



Law in the Family

Editor's note: Law in the family? It's not just a bad pun, it's a way of life for many of our colleagues. As this season of parents' days comes and goes, we thought it might be interesting to hear from some of our members who practice law with members of their families. If these responses are any indication, it seems to be a good thing. Then again, maybe some just ain't talking.

ROSS BASH AND SARAH HOUGH

Bash-Hough Law Offices, P.C., Delmont

It occurs to me (albeit facetiously) that my parenting must have somehow been deficient in that Sarah still picked law as a career, notwithstanding the "trials and tribulations" she observed growing up with a lawyer for a father. My wife, Chris, and I always emphasized to our children to not only think for themselves, but to think critically. When our children (especially Sarah) inevitably reached that age at which they realized that I actually was "full of it," my wife regularly reminded me that I was the one who was always preaching at them to "think for themselves," "think critically," etc., etc., so why was I so surprised when they did?

Our daughter, Sarah, is blessed with the ability to think critically as

one of the many gifts that she brings to the practice of law. She balances that ability of thinking critically, however, with the capacity of acting compassionately. She has a better and more natural touch for the law than I did at her age. She also manages more balance between her professional and personal life. Important as our children were (and are) to my wife and me, Sarah's priorities as a parent have re-taught me things that I wish I had learned far earlier in my practice; that, and the complete confidence and trust that I have in her integrity and work ethic are what I value most in our professional association.

Ross Bash

I wonder if the other father-daughter practitioners hear "that's so nice" as often as my dad and I do when someone learns that we practice together. Nice? Certainly—on most days at least. Yet this bland descriptor hardly seems to adequately convey the reality of an average day of practicing law with my father. Camaraderie, frustration, relief, anger, hilarity, awe, urgency; if you were to spend an hour in the hallway between our offices, you'd be likely to witness all of these emotions during the kind of dramatic interactions that can occur only between two individuals who are so obstinately alike (and more often than not, know exactly what the other is thinking). In the end, if I had only one word to describe the essence

of practicing law with my father, that word would be proud. I am very proud to be learning how to practice law from someone so knowledgeable about the law, so varied in his interests, talents and experience, and so committed to the ideals of compassion and justice for all persons.

Sarah Hough



▲ *Ross Bash, grandson Charlie, and daughter Sarah Hough.*

RICHMOND FERGUSON, MICHAEL FERGUSON AND TERRY FERGUSON

Ferguson Law Associates, Latrobe

On the subject of family law partnerships, I am happy to say that my association with my two sons, Michael and Terry, has been nothing but rewarding, a lot of fun and has been a mutually beneficial experience I'm sure, among the three of us.

continued on page 8

President's Message

And We're Still Mad As Hell!!!

by Aaron M. Kress, Esq.

Two issues of *the sidebar* ago, my predecessor wrote a “President’s Message” wherein he got his gorge up and was MAD AS HELL about George Dubya “dissing” the trial lawyers. The gist of the article was that trial lawyers are an important part of the food chain, much like other carnivorous predators. As a



result, he got stirring letters to the editor from two of the seven remaining Republican lawyers in Westmoreland County. Tim was really upset and vented his spleen in true style of the Clan Geary. Well, if it’s good enough for him, I guess, as one of my perks of office, I can do the same thing.

So who am I going after? A shoe company.

Recently, an article appeared in the *Wall Street Journal* and elsewhere that Adidas, Nike and Reebok have been engaged in a bidding war over the right to have a young gentleman by the name of LeBron James endorse the winner’s athletic shoes, hereinafter called “sneakers.” Mr. James is an 18-year-old high school senior. He is very tall and plays basketball quite well—in high school. Upon graduation from high school, Mr. James entered the draft (the NBA draft, not the one where you end up at Fort Dix in New Jersey) and was chosen as the first-round draft pick by the Cleveland Cavaliers, the perennial Pittsburgh Pirates of the NBA. However, the part of this story that is disturbing and makes me MAD AS HELL is the fact that the winner of this bidding war—Nike—has agreed to pay this kid \$100 million—that’s \$100,000,000.00.

Now, I realize this has nothing at all to do with the practice of law, other than to suggest that we should have spent those three years developing our lay-ups and foul shots rather than attending law school. What this does have to do with, however, is the absurdity that modern America has come to and the lack of corporate responsibility (a classic oxymoron). Three multinational companies were duking it out over the right to give an 18-year-old kid, who has never played college or professional basketball, \$100 million.

I have no argument whatsoever with Mr. James. If he can pull in that kind of money, more power to him. Hell, he will have even more cash than any of those trial lawyers George Dubya wants to excommunicate. My gorge, however, has risen against the three shoe companies for even considering paying that much for an endorsement—any endorsement. Whomsoever, on behalf of these shoe behemoths, is actively involved in this is as guilty of corporate and moral irresponsibility as Ken Lay, Bernie Ebbers and all of the rest of the suits who have recently done the “perp walk.” If you continue to own any of their stock after reading this, you should feel as guilty as I did until I sold our holdings in Phillip Morris.

Just think what \$100 million could do if spent for something other than a sneaker endorsement from a high school basketball player. Better yet, think what the interest on that amount at 5% per annum could do for society. That comes to \$5,000,000 annually. I’ll bet those folks working on the Southeast Asian assembly lines

sewing those sneakers together for \$10 a day would find a better use for some, if not all, of that money.

Pennsylvania recently had to cut back financial aid to libraries, fire departments, public transit, schools and other fundamental governmental services. As a result, libraries cannot acquire new books, fire departments cannot get new equipment, handicapped commuters will have to find other ways to get back and forth to work, classes, equipment and supplies will have to be cut back for kids in school. And that’s only in Pennsylvania. For example, in Oregon—the home of Nike—the financial crunch is so acute that schools are having to dismiss for the summer recess several weeks before the normal time. What bittersweet irony.

Shame on you, Nike.

The next time you see a headline in the newspaper that starts: “Budget Shortfall Ends



_____,” remember that corporate America, as far as the athletic shoe industry is concerned, thinks it is more important to spend \$100 million big ones on an 18-year-old basketball player than to give up some of that money to help fill the gaps in American society. One would think that some of these MBA types might get the bright idea that their company will get a lot better press for annually donating \$10,000 each to 500 local libraries so that the kids who are wearing their sneakers can learn to read. If you don’t want it to go to libraries, then how about Pro Bono programs?

A handwritten signature in blue ink, appearing to read "Aaron M. Kress".

Remembering Jack Gates

by Jennie K. Bullard, Esq.

When Jack Gates passed away in February of this year, there were those among you who probably did not know who he was. And no wonder. Jack Gates was a quiet humble and unassuming person. He didn't need to brag about himself because he was so good at everything he did.

Just who was Jack Gates? His given name was Conrad John Gates but I always knew him as Jack. In my early years of knowing him, I knew him as Professor Gates. But later I came to know him as a person who wore many hats and wore all of them well!

Jack Gates was born on July 16, 1931, and was educated at Cornell University where he earned a Bachelor of Arts in Industrial and Labor Relations. Jack went on to study at the University of Buffalo School of Law graduating with a Juris Doctor in

1962. He served in the United States Army as a First Lieutenant and was honorably discharged.

Jack had a long and illustrious career in law. He served as a corporate attorney with Allegheny Ludlum where he was primarily responsible for preparing the corporation's arbitration cases. Many of these cases rose to prominence and were reported in the Bureau of National Affairs publications as significant decisions. He also maintained a private law practice on a part-time basis since 1966. His law practice specialized in the areas of wage and hour and employment discrimination. He was admitted to practice law in the state courts of New York and Pennsylvania and in the federal district courts of the United States.

The first hat Jack wore well was that of teacher and mentor to his students at both St. Vincent College and IUP. Jack had a marvelous way with students. He was a "hands on

professor." He paced around the classroom speaking in a loud, gruff-sounding voice. Suddenly he would whirl and before you knew it he was in your face asking you a question that you were almost too afraid

to answer. I remember with trepidation the first time he was "in my face." I think it was some question like, "What would

Justice Holmes think about that, Jennie?" In spite of his outward demeanor, at heart Jack was a pussycat. He always had a grin on his face and a mischievous twinkle in his eyes.

Jack was extremely supportive of his students. His door at the university was always open and he was readily accessible by phone, even at home. He became a mentor for many of his students and was available for consultation and guidance even after graduation. He was a fair, exciting, and engaging instructor. Jack presented his material in such a way that you not only learned the law but you began to love the law. He inspired many of his students to go on to study law and he reveled in their successes. He was such a dynamic teacher that he was awarded the Outstanding Teacher Award at St. Vincent College, where he was the chair of the Department of Business Administration and taught labor and business law for 13 years and also at IUP, where he was a full professor teaching in the graduate-school-only ILR program. The Outstanding Teacher Award rewards excellence in teaching as recommended by your colleagues and students. When Jack



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 **Memorial 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 15601-2311.



continued on page 4

Remembering Jack Gates *continued from page 3*

retired from IUP in 1994, he was awarded the status of professor emeritus from the university.

At his retirement party many students, alumni and faculty came out to say goodbye to Jack and honor him for his service to IUP. As a tribute to Jack, many participants wore T-shirts emblazoned with a picture of an alligator with Jack's face on it. This symbol was not derisive but symbolized a term of endearment. To many students he was known as "The Gator."

I was fortunate enough to have Jack Gates as a professor, mentor and friend. When Jack retired from IUP, I was hired as a full-time faculty member to teach the law core of classes. A professor from another department at the University approached me one day and introduced himself, saying, "Oh, you took Jack Gates' place." I corrected him. I replied, "I may teach the law core of the graduate program, but there is no one who can take Jack Gates' place."

Another hat Jack wore was that of arbitrator and mediator in the area of employment law. He served as a neutral arbitrator in over 230 labor arbitration cases. He was a panelist on the FMCS,

AAA national panel, PLRB, and on the Expedited steel panels. He was a great source of information and knowledge and a wonderful sounding board for many new and experienced arbitrators. When I encountered an arbitration problem he always took the time to discuss the facts of the case with me. He gave tirelessly to his colleagues and friends in the same way.

Jack's last hat is that of family man. This was his greatest love. He encouraged his children, Jill, Chrissy and Kurt, to believe that every dream was possible. He sat with them and imparted his lessons of life and the wisdom he had learned from his own experiences. He had immeasurable energy and joy for his grandchildren and he had great love for Rosemary, his wife of 39 years. He enjoyed to the fullest every moment he spent with his three children, six grandchildren and his wife. Early in 2003 I was able to persuade Jack to come out of retirement to teach just two graduate-level classes at one of our satellite centers. He was so excited about it! He did such a great job. Of course, this was not a surprise to anyone. The students loved him of course. He showed such

enthusiasm about returning to the classroom, that I asked him if he was regretful that he had retired. Without a blink of an eye, he said, "No, I don't regret it at all. I would have never had the chance to spend all those years with Rosemary and the kids."

When he came back to work for IUP after eight years in retirement, he immediately prepared for class and was in the throes of teaching when he became ill. Even then he was concerned about who would teach his classes because he had made a commitment to the students. When he was diagnosed with cancer he called me and told me of the situation. I told him to get well that I would see that the classes were covered. He was so worried that he would let the students down that he actually attempted to negotiate with the doctor about the dates of his surgery so he could get back to teaching without too much delay.

This is the man that was Jack Gates—attorney, teacher, mentor, arbitrator, husband, father and grandfather. He was, without a doubt, a man of the highest integrity and honor. He was unselfish, honest and giving. He had a great sense of humor and always had a twinkle in his eye. He always kept his word. Jack was a staunch Republican. A few years ago while Jack was teaching at IUP, one of the students made a wager with him. Jack was so sure he would win this wager that he agreed that if he lost that he would wear a Dukakis button on his jacket for a week. Sure enough he lost—he kept his word. As painful as it was to him, he wore the button because he had given his word.

The world is poorer for this loss, his family has lost their father and husband, our university community has lost a great teacher and my colleagues and I have lost a mentor and friend. We are all surely richer in our lives because we came in contact with Jack Gates. He was truly a wonderful person. We all take comfort in knowing he is in a better place.

Lawyers Abstract Company of Westmoreland County

James C. Ripple – Manager

129 NORTH PENNSYLVANIA AVENUE
GREENSBURG, PA 15601

Telephone 724 - 834-2822

Agents for Commonwealth Land Title Insurance Company

FULL TITLE SEARCHES
TITLE INSURANCE
ABSTRACTS
REAL ESTATE & MORTGAGE CLOSINGS

Dicta: Gay Pride and Prejudice

Editor's note: We are pleased to announce that we have stumbled upon that rarest of all commodities, a lawyer who can write the King's English. Beth Orbison has kindly consented to do a regular column for the sidebar, and we will all be much the better for it. The column is called "Dicta," her choice, and a most apt one. "Gay Pride and Prejudice" is her first offering, and if it's any indication of what's to come, we will look forward to her future pieces with great anticipation. We think you will, too.

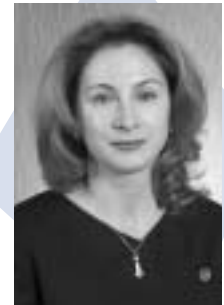
Above the United States Supreme Court's entryway are carved the words, "EQUAL JUSTICE FOR ALL." In the last half-century, the highest court applied

these words in an attempt to define and protect liberty rights of individuals—in the school desegregation ruling in *Brown vs. Board of Education*, in the abortion dilemma presented in *Roe vs. Wade*, in the analysis of the right of a physician to advise a married couple about contraception in *Griswold vs. Connecticut*, and in the cases dealing with disparity in the treatment of men and women. In these civil rights cases, the factual scenarios sometimes involved acts of discrimination, and sometimes impacted upon matters of privacy. In cases defining the rights of gay and lesbian litigants, it involves both.

Justice Sandra Day O'Connor recently told a classroom of young students that the pressing issue of the next decade will be "gay rights." Last May, at the Pennsylvania Bar Institute's seminar entitled "Presenting Lesbian, Gay, Bisexual & Transgender

Issues to Judges," former *Washington Post* editors and journalists Joyce Murdoch and Deb Price presented excerpts from their book, "Courting Justice: Gay Men and Lesbians vs. the Supreme Court." This book is required reading for anyone who wants to understand how the highest court's justices have slowly begun to recognize constitutional protections for gay Americans.

The book chronologically reconstructs the development of gay rights and anti-discrimination law by referring to a variety of resources, painstakingly uncovered by the authors who refer to



Beth Orbison

continued on page 6

GUILTY

GUILTY of being the best marketing center for all Law Firm needs

**Working with
time Constraints?
No Problem,
Business Partner
Gets it done.**

| | | |
|--|---|---|
| Avid Digital Video Data Sharing Graphic Design Imprinted Items Web Site Design | Newsletters Binding & Laminating Promotional Videos TV Commercials Logo Design Courtroom Presentations | CD-ROM Authoring Signs & Banners Large Output Printing Deposition Video Taping Litigation Support Material Color Copy Center |
|--|---|---|

**Business
Partner.com**
The Marketing Center

Two Locations to better serve you

| | |
|--|--|
| IRWIN 324 Main Street Downtown Irwin 724.863-7888 | GREENSBURG Route 30 West Greengate Commons 724.836-2900 |
|--|--|

Dicta: Gay Pride and Prejudice *continued from page 5*

the justices collectively as “the man behind the curtain.” In those cases where the court granted *certiorari* and entertained oral arguments, the majority, concurring and dissenting opinions offer the official stance of the justices of the court. But a more complete picture is revealed in the private notes of the justices, in the position statements and recommendations in memoranda written to the justices by their younger (and not always less conservative) law clerks, and in the hand-written notes of the closed-door discussions of the justices as each individually decides whether and how to rule upon a case. Interviews with former Supreme Court law clerks about the personalities and pre-dispositions of the justices for whom they were employed expose a cross-section of opinions which, in many cases, reflect the then-current attitude of society toward a subject that is rarely met with indifference or cool detachment.

Attorneys, legislators, judges and justices in “Courting Justice,” and elsewhere, are human—some evolve over time, some do not. In one case, a Pennsylvania appellate court judge swiveled around in his chair, refusing even to look at an attorney who was advocating on behalf of a gay litigant. In another case, an attorney told the judge during settlement negotiations that the opposing party was a lesbian, even though her sexual orientation

was irrelevant to the dispute. As a result of his concurring opinion in *Ex parte H.H.*, 2002 Ala. LEXIS 44 (February 15, 2002), Chief Justice Roy Moore of the Supreme Court of Alabama faced judicial ethics charges when he described the lives of gay and lesbian people as “abhorrent,” “immoral,” “detestable,” an “inherent evil,” and “an intolerable evil,” and homosexuality as “so heinous that it defies one’s ability to describe it.” Senator Rick Santorum recently wrote letters of explanation to constituents who were offended by his remarks that appeared to equate homosexuality with incest. In his letter, Santorum justifies his remarks by maintaining that his position is “strikingly similar” to those of Justice Byron White’s majority opinion in the 1986 case of *Bowers vs. Hardwick*, in which Byron derides gay civil rights arguments as “facetious.”

Fred Rogers once advised someone who was having difficulty with an obstreperous neighbor that he thought that the problem could be alleviated if the neighbors could just get to know one another better. Likewise, several justices appear to have benefited from their personal experiences. Justice William O. Douglas considered a lesbian couple to be among his best friends. Justice Lewis F. Powell Jr., “an old-fashioned southern gentleman,” appointed by President Nixon, apparently unknowingly had a long line of gay clerks, whose influence we can

only guess. And other justices came to a better understanding of the issues affecting gays as they developed fatherly, caring and respectful relationships with their gay clerks.

It goes without saying

that the subject matter of “Courting Justice” implicates litigants, advocates and the judiciary in a small-town trial court as feverishly as it does the occupants of the inner sanctum of the country’s highest court and those who find themselves at their mercy. The discussion in this book is not limited to esoteric constitutional theory of purely academic interest, but encourages general principles of respect, compassion and understanding of fellow beings. The laudable message delivered by “Courting Justice” is that familiarity does not always breed contempt.

Postscript: I conduct the majority of my legal research on-line on the computer that is connected to the county network in my courthouse office. When I attempted to do research for this article, a message appeared on my screen blocking access to sites that were deemed to be of “Gay Interest.” Accordingly, the following sites were not available to me because someone had made a prior judgment that the sites relating to this subject were unrelated to my employment as a judicial law clerk:

- www.lambda.org, a non-profit agency dedicated to reducing inequality, hate crimes and discrimination against homosexuals;
- www.nclrights.org, “National Center for Lesbian Rights”;
- www.nlgla.org, “National Lesbian and Gay Law Association”;
- www.lgirtf.org, “Lesbian and Gay Immigration Rights Task Force”;
- and
- www.gaylawnet.com, “Gaylaw.”

The county’s information systems office was willing to lift this ban in order that I be able to conduct research for this article, but instructed me to call them as soon as I was done, so that the ban could be put back in place. As far as I know, “Heterosexual Interest” sites are not blocked.

“There is nothing sinister in so arranging one’s affairs as to keep taxes as low as possible.”

Judge Learned Hand, 1947

JEFFREY W. BURZAWA is pleased to accept your referral for complex IRS and Estate Tax Issues.

724-837-0357

WWW.REDUCEIRSTAXES.COM
WWW.SOGREENSBURG.COM

A No-Brainer: David Millstein Is Awarded the “Neddy”

by Dan Joseph

It was a “no-brainer” according to Jim Kopelman, who, on behalf of the Ned J. Nakles American Inn of Court, presented the first “Neddy” to David Millstein.

The “Neddy” is the newly created award in honor of Ned Nakles. It is to be presented when appropriate to the lawyer who most enhances the image of lawyers in the community and brings joy and pride to the profession.

As he humbly (if you can believe that) received the award, David muttered, “No one has ever referred to me as a ‘no brainer’” (although some of us have always held this belief).

Truly, it was a “no brainer” for the Executive Committee of the Inn. David, a/k/a Sua Sponte, has lifted the

spirits of lawyers for years with his humor and wit. Our local Bar has been the beneficiary of this humor and wit throughout the many BarFlies performances that David has written.

David’s representation of the ACLU on sometimes unpopular but vital issues, extensive pro bono work and his charitable giving all combine to make him the most worthy recipient of the first “Neddy” award. Because David so admired Ned J. Nakles it was special for him to receive the first “Neddy.”

David asked me to write this piece. Quite frankly, I do not know why. David has never lifted my spirit. To the contrary, his e-mails to me and other writings about me have caused me much emotional pain, as a result of which I have hired Ned Nakles, Jr.,



▲ “Please accept this on behalf of a grateful nation.” (Caption by Dan Joseph)

for a soon-to-be-filed lawsuit. I am seeking the “Neddy” as damages. Congratulations, David.

| Limits: | \$100,000/ \$300,000 | \$300,000/ \$600,000 | \$500,000/ \$1million | \$1million/ \$1million |
|-------------------------------------|-------------------------|-------------------------|--------------------------|---------------------------|
| Years firm continuously covered: | | | | |
| 1 | \$356 | \$445 | \$490 | \$552 |
| 3 | \$513 | \$641 | \$706 | \$795 |
| 5 | \$555 | \$694 | \$764 | \$861 |
| 7 | \$579 | \$724 | \$797 | \$898 |
| 9+ | \$603 | \$754 | \$830 | \$936 |

of attorneys _____ x rate per attorney _____ = PREMIUM

GOT A PEN? WRITE YOUR RATE.

Now calculating rates for malpractice insurance is as easy as 1-2-3. Lawyers Direct makes purchasing insurance for select small firms* so simple and straightforward, you can figure it out yourself. Work directly with people who understand law firms and their insurance needs. Enjoy low rates with no hassles, no markups, and no delays in claims or service. For the most competitive rates written for malpractice insurance, have your expiration date handy and call 800-409-3663 or visit www.LawyersDirectInsurance.com.



Lawyers Direct is underwritten by Professionals Direct Insurance Company. Rated A- (Excellent) by A.M. Best.

*Firms with one to five attorneys, each with gross billings under \$300,000, with no attorney spending more than 25% of his time in Personal Injury or Financial Transactions, no negligence claims within the last five years, and no history of disciplinary action.

Law in the Family *continued from page 1*

I have been so fortunate to work in an office with them where the atmosphere is one of complete congeniality among us, with a liberal sprinkling of wit, humor and practical jokes. Even our secretaries are very relaxed and very much at ease in the presence of the three of us, and we all enjoy laughing at each other and at times, at our clients.

I am especially proud of the fact that my sons have achieved prominent places in the community and in the legal profession. We each have our separate areas of practice, and the large part of my practice has been taken over by my son, Terry.

Richmond Ferguson



▲ *Michael, Richmond and Terry Ferguson in 1964.*

I can honestly say that practicing law in a firm which includes my father, my brother and, on occasion, my wife, has been an absolute joy. The love, trust, concern and respect we share for each other is priceless.

My dad was the sole inspiration behind my decision to become an attorney. Growing up, my dad made practicing law look easy. He made a nice living, worked reasonable hours

and was his own boss. More remarkably, I never heard anyone say a bad word about my dad. It seemed like a good deal to me.

Over the years, we have discussed the possibility of bringing other attorneys into the firm. All of us like the idea of having a “grunt” to help with the workload. However, we have refrained from bringing anyone in, simply because we do not want to risk upsetting the delicate chemistry which makes our practice both profitable and enjoyable.

If I had to do it all over again, not only would I choose the same career, I would choose the same partners.

Michael D. Ferguson

Entering the “family business” was an easy decision for me. I had grown up watching my father establish and maintain a successful law practice in our hometown



BARRY WM. MORRIS
REGISTERED ARCHITECT
850 EAST PITTSBURGH STREET
GREENSBURG, PA 15601
PHONE: 724-836-1119 FAX: 724-836-1730

OFFERING FULL PROFESSIONAL ARCHITECTURAL SERVICES SINCE 1977

CUSTOM-DESIGNED ARCHITECTURAL & CONSTRUCTION
ADMINISTRATION RELATED SERVICES IN THE AREAS OF :

- SPACE PLANNING
- NEW CONSTRUCTION
- RENOVATIONS / RETROFITS
- AGENCY REVIEWS



SPECIALIZING IN ALL ASPECTS OF CONSTRUCTION - RESIDENTIAL, RETAIL / COMMERCIAL OFFICE / FINANCIAL, INSTITUTIONAL, RELIGIOUS





FIRST FLOOR PLAN



SECOND FLOOR PLAN

LET US HELP BRING YOUR DREAMS OF A NEW AND MORE EFFICIENT WORKPLACE TO REALITY

BARRY WM. MORRIS, R.A.
550 EAST PITTSBURGH STREET, GREENSBURG PA 15601
PHONE: 724 - 836 - 1119

of Latrobe. I remember as a little boy walking down the streets of Latrobe and being amazed at how many people knew my father. This fact remains as true today as it did thirty years ago. I knew at an early age that when I grew up, I wanted to be just like my Dad, both as an attorney and as a person. He is undoubtedly the sole inspiration for my choosing the practice of law as a career.

While there are many benefits to practicing law with both my father and my brother, the most obvious and most cherished benefit is the simple fact that I get to see both my Dad and my brother at least five days a week. As I now spend almost all of my “free” time raising my own two sons, I realize how fortunate I am to spend as much time as I do with my Dad and brother. As I watch my father in the twilight of his career, I am still inspired to be just like him, as both an attorney who is respected amongst his peers and as a person who is respected by his family.

Should either or both of my sons grow up to be members of the Westmoreland Bar Association, I would be honored and proud for them to carry on the tradition in the “family business.”

Terrance C. Ferguson

**JAMES R. SILVIS AND
JAMES P. SILVIS**

O’Connell & Silvis, Greensburg

Be careful what you wish for ... just kidding! Although I hoped Jim would practice law in Westmoreland County, I was surprised when he decided to come back home to work.

I’ve heard young lawyers working for the big city firms complain that their lives are consumed by work—and I noticed that they don’t smile much. I didn’t want my son to work in that environment.

It’s reassuring to know that if he has a question I can’t answer (and there are many) he can get help from any member of our bar.

Before Jim started to work with me, I spent a lot more time grinding out agreements, pleadings, and briefs. Jim has a different approach. With the marvels of technology, he’s able to complete his work faster than I did and then head for the gym.

I introduced Jim to the law and he introduced me to weightlifting and golf!

It’s fortunate that I’m here to advise him which cases to take and which to avoid. It’s unfortunate that I’m now referred to as old Jim I should have named him LeBron!

Jim Silvis



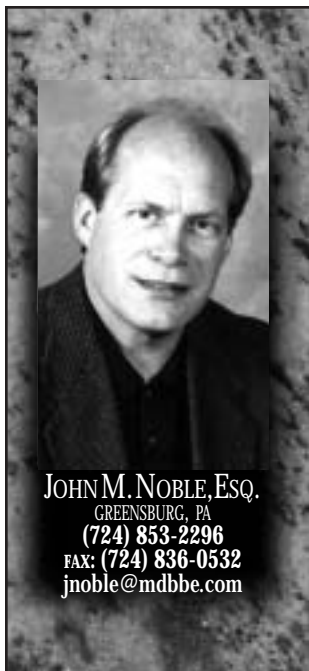
Mary Louise, Becca, Elizabeth, Jimmy and Jim Silvis training for a 10K race in 1985.

Growing up, all I heard were things like “what a noble profession,” “I have the greatest job in the world,” and “Wow, is my secretary HOT!” How could I be anything other than a lawyer?!

It then was easy to decide where to practice. I now had an opportunity to work at a place with a great mentor who could guide me through tough cases and tell me whether I was on the right track with my crazy ideas ... yeah, it’s great to have Mr. O’Connell in the office to help me! ... Oh, right, I’m supposed to be writing about Dad ... It’s great knowing that my being in the office gives him more time to devote to his hobbies (unfortunately, his only current hobby is working!).

I’m also able to help him with those tough cases that involve either research, writing briefs, going to the Courthouse, or doing anything other than making phone calls and sending out bills ... but I wouldn’t trade all this for anything!

Jimmy Silvis



JOHN M. NOBLE, ESQ.
GREENSBURG, PA
(724) 853-2296
FAX: (724) 836-0532
jnoble@mdbbe.com

**DISPUTE RESOLUTION
UIM/UM ARBITRATION
MEDIATION**

- SETTLEMENT CONFERENCES
- EVIDENTIARY HEARINGS
- BINDING/NON-BINDING
- COST-EFFECTIVE
- CONFIDENTIALITY
- NEUTRAL THIRD-PARTY INPUT
- SWIFT RESOLUTION
- DIRECT PARTY PARTICIPATION
- FLEXIBILITY



MEYER-DARRAGH-BUCKLER-BEBENEK & ECK
ATTORNEYS AT LAW

GREENSBURG OFFICE: 114 SOUTH MAIN STREET, GREENSBURG, PA 15601

continued on page 10

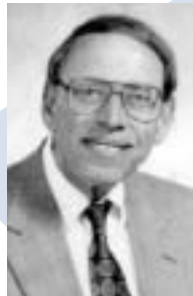
Other current WBA members who have a mother, father, daughter or son who is also a practicing lawyer and a current member of the WBA include:

- Franklin & Aaron Bialon
- Ed & Meagan Bilik
- Ray & Scott Bitar
- Larry & Faith Burns
- Gene & Derek Ferace
- Dick Galloway & Lisa Monzo
- Robert & Holly Garland
- Tim & Tim Geary
- Judge Joseph & Dan Hudock
- Richard & Aimee Jim
- Lou & Jay Kober
- Aaron Kress & Becky Fenoglietto
- Earnie & Wes Long
- George & Jennifer Love
- Scott Mears, Scott Mears, Jr. & Amy DeMatt
- Vince & Rachel Morocco
- Dan & Dan Myshin
- Jim, Michael & Jim Nardelli
- Tom & Pat Rodgers
- Bernie & Mark Shire

Law in the Family *continued from page 9*

**ANDREW G. UNCAPHER, JR.,
AND LESLIE J. UNCAPHER**
Uncapher Uncapher & Fox, Vandergrift

Practicing law with my father, Andy, has been a simultaneously wonderful, frustrating, challenging and rewarding experience! I am actually a third-generation WBA attorney; my grandfather, Andrew G. Uncapher, Sr., began practicing law in Vandergrift in the late 1920s, where he opened an office above his father's real estate and insurance business. (I remember as a child, how we climbed up the dark, steep stairway to the mysterious law office where he and my father went to work



▲
Andy and Leslie Uncapher

every day. Oh, sure, it was usually just to get a sour ball and ask for some money to get ice cream at Isaly's, but I remember it clearly, nonetheless!

I didn't choose the practice of law as a career because it ran in the family, so to speak. Rather, it kind of chose me: when I was forced to give up my dreams of practicing medicine after nearly failing organic chemistry, I took business law as an elective at Bucknell and loved it. Odd, the same thing happened to my father, too. I think that working in the same field as a parent, and particularly working in the same office, presents a unique set of rewards and problems.



*Maryann White, CPA
Accredited in Business Valuation*

VALUATIONS FOR:

- Estate & Gift Tax Planning and Return Preparation
- Divorce Settlements
- Mergers & Acquisitions
- Stockholder Transactions

**WHAT'S A
BUSINESS
REALLY
WORTH**



**ASK
ME!**

*To find out more about our
business valuation services, contact:*



**KELLY, SPARBER, WHITE
& ASSOCIATES, LLC**

Certified Public Accountants

**Comprehensive Tax & Accounting Services
EXPERIENCE YOU CAN COUNT ON!**

We both help and learn from each other, and it is sometimes difficult to slip out of the father/daughter relationship and view each other as equals. Also, having your parent as a colleague reveals strengths and weaknesses in both of us that may not have been apparent to the other before. Perhaps this occurs naturally as a function of shifting relationships. I was more conscious of disappointing my father professionally and more eager to make him proud of me than I would have been for a stranger. I am always aware of the giant debt of gratitude that I owe him and my mother for all they have done for me.

The greatest lesson that I have learned from my father, and from my grandfather, as well, is that the practice of law is truly a profession, a vocation. It's not a business, not just a job, not a stepping stone to something else, but a way of life—a noble and proud profession. In knowing and observing my father and grandfather as attorneys, I believe that there really are some Atticus Finches in our profession ... and hopefully there always will be.

Now, when I go to the office, it is no longer that dark, mysterious, manly office of my childhood. But my dad is still there. I hope he always is.

Oh ... by the way, would I do it all over again? Yeah, probably, but I also think I might just have to accept that offer of a scholarship to the University of Miami to study marine biology ... where was MY brain?

Leslie J. Uncapher

GERALD J. YANITY AND GERALD W. YANITY

Law Office of Gerald J. Yanity, Latrobe

Growing up, my father always told me that I could be anything I wanted to be. He never told me that I had to go to law school and follow in his footsteps. Now that I am in my eighth year of practicing law with him, I have come to believe otherwise.

While cleaning off a shelf at our office, I discovered his old journal, in which he had been keeping track of my progress as a lawyer. I thought he started it when I graduated from Duquesne and was admitted to the bar in 1995. Much to my shock, his notes went all the way back to my birth!

Was Dad subliminally programming me to practice law with him all along? Read a few of his entries, and decide for yourself.

April 17, 1971—Jerry is almost a year old now, and knows lots of words. When I told him that his Mommy told me to take him for a ride, he stood right up and said, "Objection, hearsay." I want to encourage this!

December 22, 1972—Jerry was in a cranky mood today. We took the family Christmas shopping, and Jerry spotted a jar of candy canes on the counter at the store. The clerk

gave him one, but he just kept right on crying until she gave him the whole jar. This kid is perfect for Domestic Relations work!

May 15, 1978—Jerry may very well be the worst Little Leaguer in history. Most dads would be upset, but not me. Six of the other kids got into a shoving match over a brush-back pitch. Jerry stepped in, and ten minutes later, they were all shaking hands. I was so proud when he billed them \$500 each for a half-day's mediation. Five of them actually paid! I have to admit, I felt a tear in my eye.

June 15, 1981—Every kid should have the experience of going away to camp in the summertime. The other kids in the neighborhood are going to sports camps, music camps, Boy Scout camps, etc., but we're sending Jerry to Civil Litigation camp. Oh, he may complain now that there's not much fresh air or time for fun, but one day he'll appreciate the experience of having a few 18-hour days of depositions under his belt before he turns 12. Sure beats coming home with some stupid wallet or beaded necklace.

November 17, 1995—Today Jerry told his mother and me that he passed the bar on the first try. We always taught him that he could be anything he wanted to be, but he ended up practicing law. Where he got that idea, I'll never know.



▲ *Jerry and Jerry Yanity*

Mediation, arbitration and all forms of conflict resolution

John M. Campfield, Esquire
Vincent J. Quatrini, Jr., Esquire
Dennis Slyman, Esquire
W. Bryan Pizzi II, Esquire
William M. Radcliffe, Esquire

The Academy For



Telephone
P.O. Box 476

724-850-8ADR (8237)
Greensburg, PA 15601

We Have A Winners!

When it comes to our most recent "baby picture" contest, our contestants are clearly second to none. That's right, if no one else entered the contest, the ones who did would still finish in second place.

But a deal's a deal, we promised someone a prize, and in this case, it's two someones. Aimee Jim and Dustin Barr tied for first, make that second, place. Both correctly identified 7 out of 15 sets of pictures.

Congratulations to Aimee and Dustin. All they have to do now is contact the WBA office, show six different forms of picture identification, sign a few simple affidavits, take a loyalty oath, and surrender their firstborn, if and when applicable, and then choose their prize.

See there, as most all of you already know, second place isn't so bad.



George Berry



Rich Ferguson



Jim Gaut



Tack Hammer



Richard Jim



Aaron Kress



G. Lamproplos



G. McDonald



Bob Milie



Larry Moore



J. Nardelli, Sr.



John Scales



Bernie Shire



C. Walthour



W. Whitehead

For complete insurance protection, we've got you covered.

For over 60 years, USI COLBURN INSURANCE SERVICE has been meeting the needs of Pennsylvania lawyers. We can satisfy your insurance requirements through the following programs:

- Medical Insurance
- Employee Benefits
- Disability Insurance
- Term Life Insurance
- Long Term Care
- Medicare Supplement
- Professional Liability
- Fidelity and Surety Bonds

For more details or a quote on coverage call today:
 412-885-6570
 1-800-WCOLBURN
www.colburn.com



201 Caste Village, Pittsburgh, Pennsylvania 15236

Robson Lapina

Forensic Engineers, Architects, Scientists & Fire Investigators

404 Commerce Park Drive
 Cranberry Township, PA 16066
 Phone: 800-813-6735
 Fax: 724-772-2256

Your Link to Forensic Excellence & Quality Service

- Structural Engineering
- Commercial Accident Investigation
- Fires & Explosions
- Electrical Engineering
- Slips, Trips & Falls
- Industrial Engineering
- Elevators, Escalators & Conveyors



www.robsonlapina.com

Spotlight on Sandi Davis



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

A Teacher.

Q WHAT WAS YOUR FAVORITE AND WHY?

A I loved teaching because it's one of the few jobs where your work product keeps getting stronger, even after you retire.

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

A Too many to mention. One specific incident does come to mind, however. During a particularly busy time, I had multiple Superior Court briefs due within a week or so of each other. All were filed without a glitch; well, almost. I was preparing the last brief that I had due and was really down to the wire. The next thing I knew, it was 4:40 pm on the day it had to be mailed and we were still dotting I's and crossing T's. My secretary and paralegal kept up with the editing while I ran down to the post office and pleaded with them to keep the door open for just another five minutes. After threatening to pass out and lose control of other bodily functions, they reluctantly agreed to stay a few extra moments which afforded my staff enough time to literally run it into the post office. If I were to try something like that now, I would likely find myself in need of a good criminal attorney.

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

A The ability to laugh at him/herself.

Q WHAT IS YOUR FAVORITE JOURNEY?

A The one that I am on right now.

Q WHAT IS YOUR GREATEST REGRET?

A Having only one child.

Q WHO ARE YOUR HEROES IN REAL LIFE?

A My grandfather. He came to this country at 17 with only the clothes on his back.

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

A Always stay true to yourself and your principles and never lose your sense of humor—you will need it!

Q WHAT DO YOU CONSIDER YOUR GREATEST ACHIEVEMENT?

A My family, especially my two grandchildren.

Q WHAT IS YOUR IDEA OF PERFECT HAPPINESS?

A A rainy Sunday and a gallon of Edy's Grand Ice Cream.

Q WHAT ARE YOUR MOST TREASURED THINGS?

A My family, especially my two grandchildren.

Q WHAT DO YOU MOST DISLIKE?

A Fat-free cheese.

Q WHAT IS YOUR GREATEST EXTRAVAGANCE?

A Spoiling my grandchildren and an occasional bowl of Edy's Grand Ice Cream.

Q WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

A Burlesque dancing.

Q WHAT DO YOU MOST VALUE IN YOUR FRIENDS?

A Longevity.

Q WHICH LIVING PERSON DO YOU MOST ADMIRE?

A William J. McCabe (who promised me \$100.00 to say this).

Q WHAT IS YOUR MOTTO?

A That which does not kill you will only make you stronger.

Lawyers' Exchange*

(*Free to all members of the WBA)

PROFESSIONAL OFFICE SPACE AVAILABLE 132 South Main Street (Masonic Building). First Floor Suite (formerly the Zimmer Kunz Suite). Second Floor will build to suit cooperative law offices. Also professional space available at 440 Pellis Road, Greensburg. Contact Mike Stewart @ 724-836-0321 ext. 15.

OFFICE SPACE FOR RENT Call 724-850-9600.

OPPORTUNITY Lawyer looking for lawyer with accounting background to assist with law practice. Send résumé to the WBA or fax to 724-832-7456.



Actions of the Board

APRIL 15, 2003

- Accepted Membership Committee recommendations as submitted: Cynthia Sheehan, Associate; J. Eric Barchiesi, Associate; Daniel Dunlap, Participating; Chris Rand Eyster, Associate.
- Learned that LRS income is down by \$10,000 because 2003 LRS billing was postponed in anticipation of a revamped LRS program.
- Appointed Kathleen Kemp to fill Ed Gilbert's unexpired term on the Membership Committee and agreed to draft a letter of thanks to Mr. Gilbert for his years of service to the WBA and to wish him well in his relocation to North Carolina.
- Agreed to ask by-laws committee to reconsider the matter of extending free bar membership offered to all Westmoreland County legislators.
- Agreed to honor 40-year and 50-year members with a Barnes & Noble gift certificate.
- Decided that if the University of Pittsburgh at Greensburg can't be secured on October 18 for the Fall Gala then the Fox Chapel Racquet Club will be contacted.
- Discussed the best possible use of first floor space after Lawyers Abstract vacates in November.
- Learned that Palace Theatre may be interested in talking about using the space for their backstage storage/dressing area.
- Heard proposal from Hire Success, a placement screening service which helps attorneys with hiring staff.

MAY 20, 2003

- Voted to create an Assistant Treasurer position with appointment of Chris DeDiana to that position.
- Learned that President Kress, Judge Ackerman and Rachel Yantos visited Rocky Gap Resort as a possible site for the 2004 Bench/Bar Conference and all were impressed with the facility, the food and the available activities.

- Voted to hold a "free" CLE on a topic selected by Disciplinary Board Staff Attorney Angie Mitas.
- Agreed to send a letter to Chief Justice Cappy requesting an appointment from the WBA to the IOLTA board and to make personal contact with Justice Cappy on this matter.
- Approved formation of new committee titled the Bankruptcy Committee with John Bumbaugh agreeing to serve as chair.
- Voted to send letter to Nominating Committee members asking them to respond within 10 days if they choose not serve on the committee this year.
- Scheduled a History Committee meeting with Judge Ober for the purpose of reviewing work of committee thus far and asking for Judge Ober's involvement in moving the project forward.
- Heard report that President Kress had asked President Judge Ackerman about the possibility of charging masters and board of views for use of the bar building and about the possibility of printing trial list in the law journal.
- Learned that the trial list will be placed on-line in the very near future.
- Learned that the LCL committee is holding a training session in Pittsburgh and that Judge Bloom as chairperson has asked for participation from the WBA board.
- Voted to form a committee to consider requests for sponsorships of WBA functions and to include the Assistant Treasurer and two past presidents on the committee.
- Agreed that President Kress and Diane Krivoniak should meet with John Scales to review the suggested changes to the PAC by-laws.
- Voted to send out LRS renewal applications at the same cost as in 2002 and that the renewal date will run through the end of 2003.
- Voted to subsidize up to four new attorneys to attend the 2003 Bench/Bar Conference.
- Agreed to hold CLE on Fiduciary Responsibility of the Nonprofit Board on Tuesday, August 26 from 10 am to 2 pm with WBA board in attendance.
- Agreed to open the CLE to nonprofit leaders and to waive fee for non-bar members.

Join the Young Lawyers Committee

The Young Lawyers Committee has opened its membership to all interested WBA members. Attorneys who are interested in joining the YL Committee should contact the Bar office at 724-834-6730 to be added to that committee.

Bononi Receives Award

Michele G. Bononi was awarded the 2003 Westmoreland County Winners' Circle Community Service Award during a luncheon held May 21 at the Four Points Hotel by Sheraton in Greensburg.

The program was presented jointly by Seton Hill University's National Education Center for Women in Business and the Westmoreland Chamber of Commerce. Michele was chosen for her participation in the community, with special emphasis on her involvement with children.

To-Wit: Happy Law

by S. Sponte, Esq.

As has been our practice for some years now, my partner and I usually conduct the initial client interview together. We started doing it because she was then a tad inexperienced and I wanted her to learn the technique.

You see, just like the great concert pianists who, through their teachers, claim professional lineage with Beethoven, (who taught Czerny who taught Riegenstadt who taught Rubinstein, etc.) I, by my mentors, am linked all the way back to the great Zebekiah Cohen. In turn, I am passing on my expertise to my young partner. It's what we artists do.

As I say, that's why we first started doing it, but it's not why we do it anymore. We do it now because, when exposed to clients' tragedies, I tend to fall asleep rather quickly.

Just recently, for example, we interviewed a very young unmarried woman who woke up and found her similarly very young domestic partner had fled in the middle of the night with their infant son. Apparently they had fought over who would look after the child so the other could watch Sesame Street without interruption.

The custody case was fraught with tragedy, but then again, which one isn't? It was tragic that she had had a baby at age 16. It was tragic that he had quit high school because he needed the welfare income. And it was tragic that I had to sit there and listen to it, or it would have been had I not already fallen asleep.

"What's going to happen to my baby," she wailed, and I awakened to see if that was the client moaning or the mother who was sitting there with her. I had asked the mother to attend the interview because the client was

not of age to sign a power of attorney.

Now in days gone by, I would have been furious at my client's plight, I would have been enraged. I would have gone directly to my secret closet, taken out my secret Sword of Justice, strapped it around my waist and charged out the door into battle. But alas, the last time I tried it on, the Sword of Justice no longer fit around my waist. And it seemed an awful lot heavier than I remembered.

So, at the conclusion of the interview, I told the client that "we" would do the case. As soon as they were out the door, I pitched the file onto my partner's lap, said "have fun," and headed for the golf course.

continued on page 16



When your client needs criminal defense help quickly . . .

refer them to the Belden Criminal Law Group.



James A. Wells

Robert I. Johnston

Jeffrey D. Monzo

John K. Greiner

If you don't practice criminal law regularly, the best counsel may be to recommend a team of lawyers with proven experience on both sides of criminal cases.

We invite you to learn more about our firm and our Criminal Law Group at our website: beldenlaw.com or email info@beldenlaw.com.


**BELDEN
LAW**

Recommended by lawyers and clients
across Pennsylvania

Meet the Belden Criminal Law Group

724.834.0300
beldenlaw.com
117 N. Main Street, Greensburg, PA 15601

To-Wit: Happy Law *continued from page 15*

I must face up to it, I'm older now, my whipper no longer snaps like it used to. In fact, it doesn't even lift its head up much anymore. And I know why.

I've been at this law thing too long.

I've heard too many tragic tales, done too many tragic cases. I've carried tragic litigants on my back since what seems to be time immemorial, and the awful truth is that my zeal, once legendary, if not actually manic, has

simply taken its leave.

No, it isn't that I don't want to practice law anymore. It's just that I want to do only happy law. Yeah, that's it, happy law, full of happy people, happy results, happy lawyers.

Now what, you may well ask, the hell is "happy law?" Well, here are just a few examples. I have no doubt that if you think about it, you can come up with some of your own.

MEDICAL MALPRACTICE –

Happy Law only if you have a beautiful female victim and a defendant doctor who is foreign-born, speaks with an accent and went to medical school in Latin America, the Philippines or the Caribbean. If you've got that, neither the facts nor the law matter much, and you can go ahead and order the Mercedes.

AUTO ACCIDENT – Happy Law only if the injured party was seated to the right of or behind a driver.

RESIDENTIAL CONSTRUCTION DISPUTE – Happy Law only if the house was constructed of papier-mâché and the specs called for something like, say, wood.

FAMILY LAW – If you practice in the area of domestic relations, forget about Happy Law. It's the Middle East of lawyering, you might as well pray for the Messiah. The system is broken, no one has the cojones or the smarts to fix it, and, like the Middle East, the best thing we can do is nuke it out of existence. Oooh, now that's Happy Law.

Give me cases like that, and a little golf, and I'm as happy as a pig in swill. Sure, it could mean passing up some cases, but if that bothers you, do as I do. Hire youngsters, pontificate at them that they're saving the world, and spend more time working on your short game. Trust me, that's where you're going to find true happiness.

© 2003, S. Sponte, Esq.

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

New Member Sketches



J. Eric Barchiesi has been admitted as an associate member of the WBA. A graduate of Greater Latrobe Sr. High School, Indiana University and the University of Pittsburgh School of Law, Eric does insurance defense litigation for Liberty Mutual Insurance Company in Pittsburgh.

Shawn M. Boyle has joined the WBA as a participating member. A graduate of Brashier High School, and the University of Pittsburgh, Shawn earned a master's degree and juris doctor degree from Duquesne University, and is a solo practitioner in Jeannette.

Daniel Mark Dunlap has joined the WBA as a participating member. A graduate of Connellsville High School, Daniel earned undergraduate degrees in electrical engineering and accounting from Penn State and Seton Hill, respectively, and his J.D. from the Duquesne University School of Law. Daniel is employed by Allegheny Energy in Greensburg.

Chris Rand Eyster has been admitted as an associate member of the WBA. A graduate of William Allen High School, Gettysburg College, and the University of Pittsburgh School of Law, Chris maintains two offices in Pittsburgh.

Peter J. Gough was admitted to the WBA as a participating member. A graduate of Valley Stream South High School, the University of Buffalo and the Duquesne University School of Law, Peter is an associate with QuatriniRaffertyGalloway in Greensburg.

Richard E. Myers has rejoined the WBA as a participating member. A graduate of Greensburg-Salem High School, Richard earned his undergraduate degree from West Virginia University, and his J.D. from the Duquesne University School of Law. Richard is a solo practitioner in Greensburg.

Matthew L. Prather has been admitted as a participating member of the WBA. A graduate of Burrell High School, Gannon University and the University of Oklahoma College of Law, Matthew is an associate with Philip McCalister in Lower Burrell.

Nancy Davis Stewart, wife of WBA member George N. Stewart, IV, has been admitted as a participating member of the WBA. A graduate of Springfield High School, Gettysburg College, and Duquesne University School of Law, Nancy is a partner with Pietragallo, Bosick & Gordon in Pittsburgh, and maintains her business office in Greensburg.

March/April 2003 Trial Term

Jury Trial Verdicts

by Rachel Yantos, Esq.

Two of the largest plaintiff verdicts observed by this author were awarded during the March/April 2003 Civil Trial Term. Out of 105 cases listed for trial, 27 settled, 42 were continued, 2 moved to arbitration, 1 was tried nonjury, 1 was stayed due to the filing of bankruptcy, 5 verdicts were entered and 27 were held to the next term.

**MELVIN WILLARD WHITE,
PLAINTIFF
V.**

**WENTURINE BROTHERS
LUMBER, INC., ICI EXPLOSIVES,
U.S.A. AND AMERICAN FORESTRY
CONSULTANTS, DEFENDANTS
V.**

**JOHN BOUCH, INDIVIDUALLY
AND JOHN BOUCH T/D/B/A
JOHN BOUCH LOGGING,
ADDITIONAL DEFENDANTS
NO. 382 OF 2000**

*Cause of Action: Negligence—
Premises Liability*

Plaintiff's action stems from a logging incident that occurred on October 12, 1999, at approximately 7:30 a.m. At the time of the occurrence, Plaintiff was an owner and operator of White's Logging. Wenturine Brothers Lumber, Inc. ("Wenturine") purchased timber located on the property of ICI Explosives, U.S.A. American Forestry Consultants was the forester in charge of the site and was responsible for selecting the timber to be cut and marking trees that were dangerous. Wenturine contracted with John Bouch Logging to do the cutting at the site. Bouch retained Plaintiff to perform select cutting of trees. Wenturine employed its own forestry consultant to coordinate, manage and/or supervise the required cutting. Another employee of Wenturine

operated a bulldozer to excavate and/or clear a skidder road that was used to access the logging site.

On October 12, Plaintiff was cutting trees in a sloped area, while his son operated a skidder to remove the freshly cut timber. Immediately prior to the accident, Plaintiff completed the cut on a basswood tree, then retreated to a safety zone as the tree fell. Shortly thereafter, a sugar maple tree on the uphill side of the skidder road fell and struck the Plaintiff, knocking him to the ground and pinning him underneath. The impact from the tree propelled portions of Plaintiff's spine into the spinal canal, resulting in permanent loss of all feeling and motor function below the waist. Other injuries included a fracture of the left clavicle; fractures to the left fifth and sixth ribs with subcutaneous emphysema at the site

of the left rib fracture; splenic laceration; and a closed head injury. As a result of these injuries, Plaintiff will not recover his ability to walk. The paraplegia has permanently confined him to a wheelchair, and Plaintiff does not have full use of his left arm due to thrombosis. Assistance is necessary with respect to clothing, transfer and showering. Plaintiff uses a catheter kit and laxatives for toileting purposes and suffers from chronic urinary tract infections. Future orthopedic surgeries will be required.

The sugar maple tree that struck the Plaintiff had been located at the edge of the skidder road above where Plaintiff was working. Plaintiff contended that the excavation of the skidder road removed a substantial amount of earth at the bottom of the sugar maple, causing it to lose its root,

continued on page 18

Any Treasures In Your Attic?



Common Pleas Court is planning to publish a book on the Westmoreland County Courthouse in conjunction with the courthouse's centennial in 2007. If any member of the Bar knows of old photographs or writings pertaining to the courthouse, please contact Judge Ackerman's chambers. The photograph above is one of a series of tinted color photographs taken early in the last century, courtesy of P. Louis DeRose.

Jury Trial Verdicts *continued from page 17*

or “lateral,” support. Plaintiff asserted that Defendants should have inspected the freshly created road, identified the sugar maple as a “danger tree” and marked it for removal. Wenturine maintained that the lateral support of the tree was not compromised because its employee had only cleared the surface of a previously excavated road. Wenturine offered the theory that the sugar maple fell as a result of vines entangled in three trees: the basswood, the sugar maple and a third tree. The parties disputed whether a duty existed on the part of any of the Defendants to make the premises reasonably safe for the Plaintiff. Defendants also asserted the affirmative defense of contributory negligence on the part of the Plaintiff.

All Defendants except Wenturine settled prior to the conclusion of trial. In special interrogatories, the jury was asked to determine and apportion liability with respect to all parties.

Plaintiff's Counsel: Mark Gordon, Paul K. Vey, Pietragallo, Bosick & Gordon, Pgh.

Counsel for Defendant ICI: Scott C. Oostdyk, admitted *pro hac vice*; Christopher J. Hess, McGuire Woods, LLP, Pgh.

Counsel for Defendant Wenturine: John E. Wall, Dickie, McCamey & Chilcote, P.C., Pgh.

Counsel for Defendant AFC: Alan K. Berk, Lawrence D. Kerr, Michael E. DeMatt, Berk, Whitehead, Kerr, Feliciani & Turin, P.C., Gbg.

Counsel for Additional Defendant Bouch: John Deasy, Marshall,

Dennehey, Warner, Coleman & Goggin, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict for Plaintiff against Wenturine and AFC in the amount of \$6,000,000. Jury answered special interrogatories as follows: Plaintiff was contributorily negligent, but such negligence was not a substantial factor in causing plaintiff's injuries; Causal negligence was apportioned between Wenturine, 80%, and AFC, 20%.

**THE ROMAN CATHOLIC
DIOCESE OF GREENSBURG
V.
GALLAGHER BASSETT
SERVICES, INC.
NO. 5170 OF 1999**

Cause of Action: Breach of Contract

This action resulted from the denial of Plaintiff's claim for property damage to the Queen of Angels School, f/k/a the St. Agnes School, located at St. Agnes Parish, Westmoreland County. On or before December 1, 1997, Plaintiff purchased All Risk Policies from various insurance companies that included coverage for physical loss or damage caused by earth movement. As a third-party administrator, Defendant provided risk control and claims administration services to Plaintiff. Defendant appraised and inspected all of Plaintiff's properties and updated their insurable values for use in purchasing insurance. Following walk-through inspections, Defendant prepared and delivered to

Plaintiff Risk Improvement Reports, which noted risks that were observed and offered recommendations regarding these conditions.

In February 1999, an engineering firm hired by Plaintiff determined that the main structural support system for the School had failed, that the failure was directly related to the recent expansion of pyritic soil under the School, and that the School was no longer safe for use. Plaintiff closed the School, which was subsequently demolished, on February 24, 1999. Plaintiff, through Defendant, notified the insurance companies of its property damage claim under the All Risk Policies on March 10, 1999. The insurance companies denied Plaintiff's claim for coverage on or about August 19, 1999, and filed a declaratory judgment action regarding coverage for the claim. In addition to a counterclaim against the insurance companies, Plaintiff brought an action against Defendant for breach of its contract with Plaintiff, which resulted in the subsequent denial of coverage for the claim.

In its Risk Improvement Reports, Defendant reported cracking walls and heaving floors, some of which created tripping hazards that required immediate attention. However, Plaintiff asserted that the reports failed to note that the condition of the school was such that it impacted its insurability or was unsafe for use. Outside engineers retained by Plaintiff over the years to inspect the school did not advise Plaintiff that the structural integrity of the School had failed. Plaintiff maintained that it was not aware of the structural failure until it was advised in February 1999 that previously installed crack monitors had recorded new movement.

Defendant countered that its walk-through inspections were only to detect and advise Plaintiff of obvious dangers and safety violations, such as tripping and falling hazards, and were

LawSpeak

“Everyone is presumed to know the law except His Majesty's judges, who have a Court of Appeal set over them to put them right.”

— William Henry Maule (Judge, Court of Common Pleas), attributed to.

not structural engineering inspections of Plaintiff's buildings. Defendant contended that Plaintiff's claims were barred, in whole or in part, by its knowledge of the condition of the property prior to the purchase of the policies. Defendant asserted that Plaintiff had been aware of the problem for decades, evidenced by its receipt of a settlement from a 1965 lawsuit against the School's architect and contractor for damages sustained as a result of pyritic movement. Additionally, Plaintiff had received documentation from structural engineers that noted the continuing problems caused by the presence of pyrite, but refused to make the permanent repairs that were necessary to correct the situation. The engineers had reported that such extensive repairs to the School would be nearly cost-prohibitive.

Plaintiff's Counsel: John N. Ellison, Timothy P. Law, Nicholas M. Insua, Anderson Kill & Olick, P.C., Phila.

Defendant's Counsel: P. Brennan Hart, Jennifer R. Russell, William J.

Wyrick, Pietragallo, Bosick & Gordon, Pgh.

Trial Judge: The Hon. Daniel J. Ackerman, President Judge

Result: Verdict for Plaintiff in the amount of \$4,506,000. The jury's verdict was molded to apply a \$2,075,000 credit from Plaintiff's settlement agreement with the insurance carriers, which resulted in a final award against Defendant in the amount of \$2,431,000.

GEORGE FELTES

V.

DAVID PEARSON, INDIVIDUALLY AND T/D/B/A PITTSBURGH RENAISSANCE FESTIVAL, INC. NO. 7142 OF 2001

*Cause of Action: Breach of Employment
Contract—Wage Payment and
Collection Law*

The Pittsburgh Renaissance Festival is an annual event conducted exclusively by Pittsburgh Renaissance Festival, Inc. in Westmoreland County, Pennsylvania. Defendant presents

performances, plays and skits to the general public. Defendant hired Plaintiff to prepare and maintain certain equipment, staging and other structures to be used by the festival. Plaintiff contended that the oral agreement provided that Plaintiff would be paid a total sum of \$30,000, whereby Plaintiff would receive an hourly pay rate of \$15.00 per hour as partial compensation pending receipt of sales money by Defendant. At that time, Plaintiff was to be paid \$30,000 less the hourly wages received. At the conclusion of Plaintiff's work on December 29, 1999, Plaintiff had received \$18,922.50 from Defendant. Plaintiff brought this action against Defendant for the \$11,077.50 balance due Plaintiff, in addition to liquidated damages and attorney's fees pursuant to the Wage Payment and Collection Law, 43 Pa.C.S.A. § 260.10, et seq.

Defendant contended that the agreement provided only for the hourly wage, and that Plaintiff has been fully paid for the same. In new

continued on page 20

explore the possibilities

Go beyond cases and codes. Discover the unexpected

research sources of the LexisNexis™ Total Research System.

Contact your LexisNexis™ representative for a FREE TRIAL

and to learn about our NEW PENNSYLVANIA PREMIUM MENU.

Sharon Carolla

412.429.9880 x4162

Sharon.Carolla@LexisNexis.com



LexisNexis™

It's how you know™

Jury Trial Verdicts *continued from page 19*

matter, Defendant alleged that each paycheck was issued in response to a written timesheet executed by Plaintiff. Defendant denied that Plaintiff was owed any additional monies. In the alternative, Defendant contended that Plaintiff's acceptance of payment for work performed constituted an accord and satisfaction of any claim. In its counterclaim, Defendant averred that Plaintiff was advanced a sum of \$1,200, which was neither credited against wages due Plaintiff nor repaid to Defendant, and

that Plaintiff appropriated Defendant's assets, the approximate value of which exceeded \$700.00. Plaintiff denied appropriating any assets of Defendant.

Plaintiff's Counsel: Ronald L. Chicka, Gbg.

Defendant's Counsel: Gregory T. Nichols, Gbg.

Trial Judge: The Hon. Daniel J. Ackerman, President Judge

Result: Molded verdict for Plaintiff in the amount of \$17,346.87, which represented the jury's verdict of \$11,077.50, liquidated damages under

43 P.S. § 260.10, in the amount of \$2,769.37, and attorneys fees under 43 P.S. § 260.9(a)(f), of \$3,500.00.

**PATRICIA POZELOCK AND LOUIS POZELOCK, HER HUSBAND
V.
COUNTY OF WESTMORELAND
NO. 3296 OF 1997**

Cause of Action: Negligence—
Premises Liability

On March 7, 1997, at approximately 11:45 a.m., Plaintiff Patricia PozeLOCK fell while ascending two steps leading to the causeway bridge at Twin Lakes Park, which is owned and operated by Defendant. Plaintiff contended that the pedestrian bridge, which was open to the public, was dangerous because the two steps leading to the bridge were dangerously steep; the ground leading to the steps was uneven and unstable; and Defendant failed to construct a ramp to the bridge. Among other injuries, Plaintiff sustained a trimalleolar ankle fracture, which required surgery. Her husband claimed loss of consortium.

The Defendant denied that it owed a duty to Plaintiff, and denied that the causeway bridge contained any dangerous conditions. In new matter, Defendant asserted the doctrines of assumption of the risk, contributory negligence, governmental immunity, the provisions of the Recreation Use of Land and Water Act, 66 P.S. § 477-1, et seq., and the provisions contained in 42 Pa.C.S.A. § 8553, whereby any insurance benefits received or to be received by Plaintiff would be deducted from any damages Plaintiff recovered from Defendant.

Plaintiff's Counsel: David A. Neely, Goldberg, Kamin & Garvin, Pgh.

Defendant's Counsel: Peter B. Skeel, Summers, McDonnell Walsh & Skeel, Pgh.

Trial Judge: The Hon. Gary P. Caruso

Result: Molded verdict in favor of Defendant.

Helping the Depressed

by Judge Irving L. Bloom

The most important thing you can do for someone who may be depressed is to help them get in touch with a qualified healthcare professional who can make a proper diagnosis. LCL's Helpline will help you find those professionals and will even pay for the evaluation. (LCL's Helpline services are available to judges, district justices, lawyers and their family members.) A person suffering from depression may be unable to make the call to LCL or, afterwards, to call the healthcare professional to schedule an appointment. You may need to assist the person in making these calls and possibly in taking them to the evaluation. Depression all too often prevents the individual from being able to help him- or herself.

The second most important thing to do is to offer emotional support by listening and offering encouragement and affection. Engage them in conversation and listen carefully. Do not put down their expressions of how they are feeling, do not criticize and do not

tell them what they must do. Point out the realities of the situation, with kindness, and offer hope. Take any remarks about suicide, however expressed, seriously. Express concern, take action and try to get them to the help they need. But most of all, be nonjudgmental.

Try to involve them in activity such as walking, going to the movies or other outings. Be gently insistent if your invitation is refused, but don't be pushy. Respect the fact that they can become overwhelmed if they try to do too much too soon. Help provide diversion and company, but keep in mind that too many demands can increase feelings of failure. Recovery from depression takes time; they are not being lazy, nor are they faking illness. Be patient and supportive.

For further information, or if you or someone you know has the above-discussed problems, call Confidential Lawyers Helpline, 1-888-999-1941. We are there 24/7.

bookmark What Have You Been Reading?

When I was a child my mother would roust me from the chair in which I had been sitting for hours, buried in the book I was reading, and chase me outside to inhale some fresh air. Although my attitude toward being outdoors has improved with age, I still relish the absorbing escape of reading, of being transformed into another world. I appreciate the increase in knowledge and growth in character that comes from living in those other worlds.



▲ **Barbara Artuso** Although I find nonfiction more interesting than fiction (just because the stories are true), I enjoy both and try to keep one of each going at all times so I can

choose between them according to my mood. Here's the best of each that I've read, recently and not so recently.

INTO THIN AIR ♦ *by Jon Krakauer*
 ♦ When Dick Galloway recommended this book to me, I was skeptical. I asked him if it read like a manual on mountain climbing. He was right, it does not. Instead, it turned me (and everyone else in the office who read it) into an Everest junkie. It is the fascinating story of the 1996 May climbing season, when an unexpected storm killed a record twelve climbers, including two experienced guides. It is a particularly appropriate read this year, the 50th anniversary of the ascent of Sir Edmund Hillary and Tenzing Norgay.

MIDNIGHT IN THE GARDEN OF GOOD AND EVIL ♦ *by John Berendt*
 ♦ Everyone should visit Savannah, one of the South's beautiful old cities. Everyone who has been or may be

fortunate enough to visit Savannah should read this book, which gives a, shall we say, seamier picture of the city. If you can do both at the same time, it's even more fun. Even if you are unable to get to Savannah, this book, which reads like a novel, is the interesting (true) story of a rich, powerful man who may (or may not) have gotten away with murder, and the eclectic, bizarre people who formed his social circle in Savannah.

FLAGS OF OUR FATHERS ♦ *by James Bradley*
 ♦ In the photo that became the Iwo Jima memorial, there are five Marines and one Navy medic, the author's father. After his father died, James Bradley realized his father had talked very little about his experiences on Iwo Jima and as one of the men in that very famous photograph. So he devoted himself to learning (and telling) that story, and a
continued on page 22



Court Reporting / Legal Video / Document Imaging / Trial Presentation / Computer Animation

Announces Greensburg Office

- Court Reporting
- Video
- Trial Presentation Services
- 2 Conference Rooms
- Staffed Full-Time By Lifelong Westmoreland County Residents:

Mary Emanuele - Managing Court Reporter
 Joyce Marker-Maybach - Court Reporter
 Mary Jane Rucci - Court Reporter
 Joe Hagan - Manager VideoTech



101 North Main Street, Suite 105, Greensburg, Pennsylvania 15601

(Conference Rooms are also available at our Pittsburgh and Erie offices.)

- Schedule your depositions with us -

724-853-7700

bookmark

continued from page 21

fascinating one it is. He researched the early lives of all of the men (did you know that one of them was from Johnstown?), their combat experiences (three were killed during the battle), and life after the war, which provides interesting insight into the picture's use as propaganda. This book also gave me even greater awe for the United States Marine Corps.

THE EXECUTIONER'S SONG ♦

by Norman Mailer ♦ A complete and vivid account of the life, crime, trial and death of Gary Gilmore, the first person executed following the Supreme Court's reinstatement of the death penalty. This book is comprehensive and describes in Michener-like detail Gary Gilmore's twisted life and perhaps even more twisted determination to die. The impact of that determination on his lawyers is particularly interesting.

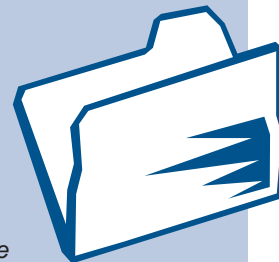
TRUE CRIME ♦ by Andrew Klavan

♦ This is a fictional account of a death row inmate exonerated on the brink of execution by the relentless investigation of a down-on-his-luck reporter. This book is a real page-turner, and it only reinforced my opinion that imposing the ultimate punishment is inherently risky.

LIFE AND DEATH IN SHANGHAI

♦ by Nien Chang ♦ I heard the author speak at a conference I attended in 1998. A small, slight, and by that time an aged woman, she walked to the middle of the large stage and spoke without notes or a rest for 90 minutes. No one in the audience moved, either. I was thrilled when I found this relatively obscure book, and could read in greater detail about her experiences as a Christian member of the Chinese upper class who was persecuted and jailed during the Cultural Revolution of the '70s. That she survived to tell of her extraordinary experiences is a remarkable testimony to the perseverance of the human spirit.

Strange Cases I Have Known and Loved



If life is funny, law is surely hysterical, so we started this new column about the strangest, most bizarre, funniest, wackiest, most outlandish or incredulous cases you have ever handled. Bear in mind we must observe some proprieties, such as confidential communications and client privacy, you know, stuff like that, but otherwise we'd love to tell your stories. Have a story to share? Fax the WBA at 724-834-6855 or e-mail susan.zellner@verizon.net.

"I once represented a wife in a divorce. The case went well except for the divorce decree, which was delayed because of paperwork. She called me one Thursday and inquired. I indicated that there was no problem, that the divorce decree should be issued in about two weeks. Unfortunately that was not good enough and she was upset. Why? Well, she informed me she was getting remarried the following Monday which involved the whole shebang, with guests and family invited. Following the hearing that went well eight weeks before, she thought she was divorced and had made all the arrangements, mailed the invitations, rented the hall and hired the band. What to do? I did three things. First I spoke to the Judge who immediately issued the Divorce Decree. Second, I bought her a wedding gift and last, but not least, I sent her my bill. Happily, everything worked out! She promptly paid my bill and about eighteen months later, rehired me to represent her in her third divorce."

— Edgar T. Hammer, Jr.

THE LIVING AND THE DEAD ♦

by Paul Hendrickson ♦ As I've grown older, I've realized how pathetically little I really know about the seminal event of my youth, the war in Viet Nam. So I've started to read more about it, hoping to get some personal perspective. This book is really an unauthorized biography of Robert McNamara. I think the author started this book as a research project, but sometime during the research decided that McNamara really was to blame for much of the mishandling of the war. He tells McNamara's story through the lives of five people who were changed by their individual war experiences. I did learn from this book; it raised my consciousness about Robert McNamara's role in the Johnson administration and in the war. Like Johnson, and maybe many of us, it appears as if Robert McNamara could not decide whether we were in or out of the war.

FOUR HOURS IN MY LAI ♦ by Michael Bilton and Kevin Sim ♦ If

Viet Nam is the seminal event of my youth, this may be the seminal event of Viet Nam, and this is the seminal book about the "incident," when a group of American soldiers in Viet Nam for only three months murdered 400 unarmed women, children and old men. I cannot imagine the rigors of combat, and am therefore reluctant to judge the actions of those who must endure it. Nonetheless, after rigorous investigation, the authors of this book, who are British, conclude that the soldiers, their superiors, and the entire war machine minimized the My Lai massacre, perhaps condemning us to accept such brutality as an inevitable consequence of war.

THE PILOT'S WIFE/THE WEIGHT OF WATER ♦ by Anita Shreve ♦

This is really a recommendation to the writing of this author. I read "The Pilot's Wife" first. It is beautifully written and both the characters and plot grip you. But it's a sad story, with an incomplete sense of closure at the end. Then, attracted by both the

beautiful writing and the compelling characters, I tried "The Weight of Water." It has an even more tragic plot. The characters in these books will keep you interested, but they are not upbeat stories.

DANCING ON MY GRAVE ♦ *by Gelsey Kirkland* ♦ Ms. Kirkland spent her life in the world of performance ballet, and a scary world it is! She provides fascinating insight into the physical demands placed on very young girls (and the eating disorders that result), her interesting but neurotic fellow performers, including Mikhail Baryshnikov to whom she was married for some time, and the world of art as business. This book was a great change of pace from my usual reading.

THE TERRIBLE HOURS ♦ *by Peter Maas* ♦ Swede Momsen is responsible for the role of the submarine in the U.S. Navy. He was the man summoned when the Navy's state-of-the-art submarine, the *Squalus*, went down off the coast of New England in pre-World-War-II 1939. His rescue of the crew changed the perception that any submarine accident was necessarily a death sentence. Both the rescue and Swede's role in the development of submarining make fascinating reading.

LAST MAN DOWN ♦ *by Richard Picciotto* ♦ Chief Picciotto was the first speaker in Seton Hill University's inaugural lecture series, of which the Bar Association was one of the community partners. (PROMOTIONAL MESSAGE—WATCH FOR ADVERTISEMENTS FOR THIS YEAR'S SERIES, COMING SOON!) Like any story about September 11, 2001, his is both fascinating and tragic as he describes the efforts of his crew of firefighters to rescue the victims of the attack and to understand its incomprehensible evil. This is a particularly difficult rescue, since those being evacuated are physically disabled. The names of all of the police and firefighters who died that day are listed in the front of the book, and I recommend reading them, too, in tribute to their sacrifice.

foundation focus

Law Day 2003 Celebrated by WBA



In an effort to educate children about the law, the Westmoreland Bar Association participated in Law Day 2003 celebrations held during May. Part of a month-long, statewide campaign sponsored by the PBA and county bar associations, this year's Law Day program was designed to bring together judges, lawyers and schools to help children learn about the law and our country's strength and history.

Thirty-six judges and lawyers volunteered to participate in this year's Law Day activities by visiting schools across Westmoreland County.

"I think it is rewarding for both the attorneys and school districts to participate," said Melissa Guidy of her experience with the fourth grade at Metzgar Elementary.

"I was amazed how well informed the students were," said Rebecca Brammell, who visited third grade

classrooms at Metzgar Elementary. "They were very enthusiastic."

Constitutional amendments were the topic of discussion at Bovard Elementary where Harry F. Smail, Jr., spoke to the fifth grade classes. "By their sincere interest and ability to comprehend I feel confident that young leaders will shine," he said.

Timothy J. Geary went to grades 2 and 5 at North Washington Elementary. "The children were studying the Constitution's Bill of Rights, so Law Day was very relevant. The children either made presentations or were on the jury. They loved having the jury of their classmates decide whose "right" was most important."

Thanks to the judges and lawyers who brought the Law Day program to schools throughout the county, and to Pro Bono's Kate Wiatrowski for organizing the visits.



LAW DAY 2003 VOLUNTEERS

Jeffrey D. Abramowitz, Steven R. Allias, H. Reginald Belden, Jr., Jeremy R. Boby, Michele Bononi, Rebecca A. Brammell, Faith Burns, Michael G. Dailey, Lee R. Demosky, Gary Falatovich, Michael D. Ferguson, Timothy J. Geary, John K. Greiner, Melissa Guidy, Christopher A. Haidze, Stuart J. Horner, Jr., Deborah Jackson, Daniel Joseph, Ryan Kammerer, James E. Kelley, Jr., Senator Allen G. Kukovich, Robert Liotta, Suzanne Mahady, Shirley A. Makuta, The Hon. Anthony G. Marsili, Annaliese Masser, Paul S. Miller, Angelea A. Mitas, Donald B. Moreman, Diane E. Murphy, The Hon. William J. Ober, Gino F. Peluso, Harry F. Smail, Jr., Michael J. Stewart, Valerie Veltri, Cheryl Yakopec

PARTICIPATING SCHOOLS

Bon Air Elementary School, Bovard Elementary School, Burrell High School, Franklin Regional Senior High School, Greater Latrobe Junior High School, Hempfield Area Senior High School, Jeannette McKee Middle School, Jeannette Senior High School, McCullough Elementary School, James H. Metzgar Elementary School, North Washington Elementary School, Stewart Elementary School

CALENDAR of Events

JULY

- 4 Courthouse closed for Independence Day
- 9 Membership, Noon
- 15 Family Law, Noon
Board Meeting, 4 p.m.
- 16 Northern Lawyers Luncheon, Noon, King's, New Kensington

AUGUST

- 13 Membership, Noon
- 19 Family Law, Noon
Board Meeting, 4 p.m.
- 20 Northern Lawyers Luncheon, Noon, King's, New Kensington

TOP TEN

Top Ten Least Heard Quotes From This Year's Bench/Bar Conference

1. "Nice shot, Judge."
2. "Where are the soft drinks?"
3. "Get your hands off."
4. "You know, I only come here for the CLE."
5. "Oh, great food."
6. "You know, outside of the courtroom, you're a really nice guy."
7. "Now what the hell are we going to do with a hot tub?"
8. "You look very distinguished without your robes."
9. "Why, of course, take as many Mulligans as you like."
10. "Let's make sure and get together when we get back to the city."



Westmoreland Bar Association
129 North Pennsylvania Avenue
Greensburg, PA 15601-2311

PRESORTED
STANDARD
U.S. POSTAGE
PAID
GREENSBURG, PA
PERMIT #678