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ORDER FILED & ENTERED <u>2/2/88</u>
MINUTE BOOK _____ PAGE _____

FRANK ALLEN BERRY, JR.

1923 - 1987

Frank Allen Berry, Jr., closed the record of his service as a member of the Nashville Bar on August 9, 1987. A native Tennessean, Frank was born in Nashville, Davidson County, Tennessee, on December 29, 1923, the son of Frank Allen Berry, Sr., a prominent Nashville lawyer, and his wife, Eleanor Redway Berry. Frank attended grade school in Nashville and secondary school at The McCallie School in Chattanooga, Tennessee, an institution to which Frank remained loyal for the remainder of his life.

Frank attended college at Washington & Lee University and at The University of North Carolina before World War II interrupted his education. Like many young men of his generation, Frank responded to the call of his country and served with the United States Navy in the Pacific Theater. Upon his discharge from the Navy after the war, Frank completed his education at Washington and Lee, receiving his bachelor's degree in 1947 and his law degree in 1950.

After completing his education, Frank entered the practice of law in Nashville with Bass, Berry and Sims, a firm which Frank's father had founded in 1922 along with F. M. Bass and Cecil Sims. Frank practiced law with this firm for 37 years. He entered the Nashville legal community at a time when most lawyers maintained a general practice, and Frank quickly developed a civil practice including trial work, real estate, wills and estate planning, and general corporate work. Frank was always an excellent legal technician who understood completely the legal principles governing his work, and he was an accomplished legal draftsman who was never too busy to edit an order or agreement brought to him by a younger lawyer seeking his advice. Attentive to detail, Frank never permitted a document to go out over his

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signature containing a dangling participle or a split infinitive. In many respects, Frank was a member of the "old school" of lawyers who devoted personal pride and attention to each task he undertook on behalf of a client, and he often chafed at modern "innovations" that seemed to depersonalize and commercialize the practice of law.

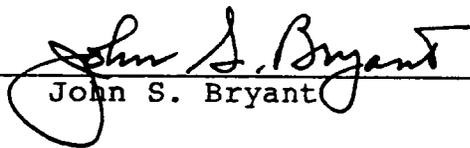
Although Frank was gifted professionally with exceptional technical skills, his clients and colleagues will remember him best for the rare personal qualities that distinguished his life. He had an acute sensitivity for matters of ethics and propriety that often confront lawyers, and his advice was routinely sought by his partners when such issues arose. His word was his bond, and he stood by a verbal commitment once made, even if it later proved to be disadvantageous to him. His patience and loyalty were legendary among those who knew him best, and for years he represented clients whose demands would have overcome the patience of weaker souls. A rare person among his profession, Frank humbly referred to himself as a "catfish lawyer," because of his willingness to represent clients in distasteful and often thankless matters diligently avoided by other attorneys. Despite the demands of a busy law practice, Frank was never too hurried to smile, wave, or tell the latest joke heard from the men's table at Satsuma or the halls of the courthouse.

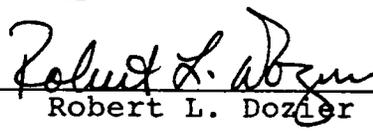
Beyond his law practice, Frank Berry devoted years of unselfish service to his country and his community. Shortly after returning to Nashville to begin his law practice, Frank entered the Tennessee Air National Guard, where he served in the Judge Advocate General Corps until he retired in 1983 holding the rank of Colonel. He greatly enjoyed his Air Guard duty and made many close and enduring friendships among his fellow Guardsmen. A tender-hearted man, Frank served for over 20 years as counsel and member of the board of directors of the Nashville Humane Association. He also gave generously of his time and money to his alma mater, The McCallie School, and served as Chairman of its Board of Visitors.

Although Frank Berry did not complete his allotted three score and ten years, his life was distinguished by his good humor, honesty and grace. He attained success in his profession, and he enjoyed the friendship and respect of those of us who had the good fortune to know him. In his death, he left behind many who benefited from his unfailing loyalty and wise counsel. Nashville and the world are better places because of the almost 64 years that Frank Berry, Jr., spent among us.

THEREFORE, BE IT RESOLVED by the Nashville Bar Association that in the life and record of Frank Allen Berry, Jr. as a member of the Nashville Bar, we have been honored and blessed, and in his passing we have sustained a grievous loss which we deplore as one personal to all of us; that this Memorial and Resolution be placed in the personal records of the Association and entered on the "In Memoriam" Minute Book of the Chancery Court of Davidson County, and that copies be furnished to the members of Mr. Berry's family.

This 17<sup>th</sup> day of November, 1987.

  
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John S. Bryant

  
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Robert L. Dozier

  
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David C. Rutherford

RESOLUTION ADOPTED  
NOVEMBER \_\_\_\_\_, 1987

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President