

*MEMORIAL RESOLUTION OF THE
ALLEN COUNTY BAR ASSOCIATION
MARTIN THOMAS FLETCHER, SR.*

We are here to pay our respects to the memory of our colleague and friend, Martin Thomas Fletcher, Sr., who died June 13, 2017, at the age of 73.

Martin was born on December 9, 1943 in Long Beach California. His parents, who were from Nebraska, had gone to California looking for work. When the War broke out, Martin's father joined the Marines. His mother returned to North Platte, Nebraska with Martin and his sister, and it was there that the Fetters raised their five children. "Tommy," as Martin was known to his family, saved up enough money doing odd jobs to spend his junior year of high school at Wentworth Military Academy, the oldest military academy west of the Mississippi.

After graduating from high school, Martin went off to Drake University, in Des Moines, Iowa, where he received a Bachelor of Arts degree in 1966, graduating summa cum laude. He was a Phi Beta Kappa, membership in which is reserved to about one college senior in a hundred.

Martin attended the Indiana University School of Law, Bloomington, where he was an Edwards Fellow. The John H. Edwards Fellowship is one of Indiana University's most prestigious academic honors, awarded to just two graduate students who possess "an extraordinary record of voluntary public service, exemplary character, superior scholastic ability, and intellectual capacity that promises dividends for society."

In law school, Martin was on the staff of the Indiana Law Journal, and served as Associate Editor. He received his law degree in 1969, graduating summa cum laude, and first in his class. He was a member of the Order of the Coif, an honor society for United States law school graduates who finish in the top 10 percent of their classes.

Martin was admitted to the Indiana bar in 1969, and joined the law firm of Rothberg Gallmeyer Fruechtenicht and Logan, in Fort Wayne. He quickly established a strong reputation in business and commercial litigation, and in time developed expertise in securities litigation, the intricacies of which were perfectly suited for his extraordinary intellect. From 2006 - 2007, Martin served on a select commission convened to study and make recommendations on a new version of the uniform securities laws. He was given a commendation by the Indiana Securities Commissioner for his service.

Martin spent 33 years with Rothberg Gallmeyer. In 2002, he established the firm of Fletcher and Niemann, LLP, with his best friend, Scott Niemann. In 2004, the firm merged

with Eilbacher Scott PC, to become Eilbacher Fletcher, LLP. Martin retired in 2015, having practiced law for 45 years.

Martin regularly appeared on annual lists of attorney ratings services, such as Best Lawyers, Super Lawyers, and, later, Avvo. He achieved "AV" status in Martindale-Hubbell Peer Review Ratings early in his career, and held the designation until he retired. As most lawyers know, the "A" in the rating meant that Martin's legal ability was "preeminent;" The "V" meant that Martin practiced with "very high general ethical standards."

And, the "V" meant as much to Martin as the "A." For all of his academic accomplishments, and for all of his success in the courtroom, Martin will perhaps be best remembered by his fellow members of the bar for being "a lawyer's lawyer." First, he was known as someone the best lawyers would want to represent them in the courtroom. But, more importantly, Martin personified the ideal attorney-adversary. He fought for his clients, but he never stepped over the line. He was always civil and courteous to opposing counsel, both in and out of the courtroom. He was an intellectually honest man who always did the right thing. Lawyers like Martin make for a more amiable and cooperative profession in our local bar.

In recognition of these traits, in 2010 the Allen County Bar Association honored Martin with its Niemann Citation, which "recognizes bar association members who exemplify professionalism and excellence in the practice of law, as shown through their legal work, public service, and leadership." In accepting the award Martin shared this credo: "Just because a lawyer can do a thing, doesn't mean he should do it."

Martin was a natural mentor. You worked a file with Martin, not for him, and you learned the Fletcher Rules, things like, "Never underestimate your opponent," and the closely related "Always rely on the weakness of your opponent." When it came to going up against certain law firms, Martin would say, "Bigger doesn't always mean smarter." There was also, "He who leaves with the check wins," which Martin attributed to George Fruechtenicht, and, regarding settlement negotiations, "You can't cut the board longer."

Some who encountered Martin but did not know him may have thought him aloof. He was not. If Martin did not acknowledge you on the street, in the courthouse, or at lunch—and this happened to most of us-- it was most likely because he was deep in thought, a million miles away from his physical surroundings. To illustrate, once, a few years after starting his own law firm, Martin had lunch at the Summit Club, atop what is now called the PNC Bank Building. Afterward, as the elevator headed for the ground floor, a young man got off at the Rothberg Gallmeyer offices on the 21st floor. So, Martin did, too. He walked through the double doors, past the receptionist without any acknowledgment of her, and down the hallway to his old corner office, which was, of course, occupied. Seeing this, Martin turned around,

walked back down the hallway, past the receptionist, through the double doors, and got back on the elevator. That was Martin, lost in his thoughts.

In fact, Martin was friendly and engaging, equally comfortable with the most high-powered attorney, the stranger in church, and the wait-staff at the Dash-In Cafe, who are no doubt missing Martin's playful demands for extra whipped cream on his hot chocolate and a "senior discount" on his tab.

Therefore, it is moved that the Allen County Bar Association give public expression of sorrow upon this, the occasion of the remembrance of the life of Martin T. Fletcher, Sr.; that this Resolution be unanimously adopted by those present at this assembly upon this occasion; that a copy of this Resolution be transmitted by the Office of the Allen County Bar Association to the members of the Fletcher family; and that the Resolution be spread of record in the permanent records of the federal and state courts of Allen County, Indiana to evidence the respect and admiration of the members of the Bench and Bar for their departed friend, Martin T. Fletcher, Sr.

Dated this 2nd day of October, 2017.

The ALLEN COUNTY BAR ASSOCIATION

By:

Melanie L. Farr, President

By:

The Honorable Craig J. Bobay
Judge, Allen Superior Court

Resolution prepared and presented by
Daniel G. McNamara