

*MEMORIAL RESOLUTION OF THE  
ALLEN COUNTY BAR ASSOCIATION*

*MILES C. GERBERDING*

*WHEREAS, we meet today to honor our friend, mentor and colleague, Miles C. Gerberding, who passed away on October 28, 2015, at the age of 85.*

*Miles is survived by his loving spouse Joanie; four children, Karla Smith, Greta (and her husband David) Cowart, Kent (and his wife Diane) Gerberding and Brian (and his wife Kim) Gerberding; two step children, Stephen (and his wife Madeleine) Fackler and Deborah Holbrook. Miles is further survived by two brothers, Keith (and his wife Joanna) Gerberding and Mark (and his wife Debra) Gerberding, a sister, Carmen (and her husband Nolan) Armstrong, plus 16 grandchildren, step-grandchildren, and great step-grandchildren.*

*Miles was born to the late Arnold and Luella Gerberding on October 25, 1930 in Decatur, Indiana. Miles graduated from Concordia Lutheran High School in 1948 and went on to attend Indiana University in Bloomington where he obtained his undergraduate and law degrees. Miles married Ruth Hostrup Gerberding on August 20, 1955 and they were joined together until Ruth passed away in 1992. On January 2, 1993, Miles married Joan Wyatt Gerberding.*

*Miles served honorably as a Sergeant in the United States Marine Corps from 1950 to 1952. After his service in the Marine Corps and following graduation from law school, Miles and Ruth moved to Fort Wayne, Indiana, where he began what would become a long, distinguished career in the practice of law and public service.*

*In 1986, after many years as a partner at Barrett & McNagny, Miles was handpicked by the firm of Barnes & Thornburg to open its Fort Wayne office. He subsequently served on the Firm's management committee and retired from Barnes & Thornburg in 1997, after 41 years of private practice in Allen County, Indiana.*

*Miles' legal work ranged from helping large multi-national corporations to individual families, and numerous charitable organizations. He was the consummate professional, with deep knowledge and experience in tax and estate planning, trust law, transactions, and general corporate matters.*

*Miles also served as corporate counsel to what is now known as "Do it Best Corporation," a large member-owned hardware and home center chain founded by his father. Miles helped nurture Do it Best into a multi-national organization, which today has over 3,800 outlets in over 50 countries.*

*Attorneys working with Miles learned many things about the practice of law—two of the most important of which were service and respect. Service, of course, means service to clients. Miles lived to protect and serve his clients. He was a 24/7 lawyer before lap tops, cell phones and the internet. Back when Saturday mornings were considered an extension of the normal work week, some*

*new associates made the mistake of going back in the office after lunch on Saturday. They would invariably find Miles there with a research project he wanted completed by Monday. The client needed it and the weekend was not an excuse. So we learned about trusts, supply agreements, and the franchise laws of all 50 states on weekend projects for Miles (some of them were obscure—like what were the tax ramifications of distributing goods in the Northern Marianas Islands).*

*Miles' work ethic was unshakable. In fact, he was famous for taking his entire family to the law office on Sunday mornings after church so he could "open the mail" before the start of the work week. Instilling a strong work ethic in both his children and associates was important to Miles.*

*To a young lawyer, Miles could be intimidating. Even with his quiet voice—a voice that made you hang on his every word—he was a force: a brilliant strategist, a pillar of the local, state and national bar associations. But Miles treated everybody with the same level of respect—young lawyer, legal assistant, janitor, partner. A person's title did not matter to Miles; each person was deserving of respect. He cared about his employees and their families (who looked forward to the firm's summer parties at his house in Hacienda Village). Miles mentored lawyers; he was generous with his time; and he never said a bad word about anyone.*

*Miles loved everything about being a lawyer and the practice of law, and this is reflected in his professional activities and awards. He was a fellow of the American College of Tax Counsel, the American College of Trust and Estates Counsel, the American Bar Foundation and the Indiana Bar Foundation. Miles was a past president of the Indiana State Bar Association and chaired its sections on taxation and business law. Miles also chaired the Indiana delegation to the American Bar Association House of Delegates for seven years and served in the House for 16 years.*

*Miles never really retired. He relocated to the shores of Lake Michigan where he could continue to do what he loved—working from his office in the City of Frankfort. At one point after "retirement," he had two offices serving the needs of his clients in Michigan. Once in Michigan, Miles and Joanie opened their home to many former colleagues and friends; one of his favorite destinations for visitors was Putney Road's "gravity hill."*

*An avid aviator, Miles learned to fly in the 1970s and continued flying until the age of 84. It was his one true hobby. He also played a mean game of squash, with court time being reserved at the Central Branch YMCA well into his late 70's on his frequent trips back to Fort Wayne.*

*Miles was also committed to helping charitable and community organizations in both Michigan and Indiana, including his alma mater Indiana University Maurer School of Law, Trinity English Lutheran Church, Concordia Educational Foundation, Lutheran Camp Foundation in Acadia, the Lions Club, and United Way. The list of organizations positively impacted by Miles goes on and on.*

*Miles' legal career was remarkable for his achievements and awards, but it was best exemplified by the utmost respect for all he encountered and by his unwavering service to his clients.*

*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 Miles C. Gerberding; 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 Miles C. Gerberding 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 departed friend, mentor and colleague, Miles C. Gerberding.*

*Dated this 2<sup>nd</sup> day of May, 2016 at Fort Wayne, Allen County, Indiana.*

*THE ALLEN COUNTY BAR ASSOCIATION*

*By: \_\_\_\_\_  
Bart Arnold, President*

*By: \_\_\_\_\_  
The Honorable David J. Avery  
Judge, Allen Superior Court*

*Resolution prepared and presented by D. Randall Brown*