

VERY IMPORTANT PEOPLE

November 14, 2008

 **SENIOR
Lifestyles**

DR. PHILIP
MEHLER



THE
BROTHERS FOSTER



MAYOR LARRY HARTE



SUSAN
JACOBS



Let's Write II

RALPH L. CARR

GOVERNOR OF THE STATE OF
COLORADO 1939-1943

IN THE HYSTERIA OF WORLD WAR II, WHEN OTHERS IN AUTHORITY FORGOT THE NOBLE PRINCIPLES THAT MAKE THE UNITED STATES UNIQUE, COLORADO'S GOVERNOR RALPH L. CARR HAD THE WISDOM AND COURAGE TO SPEAK OUT IN BEHALF OF THE PERSECUTED JAPANESE AMERICAN MINORITY. "THEY ARE LOYAL AMERICANS," HE SAID, "SHARING ONLY RACE WITH THE ENEMY." HE WELCOMED THEM TO COLORADO TO TAKE PART IN THE STATE'S WAR EFFORT. AND SUCH WERE THE TIMES THAT THIS FORTHRIGHT ACT MAY HAVE DOOMED HIS POLITICAL FUTURE. THOUSANDS CAME, SEEKING REFUGE FROM THE WEST COAST'S HOSTILITY, MADE NEW HOMES AND REMAINED TO CONTRIBUTE MUCH TO COLORADO'S CIVIC, CULTURAL AND ECONOMIC LIFE. THOSE WHO BENEFITTED FROM GOVERNOR CARR'S HUMANITY HAVE BUILT THIS MONUMENT IN GRATEFUL MEMORY OF HIS UNFLINCHING AMERICANISM, AND AS A LASTING REMINDER THAT THE PRECIOUS DEMOCRATIC IDEALS HE ESPOUSED MUST FOREVER BE DEFENDED AGAINST PREJUDICE AND NEGLECT.

AUGUST 21, 1976



ADAM SCHRAGER

Who's on first?

The Brothers Foster focus on land use, lobbying, criminal law — and community

By ANDREA JACOBS

I-JN Senior Writer

In the Bible, the bond between male siblings is tense, flawed, and potentially fatal. Consider Cain and Abel, Jacob and Esau, Joseph and his band of brothers.

Daniel and David Foster, who are sitting in the 19th floor conference room at Foster Graham Milstein Miller Calisher, give the issue due diligence.

"Yeah," reflects David, 40, "this brother thing usually doesn't work out."

Danny, 38, instinctively catches his brother's drift and runs with it.

"Wasn't Cain the older one?" Danny inquires slyly. "Wasn't Abel the younger, more beloved and gentle brother who was murdered" — his eyes widen theatrically — "by the jawbone of an ass?"

Wait a minute.

We have it on good authority that the Foster brothers are an exception to the rule.

Best friends forever, right?

"Not true," David says abruptly.

They lived with each other after college. Today the two attorneys reside five houses away from each other in Lowry. They work in the same law firm together. Their respective families are very close.

Surely, that counts for something?

"We're friends," Danny shrugs, "but it's more a matter of convenience than actual affection for one another. We both know that it benefits us to be friends."

"We are friends for the sake of our kids," David deadpans. "But we definitely haven't always been friends."

"There was some sibling rivalry," Danny says. "Probably more with me. I'm the younger one. I look younger, don't I? I also set a very



David and Danny Foster

Photos: Shari Valenta

David and Danny whether they were twins.

Others wanted to know why they weren't more competitive with each other.

Best friends forever, right? 'Not true!' David says abruptly.

high bar."

"Oh no," winces David. "Here it comes."

"The reason there was sibling rivalry is because my parents really loved David more," Danny sighs. "And when that's the case, there's really not a whole lot I could do."

"You see, Dad (Rabbi Steven Foster) loves David more."

"No," David counters. "The rabbi loves *you* more. Obviously, Mom (State Sen. Joyce Foster) loves *me* more."

"You think so?" asks Danny. "Yeah, actually I think Mom *does* love you more."

The dialogue is beginning to sound a lot like "Who's on First."

As if a silent cue passes between

"Our answer was always the same," Danny says. "There are so many people in this world to compete with. Why would you make your sibling your rival? Why not work together? There's so much more you can accomplish."

"We studied in the same study group all through law school," he says. "We studied for the bar together. We never understood that whole thing about competing with ourselves."

"I think our parents spent a lot of their focus and energy on making sure our family stayed very tight knit and close. I think it's paid off. And we're trying to pass that on to our children."

David is married to Allison. They have two boys and a girl.

Mix-ups occur all the time — 'Danny's name under my pix' 'No, it was . . .'

them, the Fosters suddenly abandon their expertly timed comedic banter for some serious talk.

When they were law students at DU, classmates invariably asked

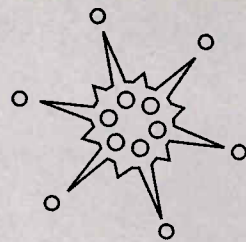
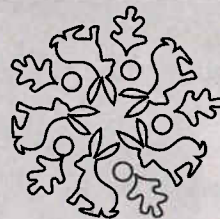
Danny is married to Becky. They have two boys and a girl.

Last year, when the ADL honored the brothers with the Torch of Lib-

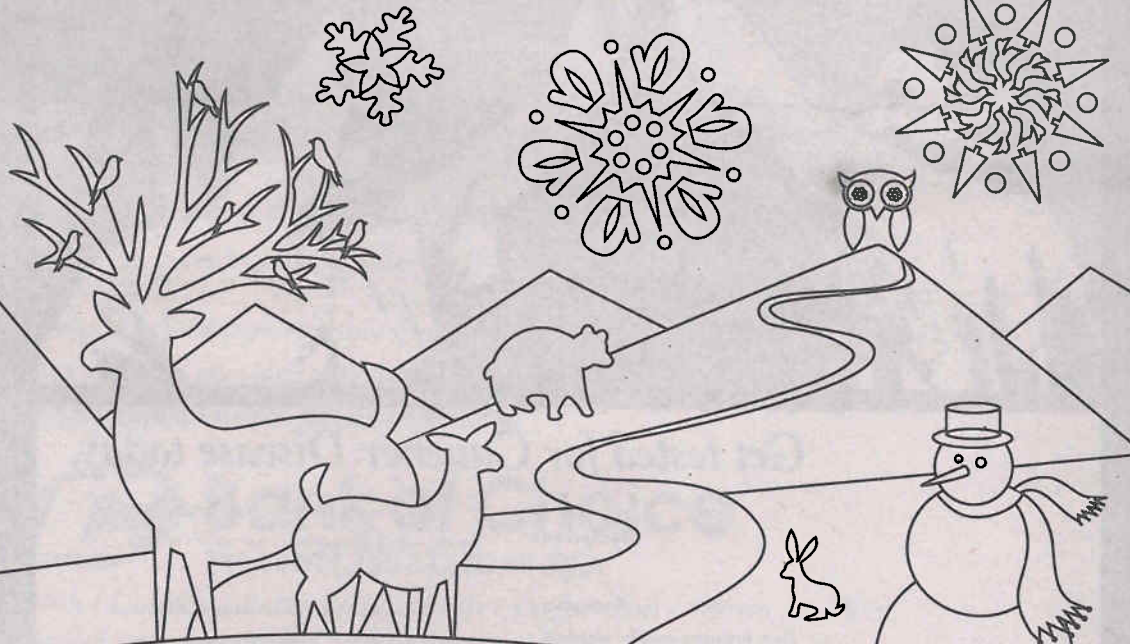
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The Brothers Foster

FOSTERS from Page 7

erty Award, a photograph popped up on the big screen with the caption "David and Becky Foster and Danny and Alli Foster."

"They switched the names of our wives," David laughs softly.

These mix-ups occur all the time. "On our law school composite, they put Danny's name under my picture," David says.

"No, it was my picture with David's name," amends Danny.

The verbal match ensues. Meanwhile, Debbie Foster Lee-

bov, David's administrative assistant and Steve and Joyce Foster's youngest child, enters the conference room. She surveys the mild chaos and leaves.

"Debbie is the best thing that ever happened to our firm," says Danny. "It's hard to grow up with two

brothers like me and David. I mean, she always felt like a third wheel. And she's anything but.

"I hope she has a long career here." Danny's impish expression sets up his punch line.

"Because I'm not going to be the one who fires her."

each other is coming from."

Danny Foster is on the board of the ADL and Hillel of Colorado, and was formerly with the federation's Jewish Community Relations Council.

"David has a much longer list of communal involvement," he concedes. "Let's be honest. He has a lot more on his resumé when it comes to community and political involvement."

David Foster's communal portfolio includes Housing Justice, Rose Community Foundation, Metro Housing Coalition, American Jewish Committee, Allied Jewish Federation, ISIME and the Denver Campus for Jewish Education.

Danny, who served as a deputy district attorney in the DA's office from 1997-1999, founded Foster Graham with Bob Graham in 2000. Today, Foster Graham Milstein Miller Calisher LLP boasts 20 lawyers.

Danny specializes in the areas

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Nineteen floors below, the race is on to finish a sukkah — the firm takes its Jewish and civic obligations seriously

of criminal defense and personal injury law.

David, who joined the firm in 2004, focuses on real estate and land development, zoning and land use litigation and government affairs/lobbying.

Prior to Foster Graham, David has his own land use practice for several years. He also served on the transition teams for Gov. Ritter and Mayor Hickenlooper.

"Danny and I are very different," David says. "Our personalities are different. Danny is a comedian. I would also say he's more of the risk taker. He literally left the DA's office without a single client and put up a shingle. I would never have done that. He also is a guy who genuinely cares about other people."

Danny absorbs the complimentary flow like fine wine.

"I'm just a Johnny-come-lately to the firm," David says. "But I think we always anticipated that we would practice law together. We just took divergent paths after law school."

The Fosters believe that their deep roots in the community are responsible for sustaining a client base that inherently trusts their attorneys.

"When people are looking for a law firm, they can go to a lot of places," Danny says. "What we are so happy about is that many people come to us because they know us. They feel that the people here have a real connection to the city. Most of our lawyers are from Denver."

Despite the city's large population, David still views Denver as a small community. Friends from high school are now clients.

"I know we're a big city," he says, "but it's still a small community — one where you don't burn bridges. There are a bunch of national law firms with great lawyers here who lack the same roots that Danny and I share."

The identical moral values the brothers acquired in their youth ensures that their work collaboration runs smoothly — usually.

"David and I can have screaming matches during partners' meetings," Danny says, "but we both know that it is what it is. We don't say stuff to hurt each other. We say it to make us better."

David shakes his head. "I think what he just said is a total line of . . ."

When the laughter subsides, David's serious side returns.

"I think Danny is right. We were brought up to believe that we're better as a team than we are individually. Not surprisingly, we were raised with the same core values. That makes it a lot easier to agree and disagree, and understand where

Immediate past chair of the federation's Israel National Overseas board, he also is a founding member of the Civic Center Conservancy.

"I'm certainly not that well known in the community," Danny says. "Sometimes people come up to me and wave and I have *no idea* who they are. People think we're the same person."

David instinctively defends Danny's social commitment.

"Danny is very generous. Everything I do is supported by the firm," he says. "I couldn't do it without them. It's a collective. I feel like I'm the firm's representative in the community."

"This firm takes its financial obligations very seriously — both Jewishly and civically."

Nineteen floors below, the race is on to finish a *sukkah* — with the help of Rabbi Yossi Serebryanski — in the plaza by 11 a.m.

Speaking of shelters, the Foster brothers live about five houses away from each other in Lowry.

David is the lead storyteller on this subject.

"Here's what happened," he says. "Allison and I decided to move to Lowry in 1999. Danny and Becky moved to Lowry in 2002. They followed us to Lowry. But that wasn't good enough. No, that wasn't good enough."

"After the move, Danny was still a quarter of a mile away. So a year-and-a-half ago, a house came on the market just five houses down from us . . ."

"Wait," Danny raises a hand, "I objected, I objected . . ."

David pretends he doesn't hear and finishes the sentence.

"Because Danny wanted to live even closer to us. A quarter of a mile was too far away. And I get it. I get it."

Danny launches into *his* version.

"I objected to the house I'm in right now," he says. "My wife wanted to move to Lowry. I was very happy in Park Hill. Becky wanted to move to Lowry, as well as the house we're in right now. It's entirely Becky's fault."

"But," David adds, "our kids are

'Danny and I are a living legacy of what our parents taught us'

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David Foster

very happy with the whole thing.”
The line between truth and exaggeration is barely distinguishable — until their feigned solemnity erupts in mutual laughter.

Asked whether they ever contemplated going into the rabbinate, like their father, Danny shakes his head in a way that leaves little room for doubt.

“I never thought about it,” he says. David is less resolute.

“I would have considered it, except it involved a huge commitment every Friday and Saturday.

“However, my father has considered the legal profession.”

Danny confirms his brother’s statement.

“We’ve always said that if he graduates law school, we’ll hire him,” Danny says. “It will be like coming full circle.”

Asked to describe the legacy they want to leave for their families and the community, the Fosters are momentarily caught off guard. Relatively young in the scheme of things, they seem far too busy living life to envision its end.

“I would like my family to be good people, to care about people,” Danny says after a brief pause. “They are already more concerned about others than how much money or possessions they have.

“A perfect example is my son Rex, who is six-and-a-half. He did this food drive and donated everything to the JFS food bank. He proudly displays the letter (JFS executive director) Yana Vishnitsky wrote to thank him.

“And I love that. I love that my wife and I have already started to instill important values in our children. I want them to be kind and fair and compassionate. And if that’s my legacy, I’ve hit a home run.”

Danny hopes the community remembers him as a risk taker, somebody who could be counted upon and was good to his family and clients.

“Oh — and that I will be sorely, sorely missed,” he grins.

“This might sound silly,” David says, “but on the personal level, I think Danny and I are a living legacy of what our parents taught us. Making them proud is important to us. And I think we do that.

“The one thing, though, that our parents weren’t able to give us was their profession — their company, if you will. What Danny and I are doing is building our family business.”

David’s daughter Abby, who is seven, has already announced her intentions to become a lawyer.

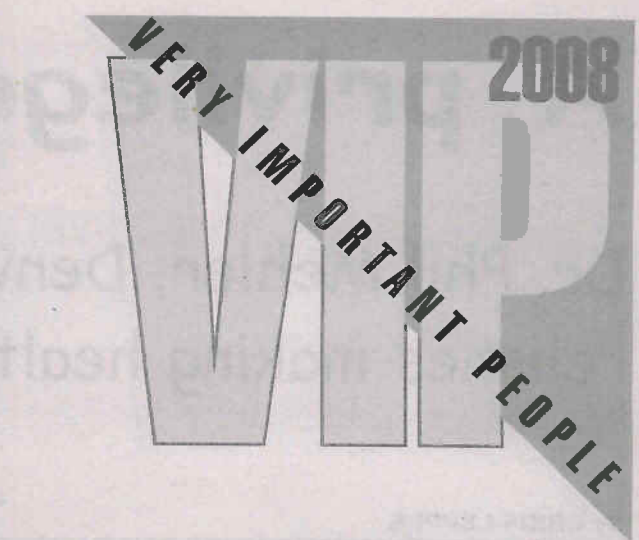
“She tells me she’s going to sit at the desk with me and we won’t even



Daniel Foster

have to change the name of the firm,” he says, obviously proud of her legal ambitions.

In the event that all his kids decide to become lawyers, the family firm will be available.



David would like his community to remember him as someone who did the right thing, both per-

But at the same time, we’re proud of the larger community that has been our home for our entire lives.

“I want Denver as a city and Colorado as a state to have improved

‘We’re better as a team than we are individually’

sonally and professionally.

“We’re obviously proud of our Jewish heritage,” he says, looking at Danny. “And we celebrate that frequently.

a bit because we were here.”

As usual, Danny isn’t finished. “I also want a big park named after me,” he says. “And maybe a couple of buildings.

“Let’s be honest!”

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