

Remarks by Max W. Berger
Whitney North Seymour Award for
Outstanding Public Service by a Private Practitioner
February 1, 2026

Oh my—thank you, Shawn, for your incredibly generous introduction and thank you to the FBC for honoring me with this prestigious award.

I'm truly humbled to be among the amazing prior recipients and to be honored in the presence of so many distinguished judges and lawyers.

Since I was 17 years old, I've always had the quote by the British philosopher Edmund Burke by my side—it says, "All that is necessary for the forces of evil to win in this world is for enough good men to do nothing."

Whitney North Seymour understood that and did so much to advance the rule of law and support the legal community during his illustrious career.

In the spirit of Edmund Burke's cautionary advice, I am particularly moved to be the first honoree in the nearly 40-year history of this award who has dedicated their entire career to representing plaintiffs. It is a powerful affirmation that the pursuit of justice for victims—whether they are defrauded investors, consumers, or marginalized workers—is a vital form of public service.

I will be sitting down in a moment for a "fireside chat" with my partner John Rizio-Hamilton so I will limit these remarks to two other shout-outs and a personal story.

First, I would not be standing before you tonight were it not for my partners at BLB&G. Their passionate commitment to protecting investors, righting workplace wrongs and pursuing corporate governance reforms is, in itself, a true public service and it fills me with such pride to be their partner.

Public service takes many forms—some grand and some not (but still important). Years ago, our partners codified a set of what we call our "core values" that are the foundational principles on which our firm's success over its 43-year history rests, our not-so-secret "secret sauce" if you will. They are printed in our note pads and prominently displayed throughout our offices. They are, also, on the table in the back of the room and on the inside covers of our notepads for anyone who cares to see them. There are 12 of them but they boil down to "integrity," "professionalism," "respect

for all,” “teamwork,” “family,” and “giving back to the community.” Lofty ideals but, for us, unwaivable principles, even when, in our intense competitive environment, adherence to them sometimes does not work in our favor.

My next thank you is to my wife Dale—the matriarch of our large immediate family of 19, for supporting my career and philanthropy with her incredible humanity and wisdom.

Now, my personal story. I grew up in the South Bronx and a housing project in Flushing, Queens and was the first in my family to go to college. I graduated from CCNY Downtown (now Baruch College) tuition-free and received a scholarship to Columbia Law School which I entered in 1968.

Not unlike today, it was a time of great upheaval and divisiveness in America. The Vietnam War was polarizing; our democracy was being challenged; civil liberties and equality for all were under siege—many of us at CLS, including me, were in the fight.

I graduated in 1971. Not long after I settled into my new job, I said to myself that one day, if I’m able, I am going to give back to the college and law school that enabled me to live out the “American dream” by providing an exceptional education and, at CLS, teaching me the importance of the rule of law and giving me the confidence to be the kind of lawyer I wanted to be.

I promised myself that, if I could pay it forward to Baruch, I would support first-generation college students to attend law school and to CLS, my philanthropy would be in supporting robust public interest/public service programs. I believed that, if future Columbia law students were encouraged to pursue public interest careers, they would surely make a lasting positive difference in the world.

However, for those students, pursuing such a career while saddled with significant student debt, family obligations, lower salaries than they could have easily made in private sector jobs, and other hurdles, it would require a deep commitment, real sacrifice and, importantly, community, to provide support, mentoring, guidance and a forum for shared values. I was determined to help build that community.

Well, years later, I was able to begin fulfilling my dream of giving back to the law school. My (and my firm’s) scholarships, fellowships and the PI/PS Fellows program I endowed are at the heart of that dream. Today, Columbia Law School is renowned for its commitment to public interest.

At Baruch, my pre-law program has helped many first-gen college graduates from working class families live their dream of attending law school.

No litigation success could be more satisfying.

As we stand at the precipice of a new era, terrifying in its breadth, we face an array of daunting challenges. This is, arguably, the most precarious time in our country's history. The role of the bench and bar has never been more crucial, and the Federal Bar Council has been such an important force for preserving and protecting the rule of law in our fragile republic. We all owe you a debt of immense gratitude, as well as the responsibility to support your great work. Let me be even more direct. Echoing Learned Hand's "Spirit of Liberty" speech (which is stenciled on the wall of the reception area of our firm's Delaware office), Jack Smith, in his testimony before Congress the other day so simply but eloquently observed that the "rule of law is not self-executing and we cannot ever take it for granted." That is why the work of the FBC and Foundation, in conjunction with our committed and esteemed judiciary, is more important than ever and that is why they deserve our unconditional support. Nothing less than the liberty of our children and future generations of Americans hangs in the balance.

From the bottom of my heart, thank you again for this incredible honor.

— Max Berger, BLB&G Founding Partner