

LAWYERS JOURNAL

Leonard promoted to ACBA assistant executive director

by Tracy Carbasho

The promotion of an ACBA executive in February will benefit members of the association by giving them an additional resource.

Dave Leonard, who joined the ACBA in 1999 as the financial officer, has been promoted to assistant executive director. Prior to the promotion, he served as the senior director of finance with responsibility for overseeing the finance department and the accounting functions of the ACBA, the Allegheny County Bar Foundation, and ACBA Services Inc.

ACBA Executive Director David A. Blaner said Leonard will continue to perform the same duties he did as the senior director of finance. However, the new title will bring the additional responsibilities of handling the human resources functions, overseeing facilities management, and ensuring the smooth daily operations of the association, foundation, and for-profit company.

"Having an assistant gives me a point person to go to and there will be someone to attend meetings that I may not be able to," said Blaner. "Based on his prior work experience and his background with the ACBA, he will do a good job of representing our organization."

The ACBA, which now employs approximately 80 individuals, has not had an assistant executive director since Blaner served in the position from 1991 to 1998. He was promoted to deputy executive director in 1998 and then served as acting executive director from July 2000 to June 2001, when he was named executive director.

The timing is now appropriate to bring another assistant director on board in light of the growing number of employees and the increasing demands of operating the ACBA, its foundation, and its for-profit subsidiary.

Leonard believes the experience he acquired prior to working for the ACBA will be especially beneficial to him in his new role. In particular, he served as vice president of finance and treasurer at Sauereisen Inc., an international manufacturer of technical cement products. He also worked as the accounting manager and controller at Levinson Steel Co.

His experience has spanned not only traditional accounting and financial reporting, but also all other aspects of finance, purchasing, manufacturing, marketing, human resources, and government relations.

He brings vast experience from various business sectors, including industry, for-profit organizations, and trade associations, including the Institute of Management Accountants (IMA). He currently chairs the Ethics Committee for the international IMA and has previously served the organization as chapter president, national director, national vice president, and member of the Committee on Academic Relations.

"During my career, I have dealt with many diverse personalities with varying degrees of expertise," said Leonard. "I've been involved in numerous aspects of business and finance, including acquisitions, divestitures, and much more."

He is looking forward to the opportunity to review and evaluate the ACBA's current human resources policies, as well as the possibility of making any

changes that would benefit the organization, its employees, and members.

"The employees and members will have an additional person to communicate with if an issue arises or they need assistance," said Leonard. "I'll be an additional resource for them."

He is also anxious to tackle his new duties and to continue working with Blaner.

"David Blaner is very good at what he does, and one of the things I like best about him is that you work with him and not for him. He respects your opinion and everyone has the utmost respect for him," said Leonard. "He is good with the membership, the employees, the volunteers, and everyone he works with. He's very personable and that's important because he deals with a lot of people who have their own opinions about what the organization should provide."

"He is very busy as executive director in his dealings with not only the general membership, but also with the various programs, political issues, and things he has to do on behalf of the bar," he added. "I'll be handling the day-to-day operations of the bar and the finances to ensure things run smoothly."

Leonard is already well recognized for his expertise in business and finance, having received the U.S. Small Business Accountant Advocate of the Year honor in 1985 and the Institute of Management Accountants Financial Executive of the Year award in 1998.

He is also skilled at writing legislative proposals pertaining to accounting matters. For example, he co-authored Pennsylvania House Bill 743 to amend the Tax Reform Code of 1971, providing



for the tax treatment of Pennsylvania Sub-Chapter S corporations.

He stays apprised of the latest changes and issues relevant to his fields of expertise by maintaining membership in the Pennsylvania Institute of Certified Public Accountants, the American Institute of Certified Public Accountants, and the Allegheny Tax Society in addition to the IMA.

Leonard and his wife, Janice, have three daughters: Beth, Amy, and Allison, as well as seven grandchildren: Cara, Lauren, Matthew, Ryan, Elizabeth, Emma, and Ashley. In his spare time, Leonard likes to travel, play golf, ski, and scuba dive. ■

NLRB complaint based upon Facebook posts settled prior to hearing

by Maria Greco Danaher

In November 2010, the National Labor Relations Board (NLRB) announced its plans to prosecute a complaint issued by a Connecticut regional office regarding the termination of a union member/employee who posted negative remarks about her supervisor on her personal Facebook page. The complaint alleged that the employer, an ambulance service, maintained and enforced overly broad and restrictive policies regarding blogging and Internet postings outside of work.

The incident on which the NLRB's complaint was based began when an employee posted a negative comment about her supervisor on her own Facebook page, using her own home computer to do so. The comment elicited supportive responses from co-workers, and led to further negative comments from the employee herself. When the company learned of the comments, it fired the employee, stating that the postings

violated the company's Internet policies. The NLRB investigated the situation, ultimately determining that the Facebook postings were "concerted activity," protected by federal law. Section 7 of the National Labor Relations Act (NLRA) restricts employers' attempts to interfere with employees' efforts to work together to improve the terms and conditions of their workplace and employment, and the NLRB argued that restricting an employee's personal use of Facebook and the Internet to communicate with co-workers outside of work was a violation of Section 7.

On Feb. 7, 2011, the NLRB announced that a settlement between the employer and the NLRB had been approved. The terms of that resolution include a revision of the company's policies to ensure that they do not improperly restrict the rights of employees to discuss wages, hours, and other working conditions. The company also has agreed that it will not discipline or fire employees for engaging in such

activity in the future. It should be noted that the company's position throughout this matter has been that the individual who authored the Facebook postings was fired "based on multiple, serious complaints about her behavior," and not simply because of the postings. The settlement of this matter includes a separate, private settlement between the company and the individual employee, the terms of which have not been made public.

Both union and non-union employers should recognize that the NLRB's allegation regarding the company's Internet policy is one that could be brought against any employer on the basis of a written policy, even in the absence of a specific factual instance of violation of such policy. Under the NLRA, employees have the right to engage in protected concerted activity, which can include discussions, meetings, or even a single employee who is discussing the personal character of a particular supervisor. ■

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Free CLE to tackle written fee agreements

by Drew Hardman

ACBA members have plenty of incentive to attend the free malpractice avoidance CLE on April 6, offering a five percent discount on lawyers' professional liability insurance, one hour of ethics CLE credit, and helpful hints and tips for reviewing written fee agreements. Scheduled for 12:00 p.m. at the ACBA Conference Center Auditorium in the City-County Building, the program, titled "Written Fee Agreements—We Really Need Them?," will shed some light on the rules and regulations that govern written fee agreements. Moderator Melaine S. Rothery, chair of the Special Fee Determination Committee, will lead a panel discussion between a pair of qualified experts in the field: William R. Friedman, representing the Disciplinary Board of the Supreme Court of PA, and James R. Schadel, an experienced malpractice attorney and a member of the ACBA Lawyer Insurance Committee. "Much of the discussion will focus on the kind of information lawyers should include in fee agreements and what is the scope of service, what exactly does the client expect you to do or provide," Rothery explained. "Written Fee Agreements—We Really Need Them?" is offered as a member

benefit in conjunction with USI Affinity, the ACBA's insurance partner. The program is underwritten through the bar association's Loss Prevention Fund, making it free of charge for ACBA members. As an added bonus, attendees at the program can receive a five percent credit or discount on the ACBA-sponsored lawyers' professional liability insurance policy, backed by Swiss Re. "The lawyers' professional liability insurance is the Cadillac of professional liability policies out there," USI Affinity Vice President Sandy Niespodzianski said. "The Allegheny County Bar Association does its due diligence to make sure that its members have the best policy available. With this policy and with this carrier, ACBA members know they have the strength of the bar association behind them." The ACBA offers free malpractice avoidance CLE courses each year to educate and assist members. ACBA Membership Services and CLE Department Director Dorie Schnippert noted that written fee agreements stood out as a chief concern based on the volume of fee disputes in the legal community. She said the program will stress the necessity of written fee agreements in the legal profession. "A lot of fee disputes arise when lawyers fail to give their clients written fee agreements, which are required by

the Rules of Professional Conduct," Schnippert said. As chair of the Special Fee Determination Committee, Rothery is especially familiar with the importance of written fee agreements. She said the failure to provide a written fee agreement is one of the most common issues reviewed by the Disciplinary Board of the Supreme Court of PA. "It's an important issue because it comes up all the time in disciplinary actions and cases that we see routinely through the Special Fee Determination Committee," Rothery said. Rothery plans to review some of the most common concerns regarding written fee agreements, including length of retainer contracts, duration of employment, file ownership and retention, non-refundable fees, and scope of services. She also hopes to highlight some of the problems that accompany fee agreement templates. "We will expand on the fact that it's okay to use form fee letters, but you really need to tailor them based on each kind of case," Rothery said. "One agreement isn't going to cover everything." Attendees at "Written Fee Agreements—We Really Need Them?" will receive educational handouts reviewing common fee agreement language, as well as

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Gender Bias Duty Officers
If you have observed or experienced any form of gender bias, you may contact one of the following members of the Gender Bias Subcommittee of the Women in the Law Division. The duty officers will keep your report confidential and will discuss with you actions available through the subcommittee.

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Rhoda Neft412-261-2753
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The ACBA Professional Ethics Committee "Ethics Hotline" makes available Committee Members to answer ethical questions by telephone on a daily basis.

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Ernest B. Orsatti412-281-3850
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ACBA member appointed Pa. governor's chief of staff

by Tracy Carbasho

Gov. Tom Corbett's new chief of staff prefers not to talk about himself, but his colleagues have plenty to say about why he was chosen for this prestigious position.

William F. Ward, who was named a member of the governor's executive staff in early January, is no stranger to serving in cabinet-level positions or to working with Corbett. He served as first deputy attorney general in 1996 and 1997 while Corbett was serving as Pennsylvania Attorney General. In this role, he was the principal advisor to Corbett on all legal matters involving criminal prosecutions, civil cases, and consumer protection.

"Bill Ward and I have been friends for more than 30 years," said Corbett. "He is a skilled lawyer and a man of unquestioned integrity. Bill's proven management skills as a prosecutor, agency head, and private attorney make him well suited for the position of chief of staff."

In 1997, Ward was appointed by former Gov. Tom Ridge as chairman of the Pennsylvania Board of Probation and Parole in Harrisburg and served in that capacity until 2003 when he returned to private practice in Pittsburgh.

While chairing the Board of Probation and Parole, he was responsible for overseeing more than 1,000 employees in 54 offices across the state. The board deals with more than 40,000 inmates in state prisons and supervises more than 25,000 parolees and probationers.

A native of New York, Ward met Corbett in 1980 when they were both serving as Assistant U.S. Attorneys in Pittsburgh. Ward worked in the civil and criminal divisions of the U.S. Attorney's Office for nearly seven years and was the chief of the economic crimes section.

Frederick Thieman, president of the Buhl Foundation, was also an Assistant U.S. Attorney in the 1980s and worked with Ward for about four years. Later, they became law partners at Thieman and Ward from 2003 until 2007 when Thieman left to take the job at the Buhl Foundation.

"Bill is a quick study, a person of unquestioned integrity, and someone who is easy to get along with," said Thieman. "The governor knows he has someone with good judgment, excellent organizational and management skills, and the ability to make sure that a lot of balls that are in the air will all fall into place. Bill is an outstanding attorney with deep analytical skills and excellent

strategic thinking. Nothing slips through the cracks."

As the chief of staff in Harrisburg, Ward is the top governmental advisor to the governor. He and the members of his staff serve as liaisons between the governor's office and all of the departments, agencies, authorities, boards, and commissions in Pennsylvania. Ward also coordinates with members of the legislature and judiciary.

"The most rewarding aspect with my return to public service is the ability to shape state policy and to assist in the daily and long-term management of governmental operations," said Ward, who considers serving as chief of staff to be his biggest professional accomplishment. "The most challenging task has been to balance and address all of the tasks that confront me each day."

Prior to joining the governor's staff, Ward was a partner at the Pittsburgh firm of Ward McGough, focusing on federal court litigation involving grand jury, criminal defense, and complex civil litigation, such as antitrust, banking, civil rights, contract, and securities cases.

He has referred his pending cases to Hugh McGough and other colleagues. McGough said Ward's legal expertise and his reputation as an effective, ethical advocate in private practice and public service helped him achieve excellent results for his clients.

"Bill is soft-spoken and chooses his words with care, exuding a quiet warmth that helps him connect with anyone," said McGough. "I don't know whether it is because of—or despite his background as a prosecutor—but he is deeply sympathetic and able to appreciate other people's challenges and problems. These are qualities that help him bring out the best in others."

During his career, Ward has also received gubernatorial appointments to the Pennsylvania Commission on Crime and Delinquency, the Governor's Advisory Committee on Probation, and the Interstate Commission on Adult Offender Supervision, where he was elected to the National Executive Committee.

"He has proven that he can manage a budget and supervise large numbers of employees," added McGough. "If you have a problem, Bill's the guy to have on speed dial. Gov. Corbett chose well."

The 59-year-old Ward was admitted to practice after graduating from the Temple University School of Law in 1977. He began his legal career by

working as a law clerk for U.S. District Judge Louis Bechtle in Philadelphia.

He knew at a very young age that the legal profession was an appropriate career choice.

"I recall watching 'Perry Mason' on TV with my father when I was in elementary school. Perry rarely lost and justice always prevailed," he said. "For nearly 35 years, my career has been balanced between public service in Pennsylvania and private practice in Pittsburgh."

After serving in the U.S. Attorney's Office from 1979 to 1986, he continued his federal court practice at the Pittsburgh firm of Meyer, Unkovic & Scott, where he was an equity partner. He later left private practice to fulfill the various gubernatorial appointments and then returned to practice again in 2003 at Thieman & Ward and most recently, Ward McGough.

Thomas Renwand, chief judge and chairman of the Pennsylvania Environmental Hearing Board, met Ward when they were both partners at Meyer, Unkovic & Scott. He points out that his colleague played a major role in the firm's administration, including the hiring of staff and the supervision of associates.

"At this time when the Commonwealth of Pennsylvania is facing enormous challenges, the governor could not have selected a better or more qualified individual to advise him," said Renwand. "Not only does Bill have extensive experience as an attorney and problem-solver, but he also has specialized knowledge gleaned from his previous government service."

Renwand said Ward is very personable and cares deeply about his family, his friends, his fellow workers, and his clients. In the 24 years he has known him, not once has he heard him raise his voice or seen him lose his temper—qualities that demonstrate the type of temperament needed for someone who is serving as chief of staff.

In addition to his statewide duties and the responsibilities of private practice, Ward has been active in the ACBA. He has served as a council member for three Sections and is the immediate past chair of the Federal Court Section.

Dennis Watson, a shareholder at Grogan Graffam who now chairs the Federal Court Section, has known Ward for the past decade. He believes Ward made significant contributions to the



William F. Ward

Section by working diligently to recruit members and officers who would be dedicated to the success of the Section.

"When Bill was chair, Judge (Arthur) Schwab suggested the Section continue awarding an annual stipend to deserving young ACBA members to help underwrite the cost of attending an annual trial advocacy program held at the University of Virginia Law School," said Watson. "Through Bill's leadership, the Section approved the proposal and implemented a selection process for awarding the stipend. The first recipient was selected when Bill was chair. With Bill's strong endorsement this year, the Section awarded a second stipend and we plan to continue doing so in the future."

Watson added that Ward has strong leadership skills, knowing when to delegate, when to compromise, and when to make decisions. He refers to him as a "prepared and organized consensus builder whose integrity is beyond reproach." It also helps that he has a good sense of humor.

Ward has his own philosophy for balancing a busy career and the family life he shares with his wife Joan and their children, Tom and Rebecca.

"I work like a lunatic during the week and save my weekends for my family." ■

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Judge O'Brien made administrative judge of Common Pleas Civil Division

by Tracy Carbasho

One of the newest administrative judges in the Allegheny County Court of Common Pleas is looking forward to continuing the good work done by his predecessors.

Judge W. Terrence O'Brien was appointed administrative judge of the Civil Division by the Supreme Court of Pennsylvania via an order dated January 19. He has served on the bench in this particular division since 2002. Judge Gene Strassburger previously served as the administrative judge.

"With the help of my colleagues and the employees of this division, I hope to maintain the well-oiled machine I have inherited," said O'Brien when asked about his objectives. "I want us to continue to work as a team, and I will draw upon the vast collective experience of the judges to ensure that Civil Division litigants receive justice expeditiously."

He commended his three predecessors, including Strassburger, Judge Joseph James, and Judge R. Stanton Wettick Jr., for the outstanding job they did in the administrative position.

He is looking forward to continuing to work with what he calls the "dedicated

judges of this division, each of whom I regard as a friend."

O'Brien received both his bachelor's degree in political science and his law degree from Duquesne University in 1972 and 1975, respectively. From 1976 to 1987, he worked as a sole practitioner and law clerk to the late Judge John W. O'Brien, who was not related to him despite having the same last name.

He realized when he was working as a law clerk that he had aspirations of one day following in the footsteps of other judges. In fact, his mentor, Judge O'Brien, encouraged him to pursue a judicial career by running for election to the Court of Common Pleas.

"He suggested I seek one of the available positions and noted that I had a good last name," recalls O'Brien about his friend.

He was first elected to serve in the Court of Common Pleas in November 1987 and was initially assigned to the Family Division. He served in the Criminal Division from 1988 through 2002.

During his judicial career, he has served as supervising judge of the Allegheny County Investigating Grand Jury and as a member of the Allegheny

Prison Board. In addition, he has served as a criminal law update panel member for the State Conference of Trial Judges and as a faculty member for the Pennsylvania Bar Institute's Criminal Law Symposium. His curriculum vitae also includes lecturing at not only Duquesne University, but also the University of Voronezh Law School in Russia.

It was clear since he was a youngster that O'Brien would enter the legal profession based, in part, on his behavior as a child.

"From my childhood, it was understood that I would be a lawyer because, according to my parents, I always liked to argue," he jokes.

When asked how he has been able to strike a happy balance between his busy judicial career and his family life, he explained his philosophy about being a judge.

"My motto is negotiate early and often," he said. "The advantages of settling are obvious, but often the parties must be reminded to reconsider their respective positions as the situation changes. Seeking stipulations also helps to save time for everyone, including myself." ■



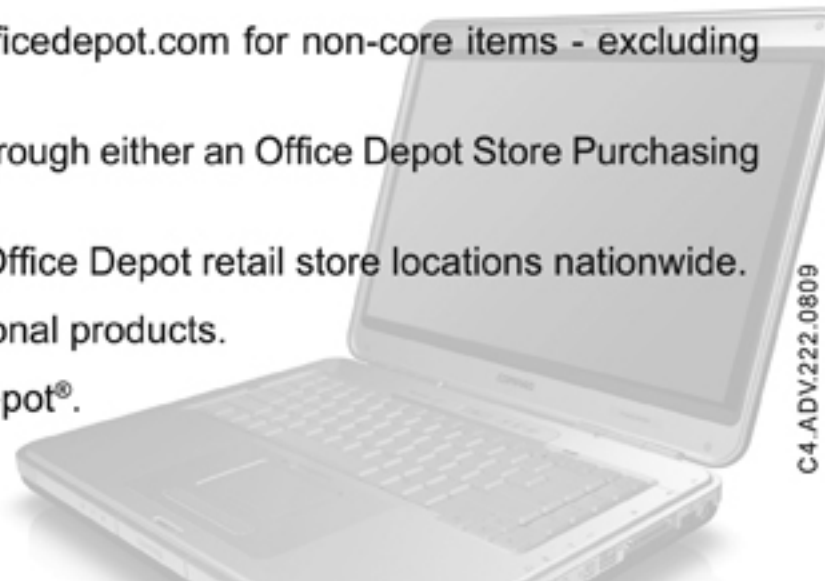
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Federal judges participate in national special projects

by Susan Jacobs Jablow

Three federal judges in Pittsburgh have been appointed to work on special projects in the federal judicial system.

Hon. Donetta Ambrose is a member of a working group on the topic of Alternative Dispute Resolution. Hon. Joy Flowers Conti has been named the chair of a committee that determines policy and staffing for the nation's bankruptcy courts. Hon. Lisa Pupo Lenihan is a member of a national committee that trains and educates magistrate judges.

The judges each received a letter signed by Hon. John Roberts, Chief Justice of the United States Supreme Court, to notify them of their appointments.

"I was very surprised when I got the letter," said Lenihan.

In late March of last year, she received her appointment as a member of the Federal Judicial Center's Magistrate Judge Education Advisory Committee. She is serving a three-year term and works with other magistrate judges from across the country to plan educational programs for colleagues.

Magistrate judges are selected for their jobs by a panel of sitting judges, lawyers and non-lawyers. They are chosen based on merit, and most do not have prior judicial experience. So, new judges need to be trained to learn the ins and outs of their new roles. Twice a year, in March and July, the Federal Judicial Center holds programs for the new judges. Additionally, sitting magistrate judges benefit from periodic educational programs offered throughout the calendar year by the Judicial Center.

The committee to which Lenihan belongs is involved in planning, evaluating and running the programs for magistrate judges. The Judicial Center also runs programs for district court and appellate judges.

Lenihan is one of three magistrate judges in Pittsburgh. There are some 500 nationally, and 25 to 30 are new each year. She is excited about her role and has lots of ideas.

"Having to teach a new subject to judges is a challenge," she said. "It forces you to focus on the nuances of the law."

For Lenihan, one of the benefits of being involved in the committee is the

opportunity to meet and interact with other federal judges. "The jobs can be isolating," she said. "I'm able to interact with a lot of the new judges as well as the teaching faculty."

Judges Lenihan, Ambrose, and Conti all said their appointed roles involve finding ways to help the judicial system work better so the American people are better served. In Ambrose's case, those improvements are designed to take place outside the courtroom.

Alternative Dispute Resolution (ADR) focuses on finding ways to resolve cases out of court. The vast majority of federal system cases, 97 percent, according to Judge Ambrose, are already resolved out of court, but often that happens after prolonged negotiations.

"We want to shift the paradigm so settlement is not on the courthouse steps on the eve of trial," said Ambrose.

To accomplish that, court chambers and other offices must be adequately staffed, so that court employees can facilitate settlements.

ADR applies to cases that are already in the court system, but have not yet gone to trial. Sometimes mediators are involved in helping the two sides reach an agreement. Settling earlier in the process saves time and money for the two parties. "It gives people a better feeling," said Ambrose.

Last summer Ambrose was appointed to the federal working group, which provides recommendations to the courts' central administrative office. The group includes judges and staffing experts who are conducting a national survey and visiting courts throughout the U.S. to get a handle on the needs related to ADR.

Ambrose was chosen in part because she helped establish the ADR program for the Western District of Pennsylvania and has consulted with the district court in Los Angeles, Ca., to help develop a similar program there.

The group is designed to conduct research and provide recommendations and then to disband when its work is complete, hopefully within one or two years. "We're providing courts with the assistance they need," said Ambrose.

Of the three judicial appointments, that of Judge Conti is the most

recognizable to the general public. As chair of the Judicial Conference Committee on the Administration of the Bankruptcy System, part of her job is to testify before Congress about the funding needs for the bankruptcy system.

"It's an opportunity to be involved on a national level on matters of national significance," she said.

A former bankruptcy attorney, Conti has been a member of the committee for three years. She became chair in October 2010.

The committee considers how the bankruptcy courts are operating, makes budget decisions, and deals with administrative issues, such as whether bankruptcy judges should share courtrooms. Bankruptcy laws are federal laws—states cannot pass their own bankruptcy statutes—and all bankruptcy cases are heard in the federal court system. In these difficult economic times, with more people declaring bankruptcy across the country, the courts are overloaded, and more judges are needed so that cases can be heard in a timely manner.

"Bankruptcy cases are growing astronomically," said Conti. "Because of the severe economic situation, there is an exploding case load. We

really need to work with Congress so they appreciate the seriousness of this need."

In the last Congress, a bill that would have created three new bankruptcy judicial positions died in the House of Representatives after passing the Senate. "We just need to have some action," said Conti.

Being named chair of the bankruptcy committee is a big honor for Conti. "Her appointment shows a great deal of confidence by the judiciary in her nationally," said Bruce Ledewitz, a law professor at Duquesne University School of Law.

The bankruptcy system in Pittsburgh is highly regarded, said Mark Yochum, who teaches bankruptcy law at Duquesne. "The folks who work in it are influential nationally," he said.

While bankruptcy law is supposed to be uniform throughout the country, in reality, it is practiced somewhat differently from place to place, said Yochum. Conti's appointment reflects well on the practice of bankruptcy in Pittsburgh. "It's great for everybody that she's doing such a great job," he said.

Conti said she is very honored. "I feel privileged to have the opportunity," she said. ■



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* Call for appointments in my Pittsburgh office (Mt. Washington) or at a location of your choice



CLE PROGRAMS

ACBA Registration Information: Register for any of these programs via: Mail: CLE Dept., ACBA, 400 Koppers Building, 436 Seventh Avenue, Pittsburgh, PA 15219; Fax 412-261-6438; Phone: 412-402-6612.
PBI Registration Information: MAIL: PBI, 5080 Ritter Road, Mechanicsburg, PA 17055-6903; FAX: (717) 796-2348; PHONE: (717) 796-0804 or (800) 932-4637; ON THE WEB: www.pbi.org. All PBI CLE programs are sponsored by The Pennsylvania Bar Institute & The Allegheny County Bar Association.

BUSINESS LAW

Commercial Documents Series: LLC Documents

1st of 3 sessions in series designed to give top notch instruction, w/CD-ROM containing documents in ready to use form, for creating contracts that expertly convey intent of both parties.

Credits: 2 CLE credits per session (*substantive*) • **When:** Friday, March 18, 2011; 12:30 p.m. to 2:30 p.m.; check-in and lunch at 12:00 p.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book/CD-Rom and lunch):** See PBI Website.

Winning Numbers: Accounting & Finance for Lawyers

Makes sense of the role/scope of accountants' services/reports that are pertinent to legal practitioners. Materials are carefully designed to make your practice more effective and self-assured.

Credits: 6 CLE credits (5 *substantive/1 ethics**) *Must attend entire program to receive ethics credit. • **When:** Simulcast – Thursday, March 24, 2011; 8:30 a.m. to 3:30 p.m.; check-in begins at 8:00 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book and lunch):** See PBI Website.

CIVIL LITIGATION

24th Annual Civil Litigation Update

Spirited discussion and analysis of the most important decisions from both Pennsylvania and federal courts highlight a day full of animated knowledge and humor. A time well spent!

Credits: 6 CLE credits (5 *substantive/1 ethics*) • **When:** Wednesday, March 16, 2011; 9:00 a.m. to 4:30 p.m.; check-in begins at 8:30 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book and lunch):** See PBI Website.

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Dead Man's Rule

PBI has brought together attorneys renowned for their knowledge in evidence and civil litigation and estate administration to help you understand the applicability of the dead man's rule.

Credits: 2 CLE credits (*substantive*) • **When:** Simulcast – Monday, March 14, 2011; 12:30 p.m. to 2:30 p.m.; check-in and lunch at 12:00 p.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book and lunch):** See PBI Website.

Halfway There: Beyond the Basics of Electronic Data Discovery: Intermediate Level

Learn how attorneys/clients are at risk; find out how Electronic Evidence can be altered, or completely made up; discover how a proper Electronic Data Search is run, and much more!

Credits: 4 CLE credits (*substantive*) • **When:** Simulcast – Tuesday, March 22, 2011; 9:00 a.m. to 1:15 p.m.; check-in begins at 8:30 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book):** See PBI Website.

The Preparation and Trial of the Products Liability Case: A Course for the Experienced Practitioner

This course will include a detailed exploration of critical skills and issues, presented by experienced products liability lawyers on both plaintiff and defendant side.

Credits: 4 CLE credits (*substantive*) • **When:** Friday, March 11, 2011; 9:00 a.m. to 1:15 p.m.; check-in begins at 8:30 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book):** See PBI Website.

ENVIRONMENTAL & ENERGY

Environmental Issues Affecting Oil and Gas Law Development

Examines regulations intended to avoid environmental impacts and provides an in-depth discussion on various issues of concern including newly enacted and proposed provisions.

Credits: 4 CLE credits (*substantive*) • **When:** Tuesday, March 15, 2011; 9:00 a.m. to 1:15 p.m.; check-in begins at 8:30 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book):** See PBI Website.

FAMILY LAW

Intimate Partners/Legal Strangers: A Guide for Representing Unmarried Couples

Find out the answers to the many questions, and the issues confronting couples of the opposite sex, and same sex couples.

Credits: 4 CLE credits (*substantive*) • **When:** Tuesday, March 22, 2011; 8:30 a.m. to 12:45 p.m.; check-in and lunch at 8:00 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book and lunch):** See PBI Website.

Premarital Agreements: A Practical Approach

Panel of attorneys engage you in a discussion how to draft, use and preserve premarital agreements; receive book "Premarital Agreements in Pennsylvania" with forms and CD-ROM.

Credits: 4 CLE credits (*substantive*) • **When:** Video Encore – Friday, March 18, 2011; 8:30 a.m. to 12:30 p.m.; check-in begins at 8:00 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book):** See PBI Website.

REAL ESTATE PRACTICE

A Day on Real Estate – Pittsburgh

Kicks off with our popular Year in Review. Catch up on new developments and pick up a wealth of practical information, tips, and insights into the legal issues you deal with daily.

Credits: 6 CLE** credits **Workshop choices determine whether credits are in substantive law, practice and procedure or ethics, professionalism or substance abuse. • **When:** Wednesday, March 23, 2011; 9:00 a.m. to 4:10 p.m.; check-in begins at 8:30 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book and lunch):** See PBI Website.

SKILLS TRAINING

Developing Useful Communication Styles: Getting Better Results with Positive Assertiveness

Begins with self-assessment/self-exploration; learn how to draw out those you need to communicate with; then, learn how to develop assertive behaviors and assure successful change.

Credits: 3 CLE credits (2 *substantive/1 ethics**) *Must attend entire program to receive ethics credit. • **When:** Monday, March 21, 2011; 12:00 p.m. to 3:30 p.m.; check-in and lunch at 11:30 a.m. • **Where:** PBI Professional Development Conference Center, Heinz 57 Ctr., 7th Fl. • **Tuition (includes course book and lunch):** See PBI Website.

TAXATION SECTION

Equity Compensation In Limited Liability Companies

This program will explore various ways to provide equity interests in a LLC to employees of the LLC and the federal income tax consequences.

Credits: 1 CLE credit (*substantive*) • **When:** Friday, March 11, 2011; Registration & Lunch at 11:30 a.m. • **Where:** Pittsburgh-Rivers Club, One Oxford Centre, 301 Grant St., Pittsburgh, PA 15219 • **Tuition:** See PBI Website.

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ESTATE PLANNING

IF YOUR CLIENTS ARE CONSIDERING CHARITABLE GIVING as part of their estate planning The Pittsburgh Presbyterian Foundation can provide a means to support charitable work helping those in need throughout SW Pennsylvania. For more information contact the Foundation at www.pghpresbytery.org/pghpresbyterianfdn.htm or Rev. Dr. Douglas Portz at 412-323-1400 Ext 318.

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attorneys if at least one attendee is a full partner.

"There's no other broker out there offering this five percent discount," Niespodzianski said. "It's a result of the relationship we have with the Allegheny County Bar Association and the fact that this is an endorsed service."

With the addition of one hour of ethics CLE credit, the program is a worthwhile opportunity for any ACBA member.

"The ACBA is supporting its members and assisting them in avoiding disciplinary action and fee disputes with clients," Rothery said. "I think it's a great chance to earn an hour of free CLE credit and learn a little more about an important issue."

To register online for the malpractice avoidance CLE, visit www.acba.org. The final date for pre-registration is April 4 at 10:00 a.m. ■

Bar Briefs

News & Notes

The Collaborative Law Association of Southwestern Pennsylvania announced its officers at its fourth annual meeting. They are President Susan DiGirolamo, Treasurer David Miller, Secretary Patricia Wozniak Henk, and at large members Deborah Conflenti, Abby De Blassio, Chris Stachtiaris, and Elizabeth Williams.

People on the Move

Keevican Weiss Bauerle & Hirsch LLC welcomes new attorneys to the firm. Mark V. Santo has joined the firm as a Member of the International Business Law Practice Group. Christina M. Dolfi has joined the firm as a Member of the Real Estate Practice Group.

Terrence H. Murphy, has joined Littler Mendelson, P.C. Murphy has over 30 years of experience, and has counseled employers on issues such as wage and hour matters, human resource practices and policies, equal employment opportunity law, and affirmative action.

Lynch Weis, LLC is pleased to announce that William Wyrick was promoted to partner of the firm. Wyrick has been the head of the firm's litigation group since joining the firm in 2007. His practice is focused in the area of commercial litigation, including breach of contract, injunction matters, shareholder disputes, and similar matters.

Marcus & Shapira, LLP has named Beth Henke, a former associate in the legal practice, as partner. Henke focuses her practice on representing employers in single-plaintiff, multi-plaintiff, and complex employment litigation.



Arnold L. Schulberg



Kevin E. Feigel

Babst Calland announced the appointment of respected energy attorney Arnold L. Schulberg as Of Counsel. Schulberg will assist the firm's Natural Resources Group. Additionally, the firm recently added Kevin E. Feigel as an associate with experience in oil, gas, and mineral title law and litigation.

Cohen & Grigsby is pleased to announce the addition of Blaine A. Lamperski as director in the Real Estate Practice Group, where he will focus on the acquisition, sale, development, and leasing of land.

Shelly R. Pagac has joined the law firm of Pietragallo Gordon Alfano Bosick & Raspanti, LLP as senior counsel in the Employment Litigation and Counseling Law Group.

FREE CLE continued from page 2

sample clauses and retainer agreements and relevant ethics opinions.

Attendance at the program is limited to the first 100 registrants. While registration is free-of-charge for ACBA members, non-members are required to pay a \$75 assessment. The program will begin with registration at 11:30 a.m., followed by panel discussion and audience questions and interaction from 12:00 p.m. through 1:15 p.m.

Representatives from USI Affinity will be on hand to distribute information on the lawyers' professional liability insurance policy. To qualify for the five percent discount, firms consisting of one to three members must have at least one attorney present at the program. Firms of four or more members qualify for the credit with the attendance of 50 percent of practicing attorneys, or a minimum of 25 percent practicing

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