



ONONDAGA COUNTY BAR ASSOCIATION **BAR REPORTER**

FEATURED ARTICLES

Beyond Lip Service
PAGE 8

SUCOL Students Work on
SCOTUS Nomination **PAGE 9**

Spark It Up!
PAGES 10-11

JULY/AUGUST 2018
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Onondaga County Bar Association
CNY Philanthropy Center
431 East Fayette Street, Suite 300
Syracuse, NY 13202
315-471-2667

Our 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.



Upcoming Events:

CLE | Overview of Construction Law: From Bid to Close Out - September 6th

CNY Philanthropy Center, Second Floor Ballroom

CLE | Medicare Set Asides and Lien Conditional Payments - September 7th

The Genesee Grande Hotel

The Annual 50-Year Luncheon - September 13th
Pascale's at Drumlins Country Club

CLE | Raise the Age: Impact and Update for Family Law and Criminal Law Attorneys - September 18th
CNY Philanthropy Center, Second Floor Ballroom

CLE | The Life Cycle of a Law Practice Session #3: "Gaining Speed" Ethical Issues As You Grow Your Practice - October 4th

CNY Philanthropy Center, Second Floor Ballroom

Annual Dinner - October 25th
The Oncenter

Visit our [website](#) for more information.



In Memoriam...

Gordon MacArthur

June 26, 2018

John J. Dee

July 20, 2018

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Letter from the PRESIDENT



It is my distinct pleasure to open this letter with the highlight that the Board of Directors of the Onondaga County Bar Association will present the Ruger Award to the Honorable John V. Centra and the Distinguished Lawyer Award to Thomas E. Myers, Esq. at its Annual Dinner on October 25, 2018. The Ruger Award is reserved to judicial officers who demonstrate singularly outstanding achievement in devotion to the principles of our system of justice. The Distinguished Lawyer Award is presented on an annual basis to an attorney who not only has demonstrated exceptional lawyering skills and ethics beyond reproach, but also has long engaged in activities that reflect an unselfish devotion of time to the betterment of the profession. Please congratulate these outstanding members of our legal profession, and make plans to attend our Annual Dinner for presentation of the Awards.

Congratulations also go to the Onondaga County Bar Foundation and our dedicated OCBA staff for the very successful Annual Daniel F. Mathews, Jr. Golf Outing held on August 23rd. The weather was great and a fine time was had by all. Proceeds from the event will primarily benefit the Lawyers Assistance Program. We next look forward to the Annual 50-Year Luncheon to be held on September 13th. Please try to make time to share this event with the honorees. It is always great to hear our 50-year attorneys reflect upon their career experiences. Both events are held in support of the Foundation as the philanthropic arm of our Bar Association.

I would also encourage our members to take advantage of the networking and service opportunities available to you with our many practice area Sections and our Committees. There is something here for everyone. More information is available on the OCBA website. I note in particular that we have established a new Section, the Veterans' Rights and Military Law Section, with Chantal C. Wentworth-Mullin and Robert C. Whitaker named as Co-Chairs of the Section. Chantal recently returned to Central New York and serves as the Wohl Family Veteran's Legal Clinic Fellow at the Syracuse Law School. Bob is a partner with Hancock Estabrook, LLP, and has served as an officer with the Navy Judge Advocate General's (JAG) Corps. He continues to be very active locally with Clear Path for Veterans, and along with other dedicated members of our Bar provides needed support to veterans and active members of the military. I would encourage OCBA members who would like to join this new Section to contact either Co-Chair or Executive Director Jeff Unaitis.

As the school year approaches, I would like to give a quick reminder that our Lawyers in the Classroom program will be starting up again soon. Volunteer activities can range from working with teachers to develop lesson plans to occasional teaching in the classroom for the benefit of local students – some of whom may be your own children and grandchildren. Area high schools can all gain from the time and talents of local judges and attorneys. Please contact Vice President Paula Mallory Engel or Jeff Unaitis for more information.

I hope that our members each in their own ways have had an enjoyable summer. The months of June, July and August are fleeting, with too many great activities and all too little time. As an avid tennis player, I have had to settle on tennis becoming primarily an indoor sport in order to take full advantage of all of the summer activities available to us in Upstate New York. Some otherwise enjoyable year-round activities often take a back seat. And so it went with the OCBA's attempt to resurrect a summer social event for its members at the Everson Museum last month. The feedback we received was that vacations and other activities presented scheduling conflicts for many of our members. Winter is around the corner though. We plan to stay with the Everson Museum as the venue for our Holiday celebration, and will hold this during the Everson's annual Festival of Trees. Stay tuned for more information.

President, John T. McCann

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staff, and paralegals from Menter, Rudin & Trivelpiece, P.C.



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- Financial Restructuring
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- Business Litigation
- Commercial Lending
- Real Property Tax
- Construction
- Employment Law
- Environmental Law

With nearly 300 attorneys, Barclay Damon teams across offices and practices to provide customized, targeted solutions grounded in industry knowledge and a deep understanding of our clients' businesses.

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Ron and Margaret sit in the living room of their home in Liverpool, NY.

We live by the motto that you make a living by what you get, but you make a life by what you give. There are two ways we want to give back purposefully: during our life and then again through our estate when we're gone. The Community Foundation has made it possible for us to do both.

We set up a donor-advised fund at the Community Foundation to make grants to the causes we care about. The process of setting up and utilizing our fund has been seamless. It gives us comfort knowing that our money is being well stewarded.

We have three children and consider our fund to be our fourth "adopted child". The proceeds of our estate will be divided equally between the four of them. We care deeply about Central New York and we know that by leaving our legacy to the Community Foundation, our wishes will be carried out into perpetuity.

Giving Back: Ron & Margaret Peckham



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FOUNDATION, INC.

SINCE 1927



Read more of the Peckhams' story at
Peckham.5forCNY.org



CNYCF.ORG
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You are cordially invited to...

The Annual 50-Year Luncheon

Recognizing the "Class of 1968"

Howard F.G. Clark, Jr.
Raymond R. D'Agostino
Jonathan E. Fox
Clayton H. Hale, Jr.
David M. Hayes
Michael W. Harris

Stephen S. Karp
Donald J. Martin
James P. McGinty
Edward J. Moses
David C. Rizzo
George R. Wolff

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

Thursday, September 13, 2018

12:00 - 1:30 p.m.

Pascale's at Drumlins
800 Nottingham Road
Syracuse, NY 13224

Cost: \$35

Tables of 8 available

Register online at www.onbar.org/events-programs/
or call **Peggy Walker** at 315-579-2582

Please RSVP by Monday, September 10th



The Onondaga County Bar Association Nominating Committee proudly announces its recognition of **Hon. John V. Centra** with the esteemed Ruger Award. Judge Centra serves as an Associate Justice, Supreme Court of the State of New York, Appellate Division, 4th Judicial Department.

The Committee's regard extends to Judge Centra through this award seldom bestowed to an Onondaga County jurist. Since its 1975 inception only nine people have been honored with the Ruger Award.

Additionally, the committee selected **Thomas E. Myers, Esq.** as the 2018 Distinguished Lawyer. Myers, now retired, was a member of the Commercial Litigation, Health, and Personal Injury practice at Bond, Schoeneck, & King, but continues to work closely with its Pro Bono program.

Please join us in celebrating these honorees at the bar association's 143rd Annual Dinner on Thursday, October 25th at the Oncenter.



Hon. John V. Centra



Thomas E. Myers, Esq.

Community Engagement Corner

Beyond Lip Service

By: Carrie Chantler



Let's have a conversation about race in this country. In fact, let's have a Community-Wide Dialogue to End Racism. This is exactly what InterFaith Works, a local non-religious human services program, has been doing since 1996. For 22 years, their project --- the longest-running dialogue on race in America ---has engaged more than 12,000 people in Dialogue Circles. These small-group discussions are guided by facilitators in six two-hour sessions and examine shared problems while working toward identifiable solutions.

OCBA's Community Engagement Committee invited representatives from Interfaith Works to its August meeting to learn more about this program. With a mission to shed light on the various organizations impacting the greater Syracuse community, the committee's goal is to provide OCBA members with opportunities to become more engaged in the place where they live and practice law. InterFaith Works Director Peter Willner and Dialogue Coordinator Kofi Addai spoke to committee members about the Dialogue Circles.

Community Dialogues can be agency-centered, such as with local police and law enforcement representatives. Willner characterized these as "courageous" conversations that focus on "fundamentally broken and distrustful relationships."

"How do we have people connect," Willner asked. "And learn to hear each other and build friendships."

Dialogues veer in many directions as assumptions are torn down and emotions ebb and flow. Interactions can become heated and awkward, but they're almost always stimulating and fruitful. Committee members Colleen Gibbons and Sarah Reckess each described Dialogues they'd attended in dinner settings that wove awry before correcting toward smooth waters.

"It's a little scary at first," said committee member Denny Baldwin who attended his first Dialogue in 2005, an event he referred to as "transforming."

"But it helps us better understand ourselves in relationship to race," he said. "I think it's an extremely worthy effort."

Willner and Addai talked about the various audiences they're attracting toward these conversations including summer camp

youths and families in rural and suburban areas.

"There's a lot to unpack. Hundreds of years of institutional legacy of racism and it's overwhelming to consider how we break off pieces and deconstruct or chip away at it," Willner said. "At the end of the day, it's okay to have conflict. Conflict is where growth happens."

The next round of Community-Wide Dialogues to End Racism begins October 9th and runs to November 15th. To learn more about InterFaith Works and its programming click [here](#).

The Community Engagement Committee's next meeting is at 12:15 p.m. Monday, September 10th, 3rd Floor Conference Room of the CNY Philanthropy Center, 431 E. Fayette Street, Syracuse.

Here's an opportunity to get involved, check it out:

Board of Director Members Needed

Child Care Solutions, Inc. is seeking new board members for a 3 year term from 1/2019 through 12/2021. Our mission is building excellence in the early care and learning system while advancing equal access for all children in our community. We envision that every child is cared for in a high quality, safe and nurturing environment that cultivates healthy development, early learning and joy. We are seeking new board members who have a desire to share their skills in helping to advance our mission, guide our work and enhance our agency's visibility and effectiveness. For more information and an application please contact Executive Director, Lori Schakow, at lorib@childcaresolutionscny.org or Board Development Chair, Mary Earl, at mary.e.earl@gmail.com.

Syracuse University COLLEGE OF LAW

SUCOL Students Work on SCOTUS Nomination

By: Carrie Chantler



Third-year Syracuse University College of Law student Kristina Cervi with US Attorney General Jeff Sessions, in January 2018.

Two Syracuse University College of Law students, 3L Kristina Cervi and 2L Emily Green, will have a fall semester not every scholar gets.

These students will help prepare the U.S. Department of Justice Office of Legal Policy with the confirmation process for U.S. Supreme Court nominee the Hon. Brett Kavanaugh.

Cervi spent spring 2018 as an OLP extern working on nominations of federal courts of appeal judges. By all accounts, her work ethic garnered notice and she was asked to rejoin the office to help prepare the SCOTUS nominee.

Led by Assistant Attorney General Beth A. Williams, the OLP develops legal and regulatory policy as well as assisting the President and the Attorney General with the selection and confirmation of federal judges. The OLP considers itself the DOJ's "think tank."

"OLP is the ultimate place to observe the cross-section of law and policy," Cervi said in a statement.

Judges with whom she worked as well as OLP higher-ups "were very impressed by Kristina's intelligence and dedication," stated Faculty Director of Externships Professor Terry L. Turnipseed. "OLP is a highly prestigious division within DOJ. Most of the office's attorneys have had Supreme Court clerkships."

A point of additional pride, Turnipseed said, "No other law school will have more than one legal extern working on the nomination."

Whether or not a future clerkship comes down the pike remains to be seen for Cervi, but what is clear is the work at hand.

"Every attorney has one mission in mind, the successful confirmation process for a new Associate Justice of the Supreme Court," Cervi said. "Working on this nomination requires attention to detail as we review Judge Kavanaugh's extensive history as a jurist and prepare him for his day before the Senate Judiciary Committee."

Turnipseed also recommended Green to OLP. Ready to return to the hill for classes, Green did an about face when she learned of her happy change of plan and headed to Washington to lend her service to the process.

"I surprised myself by finding interest in policy work. I never thought much about the appointment of federal judges, but I've started to understand what a huge impact these judges and the DOJ's policies can have on our everyday lives," she said. "After the Kavanaugh nomination, I will be working on some national security policy matters."

The once-in-a-lifetime opportunity is exceptional, Green realizes, requiring her to keep her head down and remain on task amid the current political climate.

"I am working on behalf of the federal government and I will do the best job I can regardless of the leading political party," she said. "I know the attorneys at OLP have a lot to teach me and I am eager to learn."

Spark It Up!

Business Burns Bright at Barclay Damon

By: Carrie Chantler

This year Barclay Damon has expanded its scope by absorbing two local firms, the bankruptcy house of Menter, Rudin & Trivelpiece, P.C., and the energy-environmental firm Gilberti Stinziano Heinz & Smith. Certainly, both noteworthy gains.

But it's what Barclay quietly did in July that may prove to be an innovative high among law firms eager to light up new business.

The firm announced the formation of a [cannabis team](#). A group of multidisciplinary counselors at the forefront of the state's legal medical marijuana and hemp industry ready to assist firm clients who participate in or are impacted by legal cannabis operations.

The team is led by [Sara Payne](#), a CNY native with a multi-degreed homegrown education.

"It's been coming for quite some time," she said of her firm's move.

When the state enacted the Compassionate Care Act in 2014 and medical marijuana became legal it wasn't only patients with debilitating diseases such as ALS, cancer, and epilepsy who rejoiced, but five Registered Organizations (now there are 10, with four dispensaries each) dug in and began cultivating, manufacturing and dispensing marijuana for therapeutic purposes.

And for Payne finding herself in the middle of the state's burgeoning medical marijuana industry isn't that much of a surprise.

Raised in the county's countryside and drawn toward the natural world, Payne seemed to graft together her scholarly work - science, business, public policy, and law — into her current career path.

"Everything has built up to this," she said. "Making it a really interesting intersection for my areas of practice."

Payne represents Etain, LLC, the state's only woman- and family-owned RO.

She is also a member of the New York State Bar Association Committee on Cannabis Law and a frequent speaker on the topic statewide.

The compelling medical circumstances of families willing to explore sourcing medical marijuana beyond the state's borders indicated to Payne the pursuit of and potential benefits of unconventional therapies were worth it for those in need.

When the CCA passed, Payne and her skills were at the right place at the right time.

Since 2014, growth in the state's medical marijuana industry has been modest and the distribution of any related tax revenue has been murky.

In contrast, Colorado's cannabis industry, where both medical marijuana and recreational use programs are in place, reported tax revenue in fiscal year 2017 of \$211 million.

In that state, since 2000, when medicinal use was legalized and in 2014 when recreational use and sales became a reality, the industry created 30,000 jobs representing a \$3 billion economic impact. Tax monies are earmarked for use by public schools, public awareness programs, law enforcement, public policymakers, the agriculture industry, and toward transportation infrastructure.

According to a July NYS Department of Health report, there are 1,700 registered providers and 59,653 certified patients who access New York's Medical Marijuana Program.

"Now there's a whole other group of people impacted by legal cannabis who have all sorts of issues maybe you wouldn't think about needing counsel," Payne said, referring to the impact of medical marijuana on employees and employers. "We're seeing this touch a lot of our clients."

And their client list is growing, she said, "last week 10 (clients), this week 20."

In addition to recommending legalizing the sale of adult-use marijuana, the July state DOH reported 63 percent of New York voters also support legalizing regulated recreational marijuana.

While the impact of such a move may adversely impact New York's medical marijuana industry, Payne says it's too early to tell.

"The market has been very small and those (medical marijuana) companies haven't gotten established enough to start making up their investment," she said. "We don't know what it's going to look like yet."

The DOH recognizes public safety concerns rise with the prospect of marijuana legalization, and acknowledges, "Harm reduction principles can and should be

incorporated into a regulated marijuana program to help ensure consumer and industry safety."

Payne knows there is positive statewide interest in the industry, which includes hemp production, a beneficial fibrous material used in a variety of health and practical applications. Job creation and medical research opportunities abound, she said.

"I'm not sure anybody has wrapped their head around it yet. ... In New York the projected (impact) could be \$3 billion annually, which could mean a meaningful tax rate," she said.

"New York has an interesting opportunity."

"We're seeing this touch a lot of our clients."

- Sara Payne, Esq.



The Monthly Newsmakers

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50 CENTS

COUNTY NEWS



HANCOCK
ESTABROOK, LLP

COUNSELORS AT LAW



Murphy Elected Managing Partner

Hancock Estabrook is pleased to announce that **Timothy P. Murphy** has been elected as Managing Partner of the firm. Mr. Murphy, who joined the firm in 1989, regularly represents major corporations, manufacturers, banks, higher education institutions, municipalities, retailers and individuals in a variety of complex litigation matters. Mr. Murphy is also regularly retained to serve as a Mediator in litigated cases. He has previously served as the firm's Business Development Partner and Hiring Partner and as a member of its Executive Committee.

Mr. Murphy grew up in Syracuse and is a second-generation lawyer with strong

connections to the Central New York community. His father retired as a New York State Supreme Court Justice after 30 years on the bench, and his brother is currently a Supreme Court Justice in Onondaga County. Mr. Murphy is a graduate of Syracuse University College of Law and Le Moyne College. He has served as a member of the New York State Continuing Legal Education Board and has been selected for inclusion in Best Lawyers in America and Super Lawyers and is rated AV Preeminent by Martindale-Hubbell.

Mr. Murphy has been active in various volunteer positions throughout his career, including serving on Enable's

Board Of Directors (President), Syracuse University College Of Law Alumni Association Board Of Directors, Le Moyne College Board of Governors, Bishop Ludden Jr./Sr. High School Board Of Trustees (Vice Chair), Syracuse Economic Development Corporation Board of Directors, Syracuse University Hardwood Club Board Of Directors, Skaneateles Country Club Board Of Directors, St. Joseph's Church Finance Committee, United Way of Central New York Division Leader of Small Business Section, ALFA International Finance Committee and United Cerebral Palsy Associations Of New York Board Of Directors.

22 HANCOCK ESTABROOK ATTORNEYS NAMED SUPER LAWYERS 2018

Hancock Estabrook, LLP is proud to announce that 22 attorneys have been selected for the 2018 "Upstate New York Super Lawyers" list, including six who were named Rising Stars. Hancock Estabrook Super Lawyers for 2018 include: Cora A. Alsante, Daniel B. Berman, Janet D. Callahan, John F. Corcoran, Michael L. Corp, Catherine A. Diviney, Marion Hancock Fish, Mary C. King, John T. McCann, Walter L. Meagher, Jr., John L. Murad, Jr., Timothy

P. Murphy, Alan J. Pierce, John G. Powers, Doreen A. Simmons and Robert C. Whitaker, Jr.

In addition, Jamie J. Hunsicker, Whitney M. Kummerow, Daniel K. Mannion, James J. O'Shea, Christina M. Verone Juliano and James P. Youngs were selected as Rising Stars. To be eligible for inclusion in Rising Stars, a candidate must be 40 years old or younger or in practice for 10 years or less.

Super Lawyers is a ranking publication

that selects attorneys using a patented multiphase selection process. Peer nominations and evaluations are combined with independent research. Each candidate is evaluated on 12 indicators of peer recognition and professional achievement. Selections are made on an annual, state-by-state basis. To learn more, visit SuperLawyers.com. For more information about the Firm and its legal services, visit hancocklaw.com.

Eighty-One Barclay Damon Attorneys Selected to 2018 NY Super Lawyers and Rising Stars Lists

Barclay Damon had 59 attorneys selected to the 2018 Upstate New York Super Lawyers list, 21 selected to Upstate New York Rising Stars, and one selected to New York Metro Super Lawyers.

Each year, no more than 5 percent of lawyers in the state are selected by the research team at Super Lawyers to receive the Super Lawyer designation, and no more than 2.5 percent of the lawyers in the state are selected to receive the Rising Stars honor.

"We are always excited to see the Super Lawyers results, and this year was no exception, especially with five of our new partners from Menter, Rudin & Trivelpiece, P.C. being honored," John Langan, the firm's managing partner, said. "It's great to see our attorneys' collective track record of excellence across practice areas and industries recognized by the legal community."

2018 Upstate New York Super Lawyers – Albany office:

- Linda Clark: Health Care
- William Foster: PI – Products: Defense
- Maureen Helmer: Energy & Resources
- Yvonne Hennessey: Energy & Resources

2018 Upstate New York Rising Stars – Albany office:

- Jonathan Bard: PI – Products: Defense
- David Cost: Civil Lit: Defense
- Joseph Murphy: Health Care
- Colm Ryan: PI General: Defense
- Bella Satra: IP Lit

2018 Upstate New York Super Lawyers – Buffalo office:

- Eric Bloom: Construction Lit
- Danielle Cardamone: PI General: Defense
- Christopher Cardillo: Business Lit
- James Domagalski: Business Lit
- Thomas Drury: PI General: Defense
- Anne Evans: Real Estate
- Michael Ferdman: Business Lit
- Joseph Finnerty: Media/Advertising
- John Gaughan: PI General: Defense

- Herbert Glose: Health Care
- Christopher Greene: Health Care
- Robert Heary: Employment & Labor
- Franklin Heller: Business Lit
- Arthur Marrapese III: Employee Benefits
- Peter Marlette: PI – Products: Defense
- Dennis McCoy: PI – Products: Defense
- Mark McNamara: Eminent Domain
- Vincent Moore: Real Estate
- Eric Naegely: Family Law
- Laurence Oppenheimer: Employment & Labor
- Randolph Oppenheimer: Employment & Labor
- Heidi Brauer Ruchala: Class Action
- Vincent Saccomando: Civil Lit: Defense
- Carol Snider: Environmental Lit
- Kevin Szczepanski: Insurance Coverage
- Gregory Zini: Business Lit
- Catherine Wettlaufer: Estate & Probate

2018 Upstate New York Rising Stars – Buffalo office:

- Thomas Digati: PI General: Defense
- Meghan Dwyer: PI – Products: Defense
- Ryan Ganzenmuller: PI – Products: Defense
- Elizabeth Holmes: Commercial Litigation and Land Use & Zoning
- Jennifer Leonardi: Civil Lit: Defense
- Caitlyn Shank: Family Law

2018 Upstate New York Super Lawyers – Clarence office:

- Victoria D'Angelo: Estate & Probate
- Jeffery Palumbo: Land Use & Zoning

2018 Upstate New York Rising Stars – Clarence office:

- Corey Auerbach: Land Use/Zoning

2018 Upstate New York Super Lawyers – Elmira office:

- Bryan Maggs: Civil Lit: Defense

2018 Upstate New York Rising Stars – Elmira office:

- Jeremy Hourihan: PI General: Defense

2018 New York Metro Super Lawyers – New York City office:

- Joseph Bainton: Business Lit

2018 Upstate New York Super Lawyers – Rochester office:

- Gary Abelson: PI General: Defense
- Thomas Cronmiller: PI – Products: Defense
- James Grossman: Health Care
- Susan Schultz Laluk: Business/Corp
- Anthony Piazza: Insurance Coverage
- Robert Shaddock: PI General: Defense

2018 Upstate New York Rising Stars – Rochester office:

- Brittany Lawrence: Business Lit

2018 Upstate New York Super Lawyers – Syracuse office:

- Robert Barrer: Prof. Liability: Defense
- Richard Capozza: Environmental
- Eric Charlton: Creditor Debtor Rights
- John Cook: IP Lit
- Marcy Robinson Dembs: Estate & Probate
- Jon Devendorf: Business Lit
- Jeffrey Dove: Bankruptcy: Business
- Thomas Fucillo: Environmental
- Christopher Harrigan: Employment & Labor
- Mitch Katz: Business Lit
- John Langan: Business Lit
- Matthew Larkin: Prof. Liability: Defense
- Edward Melvin, II: Employment & Labor
- Gabriel Nugent: Crim Def: White Collar
- Kevin Newman, Bankruptcy: Business
- Michael Oropallo: IP Lit
- Alan Peterman: Employment & Labor
- Michael Sciotti: Employment Lit: Defense

2018 Upstate New York Rising Stars – Syracuse office:

- Michael Balestra: Construction Lit
- Teresa Bennett: Business Lit
- Elizabeth Cominoli: IP
- Ross Greenky: Employment Lit: Defense
- Thomas Hoehner: IP Lit
- John Nichols: Creditor Debtor Rights
- Angela Winfield: Business Lit

Barclay Damon attorneys team across offices and practices to provide customized, targeted solutions grounded in industry knowledge and a deep understanding of our clients' businesses. With nearly 300 attorneys, Barclay Damon is a leading regional law firm that operates from a strategic platform of offices located in the Northeastern United States and Toronto.

FIFTY-TWO BARCLAY DAMON ATTORNEYS TO BE FEATURED IN THE 2019 BEST LAWYERS IN AMERICA

Barclay Damon will have 51 attorneys included in the 2019 edition of The Best Lawyers in America®. Best Lawyers lists are compiled based on an exhaustive peer-review evaluation.

In addition to being included on the list, five attorneys are also recognized as "Lawyer of the Year": **Jeffrey Dove** (Syracuse – Bankruptcy & Credit Debtor Rights/Insolvency & Reorganization Law), **Thomas Drury** (Buffalo – Personal Injury Litigation – Defendants), **Peter Marlette** (Buffalo – Mass Tort Litigation/Class Actions – Defendants), **Jeffery Palumbo** (Buffalo – Land Use & Zoning), **Anthony Piazza** (Rochester – Insurance Law), **Francis Stinziano** (Syracuse – Real Estate Law), and **Thomas Walsh** (Rochester – Environmental Law).

Only a single lawyer in each practice area and designated metropolitan area is bestowed the "Lawyer of the Year" honor.

"The Best Lawyers recognition illustrates the remarkable talent and depth and breadth of experience that our industry leaders at Barclay Damon possess," John Langan, Barclay Damon managing partner, said. "We congratulate all the listed attorneys, especially those selected as 'Lawyer of the Year,' on the acknowledgment of their exemplary successes and dedication to serving their clients."

2019 Best Lawyers – Albany office:

- **Linda Clark:** Mass Tort Litigation / Class Actions – Defendants
- **Yvonne Hennessey:** Litigation – Environmental
- **Edward Trombly:** Real Estate Law
- **Melissa Zambri:** Health Care Law

2019 Best Lawyers – Boston office:

- **Stephen Oleskey:** Eminent Domain and Condemnation Law

2019 Best Lawyers – Buffalo office:

- **Susan Benz:** Health Care Law
- **Timothy Cashmore:** Banking and Finance Law; Corporate Law; Mergers and Acquisitions Law
- **Thomas Drury:** Personal Injury

- Litigation – Defendants
- **Anne Evans:** Real Estate Law
- **James Gormley:** Corporate Law
- **Christopher Greene:** Corporate Law; Health Care Law
- **Vincent Hauber:** Litigation – Real Estate; Real Estate Law
- **Robert Heary:** Employment Law – Management
- **Franklin Heller:** Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law; Commercial Litigation
- **Gary Maas:** Corporate Law; Health Care Law
- **Peter Marlette:** Mass Tort Litigation/Class Actions – Defendants; Product Liability Litigation – Defendants
- **Arthur Marrapese III:** Employee Benefits (ERISA) Law; Litigation – ERISA
- **Dennis McCoy:** Personal Injury Litigation – Defendants; Product Liability Litigation – Defendants
- **Mark McNamara:** Eminent Domain and Condemnation Law
- **Vincent Moore:** Real Estate Law
- **Laurence Oppenheimer:** Employment Law – Management
- **Randolph Oppenheimer:** Employment Law – Management; Labor Law – Management; Litigation – Labor and Employment
- **Robert Portin:** Corporate Law; Health Care Law
- **Gust Pullman:** Corporate Law
- **Carol Snider:** Mass Tort Litigation/Class Actions – Defendants
- **Kevin Szczepanski:** Insurance Law
- **Catherine Wettlaufer:** Trusts and Estates
- **Frederick Wolf:** Administrative/Regulatory Law; Banking and Finance Law; Financial Services Regulation Law; Land Use and Zoning Law
- **Gregory Zini:** Commercial Litigation

2019 Best Lawyers – Clarence office:

- **Victoria D'Angelo:** Trusts and Estates

- **Jeffery Palumbo:** Environmental Law; Land Use and Zoning Law; Real Estate Law

2019 Best Lawyers – Rochester office:

- **Thomas Cronmiller:** Personal Injury Litigation – Defendants
- **James Grossman:** Eminent Domain and Condemnation Law
- **Anthony Piazza:** Insurance Law
- **Robert Shaddock:** Personal Injury Litigation – Defendants
- **Thomas Walsh:** Environmental Law; Litigation – Environmental
- **John Weider:** Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law; Litigation – Bankruptcy

2019 Best Lawyers – Syracuse office:

- **James Canfield:** Corporate Law
- **Jon Devendorf:** Commercial Litigation
- **Jeffrey Dove:** Bankruptcy & Credit Debtor Rights/Insolvency & Reorganization Law
- **Daniel French:** Criminal Defense: White-Collar
- **Thomas Fucillo:** Environmental Law; Litigation – Environmental
- **Andrew Leja:** Environmental Law
- **Mitchell Katz:** Bet-the-Company Litigation; Commercial Litigation; Litigation – Banking and Finance; Litigation – Real Estate
- **Kevin McAuliffe:** Project Finance Law
- **Douglas Nash:** Commercial Litigation
- **Judith Sayles:** Product Liability Litigation – Defendants
- **Michael Sciotti:** Employment Law – Management; Labor Law – Management; Litigation – Labor and Employment
- **John Sindoni:** Real Estate Law
- **Gerald Stack:** Tax Law
- **Francis Stinziano:** Real Estate Law

BARCLAY DAMON SECURES VICTORY FOR MONTANA DEPARTMENT OF REVENUE



The Montana Tax Appeal Board recently ruled in favor of longtime Barclay Damon client the State of Montana Department of Revenue against CHS Inc. and completely upheld the MDOR's assessed value. Acting as lead trial counsel with the assistance of two special assistant attorneys general, **Peter Crossett**, partner, represented the MDOR pro hac vice.

"I was very satisfied with the outcome--the decision by the Montana Tax Appeal Board was both thorough and thoughtful," Crossett said. "Not only was it a great win for our real property tax and condemnation practice, but the decision set important precedents in both valuation and equalization issues."

CHS had originally challenged

the MDOR's nearly \$849 million assessment of its Laurel oil refinery for the 2014 tax year, claiming that its total value was actually \$345 million, and also questioned whether the MDOR had equalized the assessed value of the refinery as required under the Montana constitution and state law. CHS additionally argued the MDOR's decision to utilize a cost-approach method to affirm value rather than an income analysis.

After CHS' appeal to the Yellowstone County Tax Appeal Board where the YCTAB decided the refinery's market value was \$510 million, the MDOR filed an appeal to the MTAB and CHS cross appealed. According to the final decision documents, the parties then engaged in "complex and lengthy motion practice" and extensive discovery before the trial was held in fall 2017.

On May 24, 2018, the MTAB ultimately decided that "CHS did not present sufficient reliable, credible evidence" showing that the MDOR improperly

valued the refinery, and that the MDOR did present sufficient evidence to support its original cost-approach valuation. The MTAB additionally noted that while CHS challenged the MDOR's decision to employ a cost-approach method, CHS allegedly refused to initially provide the state with information to utilize the alternative income analysis method.

The MTAB added that the equalization analysis submitted by CHS did not provide an opinion of market value and reached conclusions "based on assumptions layered upon assumptions."

"Peter's work on this case is an excellent example of the type of sophisticated successes that our real property tax and condemnation attorneys consistently obtain for their clients in complex litigation matters," John Langan, the firm's managing partner, said. "We are proud to have him on our Barclay Damon team."

BARCLAY DAMON

Trust & Estates Attorney (Buffalo)

Barclay Damon LLP, a 275-attorney law firm, with 33 practice offerings and eleven offices throughout New York State and the Northeast, is seeking a full-time Associate for its Buffalo office to join the Trust and Estates Practice Area.

The Associate attorney will support a robust trust and estate practice and advise clients on trust and estate issues, perform transactional work, including preparation and drafting of wills, trusts, powers of attorney, and other documents, administer trust and estates, including assistance with accountings and tax returns as well as perform related research and due diligence. The Associate Attorney will also be responsible to maintain client relationships and work with various partners across the firm platform.

Strong communication, writing skills and work ethic are required. The ideal candidate will have a minimum two years of progressively responsible experience in trust and estates practice and be able to demonstrate development of knowledge and experience in this practice area.

Interested candidates are encouraged to submit a resume, cover letter, transcript, and writing sample in confidence to:

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Barclay Damon Tower

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Syracuse, NY 13202

Contact: Recruitment Coordinator

Email: jobs@barclaydamon.com

LOCATION(S): Buffalo

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THOMPSON JOINS BARCLAY DAMON



Barclay Damon announces the arrival of **Kelsey Till Thompson**, a s s o c i a t e . Thompson is a member of the Torts & Products Liability Defense, Professional

Liability, and Insurance Coverage & Regulation Practice Areas, and will practice out of the firm's Rochester office. Prior to joining Barclay Damon, Thompson served as an appellate court attorney in the NYS Supreme Court Appellate Division, Fourth Department.

Thompson graduated magna cum laude from the University at Buffalo School of Law, where she worked as a publications editor for the Buffalo Law Review.

Barclay Damon attorneys team across offices and practices to provide customized, targeted solutions grounded in industry knowledge and a deep understanding of our clients' businesses. With 275 attorneys, Barclay Damon is a leading regional law firm that operates from a strategic platform of offices located in the Northeastern United States and Toronto.

BARCLAY DAMON

Torts and Insurance Attorney (Albany)

Barclay Damon LLP, a 275-attorney law firm, with 33 practice offerings and eleven offices throughout New York State and the Northeast, is seeking a full-time Associate for its Albany office to join its Torts & Products Liability Defense Practice Area. The Associate should have 1-3 years of torts defense experience. Candidate must be licensed to practice in the state of New York; have superior verbal, written and interpersonal skills; and have demonstrated abilities to work directly with clients and develop and execute service strategies.

Interested applicants are encouraged to submit a resume, cover letter, transcript and writing sample in confidence to:

Recruitment Coordinator

Barclay Damon, LLP

Barclay Damon Tower

125 East Jefferson Street

Syracuse, NY 13202

Contact: Recruitment Coordinator

Email: jobs@barclaydamon.com

LOCATION(S): Albany

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BARCLAY DAMON

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:

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71 Bond Attorneys Named in 2018 New York Super Lawyers Upstate Edition

Bond, Schoeneck & King is pleased to announce that 71 of the firm's attorneys are recognized in the 2018 New York Super Lawyers Upstate Edition. Five attorneys are resident in the firm's Albany office, 19 are in the Buffalo office, 11 are resident in Rochester, one attorney in Saratoga and 35 are in the firm's Syracuse office.

Recognized as Super Lawyers in Albany:

- **John M. Bagyi, Nicholas J. D'Ambrosio, Jr. and Sanjeev K. DeSoyza** – Employment and Labor;
- **Stuart F. Klein and Arthur J. Siegel** – Business Litigation

Selected as Super Lawyers in Buffalo:

- **Mitchell J. Banas, Jr., Scott M. Philbin, Sharon M. Porcellio, Dennis K. Schaeffer, Stephen A. Sharkey, Charles C. Swanekamp and Heath J. Szymczak** – Business Litigation;
- **Melinda G. Disare, Daniel P. Forsyth, Mark A. Moldenhauer, Randall M. Odza and James J. Rooney** – Employment and Labor;
- **Patrick L. Emmerling** – Estate & Probate;
- **Charles D. Grieco** – Environmental;
- **Vincent O. Hanley** – Real Estate;
- **Joseph P. Kubarek** – Securities & Corporate Finance;
- **Tim C. Loftis** – Business / Corporate;
- **Jeremy P. Occek** – IP Litigation;
- **Raymond P. Reichert** – Tax.

Recognized as Super Lawyers in Rochester:

- **Cressida A. Dixon and Edward C. Radin** – Estate and Probate;
- **James C. Holahan and Katherine**

S. McClung – Employment and Labor;

- **Edward P. Hourihan, Jr., Brian Laudadio, Gregory J. McDonald and Joseph S. Nacca** – Business Litigation;
- **Peter C. Lutz, David L. Pieterse and Kevin V. Recchia** – Real Estate.

Selected as a Super Lawyer in Saratoga:

- **Michael D. Billok** – Employment and Labor.

Selected as Super Lawyers in Syracuse:

- **Kathleen M. Bennett, Kevin M. Bernstein, Barry R. Kogut, Virginia C. Robbins and Robert R. Tyson** – Environmental;
- **R. Daniel Bordon, Thomas G. Eron, John Gaal, Laura H. Harshbarger, Peter A. Jones, Robert A. LaBerge, Colin M. Leonard, Larry P. Malfitano, Patrick V. Melfi and Subhash Viswanathan** – Employment and Labor;
- **Brian J. Butler and Louis Orbach** – Business Litigation;
- **John H. Callahan** – Personal Injury General: Defense;
- **Stephen A. Donato** – Bankruptcy; Business;
- **Jonathan B. Fellows** – General Litigation;
- **Philip I. Frankel, Jeffrey B. Scheer and Charles J. Sullivan** – Business/Corporate;
- **William Greener, George R. McGuire, David L. Nocilly and Fred J.M. Price** – Intellectual Property;
- **Brian K. Haynes and Richard D. Hole** – Employee Benefits;
- **Edwin J. Kelley, Jr.** – Government Finance;

- **James E. Mackin and James N. Seeley** – Estate and Probate;
- **Thomas R. Smith and Richard L. Weber** – Environmental Litigation;
- **Joseph Zagraniczny** – Real Estate.

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.

Bond, Schoeneck & King PLLC is a law firm with 250 lawyers serving individuals, companies, non-profits and public sector entities in a broad range of practice areas. Bond has eight offices in New York State as well as offices in Naples, Florida and Kansas City. For more information visit bsk.com.

Labor & Employment Associate

Bond, Schoeneck & King, PLLC is currently seeking an associate for our 60+ attorney Labor and Employment Law practice in our Syracuse, NY office. Candidates must have outstanding academic credentials, excellent communication skills, and at least three years of labor relations, employment law or employment litigation experience. We are an EEO Employer. Please send a letter of application, resume and law school transcript to hrbsk@bsk.com.

BOND ANNOUNCES 93 ATTORNEYS NAMED 2019 BEST LAWYERS IN AMERICA®

Bond, Schoeneck & King is pleased to announce that 93 attorneys, in 44 practices, have been recognized as 2019 Best Lawyers in America. The attorneys in each Bond office include:

Albany:

John M. Bagyi, Gregory J. Champion, Nicholas J. D'Ambrosio, Jr., Sanjeev K. DeSoyza, Hermes Fernandez, John A. Miller, Carolyn Shearer, Arthur J. Siegel and Thomas W. Simcoe

Buffalo:

Mitchell J. Banas, Jr., Melinda G. Disare, Patrick L. Emmerling, Daniel P. Forsyth, Vincent O. Hanley, Peter G. Klein, Joseph P. Kubarek, Tim C. Loftis, Mark Moldenhauer, Jeremy P. Occek, Randall M. Odza, Thomas A. Palmer, Robert W. Patterson, Michael A. Piette, Sharon M. Porcellio, Raymond P. Reichert, Steven J. Ricca, James J. Rooney, Charles C. Swanekamp and Erin S. Torcello

Garden City:

Howard M. Miller, Craig L. Olivo, Terry O'Neil and Mark N. Reinhartz

Kansas City:

Richard J. Evrard and Michael S. Glazier

Naples, FL:

Dennis C. Brown, Curtis Cassner, C. Neil Gregory and Adam C. Kerlek

New York City:

Michael I. Bernstein, Michael P. Collins, Louis P. DiLorenzo, Dennis A. Lalli, Tracy E. Miller, David E. Prager and Ernest R. Stolzer

Rochester:

Jeffrey R. Clark, Cressida A. Dixon, James C. Holahan, Edward P. Hourihan, Jr., Brian Laudadio, Peter C. Lutz, Nicole M. Marro, Katherine S. McClung, Gregory J. McDonald, Mary P. Moore, David L. Pieterse, Edward C. Radin, Kevin V. Recchia and Justin L. Vigdor.

Syracuse:

John D. Allen, Kevin M. Bernstein, R. Daniel Bordon, Brian J. Butler, John H. Callahan, Stephen A. Donato, Thomas G. Eron, Jonathan B. Fellows, David M. Ferrara, John Gaal, William Greener, Laura H. Harshbarger, Brian K. Haynes, Camille W. Hill, Peter A. Jones, Barry R. Kogut, Robert A. LaBerge, Thaddeus J. Lewkowicz, Larry P. Malfitano, George R. McGuire, Louis Orbach, Paul W. Reichel, Virginia C. Robbins, Martin A. Schwab, James N. Seeley, Thomas R. Smith, Charles J. Sullivan, Robert R. Tyson, Subhash Viswanathan, Philip J. Zaccheo and Joseph Zagraniczny

Utica:

Linda E. Romano

Best Lawyers is a respected peer-review publication in the legal profession. A listing in Best Lawyers is widely regarded as a significant honor, conferred on a lawyer by his or her peers.

The Association of Law Libraries of Upstate New York 64th Annual Meeting

The Association of Law Libraries of Upstate New York (ALLUNY) will host its 64th annual meeting September 28-29 at the Buffalo/Amherst Hyatt Place. The two-day program offers a wide array of sessions and activities of interest to not only librarians but the legal community as well. Speakers include Nicole Black, Rochester attorney and columnist for "The Daily Record" who will discuss using social media for evidence and juror research, Michael de Freitas, a member of the firm William C. Moran & Associates, P.C., who will share his expertise in forming a non-profit corporation. Joining us remotely from

Georgia State University is Associate Professor Charlotte Alexander whose primary area of research is legal analytics.

Other highlights include tours of the Teachers Desk, William S. Hein & Co., Inc, and the Forest Lawn Cemetery & Archives. A reception will be held Friday night at the University at Buffalo Law School.

Details and registration information may be found on the Events page at www.alluny.org or contact Jay Deveau, Local Arrangements Chair at jdeveau@nycourts.gov

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ORDWAY ELECTED TO BOARD OF MANAGERS

Bousquet Holstein PLLC is pleased to announce that attorney **L. Micha Ordway** has been elected by its members to serve on the firm's Board of Managers.

Micha joined the firm in 2003 and is a member of the firm's Litigation Practice Group. Micha is an experienced litigator and has litigated matters in a broad spectrum of practice areas. His experience includes representing clients in discrimination actions brought under state and federal law and actions brought under the Fair Labor Standards Act and the New York State Wage and Hour Law. He also handles complex commercial litigation matters, products liability suits, bankruptcy litigation, whistleblower suits, and environmental litigation in state and federal court. Micha is experienced in alternative dispute resolution and has used these techniques to successfully resolve matters for his clients. Micha also argued appeals before the Second Circuit Court of Appeals, the New York Court of Appeals and various appellate divisions.

Prior to joining the firm, Micha practiced law as a commercial litigator and insurance defense counsel for a

large law firm in Central New York. He also served as confidential law clerk to the Honorable Howard G. Munson, Senior United States District Judge and as senior confidential law clerk to the Honorable Gary L. Sharpe, United States Magistrate Judge.

Micha is a graduate of Albany Law School and Hamilton College. He and his family reside in Baldwinsville.

In addition to Micha Ordway, the Bousquet Holstein law firm's Board of Managers includes Laurence G. Bousquet, David A. Holstein, Christine Woodcock Dettor, and John L. Valentino.

Bousquet Holstein PLLC is a diversified law firm located in Syracuse. The firm provides legal counsel in mergers and acquisitions, business transactions, alternative dispute resolutions, public finance, immigration, economic development, government relations, litigation, commercial bankruptcy, trusts and estates, employee benefits, commercial real estate, employment and labor, environmental and land use, family law, and tax planning and advocacy. For more information, please visit www.bhlawpllc.com.

SAYLES JOINS BOUSQUET HOLSTEIN



Bousquet Holstein PLLC is pleased to announce that **Kevin M. Sayles** has joined the firm as an Associate Attorney and will focus his

practice on Business Transactions and Brownfield Tax Incentives.

Kevin is a native of the Central New York area having grown up in Sherrill, New York. Kevin earned his bachelor's degree from Colgate University where he double majored in Mathematics and Economics. As part of attaining his degree from Colgate, Kevin furthered his study of economics through a semester in London. Kevin is also a graduate of The George Washington University Law School, where he served as a Writing Fellow and was a member of the George Washington Law Review.

While working towards obtaining his law degree he had the opportunity to intern for the Honorable Susan G. Braden, Chief Judge of the Court of Federal Claims in Washington, D.C. and with the Honorable Heidi M. Pasichow of the Superior Court of the District of Columbia. He resides with his family in Oneida.

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Twenty-One Smith Sovik Kendrick & Sugnet Attorneys Selected to 2018 NY Super Lawyers and Rising Stars Lists

Smith Sovik Kendrick & Sugnet congratulates 21 attorneys who have been selected to the 2018 Upstate New York Super Lawyers List. Super Lawyers® ranks outstanding lawyers who have attained a high degree of peer recognition and professional achievement. This exclusive list recognizes no more than 5 percent of each state's attorneys in the Super Lawyers list, and no more than 2.5 percent in the Rising Stars list.

- **Kevin Hulslander:** Civil Litigation Defense, Top 50 List
- **Kristen Benson:** General Litigation
- **Anthony Brighton:** Civil Litigation Defense
- **James Cunningham:** Personal Injury General Defense
- **Karen Felter:** Civil Litigation Defense
- **Eric Johnson:** Personal Injury Medical Malpractice
- **Brandon King:** Personal Injury General Defense
- **James Lantier:** Personal Injury Medical Malpractice

- **Colleen Mattrey:** Personal Injury Medical Malpractice
- **Kristin Norfleet:** Personal Injury General Defense
- **Victor Prial:** Personal Injury Products Defense
- **Michael Ringwood:** Personal Injury Medical Malpractice
- **Daniel Ryan:** Personal Injury General Defense
- **Edward Smith:** Personal Injury General Defense
- **Steven Williams:** General Litigation

2018 Upstate Rising Stars

- **Eric Bernhardt:** Personal Injury General Defense
- **Christopher DeFrancesco:** Personal Injury General Defense
- **Matthew Germain:** Personal Injury General Defense
- **Karen Krogman Daum:** Personal Injury General Defense
- **Brady O'Malley:** Civil Litigation Defense
- **Michael Root:** Personal Injury General Defense

PROCOPIO JOINS SMITH SOVIK KENDRICK & SUGNET PC



SmithSovikKendrick & Sugnet PC welcomes **Taylor L. Procopio, Esq.** as an Associate Attorney to its Syracuse office. Taylor is a Syracuse native who graduated from Christian Brothers Academy and Syracuse University summa cum laude. Taylor attended Fordham University School of Law where she was a staff writer on the Urban Law Journal and a research assistant at the Leitner Center for International Law and Justice.

Prior to joining Smith Sovik, Taylor was an associate at Fried Frank in

NYC. She has returned to Syracuse to focus her practice on auto, premises', transportation and labor law liability and other personal injury defense including professional and medical malpractice and construction litigation.

Smith Sovik Kendrick & Sugnet, P.C., founded in 1946, is an aggressive, innovative litigation boutique law firm. We boast over 30 attorneys who defend individuals, professionals, corporations, and other entities against personal injury, malpractice and commercial claims in state and federal courts throughout New York State. For a complete list of the firm's services, please visit www.smithsovik.com.

ROSEMAN JOINS HINMAN, HOWARD & KATTELL



Hinman, Howard & Kattell, LLP is pleased to announce that **Daniel H. Roseman** has joined the firm as Special Counsel in the White Plains, New York office.

Mr. Roseman's practice focuses primarily on General Civil Litigation where he handles a variety of matters ranging from contractual disputes to mass tort and products liability actions. He also counsels clients in Corporate Law and General Business matters.

Mr. Roseman received his J.D., from New York Law School and B.A. from the University at Albany (cum laude).

Prior to starting at Hinman, Howard & Kattell, Mr. Roseman worked as an attorney at Boies Schiller Flexner LLP in the field of Complex Civil Litigation. Previously, he served as in-house counsel at a start-up company, overseeing all legal operations of a developing business in the sports and entertainment industry.

The law firm of Hinman, Howard & Kattell, LLP was organized in 1901, and has occupied offices in the Security Mutual Building in downtown Binghamton since 1905. The Firm offers the expertise of big-city counterparts combined with the personal attention of a local firm. With 11 offices located in New York, New Jersey, Pennsylvania, Florida and New Hampshire, Hinman Howard & Kattell LLP assists clients in all major areas of law. Firm clients include regional and national businesses, banks, utilities and hospitals as well as thousands of individuals and smaller companies.



ASSOCIATE ATTORNEY POSITION Municipal/Land Use/Zoning/Education Law

Established mid-size Syracuse Law Firm with extensive Municipal/Land Use/Zoning/School District Practice seeks Associate for its expanding practice. Successful candidate should demonstrate 2 - 8 years' experience serving as a municipal/land use/real estate and/or education practitioner. Knowledge of State Environmental Laws (SEQR), municipal, land use, labor and employment and education law is a plus. Salary commensurate with experience. Possibility of "of counsel" or junior partnership position will be considered based upon a candidate's demonstrated client base/practice. Attractive benefits package.

Qualified candidates should submit a cover letter and resume to Costello, Cooney & Fearon, PLLC, 500 Plum Street, Suite 300, Syracuse, New York 13204, Attn: JRL.



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Interested applicants should forward a cover letter, resume, transcript and writing sample to:

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DID YOU DRAW-UP A WILL FOR MARY ELIZABETH CLARK?

The family of Mary Elizabeth Clark seeks the lawyer who may have drawn up a will for their loved one born September 16, 1951 and who died May 6, 2018. Ms. Clark lived for many years at 649 Idlewood Court, Baldwinsville and was a retiree from Liberty Mutual Insurance. If you have any information about a will for the decedent please contact Diana Clark, her stepmother, at (973) 723-0976 or contact her by email at DianaClark@LimeyDi.com.

CLIENT SEEKING LAST WILL AND TESTAMENT

Client seeking Last Will and Testament of Joan E. MacIntyre, DOB: July 28, 1930. Joan last resided at 7625 Highbridge Road, C11, Manlius. Joan passed in June 2018 without spouse, issue, or siblings. Please contact Monica at Robert P. O'Leary, P.C. at 315-682-9131 if you have knowledge of her.

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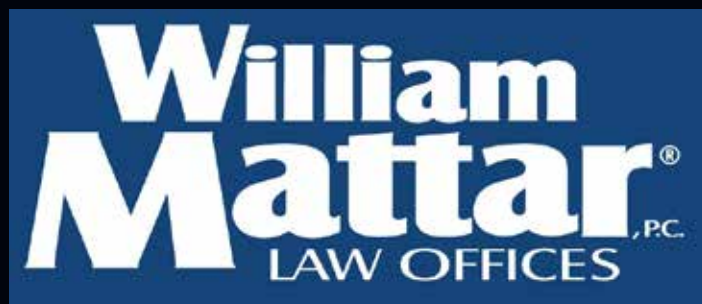
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SEARCHING FOR LAST WILL AND TESTAMENT OF MARGARET R. BRENNEMAN

A Cortland law firm seeks any and all information leading to the location of the last will and testament of Margaret R. Brenneman. A resident of Spafford, NY, Ms. Brenneman died there on June 11, 2016 and worked at the Brenneman Farm in Skaneateles. The last known attorneys who worked with Ms. Brenneman's estate were Jerome Foody and John C. Kanaley. If you have any information related to this issue please contact jennifer@cortlandattorneys.com.

BLOCK, LONGO, LAMARCA & BRZEZINSKI, P.C., (SINCE 1933)

Seeks Attorney for Syracuse Office. 2-5 years Real Estate experience - both Commercial and Residential. Residential leasing. Some litigation a plus. Please forward resume to mlongo@blockandlongo.com.

PLAINTIFFS' LITIGATION FIRM SEEKS PARALEGAL

Plaintiffs' litigation firm looking for full-time experienced paralegal who is familiar with handling personal injury cases including medical malpractice; product liability; professional malpractice; automobile accidents; labor law and dealing with Medicaid and Medicare. You will be responsible for drafting pleadings (bill of particulars); ordering, tracking and reviewing medical records; scheduling depositions; dealing with clients on a day to day basis; and doing some intake. Salary and benefits commensurate with experience. Please send resume to *Michaels & Smolak, 17 E. Genesee Street, Suite 401, Auburn, NY 13021*. Please let us know your salary requirements.

OFFICE SPACE AVAILABLE

Office immediately available in newly remodeled Liverpool Office Suite. Easy location, near the Thruway. Space includes: Office, Internet, copier, receptionist, conference room. Please call 315-243-3282 or email equineesq@me.com for details and/or view space.

OPENING FOR ASSOCIATE ATTORNEY AT KALL AND REILLY, LLP

Kall and Reilly, LLP seeks to hire an associate attorney for a general practice firm with an emphasis to handle matrimonial and family court matters. East suburban location. Please forward resume to rreilly@kallandreilly.com.



United States District Court Northern District of New York


GLENN T. SUDDABY
Chief U.S. District Court Judge

James M. Hanley Federal Building
P.O. Box 7367, 100 S. Clinton Street
Syracuse, New York 13261-7367
(315) 234-8580

*** * NOTICE * ***

The District Court for the Northern District of New York will be accepting applications for new mediators pursuant to the District's Mandatory Mediation Program - General Order #47. Attorneys interested in becoming a mediator may apply during the months of August, September and October. The application will be posted on our website beginning August 1st. Court approved hourly rates are \$150 per hour for the first two hours of the initial mediation session. If necessary, the mediator may charge an additional \$150/hour for up to two hours of preparation time for cases which require substantial preparation. Thereafter, the rate is capped at \$325 per hour.

For additional information please see NDNY General Order #47 on our website at www.nynd.uscourts.gov


Hon. Glenn T. Suddaby
Chief U.S. District Judge



OSWEGO COUNTY ASSISTANT DISTRICT ATTORNEY

This professional position is located in the Oswego County District Attorney's Office and is primarily responsible for the preparation and prosecution of criminal cases before the courts. The incumbent works under the supervision of the District Attorney or his designee with wide leeway for the exercise of independent judgment. The Assistant District Attorney will appear in court and will be responsible for prosecuting cases at hearings, trials, and/or Grand Jury.

Qualifications: Graduation from an American Bar Association accredited law school. Preference may be given to applicants with experience in the practice of criminal law.

Special Requirement: NYS License to practice law.

Recent legislation allows for attorneys residing in the contiguous counties of Cayuga, Jefferson, Lewis, Madison, Oneida and Onondaga to serve in position.

Salary starting at \$68,839 plus competitive benefits provided. Ultimate salary to be negotiated and will be based upon qualifications and experience.

To Apply: Review of applications will begin immediately and continue until position is filled. Please send application and resume with letter of interest to:

Oswego County Human Resources Department
46 East Bridge Street
Oswego, New York 13126
(315) 349-8209 Fax: (315) 349-8254
Email: humanresources@oswegocounty.com
Web: www.oswegocounty.com/humanresources/openings.html

Affirmative Action/Equal Opportunity Employer



LEGAL ASSISTANT LEGAL SERVICES OF CENTRAL NEW YORK, INC. (LSCNY)

POSITION: Legal Assistant in the Syracuse office of Legal Services of Central New York, Inc.

Background: Legal Services of Central New York (LSCNY) and the Legal Aid Society of Mid New York (LASMNY) provide civil legal assistance to low income residents of 13 counties in central New York. The Legal Helpline is a joint project of LSCNY and LASMNY. Helpline attorneys provide brief service and advice on family, housing, income, health care, and consumer matters. The position is in the Syracuse office.

Responsibilities: The Legal Assistant will interview and screen prospective clients calling the Helpline and support the work of the Helpline attorneys. The Legal Assistant will handle a high volume of calls each day. The legal assistant will also do intake for walk-ins in the Syracuse office.

Qualifications: Paralegal training or experience is desirable. Applicants must demonstrate a commitment and sensitivity to the needs of low-income persons and persons in crisis. Applicants must have excellent communication skills.

Closing date: Closing date for applications is Monday, August 31, 2018, or when filled.

Salary/Benefits: DOE; liberal benefits.

Application: Send or email cover letter, resume, writing sample, and names of three references to:

Director of Human Resources
Legal Services of Central New York, Inc.
221 South Warren Street, Suite 300
Syracuse, New York 13202
hiring@lscny.org

Legal Services of Central New York, Inc. is committed to hiring, retaining, and promoting diversity and culturally appropriate inclusion so we can be more creative, effective, and just, bringing more varied perspectives, experiences, backgrounds, talents, and interests to the practice of law and the administration of justice. We accept, respect, and value differences that include attributes such as age, race, gender, ethnicity, religion, sexual orientation, gender identity and expression, disabilities, language, socioeconomic status, marital and parental status, and cultural background.

Ethics Hotline

New York lawyers faced with ethical questions regarding their own prospective conduct can reach the Ethics Hotline through Customer Service, **Victor Hershdorfer** at **315-913-4087** or **Paula Mallory Engel** at **315-727-7901**.

The Ethics Hotline is operated and staffed by members of the Onondaga County Bar Association's Committee on Professional Ethics (the "Committee"). These volunteers respond to inquiries made by lawyers admitted in New York who face ethical questions regarding their own prospective conduct. The purpose of the Hotline is to provide informal guidance to callers in accordance with the New York Rules of Professional Conduct (the "New York Rules"). Any information provided in response to a Hotline inquiry is merely the opinion of the Committee member answering the call. It is not the opinion of the Committee as a whole. The information provided in response to a Hotline inquiry does not constitute legal advice. If the matter involves complex issues, or implicates a substantive area of law, you may wish to retain professional ethics counsel.

Callers should be aware of the following guidelines before calling the Ethics Hotline:

1. The Hotline only provides guidance to lawyers admitted to practice in New York about the New York Rules.
2. The Hotline only provides guidance concerning the caller's own prospective conduct. We do not answer questions about past conduct or the conduct of other lawyers.
3. The Hotline does not provide legal advice or answer questions of law.
4. The Hotline does not provide answers to hypothetical questions nor inquiries which have also been submitted to another bar association's ethics committee.
5. The Hotline does not answer questions about the unlicensed practice of law (UPL). UPL is governed by statutory law, not the New York Rules and is, therefore, outside the Committee's jurisdiction.
6. The Hotline provides general guidance. Due to the limited information we can obtain during a brief and informal telephone conversation, we cannot provide a definitive answer to Hotline questions.
7. The Hotline does not answer questions where the issue itself is the matter of a pending legal proceeding or is before a grievance committee.
8. Although it is the Committee's policy to maintain confidentiality of all Hotline inquiries, callers should be aware that the information is not protected by the attorney-client privilege or RPC 1.6.
9. The Ethics Hotline does not respond to complaints or inquiries regarding unethical conduct of other lawyers. Any such complaints or inquiries should be addressed to the Grievance or Disciplinary Committee for the county in which the lawyer practices (see <http://www.nycourts.gov/attorneys/grievance/>).
10. Lawyers who call the Ethics Hotline are required to provide their full name and telephone numbers.

If, after speaking with someone on the Hotline, a New York lawyer wishes to obtain a written Informal Opinion from the Committee, he or she may submit a written request. Please review the guidelines for requesting an Informal Opinion here (See the attached guidelines [here](#)). As with Hotline questions, the Committee's Informal Opinions are limited to interpreting the New York Rules. Please be aware that the Committee cannot provide a concrete timeline for responding to written requests. If your matter is urgent, you may wish to retain professional ethics counsel.

The mission of the Onondaga County Bar Foundation, the philanthropic arm of the Onondaga County Bar Association, is to aid members of the legal profession in Onondaga County who may be ill, incapacitated, indigent or otherwise in need, and to improve and promote:

- The administration of justice;
- Service to the public and the legal community;
 - Equal access to the legal system for all;
 - Professional ethics and responsibility;
 - Legal research and education; and
- Dissemination to the public of information about the legal system and the rule of law.

Established in 1975, the Foundation is a 501(c)(3) tax-exempt corporation. To fulfill its mission, the Foundation depends on individual donations (which are tax deductible as charitable contributions) and grants from other funding sources. The Foundation welcomes grant applications for projects consistent with this mission statement.

The Lawyers' Assistance Project Of Onondaga County

What Is the Lawyers' Assistance Project?

The Lawyers' Assistance Project of Onondaga County is a confidential service providing information, referrals, access to professional counseling and peer support.

What Kind of Assistance Is Available?

You are entitled to a confidential telephone consultation, free counseling sessions with a professional counselor, and participation in peer support groups.

What Can I Expect When I Call for an Appointment?

You will talk to an intake coordinator who may refer you to an experienced counselor. Family Services Associates serves as the Project's counseling agency.

Is Contact with the Lawyers' Assistance Project Confidential?

YES. You can discuss the issue of confidentiality with the intake coordinator or counselor.

Why Was the Project Set Up?

The Project was established to assist lawyers who have problems with alcohol, drugs, stress, anxiety, depression, gambling and other personal problems.

Who May Call?

Attorneys, judges and law students in Onondaga County and these other neighboring counties: Oswego, Jefferson, Lewis, Herkimer, Oneida, Cortland, Cayuga and Madison counties.



For more information contact:

The New York State Bar Association Lawyer Assistance Program-- (800) 255-0569

Family Services Associates-- (315) 451-2161

Onondaga County Bar Association

Executive Director, Jeff Unaitis-- (315) 579-2581

From the Courts



RECEIVED
01/23/17

NOTICE TO THE BAR

The Appellate Division, Fourth Department has scheduled the following terms of Court for 2018:

JANUARY TERM:	MONDAY, JANUARY 8, 2018 - FRIDAY, JANUARY 19, 2018
FEBRUARY/MARCH TERM:	TUESDAY, FEBRUARY 20, 2018 - FRIDAY, MARCH 2, 2018
APRIL TERM:	TUESDAY, APRIL 3, 2018 - FRIDAY, APRIL 13, 2018
MAY TERM:	MONDAY, MAY 14, 2018 - FRIDAY, MAY 25, 2018
*JUNE TERM:	MONDAY, JUNE 18, 2018 - WEDNESDAY, JUNE 20, 2018
SEPTEMBER TERM:	MONDAY, SEPTEMBER 10, 2018 - FRIDAY, SEPTEMBER 21, 2018
OCTOBER/NOVEMBER TERM:	MONDAY, OCTOBER 22, 2018 - FRIDAY, NOVEMBER 2, 2018
DECEMBER TERM:	MONDAY, DECEMBER 3, 2018 - FRIDAY, DECEMBER 14, 2018

* submitted cases only



OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org

Overview of Construction Law: From Bid to Close Out



- Shape your knowledge of Construction Law from initial contract negotiations through pre-construction stages to commencement of a build.
- This CLE highlights construction litigation claims and the pro-active strategies your client has at their disposal to prevent and/or minimize claims they face.

Presenters:



Michael Rubin, Esq. is the chair of Goldberg Segalla's OSHA and Worksite Safety Practice Group. He has on-the-ground experience managing accident investigations plus negotiating settlement citations. Advises employers on OSHA safety compliance.



Laura A. Colca, Esq. is a transactional and corporate attorney and has led multiple million-dollar merger and acquisition deals in her 20-year career. Complementing this background is her focus on commercial disputes and commercial litigation.

2.5 MCLE (0.5 Ethics, 0.5 Skills, 1.5 Prof. Pract.)
Thursday, Sept. 6, 2018 2 to 4:15 p.m.
CNY Philanthropy Center, 3rd Floor Conference Room
431 E. Fayette St., Syracuse, NY 13202



Overview of Construction Law: From Bid to Close Out | Thursday, Sept. 6, 2018 | 2 to 4 p.m.

\$50 Member, \$75 Non-Member, \$25 Paralegal, FREE to Lifetime/Agency/Student | Register at Onbar.org or by mail

(checks payable to Onondaga County Bar Association)

Attendee(s) _____ Phone _____

Firm _____ Email _____

Address _____ Billing Zip _____

☐ Check Enclosed ☐ Will bring Check to CLE ☐ CC Card# _____ Exp. _____

ONONDAGA COUNTY BAR ASSOCIATION | 431 East Fayette St. | Syracuse, NY | 13202

Phone: 315-5798 | Fax: 315-471-0705 | cchantler@onbar.org



OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org

CLE | Medicare Set Asides and Lien Conditional Payments

Presenters: **Kathleen Oot**
MSA Advocates, President & CEO
Ryen DeStefano, Esq.
MSA Advocates



Topics Covered:

- Overview of the Medicare Secondary Payer Statute and "Rules" provided by CMS/Medicare for the compliance of same using Medicare Set Asides and Negotiating and Reimbursing Lien/Conditional Payments for all lines of insurance.
- Structured Medicare Set Asides will be briefly discussed and questions addressed by a licensed structured settlement broker.

3.0 MCLE (0.5 Ethics, 1.0 Skills, 1.5 Prof. Practice)

Friday, September 7, 2018 Noon to 3 p.m.
Genesee Grande Hotel, 1060 East Genesee St.
Syracuse NY 13210

ONLY
\$20

Lunch included!!

Not into forms? No prob. Register Online at
www.onbar.org

The Onondaga County Bar Association is committed to providing Mandatory Continuing Legal Education Programs at an affordable price to its members as well as the bar-at-large. Financial waiver forms are available upon request or may be downloaded when you visit www.onbar.org.

Medicare Set Asides and Conditional Lien Payments | Fri., Sept. 7, 2018 | RSVP by Sept. 5, 2018 ONLY

Only \$20 (checks payable to OCBA)

Attendee(s) _____ Phone _____

Firm _____ Email _____

Address _____

☐ Check Enclosed ☐ Will bring Check to CLE ☐ CC Card# _____ Exp. _____

ONONDAGA COUNTY BAR ASSOCIATION | 431 East Fayette St. | Syracuse, NY | 13202
Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org



OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org

Raise the Age: Impact and Update for Family Law and Criminal Law Attorneys

Presenters:

Hon. Julie A. Cecile

Onondaga County Family Court

Kara LaSorsa, Esq.

Deputy County Attorney, Onondaga County



- Learn about Raise the Age legislation – phase in for 16-year-olds begins October 1st
- Discussion topics will include: how & when adolescent offenders will be removed to Family Court; alternatives to detention programs; and how the Youth Part will run.

ONLY \$20

1.0 Professional Practice MCLE

Tuesday, September 18, 2018 **12:15 to 1:15 p.m.**
CNY Philanthropy Center-Ballroom, 431 E. Fayette St.
Syracuse, NY 13202

Pizza Lunch Included!

Register at Onbar.org or by mail using form below

The Onondaga County Bar Association is committed to providing Mandatory Continuing Legal Education Programs at an affordable price to its members as well as the bar-at-large. Financial waiver forms are available upon request or may be downloaded when you visit www.onbar.org.

This CLE is brought to you by the OCBA Family Law Section.

Raise the Age: Impact and Update for Family Law and Criminal Law Attorneys | Tuesday, Sept. 18, 2018 |
\$20 For all Attorneys, FREE Lifetime/Agency/Student (checks payable to OCBA)

Attendee(s) _____ Phone _____

Firm _____ Email _____

Address _____

☐ Check Enclosed ☐ Will bring Check to CLE ☐ CC Card# _____ Exp. _____

ONONDAGA COUNTY BAR ASSOCIATION | 431 East Fayette St. | Syracuse, NY | 13202

Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org



OCBA CONTINUING LEGAL EDUCATION

431 East Fayette St. | Syracuse, NY | Phone: 315-579-2578 | Fax: 315-471-0705 | cchantler@onbar.org

OCBA Professional Ethics Series 2018: The Life Cycle of a Law Practice



Session #3: "Gaining Speed" Ethical Issues As You Grow Your Practice Thursday, October 4th, 2018

Mary Gasparini, Esq.

Principal Counsel, Attorney Grievance Committee
5th Judicial District

Anthony Gigliotti, Esq.

Principal Counsel, Attorney Grievance Committee
Appellate Division 4th Department, 5th Judicial District

Paul G. Ferrara, Esq.

Costello, Cooney & Fearon, PLLC

The third of a 4-part Ethics series, this course is geared toward newly-admitted attorneys who want to hang their own shingle, or for experienced attorneys leaving a firm to start a solo practice, providing information to start your journey on the right foot!

Topics Include | Conflicts of Interest: Acquiring Other Practices and Adding Attorneys from Other Firms/Government Agencies | Responsibility for Managing Subordinate Attorneys Responsibility for Managing Non-Lawyers | Shared Responsibility Between Partners Practice Pot Holes: Combating Addiction and Stress Disorders | Malpractice Insurance Issues

2.0 MCLE (1.0 **ETHICS**, 1.0 Prof. Practice)

Thursday, October 4th, 2018

Noon to 2 p.m. (Doors open at 11:30 a.m.)

CNY Philanthropy Center, Ballroom

431 E. Fayette St., Syracuse NY 13202

Lunch will be provided!

Visit www.onbar.org for information on the upcoming programs in the series.

Register at Onbar.org **or** by mail using the form below

The Life Cycle of a Law Practice "Gaining Speed" - Ethical Issues As You Grow Your Practice | Thursday, October 4th, 2018
Member \$40 | Non-Member \$60 | Paralegal \$20 | Free to Lifetime/Agency/Student

Doors Open at 11:30 a.m. Come early and grab a bite!

(Make checks payable to Onondaga County Bar Association)

Attendee(s): _____ Phone: _____

Firm/Organization: _____ Email: _____

Address: _____ Billing Zip: _____

☐ Check Enclosed ☐ Will bring Check to CLE CC Card # _____ Exp. _____

Years in Practice: ____ 0-3 ____ 4-10 ____ 11-25 ____ 25+