for?

Jim is survived by his sons John, Jim and daughter Kristi, seven grandchildren, two great-grandchildren, many nieces and nephews, and his caring companion, Marjorie Leonard of Fort Myers, Florida, whose compassion and devotion to Jim is, and was, appreciated more than she knows.

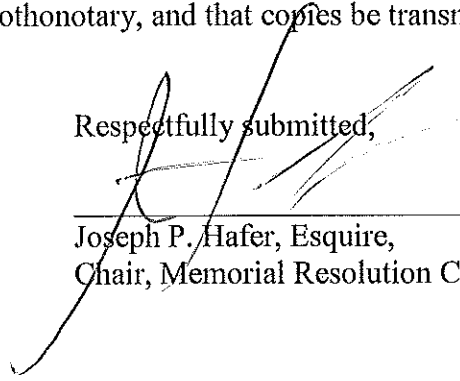
Jim was a member of the Pennsylvania Defense Institute, the Pennsylvania Bar Association and a life member of the Dauphin County Bar Association. He was a lawyer who could try a motor vehicle case one day, and a malpractice case the next. He knew the law, and was part and parcel of the development of some of the most significant cases in Pennsylvania jurisprudence.

Therefore, be it resolved that in the passing of James K. Thomas, we have lost a true friend and able practitioner. His family has lost a devoted, caring, and unceasingly loyal advocate.

And be it further resolved that the members of the Dauphin County Bar Association, in meeting assembled, mourn the death of our esteemed colleague, James K. Thomas, and tender our sympathies to his family.

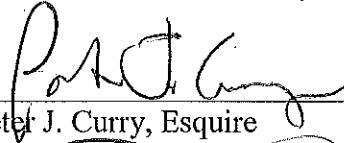
Be it further resolved that copies of this Memorial Resolution be spread upon the records of the Dauphin County Courts of Common Pleas and of the Dauphin County Bar Association, that the original be filed in the Office of the Prothonotary, and that copies be transmitted to his family.

Respectfully submitted,

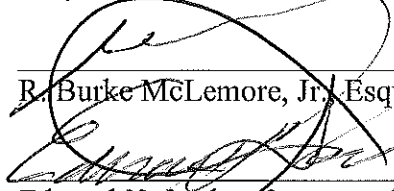


Joseph P. Hafer, Esquire,
Chair, Memorial Resolution Committee

Committee Members:



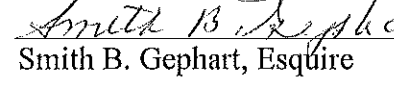
Peter J. Curry, Esquire



R. Burke McLemore, Jr., Esquire



Edward H. Jordan, Jr.



Smith B. Gephart, Esquire