

## A. DAVID MAZZONE

**F**EDERAL DISTRICT Judge A. David Mazzone, who died Monday at 76, exhibited qualities of fairness, decency, intelligence, and compassion that made him an outstanding choice to successfully oversee the lawsuit to clean up Boston Harbor. For 19 years he deftly steered the cleanup while finding time to improve the resolution of disputes in the federal court system.

Mazzone's life bridged many worlds, from Everett native to Harvard football player, trial lawyer, Democratic Party activist, state judge, and, in 1978, a federal district judge in Boston. "I miss the contact I used to enjoy with clients, fellow attorneys, politics, and some social activities," he wrote in his Harvard reunion yearbook in 1985.

That year he was assigned the Boston Harbor cleanup case, a dispute that had bedeviled state political leaders for years. Everyone agreed that the harbor was filthy, and the state had created the Massachusetts Water Resources Authority to clean it up, but the work was stalled by inertia, money worries, and lack of political vision. Mazzone quietly and persistently persuaded the state to come up with a plan and devise a way to pay for the multibillion-dollar cost.

"He just kept the cleanup moving forward," said Peter Koff, a lawyer in the case.

Mazzone closely read the monthly progress reports, and once construction began, he qui-

etly visited the work site to check on progress. "He found that it was more effective to urge and cajole than to order," said Bruce Berman of Save the Harbor/Save the Bay.

"He was the model of a federal judge," said Nancy Gertner, his colleague on the bench. Gertner said that as a pioneering woman lawyer she was heartened by the support of Mazzone in the 1970s, when both were practicing lawyers. "He was as helpful and kind as an opposing counsel could be," she recalled.

Gertner took over Mazzone's full-time position on the federal court in 1994, after he had shifted over to senior status, which could have been a part-time job. But Mazzone also administered an alternative dispute resolution program to settle cases out of court. His reputation for fairness and diligence provided a major boost for this program, which offered just resolution of cases while reducing the workload of the court.

Mazzone still oversaw the harbor cleanup until a short time ago. One of his last official acts was to broker an agreement by which the MWRA agreed to deal with the storm water runoff that often makes harbor beaches unsafe for swimming. He understood that the cleanup would not be complete until the harbor was fully useable. Mazzone never sought glory for his work, but his mark on the city and region will endure as long as anyone swims, sails, or otherwise enjoys a revived Boston Harbor.