

Big cases the norm for Nichols' attorney

By Chance Conner
Denver Post Staff Writer

Michael Tigar was sitting on a Texas-bound United Airlines flight last Friday at Denver International Airport when a former client of his came huffing and puffing onto the jet.

Tigar, lead attorney for Oklahoma City bombing co-defendant Terry Lynn Nichols, and the former client immediately made eye contact. Smiles were traded. Hugs were exchanged.

It had been years since Tigar had seen Angela Davis, a black militant icon from the 1960s who now gives speeches around the country and continues to press for prison reform. Tigar helped win an acquittal for Davis, who had been charged with murder and conspiracy in California in 1970.

Davis is among a host of other high-profile names that figure prominently on Tigar's professional resume, which now in-

EDITOR'S NOTE
This is the first of a three-part series of profiles of the principal attorneys in the Oklahoma bombing case.

cludes one of two suspects in the deadliest domestic terrorist attack in U.S. history, the explosion at the Alfred P. Murrah Federal Building that killed 168 people and injured more than 500 others.

And while the avuncular Tigar declines to discuss the bombing case — "We will not try this case in the news media" — he sat down yesterday morning to reflect on a career that began in 1966 in Washington, D.C., where the lanky transplanted Californian became a protege of famed trial lawyer Edward Bennett Williams.

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The Denver Post / Helen H. Davis

Michael Tigar, attorney for bombing suspect Terry Nichols, was protege of famed lawyer Edward Bennett Williams.

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Attorney no stranger to big cases

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"I went to Washington to clerk for U.S. Supreme Court Justice William Brennan," Tigar said from the Denver offices of Haddon, Morgan & Foreman, where he has settled for the duration of the trial. "Well, that job fell through, and I ended up working for Williams."

Since then, Tigar has represented a slew of names torn from the daily headlines: Activist H. Rap Brown, former Secretary of the Treasury John Connally, and John Demjanjuk, acquitted of being the sadistic Nazi killer, "Ivan the Terrible."

Urgent messages

It was a year ago that Tigar was in Washington, D.C., giving a lecture on the law. A federal judge in Oklahoma City was repeatedly calling Tigar's home in Austin, Texas. Finally, his daughter tracked him down to pass along the urgent messages.

"I called him right back," said Tigar, recalling his appointment to the bombing case. "I was very surprised. I realized a number of Oklahoma lawyers had to disqualify themselves because of a conflict (many knew victims of the blast). It just caught me by surprise."

As a result of his appointment, Tigar has taken an unpaid leave of absence from the University of Texas

School of Law, where he teaches a variety of courses and holds the Joseph D. Jamail Chair in Law there. The leave will extend through the 1996-97 school year — or beyond if the yet-to-be-scheduled trial of Nichols and co-defendant Timothy McVeigh lasts well into 1997.

"There aren't many lawyers for whom I have more respect than Michael Tigar," said Tulsa defense lawyer Patrick A. Williams. "He's mindful of his professional responsibility and not afraid of being courageous."

Tigar has argued cases in almost every U.S. court of appeals and in the U.S. Supreme Court. Among his corporate clients are Mobil Corp., BFI, Fantasy Films, MCA and Tenneco. In addition, Tigar is past chairman of the 60,000-member Section of Litigation of the American Bar Association.

Prolific writer

Tigar also has written several books and dozens of articles and essays. In his "Examining Witnesses" (1993), he pays homage to Edward Bennett Williams, "my mentor in the law . . . I owe him insights without number."

In his opening acknowledgments, Tigar writes that when he was 11 or 12 years old, he told his father he wanted to be a lawyer. His father went to his room and brought out a copy of Irving Stone's "Clarence Dar-

row for the Defense."

"'Here,' my dad said. 'This is the kind of lawyer you should be. He fought for people's rights.'"

Tigar already has a fight on his hands in his defense of Nichols. Prosecutors have assembled an impressive team that is determined to pursue the death penalty against both Nichols and McVeigh. His style is far different from that of his defense counterpart, Stephen Jones, a lawyer from Enid, Okla., who is representing McVeigh. While Jones has taken his case public by granting dozens of interviews and making himself available to reporters, Tigar has gone the other way, refusing to discuss the case and limiting his comments to those made in court.

Those remarks often carry a dash of humor, wit, insight and self-deprecation. And to his credit, Tigar has been able to find the lighter side of Chief U.S. District Judge Richard P. Matsch, a judge not known for suffering fools gladly.

Appropriate metaphors

"Aphorism, metaphor and imagery are all a part of advocacy," said Tigar. "This dates way back. Sometimes aphorism and metaphor can be humorous. But I'm not doing anything more (in the courtroom) than a high school English teacher would do.

"The rules are this: A metaphor or

image has to be appropriate," Tigar said. "I would never tell a joke for a joke's sake in court."

A tall man with a great shock of brown hair, Tigar appears younger than his 55 years. He often stands slightly stooped at the court lectern, putting on and removing eyeglasses as he pores over documents.

In a hearing last month, Tigar engaged Matsch in a brief repartee. Finally, in his best self-deprecatory style, Tigar blurted: "I'm sorry, your honor. Sometimes I talk too much. I'm sorry."

"I'm honored to be doing what I'm doing," Tigar said. "But I think it's all right that even in a serious undertaking, you can leave a smile there."

Fan of projectors

Tigar's courtroom manners are spartan. "I always think KISS: Keep It Simple, Stupid," he wrote in "Examining Witnesses." Tigar is a big fan of overhead projectors and likely will use them throughout the bombing trial.

And regarding arrogance, Tigar writes: "Be careful what you say," Carl Sandburg wrote. "Use words that taste good, because you might have to eat them."