

Excerpts from 6/15/2021 email to attorneys and employees of Rutan & Tucker from Mark B. Frazier, Managing Partner

I am writing with very difficult news. John Hurlbut passed away this morning, the day after his 82nd birthday, following a lengthy and courageous battle with cancer. At the time of his death, he was under the care of compassionate doctors and nurses at Serento Rosa Acute Care Facility and surrounded by immediate family. Our sincere condolences go out to John's family.

Our community has lost a remarkable man who deserved and received the love, respect, admiration, and gratitude of thousands of people who had the good fortune to know him. John's gifts of time, advice, judgment, and concern for others were unparalleled.

For many of us, John was a counselor, cheerleader, friend, father-figure, brother, hero, inspiration, mentor, teammate, the example of how to lead a good life, or all the foregoing. Above all else, he was resolute and steadfast in matters of ethics, fairness and the pursuit of excellence, a man of high character unwilling, and perhaps unable, to waiver from the right path, the honest path.

John led a life of excellence. As a dedicated collegiate athlete, of particular pride to him was being named Stanford Baseball's Most Valuable Player and earning the Bruce R. Cameron Memorial Award, bestowed annually on a player with outstanding proficiency in baseball, leadership, and academic performance. These distinctions foreshadowed John's life and career. After completing his undergraduate years at Stanford, John entered Stanford Law School. He went on to apply his great mind and realize his leadership potential in a multitude of ways as a husband, father, grandfather, friend, lawyer, colleague, and volunteer.

John began his career with Rutan & Tucker in 1964. The successes he had in his business and real estate litigation practice earned the highest respect from jurists, opposing counsel and other members of the bar as one of the finest lawyers in California. His successes brought significant clients and significant matters to him, and he excelled at providing the very best service.

John's involvement in the Orange County Bar Association allowed him to apply the leadership skills recognized at Stanford. His many impactful involvements on Bar Association committees and at Bar Association events during his long career brought recognition to John and to the firm and have been recognized by the OCBA and its members at the highest level. John holds the distinction of being the only Orange County attorney to have been awarded The Harmon G. Scoville Award (2003) (recognizing a member of the Orange County legal community whose career exemplifies the highest standards of the legal profession and who has significantly contributed to the OCBA and championed our constitutional system of justice); the Anti-Defamation League Marcus Kaufman Jurisprudence Award (2010) (bestowed on attorneys who make outstanding contributions to the legal profession and to the community and who are role models in the legal community and exemplify the Anti-Defamation League's mission); the Franklin G. West Award (2012) (presented to outstanding attorneys and judges whose lifetime achievements have advanced justice and the law), and the Public Law Center Attorney of the Year Award (2007).

John focused on young lawyers, making it a goal to personally welcome pre-bars and lateral hires to Rutan & Tucker and to follow the welcome with a personal interest in each young lawyer's advancement. His mentoring extended to young lawyers outside the firm through Orange County Bar

committees and the Orange County Bar Foundation, and extended to more senior lawyers in those organizations, and to firm partners, many of whom have benefited from John's thoughtful interest in their career advancement.

The most enduring of John's qualities was his character, which shined particularly bright in his activities in the Orange County Bar Association and Orange County Bar Foundation, and in his roles in firm management, and most notably as firm General Counsel. Many of us, and many others in the legal community, learned much about the importance of integrity in one's law career and life in general through our relationships with John and his life of high character. He would bristle at the idea of the "Hurlbut Way," but that is how he approached his life and the practice of law.

John would want all of you who reached out to him, especially during the past four months, to know that your phone conversations, letters and cards, emails, and text messages reaffirmed the breadth and depth of the many wonderful relationships he enjoyed with his Rutan family and throughout the Orange County legal community.

John would be proud to tell that he worked into May of this year, working on firm matters and his always open case for the Public Law Center.

Picasso wrote that the meaning of life is to find your gift, and the purpose of life is to give it away.

John's greatest gifts were his intellect, high character, and devotion to others. He fulfilled his purpose through decades of service to his family, his firm, his clients, and his communities, all the while living up to the high standards that defined him.

As mentioned above, in 2012 John received the Franklin G. West Award for a lifetime of achievements advancing justice and the law. An article in the Orange County Bar Journal (<https://www.rutan.com/wp-content/uploads/2017/11/hurlbut-oclawyer.pdf>) shares some of those wonderful things about John that drew admiration and inspired many. John's extraordinary commitment to serving others is captured in his words as quoted in the article:

"There's something really special about doing something positive for somebody who really, really, really needs you."

With John's passing, we lose ready access to a friend, mentor and colleague who was always eager to help us with whatever legal, career or personal issue might confront us. Although he is no longer among us, we can continue to draw from his example. We should remember John's way of service: he was principled, yet compassionate in providing advice; helped us understand our dilemma and arrive at our own solution; and then counsel us to, in his words, "do the necessary." We will be well-served to draw on his example of a life of high character devoted to excellence and service to others. We should honor him by doing the necessary to pursue those goals.

John's family plans to have a private celebration of his life in the future.