

EDITOR'S FOREWORD

MUCKRAKER, HERO, MENSCH

Written by Benjamin G. Shatz
Editor-in-Chief



Long ago this publication gave up themed-issues in favor of varied articles in every issue. But there is a thematic connection between two articles in this issue. First, Dan Lawton provides a book review/interview with James Brosnahan, our cover boy. His name is legendary in the litigation world, and he was our Section's inductee into the Trial Lawyer Hall of Fame back in 1996. To many he is a hero. But despite gracing our cover, the Brosnahan article is not the first article in this issue. Instead, that pride of place goes to Jon Eisenberg's *Why I did it the way I did it*.

Jon is a different kind of hero altogether. Yes, he was inducted into this Section's Appellate Lawyer Hall of Fame back in 2019. But that was based on past achievements, not his current fame (or infamy). Perceiving a serious problem in an appellate district, he stepped forward to follow his conscience and embarked on a long crusade, first to gather supporting data, and then to forcefully present that data and its consequences—regardless of potential consequences to himself. Few lawyers would do this. Jon was not the only one to notice, but he was the only one to doggedly research and push the issue. His muckraking is probably not acclaimed in some quarters, and some openly questioned his methods. He addresses that public criticism now. With or without any explanation, he remains in the minds of many, a courageous hero. Read his piece and draw your own conclusions.

This issue also contains our usual potpourri of intriguing articles covering numerous topics from zealous advocacy to gun control to arbitration. Our Federal Courts Committee provides another Article III Judicial Interview, and Eddy Board member Marc Alexander offers yet another book review, this time of Amanda Frost's *You Are Not An American*. On the topic of books, don't miss Steve Katz's article at the end of this issue about must-reads for young litigators. Perhaps you have some suggestions for further reading of your own? If so, please share them.

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