



For Sesquebiennial, Courthouse Is Feted, Fetes Back

With fanfare and glitter, the elite members of Westmoreland County society, including a lawyer, gathered in black ties and evening gowns on a recent Friday night to celebrate this historic anniversary of the opening of the Westmoreland County Courthouse. Among those in attendance were all the judges of the court of common pleas, including a couple of senior judges who hadn't been invited, the entire board of county commissioners save two, every honestly elected row officer in the county and the sheriff, the prothonotary, and the recorder of deeds.

Also there in resplendence were the entire executive board of the Westmoreland Bar Association. The women had all been elegantly coiffed by Anthony's of Grapeville, who, no doubt wanting to claim credit where credit was due, had bobby-pinned a color-coordinated business card to every one of his masterpieces. The male members of the board collectively demonstrated the depth of their acquired sartorial acumen by this time steadfastly avoiding the pastel green section at the tuxedo rental store.

Also in attendance were the officers of the Westmoreland County

Historical Society, three of whom hadn't been inside the courthouse since its dedication ("Except for them newfangled flush toilets, it looks pretty much the same to me, Clyde.").

Perhaps the highlight of the early part of the festivities occurred when the entire membership of the Westmoreland Society for Ethics in Art and Culture arrived in their taxi, simultaneously exiting all four doors with the clock-like precision of a synchronized swim team. The solemnity and majesty of the

occasion were only slightly marred when Madame President, Marie Antoinette Wyzkomanichefsky, as she prepared to mount the front balustrade, was inadvertently knocked

to the ground and unceremoniously trampled by members of the Westmoreland Bar Association overly eager to get to the eats. Happily though, her hairdo, also by Anthony's,

emerged unscathed, with business card still neatly affixed thereto.

Speaking of eats, restaurateurs from all over the county manned various food stations on all five floors, serving up for the pleasure of the crowd those gustatorial delights which have made them famous countywide.

Chef Armand of Le Poufée was there with his ubiquitous but always appreciated Apple Beige Betty and Chef Bruce from The Critter's

Aerie was also present, accompanied by his county-famous Groundhog Surprise. When pushed by your reporter to disclose the secret ingredient that makes his signature dish so popular, Chef Bruce smiled that enigmatic smile of his, took another deep draught from the bottle of cooking sherry ever-present at his side, and whispered "salt."

There were many delights in store for the erstwhile visitors, and even those who thought themselves quite knowledgeable about this magnificent Edifice Lex were in for a surprise. For

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President's Message

Time to Sweep the Past Behind

by Kitty Monroe, Esq.

I am very pleased to have this opportunity to write my first President's Message and I will try very hard not to bore you to death with it. There will be plenty of time for that later in the year.

I just want to let you all know that I very much appreciate, from an historical perspective, that I am only the fourth female president of our bar. Yes, I know all about the Loren "Loretta" Crumby incident, but that was a hundred years ago and nothing was ever proved. In



any event, that would still make me only the fifth.

The legacies left of the three female presidents preceding me behind's quite large. No, wait, that didn't come out quite right. Let me say instead that they have enormous shoes to fill. No, wait, I don't mean they had large feet, not all of them anyway, just really large shoes. It's a metaphor, see, the application of a word or phrase not meant to be taken literally but rather to make a point by way of comparison.

I have some wonderful ideas for our bar association, and I hope to implement them very soon. So, with broom in hand, it's time to sweep the past behind and fly helter-skelter into the future.

First of all, I'm thinking that the Bench/Bar event, a mainstay of our summer calendar for so long now, may have run its course and I look to

replace it with another event just as spiffy. My thought is, hey, let's move both the time and place, from summer to winter and from Seven Springs to Key West, Fla. Of course, because of the enormous expense and distance, particularly if we fly first-class, we would have to limit attendees to the WBA Executive Board and their spouses but I assure you we will all have a blast and we'll bring you all back a free DVD of the event.

hours of ethics. There's no reason us Westmoreland County lawyers shouldn't be the most smartest and ethicaest lawyers in the state.

And finally, I do feel an apology is in order. Unfortunately, when I recently heard there was a new tapas bar operating a few blocks from the Courthouse I had a bit of a hissy fit.

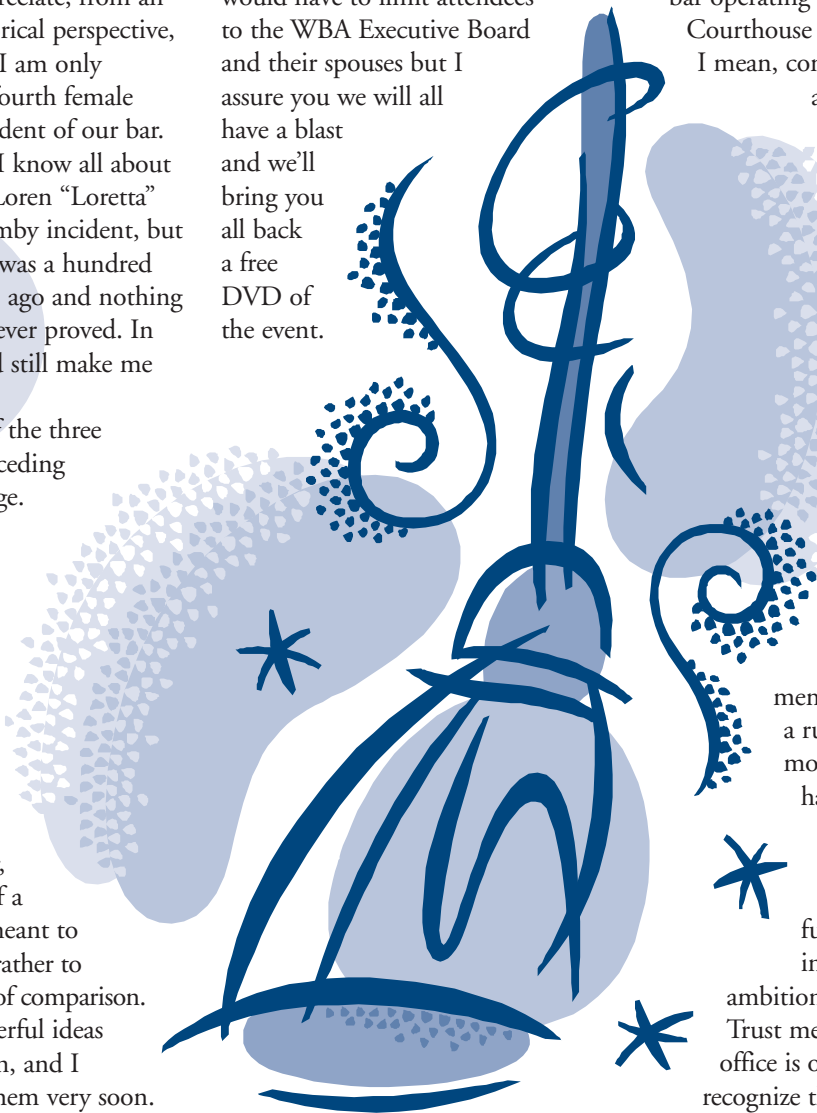
I mean, come on, who knew that a tapas bar and topless bar weren't the same thing?

Not me, apparently. So, I apologize to all concerned.

I'm sorry I filed a complaint with the code enforcement officer. I'm sorry I called the landlord of the building—an eminent member of our own bar—a ruthless, blood-sucking, money-lusting, filthy pig. I have no concrete evidence that any of it is true.

But enough of the past, let's look to the future. I have great and innovative ideas, I have ambition, and now I have power. Trust me, when my term of office is over, you'll hardly recognize the place. *Pox vobiscum!*

I also intend to ask the WBA board to impose a much more stringent CLE requirement on our members than currently required by the Pennsylvania Supreme Court. I'm thinking fifty hours of substantive courses and ten



Kitty 

Remembering Edward Civility

The judge entered the courtroom for Friday's motions and it struck him immediately that there was something strange going on here: there was a buzz in the air, and almost no one paid attention to his entrance. Two "All Rises" from his assistant went unheeded, and he realized where he had seen this before: it was the prison mess-hall scene from the old James Cagney film, "White Heat," but with seated lawyers, not prisoners, leaning into those next to them and whispering in their ears.

Half-angry and half-curious he asked sarcastically, "Do you mind telling me what this is all about?"

The whispering drained out of the courtroom as Vincent Silvestri, one of the leading members of the bar, rose and said, "Your honor, it's Mr. Civility; he's dead."

"Oh," said the judge, "I'm sorry, I didn't know. I haven't seen him in court for quite some time, he will be missed."

Never avoiding an opportunity to pontificate, the judge decided that now, with this captive audience, was as good a time as any to instruct them on what the loss of Civility might mean to the profession. He sank back into his chair, glanced at the ceiling and said, "I didn't know him as well as some," and a few legal heads, taking

advantage of his upturned eyes, nodded in agreement. "But, I've heard a lot about him over the years.

"They say he had an unusual childhood. As a boy he read everything he could get his hands on about ethics and integrity. Studied tracts from all of the world's religions, and memorized a joke a day so he could brighten the spirits of others. His mother prayed for him to become a priest while his father wanted him to be a rabbinical student. He was conflicted, of course, because neither parent was Catholic or Jewish. Religion had its appeal, but he eventually became convinced that the need for what he had to offer was greatest in the law, where his sense of fair play, his cordial nature, and respect for others would make him unique. Before law school he thought it best to devote several years to the Peace Corps where he convinced South African diamond smugglers to give up their trade and taught them how to plant broccoli.

"I can't recall where he went to law school, but when he came to Greensburg you could tell he had something special to offer. He was quiet and very likeable. Like many young lawyers at that time he got a job as a part-time assistant district attorney, but he left after a few months when he realized that he might have to work on a capital case, and all of the

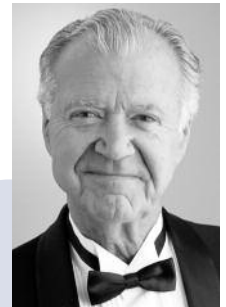
Civilitys, as far as he could remember, from his great-grandfather on, had been against capital punishment. He was the kindest of lawyers, respectful of the court and his opponents. When he filed a complaint, the last count always contained an apology to the defendant, expressing his hope that he wouldn't find the foregoing allegations too upsetting, along with an inspirational verse or other uplifting comment. Once, after losing a three-week trial, he sent flowers to the jurors.

A tenth of his practice was *pro bono* work. He never objected to an opponent's motion for a continuance, and never told war stories concerning his trials or his clients. Respecting the time of others, he kept his interrogatories and deposition questions to a minimum. Quick to admit the weaknesses in his own case, he never exaggerated a claim, and he would never represent a client who showed himself to be vindictive.

"Yes, he'll be missed all right ..."

The judge looked as if he may say something else, paused, then stood and

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▲ Edward Civility

the sidebar

the sidebar's goal is to maintain your trust and confidence when handling personal information about you. **Personal Information**

We Collect and May Disclose: The personal information we collect about you comes from the following sources: 1) Information given by you to other members of the bar in conversations you naively believed to be a confidential exchange; 2) Interviews of ex-spouses and employees you have fired; 3) Snippets from dontdatehim.com, and; 4) Rumors circulated at the Saturday morning breakfast at the Bench/Bar.

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___ B. Limit the personal information shared about me to devisees of my height and opposing gender, who enjoy long walks in the woods, string quartets, and kielbasa.

Privacy choices, sycophantic Letters to the Editor, or any other literate and pertinent correspondence, should be sent c/o WBA, 129 North Pennsylvania Avenue, Greensburg, PA 15601-2311, fax 724-834-6855, or e-mail westbar.org@verizon.net.

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Edward Civility

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walked from the bench. Fortunately, his court reporter had been present, and at my request she transcribed his remarks.

Once at a social gathering, a cruel lawyer, who perhaps just had too much to drink, chided Eddie in front of others for being “Mr. Rogers.” Eddie took it to be the highest of compliments.

Because we spend our lives in an adversarial system we are probably

destined to always fall short of Eddie’s example. But small things, cheerfully done, to take the hard edge off our professional armor will not, in the long run, go unnoticed.



Defense Fund Established for Editors in Libel Action

David J. Millstein, Editor-for-Life of *the sidebar*, announced yesterday the appointment of his brother-in-law, Raoul, to manage a fund for the defense of *the sidebar’s* editors and staff in regard to a libel action in District Court 10-73 filed by the Pittsburgh firm of Burgers and Fries. The suit arose out of an article in the November issue, “Pro Bono Reforms in the Third World” in which the law firm was referred to as the “vampire of the bar” and saying that its lawyers were “intellectually stunted and dress funny.”

The fund was started with an initial contribution of \$13.40 from the fifth grade class at Boyd Elementary School in conjunction with their class project “Tripartite Government and Embarrassing Figures of the Twenty-First Century.”

Donations should be made payable to *sidebar-REHAB*, 129 N. Pennsylvania Avenue, Georgetown, Cayman Islands.



▲
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First Months of E-Filing a Rousing Success

New technology tends to sire competition. In the nineteenth century the steam engine gave rise to a contest between railroads to see which would be the first to span the continent. The development of rocket science in the twentieth century fostered a race between the United States and the Soviet Union for the distinction of being first in outer space. Recently, and on a more modest scale, a friendly competition has developed between the row offices to see who would be the first to implement e-filing.

To the surprise of almost all the pundits, the treasurer's office announced in January that it was implementing e-filing for dog and fishing license applications, and that in the first three months it had logged 1,746 transactions using the new process. As laudable as this is, if such a thing as betting on electronic filing were legal (it isn't), the smart money would have been on the prothonotary's office. After all, it was the first to advance the idea locally, the first to show some leadership in advancing the concept, and it engaged in an exploratory relationship with a national provider who took steps to explain the process to potential users (See *the sidebar*, February 2007). In addition, the court had taken notice

because the system would come without expense to the county.

So what happened? Pockets of opposition grew in the bar. Among some members there purported to be a concern for the elderly, which is always popular. Chronologically-challenged practitioners would kneel down to plug in their new and costly computers and would lack the agility, they said, to get back up. Senior practitioners, however, never advanced this argument; rather, it came from lawyers beneath that venerable status who, like the public, tend to underestimate the physical and mental agility of their senior peers.

The main concern, as it often is, was money. Those who don't give a second thought to spending thousands of dollars in a personal injury action to depose their opponent's postal carrier or elementary school sweetheart blanched at the thought of passing on the seven dollar transaction fee to their clients. And the possibility that they themselves might bear such taxation brought out a zeal that made the patriots who dumped the tea into Boston Harbor look like bystanders.

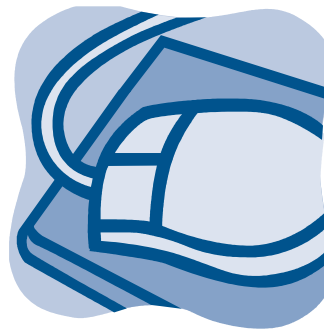
Mind you now, the opposition was never opposed in general to e-filing and conceded that it was inevitable and likely to occur within a couple of trial terms after the Apocalypse. With this as background, the WBA has announced that in conjunction with Mr. Volberg's third-period metal shop class at Greensburg-Salem they are going to create their own e-filing system. Volberg told *the sidebar* that he and his students welcome the challenge, but they are somewhat frustrated in their attempt to design a system that will handle motions

in limine. And, he noted, that safety was a primary concern. "We don't want to duplicate mistakes made in other counties that resulted in electrical shock and disfiguring burns." A working prototype is expected by 2034.

In the meantime, congratulatory e-mails continue to arrive at the treasurer's office, some with appreciative anecdotes concerning the efficiency of the new system. In particular, one couple left on vacation forgetting to get a license for their miniature schnauzer,

Mickey. When their cruise ship docked at Puerto Vallarta they e-filed their application with the treasurer. According to them, it was a "splendid accommodation," although they did note that sometimes they have to let Mickey out when it is raining and the paper license they downloaded is now almost illegible.

In an effort to save face, the WBA has made walking to the prothonotary's office one of their talking points in their program "2008: The Year of Physical Fitness," with the admonition that when the sidewalks become icy, send your secretary.



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For Sesquebiennial, Courthouse Is Feted, Fetes Back

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the first time since that lamentable incident in 1927 when Walter P. Icarus, Esq., plummeted to his doom, the outside deck above the fifth floor was open to the public. And oh, with the weather lending a helping hand, what a view it was. “Gee,” said one awestruck visitor putting things in a perfectly proper parochial perspective, “I can see five high school football games all at once.”

Perhaps the biggest surprise of all, and certainly the most grisly (although some in attendance would reserve that honor for the pastry *du jour* from Alphonse Zwicky’s Sweet Rolls Iz Us), was what awaited folk on the fifth floor. Being essentially only two unconnected loft areas above the fourth floor, these spaces have been completely inaccessible for years. One of the spaces had been used by the press corps back in the Neolithic days when journalism was still a skilled profession. The other loft area had, at one time, been the office of the Public Defender. As the inquisitive visitors explored every nook and cranny of the two loft areas, someone made a

horrific discovery. In the small cramped closet of the old Public Defender’s office, found chained to the concrete wall behind the plaster at the rear of the closet, was the badly decomposed body of the man who for many years had been the Public Defender. He had disappeared under mysterious circumstances some thirty years ago, paving the way for the ambitious and dogmatic current Public Defender to ascend to the top slot. “I know nothing about this matter,” he said, when queried about the discovery of his predecessor’s remains, “but it sounds like an accidental death to me. He didn’t write anything on the walls with his blood, did he?”

The basement of the building, also inaccessible for many years, held its own share of surprises. It was full of old desks, chairs, filing cabinets and the like, none of which had seen the light of day for many moons. The highlight of the evening occurred when the District Attorney, while browsing through an old filing cabinet, pulled out a dusty, musty, rusty old file, leafed through it and said, “I

remember this case. Wow, looks like he was innocent after all. How about that?”

The ensuing merriment over this ancient irony was tempered only slightly by the recollection of the first assistant district attorney who reminded everyone that the defendant had

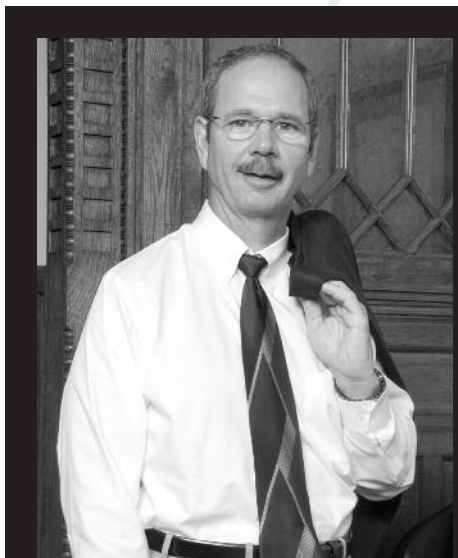
been put to death some forty years before. “Oh, come on,” said the District Attorney, “don’t let this bum everyone out. It’s still pretty funny.”

By midnight it was all over. The crowds had scattered, the chefs had packed up their wares and departed, and darkness and quiet once again descended on the grandest lady of the county. “Tis a pity she’s so mute,” philosophized one visitor as he exited the building. “She must have so many wonderful stories to tell us.”

“I’m not so sure,” remarked the President Judge enigmatically. “As with any complex human endeavor, there are some things always best left unsaid.”

“Come on, now,” a fellow guest interjected. “Say what you mean.”

“All right,” the PJ replied, putting his hand up to rub his chin reflectively and pausing to choose his next words carefully. “All right. The food was really awful.”



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WBA to Buy Tanning Bed with Sesquebiennial Profits



The success of the Westmoreland County Sesquebiennial exceeded expectations. Approximately 400 people attended the gala—a fund-raiser to support all the sesquebiennial projects—and with the sesquebiennial passing into history, the committee was left with a decision as to what to do with unspent funds. In recognition of the generous support afforded the sesquebiennial by individual members of the bar, the sesquebiennial committee decided to donate the remaining funds to the WBA upon the condition that they be used “to improve the image of lawyers.”

Needless to say, the WBA’s announcement last week as to how it intended to use the funds drew pointed criticism from some members of the sesquebiennial committee. In response, a WBA spokesperson came forward to explain the WBA’s decision. He pointed out that lawyers, who do approximately ninety-five percent of their work indoors, often look tired, pale, and rundown during court appearances; and, that a study of jury verdicts conducted last year by *the sidebar* showed that the best results went to those lawyers who came across as well-rested and tan. “Having a tanning bed at the WBA, in such close proximity to the courthouse, will be a substantial boost to litigators who wish to improve their image,” he said. “And, for a small fee, it will also be available to clients and witnesses.”

He also noted that the decision was carefully considered, and that there had been support for alternatives, which, in the end, fell short of having the appeal of acquiring a tanning bed. Some wanted to see the money go into the Executive Committee’s Retreat Postcard Fund, while others advocated a program similar to the ABA’s initiative of collecting and recycling used Palm Pilots and donating them to the homeless.

The sidebar’s attempt to solicit further comment from the sesquebiennial committee generated a note stating that all inquires should be directed to the committee’s lawyer on Grant Street.

Letters to the Judge



Editor’s note:

With this issue we inaugurate a new regular column, Letters to the Judge. Each issue we will reprint a letter recently received by a member of our Board of Judges. For obvious reasons we have to change the name of the sender and redact any scurrilous, defamatory, scatological, or inappropriate material. Those of you interested in that kind of trash will have to look elsewhere—or come to the office after hours.

Similarly, we cannot disclose the names of the jurists to whose files we have “been granted” access. Some of them don’t know it yet and we’d like to keep it that way as long as possible.

Dear Your Honor, Sir,
I hope that God’s everlasting blessings are upon you and yours and that you will truly have a nice day. As for me, well, things are not going all that well since you sent me here. There are a number of things I wanted to say to you when I was in your courtroom, Your honor, Sir, but my lawyer, who I don’t think ever liked me very much, told me to hush, saying that what I had to say would hardly help the plea bargain anyhow which she said was indeed a good deal, but I don’t know.

After three months here for aggravated assault, I can truthfully say that I’ve learned my lesson and I am now ready to be a valued and productive member of society. I’m sure you’ll agree with me that I really don’t need to stay here for the remainder of my sentence.

In addition, I have some problems. First, I have what the doctors call a severe deviated septum. I know in all

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Letters to the Judge *continued from page 7*

likelihood it is probably not a condition that could be fatal, but it does toy with my psychological [sic] well being—since other inmates can, in fact, be just so cruel in their comments. I was hoping that you could see fit in your heart to give me a medical release so that I could go some place like the Cleveland Clinic for much needed treatments, or someplace else where they can undeviate me.



Also, my fiancée, Darla Jean, tells me that we are to have a “blessed event” in seven months, and I would like very much to get out now to help her (and her four other children) through this most difficult of times. Besides, Darla Jean and I agree that what I done to her was hardly an aggravated assault since I was only a little bit aggravated at the time and she was only in the hospital a few days.

In addition, while I have been the victim of unemployment for eight years, my job prospects have suddenly improved. There are numerous employers who are eager to take advantage of my talents and I’ll have them write to you, Your Sir, as soon as I know who they are.

Your honor, Sir, you seem like a nice and reasonable man, and if you let me out right away, you will surely be proud of me and will never never see me again. While I have done many bad things, I do not lie, honest. Well, okay, there was that moment on the witness stand, I was as embarrassed by my testimony as you were, but other than that, I’m a pretty honest guy.

Sincerely your, always,
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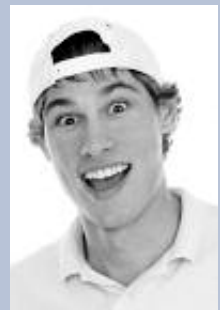
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Courthouse Gift Shop to Open in June

The mystery behind the plywood walls, the draped plastic, and all the hammering on the first floor of the courthouse has been solved. On Monday, the county issued a press release indicating that in less than two months it would open a gift shop at the site of the present activity.

The impetus for the 2,900-square-foot shop came from last September’s courthouse gala when the commissioners noted that the building could be a useful venue for nongovernmental activities, and asked themselves, “Why not a commercial activity that would be of *benefit* to the county?”

While the area is presently off limits, Jason Lip, who has been hired to manage the shop, gave me a tour. Jason, a tall angular young man, and a nephew of a well-liked public official, was wearing a white Steelers ball cap in the reverse mode that young women find so attractive. He told me that he had taken courses at a business college but had spurned the idea that a diploma was needed to verify his knowledge. His retail experience comes through an internship at Taco Bell. While the construction is far from complete, merchandise has already begun to arrive, and with obvious pride, Jason was anxious to show some of the inventory.



▲
Jason Lip

He pulled apart the flaps on a cardboard box, saying, “Dude, I bet these will sell like 49¢ tacos during the trial terms,” and extracted and unfolded a handsome T-shirt with block lettering proclaiming:

**“I WAS A WESTMORELAND COUNTY PLAINTIFF
AND ALL I GOT WAS THIS CRUMMY T-SHIRT.”**

I had to admit that the shirt would be a draw. He talked rapidly about other items that had not yet arrived: a computer screensaver with changing colors depicting the highlights of motions court, bobblehead dolls of past president judges, a laminating machine for PFA orders and divorce decrees. He was obviously a man caught up in his work.

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Committee Reports

Scandal Causes Cancellation of Bench/ Bar Conference

Bench/Bar Committee

All good things must come to an end. And, as the preacher says, “For every thing there is a season.” So it is with the Bench/Bar Conference. After twenty-one years in existence (Lakeview, 1987), this venerable event apparently has run its course. It didn’t have to end this way, and with some foresight it could have been avoided, but we are not clairvoyant. Nonetheless, there were signs along the way, if we had only paid attention.

First came the writers’ and stagehands’ strike that left the theater dark where the BarFlies once upon a time brought a mixture of mirth and embarrassment to a fidgety audience, in which each member silently prayed that that the script would play out

leaving them unscathed and their shortcomings unnoticed.

Also, there was the year that the conference was held at a resort which included a racetrack and one member took the full amount of his IOLTA account and put it on Banal in the fifth—to win, no less. And win he did, though only by the slightest of margins; but a win is a win, and the jubilant lawyer set up the bar again and again, each time announcing the source of his extremely good fortune. We should have felt uncomfortable being a part of that situation, but we didn’t.

Last year, a popular seminar that looked at the law and the profession as portrayed in film had pretty much exhausted the classics such as “To Kill a Mockingbird” and “Twelve

Angry Men,” and strained to derive some legal significance from

“Debbie Does Dallas.” There

had been no complaints, some faint praise and even more wide grins, but a scant

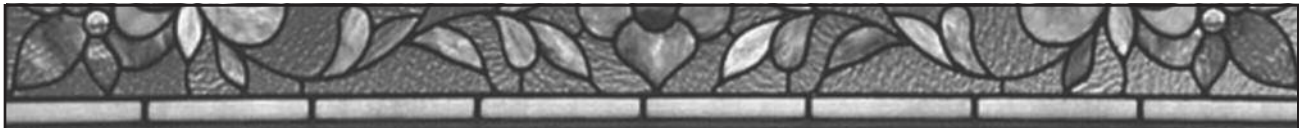
few may have begun to wonder if the golden

age of the Bench/Bar had

passed us by.

And then there was this predicament.

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Committee Reports *continued from page 9*

It started innocently enough when a Bench/Bar committee person attempted to purchase prizes for the wet T-shirt contest online. Beginning with the WBA's credit card number and the errant movement of the mouse, he unwittingly logged onto the website of a mid-east terrorist organization, the dreaded AFBP (Albanians For Better Parks).

The whole thing, in retrospect, is quite ridiculous, since Albania is not in the Middle East, and one wonders how he, a professional, could have not recognized the danger. But, we must appreciate his state of mind. Like you, he carried the stress of his chosen profession, and, in truth, he was a latecomer to the Internet and was easily frustrated when it failed to work its magic.

The only person he would have trusted to help him was his secretary, probably because in response to his inquiry she would take over and do it

herself. She, however, was home with a cold, so he did the manly thing; he swore under his breath and pressed on without seeking advice.

He had already typed in the credit card number and the address of the resort which would host the conference when he realized his error in judgment, and in a frantic attempt to click his way off the site he obliviously opened a certain combination of windows and clicked upon a combination of options which resulted in the placement of an order for a cache of poison gas.

The crate containing his purchase sailed through the regular postal security system without inspection because it bore the usual labels found on an 1,100-lb delivery: This End Up,

Handle With Care, and Poison Gas. In fairness to the inspectors, toys coming from China preoccupied them. The box, however, had not eluded the attention of elite postal inspectors in Washington, the Secret Service, the FBI, or the NRA, all of whom had intercepted the WBA's online order under the new federal Getting To Know You Act.

In three days, the resort received the delivery and called both the authorities and the WBA. When the Second Assistant Secretary (who in 2024 will become the President-Elect) came forward to pick up the order, she was arrested by postal authorities for facilitating the entry of WMDs into the country on insufficient postage, a second-degree



Local Lawyer Wins Endurance Event



▲
Harvey Weatherwax

For the third straight year, Harvey Weatherwax has won the Arctic Ididaskip Speed Skipping Contest, covering the 3,107 miles from Minsk to Shakleton's Privy in a record-setting four months, seventeen days, four hours, nine minutes and seventeen-point-one-three-four-eight-six seconds, thus breaking his own previous world record by, oh, about seven weeks or so.

Harvey, an esteemed member of our bar, has, with this third consecutive victory, forever secured for himself a place in the pantheon of speedskipping greats. He thus joins the likes of Zoot Twaddlemeyer, Kamrie Toyota, and the never-to-be-forgotten Pegleg Johnson—the unsurpassed master of technique—all at the top of everyone's list of stellar skippers.

"I'm very pleased and blessed to have won this event for the third time running," said Harvey, "or should I say 'skipping?'" With that estimable *bon mot*, Harvey cracks

the smile that has made him famous from Bratslovvia to Hunker. "And I would be remiss if I didn't acknowledge the contributions of the little missus who puts up with my rather idiosyncratic training regimen."

"Idiosyncratic," quips Prudence Weatherwax, "well, that's not the word I would choose to describe it, although the first three syllables get close."

"You know how he trains for this?" she went on. "In the depths of winter, at midnight, he goes out stark naked but for his sneakers and a small sock and speedskips the entire neighborhood. Do you know how many times the neighbors have called the police? It's humiliating."

Domestic strife notwithstanding, Harvey says he intends to compete every year for as long as he can. "I am committed," he says.

"And you will be, if I have anything to say about it," retorts Prudence.

The Ididaskip is regarded as the premier speed skipping endurance event in the world and has been skipped every year since 1994, except for 2001, when it was skipped. This year the event set a new participation record with four entrants.

felony. The resort, of course, voided the reservation for the conference and announced through a spokesperson during a press interview, “We want nothing to do with people who cheat on their postal rates.”

The bar association was allowed to keep the gas and indicated that it might become an item in next year’s silent auction. But, that’s the way the bar association is, always looking forward and taking advantage of what others may think is adversity. Does anyone doubt that they won’t come up with something better in place of the Bench/Bar, or at least repackage it under another name to avoid the stigma? Never underestimate the ingenuity of lawyers; at least you shouldn’t if you have ever attended motions court.

However, before we bury the Bench/Bar, perhaps we should pay it our respects by looking back upon some of the highlights it provided. We all have different memories of those wonderful days, and because we view things differently our subjectivity may, on occasion, stand in the way of accuracy. Or, as the Civil War veteran supposedly said at a reunion of the Grand Army of the Republic, “Goddamn the eyewitness, he always ruins a good story.”

BENCH/BAR HIGHLIGHTS

The first Bench/Bar Conference started modestly enough—a half-day meeting at Lakeview with seven in attendance. Through an oversight on the part of the executive director, the bar association forgot to order nametags and the conference concluded without the attendees ever meeting each other. From our vantage point, looking back, there seems to be agreement that this was one of the better bar association events.

Early on, during one of the first few conferences, there was a meeting of the membership to consider allowing members to bring spouses to future conferences, and the proposal initially seemed to have general approval, until the chairperson, in response to a question from the floor, made it clear that the proposal meant that members could bring their own spouses. The motion was defeated 64 to 2 (both newlyweds).

While these conferences were meant to be educational, the organizers wisely shied away from a lecture format, but for one exception—when the coroner from an adjoining county came to share his controversial views in a program entitled “The Coroner’s Inquest: The Role of the Séance.”

What wonderful accommodations we had. Stays at the Semicolon Woodlands Resort come to mind first—an outstanding, but pricey establishment, which eventually proved beyond the bar’s budget, so that at our last dinner, when we could not afford the offerings on the wine list, we were provided with individual bottles of Gatorade at \$18.95 each. And who could forget the Whip, that delightful hideaway nestled in the Maryland foothills that was so secluded that ten percent of those who registered were unable to find it. Calls for directions and help came from as far away as Knoxville, Tenn.

And let us not forget those fabulous troupers, the BarFlies. Their performances of “Madame Butterfly,” “Carmen,” and “Tosca” were incomparable. And how shocked we were the night they put on “Annie Get Your Gun” and the judge, who was appearing in a cameo role, was shot in the hip. To this day, those who were on stage insist that the shot came from the audience.

That is all behind us. Now we can forget and be forgiven for the small episodes of cheating at golf and on the tennis court. We can only hope that those few members who participated in the organized hikes and cycling events and did not return will eventually be found so they will have the enjoyment of seeing what the bar is planning for them next year.

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Young Lawyers Committee

The Young Lawyers Committee met recently at the Rolodex Inn in Straw Pump to strategize for the upcoming year. The Education Sub-Committee, Ruth Bader Fossilman and William “Quicksnap” Hostetler, co-chairs, outlined their plans for their members to present lunch and learn CLEs on the subjects of “Justice and Jell-O—Equally Slippery Stuff,” “The Iconic Reality of Subtextual Hypotheses in UCC-Sales,” and “Goobers: The Ideal Party Snack.”

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Committee Reports

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Family Law Committee

The Family Law Committee held their first organizational meeting of the year at the office of P. Marley Whippet, co-chair. Zanzibar McKechnie presented a slide show entitled “My Favorite Pre-Nups.” It was followed by a simple repast of blood oranges, licorice whips, and nachos with hard cheese. The committee meeting ended with the customary singing of the group’s Beatles-like anthem, “You Need To Give Me Your Money,” and following a little bit of back stabbing all around, the members departed, sated for the moment.

Elder Law Committee

All seventeen members of the Elder Law Committee met at Denny’s to share one early bird grand slam breakfast. The guest speaker was Mortimer P. Quince, MD, MP, JP, DDS, UPS, who brought the committee members up to date on his work to chemically and surreptitiously induce senility in all healthy adults over the age of forty.

Lawyers Assistance Committee

LAC is pleased to announce the formation of a new and exciting contest in which readers of *the sidebar* are encouraged to submit the details of their most intimate perversions along with a digitized photo, or, better yet, an MPEG file evidencing same. No masks, please. We will then publish the same and ask our readers to vote on their favorite entry. The winning pervert, as chosen by our readers, will receive an all-medical-expenses-paid trip to Jeannette.

Plaintiff and Defense Counsels’ Coalition for Civility & Fair Play

For the thirty-seventh straight year, this committee had no meetings, no agenda, no members.

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Courthouse Gift Shop to Open in June

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Many items did not have to be purchased; they had just been collected over the years. Some had come from things confiscated at the metal detectors by the park police: chains, switchblades, an assortment of cheap handguns, a walker whose four legs were shotgun barrels—20 gauge, I would think—covered with aluminum paint. Jason allowed that while it was illegal to bring such things into the courthouse, there was no law to prevent them from going out.

He directed my attention to a barrel bearing a sign: “10¢ EACH.” It was full of combs, nail files, refrigerator magnets, bottle caps and openers, and other political flotsam and jetsam, each carrying some hopeful message. I told him I was impressed. “That’s nothing,” he said, “look at those over in that corner.”



It was the largest collection of yard signs I had ever seen. It must have included signs for every candidate for the past half century. I asked him what they would sell for, and he paused thoughtfully. He said he had only recently given it some thought, but he believed the judicial and commissioner signs would go for three for a dollar. “Too common,” he said. However, he opined that coroner and jury commissioner signs might bring as much as five dollars each.

“But here,” he said, “is one I’ll put a fifty dollar price tag on, but unfortunately I only have three of them.” He showed me a mud-smeared and dog-eared sign whose vintage I could trace to a losing candidate in the mid-eighties.

“Why so much?” I inquired.

“Because of its rarity,” he said. “The sign’s message was so fatuous that the candidate’s own supporters tore them down and mutilated them.”

Just then, a melodious voice came over the public address system saying, “The time is now four o’clock.” Having been warned that I never want to see what goes on here after four o’clock, I shook Jason’s hand, wished him luck and headed for the parking garage.

Perhaps I’ll see you when the shop opens, but don’t think that you’ll be able to buy one of the three rare signs; that candidate is still around, and at the grand opening he will probably buy them himself.

To-Wit: Balancing Act

by S. Sponte, Esq.

No, that's still not right," she said with the confident impertinence of a secretary who has been with me way too long. Then she gave me that look. She's the only human being extant who gets away with it, giving me that look. But after so many years as my loyal, devoted, and highly capable secretary/friend/personal assistant/confidante/royal pain in the petootie, I dare do nothing that either aggravates her or leaves a scar. She knows way too much.

"It's your fault," I explained, but she just rolled her eyes and walked out of my office. "I'll come back when you're feeling less cantankerous," she shot back, but we both knew she didn't mean it. She's never been able to avoid me that long.

There's only one thing in the world that could possibly cause this kind of rift between us, and no, it isn't sex.

That's never caused a rift. What it is is the same thing that's been causing a rift between us for nigh on to thirty-two years. We were preparing a first and final account of a simple estate, trying to get everything to balance.

If we could have worked it out to the penny, that would have been a nice thing. It would also have been a first thing. Truth is that in all of our years together, we have never, not once, not ever, got an estate to balance, including, yes, dear client, the one we did for you.

I wish I could tell you what the problem is, but I can't. It should be really just a matter of taking the starting balance, subtracting the expenses, adding the income, and voila, we're done. But in my practice it's always been more like voila, we're screwed.

For years it's been my hunch that it's that damned starting balance that throws everything off. Either that or

it's the income or the expenses or the addition or the subtraction. I'm pretty sure the problem lies in there somewhere.

Now I know what you're thinking. You're thinking he's in practice almost forty years now, figure ten estates a year, he's probably done nearly four hundred estates for sure. Well, if that's what you're thinking, congratulations. Your math skills are already way better than mine.

Yet despite such admitted deficits, every estate I've ever handled has balanced to the penny, at least by the time I'm done with it. Assuming, as I always have, that my tribulations in the law aren't all that different from the tribulations endured by many of

continued on page 14



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To-Wit: Balancing Act

continued from page 13

my colleagues, I am going to share with you my balancing act secrets.

1. If you have more cash to distribute than you should, you can fix this by increasing your fee.
2. If you have less cash to distribute than you should, you can fix this by reducing the executor's fee.
3. If the difference between the cash you have and the cash you should have differs by nine or any multiple thereof, your adding machine is on the fritz and not even God could straighten it out. Take a guess at the correct balance and work backwards from there.
4. If, by careful application of the above techniques, the damned thing still doesn't balance, hire an accountant. They won't be able to fix it either, but they're so easy to blame.

If you find any of these techniques useful, feel free to adopt them, *eo instante*, as your own. I have no pride of authorship here, as they were all my secretary's ideas anyway. It seems that when it comes to anything math-related, I'm not nearly that clever by half, whatever that means.

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Can't get enough Sponte? More articles are online at www.funnylawyer.com.

A Recent Trial Term

Jury Trial Verdicts

Of the seventeen cases on the trial list this term, ten were continued, one was disposed of by voluntary nonsuit because plaintiff's counsel was "oh-so-tired of this crap," three were transferred to arbitration, and one was just laughed out of court. The remaining cases are summarized below.

CONDELEZZA V. RICE

In this medical malpractice action, Plaintiff alleged that she had consulted Defendant, a general surgeon, for removal of a wart on her finger. She further alleged that during the procedure, Defendant became confused and removed her larynx, appendix, left breast, right big toe, and an otherwise healthy disc at L3-L4. Defendant claimed he was intentionally misled by her aberrant physiology and counterclaimed for emotional upset.

Result: Verdict for Defendant on Plaintiff's claim and for Defendant in the amount of \$700,000 against Plaintiff on Defendant's counterclaim. "We liked the doctor," remarked Anthony "Chubbyhead" Morelli, jury foreman, "and we also liked the thirty doctors who testified on his behalf. But we didn't like the Plaintiff's husband."

WOE V. RADE

In this landmark case, Plaintiff brought an action for both declaratory judgment and *quo warranto* against the city council seeking to have declared as unconstitutional a local ordinance banning the playing of shuffleboard within city limits.

Alleging gender, age, and sexual preference discrimination, Plaintiff asked for a jury to determine issues of fact and to render an advisory opinion regarding the intellectual capacity of defendants to hold office. Defendants pled *umbrage ex officio* as a defense.

Verdict: Both sides were demented.

TESTES V. CALIGULIA

In this red car/blue car intersection collision, Plaintiff sought damages from Defendant for proceeding through a red light at an intersection and striking his car. Defendant claimed that his car wasn't red at all, but yellow and claimed that the light was also yellow when he went through the intersection. Defendant counterclaimed against Plaintiff.

Held: New trial granted when, after three days of testimony and following Plaintiff's closing to jury, it was determined that entire jury, along with judge, tipstaff, court reporter, and both counsel had been sleeping since ten minutes into Plaintiff's opening remarks.

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MENSA for Magistrates Opens Local Chapter

The national office of MENSA for Magistrates has announced the opening of a new chapter in Westmoreland County. “We are proud to announce the formation of the Westmoreland MENSA for Magistrates chapter,” the press release declared, “and we look forward to a long and significant association with the local magisterial district judges who qualify for membership.”

MENSA for Magistrates is an organization that has been in existence since 1994 and currently has 93 chapters located throughout 37 states. Its avowed purpose is to serve as a network for those magistrates of unusual intelligence and to enhance the overall dignity of a profession thus far pretty much regarded as the cartoon strip of the legal world.

“It’s much more of a problem than you might think,” says Haricourt Robinson Periwinkle, founder and national executive director. “Generally speaking, district judges—or, as they are sometimes referred to, justices of the peace, the minor judiciary, magistrate judges and, in some instances, in the Deep South, dunderpates—are not accorded the respect or deference due them by virtue of their elected office. We think it essential to identify the really bright ones and encourage them to band together to enhance the dignity of the office and to foster good will between them and the vast numbers of the public who

have been wrongfully found guilty.”

In order to qualify for membership, an individual must be a sitting magistrate with an IQ of 120 or above.

“I’d love to be a member,” said local district justice Mary Beth Cruella, “but I’ve taken the IQ test three times now and I’m still ten points short cumulatively. But I really want to join, they have the neatest bumper stickers.”

“To date, nationwide,” reports Periwinkle, “we have approximately no members. We’re thinking of making the dual requirements of sitting magistrate with an IQ of 120 or above an ‘either/or’ condition of membership. That might help.”



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Candid Camera: **Magical Moments Montage**



▲ The three lead plaintiffs in the class action case of *Scheisskopf v. Clairol* joyfully pose together right after the jury returned a plaintiffs' verdict in the first ever successful product liability claim for negligent infliction of gross florapecia.



▲ Although the turnout was lighter than expected, all those who attended the WBA Elder Law Committee's annual wheelchair soccer game had a wonderful time.



▲ Chad Comatose, newly elected president of the Westmoreland Academy of Defense Counsel, boldly poses for the logo unanimously adopted by the local chapter at its last meeting.



▲ Despite its success elsewhere, the French Supreme Court's ADR program failed to garner much interest with the local bar.



▲ The hip young associates at The Kowpatti Law Firm, recognizing that maximizing billable hours was the key to rapid advancement, have come up with an innovative way to increase productivity by cutting down on wasteful trips to the bathroom.



▲ "You've reached the law firm of Marx, Marx, Marx, Marx and Marx. This is Marx speaking."



▲ Bill Steadfast prepares to ask the WBA Board if they would consider donating the parsley off their fish to help feed the widows and orphans in the community.



▲ Every year since Wentworth, Sharp, and Chazer adopted a novel approach for deciding who gets a raise, Marvel has been the only associate to ever get an increase.

Exam Around: A New WBA Event

The success of WBA's Dine Around (Five Nights, Five Restaurants, Five Great Meals) was bound to give rise to other thoughts as to how our colleagues might share their spare time. Exit polls following the dinners provided some insight. First, sixty-three percent of those in attendance were at least fifty years old, with most of the others not far behind. Second, the main topics of conversation were: lawyers who were not there, Hannah Montana tickets, and health-related experiences.

With this information, the facile minds at the WBA decided to launch Exam Around, a program where once a month, for five months, WBA members will go as a group to be seen and scrutinized by five different health care providers, each an expert in their field of practice.

Sounds like fun, doesn't it? However, before signing up, it might be a good idea to check with your insurance carrier to make sure that the procedures listed below are covered. Dress is casual, and where appropriate, hospital gowns and anti-skid slippers will be provided.

Here's the lineup.

**WEDNESDAY, APRIL 23,
DR. ROBERTA RASH,
DERMATOLOGY, DONEGAL**

If you are going to avoid burnout as a lawyer it's necessary to have a thick skin. But is your skin thick enough?

Dr. Rash, who has done empirical studies of large organs, tells us that skin is definitely the largest, comprising eleven percent of our body weight. She will advise on how to make your skin thicker where it is most needed. To measure the thickness of your skin, Dr. Rash will connect you to a sonar device while a volunteer member of the bench casts aspersions and snide remarks in your direction.

**TUESDAY, MAY 20, DR. JULES
SHINLEAF, PLASTIC SURGERY,
HERMINIE**

Far be it for *the sidebar* to suggest that bar members need plastic surgery. To

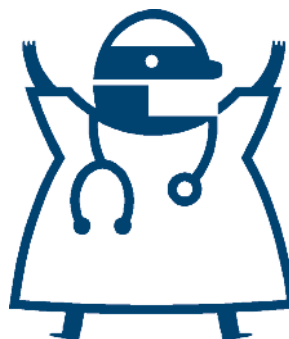
the contrary, the members of the WBA are an extremely handsome lot. While all will find the subject interesting, this second outing is primarily aimed at those lawyers who may wish to run for state or national office and are worried that they are *too*

good looking. Good looks have never been an obstacle to achieving municipal or county-wide office, but in the upper echelons of politics it can be problem. In the ongoing presidential race, Mr. Romney, with his collar ad looks, was probably the handsomest man to ever seek the position, yet he

had to withdraw for lack of support. And Mrs. Clinton, a very attractive woman, without a blemish to her appearance, has had her struggles. We just don't want to elect people to the highest offices who are conspicuously better looking than we are. Dr. Shinleaf will explain how we can improve our chances by putting a crook in our nose, a mole between our eyes or a notch in our ear.

**THURSDAY, JUNE 19,
DR. WILL B. PUMPING,
PULMONARY MEDICINE,
WEST LEECHBURG**

Medical science has found a direct correlation between the number of people who give up smoking and improvement in public health. But in order to increase the number of people giving up the habit there is an urgent need to teach more people how to smoke. Dr. Pumping, the author of



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wba



▲ *Dr. Milton Millstein, twin brother of our own David Millstein*

Learning How to Smoke, will provide members with tips on technique and provide guidance on these important issues:

- filtered verses unfiltered,
- matches or lighter,
- inhaling, and
- ashtray etiquette.

THURSDAY, JULY 10, DR. AVERILL PUCCOON, PHRENOLOGIST, PEANUT

Dr. Piccoon will feel and trace the contours of the head of each member to diagnose whether they are suited for family practice or a normal life. Those members whose heads have swollen due to a recent victory before a magisterial district judge or a board of arbitrators (there are no victories beyond these levels) are asked not to take the test because of the high likelihood of a false positive. However, allowances can be made if your head has deflated to the point where it will

fit into Dr. Piccoon’s calibrated golf cap at the 7&3/4 setting. Dr. Piccoon asks members to please wash their hair prior to arrival.

TUESDAY, AUGUST 12, DR. MILTON MILLSTEIN, OB/GYN, SEVEN SPRINGS

Please note this is a gender-qualified exam. It will be conducted by Dr. Millstein, who incidentally, is the twin brother of our own David Millstein. The resemblance is uncanny. The doctor, who was trained in holistic medicine, often makes some patients feel at ease by writing “Dinner and a movie?” along with a smiley face on his prescriptions.



SIGN UP FOR EXAM AROUND TODAY!!!

Before signing up, it might be a good idea to check with your insurance carrier to make sure that the procedures listed below are covered. Dress is casual, and where appropriate, hospital gowns and anti-skid slippers will be provided.

Name _____

Primary Doctor _____

List your prescription meds _____

YES! I want to be poked, prodded, and probed with my friends and colleagues on the following dates. By submitting this form I absolve the WBA and its employees and agents from any liability resulting from my gullibility.

- April 23: Dr. Rash
- May 20: Dr. Shinleaf
- June 19: Dr. Pumping
- July 10: Dr. Puccoon
- August 12: Dr. Millstein

Actions of the Board

APRIL 1, 2008

- Voted to authorize the Unauthorized Practice of Law Committee to impose death sentence whenever appropriate.
- Voted to reject amendment of death sentence motion which would have granted exemptions in the case of widows and orphans.
- Voted to accept the invitation of the Antiguan Supreme Court to send a group to Antigua to study the effects of French ecclesiastical law on indigenous topless dancing, and to fully underwrite all expenses of study group.
- Passed around sign-up sheet seeking volunteers for the Antiguan study group.
- Authorized reimbursement of all medical expenses incurred by board membership in stampede to get to sign-up sheet.
- Received offer of Westmoreland Bar Foundation to provide all newly admitted WBA members with free copies of courthouse centennial books, as long as supplies last.
- Rejected offer of Westmoreland Bar Foundation to provide free courthouse centennial books to new WBA members after discussion regarding how much board members had to pay for their copies.
- Voted to congratulate themselves on their spirit of generosity.
- Ate sandwiches.

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CALENDAR OF EVENTS

APRIL

1 April Fool's Day

7 Board of Judges Meeting

Discussion: "Trial Bar: Friends or Foes?" Vote to follow.

17 Elder Law Hopscotch Outing, 5 p.m., Parking Lot, Westmoreland Hospital

21 A CLE Lunch 'n Learn Event: "Tracing Client's Signatures—Who's Really Hurt?" 1 ethics credit

MAY

3 St. Swithins Day party, 4 p.m., WBA Headquarters. Prize awarded for largest swithins.

9 Courthouse closed in observance of county employees' traditional lack of interest.

17 Annual Gays/Lesbians/Transsexuals/Cross-Dressers/Not-Quite-Sure In The Law Committee's Annual Three Strikes And You're Outed Bowling Tournament, 7 p.m., Crossing Lanes Bowling Emporium

24 Bankruptcy Committee Annual Dinner Meeting, 6:30 p.m., Wendy's, Rt. 30. Guest speakers: Steidl and Steinberg, "How We're Getting All The Business By Resorting To Really, Really Bad Taste Advertising"

LCL CORNER

Little is known about sex addiction and those who suffer from it. Last year, LCL received, oh, oodles of requests for professional referrals from colleagues afflicted with this mysterious malady, and, glory be, wouldn't you like to know from whom? Well, now you can. In an effort to both expose the tragedy of this problem to the light of day and to generate some much-needed income for its operations, LCL has arranged to make available, at a modest cost, the names, phone numbers, and addresses of all those colleagues who are currently in treatment. Your personalized bound volume of "Who's Doing What And With Whom—Your Professional Guide to Getting Lucky" comes to you by first-class U.S. Mail in a plain brown wrapper. Get a jump on the competition, be the first to order. Send, oh, say \$75 in cash (but no reasonable offer refused), in certified funds or wire transfer (no personal or office checks, please) made out to cash c/o WBA office.



Westmoreland Bar Association
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