

## APPENDIX

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HONORABLE SIDNEY S. LANDAU<sup>1</sup>  
April 19, 1935 - June 10, 2008

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We gather today bound by bonds of family and friendship for a person who knew well that life is not forever and that as time passes there is a day appointed for all of us when we will pass from this life.

Judge Sidney Landau was that man. After a long illness, he died on June 10, 2008.

Little that we say here can beguile those closest to Judge Sidney Landau from such a loss. Family and friends of Judge Landau, I know I speak for all of you and for all the members of the Connecticut Appellate Court when I say to Judy, Cara Beth, Deena and Amy, the grandchildren, Rachel Elise Graber, Sarah Rose Graber, Genna Ashley Levison and Hank Benjamin Levison, sons-in-law Gary and my former clerk Howard, and other close family members and lifelong friends, that we are truly sorry and hope that a few words spoken on behalf of the Appellate Court may be of some comfort to you, and that both your faith and time, the great healer, will assuage your sadness in the parting.

Judge Landau spent sixteen years in private practice and as a prosecutor. In 1976, he was appointed a Judge of the Court of Common Pleas, in 1978 to the Superior Court, and in 1990 to the Appellate Court. He sat on almost 1900 three-judge panels, and authored more than 400 Appellate Court opinions, dissents and concurrences.

Many things could be said about Sidney Landau's long career at the bench and bar, but constraints of time will limit me to but a few.

*He was a great teacher.* His law clerks, and his students at the law schools of the University of Bridgeport, and Quinnipiac and at Cambridge University, England, benefited from this skill.

*He had a heart.* Legal doctrines traditionally limited recovery for bystander emotional distress and cases under the Dram Shop Act. In an important scholarly and groundbreaking appellate decision, Judge Landau determined that despite those traditional limitations the parents and brother who had witnessed the death of their son

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<sup>1</sup> Eulogy by Chief Judge Joseph P. Flynn, Connecticut Appellate Court, at Services on June 13, 2008.

and brother caused by an intoxicated driver could recover damages under the common law for the resulting emotional trauma. In *Craig v. Driscoll*, 262 Conn. 312 (2003), the Connecticut Supreme Court affirmed him, overruling one of its precedents, as it did so.

*He could bring people together.* I saw this personally when serving with Sidney in Stamford in the late 1980's. He was often able to sit down with warring sides in bitter litigation, lead them to some common ground and resolve very bitter disputes. Appellate judges can often differ strongly about disposition of some of the appeals before them. On the appellate panels on which he served, he could calmly seek out that common ground and bring opposing points of view together.

*Finally, he cared about people.* As a trial judge, Sidney Landau upheld his oath of office and meted out sentences which the legislature had ordained for crimes arising out of the use and sale of narcotics. This waste of human talent and promise bothered him. However, he understood that at one time or another all of us have flown with broken wings, and he participated in and helped coordinate a youth program in Bridgeport, our largest city, and elsewhere aimed at keeping the young from addiction and the criminal conduct and wasted lives that accompany such dependency.

Like Tennyson's "Ulysses," Sidney's life took him many places, and, like Ulysses, he was part of all that he had met.

He was a man who understood that sometimes important work in life occurs far from where the trumpet sounds. He understood that in a world where truth is often difficult to determine, we must seek after it. He understood that real justice is inseparably linked to the truth.

On life's journey, not all is calm. Winds can blow. The storm follows. We remember today a man who stuck his chin into the winds which came his way and with his wife, children, family and some faithful friends at his side, weathered the storms. That is the example the life he led gives us.

His life will be a daily reminder to all of us to enjoy the good things life brings and to persevere in the face of the harsh winds that at one time or another beset us all.

The inevitable setbacks which come along need to be faced with courage. His life embodied the poet's lines:

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“In the fell clutch of circumstance  
I have not winced or cried aloud  
Under the bludgeoning of chance  
My head is bloody, but unbowed.”

Sidney labored in the judicial vineyard long after he could have gone into a comfortable retirement.

So too, Tennyson wrote his poem, *Ulysses*, long into his career. Perhaps it is his greatest work and perhaps he thought of himself when he wrote, “Old age hath yet his honor and his toil.” But he could have been writing about Judge Sidney Landau when he wrote those other lines President Kennedy loved so well about *Ulysses* setting out on another voyage with his trusted shipmates:

“The lights begin to twinkle from the rocks;  
The long day wanes; the slow moon climbs; the deep  
Moans round with many voices. Come my friends,  
Tis not too late to seek a newer world. . . .  
Though much is taken, much abides; and though  
We are not now that strength which in old days  
Moved earth and heaven, that which we are, we are;  
One equal temper of heroic hearts,  
Made weak by time and fate, but strong in will  
To strive, to seek, to find, and not to yield.”

As we take leave of the Judge, we remember the teacher, who had a heart, brought people together, and cared about those among us who are most at risk. From all of us, we say goodbye old friend.

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