

# Judge demands order in court

NOTTINGHAM TOUGH ON LAWYERS

[By Greg Griffin](#)

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When Grand Junction lawyer Edward Nottingham sought approval to the federal bench in 1989, a senator told him that he didn't like federal judges losing their tempers in the courtroom.

Nottingham responded that as a lawyer, "I've been on the receiving end of a number of those tirades from time to time."

Nottingham, 59, has delivered his share of tongue-lashings during 17 years as a U.S. district judge.



Judge Edward Nottingham was named to the bench in 1989.  
(Special to The Post)

He has given lawyers daily doses of his wrath during the insider-trading trial of former Qwest chief executive Joe Nacchio, which began Monday. He also has shown quick wit, a deft touch with jurors and a single-minded determination to keep proceedings moving in the trial, which is estimated to last six to eight weeks.

On Monday, Nottingham scolded Nacchio lead attorney Herbert Stern for arriving minutes late from a break.

He told Stern to "stop making faces at me" on Tuesday and chastised prosecutor Colleen Conry a day later for "thumb-sucking." On Thursday, he again lashed out at Stern during questioning of a witness.

Those who know Nottingham aren't surprised to see him tussling with the attorneys. They say he has high standards and abhors needless delays.

"He has high expectations of lawyers. He doesn't brook sub-par performance," said Colorado Court of Appeals Judge Daniel Taubman, who roomed with Nottingham during their senior year at Cornell University in New York. "He believes they should provide high-quality representation for their clients."

Some lawyers complain about Nottingham's demeanor, but few do so on the record. Most agree with Taubman's assessment.

"He's seeing through the fights lawyers have. He's going to get through the distractions. He is intolerant of ineptness," said Denver defense lawyer Jeffrey Springer. "He's a great federal judge."

Nottingham was well-known in the 1990s for his predawn hearings to settle what he considered frivolous disputes.

Grand Junction lawyer Larry Beckner, a longtime friend and former law partner, said Nottingham referred to the hearings as the "doghouse docket."

"Lawyers used to call me and ask about the doghouse docket. I'd say, 'All I know is if you're on the doghouse docket, you're in the doghouse,'" he said.

Springer recalled that Nottingham once set an early-morning hearing in a case involving singer Wayne Newton. When Springer objected that Newton would have to cancel a concert, Nottingham didn't budge.

"Needless to say, we settled the dispute," he said.

Nottingham has warned lawyers in the Nacchio case that they, too, could end up in the doghouse. In an order issued on the eve of trial in response to a defense filing he found frivolous, he remarked that he considered setting a 6:30 a.m. hearing. But he decided "this little contretemps is beneath the sorry level of infighting which would merit such a hearing."

Nottingham was born in Eagle County to a prominent ranching family. He worked on his father's 3,400-acre ranch as a boy.

But he preferred learning Latin to herding sheep and playing chess to frolicking in the creek.

"He always was clean and neat ... whereas boys as I knew them on the ranch, they liked to go out and get dirty and play in the crick," said Frank Doll, an uncle who lives in Avon. "He was more polished."

In high school, Nottingham and his two brothers lived in Grand Junction with their mother during the school year so they could take classes not offered at the local schools.

As Young Republicans, Nottingham and Beckner chauffeured presidential candidate Barry Goldwater around Grand Junction in a borrowed Cadillac during a campaign visit.

"We were just geeky high school kids," Beckner said. "We were not on the athletic teams. We were on the debate team and in Latin class and the chess club."

Nottingham aspired to be president, Beckner said. He graduated near the top of a 620-member class.

The Nottingham family settled the Eagle Valley in the late 1800s, and generations prospered there as cattle and sheep ranchers. They sold much of their properties beginning in the 1970s.

Edward Nottingham's family sold its ranch to Vail, which developed the Beaver Creek resort there. His brother Michael owns a large ranch near Craig. Their childhood home is now a French restaurant near Beaver Creek.

Nottingham studied government as an undergraduate at Cornell. He was deeply disturbed when the university caved in to demands by black students who took over the student union in 1969 and armed themselves, Taubman said.

Nottingham studied law at the University of Colorado, worked as a federal prosecutor in Denver in the late 1970s, then went into private practice with Sherman & Howard. In the mid-1980s, he joined Beckner in Grand Junction, where he coordinated George H.W. Bush's regional presidential campaign. In 1989, the newly elected President Bush appointed him to the federal bench.

Nottingham is divorced and has one daughter and two sons.

An early riser, he works out nearly each morning at the Denver Athletic Club and is an avid skier and bicyclist who completed the Triple-Bypass bike ride last year in cold, rainy weather.

The 120-mile course starts in Evergreen and traverses three mountain passes before ending in Avon - at Nottingham Lake.