[ms-0404.014.006.0011]

Dear Rebecca —

I thought you might like copies of the program & memorium rendered the other night. Kathryn, myself & several other law clerks remembered so many wonderful times with Earl. We all agreed he was so fortunate to have you in his life & me, very fortunate to have both of you in ours.

Thank you so much for sharing & caring for an such special man.

Love,
Cindy Muckey May

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

THE HONORABLE EARL B. GILLIAM

Appointed August 20, 1980 by President Carter;
inducted August 27, 1980;
took senior status April 12, 1993;
passed away January 28, 2001.

Memorial for the Honorable Earl B. Gilliam

The United States District Court for the Southern District of California is deeply saddened by the loss of one of its most beloved jurists, the Honorable Earl B. Gilliam. He passed away on January 28, 2001 after a long illness. For all of us that had the joy of knowing Judge Gilliam, let me review his accomplishments. He truly touched our hearts and minds in a special way.

He was a man of many firsts. Judge Gilliam was the first African American in San Diego to be appointed as a judge to the municipal court, the superior court, and the district court. He was the first African American baby to be born in the Baptist hospital on August 17, 1931 in Clovis, New Mexico. He started the first chapter of the Kappa Alpha Si fraternity at San Diego State. After law school at Hastings and work in the district attorney's office, he was appointed in 1963 by Governor Pat Brown to the Municipal Court in San Diego. He was then appointed in 1975 to the Superior Court in San Diego by Governor Jerry Brown. Fortunately for us, he was appointed on August 20, 1980 to the Federal bench by President Carter. After an illustrious career, he took senior status on April 12, 1993.

Judge Gilliam had a unique gift – he loved life and easily made friends. Judge Gilliam spent his early years in Oklahoma City. He moved to San Diego with his family in the fifth grade and attended Logan and Stockton Elementary Schools, Memorial Junior High and San Diego High School. His picture adorns the high school hallway in tribute to him. He graduated from San Diego State University in 1953 as a business major and received his law degree from Hastings College of Law in 1957. After receiving his law degree, and before joining the state bench, Judge Gilliam served as a deputy district attorney for three and a half years and then as a general private practitioner for another two and a half years.

Throughout his career, Judge Gilliam has been recognized for his many achievements. In 1965, the San Diego Junior Chamber of Commerce selected Judge Gilliam as the Young Man of the Year. In 1973 and 1994, he was chosen as the Citizen of the Year, and, in 1975, he received the Good Guy Award for San Diego. In 1981, the Boys' Club of San Diego chose Judge Gilliam as the Golden Man of the Year and, in that same year, the San Diego Trial Lawyers Association chose him as the Trial Judge of the Year. In 1994, the San Diego County Bar Association selected him as the Legal Professional of the Year. Judge Gilliam was also

awarded the NAACP Civil Rights Pioneer Award and the Sharp Hospital Foundation's Eagle Spirit Award. In tribute to his leadership, the San Diego African American Lawyers Organization chose to honor him bychanging the organization's name to the Earl B. Gilliam Bar Association, and Thomas Jefferson School of Law dedicated its moot courtroom as the Earl B. Gilliam Moot Courtroom.

Judge Gilliam presided over several noteworthy cases while on the federal bench. In the case of National Health Laboratories, the government recovered $110 million in criminal fines and civil penalties in 1992, the largest settlement at the time for health care billing fraud. In 1988, he presided over a lengthy trial for fraud and income tax evasion of the former Del Mar mayor Nancy Hoover Hunter arising out of a Ponzi scheme involving J. David Dominelli. He was the trial judge for the sixteen week Telink criminal trial in 1987 involving allegations of bribes and kickbacks to two county officials arising out of a Telink telecommunications contract. As a judicial officer, he had numerous drug cases, including the notorious Coronado Company marijuana conspiracy case against a local lawyer. On the civil side, he was the district judge for the leading case of **Daubert v. Merrill Dow Pharmaceuticals, Inc.** that established a nationwide standard for the gatekeeping role of courts to screen scientific evidence. These are only a few of his legendary cases.

We loved working with Judge Gilliam. He showed the court his respect for all human beings. Walking down the street with Judge Gilliam was a whole day affair, since he knew everyone in town. He befriended the homeless, the lawyers, the politicians, the business leaders, and everyone else he met. He had a special way with people in the courtroom, and a special bond with his judicial colleagues. I loved coming to work, passing by his chambers, and hearing a cheery "Good morning, Your Majesty." Indeed, I felt like a queen when he was around. When I needed help, he was always there to give me practical and sound advice.

Judge Gilliam made lasting friendships. From the days of his work in his dad's fish market to his football days at San Diego High School, to his college and legal education, to his judicial career, he never forgot those who were important in his life. Family and friends meant so much to him, but he meant even more to us. Our tribute to him includes our thanks to his wife Rebecca for all her love and devotion to Judge Gilliam, a true love story. We were blessed that Judge Gilliam overcame so many

adversities to stay with us for so long. Just last week, for example, he planned to have lunch at the court with his colleagues on the bench.

In civic activities, Judge Gilliam actively promoted education as a mentor and helper for youth, young adults and lawyers. He taught several courses at Thomas Jefferson School of Law and was eventually named the director of trial practice at the law school. Few knew that he donated his law professor earnings to the needy at the school. Many know that he helped several lawyers mature into effective advocates in the legal community.

Several years ago, Judge Gilliam had an opportunity to reflect on his life. In his typical understated fashion, he commented, "Overall, San Diego's been a good town for me. I hope that I rose to the challenge to make things better for the whole city because there are blacks who can make a contribution. There are minorities who can make contributions. And I've always been loyal to the women's cause.

I've enjoyed being part of it, and I hope that I've left some kind of a mark."

The Court and the public will miss this great jurist, a beloved individual who left an indelible mark on our community and on the law.

Marilyn L. Huff
Chief Judge
United States District Court
for the Southern District of California
January 31, 2001