

IN MEMORIAM: HOWARD SHAPIRO

Howard Shapiro's keen intellect and quick wit shaped his work as an attorney in both governmental and private practice. After serving in the U.S. Maritime Service and, then, the U.S. Army from 1945-49, Howard returned to his home state of Illinois to enroll as an undergraduate at the University of Illinois, Champaign, and he subsequently graduated from Columbia Law School in 1955.

Over his 30-year career as a government attorney, Howard held positions with the Department of Justice, Federal Trade Commission, and Federal Energy Regulatory Commission. Among his positions were Chief of the Appellate Section of the Antitrust Division for the Department of Justice, Assistant to the U.S. Solicitor General, and Deputy General Counsel for the Federal Trade Commission.

Appellate advocacy was Howard's passion—and one he shared with his wife Harriet. In 1975, Howard and Harriett became the first married couple to have both appeared before the U.S. Supreme Court in the same term. During the course of his career, Howard argued fifteen Supreme Court cases and was lead counsel on innumerable appellate matters. In addition, he received one of the Department of Justice's highest honors, the John Marshall Award for Appellate Advocacy.

On January 1, 1978, Howard was appointed the Solicitor for the newly-formed Federal Energy Regulatory Commission. He served in that position from 1978-79, leading the appellate advocacy as the Commission was embroiled in litigation over natural gas deregulation and also implementing a suite of new energy policies, including the Public Utilities Regulatory Policy Act of 1978.

Howard joined Van Ness Feldman in 1985 and continued to specialize in appellate litigation on energy, environmental, and antitrust matters until his retirement in 2013. His experience at FERC, DOJ, and before the courts certainly informed his work as an attorney, but it was his intellect and honesty that defined it. To Howard, zealous advocacy and honesty with the client and court were one and the same. After his passing, an opposing counsel reflected on an exchange between Howard and Chief Justice Rehnquist—"It was excellent — strong on the strong points and candid about the weak points. It was obvious that he respected the Justices and they respected him."

It was always easy to find Howard around the firm, you started looking for him in the law library, which now bears his name. For the many lawyers he mentored and taught over the years, discussions over a matter would often lead to a walk down the hallways to the library to jointly scour multiple treatises, journals, and court reports. His delight in landing upon the right line of cases was often an infectious "Aha!" and, sometimes, a latin phrase, or two.

He had many other interests beyond the law—he was an avid runner, always taking new language courses, and could write a decent ethics advice-rap song. In his 90's he was still doing pull-ups at the gym, teaching himself how to read sheet music so that he could join a choir, and continuing to be the active, inquisitive, and joyful person that we all knew. He will be remembered and missed, always.