

4-1-2001

Richard A. Hausler - A Tribute

Ed Shohat

Follow this and additional works at: <http://repository.law.miami.edu/umlr>

Recommended Citation

Ed Shohat, *Richard A. Hausler - A Tribute*, 55 U. Miami L. Rev. 367 (2001)
Available at: <http://repository.law.miami.edu/umlr/vol55/iss3/11>

This A Tribute to Richard A. Hausler is brought to you for free and open access by Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized administrator of Institutional Repository. For more information, please contact library@law.miami.edu.

Richard A. Hausler — A Tribute

BY ED SHOHAT

Professor Hausler's Contracts I exam was the third exam of my first semester of law school. The first two had been Professor Murray's none to easy "Introduction To Law" and Professor Boyer's four hour Property I (Rule Against Perpetuities, etc.) exams. One of my best friends (my undergraduate full scholarship debate partner) had actually quit law school after those two.

I arrived at the law school at 7:15 p.m. for the 7:30 p.m. exam. The school was curiously quiet and totally devoid of students. I was disturbed thinking that somehow I had gotten the time wrong.

As I walked towards the row of classrooms starting with #110, I heard a voice coming from Professor Hausler's office. I recall that the door was open about six inches and the jalousie windows were turned down, all but entirely closed. "Mr. Shohat Mr. Shohat" the voice called. I entered the office wondering how in the world he knew it was me. "Mr. Shohat, you are late for my exam." The professor stated. "And I do not allow tardy students to take my exam." "Is there any appeal?" I asked. "No, I am very sorry," he said. "A rule is a rule." Recognizing the utter hopelessness of my situation, I immediately turned and left the office. As I was approaching the parking lot behind the Law Library, just as I was about to turn the corner, I heard "Mr. Shohat Mr. Shohat" again. Professor Hausler was standing by the entry to the library and directed me back with a forefinger summons. "Mr. Shohat, your class participation this semester warrants an exception to my rule. There is a seat in the last row of classroom #112. Take the exam there." He handed me a set of bluebooks and the exam and off I went shaken but relieved.

It was about 7:30 p.m. when I finally took my seat a half-hour late. I opened to the first fact pattern on the test and read it carefully. I read it carefully a second time. There was no escaping the fact that the first problem on the test was on the very issue the professor had told us on the last day of classes would not be tested: the Parole Evidence Rule. I read the problem a third time and now was completely flustered and late to boot. Why did he do that?? Starting with his own classroom disclaimer, I answered the first question the only way I believed it could be answered: under the Parole Evidence Rule.

By the time I finished the first problem (out of five) and set that bluebook aside, I had used up more than half of the time allotted for the

entire exam. I proceeded in a headlong rush to make up for lost time. Later, somewhere in my haze, I recall seeing Professor Hausler enter the front of the room. I remember him walking row by row, side to side, through the classroom until he arrived at my position in the last row and took the seat next to mine.

Within seconds and without saying a word, the professor reached over and picked up the bluebook in which I had answered question one. He began, at first, reading then, removing a bright red pen from his ear, writing on my paper with dramatic, wide, sweeping marks, all the while making “tsk . . . tsk” and clicking sounds with his tongue and upper jaw. I (and, by now, most of the rest of the class) looked at him as if he was crazy. Can you imagine?

I only answered three questions that night. He gave me a 79 for the course, second only to Jim Hendricks’ 81, I think. I never asked to see my test. After Hurricane Andrew ravaged our home, Maria and I were looking for help cleaning up the carnage. Don Bierman, my partner, had represented one of the Hells Angels motorcycle gang who, he had heard, were in town “working cleanup,” so he recommended that I contact him. A few hours later, fifteen roaring Harley Davidsons arrived on my front lawn and, like locusts, spread throughout the outside and inside of my house picking up everything loose in sight. While they were there, Don called and told me to send them to Hausler’s when they were finished with me. I did! Can you picture it? Did they reach “a meeting of the minds?”

Two days later the professor called to tell me they had done a good job cleaning up (to the amazement of his neighbors who couldn’t get over the fully garbed and bearded motorcyclists swarming the genteel professor’s property. Dean Hausler told me much later that one of the neighbors called the police) but that the Angels had a rather expansive view of what was and was not “garbage.” He never fully explained what they took (antiques on motorcycles?) but gave me a knowing look when I told him that I was missing my favorite cashmere sweater, which I only discovered after Professor Hausler alerted me to the idea that they had a “help yourself” attitude regarding household possessions.

Professor Hausler was also mildly upset by my failure to alert him to the several strippers the boys brought along for the ride. The girls were not interested in the work, only the gang. I realized after the fact why the boys seemed to take so many breaks. I thought it was the August heat. I have always thought that the professor had mixed feelings about the entertainment.