



**NEWS RELEASE**

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April 2, 2012

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## **Ninth Circuit Court of Appeals Mourns Passing of Judge Robert R. Beezer**

SAN FRANCISCO – The Hon. Robert R. Beezer, a distinguished senior circuit judge of the United States Court of Appeals for the Ninth Circuit, died of lung cancer Friday (March 30, 2012) at Swedish Medical Center in Seattle. He was 83.

Judge Beezer had been a lawyer since 1956 and a federal judge since 1984. At the time of his death, he ranked 14<sup>th</sup> among his colleagues in years of service on the court.

“Judge Beezer had a long and distinguished legal career. He became a lawyer 56 years ago and had just completed his 28th year on the federal bench. He was devoted to the law and set great store in courtesy and civility in its practice. We'll all miss him tremendously,” said Chief Judge Alex Kozinski of the Ninth Circuit Court of Appeals.

“Bob was a great judge and colleague, a wonderful human being and a special friend. We will miss him greatly,” said Circuit Judge Diarmuid F. O'Scannlain of Portland, Oregon

"When I practiced law with Bob Beezer 30 years ago, he had a well-earned reputation as a contested probate litigator: tenacious, astute, but unfailingly courteous. He had an intelligent, insightful approach to resolving client problems through creative applications of the law. When I joined him on the Court of Appeals 12 years ago, Bob was already applying the practical skills of a seasoned attorney to resolving complex legal questions with a delightful mixture of reason and common sense. He was respectful to everyone, a careful writer, and a dedicated servant of the law. I shall greatly miss my dear friend, mentor and colleague," said Circuit Judge Richard C. Tallman of Seattle.

“Judge Beezer was the model and epitome of wise judicial statesmanship. His opinions were formed of plain language, forceful and direct. He stood up to power whether private or governmental in the name of the Constitution's requirements. He knew the law and gladly shared it with us. I will miss him,” said Circuit Judge Ronald M. Gould, another Seattle colleague.

"Bob was a conscientious and caring judge," said Senior Judge Betty Binns Fletcher, also of Seattle

Nominated by President Reagan, Judge Beezer was confirmed by the Senate on March 27, 1984, and received his commission on March 28, 1984. He assumed senior status on July 31, 1996, but continued to hear cases for many more years. Even after his eyesight began to fail in recent years, he continued working using computer technology that translated written documents into audio files and also enlarged the size of text he entered as it appeared on an oversized monitor.

Among his more noteworthy opinions were:

- In re Marshall, 600 F.3d 1037 (9th Cir. 2010), which narrowed the definition of a "core proceeding" over which bankruptcy courts have jurisdiction. More commonly known as the Anna Nicole Smith case, the opinion, which was affirmed in 2011 by the Supreme Court, is one of the most significant rulings on Article III and the scope of congressional authority to delegate judicial power.
- A & M Records, Inc. v. Napster, Inc., 239 F.3d 1004 (9th Cir. 2001), which held that Napster and other file sharing services, by facilitating the exchange of audio files and other digital media, could be held liable for contributory and vicarious infringement. The opinion was among the first to address whether file sharing constituted fair use and set the tone for much of the law that followed.
- Ellison v. Brady, 924 F.2d 872 (9th Cir. 1991), which first announced the "reasonable woman" standard for sexual harassment cases.

Prior to coming onto the federal bench, Judge Beezer had been in private practice with the Seattle law firm of Schweppe, Krug, Tausend & Beezer. He also served as a judge pro tem in the Seattle Municipal Court from 1962 to 1976.

Prior to his federal appointment, Judge Beezer was actively involved in the Seattle-King County Bar Association and the Washington State Bar Association, serving on the state bar Board of

Governors from 1980 to 1983. He was a fellow of the American Bar Association and the American College of Probate Counsel, where he promoted probate reform and new probate procedures. During this time, he had a major hand in drafting the current Washington State Probate Code.

A lifelong resident of Seattle, Judge Beezer attended the University of Virginia, where he received his B.A. in 1951 and LL.B. in 1956. Prior to entering law school, he was commissioned as an officer in the U.S. Marine Corps, serving two years of active service. He served in the Marine Corps Reserve for more than 20 years before retiring with the rank of lieutenant colonel.

Judge Beezer is survived by his wife of 54 years, Hazlehurst; a son, Robert, and his wife, Patricia Ina Dorsey, of Tacoma; another son, John Leighton, and a daughter, Allison, both of Seattle; and two grandchildren.

A private funeral service is planned for this Wednesday, with burial to follow in the Tahoma National Cemetery, near Seattle.

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