

FOREWORD: A *FESTSCHRIFT* IN HONOR OF DALE A. OESTERLE

Paul Rose*

During my callback interview at Ohio State some seventeen years ago, I found myself both excited and terrified to have a few minutes to chat with Dale one-on-one. I had known Dale and his work from regularly reading his “Business Law Prof” blog, as well as through several of his papers. I knew from his writings that he was both brilliant and iconoclastic; he did not fit easily into defined intellectual, scholarly, or even political categories. I was in awe of his brilliance and his endlessly curious, purely independent approach to business and the law. I knew that on a faculty full of brilliant minds, no one had more intellectual horsepower than Dale. What I did not know, but would learn and repeatedly observe through the years, was how generous and kind-hearted a mentor Dale would be.

Seventeen years later, I am still in awe of Dale’s intellect, and admire his ability to see three steps further than most everyone else. That ability is reflected in the essays in this *festschrift*, written by David Ebersole, Jeffrey Haas, Stephanie Hoffer, and Alan Palmiter, who have been fortunate enough to have written with Dale, worked with Dale, and learned from Dale. The essays celebrate Dale’s work as a scholar, and, more importantly, they underline his impact as a colleague, friend, and mentor.

I want to note two other points that deserve recognition, especially because I believe they go to the heart of who Dale is as a person. First, Dale is a fundamentally giving person. Dale has given to others in countless ways that often go unnoticed because he gives quietly and without any thought of recognition. This great generosity of spirit is the attribute I most associate with Dale. If you spend five minutes with Dale, you will know that he is brilliant. If you spend an hour with Dale, you will know that he is delightfully mischievous and witty. If you spend a day with Dale, you will know that he has a heart of gold.

Second, Dale is one of the greatest teachers I have ever seen. He immediately commands a room, and has a unique ability to make even the most complex topics accessible. He is also gifted with timing that most stand-up comedians would die to possess. Although his impact as a scholar has been immense and far-reaching, I believe his impact as a teacher will be even greater. Dale has benefitted generations of students with his exceptional ability to help them understand the *why* of business law, with his expansive understanding of economics, politics, and the incentives of politicians, regulators, investors, and entrepreneurs.

Dale has been the “red pill” who helped students understand how markets really work and why market participants do the things they do. He also showed students how lawyers can add value to their clients’ businesses; he modeled the kind of business lawyering that clients want and need. And, perhaps most importantly, he very clearly explained and demonstrated how business lawyers play a crucial, beneficial role in society through expert counsel and guidance to business leaders—a good business lawyer can provide the tools and structures that help individuals, communities, and economies to thrive and prosper. Students may have heard in undergraduate classes or in other law school classes that capitalism did not serve the interests of society, but Dale provided an important counterweight to those

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messages. Dale has improved business law at Ohio State in countless ways, including through his work in encouraging the development of the Ohio State Business Law Journal, helping to develop and lead the Entrepreneurial Business Law Clinic, and helping to advise and expand the Business Law Society.

I am grateful for Dale. I learned years ago that I could ask him about anything—from lawnmower maintenance, to bleeding brakes on old cars, to teaching insider trading law—and he has been a clear, reliable guide. I am grateful for his mentorship and support, and I am sure I would not be where I am today without Dale (and indeed, I likely would not have been hired at Ohio State but for his insistence on the need for more business law faculty and for his personal support of my candidacy). I already miss seeing him at the College of Law, but I am grateful that his influence will carry on in the years to come.

Thank you, Dale.