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Introduction to the Northern District of Iowa History Newsletter

Welcome to the inaugural edition of the Northern District of Iowa History Newsletter, a product of the Northern District of Iowa Historical Society. The Society felt compelled to generate a newsletter—in a sense, perhaps, an “oldsletter”—to inform courthouse family and members of the bar about the Northern District of Iowa’s significant history. Too little is known about our past and the lessons we can learn from those who have forged before us. Our newsletter is designed to fill that gap, to emphasize that we are a continuation of a remarkable history, and to encourage our readers to take a greater interest in where we came from so we can better know where we are going.

The newsletter will be bi-annual, featuring articles on the places, faces, and cases of the Court and a profile in history. The places column will highlight past courthouse locations or where important historical events in the Northern District of Iowa have occurred. The faces column will provide short biographies of a member of the court family, including judges, members of various agencies working with the court, and law firms and members of the private bar who have practiced in federal court. The cases column will feature a description and explanation of a famous or important case in the District’s history. We will also include a column about anything that is “new” about the old—that is, anything new about the Historical Society or ways the history of the Northern District of Iowa has been noted or promoted.

We invite our readers to provide feedback and contributions. Letters to the editor or comments about past articles may be published upon request and with permission. Any reader who wishes to contribute an article or content is welcomed to do so by submitting the material to the Historical Society through [Paul DeYoung](#), Northern District of Iowa Clerk of Court.

If you would like to become a member of the Historical Society, please remit a check for 2023 dues in the amount of \$10. You may pay via Zelle QR code (screenshot to the left) by including your name and email in the memo box. Or you may mail a check payable to the “NDIA Historical Society” with email contact information to the following address:

NDIA Historical Society
111 Seventh Ave. SE, Box 10
Cedar Rapids, Iowa 52401

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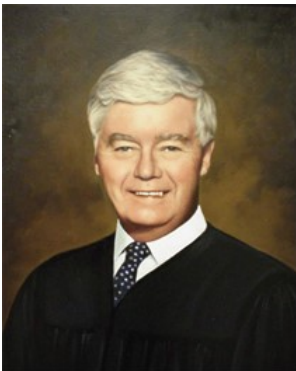
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First Federal Courthouse in the Northern District of Iowa

The first United States Courthouse in Cedar Rapids was located at the corner of Second Avenue and Third Street at 305 2nd Avenue, SE. Construction began in 1892, but due to the length of time it took contractors to finish up the interior, the building was not occupied until 1895.

In March 1908, the building closed for extensive renovations, including the addition of a third floor and a 35-foot expansion along the entire east side of the building. In addition, the entire interior of the building was remodeled and almost doubled the working space for employees. Around March 1910, the building was completely finished and the courts were able to move back into the building.

The federal courts were housed on the second floor of the refurbished building until 1933 when they moved into a new building on First Street. The building survives today and is known as the Witwer Building. In 1983, the building was added to the National Register of Historic Places and was noted for its “elaborate example of Renaissance Revival.”



Judge Donald E. O'Brien

Donald E. O'Brien was one of the longest serving district court judges in the Northern District of Iowa. He was born September 30, 1923, and died on August 18, 2015. His education at Trinity College in Sioux City was interrupted by World War II, during which he served the United States Army Air Force as bombardier in a B-17 Flying Fortress. He flew thirty missions over Europe with the Eighth Air Force and was awarded the Distinguished Flying Cross and five air medals for his service.

After the war, O'Brien earned his law degree in 1948 from Creighton University. He had a varied career in the law. He practiced law in a private firm in Sioux City, and served as part time city prosecutor, county attorney, and United States Attorney. In 1978, President Carter appointed him judge of the Northern and Southern Districts of Iowa. Judge O'Brien was admired as a hardworking and conscientious judge. In addition to his judicial duties, he also served on the Budget Committee and as the Eighth Circuit's representative on the Judicial Conference of the United States.

Judge O'Brien presided over several important trials. In one controversial case, Judge O'Brien held that the United States was responsible to pay damages to a citizen who had suffered serious injuries when he took an immunization at the urging of then-President Ford for Swine Flu. In *Goff v. Harper*, the Eighth Circuit Court of Appeals adopted Judge O'Brien's directions to Iowa Prison officials to remedy constitutional violations found at the Iowa State Penitentiary. The directions included requiring the prison to build a special needs unit to separate those with mental health problems, revise the disciplinary procedures, and provide inmates with indoor exercise facilities.

On December 30, 1992, Judge O'Brien took senior status. Judge O'Brien always strove to operate on the premise that the office of a judge does not sanctify the holder of it. "Never take yourself too seriously" was his constant reminder to himself. Characteristically, he worked up until approximately a week before his death.

The First Chief United States Probation Officer

In 1946, Edward L. Anderson was appointed as a United States Probation Officer for the Northern District of Iowa by United States District Court Judge Henry Norman Graven. Prior to his appointment, “Ed” earned his B.A. and M.A. degrees from the University of Iowa, and subsequently worked for eight years as a teacher and superintendent in the Iowa public school system.

From 1933 until 1957, the United States Probation Office in the Northern District of Iowa consisted of only one federal probation officer, a far fraction of the nearly 50 staff employed with the probation office today. Officer Ed Anderson was the third United States Probation Officer hired in the district. At that time, he replaced Charles F. Holly (who interestingly enough had served in both the Spanish American War and World War I and who was previously employed as a deputy marshal for the United States Marshals Service). Officer Holly had replaced Michael L. Healy, who ultimately was the first United States Probation Officer to be hired in the district (in 1933).

In 1957, and after working independently for approximately 11 years, Congress authorized the additional appointment of a second probation officer position for the Northern District of Iowa. Hence, Dale H. Martin was appointed, and subsequently, Officer Anderson became the district’s first Chief United States Probation Officer, a position he held until he retired in 1975 at the age of 61.

Mr. Anderson had a wife to whom he treasured, and two sons, including one with special needs. He was active in his church, the Linn County Arc, and at one point served as president of the Iowa Association of Retarded Citizens. In 2008, current Chief United States Probation Officer Lisa Feuerbach had the opportunity to meet former Chief Anderson after she was recommended to receive the probation office’s coveted “Edward L. Anderson Award,” symbolic of recognition based off the significant contributions Mr. Anderson made while employed at the probation office, and the exemplary level of character and professionalism he demonstrated for 29 years when he worked for the district. Chief Feuerbach recalls former Chief Anderson being very kind and humble during her visit to his apartment at the Meth-Wick Retirement Community in Cedar Rapids. In his blue suit and matching tie, he offered her celebratory tea and scones, while sharing some of his experiences of working in the probation office. It was very evident that he was a devoted employee of the United States Courts, that he still cared deeply for the people he worked with, that he respected and even befriended the clients he served, and that he still appreciated the impact that United States Probation Officers have on the community.

At the age of 95, Mr. Anderson died in 2010, in Cedar Rapids, Iowa. His legacy continues to be highlighted in the United States Probation Office by way of his annual namesake award.



Current Chief United States Probation Officer Lisa Feuerbach (left) holding the Edward L. Anderson Award with former Chief United States Probation Officer Edward L. Anderson (right)

Father-Son Combine for 90+ Years of Leadership within the Northern District of Iowa



Tom Collins

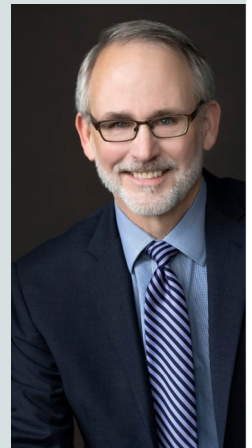
Photo credit: Shuttleworth & Ingersoll

If you've practiced civil litigation in the Northern District of Iowa over the years, you've likely had the good fortune to come across Tom and Kevin Collins and the law firms they've led. Together Thomas M. Collins and his son Kevin H. Collins have 90+ years of practice at the highest levels before the Northern District of Iowa and within this community.

Both received their J.D. degrees from the University of Iowa College of Law. Upon graduation, both joined the law firm Shuttleworth & Ingersoll, one of the oldest law firms West of the Mississippi River (originally founded in 1854, now one of the largest law firms in Cedar Rapids and throughout Iowa). Tom joined Shuttleworth in 1952, and served as its President for decades. Kevin joined Shuttleworth in 1981, then practiced in Hawaii for a few years, before returning to Shuttleworth in 1984. While at Shuttleworth, Kevin served for several years on the Iowa Supreme Court Advisory Committee and Iowa State Bar Association's Board of Governors before becoming the ISBA President, from 2003-2004. In 2008, Kevin joined another large, well-respected law firm, Nyemaster Goode, PC, opening its Cedar Rapids office, from which Kevin practices today.

When Tom first started practicing, attorneys were more generalists than today – a normal day for Tom then may have been focused on estate planning and tax advice in the morning, followed by an afternoon trial. By the late 1960s and into the 1970s, Tom tried many tax fraud cases before Judge Edward J. McManus in the Northern District of Iowa, including successfully defending local business leader Dale Lee (founder of Dale Lee Distributing, now 7G Distributing) against tax fraud charges. Tom also successfully handled civil contract disputes in federal court, including helping Cast Metals enforce its rights against construction equipment giant Caterpillar Inc., resulting in a favorable resolution generating multi-year payments to Cast Metals following a six-plus week trial in the Southern District of Iowa. Tom also represented U.S. Bank in civil disputes before the Northern District of Iowa.

Kevin has been equally adept and successful in the Northern District of Iowa, litigating there for over 40 years. His achievements include: *Eden Electrical v. Amana Co.*, 370 F.3d 824 (8th Cir. 2004), with the 8th Circuit Court of Appeals (including panelist Judge David R. Hansen, former Northern District of Iowa judge) affirming a jury verdict of \$2.1 million in compensatory and \$10 million in punitive damages for his client, an Israel distributor of Amana appliances. Kevin tried *Eden Electric* in the Northern District of Iowa before the Honorable G. Thomas Eisele, esteemed Judge for the Eastern District of Arkansas sitting by designation (as Judge Michael J. Melloy had been appointed to the 8th Circuit Court of Appeals and Judge Linda R. Reade had not yet been confirmed to the Northern District of Iowa bench), a World War II Army veteran with reputed close ties to General George Patton, then following the War was Harvard-educated and named Best District Judge in the 8th Circuit by *The American Lawyer*. See also *Panda Investments v. Jabez Enterprises*, 2007 WL 4556785 (N.D. Iowa 2007), wherein then Northern District of Iowa Chief Judge Reade entered judgment in favor of Kevin's client, a distributor of famous toys such as Hot Wheels and Slip N Slide, including ordering the U.S. Patent and Trademark Office to rescind fraudulently transferred-trademarks.



Kevin Collins

Photo credit: Nyemaster Goode

After more than 50 years of practice, Tom passed in August 2020. Kevin continues Tom's winning legacy -- just this Spring winning summary judgment in a hotly contested attorney fee dispute and a jury verdict representing a will contestant in a multi-million dollar estate. Kevin continues Tom's professional and civic leadership legacy, including serving as President of the Northern District of Iowa Historical Society.

Northern District of Iowa Historical Society Officers

Kevin Collins - President // Tim Hill - Vice-President // Tim Vavricek - Treasurer // Melissa Carrington - Secretary