

MEMORIAL RESOLUTION FOR DAVID M. DISCENZA

REFLECTIONS ON A LIFE TOO SHORT

David DiScenza died February 10, 2014 at the age of 39. The following excerpt, from the eulogy given at his service, expresses the thoughts and feelings of all who knew him.

I met David when he was a teenager; his father and I were friends. Tim talked about David's accomplishments such that I felt like I knew David well back in 1985. You could tell Tim was a proud father. With David, he had a right to be proud.

David was a private pilot, a scholar, an avid fisherman, a brilliant legal mind, and a kind and generous man. We had grown close in the last fourteen months. David was my staff attorney, my legal adviser and my ethics counsel. I thought of David as a son. He was my friend.

David knew more about fishing than any man I ever met. He had forgotten more about fishing than most people ever knew. It was not just a hobby. It was a part of his life unsurpassed by other parts. David would take his small boat and camp on an island in the middle of a lake just to be there when the "right time comes along." You could be sure David knew the "right time" and always had fish on the line come time to leave.

David loved the outdoors. He once told me he dreamed of being a park ranger just so he could be along the rivers and lakes all the time. David kept few of his fish, preferring to release them for next time.

Last year we held court for two weeks in Chattanooga. The second week David asked me if he could drive separately. I said that was fine, and I met David at the hotel on Sunday afternoon. He had his kayak on top of his Jeep, and it looked like he had his camping and fishing gear with

him. David always had his stuff with him. David camped out and fished every night we were in Chattanooga. I preferred the hotel.

David was passionate. He did everything with full commitment. He flew airplanes; and when not flying, he flew model airplanes. In law school, he excelled academically. As a private attorney David sought to vigorously defend his clients using every bit of knowledge he had. He was successful most of the time in a job where you are supposed to lose more than you win. David was a tough fighter for justice.

The State of Tennessee has lost a good citizen. We have lost a good servant. I have a big hole in my office, but I have a bigger hole in my heart.

David was always willing to pinch hit for me in my law classes, and his standards were high. I think he was more competent to teach civil procedure than I was. He also volunteered as a mentor with TLAP to students and fellow attorneys with issues. David was quick to help others.

David worked tirelessly to complete whatever we needed. Last year we sat in 24 different courtrooms across Tennessee, many several times each. He had high integrity and set high standards for himself. Last week we'd had a particularly tough week in the 24th Judicial District Chancery Court. David and I were both at the office; and on Friday about 2PM, I was about ready to call it a week. I told David "let's go home." He was typing and without looking up said, "Let me finish up this order, Judge, and I will be right behind you." I knew that meant he'd be there to 5:30 or 6:00. I said, "OK, and, David, I really appreciate all you did for me this week. You did a great job." He nodded his head. Those were the last words I ever said to my friend David.

My heart aches for David's father Tim and his family. No parent should ever have to suffer

the pain of the loss of a child. Tim and David were as close as a father and son could be. I cannot imagine the depth of his grief. I pray for Tim daily. We cannot put a question mark where God has placed a period. I ask Tim to believe this and have faith in God.

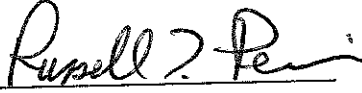
David was a good man. He left a big vacuum in our state judiciary and a bigger one in our hearts. At only 39 years old, he was taken from us too young. I just hope Jesus has trout streams in Heaven, because David is not going to be happy with the HEREAFTER unless they are there.

I loved David. He was a good man; he was my friend. I am proud to have known him, and I miss him.

Paul G. Summers, Senior Judge, February, 2014

THEREFORE BE IT RESOLVED, that these words express the feelings of the entire Nashville Bar Association and that we honor the life and work of our colleague David M. DiScenza. Let all citizens know that we mourn the loss of a keen mind, a passionate fighter for justice and caring spirit that defined the life of David DiScenza and represented the best attributes of Tennessee Citizenship.

BE IT FURTHER RESOLVED that this memorial resolution be placed in the permanent records of the association and entered into the "In Memoriam" minute book of the Chancery Court of Davidson County, Tennessee and that copies thereof be furnished to his family.


Chancellor