

colleagues put it, there was “such a contrast between his intense work ethic and his gentle humour when the pen went down”.

Reflecting the priorities of his life, in his office Herb prominently displayed a number of photos of the family that was so dear to him. With his beloved wife, Ruth, who was at the centre of his world, pictures abounded of his twin daughters Amy and Melissa, and his son Jamie. In the year of his retirement, with no little pride, Herb was able to see Jamie join Farris as a summer articulated student.

Farris has lost a truly outstanding colleague, trusted advisor and steadfast friend. But our sense of loss is tempered with gratitude for the opportunity we have had to enjoy a long association with a person of such ability, honour and integrity.

A. Keith Mitchell, Q.C., and Dean A. O’Leary



Sargent Berner

Sargent (Sarge) Berner died of cancer in September 2014. He was born in Halifax on February 1, 1941. His mother Zelda was then living in army housing in that city while his father, Isaac Berner, was serving overseas in the Canadian Army in the Second World War. Isaac Berner served in both World Wars, achieving high rank as an officer. Sarge did not see his father until he was four years old.

After a brief stint in Ottawa, the family moved to Vancouver in 1945 where Sarge and his sister Vicki grew up. Isaac practised law and Zelda became a realtor.

Sarge grew up on the west side of Vancouver and along the way the family joined the Vancouver Lawn Tennis Club, where Vicki became very prominent in Canadian women's tennis. Sarge was very proud of his sister's achievements in this sport—she was Canadian Women's champion in 1971. Sarge himself was a good athlete, achieving competence in whatever sport he took up—tennis, skiing or golf, but he never aspired to become a champion athlete like his sister.



Sarge had something of a low-key personality—he seemed to achieve pretty much what he wanted in life without any great fuss or effort. His classmates recall a person who, by sheer talent but with no particular effort, was able to achieve high marks, often standing first in his class. He graduated from Magee Secondary School in 1959 and went on to earn degrees in economics and law at UBC. Throughout high school and university, Sarge rode the rails as a waiter on the Vancouver-Winnipeg run of the CPR. This exposed him to real life away from academic life.

At UBC Law, Sarge was the classmate of Barry Slutsky, another academic star. The two became good friends and jostled in a friendly way to see who would be number one. In their graduating year, Slutsky prevailed with Sarge coming second. Then the two of them headed off as scholarship students at the London School of Economics where Sarge obtained a Master of Laws degree in 1967.

While in London in 1967, Sarge married the love of his life, Nancy Kesten, then a young teacher. The couple were married at a synagogue on Abbey Road, just down the street from a studio where a young rock group called the Beatles, were recording.¹ Both Sarge and Nancy said the Beatles were the only rock band they really enjoyed listening to.

Sarge was such a fine academic that immediately upon his return, he was recruited to teach at UBC. He had not even applied for the job! Another example of his ability to achieve success smoothly. Today's students could envy such fortunate progress in a quieter time than the more frenetic present.

Sarge and Nancy were blessed with two sons: Geoff, born in 1971, and Toby in 1973. Neither followed their father into the law, Geoff becoming a musician and writer and Toby following an acting career. Sarge and Nancy were very proud of their sons and grandchildren.

After ten years of labour in academia at UBC Law, Sarge was persuaded by his classmate, David Black, to forsake the academic life for the joys (or travails) of practice. Although at first when he joined the firm of DuMoulin, Black he was inclined to try litigation, he soon moved on to become a star member of the securities practice at the firm. He had a great many clients whom he served over many years, primarily in the junior resource sector. One of his long-time clients in that field, the Hughes Lang Group, were participants in one of the most significant gold discoveries of recent times in Canada, the great Hemlo strike in Northern Ontario in the 1980s. After a thirty-year practice career at DuMoulin, Black, Sarge sort of retired but did continue to do some consulting for Hughes Lang Group until he became ill in 2013. By an odd coincidence, the principal of the Hughes Lang Group, Frank Lang, died early in 2015, just four months after the death of Sarge.

Over his years of practice at the firm, Sarge was a valued and collegial partner. His acute intellect and wise judgment enabled him to provide stellar advice to his many clients. Sarge was distinguished by achieving a large measure of success in both the field of academia and the field of legal practice. His surviving children and grandchildren can be rightly proud of their father and grandfather.

Unfortunately, the last few years were not kind health-wise to Nancy and Sarge. Nancy's health began to fail a number of years ago. Sarge devotedly cared for his wife but she succumbed to cancer in early 2013. Then later that same year, Sarge was diagnosed with lung cancer. He stoically endured a series of debilitating treatments for his cancer but the disease could not be permanently arrested and resulted in his death in September. His former partners, many friends and family mourn what they consider his too-early death but are consoled by a life replete with achievement.

The Honourable John Hall

ENDNOTE

1. The New London Synagogue on Abbey Road was also where the Beatles said their farewells to their

manager, Brian Epstein, who died in August 1967 at the age of 32.



Kathleen Angela Murphy

On February 10, 2015, Kathleen Angela Murphy passed away after a six-month struggle with cancer. She is survived by her father, Joe; sister, Maureen Murphy; partner, James Cudmore; and many dear friends. A well-respected and much loved prosecutor, her colleagues with the Provincial Crown Counsel mourn her passing.

Kathleen was born in Vancouver on July 24, 1964. A delicate baby blessed with long eyelashes and thick, shiny hair, she was the first of two daughters born to Joe and Sally Murphy. When she was a toddler, Kathy's parents moved to Montreal where her sister, Maureen, was born. She attended French language pre-school, kindergarten and early primary school. The family moved from Montreal to Vancouver then to Saint John, New

