

The Tale of the \$10 Bet

by Bret Harte II



Bret Harte II is the nom de plume of Aaron Bulloff from the Northern District of Ohio Chapter, a Charter Life Fellow of the FBA's Foundation, the first chairman of the initial Fellows Committee, and the 2015 recipient of the Association's Earl Kintner Award.

This tale is both true and amazing. What happened are not alternate facts or fake news, having been witnessed by well over 40 lawyers on March 18, 2017, at the University Club in Washington, D.C. The occasion was the Foundation of the Federal Bar Association (FBA) Fellows Dinner held annually on Saturday night of the FBA's Midyear Meeting.

The following events take place between the hours of 7:00 p.m. to 9:00 p.m.

Our story begins with a quiet conversation in the club's wood-paneled library during the cocktail hour. A distinguished Fellow (DF) advises Aaron Bulloff¹ that the winner of a long-standing bet, for which Bulloff was stakeholder of the proceeds, has been determined. DF further advises that he was the bet's winner and that the two parties to the bet have agreed to donate the proceeds to the Foundation of the FBA.

Our story continues with a sumptuous dinner of either salmon or (a surprisingly not-overcooked) filet, during which Nestor Mendes, the immediate past chair of the Foundation's board, claimed the microphone to report on the Foundation's current state of affairs. He followed his short presentation with two mellifluous a capella musical selections and then invited his fellow Fellows to the microphone to entertain. Sadly, our esteemed Hon. Elizabeth Kronk Warner, of operatic-trained voice and unique Time-Warp interpretation,² was not in attendance, and surprisingly, our esteemed Vice President for the Second Circuit Ernie Bartol, of stand-up comedy repute, remained glued to his seat. No one approached. The silence at the microphone was deafening.

And so in this uncomfortable lull in proceedings, Bulloff decided it was time to regale the Fellows with the "Tale of the \$10 Bet." Unaccustomed as he is to public speaking, he confidently³ strode to the microphone. He was resplendent in his pressed navy-blue suit, crisply laundered shirt, iridescent peacock feather bow tie, French cuff links, and gleamingly shined shoes (author's note: Gentlemen, please always have your shoes shined, especially the backs and heels, for they are what is seen when you turn to depart). Looking at each and every member of the audience, he started the tale with the history of the bet.

On Jan. 21, 2014, Virginia's 71st governor, Robert

"Bob" McDonnell, was indicted on federal corruption charges. DF and distinguished Fellow No. 2 (the loser of the bet), who agreeably allowed themselves to be anonymously identified only as Hank Eagles and Winston Haythe, each bet \$10 on whether the governor would be convicted.⁴ They requested Bulloff, known to be of impeccable stakeholder reputation and owner of a 19th century safe whose combination is Left 42 (author's note: Whoa, maybe that should be kept secret?) to retain the \$20 until the bet's outcome was determined.

Bulloff related how the unidentified bet's winner had approached him during the cocktail hour to advise him of the bet's outcome and of the parties' decision to present the bet's \$20 proceeds to the Foundation. Remarkably, Bulloff had presciently thought that this presentation would occur that very evening and had removed the \$20 bill from his safe before leaving his Cleveland home for Washington. He pulled the bill from his wallet and presented it to Mendes and the Association's esteemed Executive Director Stacy King. Bulloff then pointed out that the proceeds had, through shrewd investing, earned a 100 percent return during the almost three years' interim, and he pulled a second \$20 bill from his wallet for presentation.

And now the amazing part of the Tale. In a flash moment of inspiration, Bulloff invited all in attendance to match the bet's proceeds right then and there with each attendee's own \$20 contribution. A long line immediately formed at the microphone, and many \$20 bills appeared. But King reinforced her reputation for knowing that when opportunity knocks, answer the door! She knew that \$20 bills make a good story, but that the Fellows' generosity for the Foundation extends well beyond. Would you, fair reader, believe that she had her FBA portable credit-card reader with her and that she immediately answered the call of Fellows at each dinner table who wished to write a check or make a credit-card contribution to the Foundation? Within minutes, Bulloff announced that over \$2,000 had been contributed. Huzzah and Hurrah!

But wait! There's more! After all, I tell you this Tale is amazing. A Fellow who agreeably allowed himself to be anonymously identified only as Ray Dowd then publicly threw down the challenge that if \$5,000 were contributed before the end of dinner,

and only before the end of dinner,⁵ he would match that amount. At that point the salmon jumped off the dinner plates and began leaping upstream waterfalls in excitement at the challenge! In response, the dollars graciously continued to flow, King's portable device read faster and faster, and soon the \$3,000 mark was breached. Oh, the numbers came so agonizingly close but not enough, and then ... and then ... and then ... as dessert plates were being cleared and dinner's end bore down upon all, the announcement was trumpeted: \$5,000!

And that, fair reader, is how a \$10 bet became—in a very few minutes in one night—a \$10,000 contribution to our Foundation. See what even the smallest gesture can do? The impact of any act of kindness can never be known for where it may lead. Our own Fellows Dinner is living proof. So thank you, Fellows, for your generosity, and thank you, Stacy King, for your assistance in marshalling that generosity. It was our own Gold Rush of monies in one amazing evening, and a Tale for the telling.

THE END OR IS IT?

Fair reader, think for a minute. At the Midyear Meeting, it was announced that the Federal Bar Association now has—for the first time—more than 19,000 members. If each one of us donated our own matching \$20 in honor of the bet to the Foundation, the Foundation will be enriched by \$380,000. Can you imagine how the mission of the Foundation could be furthered? And if your resources allow

you to do more, that's how much more the Foundation's funds and concomitant programming would increase.

One request, please: Don't send your contributions to Bulloff—his safe measures only six cubic feet and is already filled with supposedly important papers and things. Send them instead to Stacy King at Federal Bar Association, 1220 N. Fillmore St., Ste. 444, Arlington, VA 22201. She knows best how to receive your contribution. Remember, it's YOUR Foundation! ☺

Endnotes

¹Aaron Bulloff is the nom de plume of Bret Harte II. See the author bio. Bulloff extends his apologies to the original Bret Harte, who is lovingly known for his 19th century short fiction of the monies appearing out of nowhere in the Gold Rush, who is not the deceased WWF wrestler, and who, like Bulloff, was born in the Albany, N.Y., area.

²Ref. Rocky Horror Picture Show, for the one reader who is not aware.

³Bulloff's state-of-mind was disclosed to the author in his interview with Bulloff after the dinner.

⁴In fact, the governor was convicted on Sept. 4, 2014. His conviction, however, was vacated and remanded on June 27, 2016, and the charges were dismissed shortly thereafter by the Justice Department.

⁵Placing a time limitation on a fund-raising effort is a well-known psychological maneuver that is highly effective.

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