

FROM THE DESK OF DAVID J. SUTTON

Excellence in the pursuit of Justice.®

April 2004

Since our last update more than six months ago we have made many significant strides for our clients, staff and friends.

New Additions

In November of 2003, Anthony Elia joined us as an Associate. Anthony received his Bachelor of Science degree from Cornell University in 1996 and his Juris-doctorate degree from the Buffalo School of Law in 2000. Anthony was a member of his law school's Copyright and Publishing Clinic and is a co-author of a forthcoming book to be published by Capital Books, Inc., entitled, *Authorlaw A-Z*. He has also been a regular contributor to the legal column of the newsletter of the American Society of Journalists and Authors. Anthony, who is admitted to practice law in New York state and federal courts as well as before the United States Patent and Trademark Office, will concentrate his efforts in the areas of commercial litigation, copyright, publishing, trademark and intellectual properties.

In March of 2004, Michael J. Cannon joined the firm as a senior trial attorney. Michael received his Bachelor of Arts degree from Franklin and Marshall College in 1985. Michael worked as a chemical engineer with Underwriters Laboratories in UL's infrared spectrophotometry lab prior to obtaining his Juris-doctorate degree from Vermont Law School in 1989. Michael is a former Kings County Assistant District Attorney where he argued many complex criminal appeals before the New York State Appellate Division. Most recently, Michael was a partner at the prestigious Manhattan firm of Clausen Miller P.C. Some of you may remember Michael as an associate in our office almost fifteen years ago. We are pleased to have him return to the firm. On a personal note, Michael is a new father of twins, Michael and Madeleine.

Another new addition is Marisa Gerena. You may have spoken with Marisa already as she answers our phone and assists with other clerical responsibilities in the office. Marisa is attending Nassau County Community College at night and is working diligently to earn her Associate's Degree in Paralegal Studies.

Work in Progress

We continue to see our hard work result in significant referrals from loyal clients as well as increased business from already existing clients. For example, the firm has been retained by one of the country's most respected title insurance companies to defend title and mortgage insurance claims. The firm has also seen the return of a long-standing client - one of the world's largest oil companies, having engaged the firm to represent its interests in liability lawsuits on Long Island.



We were also hired by a commercial property owner in White Plains, New York, in connection with an alleged oil spill in and around the client's property. We have also been retained by the foundation for a major

Hollywood personality to represent his interests in connection with a commercial dispute.

Impressive Results

We continue to bring about a just resolution of our clients' claims in Courts throughout the New York Metropolitan region. We recently settled claims with the largest financial institution in the country and an accountant in connection with the embezzlement of over One Million (\$1,000,000.00) Dollars by our corporate client's bookkeeper. After discovery was completed, both the financial institution and the accountant settled.



We also received an arbitration award in excess of Three Hundred Thousand (\$300,000.00) Dollars in connection with our client's sale of a broker/dealer license. The award was achieved without a hearing as we convinced the arbitrator to make the award on a motion for summary judgment.

Another victory was the unanimous award by three arbitrators from the NASD (National Association of Security Dealers) in connection with a client's claim that his stock broker failed to execute a trade. The award was in excess of Two Hundred and Thirty Thousand (\$239,000.00) Dollars.

Accolades

The Board of Directors of the Scientific Equipment and Furniture Association unanimously voted to extend my contract to act as both the Executive Director and counsel to the trade association for another three years. I am looking forward to the challenges this work has always provided.

"Association Executive", the Magazine of the New York State Society of Association Executives has published one of my articles, *Testing Job Candidates: Handle with Care* as a feature article in the March/April 2004 issue of the magazine.

First American Title Insurance Company of New York has appointed me as a member of their New York Real Estate Advisory Board. I am honored to receive this prestigious appointment and look forward to working with First American on this Board.

Charitable Works



Cancercare of Long Island has invited me back to participate in their "Longest Day of Golf" event scheduled for June 1, 2004. Those of you who sponsored me last year know that I was successful in completing a record 100 holes for this worthwhile charity. The charity has now made that number a benchmark. If anyone is interested in participating in the event as a golfer, please call me for details.