David S. Caudill*

Professor LaRue and My Own Boot Camp

For sixteen years—from the time I joined the Washington and Lee law faculty until Professor LaRue retired (and I left for Villanova)—I felt as though I was in some sort of apprenticeship under LaRue's guidance. Or perhaps it was more like a personal boot camp, with LaRue in the figure of a drill instructor. As we both had brief careers in the military, the analogy may be apt.

Professor LaRue was, at the time of my arrival in Lexington, Virginia, already a leading light on the law faculty—a productive scholar, an obvious polymath, and a wonderful person to be around. In any event, I gravitated toward LaRue early on at Washington and Lee; even during the hiring process, we discovered that we shared friends like Professors Scot Powe and Sanford Levinson of the University of Texas law faculty (who helped convince LaRue, who in turn helped convince his colleagues, that I should be hired). I soon discovered that we also shared some interdisciplinary interests, including law and literature, jurisprudence, ancient Greek, and the history of science. And in the years that followed, I enjoyed a collegial relationship with LaRue that culminated in the forthcoming publication of our book, *No Magic Wand: The Idealization of Science in Law*.[11]

In my earliest years at Washington and Lee, LaRue gave me sage advice. I remember attending a graduation ceremony on the main campus, and while walking back to the law school with LaRue, I said that the graduation speaker's thesis was not clear, and his arguments were not compelling. LaRue looked at me like I was from Mars, exclaiming, "What did you expect from a graduation speech? That was not about theses and arguments—it's about feeling good and satisfying parents, with well-worn platitudes." A few years later, I recall reading the news about a particularly controversial confirmation hearing involving a legal scholar who had been nominated for a cabinet position. In my discussions with LaRue about the controversy, I naively told him that the candidate was being treated unfairly, insofar as those opposing confirmation were oversimplifying the scholar's positions and not reading all of the scholarly record carefully. Once again, LaRue looked at me as if I was from another

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11. DAVID S. CAUDILL & LEWIS H. LARUE, NO MAGIC WAND: THE IDEALIZATION OF LAW IN SCIENCE (2006).

planet, explaining that it was unlikely that the opponents of this nominee's confirmation were concerned about fairness or about careful and comprehensive interpretations of a scholarly record.

The longer I was on the faculty at Washington and Lee, the more I realized how much everyone respected LaRue's judgment about all matters academic. In faculty meetings, he was famous for his calm pronouncements that would settle a debate or issue—his position always seemed logical and necessary, even common-sensical. In most cases, LaRue's colleagues deferred to his judgment. And in my own scholarly writing, neither the completion of a manuscript nor its acceptance and publication by a journal gave me as much pleasure as the comment months later in the hallway by LaRue (to whom I had given a reprint): "You got it right."

Over the last six or seven years, LaRue and I have been working together as co-authors. We started with a short article about how *Daubert* was being applied, [12] later published an update of that article, [13] and then published two longer articles exploring the place of science in the courtroom.[14] For many scholars, the co-author experience is less than superb, but LaRue and I seem to have found the right balance and boundaries. LaRue is a harsh critic, but it never feels bad to be the object of his critique because of our mutual respect—I trust his judgment, and he trusts me to fix problems. When we realized we had enough original material for a book, we found a publisher, celebrated our contract, and set to work on our manuscript. The first draft, which I prepared, was bulky and unacceptable to LaRue, so he recommended deleting large sections, wrote some new materials, and changed the character of the book (for the better). When I finished my edit of his revisions, he approved the manuscript and said, "Chapter 5 is particularly well written; how did you do it?" Surprised by that compliment, I remarked that I had no idea why it was good, adding that "the chapter was 137 pages, and I cut it to thirty pages." At that point LaRue interrupted me to say: "That explains everything—you're finally writing as if you didn't have the endless attention of a reader." Another lesson learned.

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12. David S. Caudill & Lewis H. LaRue, *Post-Trilogy Science in the Courtroom: What Are The Judges Doing?*, 13 J. CIV. LITIG. 341 (2001).

13. David S. Caudill & Lewis H. LaRue, *Post-Trilogy Science in the Courtroom, Post II: What are the Judges Still Doing?*, 15 J. CIV. LITIG. 1 (2003).

14. Lewis H. LaRue & David S. Caudill, *A Non-Romantic View of Expert Testimony*, 35 SETON HALL L. REV. 1 (2004); David S. Caudill & Lewis H. LaRue, *Why Judges Applying the* Daubert *Trilogy Need to Understand the Social, Institutional, and Rhetorical—and not just the Methodological—Aspects of Science*, 45 B.C. L. REV. 1 (2003).

I enjoy LaRue's company, whether as a co-author who joins me in a quest for clear and significant scholarly writing, as a perennial commentator on contemporary politics (over coffee in the faculty lounge), or in social settings when LaRue can discuss films, show off his strikingly good photographic works, or mix exotic cocktails. More importantly, I realize that my career as a legal academic would, without LaRue, not have turned out as it did. I benefited from his tireless attention to my scholarship, and I continue to admire him as the model of a law faculty leader. I could go on, but as LaRue would say, a reader does not have an endless attention span.

Megan Fairlie*

It is a bittersweet experience to acknowledge Lash LaRue's recent retirement. As his friend, it is impossible not to be pleased for him. He will now be able revel in the approach of both Christmas and summer, unshackled by the arduous task of grading law school exams; he will enjoy the freedom of setting his own schedule and may dedicate more time to passions other than the law, such as his love for photography. At the same time, however, it is difficult to think of Lewis Hall without Lash. Quite simply, the special quality of life at Washington and Lee comes from its population. The open doors, open minds, and open hearts found at Washington and Lee make the Law School a unique place indeed. It is its people that make the institution, and Lash, like a column in the University's famous façade, has played an integral role in creating its environment.

As a student, I first had the opportunity to learn from Lash—and observe his love for law—in Evidence class. I fondly remember his gleeful laughter as he stumped quite a few of us in that infamous quiz on hearsay, as well as the invaluable gift he gave to those of us who would, one day, become litigators: a slim, spiral bound book containing the Federal Rules of Evidence. My copy of the latter was carefully marked with Lash's insights—notes to remind my future self that the rules are not always as they *appear* to be.[15] The decision to arm all

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15. Sadly, this book remained a prized possession only until I shared it with a senior litigator to whom I sat second chair during my first year of practice—I remain convinced that he saw the value in obtaining custody of such a document—and that it walked off in his briefcase. Lash, true to form, kindly offered to replace the book—but in his natural humility, failed to recognize that the real loss was not of a portable copy of the Rules, but the notes I had made in