

Murray Gartner Dies at 88; Leading Labor Litigator

MURRAY GARTNER, one of the nation's top specialists in labor law, died on Saturday, June 25, of a massive aneurism, at the Maine Medical Center in Portland, Maine. A life-long resident of New York City, Mr. Gartner had recently retired with his wife, Anne, to Scarborough, ME, in 2004. Mr. and Mrs. Gartner had just celebrated their 50th wedding anniversary.

Born in Queens, New York, in 1922, to Leo and Celia Gartner, recent immigrants from Eastern Europe, and the second of their three children, Murray Gartner's family lived first in Forest Hills, but later moved to Newark, New Jersey, where he received his high school education from the Newark public school system. Advancing through his early education at an accelerated rate, Mr. Gartner graduated high school at the age of fifteen and was admitted that same year to New York University. Graduating from NYU summa cum laude and Phi Beta Kappa in 1942, at the age of nineteen, he immediately went on to Harvard Law School, from which he graduated magna cum laude in 1945, after serving as President of the Harvard Law Review.

Even before he graduated from Harvard Law, Mr. Gartner was hired by Associate Justice Robert H. Jackson to be his law clerk at the U.S. Supreme Court. He served as Justice Jackson's clerk for two-and-a-half terms, from February of 1945 through June 1947. He then joined the prestigious San Francisco firm of Pillsbury, Madison and Sutro. In 1951, he was tapped by the U.S. Special Representative in Europe to serve as Assistant to the General Council, as part of the Marshall Plan. Working for two years out of the Marshall Plan's headquarters in Paris, France, Mr. Gartner's main assignment was negotiating for the establishment of U.S. military bases in Spain.

In 1953, Mr. Gartner returned to the United States, and to New York City, where he joined the law firm of Poletti, Freidin & Littauer. At Poletti, Freidin, Mr. Gartner established a successful, national practice in labor law, and in due course the firm soon became known as Poletti, Freidin, Prashker, Feldman & Gartner. After the death of Jesse Freidin in 1968, Murray Gartner and Herbert Prashker took over as senior partners, continuing their firm's specialization in labor law for the airline industry.

Over the course of his practice, Mr. Gartner established himself as the "go-to" labor specialist for foreign airlines operating in the United States. His client list included British Airways, Air France, Qantas, Japan Airlines, Iberia Airlines, Air Canada, and Air India, as well as Pan Am. He represented them both as a litigator in labor disputes and in the negotiation of collective bargaining agreements. As a litigator, he tried a number of landmark federal cases under the Railway Labor Act. Despite his national reputation as a labor specialist for the airline industry, he also maintained a career as a general litigator, with a diverse roster of clients which included R. H. Macy & Co. and Restaurant Associates.

In 1985, Poletti, Freidin, Prashker & Gartner was dissolved as a firm, and Mr. Gartner then moved over to a position as a senior partner at Proskauer, Rose, Goetz & Mendelsohn, LLP. While at Proskauer, Rose he had the opportunity to try two related appellate cases before the U. S. Supreme Court. The second of these cases, decided by the Court in 1989, established that the Railway Labor Act does not require employers, when a strike is over, to replace employees who have crossed the picket line to return to work during the strike with full-term strikers, even when those full-term strikers have greater seniority than the crossovers.

Mr. Gartner is survived by his wife, Anne Thompson Gartner, his two children, Marion Moreau Gartner Carling of Hartford, CT, and Thomas Murray Gartner of Philadelphia, PA., and five grandchildren. His brother, David Gartner, and sister, Patricia Gartner, both predeceased him.

Memorial Gifts may be made to the Harvard Law School, or to the Children's Aid Society of New York, 105 E. 22nd Street, Room 504, New York, NY 10010-5413.

Funeral Services will be private.

Please visit www.jonesrichandhutchins.com

for additional information and to sign Mr. Gartner's guest book.