
CHAIR'S REPORT

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MEMORIES OF MARVIN

I would like to dedicate this column—my first as Chair of the Appellate Section—to a lawyer named Marvin S. Sloman. Marvin co-founded the Appellate Section nearly 30 years ago and served as one of its first chairs. On a more personal level, he was my law partner, mentor, and friend. As my wife once put it, “he was like a family member without the warts.” But most importantly, he inspired me to practice appellate law. In some small way, I hope these memories of Marvin will inspire each of you as well.

Above all else, Marvin Sloman was a master craftsman with a relentless eye for detail and a refined sense of style. Over a ten-year period, Marvin singlehandedly designed and built a house in East Texas. No ordinary country home, this one was octagonally-shaped with customized door knobs, hand-laid brick floors, and a vaulted ceiling that didn't move a millimeter when the temporary supports were removed. As proud as Marvin was of the finished product, I always sensed that he was disappointed when the work was finally done.

Marvin brought this same discipline to his appellate practice. Some of my most rewarding professional moments were spent in a conference room with Marvin, watching him pour over the draft of a brief with a pen in one hand and a cigarette in the other. We would spend hours reviewing, discussing, and rewriting the draft—word by word, sentence by sentence, paragraph by paragraph—until finally he would proclaim that it was “strong as new rope.” Yet, like the construction of his East Texas house, he seemed to relish the process of writing the brief more than the finished product itself.

Watching Marvin prepare for an oral argument was a thing of beauty. Possessed of a slow Texas drawl (refined by his years as a Sullivan & Cromwell associate in New York), Marvin would search high and low for just the right word, just the right tone. I can still hear his opening lines in one oral

argument before the Fifth Circuit: “May it please the Court. This appeal turns on three exhibits and two cases” It looked and sounded effortless, but I knew how much thought and practice he had put into it.

Perhaps most impressively, Marvin did not let the law, his cases, or the firm’s clients define who he was or what he believed. He was an iconoclast with an unquenchable thirst for living and learning. Russ Nelms, another former law partner and now a federal bankruptcy judge, described these traits more eloquently than I could:

What I took away from my time with Marvin was the certain knowledge that there is a pace and a rhythm to life and that the end we labor to attain is never as valuable as the laboring to attain it. . . . We spend so much of our lives trying to get “there,” to get that girl, get that degree, get that job, get that car, get that house, and get to that place in our careers. Because when we get “there,” we’ll finally be happy. And yet, when we get there, there is no there there. As Marvin would tell us, if you’re not already there in your heart and in your mind, you’re never going to get there.¹

Marvin died in July 2008, struck down by a debilitating stroke the evening of our firm holiday party in 2007. More than five years after Marvin’s death—as I approach the same age he was when we first met in 1982—I still find myself asking, “What would Marvin do?”

¹ Russell F. Nelms, Remarks to Dallas/Fort Worth Joint Inns of Court, January 2009.