



ONONDAGA COUNTY BAR ASSOCIATION BAR REPORTER

VOLUME 61 NUMBER 3 | August 2016

CNY Philanthropy Center | 431 East Fayette St. | Syracuse, NY 13202 | Phone: 315-471-2667

OCBA Welcomes Dean Boise to CNY

Dean Craig M. Boise, new dean of the Syracuse University College of Law, visited the CNY Philanthropy Center where he was welcomed to Syracuse by the local legal community on Thursday, August 11th. Dean Boise brings to SUCOL experience with solo practice development and enriching student work programs.



Max Spoont, Esq. (Class of 1957) chats with Dean Boise



Dean Boise meets NYSBA Pres. Elect Sharon Stern Gerstman



OCBA Pres. Jim Williams talks with Judge Deborah Karalunas



Dean Boise in discussion with Judge Thérèse Wiley Dancks

UPCOMING EVENTS:

OCBA Family Open Golf Outing	Sept. 17
50 Year Luncheon	Sept. 29
Bridge the Gap	Oct. 14
CLE- Social Media for Lawyers	Oct. 18
Annual Dinner	Oct. 27

MISSION :

To maintain the honor and dignity of the profession of law, to cultivate social discourse among its members, and to increase its significance in promoting the due administration of Justice.

FROM THE PRESIDENT

Where did summer go? OCBA had a very busy summer and we are looking forward to an extremely busy fall as well, so I wanted to spend at least one paragraph contemplating leisure. Those minutes, hours, days and if we are lucky sometimes weeks and months where there are no plans, meetings, deadlines, texts, phone calls or e-mails. In the summer and as late as possible into the fall, my husband Peter and I try to spend as much time as possible traveling the Erie Canal in the Truro, our 1968 Pacemaker wooden cabin cruiser.

A typical trip might be the three and a half or four hour journey traveling at seven or eight miles an hour from Macedon to Lyons in Wayne County. It's a trip we have done countless times but moving so slowly there is always something new to see (other travellers -- not usually so many -- clouds, people fishing, walking) smell (think small towns, farms, streams in summer), feel (heat, sun, rain, wind) or hear (trains, birds, the movement of water). On our way to Lyons we pass through Palmyra and Newark, points in between, and five locks. After docking at the Town dock in Lyons, getting shore power and signing the guest book at the adjacent volunteer fire department, maybe we'll get something to eat at the Growler, a local pub, and see a movie at the Ohmann (<http://ohmanntheatre.com>), a lovingly restored movie theater -- or not. We'll spend the night there and maybe continue heading east for awhile pretending we are on our way to Albany where we will make a right and head to New York (it will only take a week) and then continue heading south to the Okeechobee Waterway so we can get to the Gulf of Mexico in a few or more months, and from there who knows? Or, maybe we'll head back to Macedon for the drive home and back to daily life.

I am so pleased that OCBA was able to introduce incoming SU College of Law Dean Craig Boise to its leadership, the OCBA Foundation, the CNY Women's Bar Association, the William Herbert Johnson Bar Association and Onondaga County Volunteer Lawyers Project at a reception in August. Dean Boise brought with him several of his SUCOL colleagues and I am optimistic that our collaborative work with the College of Law will continue to grow under the leadership of Dean Boise. NYSBA President Elect Sharon Stern Gerstman and NYSBA Executive Director David Watson traveled to Syracuse from Buffalo and Albany respectively to participate in the event.

Bond Schoeneck & King hosted a well-attended reception for the William Herbert Johnson Bar Association of Central New York on August 25. The WHJ Bar Association was formed over the past few years and is a valuable addition to our legal community. Among the purposes of the WHJ Bar Association is to promote equal opportunity for Black Attorneys, and other legal professionals engaged in the practice of law in the greater Syracuse community. I recall when I was a law student from 1983 to 1986 at Brooklyn Law School how relieved I was to learn early on of the existence of what was then called the Bar Association for Human Rights of Greater New York, one of the first lesbian and gay law associations in the U.S. At a time when there were few openly gay

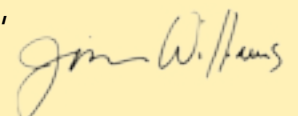
people in the legal profession it was an important source of community and support. Minority bar associations continue to play an important role in the legal community and we are privileged to have WHJ Bar Association in Syracuse.

Please join OCBA at the Rosamond Gifford Zoo on Saturday, Sept. 17 for a fun family friendly event. For details and to register see: <http://www.onbar.org/events/ocba-open-family-golf-outing/>.

Don't golf? No worries. Stroll in the zoo and have lunch. Our 50-year Luncheon will be taking place on Thursday, September 29 at the Persian Terrace at Syracuse Marriott Downtown, AKA Hotel Syracuse. We will be celebrating with 17 (and counting) of our colleagues who have been admitted to the practice of law for 50 years. For details and to register see: <http://www.onbar.org/events/50-year-luncheon-2016/>.

The first meeting of OCBA's Community Service Committee will take place on Monday, Sept. 26, 2016 at 12:15 pm at the OCBA Office at the Philanthropy Center. The purpose of the Committee is to support and promote our members' community service activities. For example, many OCBA members serve as board members on not-for-profit boards. The Community Service Committee will likely co-sponsor along with our CLE Committee, presentations focusing on building our skills as board members. It is also likely that the Community Service Committee can help to identify unmet needs in our community and do what we can in collaboration with others to address them. I anticipate that the first few meetings of the committee will be devoted to developing a mission statement for the committee and planning its first activities. Please reach out to me at jwilliams@lscny.org if you are interested in participating in this new initiative.

Cheers,



Peter Wiles & Jim Williams, Erie Canal, Summer 2016

CNY Meets Dean Craig M. Boise

By Carrie Chantler

Recently named leader of the Syracuse University College of Law, Dean Craig M. Boise, thinks his new academic home is a "great place to be a law school dean."

At a welcome reception hosted by the Onondaga County Bar Association held in his honor August 11, Boise addressed new colleagues, SUCOL alumni and friends he was meeting for the first time since arriving July 1 to head one of the top 100 law schools in the nation.

In his welcoming remarks, OCBA President Jim Williams observed that over the years the bar association has forged a positive working relationship with the SUCOL community noting that many of our members have strong law school affiliations and connections and conversely law school community members serve on OCBA committees. He also noted local law students volunteer each year with the Volunteer Lawyers Project of Onondaga County. Williams said, "I am optimistic about Dean Boise's sincere commitment to deepening the law school's relationship with the Syracuse legal community because the Dean's office reached out to the OCBA to get the schedule of Board Meetings soon after the Dean learned that he is an Ex Officio member of the OCBA's Board of Directors."



Acknowledging the positive learning environment he observed during his introduction to the Syracuse campus, Boise praised SUCOL's faculty whom, he said, mirrored their "smart, hardworking students."

Arriving in Syracuse from equally-temperate Cleveland where, since 2011, Boise led the Cleveland-Marshall College of Law at Cleveland State University, he saw all 200,000-square feet of SUCOL's Dineen Hall and determined it to be "the finest law school building in the country."

(continued on next page)

FROM THE EDITORIAL BOARD

To advertise in the Bar Reporter, call the Onondaga County Bar Association at 315.579.2578.

The Editorial Board encourages members to submit articles for publication concerning issues presented in each edition or other issues related to the legal community. Submissions should be sent to OCBA, Attention Bar Reporter or Email cchantler@onbar.org. Editor Emeritus: **John A. Cirando, Esq.**
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doshea@onvlp.org

Welcome Dean Boise (continued)

THE COLLEGE OF LAW

- **Founded in 1895**
- **Accredited by: American Bar Association (1923) and Association of American Law Schools (1900)**
- **Faculty and Legal Writing Professors: 45 (44% women; 16% minority)**
- **Total JD and LL.M. Student Enrollment: 572 (22% of upper-class students are joint degree candidates)**
- **Student to Faculty Ratio: 13 to 1**

CLASS OF 2019 PROFILE

- **Class Size: 215**
- **Median LSAT: 154**
- **25th-75th% LSAT: 152 - 157**
- **Median GPA: 3.35**
- **25th-75th% GPA: 3.12 - 3.58**
- **July 2015 Bar Passage Rate**
 - Syracuse University College of Law 1st Time Test Takers: 83.3%
 - New York State ABA Accredited law schools: 79%

Source: <http://law.syr.edu/our-college/fast-facts>

The 121-year-old law school moved into its current location, Dineen Hall, in 2014 and brought with it an impressive list of scholastic attributes. Among them are five centers and research institutes, including the Institute for National Security and Counterterrorism, nine clinical programs, and 14 joint-degree programs.

Dean Boise may find SUCOL's various interdisciplinary options de rigueur as he's no stranger to educational innovation and rigor. At Cleveland-Marshall, where he was also the school's first chaired professor as the Joseph C. Hostetler-Baker & Hostetler Chair in Law, he founded a solo-practice incubator, established a master's degree track for those who left the law school after one year, and developed the Center for Cybersecurity and Privacy Protection.

"Fifteen percent of Cleveland Marshall students end up in solo practice. We needed to prepare them for that," he said. "There is tremendous diversity with what folks can do with a law degree and we need to be responsive to those contingencies."

Reflecting on his previous tenure at Chicago's DePaul University, where he directed the Graduate Tax Program, and as faculty at Case

Western Reserve University School of Law as well as Washington & Lee School of Law, Boise referred to his own professional legal journey.

"It's been an interesting, unpredictable path, but immensely rewarding," he said.

Prior to his eight years of private practice, Boise clerked for the Hon. Pasco M. Bowman, II, of the U.S. Court of Appeals for the Eighth Circuit. With an LL.M. in Taxation from New York University School of Law, his Juris Doctor from the University of Chicago Law School, and a bachelor's degree, summa cum laude, from the University of Missouri-Kansas City, the SUCOL dean also brings with him years of piano pedagogy from the same institution.

(continued on next page)

Welcome Dean Boise (continued)



But it was during his five years as a Kansas City police officer that he discovered his urge to pursue the study of law.

“So I returned to political science,” he said. “And got hooked into tax even though I have no math or accounting background. It was the internal logic and consistency that made sense to me.”

His area of specialization is U.S. corporate and international tax policy as well as the tax havens that offshore financial centers provide and his scholarly work has been featured in the following publications: Texas International Law Journal, George Mason Law Review and the Minnesota Law Review.

In a subtle nod to his newfound home in Syracuse, Boise was dapper in a navy blue suit and orange tie.

“I’m happy to become a member of the Orange Nation,” he said.

Commercial Litigation Attorney (Syracuse)

Barclay Damon, LLP, a 275-attorney law firm, with 33 practice offerings and eleven offices throughout New York State and the Northeast, is seeking an Associate for its Syracuse office to join its Commercial Litigation Practice Group. The Associate should have 4-6 years of litigation experience, and prior experience in complex commercial litigation will be highly regarded.

Candidate must be licensed to practice in the state of New York; have superior verbal, written and interpersonal skills as well as have demonstrated abilities to work directly with clients and develop and execute service strategies.

Qualified applicants should submit a cover letter, resume, writing sample and law school transcript in confidence to: Recruitment Coordinator, Barclay Damon, LLP, One Park Place, 300 South State Street, Syracuse, NY 13202

Contact: Vanessa Campbell, Recruitment Coordinator
Phone: 315.425.2721 | **Fax:** 315.703.6266

Email: jobs@barclaydamon.com

LOCATION(s): Syracuse

Barclay Damon is an Equal Opportunity Employer.
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Peggy Walker, an Institution: 20 Years with OCBA



This August, OCBA Membership Director Peggy Walker celebrated 20 years of employment with the bar association. Members of the Onondaga County Bar Association Executive Committee were on hand the morning of Wednesday, August 10 when along with Executive Director Jeff Unaitis and the OCBA staff surprised Peggy with flowers and an engraved clock.

Peggy began her OCBA tenure in 1996 when she accepted a part-time administrative position after completing a program for homemakers wishing to enter the workforce.

Clearly, she was the top of her class because Peggy's topnotch skills were a match for the organization and she worked her way up to the position she currently holds smack-dab in the heart of OCBA. Part problem-solver and part diplomat, Peggy's calm demeanor, organizational talent and welcoming attitude help our members wade through a myriad of issues from section and committee leadership to grievance and arbitration hearings.

No one knows more about the people, places and history that make up our local legal community than Ms. Walker. "I am forever impressed with Peggy's

knowledge and relationships at OCBA," says new marketing assistant Michele Maciejewski. "I am lucky to get to learn from and work with her."

"Peggy is always pleasant, kind and thoughtful," says Lawyer Referral Service manager Maggie James. "She is humble to a fault." We all know Peggy cares so much that more often than not, she double and triple checks her work, just to be sure she's not forgotten anything or anyone.

Thank you, Peggy, for your indefatigable work ethic and cheerful attitude – you are indeed a joy to work with!

Hinman, Howard & Kattell, LLP is a progressive New York based law firm serving clients in 11 offices throughout five states. At Hinman, Howard & Kattell, our clients and their goals come first. We value the strong relationships we have with our clients -- some for the better part of a century. We hold ourselves to the highest standard of client service.

If you are a New York-admitted attorney with at least five years' of general practice experience and a portable book of business, we have an excellent opportunity in our Syracuse office. To learn more about our firm, please visit our website www.hhk.com. Please direct your application, resume, writing sample and salary requirements to our Chief Administrative Officer via email at saxtell@hhk.com or via regular mail at PO Box 5250, Binghamton NY 13902.

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Northern District Case Notes

Contributed by Michael G Langan, Esq. | Career Law Clerk to Hon. Glenn T. Suddaby, Chief U.S. District Judge, N.D.N.Y.



Attorney's Fees

Genito v. Forster & Garbus LLP, 15-CV-0954(MAD) (7/11/16) – action pursuant to Fair Debt Collection Practices Act, resulting in plaintiff's acceptance of offer of judgment in amount of \$1,001; granting plaintiff's motion for attorney's fees in amount of \$8,403.75, resulting from \$225 hourly rate and 37.35 billable hours.

Seidenfuss v. Diversified Adjustment Servs., Inc., 15-CV-1210(DNH) (3/15/16) – action pursuant to Fair Debt Collection Practices Act, resulting in judgment in plaintiff's favor in amount of \$1,200; granting in part, and denying in part, plaintiff's motion for attorney's fees, awarding plaintiff \$3,676, resulting from \$300 hourly rate, 10.6 billable hours, and \$496 in costs.

Civil Rights

Deferio v. City of Syracuse, 16-CV-0361(LEK) (6/8/16) – action by protester, a self-described Christian evangelist, against city and police department personnel, alleging violations of his First Amendment right to demonstrate at "Central New York Pride Week" Parade and Festival arising from his being barred from demonstrating on public sidewalk immediately adjacent to festival's entrance at the Inner Harbor, and instead being forced to move across street, away from pedestrians going into and coming out of festival; granting plaintiff's motion for preliminary injunction, finding, inter alia, that (1) plaintiff demonstrated likelihood of success on merits of free speech challenge to buffer zone around festival entrance, and (2) plaintiff demonstrated likelihood that enforcement of buffer zone around festival entrance would result in irreparable harm to him.

Bush v. City of Utica, 12-CV-1444(DNH) (5/31/16) – action by administrators of estates of four tenants who died in fire against city, fire department and fire department chief, alleging that they violated Fourteenth Amendment's Equal Protection Clause by purposely and maliciously withholding protective services from decedents because they lived in a low income neighborhood; denying defendants' motion for summary judgment.

Doe v. Colgate Univ., 15-CV-1069(LEK) (4/12/16) – action by former student against university and its board of trustees challenging their conduct in investigating allegations that he sexually assaulted three students while he was a student at the university as well as their decision to suspend him in the weeks before his graduation; granting plaintiff's motion to proceed in action under pseudonym "John Doe," after finding that his interest in anonymity outweighs

both public interest in disclosure and any prejudice to defendants, based on weighing of non-exhaustive list of factors set forth in *Sealed Plaintiff v. Sealed Defendant*, 537 F.3d 185 (2d Cir. 2008).

Jarvis v. Cuomo, 14-CV-1459(LEK) (1/21/16)

– action by ten individuals who operate home child care businesses in State of New York, alleging that State law authorizing child care providers to designate representative to collectively bargain with State violates plaintiffs' First Amendment rights; granting defendants' motion to dismiss for failure to state a claim.

Education

Terrill v. Windham-Ashland-Jewett Cent. Sch. Dist., 15-CV-0615(GTS) (3/31/16) – action by parents of student who

attempted to commit suicide following alleged bullying and harassment at school, asserting various claims including violations of Fourteenth Amendment and New York's Dignity for All Students Act (DASA); granting defendants' motion to dismiss plaintiffs' federal claims and DASA claims for failure to state a claim, and dismissing plaintiffs' state law negligence claims without prejudice to refile in state court.

Employment Discrimination

Brooking v. NYS Dep't of Taxation & Fin., 15-CV-0510(GTS) (7/5/16) – action by African-American Director of Department's Office of Diversity and Affirmative Action against Department for race discrimination, arising from adverse action he allegedly experienced following various reports he made; granting in part, and denying in part, defendants' motion to dismiss for failure to state a claim.

Alpaugh v. Phyamerica Gov't Servs., Inc., 14-CV-1514(GLS) (6/24/16) – action by former physician's assistant at Fort Drum Military Base, asserting claims of hostile work environment pursuant to Title VII of the Civil Rights Act, based on nurse practitioner's alleged repeated making of "inappropriate comments regarding Islam/Muslims, Hispanics, African-Americans, and a female co-worker," protected classes of which plaintiff (a male) was not a member; granting defendants' motion to dismiss for failure to state a claim.

Environmental

MPM Silicones, LLC v. Union Carbide Corp., 11-CV-1542(BKS) (7/7/16) – action by owner of site in West Virginia against previous owner and operator of site, seeking to recover costs to respond to soil contaminated



Northern District Case Notes (continued...)

Contributed by Michael G Langan, Esq. | Career Law Clerk to Hon. Glenn T. Suddaby, Chief U.S. District Judge, N.D.N.Y.

with polychlorinated biphenyls (PCBs) at site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); denying plaintiff's motion for summary judgment; and granting in part, and denying in part, defendant's motion for partial summary judgment.

ERISA

Boyle v. SEIU Local 200 United Benefit Fund, 15-CV-0517(GLS) (7/12/16) – action by representative and members of collective bargaining unit against benefit fund and its trustees asserting claims of unjust enrichment, wrongful withholding of contractual benefits, conversion, and breach of fiduciary duty, which was removed to federal court under federal question jurisdiction on the ground of preemption by the Employee Retirement Income Security Act (ERISA); denying plaintiffs' motion to remand action based on asserted lack of federal question jurisdiction; and granting defendants' cross-motion for judgment on the pleadings because, inter alia, plaintiffs do not have standing to sue for ERISA relief.

False Advertising

Gen. Mills, Inc. v. Chobani, LLC, 16-CV-0058(DNH) (1/29/16) – action by seller of Yoplait Greek 100 yogurt against competitor asserting false advertising claims based on competitor's online, print, and television advertising campaign touting fact that Chobani's new "Simply 100 Greek Yogurt" contains no artificial preservatives, while Yoplait Greek 100 contains potassium sorbate, "stuff . . . used to kill bugs!"; granting General Mills' motion for preliminary injunction, finding, inter alia, that it is likely that a factfinder would conclude that (1) the challenged aspects of the Simply 100 Campaign unambiguously convey the literally false message that Yoplait Greek 100, which contains potassium sorbate, is unsafe to consume, and (2) a logical causal connection exists between Chobani's alleged false advertising and the sales position of its competitor, General Mills.

Chobani, LLC v. Dannon Co., Inc., 16-CV-0030(DNH) (1/29/16) – action by low-calorie Greek yogurt manufacturer action against competitor, seeking judgment declaring that it had not made any false, misleading, disparaging, or deceptive statements or claims during its advertising campaign touting the fact that Chobani's new "Simply 100 Greek Yogurt" contains no artificial sweeteners, while Dannon Light & Fit Greek Yogurt contains sucralose, "stuff [that] has chlorine added to it!"; granting Dannon Co.'s motion preliminary injunction, finding, inter alia, that (1) the challenged aspects of the Simply 100 Campaign unambiguously convey the literally false message that Dannon Light & Fit Greek Yogurt, which contains sucralose, is unsafe to consume, and (2) a logical causal connection exists between Chobani's alleged false advertising and the sales position of its competitor, Dannon.

Patent and Trademark

Car-Freshner Corp. v. Sun Cedar, Inc., 15-CV-1463(TJM) (7/13/16) – action by Watertown-based air-freshener manufacturer against Kansas-based competitor asserting trademark infringement claims arising from defendant's manufacturing, marketing and selling of presented, tree-shaped air fresheners for automobiles; denying defendant's motion to dismiss action for failure to state a claim or, in the alternative, to transfer venue to District of Kansas.

PPC Broadband, Inc. v. Corning Optical Commc'ns RE, LLC, 11-CV-0761(GLS) (6/16/16)

– action asserting claims of patent infringement arising from design and manufacturing of coaxial cable connectors; denying defendant's post-trial motion for judgment as a matter of law or in the alternative for a new trial; and granting plaintiff's motion for summary judgment on defendant's inequitable conduct defense.

Procedure

Taylor v. NYS Office for People with Dev. Disabilities, 13-CV-0740(NAM/CFH) (5/13/16)

– action by developmental aide against employer for retaliation and denial of equal protection of the law in violation of the First and Fourteenth Amendments; granting in part, and denying in part, defendant's motion for sanctions, pursuant to Fed. R. Civ. P. 37(c)(1), to preclude plaintiff from having eight witnesses testify at trial due to her failure comply with the Fed. R. Civ. P. 26(a)(1)(A)(i) initial disclosure deadline.

Removal and Remand

Amcat Global, Inc. v. Yonaty, 16-CV-0269(DNH) (6/14/16) – action for breach of contract by disaster remediation services provider against client, resulting in judgment in provider's favor, order for escrow agent to release funds to provider, order for client to show cause why its counsel and escrow agent should not be held in contempt, and client's removal of action to federal court; granting provider's motion to remand action to state court based on lack of subject-matter jurisdiction.

Save the Date!

141st Annual Dinner
Thursday, October 27th
The Grand Ballroom
Marriott Syracuse Downtown

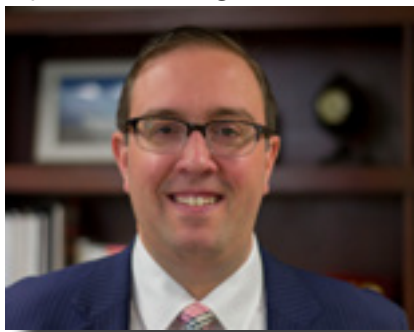
DETAILS TO FOLLOW

The Social Media Marketing Blueprint for Lawyers: Anthony Marrone II, Esq.'s Book Launch & CLE

By: Anthony Marrone II, Esq.

Have you ever wanted to get started using social media to market your law practice but didn't know where to begin? Already have personal profiles on Facebook and LinkedIn, should those be used for professional marketing? Twitter and Instagram – are those just for kids?

Dipping your toes into the social media waters can be an overwhelming step for many attorneys, especially when you consider the ethical issues involved with advertising and the need for constant vigilance for reputation management in the digital age.



Local attorney, Anthony Marrone sought to solve those problems for his own law practice, and in doing so wrote a book, which draws together his research and

provides concrete examples of how to use social media in your law practice. The Social Media Marketing Blueprint for Lawyers will be released on October 4, 2016.

In exploring the social media field he quickly realized there is not a lot of guidance to attorneys for using these platforms as marketing tools.

"I found a couple of ethics opinions and a guide from a NYSBA Committee, which mostly focused on litigation and the use of social media to track down witnesses and spy on your adversary. I did not think any one source did a comprehensive job introducing these tools to lawyers and showing them how they can be useful both to their law practice bottom line and to their clients and the general public," Marrone said.

It was during a long run through his neighborhood on the East Side of Syracuse that the idea to develop his social media research into a book came to him, "like most of my more challenging ideas, I thought it up while struggling through a grueling run during a warm summer morning."

Marrone started to develop an outline of what he would like to touch on if he could put a book together. He knew there would need to be an introduction to each of the more popular platforms, showing users

how to sign up for accounts, how to make posts, how to attract followers. He also knew that he had to address the ethics issues raised by social media.

"I knew that looming over this whole topic were the ethical concerns associated with social media, and particularly, the rules regulating attorney advertising.



I wanted to address those issues head-on, so I moved that chapter from the end of the book right up to the beginning," said Marrone. "I think a firm understanding of the ethical framework of social media sets the table for how to use those platforms to increase the exposure of your law practice and ultimately as a tool to generate revenue."

His book covers a wide-range of topics and there are actionable steps that the novice and the expert social media user can utilize to generate an increased following on any social media platform. Likewise, the book can be used as a manual for solo practitioners who may have a general law practice or a niche, or by big firm legal marketers looking to gain an edge on their competitors by helping their firm generate top-notch social media content.

The OCBA is hosting a wine reception and CLE presented by Mr. Marrone on October 18th. All attendees will receive a copy of Mr. Marrone's book with their registration. Some of the things you'll learn include:

- Creating unique and engaging content for all social media platforms;
- Establishing a social media plan to consistently and regularly market your practice;
- Complying with all ethical rules and regulations while getting ahead of your competition using the latest industry trends.
- Register for this CLE at <http://www.onbar.org/events-programs/>

You are cordially invited to...

OC
BF

*The Annual
50-Year
Luncheon*

Recognizing the “Class of 1966”

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Richard A. Wittenburg, Esq.*

When

Thursday, September 29th
12:00 - 1:30 p.m.

Where

The Persian Terrace
Marriott Syracuse Downtown
100 E. Onondaga St.

Why

These men and women have served their clients, the community and the legal profession for 50 years and we join to celebrate their contributions.

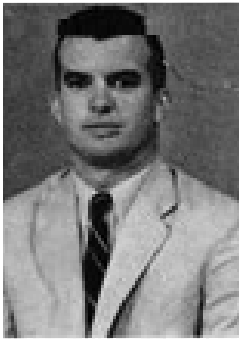
How

Cost is \$35. Register online at www.onbar.org/events-programs/ or call Peggy Walker at 579-2582.

Please RSVP by Friday, September 16th

Congrats “Class of 1966”

To be honored at the 50-Year Luncheon on September 29th



James P.
Burns III



John A.
Cirando



Jordan J.
Fiske



Robert E.
Gale



John
Ganotis



Paul J.
Ginnelly



Franklin A.
Josef



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Walter L.
Meagher



Donald L.
Nicholas



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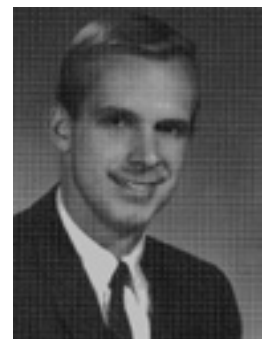
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Katherine Maguire Joins Hancock Estabrook



Furthering our expansion into the Ithaca area, Hancock Estabrook, LLP welcomes Katherine Maguire Davis to the firm. Kate is counsel in our Corporate, Real Estate and Tax Practices. She represents lending institutions and borrowers in connection with commercial and residential real estate transactions, provides bond counsel services, advises clients with respect to tax credits and other economic incentives, and counsels closely-held corporate clients on entity formation, acquisitions, financing transactions and general business planning. Ms. Davis has experience drafting and negotiating asset purchase agreements, license agreements, real property purchase and sale contracts, lease agreements, employment agreements and loan documents for corporate and commercial real estate transactions. She received her B.A. from the University of Michigan in 2002 and her J.D. from Syracuse University College of Law in 2006. She is admitted to practice in New York. Ms. Davis will be splitting her time between the Ithaca and Syracuse offices of Hancock Estabrook.

Smith Sovik Attorneys Upstate NY Super Lawyers

15 Smith Sovik Attorneys were selected to the 2016 Upstate New York Super Lawyers List. The honorees were chosen in recognition of their professional achievement and reputation among peers. Only five percent of the lawyers in Upstate New York receive this distinction.



Kevin Hulslander, the firm's Managing Partner, was named to the Top 10 list. Mr. Hulslander was the only attorney in Syracuse to receive that honor.

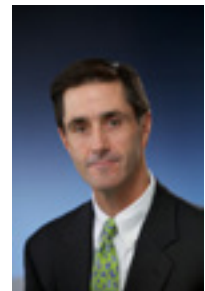
James W. Cunningham, Kevin E. Hulslander, Eric G. Johnson, Brandon R. King and Steve W. Williams are included in Top 50 list for receiving the highest

point totals in the evaluation process.

Super Lawyers at the firm include Kevin E. Hulslander for Civil Litigation-Defense, Kristen M. Benson and Steven W. Williams for General Litigation, James W. Cunningham, Brandon R. King, Kristin L. Norfleet, Daniel R. Ryan, and Edward J. Smith for Personal Injury General-Defense; Eric G. Johnson, James D. Lantier and Michael P. Ringwood, for Personal Injury Medical Malpractice-Defense. Smith Sovik also congratulates 4 Associates who were named to the Rising Star list, Eric Bernhardt, John Goldman and Christopher F. DeFrancesco for Personal Injury-Defense General and Brady J. O'Malley for Civil Litigation-Defense.



Williams



Johnson



Cunningham



King

Super Lawyers magazine lists New York's top lawyers who have been chosen by their peers and through the independent research of Law & Politics magazine. Law & Politics, which performs the polling, research and selection of attorneys to be included in Super Lawyers magazine, identifies lawyers who have attained a high degree of peer recognition and professional achievement.

Do you have a legal brief?

Send your legal news and press releases to Carrie Chantler at cchantler@onbar.org.

LEGAL BRIEFS BRIEFS BRIEFS LEGAL

13 Best Lawyers in America at Hancock Estabrook

The Central, NY-based law firm of Hancock Estabrook, LLP has 13 attorneys representing 24 practice areas in The Best Lawyers in America for 2017: Cora A. Alsante, Janet D. Callahan, Richard W. Cook, John F. Corcoran, Michael L. Corp, Raymond R. D'Agostino, Paul M. Hanrahan, Walter L. Meagher, Jr., John L. Murad, Jr., Timothy P. Murphy, Alan J. Pierce, Steven R. Shaw and Doreen A. Simmons. Cora A. Alsante has also been selected as a 2017 The Best Lawyers in America "Lawyer of the Year", in the Syracuse, NY metropolitan area, for Litigation – Trusts & Estates. The Best Lawyers in America is a ranking publication that compiles lists of outstanding attorneys by conducting exhaustive peerreview surveys in which thousands of leading lawyers confidentially evaluate their professional peers. To learn more about this ranking publication, visit www.bestlawyers.com.



Alsante



Corcoran



Callahan



Pierce



TAX AND DEVELOPMENT FINANCE ATTORNEY

Bousquet Holstein, PLLC, a mid-sized law firm located in Syracuse, NY with a variety of local, regional, national, and international clients, is seeking to hire a tax attorney experienced in complex entity structures, tax planning for real estate development projects, and federal and NYS tax credit transactions.

Experience:

- Working familiarity with allocation structures for multi-tiered LLCs/partnerships to achieve economic agreements among project owners and investors;
- Transaction and project financing experience with developers, investors, lenders, governmental agencies, and bond issuers
- Planning, negotiating, and structuring project finance involving federal (LIHTC, NMTC, HTC) and/or New York State (SLIC, SHTC, Brownfield, and/or Empire Zone) tax credits
- Merger and acquisition transaction structuring and financing.

Required Competencies:

- J.D. Degree from an accredited law school; ideally our successful candidate will also have a degree or experience in accounting and/or finance
- Licensed to practice law in New York State
- 4+ years of relevant experience in the areas noted above
- A dedication to client service, strong communication skills, strong quantitative skills (including use of Excel); tenacity and stamina when problem solving.

Inquiries will be kept confidential and should be submitted via email to HR@bhlawpllc.com or to Bousquet Holstein PLLC, Suite 900, 110 West Fayette Street, Syracuse, NY 13202.

LEGAL BRIEFS BRIEFS BRIEFS LEGAL

68 Barclay Damon Attorneys Listed in Super Lawyers, Best Lawyers in America, & Rising Stars

Barclay Damon, LLP announces that 68 attorneys from the firm have been featured in the 2016 Super Lawyers for New York State including 22 who have been singled out as Upstate New York Rising Stars. Selection to the list is the result of a rigorous review process that includes peer recognition and professional development. The Barclay Damon attorneys represent a diverse range of practice areas across the firm.

The following eleven Barclay Damon attorneys, resident in the Syracuse office, were selected for inclusion in the 2016 Super Lawyers: Robert A. Barrer, *Partner: Professional Liability*, Richard R. Capozza, *Partner: Environmental*, J. Eric Charlton *Partner: Creditor Debtor Rights*, John D. Cook, *Partner: Intellectual Property Litigation*, Marcy Robinson Dembs, *Partner: Estate and Probate*, Jon P. Devendorf, *Partner: Business Litigation*, John P. Langan, *Managing Partner: Business Litigation*, Edward G. Melvin, *Partner: Employment & Labor*, Michael A. Oropallo, *Partner:*

Intellectual Property Litigation, Alan R. Peterman, *Partner: Employment & Labor*, Michael J. Sciotti, *Partner: Employment & Labor*.

Twenty-two Barclay Damon attorneys were recognized as 2016 Upstate New York Rising Stars. In the Syracuse office, six honorees were included: David G. Burch, *Partner: Business Litigation*, Michelle K. DeKay, *Of Counsel: Personal Injury Defense*, Anne B. Dotzler, *Associate: Employment & Labor*, Jason C. Halpin, *Associate: Business Litigation*, John M. Nichols *Associate: Creditor Debtor Rights*, Angela C. Winfield, *Of Counsel: Business Litigation*

Forty-five attorneys from Barclay Damon, LLP were selected for inclusion in The Best Lawyers in America 2017. Eight lawyers in the Syracuse office were named, including: James J. Canfield, *Corporate Law*, Andrew J. Leja, *Environmental Law*, Kevin R. McAuliffe, *Project Finance Law*, Douglas J. Nash, *Commercial Litigation*, Judith M. Sayles, *Product Liability Litigation – Defense*, Michael J. Sciotti, *Employment Law Management, Labor Law Management, and Litigation – Labor and Employment*, John P. Sindoni, *Real Estate Law*, Gerald F. Stack, *Tax Law*.

BAR BOARDS:

Opening for Attorney at Melvin & Melvin, PLLC

Mid-size Syracuse law firm seeks to hire a self-starting, energetic attorney with 2-5 years' experience for its commercial law and transactional practices. The successful candidate will have excellent verbal, interpersonal, and research and writing skills. Must be licensed to practice in New York. Please forward resume to hiringpartner@melvinlaw.com.

Opening for Matrimonial Attorney at Melvin & Melvin, PLLC

Mid-size Syracuse law firm seeks to hire a self-starting, energetic attorney with 2-5 years' experience for its matrimonial practice. Please forward resume to hiringpartner@melvinlaw.com.

Labor & Employment Attorney in our Rochester, NY Office - Nixon Peabody LLP

Nixon Peabody is seeking a highly motivated attorney to join our Labor & Employment Practice Group in the Rochester office. To learn more, and apply online, please visit our website at <http://www.nixonpeabody.com/careers>.

LEGAL BRIEFS BRIEFS BRIEFS LEGAL

Hinman, Howard & Kattell, LLP has 16 Attorneys in Upstate New York Super Lawyers List

Hinman, Howard & Kattell, LLP is pleased to announce that sixteen firm attorneys have been designated as Super Lawyers in the 2016 listing of Upstate New York.

In the firm's Binghamton, NY office Managing Partner James W. Orband (banking), Assistant Managing Partner Jon J. Sarra (estate & probate), Partners James S. Gleason (employment & labor), Albert J. Millus, Jr. (business litigation), Katherine A. Fitzgerald (family law), Lillian L. Levy (real estate), Paul T. Sheppard (general litigation), Harvey D. Mervis (business litigation), Dawn J. Lanouette (employee litigation: defense) and Special Counsel Kenneth S. Kamlet (environmental) were all named as Super Lawyers in their respective practice areas.

Linda B. Johnson, Partner in Hinman, Howard & Kattell, LLP's Albany NY office was named as an Upstate New York Super Lawyer for her practice area business litigation.

Upstate New York Rising Stars for 2016 from Hinman, Howard & Kattell's Binghamton office include Partners Megan E. Curinga (real estate) and Tina Fernandez (general litigation), Associate Attorneys Daniel R. Norton (business litigation) and Alex D. Racketta (tax) and Special Counsel Brent M. Whiting (workers compensation).

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FROM THE COURTS



The Commission on Judicial Nomination is seeking recommendations and applications of persons who may be qualified to serve as Associate Judge of the State's highest Court, the Court of Appeals of the State of New York. The Commission is currently seeking candidates for the upcoming vacancy on the Court that will occur as of January 1, 2017 due to Associate Judge Eugene F. Pigott, Jr.'s mandatory retirement by reason of age.

Candidates for Judge Pigott's vacancy may download an application from the Commission's website (www.nysegov.com/cjn) or contact the Commission's Counsel, Henry M. Greenberg, c/o Greenberg Taurig, LLP, 54 State Street, 6th Floor, Albany, New York 12208 [Tel: (518) 689-1492; E-mail: greenberghw@gtlaw.com; Fax: (518) 689-1499].

Applications may be filed electronically by e-mailing them to CJN_Applications@gtlaw.com or submitted by mail to the Commission's Counsel. Applications must be submitted to the Commission no later than September 16, 2016.

THE CENTRAL NEW YORK WOMEN'S BAR ASSOCIATION

A CHAPTER OF THE WOMEN'S BAR ASSOCIATION OF THE STATE OF NEW YORK



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For more information, please contact Annaleigh Porter at aporter@porter-law-office.com

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