

ORAL HISTORY
SHARP WHITMORE
(1918-2001)



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EDITOR'S NOTE

The oral history of J. Sharp Whitmore is one of four oral histories conducted by the former California State Bar Committee on History of Law in California in 1987. These were the final oral histories conducted by the committee, and they are published for the first time in the present volume of *California Legal History* (vol. 6, 2011). He was interviewed by committee member Raymond R. Roberts on January 9, 1987.

The oral history has been reedited for publication. Citations have been verified or provided, and the spelling of names has been corrected wherever possible. Explanatory notations in [square brackets] have been added by the editor. The sound recording and original transcription are available at The Bancroft Library, UC Berkeley. The oral history is published by permission of the State Bar of California.

Whitmore was a senior partner at Gibson, Dunn & Crutcher, a member of the State Bar Board of Governors, president of the Los Angeles County Bar Association, and County Bar delegate to the ABA Board of Governors. Two of his fellow partners at Gibson, Dunn agreed to prepare the brief reminiscence of Whitmore that appears below.

— SELMA MOIDEL SMITH

SHARP WHITMORE

KENNETH W. ANDERSON AND WILLARD Z. CARR

Strikingly and elegantly handsome in appearance, with a mellifluous baritone voice. One of our colleagues nicknamed his voice the “golden fog.” Never has a person looked and acted more in consonance with his name — Sharp. His influence in shaping the labor law environment in Southern California, particularly in the region’s most important economic activity at the time — the aerospace industry — was enormous. In an often contentious field, he always had the respect of the “other side,” a value he passed on to all of those who worked in the same area.

When Bill Carr came to Gibson, Dunn & Crutcher in the early 1950s, he joined an established Labor Department. Two of the stalwarts of the Department were J. Sharp Whitmore and William French Smith. Each had the distinction of having served as an officer in the U.S. Navy during the war and joining the firm in early 1946. One of the most appealing elements of Labor Law at that time was the involvement in real time issues affecting the dynamic growth of a postwar economy with all of its messy human aspects. Carr particularly remembers Sharp including the younger lawyers in the dynamics of the practice, meeting with clients, on the picket line, in negotiations and NLRB proceedings as well in court. We feel greatly indebted to Sharp for the substantive start he gave us in our practice.

Moreover, it was not all work and no play. Gibson, Dunn used to send a couple of associates each year to the annual meeting of the State Bar. In one earlier year, both Sharp and Bill Smith were sent. Each, of course, was given a modest personal expense account for the trip and meeting. At the end, Sharp found himself with a tremendous bar tab. The future U.S. attorney general, Bill Smith, had virtually no tab, having signed Sharp’s name for nearly all libations at the meeting, including those consumed by partners who were also attending the convention.

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Q: This is January 9, 1987. I am in the office of Sharp Whitmore of Gibson, Dunn & Crutcher to get his reminiscence and views on his involvement with the State Bar and law in California. Sharp, I'd like you to start with a little bit of your background of where you were born and when. if that's not too embarrassing.

WHITMORE: Well, I was born in Price. Utah. I came with my family to California in 1925 and after a few months in Berkeley moved to Piedmont. I went to grammar school in Oakland, California, high school in Piedmont, California, undergraduate school at Stanford University in Palo Alto and law school at the University of California, Berkeley, Boalt Hall.

Q: When did you go to Stanford?

WHITMORE: I graduated with the class of 1939.

Q: And did you immediately go to Boalt Hall?

WHITMORE: I immediately went to USC law school which I attended for one year.

Q: Why?

WHITMORE: Because I wasn't sure at that stage that I wanted to be a lawyer, and I had a job with the Shell Oil Company, and I knew relatively soon after entering law school that this was what I wanted to do, and the tuition at Boalt Hall was \$17 a semester, so I quickly transferred to Boalt Hall and completed my legal education there.

Q: Were any members of your family involved in law?

WHITMORE: No members of my family were involved in law or ever have been, to my knowledge.

Q: So your firsthand adventure into law or with law was when you went to law school.

WHITMORE: Yes, I think I had met one lawyer. I knew no judges. I think I had met one lawyer before I went to law school.

Q: In '39 you started at USC and lasted there until the Spring of '40 — is that correct?

WHITMORE: Yes, and then in the Fall of '40 went to Berkeley and continued there until March of 1942. I would have continued until the end of May of 1942, but World War II began in December of 1941, and I was very lucky in having at Boalt Hall two others who had commissions at the time, were in the same boat as I, and who had orders to report for active duty in March of 1942. I also had three professors who were very understanding of our situation, who stayed over Christmas vacation in 1941 and gave us our classes for our last semester over Christmas vacation and up until the 6th or 7th of March of 1942, when each of the three of us took our final examinations and completed our legal education and got our degrees and were able to report for active duty at the time our orders prescribed.

Q: Do you remember any of your professors at Boalt?

WHITMORE: I certainly do. Max Radin, for one, was certainly one of my favorites. He was a very approachable professor. Professor [Henry Winthrop] Ballantine.

Q: Let's stay with Max a minute. Do you remember the occasion when Max Radin was nominated by Governor Olson to be on the Supreme Court?

WHITMORE: That occurred while I was at USC Law School.

Q: Oh, right. So it was past history by the time you went to Boalt.

WHITMORE: It was past, and because it was past, I didn't get an opportunity to get to know Roger Traynor then, because it was Roger Traynor, as you remember, who was nominated when Max Radin's name did not clear.

Q: And both of them were teaching at Boalt?

WHITMORE: They both were professors at Boalt the year before I went there, and of course, Roger Traynor was gone when I entered.

Q: What did Max teach?

WHITMORE: I took a course in Jurisprudence from him. He didn't teach any first-year courses, to my knowledge. He taught Jurisprudence, Roman Law, and I'm sure other courses — but Jurisprudence was the only course I took from him.

Q: You mentioned Ballantine?

WHITMORE: Professor Ballantine, in Corporations, yes.

Q: Before he wrote the book [*California Corporation Laws*, 1932] or after?

WHITMORE: After he wrote the book. He was a distinguished and recognized authority on corporation law, particularly California corporation law, when I took the corporation law course from him at Boalt Hall.

Q: Any other professors that you remember?

WHITMORE: "Captain Kidd" [Alexander Marsden Kidd] was the acting dean my last year. He was a Commercial Law, Bills and Notes professor. To a greater extent than anybody else at the law school, he was the Professor Kingsfield type — a most interesting and pleasant, but somewhat unapproachable, individual. Professor [William Warren] Ferrier was the Property professor. I remember Professor Ferrier well. I admired him a great deal, although he was a little more aloof than some of the others I've talked about. Barbara Armstrong.

Q: Before she wrote the book [*California Family Laws*, 1953]?

WHITMORE: After she worked on the Social Security Act, and I guess, before she wrote the book, but her field was family law at that time — at least that was her primary field. She was very approachable and I thought the world of her. She, I thought, was a fine professor.

Q: Did you actually graduate in 1942? Were you given a diploma then?