



Commercial Transportation Litigation Committee



IN MEMORIUM: THE BIRTH OF THE COMMERCIAL TRANSPORTATION LITIGATION COMMITTEE, STARRING BOB FRANKLIN

By: Gene Beckham, *Beckham & Beckham, P.A.*

Robert T. Franklin, of Franklin & Prokopik, PC in Baltimore, MD, passed away on November 23, 2013. Thousands of people, like me, knew him as Bob. Bob was literally a giant on the American trucking law practice scene for many years. As a prolific and entertaining speaker, author and maker-of-friends, I suspect virtually every serious trucking defense lawyer has met him, heard him speak or read one of his papers. Without Bob's involvement many years ago, you would not be reading this newsletter because there would be no Commercial Transportation Litigation Committee in TIPS.



I met Bob at the ABA Annual Meeting in New York City in 1993, at some CLE program which is now memorable only for that reason. I had come to my first ABA meeting because my cousin had told me about the Rail & Motor Carrier Law Committee, a TIPS General Committee which covered trucking. Bob, still an associate at a major Baltimore firm, had recently attended the inaugural TIPS Transportation Megaconference, and had also come to meet trucking lawyers through TIPS. When we could not find any trucking programs to

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attend we had wandered into the same place. We struck up a conversation about our hopes for the meeting, and being disappointed that we had spent so much time and money to come for nothing.

We tracked down my cousin and told him we couldn't find the trucking programs or meetings we had come to see. Before too long he got back to us with bad news: the Rail & Motor Carrier Law Committee was sort of down on its luck and had no meetings scheduled. But, he told us where to find the Chair and Chair elect and we asked them when the Committee was going to meet again and what we needed to do to get involved. No meetings were scheduled but they were glad to talk with us, and the first meeting of what would become the TIPS Commercial Transportation Litigation Committee took

place right then, at a high top in the Marriott Marquis hotel bar in the middle of a Friday afternoon. When we told them we were interested in trucking, they told us the Committee mainly focused on railroad tariffs. A few days after the meeting I received a bulging envelope from Bob stuffed with photocopies of the Megaconference papers. Within a few weeks we had both received letters in the mail informing us that we had been named Rail & Motor Carrier Law Committee vice chairs.

We never saw or heard from the Committee Chair or Chair elect again. Bob and I stayed in touch and neither of us received any assignments as Committee vice chairs. Soon, another letter arrived appointing me the next year's Chair elect, and Bob agreed to do it the following year. There were no active railroad members, so we decided to focus the Committee's future on trucking. We didn't know many other people who did trucking work and invited who we could find to attend the upcoming Annual Meeting where with just four other members, we planned for the upcoming year. We did not know it, but that was the last business meeting of the Rail & Motor Carrier Law Committee.

We started doing the things being taught in the Chair-Elect Orientation sessions and resurrected the newsletter and planned a program for the Annual Meeting. We decided to try to change the Committee name to reflect that we were trucking trial lawyers, and amended

the committee "scope statement" to make sure our redirected committee had TIPS jurisdiction over not just 18 wheelers and railroads, but busses, dump trucks and all rolling commercial vehicles. We were the first TIPS Committee to ask to use the word "litigation" in our name, something the Council later implemented for every other General Committee where it would fit. We were not allowed to use Transportation Litigation Committee as our new name due to concerns it would encroach on the scope of the Automobile, Aviation and Admiralty Committees. When the TIPS Leadership suggested, instead, that we consider being called the Commercial Transportation Litigation Committee we agreed. Bob

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was the first Commercial Transportation Litigation Committee chair to serve a full term and over the next few years he continued the transformation of our Committee from, as he called it in later years, "a sleepy regulatory committee into a nationally

recognized trucking group." All of the leadership team we had recruited of Pat Alvarez, Steve Heine and Grant Smith, followed Bob as Committee chair.

After a few years of active TIPS membership (and renting cars for side trips at every meeting in his quest to visit all 50 states), Bob moved on to participate in many other groups and organizations, but he remained a TIPS member and was a Commercial Transportation Litigation Committee vice chair until the end. When I last saw him the Franklins and Beckhams went to dinner. He said many of his dreams had come true and that it was due to a lot of hard work because his "boss is a real bastard." We laughed hearing that old joke again, and reminisced about our days as young lawyers trying to find our way and how important our work with the Commercial Transportation Litigation Committee had proven to be in our careers.

Many years ago, TIPS General Committee business meetings had poster board signs. We, incorrectly I have found out, thought they were disposable, and for a few years, at the end of every business meeting, those in attendance autographed the sign and gave it to the Chair as a memento. Mine have hung in my office for many years, and are both signed by my friend Bob, a great friend of the Commercial Transportation Litigation Committee who has left us far too soon. ⚖️