

FILED

IN THE DISTRICT COURT OF ELLIS COUNTY, KANSAS

96 MAY 13 AM 11 05

ELLIS COUNTY

In the Matter of DISTRICT COURT  
GREGORY J. HERRMAN, ESQ., deceased,

Case No. 96-C-62

WRITTEN EULOGY AND MEMORIAL

MAY IT PLEASE THE COURT AND MEMBERS OF THE BAR:

This written eulogy and memorial to Gregory J. Herrman, a deceased member of the Ellis County Bar Association, is presented in open court and to the public for the purpose of saluting posthumously the late Gregory J. Herrman, a distinguished member of the Ellis County Bar Association, who died on May 3, 1995. This written eulogy and memorial is presented in conformity with the long standing practice of this bar association to memorialize a brief history of the life of one of our fellows, assign it a case number, and file it as a permanent record of the District Court, Ellis County, Kansas.

Gregory J. Herrman was born in Ellis County, Kansas, on March 15, 1927, the son of Henry F. Herrman and Margaret I. Herrman, formerly Margaret I. Schaefer. Gregory's father, Henry F. Herrman, was a long-time attorney of Hays, Kansas, who died in 1978 at the age of 88 years after having practiced law for more than 60 years in Rush County and Ellis County, Kansas. Gregory J. Herrman's mother was the daughter of J. M.

Schaefer, an early-day abstractor and realtor in Rush County and Ellis County, Kansas. Henry F. Herrman was the son of Peter and Katherine Herrman, Liebenthal, Kansas. Three of Gregory J. Herrman's grandparents were of Volga-German descent, and his Grandmother Schaefer was of Irish descent, her maiden name being Magrane, whose family moved to Ellis County from Ireland in the early years of the 20th century.

Gregory J. Herrman was one of three children. His sister, Mary Frances DeWitt, died in 1977, and a brother, Henry E. Herrman, a member of the Ellis and Kansas Bar Associations, survives. Henry E. Herrman lives in the City of Hays, Kansas, having retired from the practice of law in Liberal, Kansas, because of physical handicap.

Gregory J. Herrman attended public schools in Hays, Kansas, graduated from St. Joseph's Military Academy, attended Fort Hays State University, and graduated from St. Louis University in 1953 at which time he received both an undergraduate degree in history and a law degree from the St. Louis University, which was also the alma mater of his father, Henry F. Herrman.

Gregory J. Herrman served in the United States Army entering the service in 1945 and was discharged in 1946. He was a member of the American Legion, Casper Middlekauf Lodge,

Hays, Kansas, a fourth-degree member of the Knights of Columbus, and a member of the St. Joseph's Catholic Church parish.

Gregory J. Herrman was married twice. He first married Nancy Crabtree, Athens, Texas, in 1958, and six children were born to that marriage: Mary, Theresa, Elizabeth, Christopher, Gregory, and David. Both Gregory and David are members of the Texas Bar Association, maintain two offices, one in Corpus Christi, Texas, and the other in Dallas, Texas, under the style of Herrman & Herrman. Gregory's two barrister sons have been notified of this written eulogy and memorial by certificate of mailing attached to this pleading. Gregory J. Herrman was divorced from Nancy, his first wife, in 1970. She resides in Dallas, Texas.

Gregory J. Herrman then married Karen Burke, formerly Parker, and unto that union was born Annie and Andrew. They were divorced in 1988. She resides in Hays, Kansas. His former wives and children survive him.

Gregory J. Herrman practiced law in partnership with his father from 1957 until his father's death in 1978, and he continued to practice after the death of his father until the date of his death. During the practice of his profession in Ellis County, he served as Ellis County Attorney from 1962 to 1964. He was formerly chairman of the Ellis County Democratic Party and was an active participant statewide in the campaign

of the late Robert Docking. Gregory J. Herrman was one of the founders of the Hays National Bank, a predecessor to the now Sunflower Bank, Hays, Kansas. He served on a number of boards and committees throughout his practice.

The scrivener of this eulogy and memorial asked surviving senior fellow members of the bar how they perceived Gregory J. Herrman professionally. One of our brothers described him as having an excellent education from St. Louis University, instructed by Jesuit priests, and he was of a brilliant legal mind. Another described him as being of dogged determination with an inquisitive legal mind. Yet another described him as being a robust personality, an extrovert, and of dogged determination. The scrivener of this memorial remembers Gregory J. Herrman because of his use of the English language and believes him to be the best grammarian who he had ever met, notwithstanding the claim of that honor by a former member of this bar, long since deceased, Bernard J. Brungardt. The scrivener of this tribute also had the privilege of trying his first jury case as co-counsel with Gregory J. Herrman, which was also his first, in 1959. The case was Clem J. Bissing v. Von Feldt, Case No. 12,562. We got a directed verdict by the late C. E. Birney on the question of liability but very slight monetary damages.

During his younger years, Gregory J. Herrman was a rugged outdoorsman. The scrivener of this tribute spent many hours with Greg hunting quail, pheasant, and anything else that flew, deer and rabbits. Greg was a crackshot and was the last to leave the field at the end of the day. On one occasion the scrivener of this tribute and Greg swam the Rohr-Jacob Lake from shore to opposite shore and back again, and the scrivener recalls that Greg had not only great endurance but was an excellent swimmer. As his health deteriorated in later years, Greg had to give up his hunting and outdoor activities but still had a very keen perception of that extracurricular activity, and on his small four-and-a-half acre farm he encouraged the introduction of quail and pheasant and plant life to support upland game. During the early days of deer hunting in Kansas, Greg, the scrivener, Clarence Werth, former sheriff of Ellis County, and the late Everett Hess journeyed to the Casey Jones Ranch in Hill City for deer hunting. Game was sparse and success in the field was limited to one whitetail buck shot by Clarence Werth. Suddenly Gregory was not to be seen. He travelled over the hill with the foreman of the Jones Ranch and returned in about an hour with enough deer in the back of the pickup to fill the license of the writer, Hess and anyone else in the crowd. There were no game wardens in attendance. There are other stories of

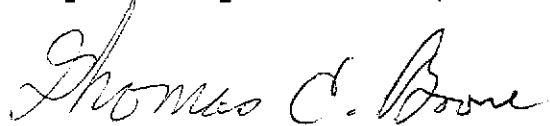
hunting, some forgotten and others which should best be forgotten.

Greg's presence in the corridors of the Ellis County Courthouse, his office on West 11th Street, and other establishments which he frequented from time to time, both in Hays and Schoenchen, Kansas, has been and will in the future be sorely missed. If he had any shortcomings, they were usually quickly obliterated by his ready smile, his Irish humor, and his acid tongue.

His advocacy for his clients was without peer.

YOUR HONOR, I request that this eulogy and memorial be filed with an appropriate case number in the clerk's office for perpetuity.

Respectfully submitted,



THOMAS C. BOONE

A member of the Ellis County Bar Association

CERTIFICATE OF SERVICE

I, THOMAS C. BOONE, do hereby certify that on this 19th day of April, 1996, I deposited in the United States mail, postage prepaid and properly addressed, a true and correct copy of the above and foregoing Written Eulogy and Memorial,

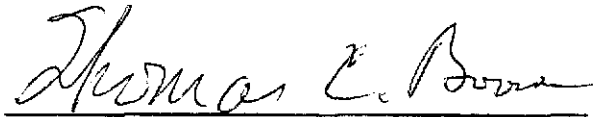
by first-class mail, here at Hays, Kansas, to:

Henry E. Herrman  
3104 Tam O'Shanter Drive  
Hays, KS 67601

Gregory Herrman  
902 Summit Circle  
Portland, TX 78374

David Herrman  
6167 Belmont  
Dallas, TX 75214

Ellis County Historical Society  
100 West 7th  
Hays, KS 67601



THOMAS C. BOONE  
Member of the Ellis County Bar  
Association