

FROM THE DESK OF DAVID J. SUTTON

Excellence in the pursuit of Justice.™

June 2003

It doesn't seem possible that a year has passed since I sent out my first client update letter. The response to my "20 Years . . ." mailing was so favorable that I thought we would try it again.

David I. Lieser, Associate

For those of you who haven't had the pleasure of working with him I'd like to introduce you to our newest Associate, David Lieser. David received his undergraduate degree in Economics and Political Science *magna cum laude* from Binghamton University in 1993. He received his Juris-Doctorate degree from University of Pennsylvania Law School in 1996. David is a seasoned litigator who brings to the firm solid experience and a proven track record in the areas of products liability, toxic torts and commercial litigation. In the past David has advocated both plaintiff and defendant's rights which gives him an edge in anticipating potential arguments and roadblocks our adversaries may put in our way.

David is a welcome addition to the firm.

Work in progress . . .

I truly believe that a large part of the success of this firm is based on the loyalty of our clients. I have said many times that there is no greater compliment from a client than the referral of a friend or colleague. As a result of these referrals we have broadened our client base significantly in the past year.

We have recently been retained by two large European financial institutions. We have brought suit in connection with a dispute arising out of our client's purchase of a downtown office building for \$125 million. The second dispute involves Germany's largest savings and loan institution and a dispute over the sale of its U.S. broker/dealer license.

We are exploring anti-trust and unfair competition issues on behalf of a Long Island movie theatre operator. The national movie chains and distributors have locked-up the rights to show first-run feature films to the detriment of neighborhood theatres. We are still in the investigation phase but this could well be a landmark case.

Another interesting case in progress is a real estate matter where we have been retained to bring suit against a developer who damaged our clients' apartment building during the demolition and excavation of the adjoining properties.

We have been retained by the beneficiaries of two Trusts created in 1931 to bring a lawsuit against one of the world's largest financial institutions in connection with that institution's improper calculation of its trustee commissions over a fifty-year time period.

Impressive results –

We continue to press for the speedy and just resolution of our clients' matters. I am pleased to report a major victory in the expeditious settlement of a



personal injury matter. Our client, an elderly woman, tripped over a box negligently placed on the floor of a retail establishment. The store manager admitted liability during her deposition. The settlement which was in excess of \$300,000 was achieved through mediation.

Another success story was the early dismissal of a Federal securities claim against our client. This victory saved the client tens of thousands of dollars in legal fees as well as the inevitable stress and inconvenience associated with protracted litigation.

We also brought to a swift and completely successful conclusion a case seeking the return of over \$2.5 million in bonuses paid to three of our clients. The case was dismissed without the clients returning any portion of their well-earned bonuses.

After years of intense discovery proceedings and despite our client's failure to provide timely notice to its insurance companies, we were successful in compelling the five insurance carriers (who had insured our client's Brooklyn apartment building) to settle an underlying personal injury action arising from a child's ingestion of lead paint. This result was achieved without any monetary contribution from our client. The case was settled by the insurers for over \$600,000.

New Projects, New Directions –

In June of 2001, the Board of Directors of one of my long-standing clients, The Scientific Equipment and Furniture Association (SEFA) asked me to take on the executive directorship of the Association. This was a new challenge for me professionally and I met it head-on. I decided to become a Certified Association Executive "CAE". Numerous hours of classroom study coupled with my life-studies credits qualified me to sit for this difficult Exam — With a 10% pass rate it was far worse than the bar exam! In January 2003 my name was added to the ranks of an elite group who have earned the "CAE" distinction. The firm has acted as counsel for SEFA for more than ten years and has represented many of the association's executive members

As a result of our burgeoning trade association work, the Sutton Association Management Group, LLC., was recently formed. This company was started to provide a full-range of association management services including meeting planning, board relations and legal counseling. It enables us to combine ancillary association administrative and business services with my trade association legal expertise.

We are in the process of developing a more dynamic state-of-the-art website which will provide and archive information and simplify on-line communications. Ultimately, we want the site to be the website for our client's legal needs, including on-line bill paying, "e-consults" and other "outside the box" features.

Cancercare of Long Island -- The Longest Day of Golf – *or better known as "Tiger takes to the Woods"*

For those of you who have been with me for a while you know its that time of year again! I have again pledged my support to Cancercare of Long Island and The Longest Day of Golf. On July 31st I will be participating in this worthwhile event. In the past, clients, colleagues and friends have been very generous in their support. For those of you who are new to this event, The Woodcrest Country Club graciously donates green fees, carts and refreshments. Our goal is to play as many holes as possible from sunup to sundown. If you pledge \$1.00 per hole and I play 80 holes, your contribution would be \$80.00. Each year I try to play more holes than the year before.



I have enclosed the pledge card along with a postage paid return envelope. I hope that you will support this event to benefit this nation's oldest and largest not-for-profit social service agency.