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## Forrest B. Weinberg

Lizabeth A. Moody

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## FORREST B. WEINBERG

Lizabeth A. Moody\*

*And gladly would he lerne, and gladly teche.*

Chaucer, *The Canterbury Tales*

Forrest Weinberg came to our faculty late in his too short life. He had been able to do that to which many practitioners aspire but few are able to accomplish: having practiced law successfully for many years he was able to find a secure place in academe and be accepted as scholar and teacher.

I first met Forrest Weinberg when we served as members of the Board of Trustees of the Cleveland Bar Association. I had recently left full-time law practice for full-time teaching and I think it was Forrest's inchoate interest in that kind of transition that drew us together. Although a distinguished practitioner who had achieved a reputation as an expert in bankruptcy and close corporations, he also had a long term interest in teaching which began in law school. After graduating from the University of Cincinnati Law School with a distinguished record, he had gone on to Harvard for an LL.M. Although he took a long detour into practice, he never gave up the other world of teaching.

It was during the period of our service as Trustees of the Cleveland Bar Association that Forrest first began to explore the feasibility of a "sabbatical" to teach. I encouraged him in this interest and suggested to him a number of law schools, including the University of California at Davis, which I felt would be open to the kind of position he had in mind. After arrangements were made for his visiting professorship at Davis, we frequently spoke about the courses he was to teach, course materials, and the life of the law school in general. I never again lost touch with him for very long. We frequently had occasion to talk about his experience at Davis. So positive were those experiences that I believe his heart was totally drawn to teaching ever thereafter. When he returned to his law firm from Davis, he began the interest in Cleveland-Marshall law school which was to continue until the end of his life. Initially, he taught as an adjunct. He did not simply sign on for the occasional opening in a traditional course but brought to us new offerings which added a depth and breadth to our curriculum that it had not before experienced.

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\* Professor of Law, former Interim Dean 1987-88, Cleveland-Marshall College of Law, Cleveland State University; A.B., Columbia University; LL.B., Yale University.

Forrest Weinberg knew that being a lawyer involved a great deal more than simply representing clients. It also involved, to his way of thinking, making a contribution to law as a profession that was evidenced not only by his teaching, but by his lifetime contributions to the work of professional associations and, through them, to law reform. His work with the Cleveland Bar Association was rewarded with election to the Board of Trustees. His work with the Ohio State Bar Association gave him the opportunity to make a lasting and important contribution to Ohio's corporation law. He served as Chairman of the Ohio State Bar Association's Close Corporation Subcommittee. As such, he became the principal draftsman of what is now Ohio's Close Corporation Law. The statute that resulted will long serve as a monument to this scholar-lawyer. Typical of the kind of thoughtfulness, thoroughness, and imagination which Forrest lent to both the practice and teaching of law, the statute is unique among the jurisdictions. Based on a thorough knowledge and understanding of the close corporation laws in effect in other jurisdictions, and of their workings and interpretations, the Ohio statute he created does not imitate these statutes, but takes a novel approach much more in keeping with the realities of practice. The Close Corporation Law having been passed, Forrest did not rest on his accolades. He continued to write and lecture about it, giving us a kind of insight from the author of legislation that we rarely have. He never pretended that the law was perfect, and to the end of his life continued to seek amendments which would improve it.

Forrest came to Cleveland-Marshall as a professor in 1985. We had expected his association to be a long one. Those expectations were soon thwarted by his terminal illness. Even in the short time he had with us, he left us with a legacy which could well serve as the model for any young professor. He not only taught, but began writing. He was always available for committee work and general participation in the corporate and collegial life of the College of Law.

Forrest Weinberg was not a retired lawyer teaching at a law school. He was a vital and contributing member of the professorate. He organized a symposium on close corporations which now stands as a major contribution to a developing and important area of law. His own contribution to that symposium on the Ohio Close Corporation Law gives us a resource with respect to legislation which is invaluable.

Forrest's last horizon was no less full or heroic than those preceding. As he has left us with a model of a lawyer and a model of a law teacher, he also left us a model for facing a cruel and terminal illness. He studied cancer with such thorough scrutiny and intellectual detachment that it was never possible to regard him even remotely as a victim. He simply resolved to take charge of his disease and explored all avenues open to him at the same time sharing the best of himself with the world he was leaving. He taught his classes until only a few weeks before his death. As a faculty we are better for his having been here and lesser for the fact that he is no longer among us.