

MEMORIAL RESOLUTION OF THE
ALLEN COUNTY BAR ASSOCIATION

MICHAEL H. KAST

WHEREAS, we are here to pay our respects to the memory of our deceased colleague and friend, Michael H. Kast, who died December 17, 2013 at the age of 85; and

WHEREAS, he is survived by his wife, Cheryl Kast, of Fort Wayne, Indiana; sons, Mark Kast of Reno, Nevada, and Dr. John Kast of Florence, Alabama; daughter, Ann Train, of Santa Rosa, California; and their mother, Jean Bevis, of Charlottesville, Virginia; as well as 5 grandchildren. He was preceded in death by his parents, Harry and Katherine Kast, his brothers, John ("Jack") Kast, Harry Kast, and Raymond Kast, and his sister, Dorothea Thomas Meese.

Mike was born and raised in Fort Wayne, Indiana and graduated from Central Catholic High School in 1946. He received his undergraduate and law degree from Indiana University in 1952 and, in that same year, was inducted into the United States Army during the Korean War. He was commissioned as a First Lieutenant in the Army JAG Corps and served as post-judge advocate. He remained active in the JAG Reserve, first in the Army and later in the Air Force, until his retirement as a Lieutenant Colonel in 1976.

Mike began his practice of law in 1955 as a sole practitioner, later joining Willard Shambaugh in 1961 and forming the firm of Shambaugh & Kast. Mike served during his career as an Associate City Attorney, Chief Deputy Prosecutor, President of the Legal Aid of Fort Wayne, and a member of the State Advisory Commission for Legal Services Corp.

Mike's service as Chief Deputy to Walter Helmke in the Prosecutor's Office was a special time for him. Many years later he still enjoyed telling stories of experiences he had in the Prosecutor's Office.

Mike was an avid runner, although he did not begin running until almost 50 years of age. The same strong work ethic, determination and devotion that made Mike such a successful lawyer also enabled him to become one of the area's top runners in his age group. Mike was a veteran of 17 marathons, including Boston

and New York. He was active in the Fort Wayne Track Club and shared his passion for running with others both serving as an instructor for various clinics, as well as coaching the Indiana-Purdue Fort Wayne Men's and Women's cross country teams.

Mike also enjoyed golfing, again taking the sport up rather late in life. His golf game was much like Mike himself, dependable and steady. It was always fun playing in Mike's foursome in a scramble because the rest of us always knew that, no matter where our ball ended up, we could always count on Mike. When the rest of us were looking for our golf balls in the woods, Mike was always straight down the fairway.

Most of us can look back on our professional lives and identify a person who made a profound impact on the direction our careers went. For me, there is no question that person is Mike Kast. I first met Mike nearly 40 years ago after getting out of law school and moving back to Fort Wayne. Mike lived across the alley from me. I remember being invited to a dinner party at Mike's house where a couple of other lawyers and their wives would be attending. I remember being pretty nervous thinking I would feel out of place around these experienced and successful lawyers. Mike, however, went out of his way to put me at ease and to make sure that I enjoyed my evening. I would come to learn that was the way Mike was. No matter who you were or what your station in life might be, Mike always treated everyone he came into contact with, with respect and kindness. No matter who you were, you always felt comfortable around Mike.

In 1977, I had the honor of being asked by Mike to join him in the practice of law. His partner, Willard Shambaugh, had died in May of 1976 and Mike asked me to join him the following January. Mike and I worked out an arrangement that I would contribute a certain amount per month for overhead and Mike would refer work to me. As this was something new for both of us, we agreed that we would review the arrangement each year to determine whether it should be changed. Having practiced with Mike for nearly 37 years, I can remember only two times having any disagreement with him. Both of those times occurred at those annual reviews. Mike always insisted that I should pay less and I always insisted that I should pay more.

In 1980, Mike and I joined Steve Williams to form what is now Shambaugh, Kast, Beck & Williams. Mike's generosity and his philosophy of partnership

were evident when the three of us sat down to discuss how we should divide profits in our new partnership. I was still a young lawyer out of law school about 7 years. Steve was in private practice, but had spent a number of years in the Lincoln Bank Trust Department. Mike, on the other hand, was experienced and had a very large practice. To Mike, none of that mattered. The math was easy. Three partners, split it three ways. When Steve and I protested, Mike's response was that we would be partners for many years and things would even out over time. After 34 years, he was right.

Mike truly loved the law firm and all of the people who worked there. He took particular joy in seeing the success of the younger lawyers. Mike would often tell us how proud he was and how proud Willard would have been to see what their little two-man practice had become.

Those of us who had the honor of working and practicing with Mike over many years learned much from him. We learned that success does not come without hard work and diligence. We learned about humility, that we should not take ourselves so seriously; about empathy for the clients that we serve; about kindness and respect; and about loyalty to our partners, our clients, and our friends.

Mike loved his family and, although his children had all moved, he enjoyed traveling to be with them. In particular, I know he enjoyed his annual cross country car trips to California to spend time with his daughter, Ann, and her children. Those trips always included sojourns to the wine country, which was also my favorite part of his trip, because he often brought back gifts of wine.

When asked about her father, Ann said "I respected and loved my father for his kindness, dedication, intelligence, integrity, and generosity of spirit. He was exemplary in every way, both professionally and as a father. As an observer, when he greeted people in public that he knew, either as clients or fellow lawyers, the response to him was always positive, leaving the impression that the legal profession must be an honorable one".

While Mike will be remembered by many as a great lawyer who achieved much professional success, for those who knew him well, he will be remembered as a loving father and husband, a supportive and generous partner, and a true and loyal friend in every sense of the word. He brought honor to his profession and to those with whom he was associated. One could leave no greater legacy.

NOW, THEREFORE, BE IT RESOLVED that the Allen County Bar Association gives public expression of its sorrow upon this, the occasion of the remembrance of the life of Michael H. Kast, and be it

FURTHER RESOLVED that this resolution be unanimously adopted by those present upon this occasion, and be it

FURTHER RESOLVED that this resolution be transmitted by the Allen County Bar Association to the members of the Michael H. Kast family, and be it

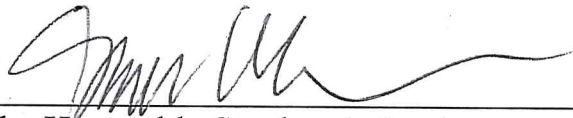
FURTHER RESOLVED that this resolution be spread of record in the permanent records of the Federal and State courts of Allen County, Indiana, to evidence the respect and admiration of members of the bench and bar for their friend and colleague, Michael H. Kast.

Dated this 9th day of May, 2014.

THE ALLEN COUNTY BAR ASSOCIATION



By: 
The Honorable David J. Avey, President

By: 
The Honorable Stanley A. Levine
Judge, Allen Superior Court

Resolution written by Edward E. Beck.