

LEGAL AND ACCOUNTING SERVICES

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Special Report

Jet Set Gerry

From the courtrooms to the Colorado mountains, Gerry Goldstein leads the high life in both work and play.

By PAULA MOORE

Even though Gerald Goldstein's clients are as unpopular as they come — ranging from Vietnam War conscientious objectors to Iranian student activists to "gonzo" journalist Dr. Hunter S. Thompson — the noted criminal defense attorney has managed to keep his personal popularity intact.

Peers, adversaries, clients and school cronies may disagree with his liberal politics and courtroom antics (the late U.S. District Judge John Wood Jr. once reportedly boxed his ears for filing a motion for a fair trial), but they all like and respect him.

They find his ethics beyond reproach, his honesty and passion for the law refreshing and his guile formidable. Goldstein's keen knowledge of the law, which he also puts to use as a teacher at his alma mater, the University of Texas Law School in Austin, prompts one local judge to refer to him as Professor Goldstein in court.

Indeed, Goldstein is recognized as such an authority on civil rights law that the U.S. Supreme Court recently asked for his opinion on a point in the federal government's case against former Panamanian leader Manuel Noriega. The court asked whether Goldstein feels the news media should be allowed access to conversations between Noriega and his attorney that the U.S. government secretly tape-recorded.

Local legal eagle Larry Macon of Cox & Smith Inc., himself involved in some high-profile cases (he helped local business mogul Tom Turner Jr. challenge the powers of the Resolution Trust Corp. and win), goes so far as to say that if he ever needed a lawyer, he would call Goldstein. "I keep his address in my pocket," says the jocular Macon, only half-jokingly.

According to Sam Millsap Jr., a name partner at Smith, Barshop, Stoffer & Millsap Inc., Goldstein is a "thoroughly honorable human being" who, unlike many lawyers, can be counted on to keep a verbal deal. Millsap, who, as a former district attorney, crossed swords with Goldstein on several occasions, also calls Goldstein a strong courtroom adversary.

"He's the kind of opponent you always want to have," Millsap adds. "He is always prepared and can be relied upon to assess his own strengths and weaknesses. And judges listen to him. Judges don't listen to most lawyers because they don't know what they're talking about when it comes to the law, but Gerry does."

One of Goldstein's few out-and-out enemies was the late *San Antonio Express-News* political writer Paul Thompson, who regularly attacked Goldstein in his column — wrongfully so, according to colleagues.

"Thompson vilified Gerry at every

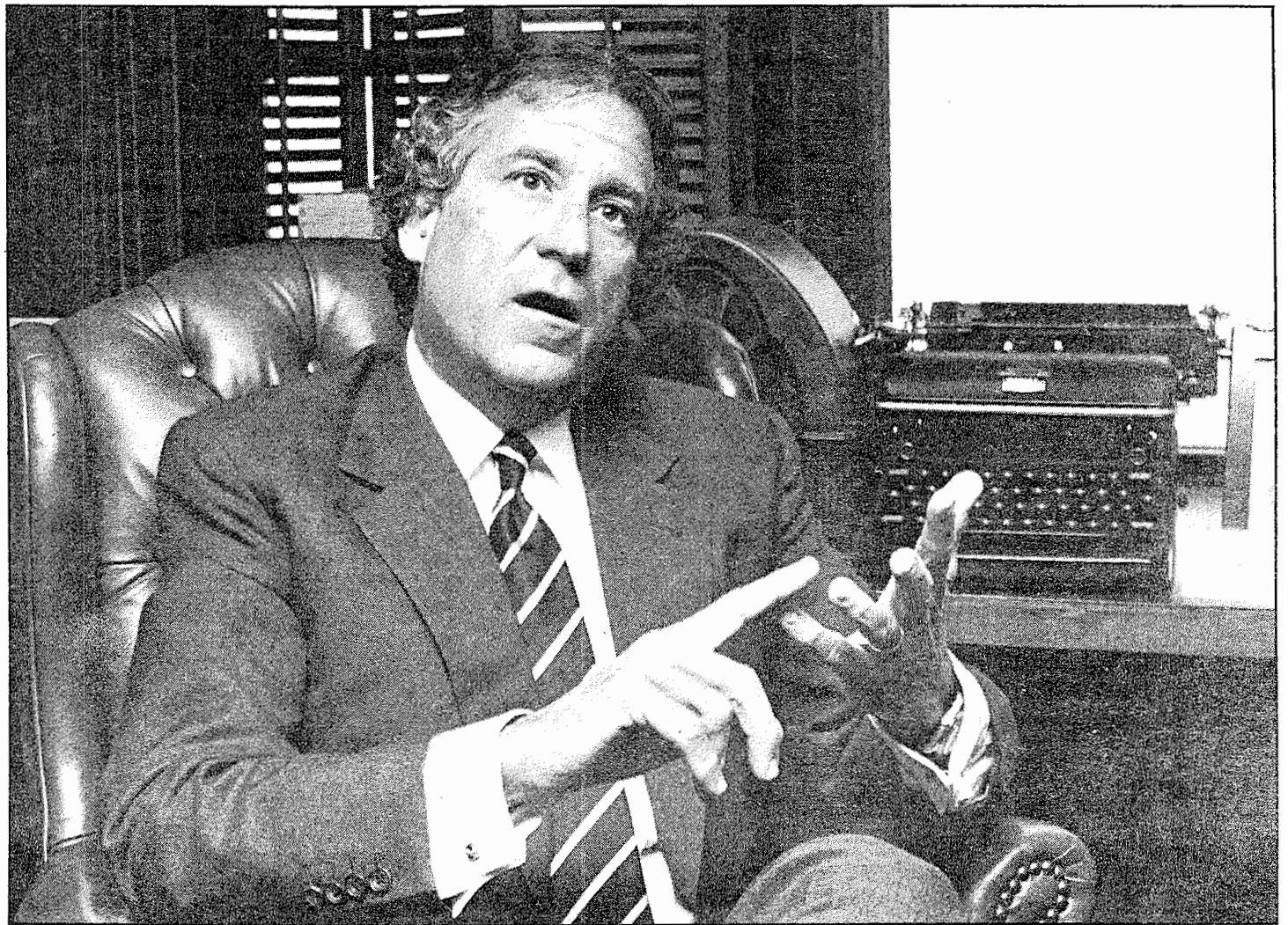


PHOTO BY JUDY BANKHEAD

Gerald Goldstein, local criminal defense powerhouse, has taken on a number of highly publicized cases including those that involved rap group "2 Live Crew" and Dr. Hunter S. Thompson.

turn, calling him a 'limousine' lawyer, because he is a defense lawyer and an [American Civil Liberties Union] member," says Millsap. "There's a feeling in the community that people accused of drug crimes have no right to a defense. Gerry believes that even those accused of the most heinous crime have civil rights and the right to an attorney."

Indeed, the laundry list of clients involved in Goldstein's cases reads like a who's who of TV-movie evildoers.

Locally, Goldstein defended former University of Texas Health Science Center dean Marvin Dunn in the case of nurse Genevieve Jones, who was convicted of murdering infants in the early 1980s. Dunn was held in contempt for refusing

recently got charges dropped against Los Angeles-based Sound Warehouse Inc. for selling the rap group 2 Live Crew's debatably pornographic "As Nasty as They Wanna Be" album. The dismissal took only a day, and Goldstein, who earns \$300 an hour, pocketed \$3,000 for his efforts.

Rumors in the legal community have it that Goldstein won't take a case for less than \$25,000, but he allows that those hefty fees also compensate for the free work he does for indigent clients. And while he admits that he loves making a lot of money and he's overpaid, he says he's a lawyer because he loves to "fight the good fight," especially on constitutional issues.

"Sure, he does what he does for money," says Sam Millsap. "But he's made more money than he can spend in two lifetimes, so that's not all he does it for. He really believes in a person's right to legal representation."

Recently, Goldstein really believed the rights of Hunter S. Thompson — an observer of the American political scene in books such as "Fear and Loathing: On the Campaign Trail '72" and articles for *Rolling Stone* magazine — were violated in an illegal search and seizure of his

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Ray Jahn, an assistant U.S. attorney who in recent years traded prosecuting drug cases for prosecuting banking ones, has known Goldstein since their law school days in the late '60s and is now frequently an opponent of Goldstein's. He feels that Thompson, like so many others, tended to confuse Goldstein with his clients. "You can't identify the crime with the attorney," Jahn adds. "That's one of the perils of criminal defense work."

to turn over information pertinent to the case to a grand jury. Goldstein is currently representing one of the defendants in the so-called "Jet Set" case, which involves an alleged Mexican drug czar who's accused of smuggling massive amounts of marijuana and cocaine as well as arms and luxury cars into this country, ordering a murder, laundering money and escaping from jail — only to be caught joy riding in a jet aircraft.

On the national scene, Goldstein

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Goldstein:

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property.

Last February, Colorado police searched Thompson's Rocky Mountain cabin for 11 hours based on allegations by a former actress and X-rated movie producer that Thompson sexually assaulted her when she refused to join him in his hot tub. The search turned up varying amounts of cocaine, LSD and marijuana, an antique Gatling gun and four sticks of dynamite, which were confiscated. Thompson's battery of National Association of Criminal Defense Lawyers attorneys, Goldstein among them, called the case a blatant violation of the search-and-seizure protections promised by the Fourth Amendment and mounted a vigorous defense. By May, the case was dismissed, and the district attorney who prosecuted it was under investigation for conspiracy to commit perjury. And in November, Thompson waxed ecstatic about Goldstein's defense of him in an article in *Rolling Stone*, dubbing him the "ineffable maestro of motions."

"When the Great Whistle blew, NACDL members Gerry Goldstein and Hal Haddon were warriors and saved me from going to prison.... Goldstein gave [the opposition] nightmares at high noon just by sitting at the defense table with that fine cheetah's grin on his face and shooting his cuffs now and then with obvious impatience at having to wait so long for the meal he knew was coming," Thompson penned.

There was no inkling of Gerald Goldstein, renowned criminal defense lawyer and civil libertarian who gets written up in *Rolling Stone* and *The New York Times*, in Gerry Goldstein, the fun-loving, beer-guzzling, would-be jock in high school.

Goldstein admits he was a "bad boy" during his years at Thomas Jefferson High School. Interested in sports, Goldstein was a top student who didn't make straight A's but made enough of them to be noticed as a brain.

According to Doug Harlan, a local attorney who went to Jefferson with Goldstein, the current First Amendment freedom fighter was a good student but more interested in having a good time than in politics. (Goldstein remembers Harlan as aspiring to be president of the United States.)

"I was in the Senate [fraternity], which, predictably, was made up of student government leaders and the better students, and he was in the Hayne, which was made up of beer drinkers, hellraisers and jocks," Harlan adds. "Gerry was precocious in the enjoyment area."

Although he is the son of a lawyer, Eli Goldstein (who, in his 70s, still runs Goldstein, Goldstein & Hilley), Gerry Goldstein wasn't always intent on a career in law. Even today, he admits to suffering from stage fright so severe that he leaves "fingernail marks on the pavement" outside a courthouse before a trial. He studied business as an undergraduate at Tulane University and got caught up in the political turbulence of the 1960s at school.

"The Vietnam War made me find my political consciousness," he says.

Goldstein's championing of civil rights causes also comes across as some kind of atonement for having grown up in a privileged, middle-class home. "I was an only child," he says. "I was a Jewish Spock baby with doting parents. I never heard the word 'no' as a child."

After graduating from UT law school in the late '60s and going to work for his father handling liquor license cases for hotels and restaurants, Goldstein began to dislike the direction he was headed in and opted instead to broaden his hori-

zons through travel. He took off for Europe, landing first in England, where he met his wife-to-be, Christine. The two toured Europe and North Africa for several months before marrying.

Having gotten some distance from America and some perspective on its political turmoil, Goldstein felt that being a lawyer could be a mechanism for change and an outlet for "my frustrations and my idealism." On returning home, he went about becoming that kind of lawyer by allying himself with a kindred spirit: Maury Maverick Jr.

It was Maverick, a fiery fighter of McCarthyism and the "Red Scare" in the Texas Legislature in the 1950s, who showed Goldstein the path of liberalism. Goldstein recalls his early years with Maverick as a "wonderful entry into the trial arena" and a chance to have a scholarly appreciation for the law. The 70-year-old Maverick — whose great grandfather Samuel gave the English language the word "maverick" by refusing to brand his cattle — is still Goldstein's mentor and conscience.

Rising from the cluttered desk in his wood-paneled, aerie of an office on a corner of the top floor of the Tower Life Building, Goldstein removes a framed 1981 letter from Maverick from his wall. In the missive, pecked out on a manual typewriter, Maverick chastises Goldstein on a point of law and ends with a threat to talk to his mother if he doesn't shape up.

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There's the fat lady, the
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While Maverick enjoys Goldstein's success, he's also saddened by it because it takes Goldstein so far from home.

"I haven't seen Gerry in eight months," says Maverick, who retired from his legal practice a little over a year ago but continues to write a political column for the *San Antonio Express-News*. "I'd like to go out by ourselves and get a hamburger, but he runs with the jet set and Hollywood movie crowds, pretty high-flying crowds. He has to surround himself with an entourage these days. There's the fat lady, the sword swallower, the skinny man. I feel like I'm part of the sideshow; one of the freaks."

Indeed, Goldstein's life has changed a lot since his early days of working with Maverick. As his reputation grows and he's more in demand, his job takes him further away from San Antonio for longer periods of time. His King William home was luxuriously renovated a long time ago, and there's just no time to take his sailboat in Corpus Christi out. And after 20 years of marriage, Goldstein, in his mid-40s and his longish, curly dark hair graying and thinning, is finally a father, he and Christine having recently adopted a baby.

But it's as if, in many ways, Goldstein has outgrown San Antonio. Between changing diapers and filing briefs, he prefers skiing jaunts at the family hideaway in the Colorado mountains to staying home. According to Ray Jahn, Goldstein recently returned from a trip to London with tales of roller-blading in Hyde Park and dodging geese.

Goldstein professes to love San Antonio, but his favorite place really seems to be where the action is. Wherever it is.