

Op-Ed: Hanks' Latest Film Is One Firm's History

James Donovan, the subject of a Spielberg movie, served as an inspiration to a New York lawyer

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I never actually met James B. Donovan, but I feel his presence and influence on a daily basis. First, there was the reputation. In a world that loosely uses the word “famous,” he was truly famous, as a lawyer, Naval officer, politician, author, and the man who negotiated the exchange of captured American U-2 pilot Francis Gary Powers for a Russian spy and the exchange of 1,113 prisoners after the failed Bay of Pigs Invasion.

Popular culture has taken note of his exploits. An original screenplay dramatizing historical events depicted in “Strangers on a Bridge” (Donovan’s memoir of negotiating Francis Gary Powers’ release, which has just been reissued by Scribner Books), caught the eye of Steven Spielberg. The result is the movie, “Bridge of Spies,” which hit theaters Oct. 16, with Tom Hanks playing the role of Donovan. In addition, there are these publications: a biography, “Negotiator: The Life and Career of James B. Donovan” (Lehigh University Press, 2006), and a collection of his speeches, “Challenges: Reflections of a Lawyer-at-Large” (Atheneum 1967).

Our circles intersected closely in the same New York law firm but at different times. In 1979, nine years after Donovan died prematurely at 53, my colleague, Ed Radzik, and I joined an insurance defense firm then known as Donovan Maloof Walsh & Kennedy. This was a successor firm to the one founded by Donovan and Tom Watters in 1950.

I heard Donovan described as a Renaissance man, a man who moved gracefully, and always honorably, between the worlds of law, politics and diplomacy. As a fellow lawyer, I paid particular attention to the stories of his legal career. Donovan was a reluctant lawyer, at least initially, having been convinced by

his father to attend Harvard Law School rather than become a journalist. But he was a natural. In 1957, in the midst of the Cold War, he defended a Soviet spy after other lawyers refused. He was praised by the chief justice of the United States, Earl Warren, for his courage in representing the reviled spy.

Although its core of clients – insurance companies – remained the same, Donovan Maloof Walsh & Kennedy evolved in name and eventually became known as Donovan Parry McDermott & Radzik in 2002. Thomas Parry was the senior partner and the only remaining attorney who actually worked with and for Donovan.

When Parry no longer wanted to have his name associated with the firm because of his impending retirement – at a time when limited liability partnerships were becoming en vogue – we attempted to change the name to Donovan McDermott Radzik. More than 30 years after his death, Donovan’s name carried such weight that we never once considered disassociating it from the firm’s name.

When I went to file the certificate of doing business under that name with the New York County clerk, I was told that all the papers were in order, except that Donovan had not signed the certificate for the limited liability partnership. I responded that it would be impossible for Donovan to sign since he currently was in a far better place. The clerk suggested, “Florida?” I calmly pointed upward, and the clerk got the message.

I’m sure Donovan was smiling down at that little episode since not only was he a brilliant lawyer and negotiator, but he had a sense of humor which has

been carried on through our practice. During my early days at the firm, I had a trial in New York Supreme Court. After selecting the jury, counsel were sent up to chambers to see the presiding judge in a last-ditch effort to settle the case, which we did before Judge Arnold Fraiman.

Prior to leaving chambers, I remarked to Fraiman that the framed sketch behind his desk was from the trial in which Donovan defended the Soviet spy in the *U.S. v. Abel* trial. He was amazed that I knew this and asked the source of my knowledge. I told him that Donovan was the founder of our firm and that we had the same sketch of the trial, by William Sharp, in our office.

Fraiman advised that he had formerly been an assistant U.S. attorney in the Southern District of New York. Fraiman was then an associate at Dewey, Ballantine, Bushby, Palmer & Wood and was selected by Donovan and approved by Judge Matthew Abruzzo of New York's Eastern District to assist in the defense team. Fraiman commented on Donovan's brilliance and how he completely devoted all his energy to defending the life of one of the country's most hated enemies.

It is interesting to note that more than one James Donovan has been influential in my life. In 1970, Watters & Donovan merged with Donovan's cousin, James J. Donovan (also known in his youth as Black

Jim, referencing the color of his hair at that time and to differentiate him from James B.). The firm became known as Donovan, Donovan Maloof & Walsh. James J. Donovan was a star in his own right. He was an officer in the Navy during World War II, president of the Maritime Law Association, and director of the Marine & Insurance Claims Association – both associations with which I am still involved today. Like his cousin, James J. Donovan was a highly charismatic individual with a quick wit and work ethic. He was a tremendous mentor to me throughout my career.

I sometimes wonder how Donovan would feel if he knew that he would be the subject of a Hollywood blockbuster film, being portrayed by one of the biggest movie stars on the planet. He might have quipped, 'Tom Hanks, really? What, were Bradley Cooper and George Clooney busy?' I am proud of the connections that have bound me to this great attorney and American, who sacrificed much for the love of his country and the integrity of the legal profession.



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