

2002

Tribute to John Moran

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Recommended Citation

Joseph Crowley, John D. Feerick, and Mark E. Moran, *Tribute to John Moran*, 70 Fordham L. Rev. 1111 (2002).
Available at: <http://ir.lawnet.fordham.edu/flr/vol70/iss4/1>

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DEDICATION

TRIBUTE TO JOHN MORAN

*Joseph Crowley**

It is difficult writing about someone in past tense when you have not yet fully grasped the fact that they are no longer here. That is the problem I face in trying to write about my cousin, Battalion Chief John Moran, forty-two years young (Law, '94). For those of you at Fordham Law who knew John, you know what we have lost. For those of you who did not have the honor, the privilege, but are in someway looking to find your own connection to the attack upon our nation on September 11, I will try to give you a sense of who he was.

We will all never forget the day. I found myself on the 8:30 a.m. Washington Delta Shuttle at LaGuardia. The day seemed as normal as any Tuesday morning could be in New York: bright blue skies, I mean not a cloud—still traffic at LaGuardia. (Not unusual). After having to miss a vote the night before due to bad weather in New York, I was a bit nervous about being late for the ten o'clock journal vote that morning. At 9:07 a.m. I received an E-mail on my Blackberry from my Chief of Staff, Chris McCannell (another Fordham grad), "Where are you?" Then a second email, "There is an issue, can you call me? IT IS IMPORTANT!" I was on the air-phone when I heard the news introducing us all to a new era.

Soon out of the terminal and into my car, I called my cousin Mike Moran at his home. Mike, John's younger brother, is a firefighter at Ladder Company 3 in downtown Manhattan. I never even thought to call John. He was a Battalion Chief and they don't go into buildings—or so I thought. I got Mike's answering machine. It was later that I would learn that Mike had spoken to his brother three times that morning. The first was a 7:30 a.m. call from John to Mike to tell him that he was watching Mike's buddies, from the firehouse, on a local news channel: How Firefighters Make Good Cooks. Mike asked John, "Are you working today?" "No, I just got off duty," John replied. "If it's nice out, maybe we can go for a bike ride," he told Mike. The second call was about 8:50 a.m., from Mike to John's cell

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phone. Mike wanted John to know that a plane had just hit one of the Twin Towers.

John was already on his way down to the scene with his superior, Chief of the Special Operations Command, Ray Downey. John told Mike that it was bad and that he would also have to come in. Mike was getting dressed when he saw the second plane hit. He called John again and said, "It was no accident!" John replied, "I know. We're right here. I saw it happen." Mike told John to be careful and that he would see him down there. That wasn't to be. It would be Mike's last conversation with his big brother.

John did get off duty that morning. But, not unusually, he stuck around the Special Operations Command to do some paperwork when the call came in. And just like the twelve men from Ladder Company 3 who left the news show, John got in a rig with Chief Ray Downey and responded to this "all hands fire." Not one of them came home. They, along with 329 other firefighters, gave their lives to save others.

It would take Mike the better half of the day to get to his post at Ladder Company 3. Many of the other off duty firefighters from that company were already milling around, anxious to be told what to do. Tired of waiting, they commandeered a bus and filled it with as much equipment as they could. As they were pulling out, a chief began banging on the door and ordered the men off the bus and to stay put until further notice. The chief was willing to make an exception for Mike since his brother was missing. But Mike refused to go, knowing John would want him to act like a professional.

At around 10:00 p.m., Mike and the men from his company were allowed down to "Ground Zero." Mike knew right away there was very little hope his brother or any of the twelve men from his company would be found alive.

Although you would never know it, John Moran was a skinny, shy boy. Born and raised into an Irish Catholic household in Rockaway Beach, Queens, he lived there all his life except for a brief stint, in Manhattan, when he was attending Fordham School of Law. He was the third oldest in his family. After Ellen and Mona and before Mike, there was John. The son of Peggy (née Murphy) and firefighter, Walter Moran; it was no surprise that John and later his brother Mike would join those same ranks. In fact, John made sure that Mike received their father's badge number when he signed up for the fire department. That's just the kind of guy he was. Thoughtful.

John joined "the greatest job in the world" following a time in New York City Police Department. Test taking came easy to him, and joined with his commitment to do his duty, he was promoted through the ranks to become the youngest battalion chief in the department. John's commitment to excellence was reflected in his love for the law, graduating with honors and becoming a member of the *Law Review*.

John never followed—he was a born leader, conducting seminars in the latest fire safety techniques to his fellow chiefs, as well as teaching at the FDNY Fire Academy.

Although his rank in the Department changed several times, one thing that never changed was John's love of Coca-Cola. He wouldn't drink anything else. I can remember John's mom Peggy remarking when John turned eighteen, that maybe he would switch from Coke to beer. Aunt Peggy thought it might be more nutritious. He would have a few beers on occasion in those early years, but he never gave up his Coke. He loved it so much that his family didn't know what they were going to do when the company changed the formula. When he went to the store, he would buy as much of the original Coke as he could afford, then he would go back to the store, hide the rest and go back later when he had enough the money. Needless to say, there was a sigh of relief in the Moran household when Coke changed the formula back. Aside from Coke, John loved his McDonalds. It had to be hamburgers, plain, no ketchup, no pickles, no onions and two large fries in a bowl. Ketchup, on the side. He had his own ritual in eating as well. I won't go into that, but he wasn't the worse off for it. I don't know if anyone could see it back then, but John grew into a 6'3", 250-pound man with calves bigger than my thighs (I'm 6'4", 2. . .). He was so well proportioned that you didn't have an idea of how big he was until he was upon you. He had a shock of gray hair and blue eyes. John was what I call a Viking/Irishman.

In many respects, John was bigger than life. He has been described by many as a Renaissance man. Knowing him, as I did, I think he would find that description a bit over the top. I wouldn't. He could and would do anything he set his mind to. From sea kayaking in the Atlantic Ocean to graduating from Fordham School of Law. Although none of this may have been apparent in his younger days, it became only too apparent in his latter. He could fix or make anything. He could discuss any issue with great command. He could run, bike, and swim with ease. He could do it all.

John was passionate about the law. His brother Michael told me that one of the greatest gifts he ever received from John was a copy of the U.S. Constitution. He could talk about it forever. How it was written, not for scholars, but for the common man to understand. That it withstood the tests of time and grew with our nation. He would have been a great professor. Maybe that is where John would have ended his legal career. I found myself crying during a meeting with Mayor Giuliani when Fire Commissioner Van Essen told me John was officially among the missing. I was immediately comforted when the commissioner followed with, "he was a rising star in the Department. . . . He was going to the top." Maybe John's legal training would have distinguished him in attaining the top job. I

believe John went to law school, and more specifically Fordham, to enrich and better his life and the people he came in contact with.

He enjoyed his days at Fordham Law. He would often ride his bike from his apartment on East 88th Street to class at Lincoln Center, and then on to one of the three firehouses he served in during his time at school: Ladder 4, Rescue 1, Ladder 9. He would speak highly of the caliber of the faculty and the student body. John fondly reminisced of his involvement with the "Fordham Follies"; a theater group made up with like-minded students. In his first production, he wasn't sure how it was going to go, so he invited only his brother and a close friend. In that case, he thought, if he was a flop, he could lessen the blow. Well, by the following year, his whole family was invited. Enough said.

John's passion for the law was surpassed only by his passion for music. I recall John banging away on our Grandmother's piano when he was in his early teens. We both shared this passion and as we grew, each of us learned to play multiple instruments. But our mutual favorite was the guitar. I learned more about the guitar by watching my cousin John play than by any other means. I emulated everything John did. I didn't realize it at the time, but I did. I idolized John.

And of course there was the Beatles.

John and Michael once had a conversation about if you could live in any particular time in the history of the world, what would it be. Mike responded that it would have been during the reign of the Roman Empire. John would have liked to have been a teenager when the Beatles came to America. That said it all. He shared that love with me when he would give me his duplicate 45s of the Fab Four. I can remember being over his house one summer when he was really into the Beatles "White Album," and he turned me on to the song by Ringo Starr, "Don't Pass Me By." I think I nearly wore out his album.

Irish music was a strong influence in our family, which led us to American folk music. During a family reunion one month before 9/11, our evening weeklong campfire sessions kept spirits soaring in the wild Montana skies. John introduced to the younger audience and reintroduced to the older crowd, the greatest American and Irish artists: Nancy Griffith, Woody Guthrie, Tom Waites, Bill Paxon, The Clancy Brothers, Christy Moore. "Is it the crackling of the pool balls, neon buzzin, telephone ringing it your second cousin . . ." sung with his soft, raspy voice (Tom Waites could do no better). Those are now very special moments for all my family.

John's greatest devotion was to his wife Kim and their two boys, Ryan (7) and Dylan (4). He loved and doted over them like no one else could. I don't think I can put it any better than his own brother did, in the eulogy he gave at John's service, when he said:

If you knew him really well, perhaps you heard him speak to Kim on the phone, when he always ended the conversation with, "I love you," even if his little brother was there to tease him.

Or maybe you were there as he played guitar and sang with his cousins around a campfire, in Montana.

Or laugh with his buddies on the boardwalk,

Or perhaps you got a thumbs up after a particularly good smokey job.

Maybe you felt his arms around you in a tough time.

Maybe you were at the Block Party a few weeks ago, when he stopped my mother from doing the Macarena with her new hip. With a bemused look on his face, he took her by the arm, led her off the street and simply said, "Are you kidding me?"

Or if you were really lucky, you were in his house and got to watch him brush his boys' hair—for John could be the gentlest of gentle giants.

I was lucky enough to be at that Block Party. It was on Saturday, September 8th. We sang. We ate. We laughed. John and I even had a chance to sea kayak that day. I will never forget the sight of John pulling my two-year-old son, Cullen, from the beach to his home, on the back of some contraption he built for his kayak. We went to the rear of his home, where John had filled a kiddie pool for his two boys earlier that day and we used the water to rinse off the sand from our legs. I can remember looking down as John was kneeling, holding my son as he waded him through the water. I can still picture John's massive calves as he gently washed my son's legs and thinking to myself, "what a great man this is."

He loved his family, the FDNY, music, all things Irish, the law. He loved life. John was a devoted husband, a great dad, a wonderful brother, a caring son, a patient cousin, and a good friend to many. I think you get the picture.

I am sure during that hour of darkness John was a pillar of strength to those around him. He was the consummate professional. He would never let you down. But his mom Peggy remarked to my mom Eileen that she did not want to hear about her son as a hero. She said, "To me, he was just a good boy."

He will forever be missed.

We loved him. We all loved him.

There is so much more to this man than what I can say in these short pages. Again, for those of you who knew him, you have those precious memories. For those of you who did not, I hope you have some now.

Notes & Observations

TRIBUTE TO JOHN M. MORAN

*John D. Feerick**

I am honored to contribute some reflections for this special issue of the *Fordham Law Review* dedicated to the memory of John M. Moran, '94.

I remember John as a warm, generous and happy student who attended law school in the evening and served his fellow citizens as a firefighter during the day. He excelled as a student, becoming an Associate Editor of this *Review*, and had before him many opportunities to practice law in the private or public sector. Instead, he chose to remain a firefighter and continue his family's tradition in this most courageous and noble profession.

I have a recollection of speaking to John in his last year at law school and mentioning that my grandmother's maiden name was Moran, from Foxford in County Mayo, Ireland. According to the recollection of our senior family member, Patrick Boyle, we had a granduncle by the name of John Moran who came to America in the early Twentieth Century and, tragically, died as a firefighter in a building collapse in Chicago about ninety years ago.

The World Trade Center tragedy of September 11, 2001, is one that will be remembered as long as there is a United States of America. The attack on this international center in New York City reflects the worst capabilities of human nature in those responsible. It also reflects, among the innocent people who lost their lives, the very best of human nature: those who died while trying to save others.

John Moran was one of those special people. Though off-duty at the time of the attack, he joined his firefighter colleagues in responding to the call for help and died heroically without concern for his own welfare.

If it were possible to write the script of our final moments, I suspect that John Moran might have spoken of a circumstance in the call of duty. I have been told that he always carried with him the following quotation from President Theodore Roosevelt:

It is not the critic who counts, not the man who points out how the strong man stumbled, or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena; whose face is marred by the dust and sweat and blood; who strives

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valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions and spends himself in a worthy cause; who at the best, knows in the end the triumph of high achievement, and who, at worst, if he fails, at least fails while daring greatly; so that his place shall never be with those cold and timid souls who know neither victory nor defeat. T.R. (Paris, Sorbonne, 1910)

John's whole life seemed to be one of preparation for moments when he would put everything on the line in the service of others. One gleans this from his application to our School in the late 1980s.

What the Committee saw in his application was a young man who had graduated from Brooklyn College, working at sundry jobs to cover his expenses—from elevator operator, to dishwasher, to bartender. He then became a firefighter and volunteered, as well, to become a New York State Certified Emergency Medical Technician “so as to be better able to deal with the medical emergencies” he encountered while at work. His work then was in the poorest of areas in the Bedford-Stuyvestant and Crown Heights sections of Brooklyn. Of his experience, he said:

I was born and raised in a predominantly white, middle-class neighborhood, Rockaway Beach. Although it is part of New York City, it is largely insulated from many of the city's problems. Working in central Brooklyn has enlightened me to the range of conditions under which people are struggling to survive. While my work often brings me into contact with the most hopeless and downtrodden members of our society, I have been constantly inspired by those who refuse to despair under desperate circumstances, and strive to improve their communities, their families, and themselves. They have given me a greater appreciation of my own life and of the advantages I have been afforded—my family, my career, and my education.

He described his work with the people of the New York City Fire Department as the most satisfying of his life, stating:

I have tried to live up to the examples of perseverance, compassion, and selfless dedication that my colleagues have set, and which have been the hallmarks of this department.

As to why he wanted to be a lawyer, he said that he had not dreamed of becoming a lawyer but rather a “fireman,” as his father had. However, he experienced frustration which led him to law school:

I am frustrated by the range of social and economic problems in our innercity neighborhoods that the fire department is not equipped to deal with; homelessness, drug addiction, poverty, racism, and crime. There are many fires raging in this city that cannot be doused with water. I have come to the realization that I can have a greater impact on this city's future by becoming a lawyer. Most of the

important decisions affecting this city's future are made by lawyers. Some are good people; some are not. I believe that I am a good person. I enjoy helping people and solving problems. I am confident of my ability to handle stress and adversity. I believe that Fordham University could make me a good lawyer.

Well, John Moran was a good person—an extraordinary person—and he demonstrated his extraordinary love of people by what he did on September 11th and on so many other occasions prior to that date, volunteering to keep others safe.

Fordham School of Law expresses its enormous pride in this humble servant of others and will forever appreciate his heroism on September 11, 2001. We extend to his family our deepest sympathy and our gratitude for the time he spent with us.

Notes & Observations

AN ARCHETYPAL FIREMAN

*Mark E. Moran**

I met John Moran just before our second year of law school. John had started a year before me but had taken a year off to study for the Fire Captain's test. We were assigned to work together on our first cite-checking assignment for the *Law Review*. This involves confirming the entire accuracy of every footnote in a draft of an article to be published, and comparing your observations with those of your partner. Like much of the work young lawyers do, it is tedious, detailed, and time-consuming, and only remarkable when you blunder. And yet, as I trudged through the assignment in the law library on a hot August Saturday afternoon, somehow I actually enjoyed the experience. John's keen and disciplined mind enabled him to discharge this exacting task with such facility that we were able concurrently to hold a wide-ranging conversation about ambitions, family and friends, and our common roots in Rockaway Beach. After our next few assignments with an assortment of other partners, John and I asked to be paired together whenever feasible.

Our instant friendship had its roots in our shared heritage, but John quickly formed friendships with everyone he encountered. As he rejoined the law school in our second year, he met new classmates with tight friendships already-forged from sharing a treacherous first year spent learning to balance full-time jobs and personal relationships with legal writing and final exams. John nevertheless became a "part of the group" so quickly and seamlessly that within days he knew more of our classmates than I did. A bit further afield, John participated each summer in RAGBRAI, a bicycling event across the State of Iowa. Though he cycled each summer through 300 towns in a week and never spent more than a night in any one, he made so many friends along the way that he is now mourned like a native son by the people of Iowa. In one of many stories that Iowa papers published about John, a Des Moines firefighter said "John is the type of person whom after only talking to him for an hour you feel like he is your best friend." In a story in a California newspaper, a local firefighter that John had befriended said "If there was someone to pattern your life after, it would be John. He was a role model."

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John made friends so easily because he knew so well how to be a friend—he cared greatly about others. John's cousin, United States Congressman Joseph Crowley, described John as “6 foot 2 inches and 250 pounds . . . a Viking Irishman who has calves thicker than my thighs, the heart of lion and touch of a teddy bear.” This incisive description can be honestly applied only to very rare individuals—it is virtually incongruous. With many physically imposing men, their size is the first thing you notice and often the only thing you remember about them, and few people are capable of being both fierce and tender to extremes. And yet as I first read of someone close to John describing his mammoth size, it was almost startling to me—as though he must have grown since last I saw him. Though he was indeed a physical giant and forceful when appropriate, John walked softly and carried a big stick. His exceedingly gentle manner suggested he considered his size and intensity to be essentially irrelevant, simply a reserve of strength to be drawn upon in rare moments.

John's concern for others and his gentleness were part of what made him a great fireman and a great leader of firefighters. A series of rapid promotions culminated in his being named the youngest Battalion Chief in the Fire Department of New York and one of its most promising future leaders. The entire world now appropriately marvels at the overt courage displayed by John and his fellow rescue workers, and many people believe the courage derives from fearlessness. But Peggy Noonan recently reported that, as firefighters arrived on the scene, they lined up in front of a fire department chaplain to observe the Catholic sacrament of reconciliation in such great numbers that he finally conferred a battlefield-style general absolution. As Ms. Noonan concludes, “They knew. The firemen knew exactly what they were running into, knew the odds,” and they charged in anyway. This requires more than mere courage; it requires love. As Mayor Rudy Giuliani wrote in the foreword to *Brotherhood*, “Firefighters train themselves to run towards fire determined to save the lives of people they may never have met Firefighters are the purest example of love that we have in our society.” And John Moran was an archetypal fireman.

In addition to his kindhearted manner, John made an ideal law review partner because of his laser-like focus and uncommon diligence that gave me great comfort that we would effectively complete our assignments together. On one occasion, as we worked on an assignment late in the evening after classes, we discovered a potentially calamitous error in an article scheduled for imminent publication. In accordance with usual practice, we noted the error on the copy, but in large bold letters for emphasis. As we deposited the finished work in the law review office after midnight, we agreed to leave a separate note about the error in the article editor's mailbox to ensure that it was corrected before publication. I went home reassured

as a result of our taking this additional step. The next day, John told me that on his way home he still felt uneasy, and had telephoned the managing editor that morning and then dropped by the office of the faculty advisor when he arrived at school that evening. It was far more than what was required, but there was going to be no calamity on John's watch.

John's strong sense of duty also manifested itself when the law school installed a faulty fire alarm system that clanged several times each night for weeks. All but one of us did our best to disregard the noise and concentrate on the nuances of Evidence and Constitutional Law. But, without fail, each and every single time the alarms rang out, John rose from his desk and walked throughout the law school to make sure that there was no actual emergency. By the third night he had parked permanently in the seat by the classroom door so as not to unduly disturb the class with his frequent exits and re-entrances, and also to avoid the plaintive whispers from his classmates imploring him to ignore the bells. During an end-of-the-week social gathering, we ribbed John about his Aesopian fears. He confirmed that his actions were indeed driven in part out of fear that if everyone ignored the alarms, then we would not react when there was a legitimate alarm. But he also told us that, more importantly, the Fire Department may respond to some of the alarms, and the responders were likely to be from John's command. And, as he firmly explained, John Moran simply was not going to allow firefighters in his command to investigate a fire alarm and find John complacently planted in a classroom seat.

All of John's remarkable traits led him on a clear September morning to go beyond the call of duty and set an example of courage and leadership that no one among us should fail to learn from. As the first call came into his Special Operations Command, John had completed a 24-hour tour and then spent a few hours comparing notes with the leadership of the replacement shift. As he approached his car to drive home, John learned that the replacement shift had been called to respond to the most perilous challenge any modern fire department had ever faced. John was off-duty and looking forward to a well-deserved day of rest and family time, and the legendary Ray Downey had amply assumed leadership of the elite unit. John could have easily justified a decision to wish them well and head home, perhaps to await a call to lead the "mop-up" operations later on. No one who knew John Moran was surprised that he did not take this route. John's final journey on this earth commenced because John would not send his troops into a dangerous battle and then drive home. Anyone who ever talked to John for an hour will forever profoundly wish that this journey had a different ending. But I for one will never wish that John had made a different decision that day—

because to me, that would be wishing he was someone less than who John Moran was.