
The Passing of Max O. Truitt

MAY 15, 2014

We regret to inform you that Max O. Truitt, Jr., a Wilmer, Cutler & Pickering (WC&P) partner until his retirement in 2001, died yesterday.

Max graduated from Princeton University and Yale Law School, after which he clerked on the US Supreme Court for Justice Tom Campbell Clark. Following his clerkship, Max joined Wilmer & Broun, one of the predecessor firms that combined on May 1, 1962 to form WC&P, of which he was a founding partner.

At a time when trial court "litigation" at WC&P usually meant filing a summary judgment motion challenging agency action in a federal district court, Max became expert at the art of direct and cross examination, which he put to use on behalf of clients like IBM and Phelps Dodge, and in litigation over the departure of the Baltimore Colts from Baltimore. He taught several generations of partners and associates how to prepare for, take and defend depositions. His preparation of witnesses for deposition was legendary (as were the frequency and articulateness of his objections, at a time when speaking objections were tolerated if not encouraged). The archetype of a Truitt-prepared witness was the one who responded as follows:

Q. Will you state your name for the record?

A. Yes.

Max's other precepts, drummed into the heads of young lawyers, included reading the applicable rules carefully and often; using topic sentences without fail; making sure the first sentence of every court submission made the single most important point, briefly; and not failing to obtain a stamped copy of any court filing. Max was an inveterate bike rider before bicycles were in vogue; sported a beret after berets were chic; and smoked Gauloises in spite of the Surgeon General. He had a wonderful and wicked sense of humor. Few escaped his barbs, least of all himself.

Funeral arrangements have yet to be determined.