



You're from Reggie's County

by Bob Johnston, Esq.

Next week our own Reg Belden becomes President of the Pennsylvania Bar Association. Pretty amazing, especially if you were around years ago when Reg, Sr., Reg's father, held the same position. One can only wonder if H. Sr. imagined such a future for his ... how shall we say it ... fun-loving only son.

Most of you reading this know what I'm talking about. The stories; some that could be reduced to print, others best left to late-night retelling after a couple single-malt scotches; mostly true. Stories that would be embarrassing if they were about you or me but which, about him, somehow evoke in teller and listener alike the thought, "Boy, I wish that had been me."

And those are just the stories we know about. Reg has had a whole other life in the PBA, one I knew nothing about until I became involved myself a few years ago. In that life Reg is a young lawyer for life, as at home with 30-year-old lawyers today as when he was 30 himself. By now, I've met lawyers and judges from nearly every county and when I say I'm from Westmoreland County the response is always the same: "You're from Reggie's County." And I always have

the feeling they could tell me a story or two that I have not heard before.

But Reg didn't get elected President of the PBA because of, or even in spite of, the stories. While having more fun than most of us could stand, Reg has managed to pack more lawyering and public service into each year than most of us hope to accomplish in a lifetime. His career as a trial lawyer has been recognized by his election as a Fellow of the prestigious American College of Trial Lawyers. His devotion to the profession was recognized in 1998 by our own Bar when he was the first recipient of the Professionalism award created to honor competence and dedication, civility, service to the Bar and dedication to the improvement of the practice of law. Reg served as President of our Bar Association in 1986, has served as Chair of the Young Lawyers Section of the PBA, was Zone Governor to the House of

Delegates and later, Chair of that body, and has been appointed chair of various PBA committees and sections by more than 20 PBA Presidents.

Believe it or not, I've just scratched the surface. There's a whole other world of public service that, by itself, constitutes a record of giving to the community that is remarkable in its magnitude and longevity. As an example, in one recent year Reg was the chairperson or president of no less than six local charities or non-profit organizations. And it bears repeating, he's had a great time along the way.

Those who know him well, in the PBA as here, admire his devotion to the practice of law and his great affection for lawyers, and marvel at his optimism and his capacity for work. (Reg told me recently that he

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H. Reginald Belden, Jr.

President's Message

A Drop of Vision

by John M. Campfield

If I have a dream it is only a solitary drop of vision; if we all have a dream, it is a river of hope. I hope that together we come to have a dream—a vision—for the future practice of law.

Long-standing institutions and organizations tend to develop inertia. They become comfortable and complacent. They resist change. They argue against creativity and quickly become judgmental. And, of course, all this is done in the name of

what is good, honorable, tried and true, traditional and valuable. And they are well-intentioned, good, honorable, true, traditional and value-oriented.

But long-standing institutions and organizations often miss the new train running on the tracks. The train is not a ghost. It is real. You can see it coming if you take

the time to open your eyes and look.

Lately, we lawyers have been running with blinders on, with tinted glasses, our gaze focused down, and in some instances looking backwards.

Times are a-changing, as we well know. Multi-disciplinary practice, multi-jurisdictional practice, increasing pro se litigants, non-legal service providers, self-service legal forms and information—the list goes on and will continue to expand.

Power, left unattended, is like fame: it is fleeting. More than a decade ago, the healthcare providers, particularly the medical professional, failed to appreciate the threat to their control of the delivery of healthcare services. Witness the trauma that resulted from the failure to understand, plan and act.

Less than a decade ago the accountants had the foresight to study the future. Part of the results that work

targeted services traditionally thought of as “legal” and targeted measures to team, align and in some ways, control and profit from the delivery of legal services.

Lawyers in Westmoreland County are a contradiction of terms. We are fiercely independent and naively isolating. We are mostly an army of ones and twos fighting battles against forces much larger, much better organized, with much clearer purpose. We have the ability, if we have the vision, to confront these challenges.

Paradigms shift; new forces come into play; needs change and new demands challenge us. Some argue that these factors diminish our values and reduce our resolve and sense of responsibility. I disagree. Challenges are always present; sometimes more intense and fast-moving than others, but always there. But the challenges now facing us are intense and accelerating. The last thing we should be doing is ducking and running for cover.

The rule of law is of prime importance in our society. The rule of law will not be the subject of rapid change. The profession and “business” of law, however, will be. We must devote our resources to understanding the challenges, envisioning needed measures, and pursuing them without fail or hesitation. Then, we will be upholding our oath to the law, and to ourselves, as lawyers.



Bar Leadership Changes at Annual Meeting

At the Annual Meeting of the Westmoreland Bar Association held on Monday, April 2, 2001, at the Latrobe Country Club, John M. Campfield assumed the office of President.

John, a partner with the Greensburg law firm of Campfield & Ferraro, is a graduate of Duquesne University and Duquesne University School of Law. A trained and experienced mediator with the Academy of Dispute Resolutions, his private practice includes personal injury, municipal, estate and compensation law.

John succeeds Diane E. Murphy and will serve a one-year term as President.

OTHER ELECTION RESULTS

Aaron M. Kress was elected Vice President for the 2001–2002 term and Rebecca A. Brammell was chosen to fill the vacant Director seat on the board. Continuing to serve on the board are President-Elect Timothy J. Geary, Directors Robert I. Johnston and James R. Silvis, Past President Diane E. Murphy, Treasurer Milton V. Munk, Jr., and Secretary/Executive Director Diane Krivoniak.

John M. Ranker and Richard F. Flickinger were elected to serve five-year terms on the Membership and Building Committees, respectively.



▲ *Outgoing President Diane Murphy passes the gavel to incoming President John Campfield.*



▲ *John O'Connell, The Honorable Wm. Jay Ober and "former President Clinton" present outgoing WBA President Diane Murphy with her thank-you gifts which included a book of Irish poetry, a Derry Trojans T-shirt, a glittering tiara and scepter and a sash reading "Queen of the Bar" (to which Jim Silvis added an "s"), a blue-ribbon-winning sheepskin, and a good cigar.*

Have You Registered for the Bench/Bar Conference?

It's not too late! This year's conference will be held June 14–16, 2001 at The Wisp in McHenry, Md., and promises to be the best ever with CLE credits, golf, pontoon boats, a BarFlies musical, two hospitality condos and vendor exhibits. Call the Bar office at (724) 834-6730 to sign up today!



Jackie Knupp Wins Young Lawyer Award

Jackie Knupp is this year's WBA Young Lawyer of the Year. She received the award at the recent annual WBA meeting.

Each year, the WBA singles out one young lawyer who best exhibits the aspirations of the high standards of the legal profession with regard to the practice of law and has demonstrated his or her commitment to the practice of law.

The award is based on such criteria as ethics and integrity, service to the bar and its members, leadership and service to projects undertaken by the Young Lawyers Committee, overall participation in bar-related activities and community service. The award is not intended to be an annual award, but rather an award to be given only when the dedication and achievements of an individ-

ual young lawyer are worthy of recognition. Previous winners were Chris Haidze and Jim Wells.

Jackie is a partner in the firm of Millstein and Knupp. A graduate of Quigley High School in Ambridge, Seton Hill College and the University of Pittsburgh School of Law, she currently serves as a Trustee of the Westmoreland Bar Foundation, chairs the WBF's Scholarship Committee, is Past President of the Young Lawyers Section and is currently active on several YL committees. She also serves as a volunteer for the Mock Trial Program, is a member of the Outreach Committee, the Women in the Law Profession Committee, the Bench/Bar Committee and is the WBA Continuing Legal Education Coordinator.



▲ YL Chair Harry Small, Jr., congratulates Jackie Knupp for being named Young Lawyer of the Year.

Jackie and her husband, Brian, have two small children, Peyton and Paxton, and live in Ligonier. She is a true credit to our Bar, our profession and our community.

Fifty-Year Members Honored at Meeting



▲ George Berry, Jr.

Seven members of the Westmoreland Bar Association were honored at this year's Annual Meeting for attaining 50 years of membership in the WBA.

George E. Berry, Jr. (1948), Robert Wm. Garland (1951), Louis J. Kober (1951), Gene McDonald (1949), R.D. McVey (1950), John Noel (1949) and Bernard Shire (1951) received a standing ovation from the members for their contributions and dedication to the practice of law over the last 50+ years. Christ. C. Walthour, Jr. (1942) was honored at the 1993 Annual Meeting for reaching the 50-year milestone.



▲ Robert Garland



▲ Louis Kober



▲ Gene McDonald



▲ R.D. McVey



▲ John Noel



▲ Bernard Shire

Bruce Tobin Named Pro Bono Attorney of the Year

Bruce Tobin was named Pro Bono Attorney of the Year at the Annual Meeting held April 2, 2001, at the Latrobe Country Club.



▲ *WBF Chair Gary Falatovich (left) and Pro Bono Coordinator Iva Munk (center) present Bruce Tobin (right) with the Pro Bono Attorney of the Year Award.*

Since the Pro Bono Program began in Westmoreland County in 1991, Bruce has demonstrated extraordinary commitment to helping the indigent. He has consistently served as a volunteer "Attorney for the Day," representing clients in landlord/tenant disputes, divorces, unemployment matters, wills and many other issues.

For the past five years, Bruce has chaired the Pro Bono committee and has overseen the Attorney for the Day program, increasing its intakes from 14 to 20 per month. The Pro Bono program also administers the Reduced Fee Referrals and the paid Custody/Visitation Program. With Bruce's help, over 365 clients were handled through the Pro Bono program last year.

We are very proud of Bruce and his exemplary dedication to the Pro Bono Program.

Committee of the Year: Bench/Bar

The Bench/Bar Committee was honored as Committee of the Year at the Annual Meeting held April 2. Last year's Bench/Bar Conference at The Wisp was the most successful to date.

Members of the committee include The Honorable Richard McCormick, Jr., and Beth Orbison, who served as co-chairs, Reg Belden, Ray Bitar, Dave Caruthers, Karen Ferri, Maureen Grace, John Greiner, Bob Johnston, Ryan Kammerer, Jim Kelley, Jr., Jackie Knupp, Moe Lewis, Bruce Mattock, John Noble, John Scales, Jim Silvis, Peg Tremba and Denis Zuzik.

Memorial Service Planned for May 18

"HE WHO HAS DONE HIS BEST FOR HIS OWN TIME HAS LIVED FOR ALL TIMES."

—JOHANN VON SCHILLER

Please join us in remembering our friends and colleagues at the Westmoreland Bar Association's 2000–2001 Memorial Service to be held Friday, May 18, at 11:30 a.m. in Courtroom No. 3 of the Westmoreland County Courthouse. A complimentary luncheon reception will be held at Bar headquarters immediately following the ceremony.

Those to be remembered at this year's ceremony include WBA members Bill Caruthers, Lou Ceraso, Philip Corbin, Carl Izzo and Everett Sorber, and local attorneys Terry Jordan and Bill Nee.

If you are planning to attend the Memorial Service and luncheon, please call Bar headquarters at (724) 834-6730 to reserve your space.

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Mike Rubinoﬀ Heads for the Promised Land—Retirement

by Judge Irv Bloom

Mike Rubinoﬀ, Special Divorce Master, political science professor, and attorney, is retiring to the second Jewish promised land—Eretz Florida.

Mike always wanted to be a lawyer but took an 18-year detour as a professor before entering the University of Pittsburgh Law School in 1979 at age 40. He graduated in 1982 having maintained a full teaching load throughout his school career. His first case came before graduation when he helped me prepare a brief for the U.S. Supreme Court in the Westmoreland County reapportionment case.

Since then he has maintained an active law practice while utilizing his

encyclopedic knowledge of family law as Special Master.

In August 2000, he retired as Assistant Professor of Political Science at the University of Pittsburgh at Greensburg where he had been teaching business law, constitutional law and political science since 1967. His former students include Judge Blahovec, District Justice Mansour and dozens of other Westmoreland County lawyers. His constitutional law exams were famous for questions, in his words, about “President Bubba” and “Hillary Rotten Clinton.” He was not and is not “politically correct.”

He also taught at the University of Toledo, the Pennsylvania State University, Seton Hill College and Saint Vincent College.

He plans to return to the area periodically to see his grandchildren, his daughter-in-law and son, Mark, who is an attorney with the Pittsburgh office of Morgan, Lewis and Bockius. Daughter Sally is a utility executive in Baltimore.

Having recently talked with both of Mike’s ex-wives, I know they both wish him well. How many of our divorced colleagues could have their former spouses say the same about them?



Mike Rubinoﬀ

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Spotlight on The Hon. James R. Kelley



Q WHAT JOBS HAVE YOU HELD PRIOR TO BECOMING AN ATTORNEY?

A Independent news circulator, soda mixologist engineer, assistant horticulturist, personal service provider, supervisor of screening privileges, expeditor of metallurgical extraction and conversion, independent operator of elevated transportation.

Q WHICH WAS YOUR FAVORITE AND WHY?

A Assistant horticulturist—because I could always smell the roses.

Q WHAT IS THE FUNNIEST THING THAT'S HAPPENED TO YOU AS AN ATTORNEY?

A Becoming an attorney, then becoming a _____.
(Don't complete the thought!)

Q WHAT IS THE QUALITY YOU MOST LIKE IN AN ATTORNEY?

A Word and integrity.

Q WHAT IS YOUR FAVORITE JOURNEY?

A To the presence of my wife.

Q WHAT IS YOUR GREATEST REGRET?

A Not being able to right every wrong I perceive.

Q WHO ARE YOUR HEROES IN REAL LIFE?

A All those who successfully live quiet lives for survival.

Q WHAT ADVICE WOULD YOU GIVE TO ATTORNEYS NEW TO THE PRACTICE OF LAW?

A Be patient, keep your word, your confidence, integrity and humor.

Q WHAT DO YOU CONSIDER TO BE YOUR GREATEST ACHIEVEMENT?

A Obtaining and retaining the love of my wife.

Q WHAT IS YOUR IDEA OF PERFECT HAPPINESS?

A Eternal beatific vision.

Q WHAT IS YOUR MOST TREASURED POSSESSION?

A The love of my wife, children, family and friends.

Q WHAT IS YOUR GREATEST EXTRAVAGANCE?

A Golf. I waste so many strokes.

Q WHAT IS IT THAT YOU MOST DISLIKE?

A Prejudice and narrow-mindedness.

Q WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

A Knowledge, reason, fairness.

Q WHAT DO YOU MOST VALUE IN YOUR FRIENDS?

A Their unreserved loyalty, knowing my faults while giving their truthful selves to me.

Q WHICH LIVING PERSON DO YOU MOST ADMIRE?

A My wife and mother of our children.

Q WHAT IS YOUR MOTTO?

A *Lubrici sunt fortune gressus. Jucunda et idonea dicere vitae.*



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Jury Trial Verdicts

JANUARY/FEBRUARY TRIAL TERM

Below are the jury verdicts for the January/February 2001 Civil Division trial terms. Out of 96 cases listed for trial, 23 settled, 36 were continued, one was discontinued, four moved to Arbitration, two were non-jury trials, one was a summary jury trial and 10 were tried to a verdict. There were many substantial awards this term.

**BETH SHUTTERLY AND JON SHUTTERLY,
HER HUSBAND V. WAL-MART STORES, INC.
NO. 5645 OF 1999**

*Cause of Action: Negligence — Slip and Fall —
Loss of Consortium — Arbitration Appeal*

On December 30, 1997, at approximately 5:45 p.m., wife-plaintiff was a business invitee at defendant's Wal-Mart Supercenter in Rostraver Township. According to the complaint, plaintiff was on her way to work at the Blow Out Video Store located inside the Wal-Mart when she slipped and fell on an isolated patch of ice located on the sidewalk near the "grocery entrance." Plaintiff alleged that the icy, slippery condition of the sidewalk constituted a dangerous condition of the premises in that the area was dimly lit and the patch of ice was not readily visible. Plaintiff claimed injuries to her back, while her husband asserted loss of consortium.

The defendant, in its pre-trial statement, asserted that there were generally slippery conditions in the community at the time of the plaintiff's fall. The plaintiff denied that the "hills and ridges" doctrine was applicable to the facts of this case.

Plaintiff's Counsel: Mark S. Galper, Bergstein & Galper, Monessen

Defendant's Counsel: Cary W. Valyo, Gorr, Moser, Dell & Loughney, Pgh.

Trial Judge: The Hon. Charles H. Loughran

Result: Molded verdict for Plaintiff in the amount of \$2500.00. Causal negligence apportioned 50/50 between the parties.

**STATMAIL, INC. V.
HEALTHCARE SYSTEMS, INC.
NO. 976 OF 1998**

Cause of Action: Breach of Contract

The plaintiff alleged that it entered into a written agreement with the defendant on July 24, 1997, wherein the two companies would work together in developing an Oracle office based home health care

database system. The plaintiff was to be exclusively responsible for maintaining appropriate office space, clerical support and program and development staff. The complaint alleges that defendant informed plaintiff on July 31, 1997, one day prior to commencement of the project, that it did not intend to honor the written agreement. The plaintiff's suit was for loss of profits.

In its pre-trial statement, defendant asserted that Roland Cleneany, an employee of defendant, did not have the authority to execute the document on behalf of defendant. In the alternative, defendant claimed that the agreement was terminated before the commencement date of the agreement and that plaintiff consented to the termination. Defendant also argued that plaintiff's damages were speculative and unforeseeable.

Plaintiff's Counsel: Thomas J. Godlewski, Scott Avolio, Godlewski & Associates, Gbg.

Defendant's Counsel: Bernard T. McArdle, Stewart, McCormick, McArdle & Sorice, Gbg.; Damogar Sarup Airan, Coral Gables, Fla., admitted *pro hac vice*.

Trial Judge: The Hon. Charles H. Loughran

Result: Verdict for Plaintiff in the amount of \$82,500.00.

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ABSTRACTS

REAL ESTATE & MORTGAGE CLOSINGS

**JULIA P. BAVARO, A MINOR, BY HER PARENT AND NATURAL GUARDIAN, FRANK BAVARO V. WILLIAM DeGRANGE, DEFENDANT V. PAULINE BAVARO, ADDITIONAL DEFENDANT
NO. 1001 OF 1999**

Cause of Action: Negligence — Motor Vehicle Accident — Arbitration Appeal

On June 26, 1998, the minor-plaintiff, Julia P. Bavaro, a six-year-old child, was a passenger in her mother's automobile, and was assisting her mother and thirteen-year-old sister in delivering newspapers. Mrs. Bavaro was traveling south on Ninth Street, just past its intersection with Marguerite Avenue, in Monessen. In an attempt to deliver a newspaper on the opposite side of the street, the minor-plaintiff exited the vehicle on the right-hand side, went around the front of the vehicle and proceeded to cross the street. The minor-plaintiff was struck on her right side by the defendant's vehicle, which was traveling behind her mother's vehicle. Among the injuries claimed were lacerations to the forehead and knees, head injury, and fractures of the right lower leg and foot.

The defendant, in new matter, contended that he was confronted with a sudden and unexpected peril affording him little or no time to apprehend or avoid the situation. Defendant also joined plaintiff's mother, Pauline Bavaro, as an additional defendant, wherein defendant alleged that

the minor-plaintiff ran around the front of her mother's van and directly into the side of defendant's vehicle. Defendant asserted that the minor-plaintiff's injuries were solely caused by the negligence of Mrs. Bavaro in failing to properly supervise her six-year-old child.

In her amended new matter, the additional defendant asserted the defense of a joint tortfeasor release executed in her favor.

Plaintiffs' Counsel: Jack L. Bergstein, Bergstein & Galper, Monessen

Defendant's Counsel: Laura R. Pasquinelli, Law Office of Marianne C. Mnich, Pgh.

Additional Defendant's Counsel: Thomas W. Smith, Mears and Smith, P.C., Gbg.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict for Defendant. Although jury attributed 100% causal negligence to additional defendant, a joint tortfeasor release operated as a bar.

**ROBERT G. ROWLAND V. DR. DAVID M. TONEY; DR. THOMAS D. McCLURE; DR. DANIEL L. HAFFNER; AND WESTMORELAND ORTHOPAEDICS & SPORTS MEDICINE, LTD., A/K/A WESTMORELAND ORTHOPAEDICS AND SPORTS MEDICINE
NO. 916 OF 1999**

Cause of Action: Negligence — Medical Malpractice

Plaintiff suffered a fracture and dislocation of his mid-right foot. On March 27 and April 19, 1998, plaintiff presented himself to two hospitals, complaining of pain to his right foot and ankle and an inability to bear weight. X-rays of his foot were taken at both hospitals, and were interpreted by radiologists Dr. Toney and Dr. McClure, respectively. On April 21, plaintiff saw Dr. Haffner, an orthopedic surgeon, who performed surgery on plaintiff's foot on May 21, 1998. Plaintiff brought this medical malpractice action against these defendants, alleging that they were negligent in failing to promptly and accurately diagnose and/or treat the defendant's injuries.

Defendants Dr. Toney and Dr. McClure asserted that they were not negligent and their conduct did not cause, contribute to or increase the likelihood of plaintiff's claimed injuries. Defendant Dr. Haffner, in new matter, asserted defenses of assumption of the risk, comparative and contributory negligence, and that he did not proximately cause plaintiff's injuries.

Plaintiff's Counsel: Jay H. Feldstein, James C. Heneghan, Feldstein Grinberg Stein & McKee, Pgh.

Counsel for Defendants David M. Toney, M.D. and Thomas McClure, M.D.: M. Brian O'Connor, Gaca Matis Baum & Rizza, Pgh.

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Jury Trial Verdicts *continued from page 9*

Counsel for Defendants Daniel L. Haffner, M.D. and Westmoreland Orthopaedics and Sports Medicine: Paul K. Vey, David P. Franklin, Pietragallo, Bosick & Gordon, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Verdict for Plaintiff in the amount of \$92,625.00. Jury found 35% contributory negligence attributable to plaintiff. Causal negligence attributed to defendants, Dr. Toney (34%); Dr. McClure (10%); and Dr. Haffner (21%).

MARIANNA L. WALKER, A/K/A MARYIANNA WALKER, INDIVIDUALLY AND IN HER CAPACITY AS EXECUTRIX OF THE ESTATE OF IRVIN WALKER, DECEASED, PLAINTIFF V. RANDY E. COCHRAN, AN ADULT INDIVIDUAL, DEFENDANT V. MARIANNA L. WALKER, A/K/A MARYIANNA WALKER IN HER CAPACITY AS EXECUTRIX OF THE ESTATE OF IRVIN WALKER, DECEASED, DEFENDANT ON THE COUNTERCLAIM NO. 2927 OF 1996

Cause of Action: Negligence — Motor Vehicle Accident — Wrongful Death — Survival — Loss of Consortium

This fatal motor vehicle accident occurred on September 26, 1995, on State Route 119, near its intersection with Greenville Road in Center Township, Indiana County. The defendant, Randy E. Cochran, operated his tractor trailer rig, which contained a load of coal, south on Route 119. The complaint alleged that Cochran lost

control of his coal truck and impacted the pickup truck operated by plaintiff's decedent, Irvin Walker, ultimately resulting in Walker's death. Walker's estate sought survival and wrongful death damages from Cochran, alleging Cochran's negligence, *inter alia*, in operating his coal truck at an excessive speed and failing to stop in sufficient time to avoid colliding with Walker's vehicle.

In his counterclaim, Cochran contended that Walker pulled in front of him from the side of the road and stopped in the left southbound lane, in an apparent attempt to make a left turn onto the northbound lanes of Route 119. Cochran maintained that Walker's negligence caused the fatal collision, and claimed severe psychological and physical injuries which rendered him disabled and unable to work. Cochran's wife asserted loss of consortium.

Plaintiff's Counsel: Daniel Joseph, George & Joseph, New Kensington

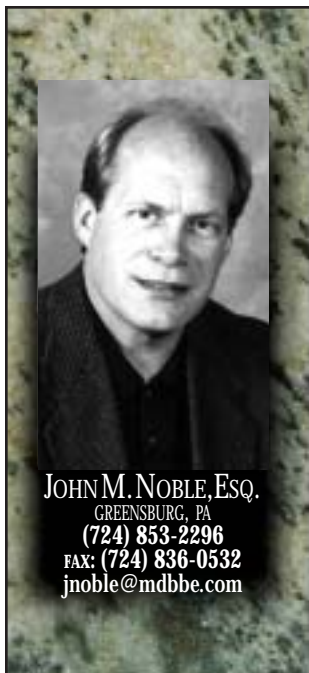
Counsel for Defendant Randy Cochran: Arthur J. Murphy, Jr., Murphy Taylor, P.C., Pgh.

Counsel for Cochran, Counterclaim Plaintiff: Howard Schulberg, Weisman Goldman Bowen & Gross, Pgh.

Counsel for Walker's Estate, Counterclaim Defendant: Timothy J. Burdette, Anstandig, McDyer, Burdette & Yurcon, P.C., Pgh.

Trial Judge: The Hon. Daniel J. Ackerman

Result: As a result of the jury's special findings, a molded verdict was entered in favor of Defendant Randy E. Cochran on the plaintiff's survival and wrongful death action. On the counterclaim, a verdict was entered



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LAW SPEAK

Equal protection of the law is something more than an abstract right. It is a command which the state must respect, the benefits of which every person must demand. Not the least merit of our constitutional system is that its safeguards extend to all ... the least deserving as well as the most virtuous.

— Harlan F. Stone, J.
Hill v. Texas
316 US 400 (1942)

in favor of Counterclaim Plaintiff, Randy E. Cochran, only, in the amount of \$1,300,000.00.

**CANZIAN/JOHNSTON &
ASSOCIATES V.
QUEST HEALTHCARE
DEVELOPMENT, INC.
NO. 3738 OF 1998**

Cause of Action: Breach of Contract — Contractor and Subcontractor Payment Act

Plaintiff brought this action to collect architect fees allegedly owed by defendant in connection with the proposed construction of an assisted living center in Penn Township. Plaintiff asserted that its November 24, 1996, agreement with defendant to perform professional services was based upon a Standard Form of Agreement Between Owner and Architect. By letter of November 6, 1997, defendant indicated to plaintiff that the project had been permanently abandoned. Plaintiff contended that plaintiff was entitled to compensation for services rendered prior to termination. Plaintiff asserted claims for breach of contract and under the Contractor and Subcontractor Payment Act for payments wrongfully withheld by defendant.

In new matter, defendant maintained that the parties never reached an agreement with respect to architect fees. Defendant also asserted that plaintiff agreed to provide architectural services for the project on a contingent fee basis.

Plaintiff's Counsel: Robert J. Ray, Kelly B. Bakayza, Burns, White & Hickton, Pgh.

Defendant's Counsel: Robert J. Cromer, Trafford

Trial Judge: The Hon. Daniel J. Ackerman

Result: Molded verdict for Plaintiff in the amount of \$644,045.54.

The Lie Is Over—We Do Recover

“Once a drunk, always a drunk.” How many times have we heard this said about another attorney after his or her latest escapade or brush with the law or an embarrassing scene?

Unfortunately, many of us believe that the statement is a fact despite evidence compiled over the past six decades that continuing recovery from alcoholism and drug addiction is possible.

Lawyers are taught from law school on that they are problem solvers whose opinions are sought by clients and the general public. They think of themselves as learned individuals who possess knowledge in nonlegal and legal matters. Stressfully, they are looked to as individuals qualified to analyze and decide political, economic and financial problems.

The medical field has long recognized that the use of drugs and alcohol increases proportionately with the degree of stress and pressure in your life. All too often the use of alcohol and drugs becomes a primary relief mechanism to deal with the strain of constantly being under pressure to come up with a right answer to other peoples’ problems. Taking a few drinks or a little cocaine or pills enhances the belief that no problem is insurmountable.

Ever since the American Medical Association in 1953 accepted the disease model of alcoholism proposed by Alcoholics Anonymous it is recognized that a compulsive use of mood altering chemicals is not a matter of morality, character or lack of will power. It is a disease based on a biochemical brain reaction. The progress of the disease can be affected by environmental and psychological factors. The disease is chronic and there is never a cure, but there can be a continuing state of recovery.

Don’t think you can handle the disease yourself in a show of bravado. It is the same as trying to self-treat pains you are having in your chest. The end result of thinking about doing self-help and engaging in denial of reality invariably ends up in medical, legal, and disciplinary problems leading to economic and personal disaster. This thought process is the greatest impediment to the lawyers’ recovery to chemical dependency. Trying to think one’s way out of addiction is as effective as believing that a person can use will power to cure diabetes, heart disease or cancer.

Two major sources of help are currently available to lawyers suffering from these problems: Alcoholics Anonymous, with its established track record over the last 65 years, and Lawyers Concerned For Lawyers, both on a local and a statewide basis. LCL’s services help members of the bar with problems associated with drug, alcohol, and gambling, as well as problems resulting from depression, stress, finances, and other areas that might affect an attorney’s ability to function competently in a legal setting. If you, or someone you know, has a problem within the ambit of Lawyers Concerned For Lawyers, you can call bar headquarters at (724) 834-6730 or the statewide hotline at 1-888-999-1941.

(Adapted from Florida Bar Journal, December, 1999)

News from the Law Library

For further information on any of these services, please contact the Law Librarian, Betty Ward, at (724) 830-3267 or e-mail: eward@co.westmoreland.pa.us.

- The Law Library is now open to the general public until 7:30 p.m. on Wednesday evenings. As usual, anyone using the Law Library after 4:00 p.m. must sign in and out at the Security Desk in the lobby.
- A new online service for Shepard's Citations (Lexee) is now available at the Law Library. Allows the user to Shepardize citations from

- any jurisdiction and retrieve the full text of any case, law review or ALR cite, which appears on the list. Printing is 10¢ per page.
- The Law Library's PBI collection is now searchable by title on library computers.
 - When visiting the Law Library, notice the helpful handouts available at the circulation desk—info on new legislation, rule changes, useful Websites, upcoming events, etc.
 - Training and demonstrations are available to individuals or small groups in using the Law Library's

computer resources, and also, in using the Internet for Pa. legal research.

- Please contact the Law Library to schedule orientation sessions for your summer interns.

COMPUTER CENTER

The following electronic resources are available for public use. Law Library computers are provided for legal research only. Please limit your research to 30-minute sessions. There is no charge for using any of the following materials, however, there is a charge of 10¢ per page for printing. If you need assistance, please contact the library staff.

Online Services

- **WWW**—Legal research Websites.
- **LOISLAW**—The National Collection. Includes cases, statutes and court rules from all 50 states, the District of Columbia, and 18 Federal databases.
- **SHEPARD'S CITATIONS (Lexee)**—Shepardize cases from anywhere in the country. Allows user to retrieve full text of any case on list.
- **WESTLAW (Pennsylvania Package)**—Includes Pa. Appellate Cases, Purdon's Statutes Annotated, Pa. Law Reviews and Journals, Third Circuit Cases, USCA, U.S. Supreme Court Cases and Keycite. The Librarian does all WESTLAW searching in her office. Please contact Librarian for further information. WESTLAW for other jurisdictions is available as a fee-based service.



New Books

Criminal Law Handbook on Psychiatric and Psychological Evidence and Testimony, By John Parry; American Bar Association, 2000. 278 Pages. (Reference Book)

PA. BAR INSTITUTE BOOKS:

<i>Tort Law Update</i>	2000-2600
<i>Tackling Tough Trial Situations</i>	2000-2601
<i>Assessment Law and Procedure in Pennsylvania</i>	2000-2603
Art, Entertainment & the Internet:	
<i>Legal and Practical Issue</i>	2000-2604
<i>Race and Gender in the Courtroom</i>	2000-2608
<i>5th Annual Administrative Law Symposium</i>	2000-2612
<i>A Practical Approach to Liens on Real Estate</i>	2000-2613
<i>Employment Law Institute 2000 (West) (Two Volumes)</i>	2000-2627
<i>Health Care & E-Commerce</i>	2000-2630
<i>Water Law</i>	2000-2640
<i>Private Insurance Solutions for the Elderly</i>	2000-2654
IDEA: Honor the Past, Imagine the Future	
(Two Volumes)	2000-2664
<i>Representing Nonprofit Organizations in Pennsylvania</i>	2000-2671
<i>Tough Problems in Medical Malpractice</i>	2000-2678
<i>Essentials of Pennsylvania Practice (Four Volumes)</i>	2000-2681A
<i>Family Law; Essentials of Pennsylvania Practice</i>	2000-2681B
<i>Tax-Exempt Entities: An Overview of Current Topics</i>	2000-2691
Year 2000 Amendments to the Municipalities	
<i>Planning Code</i>	2000-2693
<i>Pennsylvania Municipalities Planning Code,</i>	
<i>Supp. Materials</i>	2000-2693A
<i>Motions Court Survey</i>	2000-2731

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To-Wit: Poor Baby

by S. Sponte, Esq.

It had to happen sooner or later. I mean, we've been together five years, three of them as partners, and sooner or later she was going to lose a case. We'd had a long run of good luck since we've been together and so when the inevitable finally occurred, she took it badly.

I have to accept most of the responsibility for this. I got her too used to winning. To date, we've tried all our cases together. It has been a remarkable symbiosis. She's relied on me for my expertise in these matters, my thirty years of experience, my uncanny instincts for picking the right jurors, asking the right questions, making the right arguments, and I have relied on her and her youthful vigor to remember what day it is, what courtroom we're in and what's the first name of our client.

Heretofore we had not lost a single case. As a result, the possibility of losing simply had not occurred to her at all. Oh, there was that one trial when our key witness suffered an acute attack of aphasia on the witness stand. First she got her name wrong. Then when I asked her when the key event occurred, she got the date wrong. She got the century wrong, too.

We didn't prevail in that matter, but that wasn't so much a loss as it was an act of God. In fact, I have come to consider the whole thing pretty much a draw.

But this particular case was the perfect case for her to go solo—a rear-end collision, uncontested liability, only an issue of damages. So when it first appeared on the trial list, I told her she could try this case alone.

"Oh, I'm not sure I'm ready," she replied, as small rivulets of sweat

began to congregate on her furrowed brow.

"Of course you are," I replied. "We've tried a half dozen cases together, you know what to do, you're ready."

"Oh, I'm not sure I'm ready," she replied.

"Oh come on, it's like you're the baby bird and I'm the mama bird and you need a little push to get out of the nest."

"Yeah, well, why don't you just shove worms down my throat," she said, not quite softly enough under her breath.

Heretofore we had not lost a single case. As a result, the possibility of losing simply had not occurred to her at all.

But the matter was settled. She would be fine. Opposing counsel was a first-rate gentleman who would not take advantage of her modest experience unless it was really helpful to his case, and I promised her I would sit with her during trial to help her if the unlikely need arose.

Right before trial, the defense offered fifteen thousand. "Turn it down," I instructed her, "it's worth more than that."

Now I am one of those attorneys who thinks that cases of this sort are won or lost in *voir dire*. Admittedly we don't get to ask a lot of questions, none actually, but if the years have taught me anything, it's that

you can learn a lot about a potential juror just by studying him or her.

"Take the Pakistani," I whispered to her.

"It says here on the sheet that he works for an insurance company," she protested.

"Yeah, but he doesn't like it. Look at the expression on his face, that's the look of an unhappy employee, take him."

"Should I strike the nurse?" she asked.

"No way, she'll understand the heartbreak of soft tissue injury better than anyone."

"But it says here she's in obstetrics." "Perfect," I replied.

As the judge made his introductory remarks to the impaneled jury, I studied each one of them like a hawk. "Take off your wedding band before you open," I counseled her, "and wink at Juror No. 7 during your opening."

"Jeez, isn't he the minister?"

"Yeah, but he's also single."

I thought her opening was terrific. I had cautioned her to keep it short and to the point. Okay, maybe fifteen seconds was too short, but still, I think she got their attention.

"Listen," I said as the videotape deposition of Defendant's doctor began, "I want you to snicker occasionally throughout his testimony, and when he gets to the part where he says he could find nothing wrong with our client, I want you to guffaw."

"Listen," I said as she got up to start her closing, but she put her hand forcefully over my mouth. I



continued on page 14

Reggie's County

continued from page 1

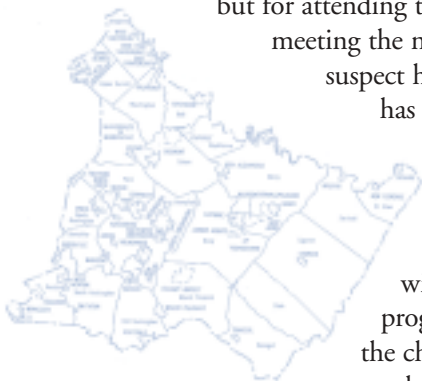
had found an easy way to get another hour each day; instead of leaving the office each night at 1:00 a.m., he just stays until 2:00 a.m. Yeah, sure). He's known not just for closing the hospitality suite 32 years in a row,

but for attending the 7:30 a.m. breakfast meeting the next morning as well. I

suspect he got elected because he has made it seem possible to be a lawyer, enjoy life, and be proud of it, all at the same time.

And that, I predict, will be his legacy. Not the programs he implements or the changes he makes. I can't remember the programs the last

President implemented and he's not even the last President yet. I'd like to think Reg's Presidency will be remembered as proof that, amid the stress of our practice and an uncertain future, we can nevertheless live with a certain joy and enthusiasm, proud to be practicing law in "Reggie's County." He is.



Law Library News

continued from page 12

CD-ROM Products:

- **WEST'S PENNSYLVANIA REPORTER AND STATUTES**—Similar to WESTLAW. Natural Language (user friendly) search option allows full text searching of Pa. Appellate Course Cases and Purdon's Annotated Statutes. Updated monthly.
- **SHEPARD'S PENNSYLVANIA CITATIONS**—Same coverage as book format. Easy to use—simply type citation and press enter to display results. Updated monthly.
- **BISEL LINK**—Array of Pennsylvania practice material; same coverage as books. Includes: Dunlap—Hanna Forms, Keystone Desk Library, Barbieri Workers' Compensation, Pa. Law of Wills, Pa. Zoning Law, Pa. Evidence, Pa. Estate Planning, Pa. PEF Code, Inheritance and Estate Tax, Motor Vehicle Insurance. Updated annually.



To-Wit: Poor Baby

continued from page 13

took that to mean she was starting to feel her oats and really wanted to go it alone. Good for her.

Her closing was wonderful. Okay, so she didn't use the word "liar" as often as I would have. In fact, I don't think she used it at all. But she was cogent, compelling and concise, and when she sat down I gave her a well-deserved pat on the back.

I took a piece of paper from the tablet on the table, wrote "Seventy Five Thousand" on it, folded it, and put it in her pocket. "Look at this after the jury comes back," I said knowingly.

I don't know what happened. The jury gave our client one hundred dollars. We conducted a post-mortem with some jurors and it turns out that was a compromise. Both the nurse and the Pakistani wanted to give him nothing at all. But to a person they all agreed that they'd have given him nothing but for her wonderful closing.

Well, as I said, she was devastated. "Oh now, don't take it so badly," I said. "I know this hurts now, but someday, when you've had as much experience as I've had, you'll be much better at this, really you will."

Now if I can only get back that piece of paper.

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Candid Camera:

St. Paddy's Party



▲ *"Eight more months and I'm outta here ..."*

▲ *"You know, you show disrespect for the liquor when you show up dressed like that."*



▶ *"You know, I'm wearing a bra ..."*



▲ *"Not only do we own the company ... we're clients, too!"*



▲ *Reg was always coming up with new ideas, but alas, Jim had none.*

Although this picture was not taken at the St. Paddy's Party, it presented the Editor with an opportunity too good to pass up ...



▲ *"And so, the burly woodman said, 'Hey, little girl, want to come home with me?'"*

Actions of the Board

MARCH 20, 2001

- Accepted Membership Committee recommendations for Jill DeVine and Greg Moore as participating members.
- Heard Treasurer Munk report that additional expenses can be attributed to building improvements and CLE/Quarterly expenses from Feb. 1.
- Approved exchanging \$75,000 from Vanguard 500 fund to Vanguard Money Market Fund.
- Heard Treasurer Munk report on PBA state bar dues increase which will most likely take place in the next billing cycle for 2002.
- Agreed to present Committee of Year to the Bench/Bar Committee.
- Agreed to accept YL sub-committee recommendation to award Jackie Knupp the Outstanding Young Lawyer Award.
- Agreed to recognize 50 year members at Annual Meeting and to present each with \$50 gift certificate from Barnes and Noble.
- Agreed to continue to endorse increase in court-appointed attorney fees to the judges and the commissioners.
- Reviewed the capital improvements in the building.
- Charged building committee with reviewing building needs and addressing use of Lawyers Abstract space in preparation of that space becoming available.
- Reviewed the Nominating Committee's recommendations for board members: Aaron Kress, Vice President
Becky Brammell, WBA Director
Rich Flickinger, Building
John Ranker, Membership
- Heard report from UPL committee member, Mr. Kress, that RTA has filed a petition for allowance of appeal with the state supreme court.
- Reviewed the date change for WBA Gettysburg trip to May 4-5.
- Agreed to check with Hillcrest Country Club for availability for Fall Gathering in early September.
- Reviewed start date of late April for balloting bar members for retention election of: Judges Ackerman, McCormick, Jr., and Pezze.
- Saluted both Past President Flickinger and President Murphy for jobs well done and thanked each for participation and leadership over the past several years.

On The Move ...

REBECCA BRAMMELL has relocated her offices to Suite One, 3361 Route 130, Harrison City, PA 15636. The numbers remain the same: Phone (724) 744-7878; Fax (724) 744-4211.

GEARY & LOPERFITO, LLC has moved its New Kensington office to Suite 23, Feldarelli Square, New Kensington, PA 15068; Phone (724) 335-2135.

JAMES HORCHAK has joined QuatriniRaffertyGalloway at 550 East Pittsburgh Street, Greensburg, PA 15601.

CHRIS SKATELL can be reached by phone at (724) 853-0364 or fax at (724) 853-0310.

CHRIS VALLANO can be reached at Blum Reiss & Plaitano, 353 West Main Street, Mount Pleasant, PA 15666.



◀ In March, the WBA was recognized at the Conference of County Bar Leaders in Harrisburg for overall excellence, receiving a number of County Bar Recognition Awards. Representing the WBA were, from left to right, Reg Belden, Jim Silvis, Aaron Kress, Jim Wells, Dan Joseph, Milt Munk (kneeling), Diane Murphy, John Campfield, Diane Krivoniak, Bob Johnston and Rachel Yantos. Also shown is the Chair of the CCBL Committee, Judge Rea Boylan Thomas.

wba

John Campfield and Tim Geary Attend BLI

Joining some 290 other emerging leaders of lawyer organizations from across the country at the American Bar Association's Bar Leadership Institute (BLI), March 15-17, were WBA President John Campfield and President-Elect Timothy J. Geary.

The BLI is held annually in Chicago for incoming officials of local and state bars, special-focus lawyer organizations, and bar foundations. The seminar provides the opportunity to confer with ABA officials, bar leader colleagues, executive staff, and other experts on the operation of such associations.

John and Tim joined ABA President Martha W. Barnett of

Tallahassee, Fla., and ABA President-Elect Robert E. Hirshon of Portland, Maine, in sessions on bar organization and management, communications techniques, and planning for the year as president.

Various ABA entities briefed the participants on resources available from the ABA for local, state, national, and specialty bar associations and foundations.

The BLI is sponsored by the ABA Standing Committee on Bar Activities and Services and the ABA Division for Bar Services as part of the Association's long-standing goal of fostering partnerships with state and local bars and related organizations. Cooperating ABA staff entities included the Division for Media Relations and Communication Services.

Local Rules Now On-Line

The WBA has partnered with the Administrative Office of Pennsylvania Courts (AOPC) to provide Westmoreland County's Rules of Court on-line. Anyone may download the rules, which are in a PDF format, through a link on the WBA site, or directly at www.courts.state.pa.us/judicial-council/local-rules/westmoreland. You will need to download the latest version of Acrobat Reader in order to view the local rules.

They are also available in Palm Pilot format on Chris Haidze's site, www.choffice.com/rules.htm.

The WBA will provide the AOPC with electronic updates as rules are changed or adopted. The rules will still be available in a binder format at Bar headquarters for a minimal fee. Contact the WBA for further information.

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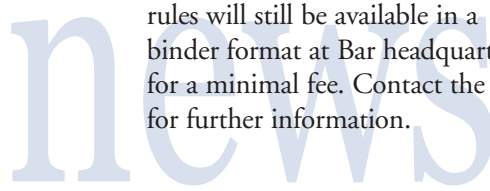
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Achieving Access to Equal Justice



by Iva Munk, Pro Bono Coordinator

Recently, I attended the Equal Justice Conference presented by the ABA Standing Committee on Pro Bono and Public Service and the National



Legal Aid and Defender Association in San Diego, Calif. Attendees included coordinators, judges, bar executive directors and other representatives from throughout the 50 states, Puerto Rico,

Guam and Canada as well as a few attendees from London, England.

This conference reflects the ongoing commitment to the importance of pro bono and provides an oppor-

tunity for coordinators, members of the bench, law school faculty, court reporters, executive directors and other advocates for the indigent to explore and discuss effective strategies for achieving access to justice. Some topics covered at the conference were resource development and fund-raising, information management, hotlines, ethics, *pro se* and technology.

I have attended every conference since I became the Pro Bono Coordinator in 1991, and I can say the ABA strives to develop programs which meet the needs of today—not only the needs of the clients, but those of the coordinators, lawyers and other persons interested in making a difference in the lives of the indigent. This is best illustrated by noting the changes in the

number and content of available workshops over the past ten years.

Ten years ago, two workshops dealt with AIDS issues; this year, none. Ten years ago, no workshop dealt with judicial support; this year, several workshops dealt with getting judicial support for pro bono and legal services. Ten years ago, four workshops dealt with fund-raising; this year, three were offered including one on on-line fund-raising. Ten years ago, one workshop dealt with computers and focused on just finding the “on” button; this year, computers seemed to be tied into all the workshops.

Overall, this conference was one of the best. If you would like to attend a Pro Bono Conference, next year would be the year to do it. The conference will be held in Cleveland, Ohio, April 18-20, 2002, at the Renaissance Cleveland Hotel/Marriott Downtown at Key Center. If you would like further details of how to attend, let me know.

Looking for a special way to remember someone?

**Births • Deaths • Marriages • Anniversaries
Making Partner • Passing the Bar**

Since 1991, the Westmoreland Bar Foundation has raised thousands of dollars to assist the poor, disabled, elderly and children in our community. Through the **Special Way to Remember** program, you can honor a colleague or loved one with a contribution to the Foundation. Your gift will help serve the needs of our own who have nowhere else to turn for legal services.

If you would like to make a gift to the Foundation as a meaningful expression of respect, please make check payable to the Westmoreland Bar Foundation and mail to WBA Headquarters, 129 N. Pennsylvania Ave., Greensburg, PA 15601.



Attorney Needed

The WBF has one opening for a custody attorney with family law experience. Custody cases are processed three to four times per year and attorneys are paid on a per case basis.

Interested attorneys should send a résumé and letter of intent to Diane Krivoniak's attention at 129 North Pennsylvania Avenue, Greensburg, PA 15601-2311.

Greensburg-Salem Captures District, Regional, State Mock Trials Trophies

STUDENTS WILL REPRESENT PENNSYLVANIA AT NATIONAL MOCK TRIAL FINALS

Greensburg-Salem High School recently captured the statewide mock trial championship title, defeating Devon Prep High School of Devon, Pa., during the final round of the 16th Annual Statewide Mock Trial Competition held March 31 at the Old Cumberland County Courthouse in Carlisle, Pa. The competition is sponsored by the Pennsylvania Bar Association Young Lawyers Division.

This year's case, created by the Temple-LEAP Program of the Temple University Beasley School of Law, was a civil case involving whether a gun owner should be held liable for a gunshot wound suffered by an individual because of the manner in which the gun was accessible to two minors.

During the district and regional competitions, 250 teams from across Pennsylvania had the opportunity to serve as the prosecution and defense teams for this case. The eight regional winners then advanced to the statewide mock trial finals.



▲ Judge Pezze (top, center) and Judge McCormick (far right) celebrate with the winning Greensburg-Salem team. The team went on to win the state Mock Trials Championship.

Greensburg-Salem now will represent Pennsylvania at the National Mock Trial Finals to be held in Omaha, Neb., May 10 through 13.

"I have been involved with mock trial for eight years," noted the team's attorney advisor, the Honorable Richard McCormick, Jr. "It has been a lot of work with a lot of hardworking kids. They are great kids to spend time with and teach. It's been even more enjoyable because of how well they've done."

The Greensburg-Salem student mock trial team is comprised of: Nicole Love, Chris Marsh, Patrick Martin, Andrew Nogasky, Megan

Nogasky, Haley Saba, Don Rotigel and Scott Vrable. The attorney advisor was the Honorable Richard McCormick, Jr. Judith Washburn served as the teacher-coach.

Pennsylvania's annual mock trial competition, one of the largest in the nation, gives eight-member student teams the opportunity to argue cases in an actual courtroom before a judge. The students, who play the roles of lawyers, witnesses, plaintiffs and defendants, are assisted by teacher-coaches and attorney advisors in preparing for competition. Volunteer attorneys and community leaders serve as jurors in the trials. The juries determine the winners in each trial based on the teams' abilities to prepare their cases, present arguments and follow court rules.



▲ Jurors for Westmoreland County's Mock Trials included (clockwise from bottom left) Tom Godlewski, Maria Altobelli, Bob Johnston, Christ. Walthour, Jr., Rabe Marsh III, Ken Burkley, John Campfield, Bill McCabe, Jim Silvis, John O'Connell and Dan Joseph.

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CALENDAR of Events

MAY

- 10-12 PBA Annual Meeting, Omni William Penn, Pittsburgh
- 17 Building Committee, 8 a.m.
- 18 Memorial Service, 11 a.m., Courtroom No. 3
- 22 LCL Training Session for Judges and Committee Members, Noon to 3 p.m.
- 22 Law Library Committee, 3 p.m., Law Library
- 24 Dinner Reception Honoring Reg Belden and Judge Gary Caruso, 6 p.m., Seton Hill College
- 28 Memorial Day, Courthouse Closed
- 30 Solo/Small Practice, Noon

JUNE

- 14 Flag Day, Courthouse Closed
- 14-16 Bench/Bar Conference, The Wisp

TOP TEN

Top Ten Signs That You Are A Depressed Lawyer

1. You discuss the pros and cons of Prozac with your bartender.
2. You program the local LCL committee chair's phone number into your Palm Pilot, both home and office.
3. When a law book salesman drops in to the office without an appointment, you talk to him.
4. When a client drops in to the office with an appointment, you don't.
5. You wonder long and hard about whom to refer the guest passenger nun to.
6. You remain seated in the courtroom, wistful and alone, long after estate audits are over.
7. You long for the good, old days, when being wrong about the law only meant you failed an exam.
8. You yearn for an appointment as a domestic relations support hearing officer.
9. You start to imagine your secretary with more clothes on.
10. You take on a young partner and make her do all the work.



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