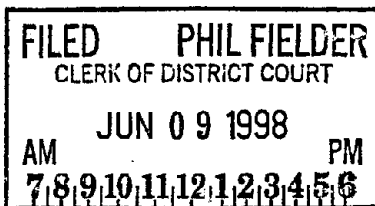


IN THE DISTRICT COURT OF ELLIS COUNTY, KANSAS

In the Matter of

DONALD L. MARTIN,



Case No. 98-C-82

MEMORIAL

TO THE PRESIDING JUDGE OF THE ELLIS COUNTY DISTRICT COURT,
MEMBERS OF THE ELLIS COUNTY BAR, AND FRIENDS:

This written memorial to DONALD L. MARTIN, a deceased member of the Ellis County Bar, is presented in open court and on the public record for the purpose of recognizing the life of DONALD L. MARTIN, a fellow lawyer, family member, and friend. This memorial is presented in manner and form commensurate with assignment of a case number and filing as a permanent record of the District Court of Ellis County, Kansas.

DONALD L. MARTIN was born in El Dorado, Kansas, on the 9th day of March, 1934, and died at his home in Ellis, Kansas, on the 7th day of November, 1996, surrounded by family and friends.

DONALD L. MARTIN was the son of Glenn Martin and Pearl A. Brenner Martin. Glenn Martin was a farmer who died of illness in 1938 when Don was four years old. His mother, Pearl, who died March 13, 1988, struggled to raise Don and his sister, Lucille, during the depression. A third child, a son, had died in infancy. Lucille died February 28, 1989.

After the death of his father, Don, his sister and mother lived with relatives on a

farm near Leon, Kansas, eventually moving to El Dorado where Don graduated from El Dorado High School in 1952.

Don's collegiate career began with one year at Butler Junior College, El Dorado, Kansas. He then enrolled at the University of Kansas where he lived in a scholarship hall for students in financial need. He received his undergraduate degree in Economics in 1956 and his L.L.B. from the University of Kansas School of Law in January, 1959.

Work was always a large part of Don's life. He began at the age of ten as a carrier for the Wichita Eagle and became an ardent reader of newspapers. It is suspected that this love may have affected his career as a newsboy although subscriber complaints of late delivery are now lost in history.

During junior high and high school, Don worked at the neighborhood grocery in El Dorado and later at Rusty's Market in Lawrence to help pay for his education. Although assigned as a cashier at the grocery, he really liked stocking and would sneak away from the cash register to return to the shelves.

Don served in the United States Army Reserves beginning in 1957 and was discharged from the military in 1963. He was assigned to Battery A 438th Field Artillery in Lawrence and the 388th Medical Company in Hays as a cook. He served in the 388th on active duty from October 1961 to August 1962, during which time he obtained the rank of Staff Sergeant.

Don was a devoted family man who deeply loved his wife, children and grandchildren, and enjoyed being with them immensely.

Story has it that Don had been introduced to LaDonna by her father, Wendell Keller. Don was the new lawyer in Ellis and LaDonna invited him over to watch the

baseball game. He proceeded to make a fine impression on her by falling asleep while watching the game; an event that would repeat itself during their marriage. Don invited LaDonna on their first date in 1960. They attended a picnic and rally in Hays that was held in honor of Bob Dole. The relationship continued and led to their marriage on October 22, 1961. The young couple did not have much time to prepare for the festivities surrounding their wedding because Don was called into active duty in the United States Army during the Cuban Missile Crisis.

Two children were born to this marriage, Michelle Lynn Martin on May 12, 1963, and Gregory Keller Martin on November 21, 1965.

Michelle graduated from Ellis High School and received a BS degree from Kansas State University in 1985 and a masters degree in counseling from that university in 1988. She married Joel Jacobson in 1988 and now lives in Olathe, Kansas. They have four children: Chelsea Lynn, Jesse Martin, Jonah Michael, and Maggie Dawn.

Gregory graduated from Ellis High School and received a degree in Business Finance from Kansas State University in 1988. After working for Shell Oil Company in Houston, Texas, he returned to Kansas and received a Juris Doctor degree from the University of Kansas School of Law in 1993. He practiced with his father and maintained an office in LaCrosse, Kansas. Greg is now a real estate representative with Payless ShoeSource in Topeka, Kansas.

After graduating from law school, Don worked briefly as an adjuster for Farmers' Insurance Group of Companies in Kansas City. He and Richard Coffelt, who he had known in law school, came to Ellis County in the winter of 1959 to see if they could survive in the practice of law. They opened a two man law firm on March 21, 1960,

having one office in Ellis and one office in Hays under the name of Martin & Coffelt which endured until 1981. Over the years Don associated in practice with other members of the profession including Clayton Flood, Steven Flood, Edward Bouker, Paul Shepard, Gregory Saindon, Paul Oller, Mark Schmeidler, Bernie Giefer and Gregory Martin.

Don's work, whether it might be newspaper carrier, grocery clerk, or practicing law, was an all-consuming passion for him. As a lawyer he loved "doing it all" - wills, estate planning, taxes, criminal and probate. He was very loyal to his membership in the Ellis Rotary Club and the Ellis United Methodist Church. The community benefitted by his service as City Attorney and Municipal Judge.

In 1981 Don sold his law practice to Gregory Saindon and took an extended leave of absence to pursue his interest in the oil industry which was flourishing. During this time he acted as counsel for Mercury Wireline, Production Drilling, and Trumart Oil Company, seeing to their legal affairs and accounting.

Don had many other interests aside from the oil business and the practice of law. He was a devoted sports fan whether it be golf, baseball, football or basketball and was an enthusiastic supporter, both financially and emotionally, of the University of Kansas and its athletic department. An avid St. Louis Cardinals fan, and subscriber to The Sporting News for many years, he listened nightly to Harry Caray and Cardinal baseball on the radio and was a daily reader of the sports page in the newspapers and sports magazines. Don and Richard Coffelt could sit for hours recounting who played on which team, and when, and recalling outstanding plays and records.

Major events in Don's life were generally remembered in connection with various sporting events or sports figures. For instance, he was pleased to announce to LaDonna

on the day of Greg's birth that it was also Stan Musial's birthday.

Reading was an important part of Don's life. If you ever traveled with him, you could always find him in the morning drinking coffee and reading USA Today and at least one or two local newspapers. He enjoyed taking care of the large yard surrounding his home in Ellis and nurturing the flowers, bushes and trees. He would combine this with his love of sports -- mowing the lawn while listening to a baseball game with headphones.

DONALD L. MARTIN was many things to many people:

To his mother, he was Donald Lee, a son to be proud of.

To his wife, he was a best friend, a humorist, a confidant, and true love.

To his children, he was their guide in matters of learning, sense of justice, finances, and their example in his passion for reading, gardening, golf, and strong work ethic.

To his grandchildren, he was "Papa", a silly and entertaining playmate.

To his friends, he was quiet with an exceptional dry sense of humor.

And to his fellow members of the bar, he was an easygoing yet tenacious advocate for his client's interest. He was a lawyer who believed in the First Amendment and what it said. He truly believed that every person was equal before the law, no matter their race, religion or sex. One former county attorney remarked that at trial, Don was better prepared and more knowledgeable of the constitutional issues than any other defense attorney.

His memory with those of us who practiced with and against him will be that he was a credit to his profession and a true gentleman.

Respectfully submitted this 8th day of June, 1998.

Tom Scott

Tom Scott

Richard D Coffelt

Richard D. Coffelt



SUPREME COURT OF KANSAS

KANSAS JUDICIAL CENTER
301 W. 10TH
TOPEKA, KANSAS 66612-1507

EDWARD LARSON
JUSTICE

(913) 296-4898

June 2, 1998

Richard D. Coffelt
2107 Lincoln Drive
Hays, Kansas 67601-3025

Re: Don Martin

Dear Dick:

Joe Jeter has informed me a memorial service for Don Martin will be held by the Ellis County Bar on June 8, 1998, at 11:30 a.m., and you will be presenting the memorial.

I have duties which preclude my attendance but I would appreciate your conveying my high regard for Don to LaDonna and her family.

My involvement with Don as does yours goes back to law school at the University of Kansas and continued through our many years in practice (mostly as opponents), through the years when Don was not actively practicing, and finally, to an appeal on a farm tenancy matter which was authored by Judge Lewis but from a panel upon which I sat.

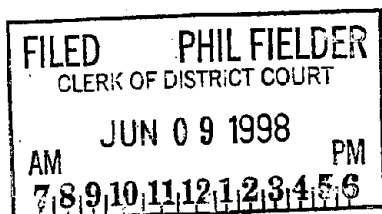
It was always enjoyable to be around Don Martin. He was thoughtful and easy to disagree with without being disagreeable.

I know he loved and cherished his family for we had on several occasions talked about them and it was more obvious from his actions.

Although I know you had a closer relationship to Don than I ever did, I always treasured his friendship. He was a good lawyer, a good friend, and a good person.

Yours truly,

A handwritten signature in cursive script that reads "Ed Larson".
Edward Larson



PHONE: (785) 222-2550

JOHN J. STANG
ATTORNEY AT LAW
P.O. Box 805
La Crosse, KS 67548-0805

906 MAIN STREET

June 4, 1998

Honorable Edward E. Bouker,
Administrative Judge
District Court of Ellis County, Kansas
P.O. Box 8
Hays, KS 67601-0008

Dear Ed:

Thank you so much for the memo concerning the memorial to be held for Don Martin. I am indeed sorry that other commitments will keep me from attending this memorial.

I had the honor and pleasure of knowing Don for many years. He was a fine attorney, a gentlemen, and a credit to his profession.

In addition to our legal connections, we also spent time together in the military. When the Hays Reserve Unit was activated in the early 1960's Don was assigned as Mess Steward of the 388th Medical Depot. When we arrived at our active duty station, which was Fort Sam Houston, Texas, the authorities there determined that Don was a practicing attorney in Kansas and told him they would have him transferred to the Judge Advocate General Office at Fort Sam Houston. Don informed them he wasn't going to practice law in the Army for the salary of a Sergeant and remained as the Mess Steward of the 388th Medical Depot during our entire active duty period. Without a doubt, this was the only Army unit on active duty with a practicing attorney for a Mess Steward. Not only was Don an outstanding attorney he was also a great Mess Steward.

Thank you so much for thinking of me. I am indeed sorry it is not possible to attend the memorial.

Best regards to you.

Very truly yours,


JOHN J. STANG

JJS/fh

