



Circuit Judge Daniel M. Friedman (1916-2011)

07.11.2011

Circuit Judge Daniel M. Friedman passed away last week at the age of 95. The Federal Circuit posted this on its website, noting that Judge Friedman was the last of the original members of the Federal Circuit, and that he was instrumental in the Court's creation:

The Honorable Daniel M. Friedman died at his home on Wednesday July 6, 2011. Chief Judge Rader, in a message to the court announcing Judge Friedman's death to the court, said: "Yesterday we lost one of the grandest and best judges to ever grace this court - the last of the original members of the United States Court of Appeals for the Federal Circuit. Indeed he was instrumental in the creation of our court. Dan was also the last Chief Judge of the oldest Circuit Court in United States history, the United States Court of Claims. Dan left us on the day before we open the renovated courtroom that preserves the Court of Claims legacy. Our flag will fly at half mast for three days to honor Dan Friedman. I mourn with you all."

Judge Friedman was appointed Chief Judge of the Court of Claims by President Jimmy Carter in 1978. When the Court of Claims merged with the Court of Customs and Patent Appeals to form the U. S. Court of Appeals for the Federal Circuit on October 1, 1982, Judge Friedman was elevated to the newly-established court on which he was deemed the first in seniority just below the Chief Judge. Judge Friedman assumed the status of senior judge on November 1, 1989, and continued to actively serve on the Federal Circuit and also to sit by designation with other Circuits. Judge Friedman authored over 470 opinions for the Federal Circuit, over seventy opinions for the Court of Claims, and over 160 opinions when sitting by designation with other U. S. circuit courts of appeals.

Judge Friedman's legal career spanned almost seven decades, virtually all of it in public service. He began with a position at the Securities and Exchange Commission in the

early 1940's. From 1942 to 1946, he served in the U. S. Army in Europe. Returning to the SEC at the conclusion of World War II, he worked there for five more years before joining the Antitrust Division of the Department of Justice, working there from 1951 to 1959. In 1959, he joined the Office of the Solicitor General, serving as an Assistant Solicitor and First Deputy Solicitor from 1959 to 1978, where he served twice as Acting Solicitor General and argued eighty cases at the Supreme Court.

717 Madison Place has links to comments by Judges Rader and Linn before oral argument at the Court on July 7.

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