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MONDAY, MARCH 19, 2012

PAIN AND OPPORTUNITY

The expected cuts at N.M.'s labs could lead to a new kind of economic development.

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FOCUS ON BUSINESS

75 YEARS STRONG

Modrall Spierling law firm traces its roots to a fatal 1935 labor riot in Gallup

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BY RIVKELA BRODSKY Journal Staff Writer

The Modrall Spierling law firm has its roots in a riot in Gallup in 1935 involving the American Communist Party and its National Miners Union that claimed the life of a sheriff.

Two of the firm's founders — Judge John F. Simms and James "Dick" Modrall — met as attorneys on opposing sides in a trial for 10 charged in the murder of McKinley County Sheriff Mack R. Carmichael. The sheriff was shot and killed while escorting two prisoners from the courthouse to the jail when he ran into an angry crowd that wanted the men freed.

The jury eventually acquitted seven and three were found guilty of second-degree murder, Daniel Sisk, 90, now retired from the firm, told the Journal.

On appeal, Simms, who represented some of men charged in the sheriff's death, got the case reversed and only one of the 10 spent some time in jail, Sisk said.

"Judge Simms was so impressed with Modrall even though they were on opposite sides, he invited him to join the

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ADOLPHE PIERRE-LOUIS/JOURNAL

R.E. Thompson, president of Modrall Spierling, in his office at the firm in Downtown Albuquerque. The firm is celebrating its 75th anniversary.

The Albuquerque Journal covered the 1935 Gallup riot that claimed the life of a sheriff.

JOURNAL FILE



ADOLPHE PIERRE-LOUIS/JOURNAL

Modrall Spierling's logo at the firm in Downtown Albuquerque. The firm is celebrating its 75th anniversary.

# 75 years strong, law firm thrives on closeness

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partnership," he said.

Modrall, a former cowboy and ranch foreman-turned-lawyer, and Simms, a successful lawyer who served as a justice of the New Mexico Supreme Court, along with Augustus "Joe" Seymour, a prominent attorney, founded in 1937 what is now known as Modrall, Spierling, Roehl, Harris & Sisk, P.A.

The Albuquerque-based firm, now one of the largest in the state, is celebrating its 75th anniversary this year.

"It's gratifying to be part of an organization that has proven its worth and sustainability over that time," said R.E. Thompson, president of the firm. "It shows a real commitment to success and being a part of the business community in New Mexico."

## Early focus

Sisk, the only remaining partner in the firm's namesake who is still living, said he joined the firm in 1954 — then called Simms and Modrall — just after the death of Simms.

"I was the sixth lawyer" at the firm, he said during an interview at his Albuquerque home. Other associates when Sisk joined were James Spierling and Joseph Roehl, who were hired in 1946. George Harris, from the first graduating class of the University of New Mexico Law School, joined the firm in 1951.

Early partners of the firm

focused on oil and gas, Thompson said.

That energy focus continued until about 30 years ago when the acquisition of a tax firm broadened the firm's legal spectrum to include business law. It also triggered employment growth at the firm, which until then had been small, he said.

About 10 years ago, the firm started a national practice on Indian law, which has also flourished, Thompson said.

Over the years the firm has represented:

- Sandia Peak Tram Co. in negotiations over Sandia Pueblo land claims to the west face of the Sandia Mountains leading to a resolution that preserved the aerial tramway, recreational and open space uses, and also preserved cultural use rights for pueblo members.

- Sandia Pacific Minerals in a suit against a former uranium operator to reclaim and clean up one of its sites, resulting in the company being forced to clean up the site on Navajo pueblo land.

- The state Corrections Department in more than 100 lawsuits stemming from the 1980 prison riot in Santa Fe.

- Recently, the musicians of the New Mexico Philharmonic to help the group reorganize.



**HARRIGAN: Joined firm in 1965.**



ADOLPHE PIERRE-LOUIS/JOURNAL

From left, Katherine Creagan, Daniel Alsop and Duane Brown discuss a case on Feb. 23. On the wall behind them are pictures of the firm's founders.



COURTESY OF MODRALL SPERLING

The Modrall Spierling law firm is known for building closeness among associates and employees, especially on annual fishing trips such as these in 1975, top, and 1994, above.

The firm also has a long history of public service from those at Modrall Spierling including two governors, a state senator, four state Supreme Court justices, a federal District Court judge, two state District Court judges, a U.S. attorney for the district of New Mexico, four presidents of the State Bar of New Mexico, and other positions.

"I think our involvement in representing clients and

service in judicial capacities speaks volumes," said Ken Harrigan, who joined the firm in 1965.

The firm has 175 employees — 80 of those lawyers. This year, 39 attorneys at the firm were named among the "Best Lawyers of America."

Sisk spent 47 years working for the firm. As part of his work there, he represented one of its largest clients, Albuquerque National Bank, which

became Sunwest Bank and was later sold to Bank of America.

The bank "kept the firm going even in the '30s during the Depression," Sisk said.

The firm still represents the bank, now headquartered in Charlotte, N.C., and is currently located in the top three floors and parts of two other floors of the Bank of America building Downtown at 4th and Roma NW. It has been in that building since 1983.

Current clients include Albuquerque Public Schools, Allstate Insurance, Enrichment Technology US, Mountain States Mutual Casualty Co., Progressive Insurance, Summit Electric Supply Co., Transwestern Pipeline Co., Casa Rondeña Winery, Sandia Foundation and others.

## A culture of closeness

Sisk said that from the early days there was an culture of closeness fostered by its founders. That included fly fishing trips, tennis games, family pot lucks and carpools.

"With me it goes back to 1954," he said. "You could talk to anybody like a brother."

Lawyers at the firm said it is a culture that continues to

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# Law firm celebrating 75 years of success

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this day.

Michelle Hernandez said she joined in 1999 in part because of the inclusive nature of the company — something she learned while clerking for the firm.

“They included me in fishing trips, the Christmas party,” she said. “The reputation of the firm was just stellar. Even though the firm has grown, that sense of family and community is still (here).”

It hosts an annual fishing trip to introduce new associates and summer clerks to the firm.

“I think the firm still has a thread of Dick Modrall here,” said Thompson. “It’s collegial and still has some ranch culture. It’s a culture of friendships and traditional values that you would see coming from working backgrounds.”

In 1970, Anne Bingaman became the first female attorney to join the firm. Now, 31 of the firm’s 80 attorneys are women. One of its shareholders and associates, Roberta Cooper



ADOLPHE PIERRE-LOUIS/JOURNAL

**Modrall Sperling attorneys Jennifer Anderson, left, and H. Jesse Jacobus discuss a case on Feb. 23. The firm is celebrating 75 years in business this year.**

Ramo, served as the first female president of the American Bar Association from 1995-1996.

## A work-life focus

“The firm does a nice job of working with everybody to make sure that work-life balance happens,” said shareholder and associate Jennifer Anderson. “We owe a lot to the women who came

before us.”

Thompson said the firm looks to hire those with a connection to the state while working to have the “firm mirror the community.”

“We look like New Mexico,” he said. “We have a nice mix of gender and racial backgrounds.”

Several attorneys and staffers have been there for decades, he said. That

includes Thompson, a former state senator and U.S. attorney for the District of New Mexico, who has been with the firm for 30 years.

“Most of the lawyers here continue to work as long as health persists,” he said. “The work is interesting and keeps you intellectually engaged.”

Modrall, Sperling and Roehl all worked at the firm until their deaths, Thompson said. Modrall died in the 1977, Harris died in 1985, Sperling died in 1990 and Roehl died in the mid-’90s.

## Giving back

Giving back to the community is part of the culture too, with employees supporting dozens of organizations in the areas of education, health and law, and art among others.

It also has an extensive art collection that started with Connie Modrall, wife of Dick Modrall, who opened a gallery on Amherst Drive in the 1950s. Much of the collection can now be found on the walls of the firm in Downtown Albuquerque.

To celebrate its

anniversary, the firm has launched a giving campaign that provides cash to staff and attorneys to make “a positive impact on an individual or organization” in New Mexico.

The only rule is that participants have to do more than make a donation. As an example, a group of attorneys used the money to take a group of lower-income APS children to the movies last month.

“It’s never been just a job,” said John Cooney, a shareholder and associate who has been with the firm since 1965. “It’s always been a much greater commitment than that.”

Attorneys at the firm say Modrall Sperling is here to stay.

“The phrase that comes to mind is ‘built to last,’” said Anderson. “The founders knew what they were doing.”



**COONEY:**  
“Never been just a job”