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## Remembrance of Professor David Gregory

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## REMEMBRANCE OF PROFESSOR DAVID GREGORY

Arthur R. Dingley\*

Like, I suspect, most of you, I recall my first year of law school with that fierce, luminous, intensity that virtually defines post-traumatic stress disorder. Beyond that, I recall most my first day in law school. I sat with ninety of the smartest people whom I had ever met. We sat with our enormous egos and our secret insecurities and our heads full of mush. We were waiting for some professor named Gregory who was going to teach us something called torts. And, presently, he arrived in a Palm Beach-looking suit with a crease that could draw blood, with a mind that *would* draw blood, and with an armload of books. It was only later that I understood why he carried the books. He never referred to the books, and he had no need of the books, for, as it seemed to me, he knew everything. And our education began. Strong men wept. Tough feminists from the sixties swooned. Soon the equation was redrawn. I sat with ninety people who looked a little dumber than they had that morning. We sat with our enormous insecurities, our little secret egos, and our heads full of possibilities, heads full of questions. No *answers*, of course! But we weren't there to have our questions answered. We were there to have our answers questioned by Dave Gregory. And along the way, I realized that my brain was beginning to work.

David kept the boundaries between himself and his first-year class very sharp. So we were left desperately to imagine who this man might be who kept concert photos of Bob Dylan and a sketch of the slain civil rights workers on his office wall; this man who quoted from *John Wesley Harding* in class to see if we were keeping up; this man who came to us from a small Maine town by way of Duke, and Princeton, and Maine Law, and Justice, and Harvard. After that year was over, and the boundaries could be relaxed, we found in David a warmth and a wit we had never imagined. Do you remember how David could listen? David had a way of listening to you with rapt attention as though your every word were supremely valuable. I've met very few people in this life who could listen as well as David. And a conversation with David was a bit like an Indian raga: it had a progression, a unifying theme, room for improvisation, and often some unexpected jewel, a hook to remember long afterward.

I remember talking with David once about music, and then country and western music, and he said to me, "Arthur, I will tell you something. One of my secret ambitions was always to be a Rhodes Scholar and a country and western singer. And I always resented Kris Kristofferson for beating me to it." I came to understand other things about David, too, through many of the conversations I had with him, most of which he would not appreciate my sharing with you. Of course, I'm going to anyway.

One of the most surprising things I learned about David, and I know this will be hard for some of you, is this: David didn't know everything. He didn't even know everything about the law. This came out in surprising ways. One day he

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came to pick me up because we were traveling to a conference at Sugarloaf. I had everything I needed for a few days in the Carabassett Valley in October: suitcase, briefcase, orange hat, twelve gauge. David looked apprehensively at the shotgun on the backseat of his car and said to me, "Arthur, is that *legal*!?" He did not know.

David also had a keen appreciation for the nitty-gritty aspects of the law, not just the ether, the vapor, the stratosphere of academic law, but the practical aspects of who can really sue whom and for what.

For example, he called me one day and said, "Arthur, if you have a few minutes, I really need your help. Can you come over?" So I drove over and pulled around the back of that big brownstone house David had on the West End, and there was David with this enormous extension ladder. The thing was forty feet long. I said, "Well, what are we doing?" And David said, "My parrot has escaped. It's up in this tree and it won't come down." I looked up and there, 40 feet off the ground, was David's big evil-tempered African Grey parrot ... an animal dangerous to man. David said, "We'll put this ladder up in the tree and catch him." I was looking at David and he was wearing loafers and no socks. And I thought, "How is he going to climb this extension ladder and catch that evil bird dressed like that?"

And suddenly, it occurred to me what I was doing there. So up I went, with David on the ground yelling helpful suggestions. Of course, the bird didn't want any part of being caught and would have bit my face off if I'd been able to get close enough to catch it. Finally, the bird flew away over the West End of Portland.

Three days later, David called and said, "Arthur, I have my parrot back." I said, "No kidding! What happened?" He said, "Well, it flew down to Commercial Street and landed on this guy's boat. He fed it and caught it and saw my ad in the paper and brought it right back to my house. But when I opened the door and he gave me the parrot, I noticed his hand was all bandaged up." I said, "What did you do?" David said, "I gave him fifty bucks and hoped he wasn't going to sue me!"

"I have a vision," he said, "of a man searching for truth on top of a mountain." And he showed us that mountaintop, and I have stood on some mountaintops since that day—some real, some metaphorical, sometimes alone, sometimes with some of you. But I have never been to a mountaintop in those 25 years that I did not remember the man who took us to his mountaintop, the man who taught us the law and things more important than the law; who taught us to write a paragraph so good that smoke would rise right off the page ... then taught us to rewrite it so that it was worth reading; who taught us that the right thing and the expedient thing are often not the same thing; that form and substance *both* matter; that *how* you think about a thing is sometimes more important than *what* you think about it; who taught us that the inevitable tragedies of life pain us precisely because foreseeability has nothing to do with it.

Thank you, David, for being our teacher.

Thank you for being our friend.

Thank you for being our inspiration.

We're going to miss you.