

Attached to the Sea

Whether he's putting oysters or cases to bed, Rob Popich puts the hours in

BY KATRINA STYX

On non-school days in the early 1990s, a teenaged Rob Popich's days started at 3 a.m. He and his father or brother would drive their lugger boat 3 ½ hours from Empire, a small fishing community in Plaquemines Parish, to the Louisiana state fishing grounds. They'd use dredges to catch oysters growing on the water bottoms and hydraulic winches to lift them into the boat. "But all of the physical sorting of the oysters, and stacking them into burlap oyster sacks, and then stacking them onto the deck of the boat, that was all muscle—elbow grease," Popich says. And it was all muscle all day, until they got a substantial catch—or whatever catch they could get. Some days, it would be 7 p.m. before they got back to their dock, unloaded the oysters and cleaned the boat, with another 3 a.m. start waiting the next morning, as long as there was a market.

"Then you're braving the weather element as well," he adds. "Some days, the sea can be slick calm and other days you're rocking and rolling, swaying, but still trying to get in a day's work, because you were not guaranteed to work the next day."

Popich kept working on the boats on weekends, holidays and summers from the age of 16 all the way through college and his second year of law school. The family business, Popich Bros. Fisheries, has its roots in the early 1970s, when Popich's father emigrated from what is now Croatia to do seasonal oyster farming work. "He ultimately obtained oyster leases, purchased his own oyster boats and did that his entire life that I've known," Popich says.

When his father suffered a stroke, Popich took a year and a half between undergrad and law school to help with the work and assist his brother, Nedo, as he took over as head of the operation. Now, the business spans three oyster vessels and about 400 acres of leased water bottoms. And, while Popich has less of a hand in the labor, he's still regularly involved with the business. He can be found helping his brother check oyster growth, and marking and checking the lease areas, as well as handling transactions, sales, offering business operating advice and, naturally, addressing legal or regulatory issues the business needs to navigate.

Popich credits the family business with driving his interest in law. "I've always wanted to do something associated with the water, with vessels, with marine commerce," he says. Now a personal injury defense attorney who often handles workers' comp cases and longshore-related claims, he says lawyering and oyster farming share one key thing: "They're both hard work where you have to put the hours in. Just like everybody on the oyster boat has to do their part to have a successful catch, myself and my staff and my firm—everybody needs to work together to be a successful firm and provide a great product for our clients."

In the courtroom or on the water, a good result delivers satisfaction. "When I can tell a client, 'Look, your case is over, we settled,' or 'We successfully defended it and closed the case,' that's a great feeling." And with the oysters? "I want to help my brother develop the crop, grow his crop, harvest it



Robert N. Popich
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at the opportune time, and then try to get him the best value for his crop. And when he sells those oysters, then we know we succeeded in the whole process."

An avid fisherman himself, Popich says it's family that keeps him coming back to the oyster boats. "I feel it's in my blood," he says. "My entire family, from my father to his brothers to the uncles on my mother's side of the family, they all emigrated from Croatia to Louisiana to work in the oyster industry. And they sacrificed so much for their family that it keeps calling me back. I can't explain it. ... I just love being on the water." **SL**

Not Your Average Farm Field

In Louisiana, oyster harvesters stake their claim on oyster beds by leasing acres of water bottoms from the state. These leases are then marked by long poles, "so you know that's your area to harvest from and to tell others, 'This is my area, you can't come into it,'" Popich explains. "So, essentially, you survey and then you mark it with the poles. It's like a fence line, but it's in the water."

Past to Present

D'Ann Penner's journey from history to the law

BY KATHY FINN

In 1991, a young D'Ann Penner found herself breaking bread and taking shots of vodka with a family of Cossacks on a farm outside Moscow. As a Ph.D. candidate doing research in the Soviet Union, her aim was to immerse herself in all things Russian, with a goal of one day advocating for the long-oppressed people.

"Prior to 1989, you couldn't travel into the hinterlands of Russia," she says. "I was the first American they had ever met in their village. [After a drink], the stories would really flow."

Penner grew up in a family of Mennonites on a small farm near Peoria, Illinois, and recalls many hours in her youth spent weeding crops and caring for livestock, so she felt comfortable among the rural Cossacks. Her upbringing also taught her empathy. "We were raised to look out for those who had less than we did," she says. "There was always a kind of

social justice element to our lives."

Planning to become a missionary and work among Native Americans, Penner first went to a nearby Bible college. But after marrying a man from California and moving with him to his hometown, she began to consider a career in higher education. "I decided to take a more secular path to change the world," the 56-year-old now recalls with a laugh.

She enrolled at California State University, Fresno, and, as she narrowed her focus to history, became hooked on Russian studies. After graduating with honors, she went on to seek a master's degree and Ph.D. at the University of California, Berkeley, where she continued to explore what she calls the "mysteries, drama and oppression" that characterize Russian history. Later, launching work on a doctorate, she took up language studies in preparation for visiting the country.

Penner polished her language skills as she lived among the Russian people. She combed historic archives that only a few years earlier had been off-limits to outsiders. Following repeated visits—she estimates that she spent five of the years between 1991 and 2001 in the country—she would author a book and dissertation about the strength of the Russian peasantry through 20th-century famines.

"I remember just how poor it was," Penner says. "I don't think we yet had an

idea of how non-industrialized rural Russia was. It was closer to something I had read about in the Appalachian Mountains. They had outhouses—no indoor toilets—did everything by hand, churned their own butter and made cream, made their own home brew. But there was a real pride. I was sort of pushing them for anti-communist sentiments, which I assumed they'd be eager to share. But there was a wellspring of pride in what they had accomplished on their own—for example, winning World War II. They hated the communists but were very pro-Russian, strongly nationalistic—a very interesting mix of things."

Eventually, Penner took a teaching position at the University of Memphis and later directed the university's Benjamin L. Hooks Institute for Social Change.

In late 2005, Penner was horrified by the aftermath of Hurricane Katrina. "People's lives were turned upside down and I wanted to help," she says. She organized a student trip to New Orleans for the Hooks Institute to conduct interviews and tell the stories of people who were struggling. She later turned her own interviews into a book about the city's recovery. (See sidebar.)

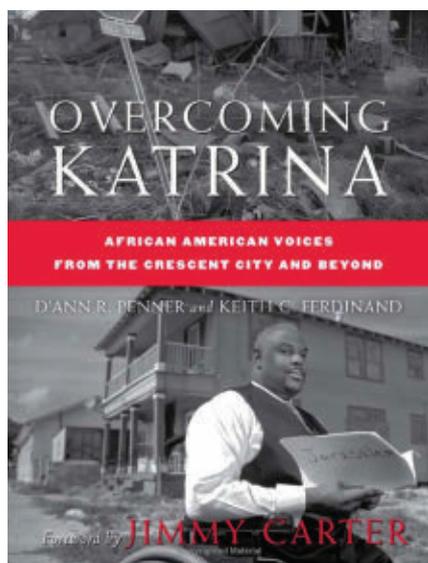
The experiences in New Orleans got her thinking about becoming a lawyer, and in 2009, she entered law school at Loyola University New Orleans. "A lawyer really gets to fight on a whole 'nother level for people who are disenfranchised," she says. "You can say 'This is the law and these are the reasons why my client should win,' and you can make a tremendous difference in people's lives." 

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D'Ann Penner

Penner Law;
Environmental
Litigation; Lafayette



Penner Is Mightier

Published in 2009 with co-author Keith C. Ferdinand—and featuring a foreword by President Jimmy Carter—*Overcoming Katrina: African American Voices from the Crescent City and Beyond* is the culmination of D'Ann Penner's efforts to share the first-hand experiences of New Orleans residents who lived through the hurricane and its aftermath. The stories of 27 interviewees are shared in an oral history format, and audio excerpts are included. The book received the 2009 Congressional Black Caucus Health Braintrust Leadership in Journalism Award.