

IN MEMORIAM

THOMAS JAMES WYATT

OCTOBER 24, 1996

We come today to honor and pay tribute to the memory of our colleague Thomas James Wyatt who departed this life unexpectedly on August 25, 1996, at the age of fifty-three years, leaving behind the remaining six members of his legal family, the firm of Hargrove, Pesnell & Wyatt, to whom he served not only as partner but also, and more importantly, as friend, advisor and mentor. Although shortened by his premature passing, Tom had a distinguished legal career marked by his unusual intelligence and his unquestioned honesty and integrity.

Tom was one of two sons born to Thomas Marvin and Rhoda Chlotine Wyatt. He entered this world on September 29, 1942, in Winnfield, Louisiana, sharing his birthplace with some of the more notable politicians of this state. That was about the only thing he shared with them, however. Tom was not a politician. With Tom, what you saw was exactly what you got. Tom's modest and unassuming demeanor, however, frequently masked his brilliant mind. He was a product of the public school system in Winn Parish where he excelled both academically and athletically. Tom earned all state honors in both football and baseball at Winnfield High School. He was also selected as the class favorite. Tom continued his education at Northwestern State University in Natchitoches, Louisiana, on an athletic scholarship in football. He graduated with a Bachelor of Arts degree in 1964, all the while playing football and baseball for the Demons.

Following graduation from Northwestern, Tom attended Tulane University School of Law where he was selected to the Order of the Coif and served as editor-in-chief of the Tulane Law Review before being awarded the LL.B. degree in 1967.

Upon admission to the Louisiana Bar in 1967, Tom moved to Shreveport and joined the firm of Hargrove, Guyton, Van Hook & Ramey, where he practiced continuously as a member of that firm and its successors until 1994 when the firm of Hargrove, Pesnell & Wyatt was formed, where he practiced until his untimely departure.

Tom's practice was concentrated primarily in the field of energy law and he was involved in a number of large and precedent setting cases throughout this state as well as in other states. Because of the narrow area of his practice, Tom was the best kept secret in Shreveport during his early years at the bar. However, both to those who worked with Tom as co-counsel and to those serving as opposing counsel, Tom was universally recognized and acknowledged for his uncommon ability. Once, when retained to represent a creditor in an extremely complicated bankruptcy proceeding involving one of the nation's largest interstate pipeline companies, Tom, never having engaged in bankruptcy practice, was asked by others in the firm having bankruptcy experience whether he would need any assistance. Tom, ever confident in his ability, thanked us for the offer and proceeded to board a plane to New York for the first meeting of creditors, Bankruptcy Code in hand. Being a prodigious reader, Tom proceeded to read and comprehend the Code on the plane to New York and for the next two (2) years, ably represented the client and materially

contributed to a subsequent settlement involving several major oil companies which was very favorable to his client.

In addition to his intelligence, Tom's successful practice was also aided by his business acumen and his ability to "get to the bottom line" in any legal dispute. Tom was not one for details. He much preferred to devote his effort to shaping the legal framework by which a problem could be analyzed and favorably resolved than to engage in meticulous discovery of the facts. If the definition of a good lawyer is one that doesn't need any facts, Tom was a great lawyer. He brought his immense talents to bear on every matter he was asked to handle, whether large or small, and he instilled pride and confidence in his clients and in all of those who were privileged to work with him in the practice of law. Tom was a lawyer's lawyer. He was completely unselfish. His partners frequently borrowed his brains without giving him any credit. Able to meet and communicate with people from all walks of life, Tom gave freely to all who came to him for advice.

Tom was a member of the Louisiana, Shreveport, American and Federal Energy Bar Associations and was admitted to practice before all Louisiana State and Federal Courts, the United States Supreme Court, the Fifth Circuit Court of Appeal and the United States Court of Claims. In addition, Tom gave of his time in service to his profession, serving on the Louisiana Mineral Law Institute and as a member of the Caddo Parish Indigent Defender Board for fourteen years. Tom delivered a paper at the Louisiana Institute on Mineral Law in 1985 entitled "Effect of Deregulation Upon Existing and New Gas Contracts." It is vintage Wyatt. It is seventeen (17) pages long -- easily the shortest paper delivered at

the Institute. There are only two cases cited in the entire article. That was because the jurisprudence could add little or nothing to what he had to say. Tom was not a pedant. He felt absolutely no need to impress anyone. You had to accept Tom on his terms -- or not accept him at all. He was much more comfortable in his overalls than his business suit. Judge Augustus Hand -- the cousin of Judge Learned Hand -- gave his law clerks a few rules to live by including these:

- (1) "You had better stick to your job and not become an asteroid, coruscating but without orbit"
- (2) "Join no clubs and have no slogans."
- (3) "Remember that nobody amounts to much and keep natural and humble in all circumstances."
- (4) "Keep to the English tradition and don't go in for ornamentation or cleverness."

Judge Hand's homilies capture the essence of Tom's philosophy.

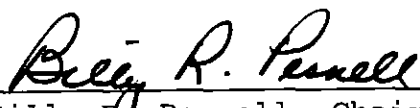
Although professionally Tom's life was devoted to the practice of law, he was a man of great intellectual energy. Tom was extremely well read and possessed a thorough knowledge of history, both secular and religious, of economics, both macro and micro, and as one would expect of a native of Winn Parish, of politics, both domestic and international. He was probably the only man from Winn Parish that ever subscribed to The New Yorker, primarily for the cartoons. On any given day Tom would walk across to the Shreve Memorial Library and check out books ranging from science fiction to Old Testament theology. All that he read and learned was put to use in some manner in Tom's life. In addition, he had a passion for motorcycles.

Tom is survived by his wife, Sandra, three children, Thomas Andrew Wyatt, Marva Jo Wyatt and Lydia Anne Wyatt, a brother, Robert D. Wyatt and many nieces and nephews. Tom leaves behind numerous friends and colleagues who admired him for his character, his intellect, his unfailing decency, and his amicable attitude and high ethical standards exhibited both towards his co-counsel and his adversaries.

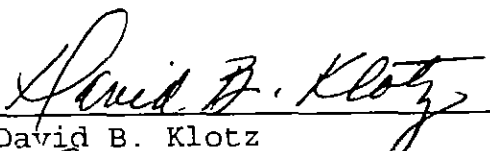
WHEREAS, the passing of Thomas James Wyatt has taken from our ranks one of its most distinguished and respected members, and from his family a beloved husband, father and brother;

NOW THEREFORE, BE IT RESOLVED that the Shreveport Bar Association adopt and record this memorial as a testimonial and tribute to the memory of Thomas James Wyatt and direct that the love, admiration and respect in which Thomas James Wyatt was held by his family, his fellow lawyers, and by all who came in contact with him, be made a permanent part of the records of the First Judicial District Court, and that copies of this resolution be delivered, with sympathy, to his bereaved family.

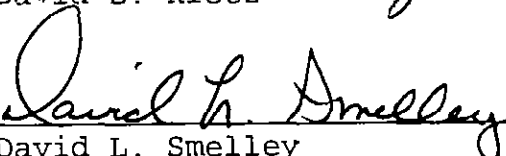
Respectfully submitted,



Billy R. Pesnell, Chairman



David B. Klotz



David L. Smelley

October 24, 1996