

IN MEMORIAM

Professor John F. Carroll, IV

*Dana D. McDaniel **

On March 8, 2012, our colleague and friend, John Carroll, was taken from us suddenly at the untimely age of forty-four. John grew up in Richmond, Virginia, attending Midlothian High School. Following high school, John attended Virginia Tech from which he earned his Bachelor of Science in Mechanical Engineering in 1989. After working for a couple of years as an engineer and teacher, John entered the University of Richmond Law School in 1992 and received his J.D., with honors, in 1995. From 1995 to 1998, John practiced law full time in Virginia Beach, Virginia, first with Payne, Gates, Farthing & Radd and then with Clark & Stant, which became part of Williams Mullen. In 1998, John entered New York University Law School from which he earned his LL.M. in 1999.

I first met John in 1999 when he joined the Intellectual Property Law Section of Williams Mullen in its Richmond, Virginia office. It was immediately clear to me and to anyone who worked with John that, even with his relatively few years of practice experience, he was an attorney of exceptional skill and talent. In 2000, after a short time with Williams Mullen, John joined Hamilton Beach Brands, Inc., where he served as Assistant General Counsel until 2009. Following John's departure from Hamilton Beach, he joined the faculty at the University of Richmond Law School serving as the first Assistant Clinical Professor of Law in the newly created Intellectual Property and Corporate Transaction Law Clinic. This faculty position seemed custom made for John, with his unique professional experience and his passion

* Shareholder, Spotts Fain, P.C., Richmond, Virginia; J.D., 1985, College of William & Mary, Marshall-Wythe School of Law; B.S., 1977, Virginia Tech.

and talent for teaching. He quickly established the Clinic as a cutting-edge clinical program of immense value to the students who participated and the clients they served.

Fortunately for my firm, the Assistant Clinical Professor position allowed John to continue to work in private practice on a part time basis. I immediately began an effort to recruit John to join the Intellectual Property Section of Spotts Fain, and I was thrilled when, in May 2009, John accepted our offer. I knew from working with him at Williams Mullen and our interactions during his years at Hamilton Beach that John was a gifted attorney, but I did not know how gifted he was until we began working closely together.

I quickly saw that John had an incredibly sharp mind and the ability to grasp difficult concepts quickly and analyze them thoroughly. In one case, on the eve of trial, John realized that our opponent's proposed jury instructions failed to address a material element of proof required to establish an entitlement to money damages. John worked all day and into the night on a Saturday reviewing the facts and expert reports and researching case law on this one point and, in doing so, he found a flaw in the plaintiff's damages theory. As a result, he prepared a bench brief in support of a motion for directed verdict dismissing the plaintiff's damages claim, which the Court granted.

Even though John contributed significantly to so many of our successes during the past two years, he never sought or took personal credit. He was the consummate team player and, for John, others always came first. John was quiet and unassuming, with an infectious positive attitude and a keen wit.

John was passionate about his profession and always maintained the highest standards of integrity, ethics, and professionalism. As he was for his students, John was a tremendous role model and mentor for the firm's younger attorneys. No matter how busy he was, John was always available to offer insight, guidance, or assistance to anyone who asked.

In his short life, John touched more people's lives in a positive way than most will in a much longer lifetime. I enjoyed immensely the time John and I practiced law together. He was a wonderful colleague, law partner, and friend. All of us who had the good fortune to know and work with John will miss him deeply.