

The Jewish Weekly

His 'Ahavat Yisrael Radar' Was Always On

By Baruch Cohen

I am a civil trial attorney in the Hancock Park section of Los Angeles, CA, with a heavy emphasis on bankruptcy and Beit Din (Jewish court) litigation.

I had the great honor of representing Chabad of the Valley for years, under the guidance of Rabbi Yehoshua Binyamin "Josh" Gordon, of blessed memory.

Back in 2005, Chabad of the Valley was unfortunately sued by a bankruptcy trustee in the Woodland Hills Bankruptcy Court in the Central District of California to recover 'fraudulent conveyances' of substantial charitable contributions to Chabad of the Valley. The donor made charitable donations to Chabad of the Valley, was honored by Chabad for his philanthropy, but then was forced into an involuntary bankruptcy by his creditors for running an alleged ponzi scheme. The bankruptcy court appointed a chapter 7 trustee to recover those 'ill-gotten' donations to Chabad, claiming that the funds belonged to the donor's creditors. The lawsuit, if successful, would have resulted in an enormous financial loss to Chabad. I was retained by Rabbi Gordon to defend against that lawsuit in federal bankruptcy court.

During the litigation, the chapter 7 trustee's counsel took Rabbi Gordon's deposition in his Century City office, and I defended him there. As part of the deposition, the trustee's counsel asked Rabbi Gordon foundational questions about Chabad, it's mission, its work, and the issue of the charitable donations in particular. Rabbi Gordon's answers were complete and accurate, giving the trustee a real appreciation for the great work of Chabad.

During the break in the deposition, when we recessed, Rabbi Gordon pulled me to the side to get my impressions as to how he was testifying, and my strategies about our defense, when all of a sudden, out of nowhere, he changed the subject, and curiously asked me if I knew whether the trustee's counsel was Jewish. I responded that I had no idea if he was Jewish, as the lawyer's name was not a recognizably Jewish name. "But why on earth, does that matter, as we're staring down the barrel of a litigation gun right now, getting closer and closer to trial, with the threat of a summary judgement motion about to be filed?"

Rabbi Gordon was not swayed by my answer and continued; and told me that during the deposition, while being questioned, he detected something "Jewish" in the way the interrogator was asking him followup questions about Chabad; and that his "Ahavat Yisrael Radar" was always "on" even in tense situations like this. "I sensed his Jewish soul. I could be wrong, but I don't think I am. I think he's a Yid" he told me. And on that note, Rabbi Gordon announced that our lunch will have to wait, as he needs to run and get something from his car that is



Baruch C. Cohen, Esq. with Rabbi Yehoshua Gordon, OBM.
(pic courtesy crownheights.info)

parked in the subterranean parking structure. I assumed that he was running to his car to bring me documents that would help the defense of his case.

I waited for Rabbi Gordon to return in the building's cafeteria where I started eating my lunch by myself. Rabbi Gordon returned with no documents, but rather a Tefillin bag and a twinkle in his eye, telling me: "If he's a Yid, I want to put Tefillin on him. Baruch, let me do this. I know what I'm doing. This is very important to me" To which I responded: "Are you out of your mind? This is not the time or place for this. May I remind you that you're on the defensive here? Get off the Tefillin idea and let's get focused on the case...." My arguments went nowhere, Rabbi Gordon took his Tefillin bag with him back up to the conference room when the deposition resumed.

During the last hour of the grueling deposition, while on the record, Rabbi Gordon politely asked the trustee's counsel how old he was and if he was Jewish. "Excuse me? I'll ask the questions here, and you'll answer them" was his stern reply. At which point, I put my head in my hands, fearing where this was going. Rabbi Gordon was undeterred: "Fine. I'll answer your questions, but can you please answer mine: are you Jewish?" The trustee's counsel instructed the stenographer to go "off the record" so the conversation could continue.

Annoyed, the trustee's counsel responded that he was in his late 50's, and indeed was Jewish, but not observant like we were – and can we please go back on the record to resume the deposition? Rabbi Gordon reaches for his Tefillin bag, explained what Tefillin is, and asked the lawyer if he had ever put one on before. The trustee's counsel was getting more and more irritated by Rabbi Gordon's line of questions, and didn't want to engage Rabbi Gordon about his heritage, and responded in a stern tone that he never put on Tefillin, insisting that we go back on the record, and resume the questioning.

Rabbi Gordon was undeterred. He was amping up: pushing the envelope, and asked the trustee if Rabbi Gordon could put Tefillin on him now, at the deposition. I could not kick Rabbi Gordon under the table to signal to him to stop (as I was convinced it would have been a waste of my time). The trustee's tone was now forceful that the Jewish-Tefillin conversation has come to an end, he made it very clear that he didn't believe in whatever Rabbi Gordon was "shoveling" and he absolutely refused to participate in the Tefillin ceremony. At this point, the trustee got very upset and went back on the record and resumed and completed the deposition.

It Once Happened...

Two months later, we were in bankruptcy court on the hearing on the contested motion for summary judgement brought by the trustee. The bankruptcy judge's tentative ruling was intentionally vague as to who would win the summary judgement, and during the hearing, the bankruptcy judge asked Rabbi Gordon what the halacha was on whether creditors had the right to recover charitable contributions from the charity. With no notes and no preparation, Rabbi Gordon rattled off a halachic analysis on the subject that would make any Talmudic scholar blush. It was absolutely brilliant, incredibly well organized and he cited several commentaries on the Shulchan Aruch, charting the Halachic development. I was totally floored at his unrehearsed presentation to the judge, as I had no idea Rabbi Gordon had such a breadth of knowledge in the highly specialized area of the Choshen Mishpat dealing with complex monetary disputes. The judge was very impressed, pleased and satisfied with Rabbi Gordon's impromptu presentation, returned to business, and encouraged the parties to go out into the hallway and try to settle this case before she is forced to rule on it, which we did.


After hours of tense negotiations in the hallway of the courthouse, we were still miles apart – in terms of dollars – from settlement, when Rabbi Gordon grabbed my arm, winked at me and I saw that disturbing twinkle in his eye again, and he announced that he would accept the Trustee's final settlement demand on one condition: that after the settlement consummates and finalizes, that Rabbi Gordon would have the privilege of putting Tefillin on the Trustee's counsel; to which he agreed on the explicit condition that no cameras be present when he puts on Tefillin. And thus ending years of contested litigation over a handshake.

The settlement was finalized, monies were paid, and Rabbi Gordon subsequently went to the Trustee's office to close the deal – to put Tefillin on him for the 1st time in his life. Rabbi Gordon explained to me later, how significant and important it was to him to put Tefillin on that Jewish lawyer from Century City. "Reb Baruch, the lawsuit seemed secondary to me at that moment. Believe it or not, it was insignificant. All that mattered to me right then and there, was to put Tefillin on my fellow Yid." Had I not witnessed this myself, I probably would not have believed such a story.


I realized that Rabbi Gordon's intuition was obviously correct and his "Ahavat Yisrael Radar" was properly calibrated.

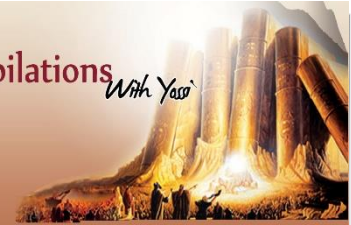
Our professional relationship and friendship continued for many years. Rabbi Gordon was a great client, he became my study partner, and a very very dear friend. In my darkest hour he dove in to my soul with laserbeam accuracy to console and comfort me during my mourning. He knew what to say, and how to say it. His business ethics were beyond impeccable. He only feared G-d, and feared no man. He is sorely missed.

Reprinted from crownheights.info.



Shabbat Times – Parshat Terumah

	Candle Lighting	Motzei Shabbat	Motzei Shabbat ר"ת
 Jerusalem	4:40	5:55	6:34
Tel Aviv	4:55	5:56	
Haifa	4:45	5:55	
Be'er Sheva	4:59	5:58	



The Rewards of Celebrating Tu B'Shvat with Delicious Fruits

By Rabbi Dovid Hoffman

A fascinating story about how one can become enriched from following the minhag to eat fruit on Tu B'Shvat, was told by an Israeli jew after a trip he took to France. The man would often fly on business to various cities, and on one occasion, he found himself in Paris in mid-February. He went to daven in a nearby synagogue and it was there that he learned that that very day was Tu B'Shvat.

He had a flight back to Israel to catch later in the day, so he quickly hurried out to the local fruit market and purchased some fruit to take along on his flight. The fruit seller was a religious Jew and when he noticed the man picking up some of the most exotic and expensive items, he felt compelled to ask.

"Tell me, sir, why are you buying so much fruit - and such an exotic selection, just to take back to Israel? Aren't there many exotic fruits in the Holy Land?"

The man replied, "Why, today is Tu B'Shvat and this is a custom that my family adheres to year after year."

The owner of the fruit market smiled and said, "That is a fine custom, indeed. My family follows it as well. Allow me to tell you a story that took place many years ago with my own ancestor."

He brought the man into a back room and rummaged around until he found a certain gadget which he held up in his hand. "Do you see this? This fruit press is how my grandfather became rich!"

The traveling jew knew that a great story was forthcoming and so he waited with anticipation. "Many years ago, my grandfather was once traveling on business much like you, and he found himself in Moscow on the day of Tu B'Shvat. He, too, wished to buy some fruit for the holiday so he went out and found a local fruit seller. In Moscow, it was quite cold and most of the fruit hadn't even ripened yet but this did not deter my grandfather and he bought a sizable amount of fruit.

תרומה

This week is dedicated in honor of a speedy recovery for Shaul ben Yocheved and in memory of Reb Shlomo ben R' Binyamin Philipson

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"The merchant was surprised that someone would spend so much money on unripened fruit and couldn't help but inquire about it. My grandfather told him almost the exact words that you just told me. But that merchant wasn't Jewish and could not understand how a person can spend his money on an old custom that had no bearing on his life - especially since the fruit he was buying was barely edible! "The Russian merchant picked up a tool - it was this fruit presser to be exact - and showed it to my grandfather. 'Do you want to know what I do with my money?' he asked, and lowered his voice surreptitiously. In the next motion, he began to unscrew the bottom of the handle and pulled off the adjoining piece. Then, he poured a handful of gold coins into his hand. 'I hide all my money in this machine. It contains my life savings. But I know it's safe here and it won't be wasted on silly things - or unripened fruit!'"

The Parisian fruit seller gazed at the fruit press in his hand fondly and continued to relate his story. "My grandfather always remembered that merchant and the lesson he learned on that day. A Jew uses his money for mitzvos - but what does an old Muscovite use his money for? I will tell you."

He smiled again as he recalled his grandfather. "A number of years went by and my grandfather was in Moscow again on business, at the same time of year. He decided to go back to the same shop and buy some more fruit. But this time, as he approached, he saw a crowd of people hanging around and a buzz of activity.

He asked someone what was happening and was told that the old Russian merchant had passed on and his two sons were in the process of liquidating the shop. Now is the time for bargains, he was told.

So, my grandfather pushed to the front where he saw two younger men selling everything in their father's store. 'I am looking for a small fruit press.' he asked the younger men. 'Do you perhaps have one that I can buy?'

'A fruit press?' The son looked around and saw an old rusty press on the table. 'Here, do you want this? It's old and worthless and I have no use for it. Take it for free!'

My grandfather smiled inwardly and happily accepted the press. When he got back to his lodgings, he opened it up and found more than just a handful of gold coins! He found a veritable treasure! He took it home and became a very wealthy man."

Pointing to the ancient fruit press, the Parisian market owner concluded, "It has been an accepted custom in our family to indulge in exotic fruit on Tu B'Shvat, for it was this very minhag that made our family rich in the first place!"

Reprinted from an email of Rabbi Dovid Hoffman.

This week's Torah portion, Terumah, says: "דבר אל בני ישראל - ויקחו לי תרומה מאת כל איש אשר ידבנו לבו תקחו את תרומתי - Speak to the children of Israel, and they shall take for Me a contribution; from every person whose heart inspires him to generosity, you shall take My contribution."

There is an obvious anomaly here. "Have them take for me a contribution," is a peculiar choice of words. A more appropriate expression would have been, "they shall give Me a contribution."

The Midrash explains: Since G-d really owns everything, it is impossible to speak of giving Him anything. Giving usually implies I have ownership, and I transfer the ownership to someone else. When we talk about the Master of the World, we don't use the expression "giving." Instead, we use the expression "taking." We are taking from G-d in order to give to G-d. "Take for Me a contribution" means to take the contribution from Me in order to give it to Me.

Rabbi Moshe Alshich says there is an important message here. Giving is a form of taking. You are not giving Me a contribution, says G-d. By giving for My causes, you are taking. Or, as the Midrash famously puts it, more than what the benefactor does for a poor person, the poor person does for the benefactor.

When we give, we get much more. When we give, our lives are elevated to a higher, more dignified, more Divine plane. If one gives a person a donation, the money is temporary. Perhaps it pays for the next meal, or rent, or tuition. It comes and goes. On the other hand, the person who is giving is receiving something eternal. He gives something to his soul that is priceless, he acquires a relationship with G-d that is timeless, and he receives a reward both in this world and the world to come that lasts for eternity.

This point is underscored the first time the Torah relates a story of giving. It is when Abraham invited three guests to his tent to relax under the shade, to eat and to drink. This is the first overt mention of an act of kindness in the Torah.

Three times in that story, the Torah repeats the phrase "taking." "Let water be taken," "I will take bread," etc. Why this expression? Abraham should have said: "I will give water!" "I will give bread!"

The answer, of course, is that Abraham is guiding his children of all future generations. My children, you must know that when you help someone else, you are not giving; you are taking. The greatest gift we can give ourselves is a life filled with love and caring for others. More than the host does for the guest, the guest does for the host.

This is true in our marriages as well; when a husband and wife are committed to giving to each other, they themselves are often surprised by how much they receive by the sheer act of giving to somebody outside of themselves. The love we give away is the only love we keep.

So let us continue to give, by praying for our soldiers and healthcare professionals, and Chevra Kadisha members worldwide, for peace and for those who need healing, shidduchim, children and parnassah and may we be blessed to have the most awesome, gorgeous, beautiful, peaceful, healthy, amazing, relaxed, spiritual and sweet Shabbat.

The Jewish Weekly's PARSHA FACTS

NUMBER OF MITZVOT: 3
MITZVOT ASEH: 2
MITZVOT LO TAASEH: 1

NUMBER OF PESUKIM: 96
NUMBER OF WORDS: 1145
NUMBER OF LETTERS: 4692

HAFTORA:
Melachim I 5:26-6:13

Yossi