

IN HONOR OF JOHN ROBIN BRADLEY

*Walter "W.G." Watkins Jr.**

"Mr. Watkins would you mind giving us the style of the next case?" Those words hung in the air in large capital letters and the sound echoed in the moot court room of the old law school. My heart skipped two beats and then three. Struggling to find my breath, trying desperately to remember the case, I looked up and found Professor Bradley peering directly at me, waiting patiently for my response. I had nothing to say. I could not give my name, much less the case. Then it dawned on me that the name of the case was in the book I was holding in my lap, so I glanced down and stammered out weakly, "*Ligenfelder v. Wainwright Brewing Co.*, 15 S.W. 844 (1891)."

"Mr. Watkins what is the name of the architect who originally sued in this case?"

"JEWGENFELD," I said somewhat too loudly and with way too much southern twang. It was the one name I remembered from reading the case.

"Mr. Watkins do you suppose that the correct pronunciation of the architect's name is Ugenfeld? Wouldn't the J be silent?"

Where was the hole I could crawl into? Why wouldn't the earth open up and let me be swallowed into the abyss?

"Yes, absolutely." Please just forget who I am. There are a hundred other people in here. Pick a name. Any name. Move on.

"Now Mr. Watkins, if you ordered a boxcar load of sons-of-bitches and you went down to the railway station and opened the boxcar door and the only person to step out was Mr. Jugenfeld, would you feel you had got what you ordered?"

Where was Alice? How did I miss the looking glass? The case had nothing to do with sons-of-bitches at least to the superficial extent I could recall what the case was about. Rather than being swallowed by the earth, I had tumbled down the rabbit hole. Silence—utter embarrassing silence. I had nothing to say.

* Founding Partner, Forman Perry Watkins Krutz & Tardy.

“Mr. Watkins? Would you feel your contract for a boxcar load of sons-of-bitches had been completely fulfilled if they sent you one, Mr. Jugenfeld?”

“I suppose I would.” That had to be the right answer. Praying incessantly and to myself, I was becoming more religious by the minute.

“Why?”

“Why what?”

“Why would you feel the contract had been satisfied?”

Search the brain, there has to be something I can say. Something I can throw out that will allow us to move on to another case and more importantly another person—anyone. “Because Mr. Jugenfeld wouldn’t complete what he had contracted to complete. At least he wouldn’t for the price originally agreed on. He used circumstances to force a better deal.”

“What was missing from the second contract?”

“Uh——(long pause, crickets chirping, heart pounding)——consideration?”

“Precisely. This is the case that illustrates as clearly as possible the simple contract term of consideration.”

Professor Bradley began to explain the case in his eloquent way as he moved towards the center of the room and away from me. I was safe until another day when my name would be called, but that was a lifetime away. Heart rate and blood pressure all returned to normal. Prayers answered. I was good. I had survived.

I will never forget that day or that case. Professor Bradley, always dapper in tie and blazer, gold rimmed glasses, and blonde, neatly combed hair, speaking with the calm nature and commanding presence of a real lawyer teaching the law of contracts to people who thought they wanted to be lawyers. The word teaching is important here, because so many professors lectured us, embarrassed us for the sake of embarrassment rather than taking the harder road of actually teaching.

Professor Bradley frightened us, intimidated us, befriended us, but most important taught us. The course was contracts, but the lessons taught went far beyond the brown old textbook filled with cases. He taught us to think, to speak, to debate, to prepare, to anticipate the question, and to see beyond the written words of a single case. He taught us to understand that the cases in the

book were about real people and that we would encounter real people with real problems if we were lucky enough to graduate and become a real lawyer.

On a September day in 1976, I learned that I really wanted to be a lawyer. I wanted to fight the Jugenfelds of the world and I have Professor John Robin Bradley to thank for that.

