

**REMARKS IN HONOR OF DAVID SIVE
THE COLUMBIA CLUB, NYC, MAY 14, 2104**

GOOD EVENING. I AM VERY HONORED TO BE HERE TO CELEBRATE DAVID SIVE. HE WAS A MAN OF GREAT INTELLIGENCE, INTEGRITY, AND A WONDERFUL FRIEND TO US ALL.

ALL OF YOU GATHERED HERE TODAY ARE A TESTAMENT TO WHAT MADE DAVID TRULY SPECIAL: HIS GENEROSITY. HIS BIGHEARTED DESIRE TO SHARE HIS KNOWLEDGE AND PASSION WITH ALL THOSE AROUND HIM—WITH HIS FAMILY, FRIENDS, COLLEAGUES, AND COUNTLESS YOUNG LAWYERS WHO WERE LUCKY ENOUGH TO CROSS HIS PATH.

I WAS ONE OF THOSE LUCKY YOUNG LAWYERS. I MET DAVID BACK IN 1969 WHEN I WAS INTERVIEWING TO BE THE FIRST HEAD OF A NEW ENTERPRISE CALLED THE NATURAL RESOURCES DEFENSE COUNCIL.

AT THAT TIME I HAD A JOB AT THE U.S. ATTORNEY'S OFFICE. IT WAS A GOOD WORK, BUT I WAS DISTRACTED BY TROUBLING EVENTS—THE OIL SPILL OFF SANTA BARBARA, THE RAW SEWAGE

IN THE HUDSON, FLY ASH IN THE CITY, AND THE STORM KING CASE, AMONG OTHERS.

IT JUST SO HAPPENED THAT THE U.S. ATTORNEY, MIKE SEYMOUR, STEPHEN DUGGAN, SENIOR PARTNER AT SIMPSON THACHER BARTLETT, AND DAVID SIVE, HAD BEEN TRYING TO LAUNCH A PUBLIC INTEREST LAW FIRM DEDICATED TO PROTECTING THE ENVIRONMENT.

THIS WAS A VISIONARY IDEA. THERE WERE FEW ENVIRONMENTAL STATUTES ON THE BOOKS. AND YOU COULD COUNT ON YOUR ONE HAND THE NUMBER OF PEOPLE USING THOSE LAWS TO FIGHT AGAINST POLLUTION AND LAND DESECRETION. DAVID SIVE WAS AT THE TOP OF THE LIST.

DAVID SAW THE POTENTIAL IN THE NEW FIELD OF ENVIRONMENTAL LAW. HE SAW THE POWER OF USING THE COURTS TO HOLD POLLUTERS ACCOUNTABLE. AND HE PUSHED TO ESTABLISH PRECEDENTS AND TO TRAIN LAWYERS, THAT WE NEEDED, TO CREATE AMERICA'S BEDROCK ENVIRONMENTAL PROTECTIONS.

DAVID WANTED NRDC TO BE CENTRAL TO THAT ENDEAVOR. HE WANTED US TO BE THE MOST IMPORTANT LITIGATION NOT-FOR-PROFIT IN THE COUNTRY AND TO HELP SHAPE THE FUTURE OF THIS NEW FIELD.

SO WITH DAVID BY OUR SIDE, ANYTHING SEEMED POSSIBLE.

DAVID BECAME ONE OF NRDC'S FOUNDING BOARD MEMBERS, AND SERVED AS AN ACTIVE AND HONARARY TRUSTEE UNTIL HE DIED. THAT IS 45 YEARS OF DEDICATED SERVICE.

IN THE EARLY YEARS, DAVID WOULD GO OVER BRIEFS WITH OUR ATTORNEYS, DISCUSSING ISSUES BACK AND FORTH. HE WAS A MENTOR TO ALL OF US AS WE BUILT NRDC. AND HE INSPIRED US TO STRIVE TO MEET HIS RIGOROUS STANDARDS OF SCHOLARSHIP AND THE LAW. WE WERE ALL BETTER LITIGATORS FOR IT.

AND NRDC WAS A BETTER ORGANIZATION FOR IT. DAVID BROUGHT IMMEASURABLE CREDIBILITY TO OUR WORK AND HELPED US TO ESTABLISH A REPUTATION AS HONEST BROKERS OF THE LAW.

I CAN PICTURE HIM, RUBBING HIS HANDS, OFFERING SCHOLARLY INSIGHTS, AND GENEROUSLY SHARING THE CREDIT FOR SOME RECENT VICTORY. AND I KNOW HE WOULD BE PROUD THAT THE OBAMA ADMINISTRATION IS USING THE CLEAN AIR ACT TO REDUCE CARBON POLLUTION FROM THE ATMOSPHERE.

DAVID LIVED IN ROCKLAND COUNTY, WHERE MY WIFE PATRICIA AND I ALSO LIVED FOR A SHORT TIME. I WOULD SOMETIMES RIDE TO THE CITY WITH DAVID. WHEN DAVID DROVE, SUDDENLY THIS RENOWNED AND ERUDITE LAWYER TURNED INTO MR. MAGOO. HIS EYES WANDERED EVERYWHERE BUT HIS FOOT NEVER LEFT THE ACCELERATOR. I TRUSTED HIM COMPLETELY—EXCEPT BEHIND THE WHEEL OF A CAR!

IT WAS DURING THIS PERIOD THAT I MET HIS WIFE MARY AND HIS CHILDREN: ALFRED, WALTER, TED, REBECCA, AND HELEN. IT WAS OBVIOUS RIGHT AWAY HOW MUCH *JOY* HIS FAMILY BROUGHT TO HIS LIFE.

DAVID AND MARY HAVE A FARM IN MARGARETVILLE IN THE CATSKILLS, ALONGSIDE A FAMOUS TROUT STREAM. PATRICIA

AND I AND OUR CHILDREN WOULD VISIT THEM AND WATCH WHILE THE KIDS SWAM IN THE FIRE POND.

OFTEN DAVID TOOK US ON LONG HIKES THROUGH THE WOODS. AND OUR SHARED APPRECIATION OF THE CATSKILLS BECAME A CENTRAL PART OF OUR RELATIONSHIP. I GREW UP IN THE AREA, AND PATRICIA AND I BOUGHT A FARMHOUSE ON THE BANKS OF THE BEAVERKILL RIVER. WE LOVED ITS WOODLANDS AND FIELDS JUST AS MUCH AS DAVID AND HIS FAMILY LOVED THEIRS.

AND WE WERE GRATEFUL FOR ALL HE DID TO PROTECT THIS BEAUTIFUL CORNER OF THE WORLD.

DAVID WAS INVOLVED IN VIRTUALLY EVERY CASE CONCERNING NATURAL RESOURCES IN THE CATSKILLS, ADIRONDACKS, AND FOR THAT MATTER, THE HUDSON VALLEY. HE WAS CONSTANTLY DEFENDING PUBLIC ACCESS TO WILDLANDS AND THE RIGHT OF CANOERS TO ENJOY THE RIVERS THAT CUT THROUGH BIG ESTATES IN THE ADIRONDACKS.

HE WANTED THIS SHARED NATURAL HERITAGE TO BE OPEN TO ALL PEOPLE AND TO BE PROTECTED FOR FUTURE GENERATIONS. AND HE WAS THE MAN TO GET THAT JOB DONE.

IN FACT, IN ALL OF THE YEARS THAT I HAVE KNOWN DAVID, HE HAS BEEN THE MOST IMPORTANT PROTECTOR OF THE LANDS OF THE CATSKILLS.

IN THE EARLY 1970S, THE OWNER OF EDGEWOOD LAKES IN THE BEAVERKILL VALLEY, PLANNED A DEVELOPMENT OF SOME 400 HOUSES ON HALF-ACRE LOTS. THE PROJECT WOULD HAVE BROUGHT DESTRUCTION TO A BEAUTIFUL RURAL WATERSHED.

PATRICIA AND I BECAME INVOLVED IN FIGHTING IT. WE PETITIONED THE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE FIRST SUCH PETITION, TO PREVENT THE IMPENDING POLLUTION OF THE STATE-OWNED LAKE WANETA.

NO SOONER HAD WE FILED THE PETITION THEN WE WERE SUED FOR MORE MONEY THAN WE HAD EVER SEEN. THE PERSON WHO CAME TO OUR DEFENSE WAS NONE OTHER THAN THE WONDERFUL DAVID SIVE.

WE WOULD GO TO THE HEARINGS EVERY WEEK IN THE CATSKILLS AND SEE MANY UNFRIENDLY FACES LINED UP, BUT THEN WE WOULD SPOT DAVID IN THE CROWD. HE HAD MADE THE TRIP EACH WEEK FOR OVER SEVERAL MONTHS TO THE HEARINGS, AND WITH HIS ASSOCIATES FROM WEINER NEUBERGER & SIVE ... AND WE WERE LUCKY ENOUGH TO HAVE A FAVORABLE OUTCOME. OF COURSE, WHEN I TALKED TO DAVID ABOUT HOW TO PAY FOR THIS, HE JUST SAID “DON’T WORRY ABOUT IT.”

THAT WAS DAVID. GENEROUS, FAITHFUL, AND VICTORIOUS TO THE END.

THE LAST TIME I SAW DAVID WAS ABOUT A YEAR AGO. HE INVITED PATRICIA AND ME TO TALK AT HIS ASSISTED-LIVING COMMUNITY ABOUT OUR BOOK ON THE HISTORY OF NRDC.

DAVID GRACIOUSLY INTRODUCED US. AND THEN HE STARTED TALKING ABOUT ENVIRONMENTAL LAW. AND FOR THE NEXT HALF HOUR HE REGALED ALL THE PEOPLE IN THE AUDIENCE ABOUT THE STORM KING CASE, AND THE HUDSON RIVER CASE, AND HOW IMPORTANT IT WAS TO ALLOW CITIZENS

TO BRING LAWSUITS. BY THE TIME HE WAS DONE, PATRICIA AND I BARELY HAD TIME, OR REALLY, ANYTHING LEFT TO SAY ABOUT THE BOOK THAT HE HADN'T COVERED. IT WAS WONDERFUL TO BE WITH HIM AS PROFESSOR SIVE.

BUT THAT WAS FITTING. BECAUSE NRDC AND SO MANY OF OUR TRIUMPHS WOULD NOT HAVE BEEN POSSIBLE WITHOUT THE VISION AND EXPERIENCE OF DAVID.

AND DAVID'S FAMILY--- BECAUSE SO MUCH OF HIS WORK WOULD NOT HAVE BEEN POSSIBLE WITHOUT MARY, WHO SUPPORTED HIM AND WAS ALWAYS THERE FOR HIM.

TOGETHER MARY AND DAVID PASSED ON THEIR LOVE OF THE CATSKILLS AND THEIR DEDICATION TO ENVIRONMENTAL PROTECTION TO THEIR CHILDREN, AND THEY LEARNED THEIR LESSONS WELL.

HE INSPIRED HIS FAMILY LIKE HE INSPIRED SO MANY OF US. AND WE HAVE ALL GONE INTO THE WORLD TO CARRY ON HIS LEGACY. SO HIS SPIRIT LIVES ON IN OUR HEARTS, IN OUR WORK, AND IN THE AIR WE BREATHE, THE WATER WE DRINK, AND MOST ASSUREDLY, IN THE WILD PLACES WE LOVE.

SO THANK YOU DAVID.