



**A RESOLUTION IN HONOR AND MEMORY OF THE LIFE AND TIMES  
OF GARDNER MARSHALL MUNDY**

Gardner Marshall Mundy was born on July 19, 1934 to Gardner and Betty Mundy. At an early age he distinguished himself as a good student, an excellent athlete and one having something of a mischievous streak. It seems that young Marshall was utterly unable to resist the temptation of the mean streets of Salem at all hours of the day and night. It was said that one evening he released a jar full of fireflies during a showing at the Grandin Theater- an allegation he would not deny.

As Marshall finished up his secondary education at Andrew Lewis High School, he talked with his father about college options. Gardner told Marshall that he could apply anywhere he wanted, but that he would be going to VMI- as Gardner had before him. At the Institute, Marshall developed life-long friendships. He played varsity basketball, excelled academically, and at every opportunity ran the block with his brother rats. Marshall credited his VMI experience, which he could recall years later in minute detail, with molding him into the man he would become, instilling in his character senses of honor, integrity and leadership. He would later show his appreciation by serving on the boards of the Keydet Club and the Alumni Association, an eight-year term on the Board of Visitors and by establishing the Mundy Scholarship for athletes in need of financial assistance.

Marshall served in the United States Army thanks to the commission he earned at VMI. After his discharge, he attended the University of Virginia School of Law where he was Order of the Coif and Manager of the Law Review. He returned to Roanoke and joined then Woods, Rogers, Muse, Walker and Thornton. There he made a new set of friends, including my father, but it seemed that he didn't precisely fit in. Marshall established his own practice in 1971, and he would be a mentor to and partners with a number of attorneys, myself included. For thirty years I had the privilege of learning aspects of the law and law practice from Marshall. We never exchanged a cross word, which was a tribute to his deserved reputation as being a genuine southern gentleman.

And I submit that I learned from among the very best. Marshall was recognized as all everything as a lawyer. A member of the American Board of Trial Advocates, a Fellow in the American College of Trial Lawyers and the Virginia Law Foundation, and annually listed in the *Best Lawyers in America* and *Virginia Lawyers Weekly's* Legal Elite. He knew the law, and he helped create a piece of it. I expect that many of the Association's litigators have had occasion to read into evidence at trial a part of the adverse party's discovery deposition. Well, you can thank Marshall for that privilege. The case is *Horne v. Milgrim*, 226 Va. 133, 306 S.E. 2d 893 (1983).

Marshall was a great technical lawyer, but what really set him apart were his people skills. Clients loved him, juries loved him, even opposing lawyers loved him. And he loved them. When you spoke with Marshall, you quickly found that he wanted to know about you. His interest was keen, and genuine. People were just plain drawn

to that wispy gray hair, his blue eyes, his physical presence and that playful streak he had honed since childhood. People like Clyde “the Glide” Frazier, Hall of Fame guard for the New York Knicks. Marshall and Clyde met during one of Marshall's many and varied vacations and became very good friends.

Marshall loved this community, and he supported it. He served as President of this Association, and in 2014 he was awarded the Association’s Frank W. (“Bo”) Rogers, Jr. Lifetime Achievement Award. He served on the boards of various organizations, and he gave generously of his time and money to support their work. He attended Second Presbyterian Church.

Marshall had an excellent sense of right and wrong, and he did not hesitate to right a wrong. He formed and coached an all-girl recreational basketball team because there were few organized sports for girls. He was appalled by the racial segregation he witnessed growing up, so he supported organizations and candidates who were committed to the pursuit of racial justice and social progress. He once sued a towing company for badly treating an older woman who spoke only broken English. He got a judgment in her favor, and then called his friend Dan Casey with the *Roanoke Times* to have him publish an article about the ordeal so as to deter future misbehavior by towing companies. All at no cost to the client.

Marshall’s humor and wit was legendary. He loved to laugh, and he was often entertained by practical jokes he played on family, friends and office staff. You never quite knew what to expect from him. For example, Marshall was known to assume a

character he called “Marcel the Magnificent”. Marcel was obviously French, and he would regale children with stories in a horrid French accent and magic tricks. When he decided to ask wife Monika to marry him, he threw a party and in front of guests asked her to “take the plunge with him.” Obviously, she did.

In a letter dated August 14, 2017, then Chief Justice Donald Lemons of the Virginia Supreme Court, a co-chair of the National Task Force on Lawyer Well Being, wrote “To be a good lawyer, one has to be a healthy lawyer.” Thus began the lawyer wellness movement which continues today. Marshall had this figured out for himself decades before the movement. He understood how to balance work and pleasure in his life. He was an avid tennis player, and he ran marathons. He was a member of the YMCA’s health club where, I’m told, that on a given day more lies were told than in all of courtrooms of the 23rd judicial district combined. He traveled, a lot. He worked hard, and played hard, but the time he spent with family was his favorite time. And he dearly loved his family. Wife Monika, sons Stephens and Marshall, Jr., daughters Liza and Natalie, grandchildren, a niece and nephew, various and sundry animals and best friend Doris Rogers. Yes, Marshall very much considered Doris a member of his family. Talk to him for any length of time, and you would inevitably hear about his family. He was so very proud of all of them.

Were Marshall standing here beside me, he would be appreciative and humble, and he would think the whole of this occasion to be **WONDERFUL**- his favorite word. This word defines Marshall’s spirit as a lawyer and as a person.

NOW, THEREFORE, BE IT RESOLVED, that the members of the Roanoke Bar Association by this resolution reflect upon the life of Gardner Marshall Mundy with admiration and fondness, and we celebrate his life well and fully-lived;

AND BE IT FINALLY RESOLVED that copies of the resolution be furnished to the Circuit Courts of the City and County of Roanoke, the City of Salem and the County of Montgomery, as well as the United States District Court for the Western District of Virginia, Roanoke, Division, with motions that this resolution be spread upon the permanent common law order books of those courts; and that copies of this resolution be furnished to Monika Mundy, Marshall's wife, and to his children, to communicate the esteem in which the Roanoke Bar Association holds him and his memory.

GIVEN under the hands of the President and Secretary of the Roanoke Bar Association and seal of the Association this 14<sup>th</sup> day of March, 2023.

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Lori J. Bentley, Esq.  
President, Roanoke Bar Association

TESTE:

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Amy Hansen Geddes, Esq.  
Secretary, Roanoke Bar Association