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# Duane Batista; lawyer served on Wellesley board

By Stewart Bishop

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A lawyer and a specialist on labor relations, Duane Batista was a passionate and eloquent advocate, whether he was working on the Wellesley School Committee or arguing a case before the US Supreme Court.

Katherine Babson, chairwoman of the Wellesley Board of Selectmen, said Mr. Batista was a highly respected voice in town and was completely dedicated to whatever issue was at hand. "He was gentlemanly, thoughtful and smart," Babson said. "He really was a guiding force."

Duane Russell Batista died of pancreatic cancer Aug. 23 at his home in Wellesley. He was 76. A memorial service is scheduled for this summer in Mount Washington, Mass.

The grandson of Czech immigrants, Mr. Batista was born in Chicago. He graduated from La Grange High School in La Grange, Ill., in 1952. Mr. Batista attended Williams College in Williamstown, where he was active on the debate team and enrolled in ROTC. He studied political economy and graduated with honors in 1956.

After college, Mr. Batista served as a captain in the US Air Force. For most of his four-year service, he was stationed in France with the 322d Air Division, where he served as a navigator on a C-130 aircraft. During his time in the Air Force, he helped transport UN forces to the Congo during wartime and aided in investigating the discovery of an abandoned World War II bomber, which was found intact in the Sahara Desert.

After his tour was up, Mr. Batista returned to the Boston area and enrolled in Harvard Law School. He remained in the Air Force Reserve and was activated again during the Cuban Missile Crisis.

While at Harvard, he met Margaret Jane at a discussion group for young people at a Unitarian church in Cambridge. The two were married in 1961.

After he completed law school in 1962, Mr. Batista and his family moved to Washington D.C., where he took a position with the National Labor Relations Board during the Kennedy administration. During the tumultuous mid-1960s, Mr. Batista became very interested in the civil rights movement. He participated in the March on Washington and was present for Martin Luther King's "I Have a Dream" speech.

In 1965, the Batistas returned to Boston, where he went to work for the law firm of Nutter McClennen and Fish, where he eventually became partner. He specialized in labor and employment law and appellate litigation.

In 1980, he took the unusual case of an American company that imported fine Baltic wood products from Russia. In 1980, as a protest of the Soviet Union's invasion of Afghanistan, Thomas Gleason, president of the International Longshoremen's Association, ordered all members to stop handling cargo arriving from or destined for the Soviet Union. Mr. Batista argued the case, *International Longshoremen's Association v. Allied International*, all the way to the Supreme Court.

In a unanimous ruling in 1982, the Supreme Court found in favor of Mr. Batista's client, ruling that the union's refusal to unload cargo shipped from the Soviet Union in protest of the USSR's invasion of Afghanistan violated the secondary boycott provisions of the National Labor Relations Act.

Mr. Batista found the experience exhilarating.

"That was the most exciting point in his career," his wife said.

Mr. Batista was very active in community affairs, particularly in education, where he was buoyed by his experiences on the National Labor Relations Board, and his expertise in labor law. He served as labor relations counsel to several Massachusetts towns.

"His experience on the Labor Relations Board really broadened his thinking," his wife said. "He became a big supporter of the charter school concept."

Mr. Batista was well known in and around town government and in civic associations in Wellesley. He also served on the Wellesley School Committee, the Wellesley Personnel Board, the Wellesley Board of Library Trustees, the World of Wellesley board of trustees, and as a secretary of the Wellesley Club.

James Stokes, former Wellesley town moderator, said that Mr. Batista was motivated by a love for his community and a sense of civic duty.

“He cared very much about where he lived,” Stokes said. “He felt he had an obligation to make it a better place and contribute.”

Stokes said Mr. Batista was well known in his law practice and in his various roles in town government for his calming, reasoned influence.

“He was very pleasant and unflappable,” Stokes said. “He was someone whose wisdom was well thought out. Just a really solid man.”

When he was still in college, Mr. Batista began a long love affair with the Berkshires, and in 1980 he bought a piece of land in Mount Washington. Over 20 years, Mr. Batista and his family and friends slowly developed his property, first building a cabin and eventually, a second home. After his retirement in 2000, Mr. Batista spent a third of every year in Mount Washington with his wife. He relished the outdoors and the pace of life in the Berkshires.

In addition to his wife, Mr. Batista leaves his sons, Stephen of Scarborough, Maine; Gregory of New York City; David of Brookline; and four grandchildren.

Stewart Bishop can be reached at [sbishop@globe.com](mailto:sbishop@globe.com).

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