

WEDNESDAY, SEPTEMBER 12, 1973

A Nonpolitical Judge

Lee Parsons Gagliardi

By LINDA GREENHOUSE

Before his name was picked at random out of a revolving drum last May to preside at one of the most important trials of the year, few New Yorkers outside the sphere of the Federal Courthouse in Foley Square had ever heard of Judge Lee Parsons Gagliardi. But the 55-year-old judge, on the bench since January, 1972, is no stranger to politics and certainly no stranger in his home county of Westchester, where the Gagliardis have been producing prominent lawyers and politicians for 40 years.

Two of the judge's acquaintances there referred yesterday to the Gagliardis as "Westchester's Kennedy's." True, the family is Italian instead of Irish, Republican instead of Democratic, and solidly middle-class instead of wealthy, but there are distinct similarities nonetheless. In fact, one acquaintance said, "You could say they've gone further with less."

The family's patriarch is Frank M. Gagliardi, who, at 87 years old, spent a full work week at his White Plains law office until he suffered a mild heart attack three weeks ago. He expects to be back at work next month.

Frank Gagliardi had been born in Calabria, in southern Italy, and never went to law school. He taught himself law, passed the New York State bar examination, and while

his seven children were growing up he was gaining prominence as a lawyer and influence as one of the first Italian-Americans to break into the inner circle of the Westchester Republican party, until then almost the exclusive property of the county's Yankee Protestant elite.

Frank Gagliardi named his fourth child after Lee Parsons Davis, a law partner who later became the county's district attorney.

Despite the example of his namesake, Lee Gagliardi never ran for office and was viewed as the least political member of his family. His oldest brother, Joseph, served as county district attorney and is now a State Supreme Court Justice in White Plains. His sister, Mrs. Diane Collins, spent two terms in the county legislature. Her husband, William Collins, was the New Rochelle city Republican leader until this year and ran President Nixon's re-election campaign in New Rochelle. Their son, Peter, was an assistant district attorney before he became an Army lawyer, now stationed in Germany.

Lee Gagliardi apparently took so small a part in his family's political activities that, one Westchester Democrat said yesterday, "Everyone was surprised when he got picked to be a judge. He wasn't involved with the organization at all."

Lee Gagliardi was graduated from Phillips Exeter Academy, Williams College, and



The New York Times

The least political of his family

after three years in the Navy during World War II, from Columbia Law School in 1947. His first legal job, which lasted seven years, as a trial attorney for the New York Central Railroad.

For 16 years before Senator James L. Buckley, Conservative-Republican, nominated him to the Federal bench in 1971, Mr. Gagliardi was the chief trial counsel in his father's law firm, now called Clark, Gagliardi and Miller. He was selected for the bench by a screening committee of six lawyers, headed by C. Dickerman Williams.

Judge Gagliardi was appointed and confirmed at the time that the Attorney General was John N. Mitchell,

who, along with former Secretary of Commerce Maurice H. Stans, will stand trial later this fall in his courtroom on charges of obstructing a major fraud investigation in return for a contribution to President Nixon's re-election campaign.

Judge Gagliardi is described by his friends as a quiet, rather shy man who is enthusiastic about being a judge. When he was a practicing lawyer, he spent almost every day in court rather than behind his desk, bringing a "spirit of joie de vivre" to his trial work, according to a former partner, who said he "felt like I lost my best friend" when Judge Gagliardi left the firm.