



PALM BEACH COUNTY BAR ASSOCIATION

BULLETIN

www.palmbeachbar.org

March 2012

Contributions sought for 2012 law week judicial reception

The Law Week Committee is beginning its efforts to request contributions from law firms to assist in underwriting the cost of the annual judicial reception honoring the local judiciary and judicial assistants to be held on May 1, 2012. Sponsors will be recognized on the email notices, on a sign at the reception and in the Bar Bulletin.

Those interested in making contributions should send a check no later than April 1 to the Palm Beach County Bar Association, ATT: Patience Burns, 1507 Belvedere Road, WPB, FL 33406. Sponsorship amount are as follows:

- \$575 for law firms of 11 or more attorneys
- \$375 for law firms with 3-10 attorneys
- \$225 for law firms with 1-2 attorneys

Thank you for your consideration!

Mark your calendar for upcoming Membership Events

Bench Bar Conference

March 9
Palm Beach County Convention Center

Annual Judicial Reception

May 1
The Harriet at City Place

Law Day Luncheon

May 4
West Palm Beach Marriott
Guest Speaker: Elizabeth Smart

Annual Installation Banquet

June 2
The Breakers Hotel, Palm Beach



Members of the Young Lawyers Section volunteered their time to work on a Habitat for Humanity project in Delray Beach. They assisted the owners by putting the roof on their new home.

We've Moved!

The Palm Beach County Bar Association is very excited to announce that we have moved in to our new, permanent headquarters.

Our new address is:

**1507 Belvedere Road
West Palm Beach, FL 33406**

Thanks to all of our members to date who have supported this new facility. Please see page 5 of this issue to see who has contributed and to learn more about buying a brick in our new entranceway.

Bar elections will be online

This year's election for the Board of Directors will once again be conducted electronically. An email will be sent to all members in good standing. **Please be sure to set your spam filters to preapprove anything from ballotboxonline.com** For those members that we do not have an email address, a paper ballot will be sent. Voting will take place beginning on March 29 and ending on April 9 at 5 p.m. Winners will be announced via e-mail and will be posted on the Bar's website.

A contested election will take place for the position of director. There are seven members running for five seats: Jessica Callow, Ettie Feistmann, Greg Huber, Theo Kypreos, Maureen Martinez, Ned Reagan and John Whittles.

Inside...

President's Message	3
Who Are They?.....	4
Capital Campaign	5
Judicial Profile	6
Personal Injury Corner.....	7
Bankruptcy Corner.....	9
Professionalism Corner.....	10
Probate Corner	11
Rules of Civil Procedure.....	12

New Members.....	14
Lawyer Variety Show Highlights	16
Technology Corner	17
Pro Bono Awards.....	19
Diversity Intern Program	20
NCS BBQ & Casino Night.....	21
North County Section News.....	22
Joint Luncheon.....	23
YLS Happy Hour.....	25
Bulletin Board.....	25

THE
BULLETIN

PALM BEACH COUNTY
BAR ASSOCIATION

JOHN M. HOWE
President

www.palmbeachbar.org

PATIENCE A. BURNS, CAE
Executive Director

Officers

John M. Howe, President
Adam T. Rabin, President-elect

Directors

Rosalyn Sia Baker-Barnes
C. Wade Bowden
Robin I. Bresky
Jason J. Guari
Theodore S. Kypreos
James "Grier" Pressly III
Jill G. Weiss
John R. Whittles

Michael J. Napoleone, Immediate Past President
Jason D. Lazarus, Young Lawyers Section President
Ronald P. Ponzoli, Jr., North County Section President
Jay A. Schwartz, Ex Officio, South County Bar President

FL Bar Board of Governors Members

Gregory W. Coleman
Gary S. Lesser
David C. Prather
Michelle R. Suskauer

FL Bar Young Lawyers Division

Board of Governors Members
Miles A. McGrane IV
Adam Myron
Matthew T. Ramenda

1507 Belvedere Road
West Palm Beach, FL 33406
(561) 687-2800
FAX (561) 687-9007
e-mail info@palmbeachbar.org.

Advertising Information:

Shoshanah Spence • sspence@palmbeachbar.org

Views and conclusions expressed in articles and advertisements herein are those of the authors or advertisers and not necessarily those of the officers, directors, or staff of the Palm Beach County Bar Association. Further, the Palm Beach County Bar Association, its officers, directors, and staff do not endorse any product or service advertised. Copy deadline is the first of the month preceding publication.

The mission of the Palm Beach County Bar Association is to serve its members, foster professionalism and enhance the public's understanding and awareness of the legal system.

LETTERS TO THE EDITOR

The Palm Beach County Bar Association Bulletin welcomes your comments on topics relating to the law, the legal profession, the Palm Beach County Bar Association or the Bar Bulletin. Letters must be signed, but names will be withheld upon request. The editor reserves right to condense.

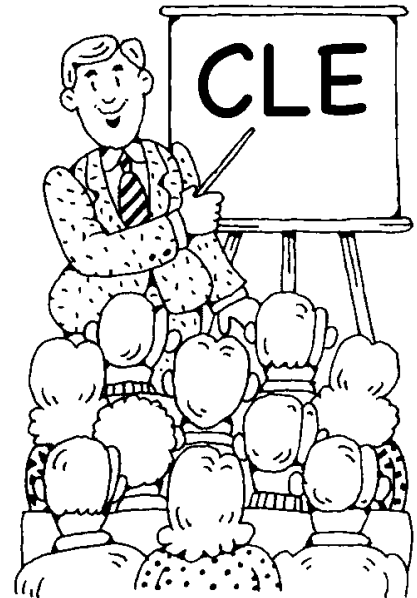


Send letters to:
EDITOR Bar Bulletin
Palm Beach County Bar Association
1507 Belvedere Road
West Palm Beach, FL 33406

Need CLE Credit?

Check out these upcoming live seminars sponsored by the PBCBA and organized by your fellow Bar members. For more information about these seminars, go to the Bar's website at palmbeachbar.org:

- | | |
|-----------|------------------------------------------|
| March 9: | Bench Bar Conference |
| March 12: | Securities Law |
| March 27: | Elder Law Dinner Seminar |
| April 4: | Commercial Business Law Luncheon Seminar |
| April 23: | Construction Law |
| April 25: | Personal Injury |
| May 9: | Commercial Business Law Luncheon Seminar |
| May 16: | Estate/Probate Seminar |
| May 21: | Bankruptcy |
| June 1: | Real Estate |
| June 8: | Community & Homeowner Association |



Register for Bar Events Online at...
www.palmbeachbar.org

probate | litigation

referral fees

pankauski

LAW FIRM
P.L.L.C.

(561)

514 - 0906

support@pankauskilawfirm.com



H.B. 1355 Election Integrity of Voter Disenfranchisement

By John M. Howe

One of the most fundamental constitutional rights we have, as Americans, is the right to vote. This right, however, can easily be rendered ineffective in a democracy, unless all eligible voters are allowed unimpeded access to registration and polls. There is no doubt that the right to vote is very precious. Corporations, individuals and special interests, raise and spend billions of dollars in every election cycle. The right to vote is even more precious to other American citizens (namely women and minorities) because it is a right that has not always been available to them. Despite the passage of the Fifteenth Amendment in 1869 guaranteeing the right to vote to all Americans, others have ever since worked to neutralize its effectiveness through the enactment of Jim Crow laws, poll taxes, "voter competency tests," intimidation and violence. Accordingly, I tend to oppose any laws which have the effect of curtailing or denying the voting rights of any eligible American voter or which would discourage individuals or groups from assisting eligible citizens to register to vote, regardless of political ideology, age, sex or ethnicity.

In 2011, the Florida Legislature passed H.B. 1355, and our governor signed it into law. I had not heard of rampant voter fraud in Florida, or that our existing voting laws were ineffective, or that they were otherwise being circumvented. This, however, is not the first time in recent Florida history that voting rules or regulations have been enacted which restricted registration efforts and access to polls. Leading up to the 2000 elections, the then Secretary of State purged the names of numerous eligible voters under the pretext that felons were the target of the purge. Disproportionally, the wrongly purged voters tended to be minorities. In 2005, the Florida legislature enacted new laws

imposing hefty fines on "third-party voter registration organizations" if the 10-day window for the submitting registration forms was missed. A suit challenging the new law was filed in federal district court by the several voting advocacy organizations. The court ultimately struck down the 2005 law citing the "chilling effect" it would have on voter registration efforts. The legislature then enacted new laws in 2008 with less hefty fines and with caps on the total fines one could receive. However, notwithstanding the cap on fines, voter registration in Florida decreased by approximately 25% between 2006 and 2010.

So, why the big fuss? The big fuss is due to the documented history of vote suppression in some states or geographic regions within states, including four Florida counties. Due to the prevalence of suppression methods like those described above, the Voting Rights Act (VRA) of 1965 was enacted by Congress. Section 5 of the VRA identified certain states and regions that, due to documented histories of vote suppression, must submit any new voting laws to the Department of Justice for review and pre-approval prior to enforcement. Florida has gone forward and is enforcing H.B. 1355 in its Non-Section 5 covered counties.

What should you know about H.B. 1355? It affects voter registration and the opportunity to vote in three (3) major ways. First, it imposes onerous new reporting requirements, reduces the window to turn in registration forms from 10 days to 48 hours, and subjects any person or organization involved with registering voters to substantial civil, monetary and criminal liability for any non-compliance. Second, it drastically reduces early voting from two weeks to eight days before the election and eliminates early voting on the Sunday preceding Election Day. (Apparently, there was rampant vote fraud on that

day.) Third, the new law makes it much more difficult for voters to update their addresses at polling locations during the polling period.

As a result of H.B. 1355, many non-partisan, non-profit organizations, such as the League of Women Voters, Boy Scouts, Democracia, Rock the Vote, etc., have suspended all voter registration activities in Florida. In at least two instances, high school social studies teachers who assisted their students in registering to vote have been referred for prosecution and fines up to \$1,000.00. Just as disturbing, is that it is known that the indigent, minorities, young voters and the elderly rely disproportionately on third-parties to register to vote or to update their addresses. It is also known that African-American and Hispanic voters are twice as likely as other groups to vote early, particularly, on the Sunday before Election Day. Elderly and indigent voters also tend to rely on others for transportation to the polls. By reducing the number of days for voting, H.B. 1355 serves primarily to reduce the likelihood these voters will have an opportunity to exercise their right to vote.

On the floor of the Florida Senate, one proponent of H.B. 1355 was quoted as saying "[w]e do make it convenient for people to vote but I gotta tell ya I wouldn't have any problem making it harder." This statement embodies the antithesis of democracy. To date, I have neither heard of any explanation as to how the provisions of H.B. 1355 reduce or eradicate voter fraud. It does, however, effectively put voter registration efforts across the state on ice, and it will undoubtedly disenfranchise some eligible and legally registered voters. As we approach this election season, take some time to familiarize yourself and those around you with the provisions H.B. 1355. If you have moved since you last registered to vote, update your address now. If you are assisting others to register, be sure to first contact the Supervisor of Elections Office. Exercise your right to vote this year, and don't be disenfranchised by H.B. 1355.

Who are they?

Can you guess who these members are? Answers can be found on page 19. If you have old pictures of yourself or other members that you'd like featured, please send them to Patience Burns at the Bar Office.



North County Section seeks Board Members

Elections for the North County Section's Board of Directors will take place this month.

Petitions will be available March 1 for five (5) director positions (for a two year term), plus president-elect.

The Board meets once a month during lunch to plan various networking events for its 650 members.

To apply for a position, you must submit a completed nomination form to the Bar Office no later than 5:00 p.m. on Friday, March 30. If there is a contested election, voting will take place

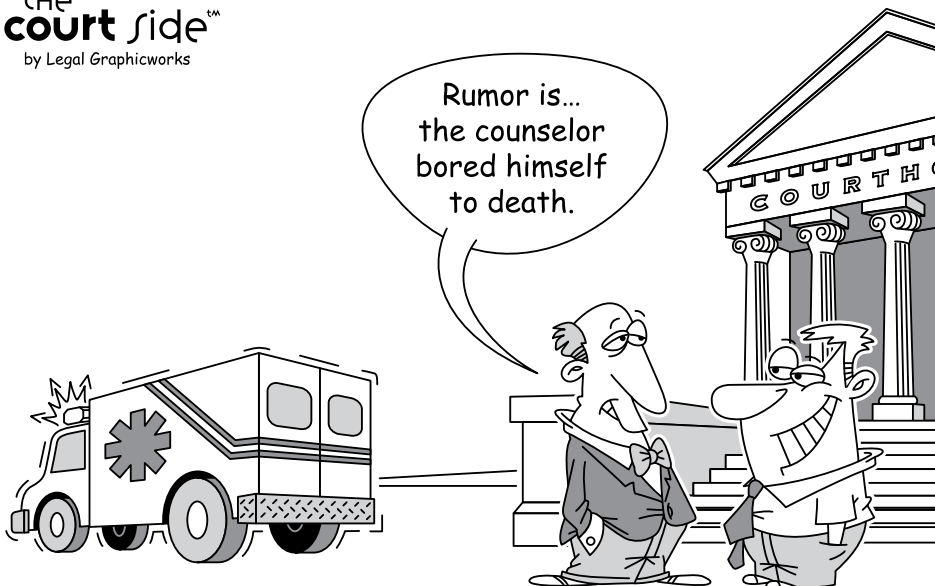
online in April and winners will be announced online in May.

The current Board for 2011-2012 includes President, Ron Ponzoli; President-Elect, Ken Johnson; Secretary, Larry Buck and Immediate Past President Ned Reagan.

Directors serving terms expiring June 2012: Keith Campbell, Spencer Kuvin, Carl Spagnuolo, Todd Stewart and Dante Weston.

Directors serving a two (2) year term expiring June 2013: Jerry Beer, Larry Buck, Rosemarie Guerini, Marina Petillo and Greg Yaffa.

the
court side™
by Legal Graphicworks



Capture their attention and capture a verdict with demonstrative aids.

- 🔍 VIDEO DEPOSITIONS
- 🔍 MEDIATION & TRIAL PRESENTATIONS
- 🔍 ANIMATION & RENDERING
- 🔍 COURTROOM SUPPORT
- 🔍 FULL COPY SHOP SERVICES
- 🔍 LATEST TECHNOLOGY
- 🔍 EXCELLENT CUSTOMER SERVICE

We provide a great value for every dollar you spend.

LEGAL
graphicworks

[Prepare for Impact]

Palm Beach, Florida | 561.655.0678 | legalgraphicworks.com

Capital Campaign — Thank You to Those Who Have Contributed!

Personalized Bricks Purchased (As of 1/25/12)

Akerman
Adams, Coogler, Watson, Merkel, Barry & Keller, P.A.
Agnant, Linda (for Lou McBane)
Babbitt, Johnson, Osborne & LeClainche, P.A.
Beer, Jerald
Bertisch, Robert & Harreen
Breton, Lynch, Eubanks & Suarez-Murias, P.A.
Brewer, Carol McLean
Burns, John L.
Burns, Tom & Patience
Casey, Patrick
Clark, Fountain, LaVista, Prather, Keen & Littky-Rubin
Coleman, Greg & Monica
Colton, Roger B.
Cortvriend, Sarah
Deckert, Ted
Downey, Edward
Farrell, John
Fine, Edward
Fox Rothschild
FPL
Gamot, Melinda
Gerber, Jonathan & Tracy
Glickman, Garry
Glickman, Witters & Marell
Gordon & Doner, P.A.
Hispanic Bar Association
Howe, John
Hunston, Jay and Jane
Jenks, Debra & Robert Harvey
Jones Foster Johnston (in memory of McCracken)
Kenwood, Joel
Klett, Stan
Kreusler-Walsh Compiani & Vargas, P.A.
Kypreos, Theo & Jennifer
LaBovick Law Group
Law Offices of Irwin J. Block PLLC
Law Offices of Robin Bresky
Lazarus, Jason
Legal Aid Society of Palm Beach County
Leopold Law
Maschler, Matthew H.
Massa, Patrick
McBane, Louis R.
McCabe Rabin
McCall, Wallace
McClosky, D'Anna & Dieterle, LLP
McHale & Slavin
Murray & Guari
Murrell, Donnie
Napoleone, Michael
Neal, Ginny R.
Palm Beach Spine & Diagnostic Institute
Pateman, Mark
PBC Chapter of Paralegal Association
Pineiro Byrd PLLC
Pressly & Pressly
Prior, Ted
Proskauer Rose LLP
Rock Legal Services & Investigations
Royce, Catherine S.
Royce, Raymond W.
Rutherford Mulhall, P.A.
Sabadell United Bank
Sasser, Tom & Meenu
Schutz & White LLP



The Bar Association will soon be moving to its first permanent home located off Belvedere Road in West Palm Beach. The building will be a state-of-the art facility for our legal community to enjoy for many years to come. You can be a part of history by naming a room or buying a brick.

We sincerely thank the following firms and members who have contributed as of 11/25/11:

Searcy Denney Scarola Barnhart & Shipley	Classroom
Richman Greer, P.A.....	Executive Director's Office
Schuler, Halvorson, Weisser & Zoeller, P.A.....	Small Conference Room
Holland & Knight LLP	Member Services Office
North County Section & Young Lawyers Section	Communication Director's Ofc
Lesser, Lesser, Landy & Smith	Front Bench
Lytal Reiter Smith Ivey & Fronrath	Reception Area
Jones, Foster, Johnston & Stubbs	LRS Office
Gunster	Landscape
Fisher & Bendeck	Landscape
Wyland & Tadros	Workroom
H. Irwin Levy.....	Visiting Attorney's Office
In Memory of Bob & Sandy Rogers	Lounge
Brian Scher & Debbie Meltzer	Women's Lounge
Greenberg Traurig.....	Admin. Asst. Workstation

Additional rooms are still available!

Would you like to have a permanent place in the Bar's new building?

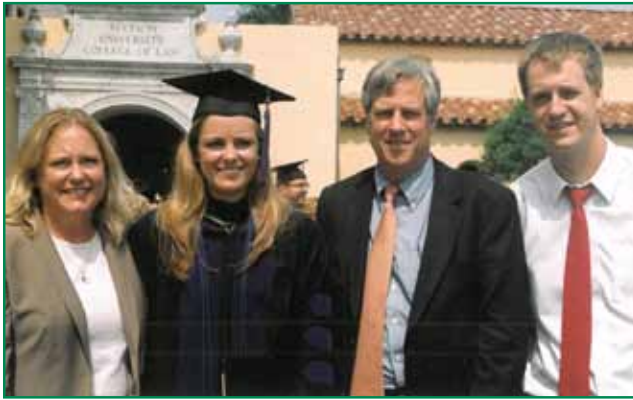
For further information regarding naming rights or to purchase a brick, please contact Lynne Poirier at the Bar Office or scan the QR Code here with your Smartphone or go to palmbeachbar.org/capital.campaign.php



Shutts & Bowen LLP
Signature Court Reporting
Small, Michael, Lisa Small & J.D. Small
Smith, Amy
Smith, D. Culver
Smith, Scott & Molly
Sorgini & Sorgini, P.A.
South Palm Beach County Bar Association
Stewart, Todd

Stuart Manoff & Associates
Suskauer, Michelle
U.S. Legal Support
Walsh, Michael P.
Weiss, Jill
Weissman, Joel & Alexandra
Whittles, John
Wroble, Art & Mary Ellen
Zelev Huber

Judicial Profile of Circuit Judge Gregory Keyser



By Walter "Casey" Jones, IV

When a request to write an article about County Judge Greg Keyser was made by the Judicial Relations Committee, I immediately volunteered. I met Greg 30 years ago when we were younger. I tried my first jury trial with Greg and will always remember his cool, calm demeanor and professionalism. It is the same today and is a real benefit to our bench here in Palm Beach County.

Greg was born in Arlington, VA and moved to Ft. Lauderdale at the age of 5. At 20, he moved to Delray Beach with his family. Greg graduated from Duke University with a BA in accounting and political science with honors. He went on to the University of Florida law school where he met his wife, Circuit Judge Janis Brustares Keyser. They returned to Palm Beach County after graduation. He started with the firm of MacMillian, Newet et al in Delray Beach. Shortly thereafter, he heard the call for litigation and joined Paxton Crow, Bragg and Austin, now known as Paxton and Smith, doing primarily insurance and medical malpractice defense work. The Paxton firm has several alumni currently on the bench including 19th Circuit Judge Robert Hawley, Palm Beach Circuit Judge David Crow, Palm Beach County Judges Sandra Bosso Pardo and newly appointed County Judge Robert Panse. Greg went on to work at Sax, Sachs and Klein doing commercial litigation. He eventually joined his wife in practice at Gay, Ramsey and Warren, P.A., which later merged with Billing, Cochran, Lyles, Mauro & Ramsey, P.A., primarily doing medical malpractice defense work before being appointed a County Judge.

Greg and Janis have two children, Mallory and Spencer. Spencer went to his mother's alma mater, Florida State

University, and Mallory went to the University of Florida. Both are following their parents into the legal field. Mallory, a Stetson University Law graduate, currently works as an assistant public defender in Pinellas County and Spencer just finished his first semester of law school at Nova University.

Greg was appointed to the County Judgeship by Governor Crist in December of 2010 and began working in the civil division at the main courthouse. In 2011 he was reassigned to the South County Courthouse hearing civil cases. He is truly humbled by the job and the responsibility that goes with it. The hardest part of the job is being told that when his wife presided in county civil she ruled differently than he does on matters before him.

The best part of the job is helping people with their problems in difficult times. He handles many eviction and collection cases and has many pro se defendants before him that have nowhere to turn due to the loss of a job, health issues, etc. He tries to counsel them and do the best he can while respecting the law and legal rights of the opposing party. While some may say this is hard work, Greg finds it extremely rewarding and motivates him to do his job as best he can realizing that not everybody will be happy with the result.

Greg and Janis spend their free time exercising, playing tennis, golf with his son and visiting their daughter in St. Petersburg.

Greg currently is assigned to the South County Courthouse handling one of two civil divisions. He will also be assisting the Family Court Judges in south county hearing civil domestic violence Petitions and Hearings.

Greg has always had a very easygoing personality that serves him well in the courtroom. Greg has earned the respect of his peers who having nothing but praise for him as a Judge and as an attorney.

Editor's Note: Judge Keyser has since been appointed by the Governor to the Circuit bench to replace retiring Judge Karen L. Martin.



Member Benefit Program

Affiniscap Merchant Solutions
Credit/Debit Card Processing
(866) 376-0950

Association Members Only
Discounted Office Supplies
(6% rebate on all purchases)
(260) 467-2222

Brooks Brothers Clothing
15% discount
www.palmbeachbar.org/benefits.php

Daily Business Review
Discounted Subscriptions
(877) 347-6682

East Coast Dry Cleaners
10% Discount
719 N. Dixie Highway, WPB

Metlife Insurance
Discounted Policies
Bob Greenberg (772) 340-7741

Movie Theatre Tickets
Discounted tickets for Muvico & Regal
(561) 687-2800 Eva Gray

Online Courses
Classes for speeding tickets, first time drivers, notaries and many more
www.palmbeachbar.org/online_courses.php

Paychex
Discounted (15%) Payroll and HR Services
New Enrollees Only
(561) 655-5542

PBCBA CLE CD's
Discounted audio recordings of seminars
(561) 687-2800, Eva Gray
www.palmbeachbar.org/continuing.php

PBCBA Lawyer Referral Service
Client Referrals
(561) 687-2800 Eva or Dee

Tickets at Work
Theme Park, Broadway/Las Vegas Shows & Other Entertainment Discounts
(800) 331-6483
www.ticketsatwork.com

USI Affinity
Professional Liability Insurance
Contact (877) LPL-4671



Liability for Permissive Use of a Rental Vehicle

by Ted Babbitt

Chandler v. GEICO Indemnity Co., 36 Fla. L. Weekly S660 (Nov. 23 2011) is a case in which the Florida Supreme Court continued to apply the dangerous instrumentality doctrine notwithstanding

attempts by rental car companies or insurers to contractually limit that doctrine's application.

In this case, a party rented a car from Avis under a contract which specifically limited the operation of the car to the renter, precluding its operation by any additional operators and providing that if permission were given to operate the car to anyone other than the renter, the rental agreement would be vitiated.

Shortly after renting the car, the renter permitted its use by another party who, in turn, permitted the rental vehicle to be operated by yet a third party who, in turn, negligently crashed the car into a tree causing serious injury and death to several of the passengers. One of the injured passengers brought suit against the renter's insurer who denied both coverage and defense under the theory that the rental car did not constitute a temporary substitute automobile under the policy because the rental agency, Avis, had not given the driver permission to drive the car and, in fact, had negated that permission under the terms of the rental agreement.

The trial court entered summary judgment in favor of the plaintiff passenger and the First District reversed holding that since Avis was the owner of the vehicle, only Avis could give permission to drive the vehicle and the vehicle, therefore, did not qualify as a temporary substitute vehicle.

The Supreme Court reversed the First District's opinion under the authority of the cases of Susco Car Rental System of Florida v. Leonard, 112 So. 2d 832 (Fla. 1959), American Fire & Casualty Co. v. Blanton, 182 So. 2d 36 (Fla. 1st DCA 1966) and Roth v. Old Republic Insurance Co., 269 So. 2d 3 (Fla. 1972).

Susco, supra, was remarkably similar to the case under consideration by the Supreme Court. In Susco, a bailee rented a car from a rental company under an agreement that provided that no person other than the renter could drive the car without the rental company's written consent. The renter permitted an unauthorized driver to drive the car who then caused the collision and the occupants of the other vehicle filed an action. The trial court entered a summary judgment for the rental car company and the Third District reversed. In affirming the District Court, the Supreme Court in Susco defined the dangerous instrumentality doctrine under these circumstances as follows:

In the final analysis, while the rule governing liability of an owner of a dangerous agency who permits it to be used by another is based on consent, the essential authority or consent is simply consent to the use or operation of such an instrumentality beyond his own immediate control. Only to that limited extent is the issue pertinent when members of the public are injured by its operation, and only in a situation where the vehicle is not in operation pursuant to his authority, or where he has in fact been deprived of the incidents of ownership, can such an owner escape responsibility. Certainly the terms of a bailment, either

restricted or general, can have no bearing upon that question. (Emphasis by the Court).

In Blanton, a farmer gave his underage son permission to drive his car to the farm but specifically told the son not to allow anyone else to ride with him. The son, ignoring the father's limitations, picked up a friend and let the friend drive the car who crashed the car into a ditch. The District Court in Blanton, at 182 So. 2d 38 applied the Supreme Court's decision in Susco stating:

...implied permission "has come to have a fixed, definite meaning in this jurisdiction" under the dangerous instrumentality doctrine, which is to the effect that the owner of a motor vehicle is relieved from responsibility for its use or misuse only upon a breach of custody amounting to a species of conversation or theft. (Emphasis by the Court).

In Roth, supra, there was again a rental car where the rental agency prohibited the renter from permitting another driver to operate the car and another person was allowed to operate the car and he then negligently struck two pedestrians. In the action by the pedestrians and the subsequent suit by the insurer of the renter against the rental company, the Court held at 6-7:

Susco recognizes that a bailee or a lessee of a rented automobile, similarly as its owner, may permit another to operate it (and often does) and the latter's negligent operation of it renders the owner vicariously liable, together with his liability insurer, under the dangerous instrumentality doctrine, despite an agreement between the owner and the lessee to the contrary. See American Fire & Casualty Co. v Blanton, [182 So. 2d 36, 39 (Fla. 1st DCA 1966)]. A necessary legal corollary to this recognition in Susco is that the owner and the lessee's insurance coverage under financial responsibility (in this instance afforded by Old Republic) covers the lessee's permittee as well...

The Susco and Blanton cases recognize that in the very nature of modern automobile use a lessee of a rental

Continued on page 22

Board Meeting Attendance

	Retreat	Aug	Sep	Oct	Nov	Dec	Jan
Barnes	x	x	x	x	x	x	x
Bowden	x	x	x	x	x	x	x
Bresky	x	x	x	x	x	x	
Guari	x	x	x	x	x	x	x
Howe	x	x	x	x	x	x	x
Kypreos	x	x		x	x	x	x
Lazarus	x	x	x	x	x	x	x
Napoleone	x	x	x	x	x	x	x
Ponzoli	x	x	x	Buck	x	x	x
Pressly	x	x	x	x	x	x	x
Rabin	x	x	x	x	x	x	x
Weiss	x	x	x	x	x	x	x
Whittles	x	x	x		x	x	x

Re-Elect

COMMITMENT to SERVICE and LEADERSHIP



Theo Kypreos

**Palm Beach County
Bar Association
Board of Directors**

Palm Beach County Bar Association

- Board of Directors (2009 – 2012)
- Building Committee Member
- Bench Bar Conference Committee Member
- Probate/Guardianship Practice Committee Member
- Estate/Probate CLE Committee Member

PBCBA Young Lawyers Section

- President (2009 – 2010)
- Former President-Elect, Secretary & Treasurer
- Executive Committee Member (2002 – 2010)

The Florida Bar

- Florida Probate Rules Committee Member
- Probate and Trust Litigation Committee Member
- Vice-Chair, The Florida Bar Foundation
Palm Beach County Fellow Campaign
- Real Property, Probate & Trust Law (RPPTL)
Section Fellow (2010-2012)

Chamber of Commerce of the Palm Beaches

- Trustee since 2009
- Board of Directors (2006 – 2009)
- Leadership West Palm Beach (2006)

University of Florida College of Law

- Law Alumni Council Member since 2002
- Jones, Foster, Johnston & Stubbs, P.A.**
- Shareholder



Full Service Investigative Agency
Discreet-Reliable-Experienced

Family Law Matters
Personal Injury Case Support

Research / Backgrounds
Signups / Interviews
Surveillance
Process Service

561.644.3699 / Open 24/7
info@picontent.com
Agency #A2700340



***JESSICA M.
CALLOW***

Continuing the Commitment to Leadership and Service

Palm Beach County Bar Association

- Co-Chair, Committee for Diversity and Inclusion - 2010-2011
- Co-Chair, Inaugural Diversity Summit - 2009-2010
- Co-Chair, Law Week Ask a Lawyer – 2006-2007
- Law Week, Judicial Relations and Membership Committees, Past Member

Florida Association for Women Lawyers, Palm Beach County Chapter

- Past President – 2009-2010
- Board of Trustees, serving as Immediate Past President, President-Elect, Treasurer and Outreach Chair – 2005-2011

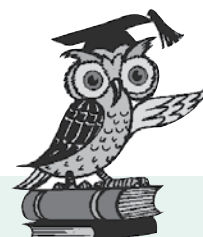
American Inns of Court, Craig S. Barnard Chapter

- President-Elect/Counselor
- Board of Directors, serving as Membership Chair, Foundation Liaison and Member at Large – 2005-present

Notable Activities and Honors

- Special Prosecutor, Palm Beach County State Attorney's Office – April-July 2009
- Law Alumni Council, University of Florida Levin College of Law – 2005-present
- Florida Bar Foundation, Steering Committee, Palm Beach County Fellows Campaign, 2010
- Super Lawyers, Florida Rising Star – 2010, 2011
- Florida Trend, Legal Elite Up and Comer, 2010

CASEY CIKLIN LUBITZ MARTENS & O'CONNELL



Do You Need a Mentor?

The Palm Beach County Bar Association's Mentor Program is designed to provide members with a quick and simple way to obtain advice, ideas, suggestions, or general information from an attorney that is more experienced in a particular area of law. The mentors provide a ten-to-fifteen-minute telephone consultation with a fellow attorney, at no fee. Any member of the Palm Beach County Bar, whether newly admitted or an experienced practitioner, can use the program. Call the Bar office at 687-2800, if you need a Mentor.



Bank Accounts and Tenancy By the Entirety

By Marc P. Barmat

In a recent unpublished opinion, Chief Bankruptcy Judge Paul G. Hyman, ruled on whether summary judgment was appropriate regarding the debtor's claim of a tenancy by the entirety ("TBE") exemption for two separate bank accounts. Each account was analyzed separately by the Court in In re: Michael F. Aranda, Case No. 08-26059-PGH (Adversary Proceeding No. 08-01768-PGH). A review of this case provides a good reminder of the TBE law and its applications to bank accounts.

Account 1 was opened by the debtor with a signature card that provided the following "check the box" options under the heading "Ownership of Account": (1) "Single-Party Account"; (2) "Multiple-Party Account"; (3) "Multiple-Party-Account Tenancy by the Entireties"; and (4) "Trust-Separate Agreement." The debtor checked the box next to the line indicating "Single-Party Account." Subsequently, the debtor and his wife executed a second signature card adding the debtor's wife to account 1 and checking the box indicating "Multiple-Party Account."

Account 2 was opened at the same time as when the debtor executed a second signature card on account 1. On account 2, the debtor and his wife checked the box indicating "Multiple-Party Account." The debtor and his spouse assert that the bank personnel selected the "Multiple-Party Account" box before presenting the signature cards to the debtor and his wife for their signature.

Following the execution of the new signature card on account 1 and the execution of the signature card on account 2, a judgment was entered against the debtor which led to service of a writ of garnishment on accounts 1 and 2. The debtor filed a Chapter 11, which was subsequently converted to a Chapter 7. The Chapter 7 trustee objected to the debtor's exemption claim of tenancy by the entirety in the accounts.

With regard to account 1, Chief Judge Hyman ruled that the account

could not be TBE as the debtor and his spouse did not meet one of the unities of TBE, i.e., the debtor and his spouse did not acquire their interest in account 1 at the same time. The six necessary unities of TBE ownership are: "(1) Unity of Possession (joint ownership and control); (2) Unity of Interest (the interests in the account must be identical); (3) Unity of Title (the interests must have originated in the same instrument); (4) Unity of Time (the interests must have commenced simultaneously); (5) Survivorship; and (6) Unity of Marriage (the parties must be married at the time the property became titled in their joint names)." Chief Judge Hyman agreed with the trustee's argument that the unity of time was not present. The court ruled that the relevant time for establishing the unities of TBE ownership is when the debtor opened the account and that the subsequent addition of the debtor's wife as co-owner was not sufficient to create a tenancy by the entirety. As a result,

the Court denied the debtor's claim of exemption in account 1.

With regard to account 2, the Court denied the trustee's summary judgment as it could not determine the form of ownership based solely on the signature card. In accordance with the Florida Supreme Court's decision in Beal Bank, SSB vs. Almand and Assocs., 780 So. 2d 45 (Fla. 2001), the Court found that if the debtor establishes that the bank expressly precluded TBE as a form of ownership, then a debtor may prove by extrinsic evidence that he intended to create a TBE even if the signature card contains an express disclaimer of TBE ownership. Accordingly, the court denied the trustee's motion for summary judgment on the claim of exemption in account 2.

This article was submitted by Marc P. Barmat, Furr and Cohen, P.A., One Boca Place, Suite 337 West, 2255 Glades Road, Boca Raton, FL 33431; mbarmat@furrcohen.com



W. Jay Hunston, Jr. Mediator/Arbitrator

Since 2001, limiting his practice to all forms of effective dispute resolution, including mediation, arbitration, special master, and private judging services.

- J.D., Stetson Univ. College of Law (1976)
- Fla. Bar Bd. Cert. Civil Trial Lawyer (1983 - 2003)
- Fla. Bar Bd. Cert., Emeritus, Civil Trial Law (2003 - Present)
- Fla. Certified Circuit Civil Mediator (1991 - Present)
- Fla. Certified Family Mediator (1998 - Present)
- Qualified Fla. Arbitrator (2000 - Present)
- FINRA/NASD Approved Mediator
- Admitted to Practice in Florida and Montana
- Hourly and Per Diem Rates Available Upon Request

P.O. Box 508, Stuart, FL 34995
(772) 223-5503; (800) 771-7780 - Office
(772) 223-4092; (866) 748-6786 - Fax

Email: wjh@hunstonadr.com

Website/Online Calendar: www.hunstonadr.com



Courtesy vs. Clients' Rights: Drawing the Line

By Michael D. Mopsick

Palm Beach County is a relatively civilized place to practice law, hopefully due in part to the rules that govern our conduct and make us aspire to civility and professionalism in our practices. The Florida Bar's *Ideals and Goals of Professionalism* and Palm Beach County's own *Standards of Professional Courtesy*, have been written about before in this column. Most of us know they exist; some of us may even have read them. But all of us have, at one time or another, experienced the tension between what these rules require of our conduct and what the Rules of Professional Conduct require of our duty to our clients.

These "civility" rules and The Rules of Professional Conduct often produce real-life dilemmas that we feel ill-equipped to handle. They arise in the simplest of situations, often at the outset of litigation, and the way you handle them can set the tone for your relationship with opposing counsel, and often with your client, for the rest of the case.

The obvious first example is the request for extension of time to respond to a complaint, received within the first 20 days. You know the Court will grant this request. In fact, if you refuse to consent, the very filing of a motion by your adversary will result, in practice, in a longer extension than he may have been asking for. You know that, but does your client? He hired you because his nephew, your fraternity brother, referred him to you, and you assured him that you are a tough and aggressive litigator. Is this the time to show it? Of course not. If your client does not know that this is a no-brainer for you to grant the courtesy of an extension, you have done a terrible job of managing your client's expectations. You haven't told him that although you are a tough litigator, you practice within

the guidelines of the Standards of Professional Courtesy. Nor have you explained that you will, from time to time, grant such courtesies when doing so will not prejudice his rights and may even save him some counsel fees.

Here is another simple one. You filed and served your complaint, checked with the clerk on the 21st day, learned that nothing had been filed by the defendant, waited another week just to be sure, and then obtained a clerk's default. You've informed your client and are happily drafting the motion for default judgment, when you get a call from a lawyer you know and admire (or, that you don't know at all), saying he was consulted on the 20th day by the defendant but wasn't retained until yesterday, and can you please agree to vacate the default so he can answer? Is this a request for simple courtesy, or are you being asked to compromise your client's rights in the interest of civility and practicality? What would your client be giving up if you agree? Is the Judge likely to vacate the default? Is there any scenario in which she wouldn't? What will you tell your client when he asks why you did it? Did courtesy dictate that you give away your client's right to proceed to a default judgment? Did he even have such a right, or would the Judge, in all likelihood, have vacated the default, costing your client more in fees to defend the motion to vacate?

The line is a little fuzzier in this one, which happens every day. After you've entered a clerk's default, you moved for default judgment for a liquidated sum, and judgment was entered. A week later, your good friend, your law school moot court partner, calls and says she was retained a week ago, and it looks like there is a good defense, but she was in trial, meant to call you but couldn't get to it, and she's still working on her motion to dismiss. She confidently asks for the courtesy of an extension of time. You, uncomfortable, explain that you already have a judgment. Shocked, she pleads with you to agree to vacate the judgment. She even tells you her "meritorious" defense, which sounds viable. Is this a request for a "courtesy"? How will you explain this request to your client? You know that the Judge could vacate the judgment based on excusable neglect and a meritorious defense, but he might not, or he might impose conditions. Would you be compromising your client's position in order to help a friend, or are you still at the point where you are saving the client fees by cutting right to the expected result?

These are only the simplest of examples, yet there are few answers here; mostly questions. To practice with professionalism and civility requires that you determine when a grant of courtesy is a breach of your duty to your client. Managing a client's expectations will ease your way when you try to follow the line of the "civility" rules, but knowing where that line intersects with your duty to your client is the mark of a true professional.

Michael D. Mopsick is a partner with the Boca Raton office of Buckingham, Doolittle & Burroughs. His practice is focused on litigation of trust, probate and guardianship matters and he is a Florida Supreme Court Certified Circuit Civil Mediator.

Circuit Court Report CIVIL DIVISIONS • As of January 15, 2012

DIVISION	JURY TRIALS	NON-JURY TRIALS	MOTIONS	CASES PENDING
AA KELLEY	05-12	05-12	02-12	1468
AB KASTRENAKES	08-12	08-12	03-12	1525
AD FRENCH	04-12	04-12	03-12	1745
AE MCCARTHY	11-12	11-12	02-12	1830
AF KEYSER	06-12	06-12	02-12	1606
AG CROW	09-12	04-12	03-12	1865
AH BROWN	06-12	06-12	03-12	1446
AI SASSER	05-12	03-12	01-12	1125
AJ ROSENBERG	05-12	05-12	03-12	1224
AN McSORLEY	04-12	04-12	02-12	1632
AO BRUNSON	05-12	04-12	04-12	1590

Co-Agents Duties And Liabilities Under A Durable Power Of Attorney

By David M. Garten, Esq.



In *Rosenkrantz v. Feit*, 2011 Fla. App. LEXIS 19915 (Fla. 3rd DCA 12/14/11), sister brought a declaratory judgment action against

her brother/co-agent¹ under their mother's durable power of attorney.² Sister sought a declaration of her rights as a co-agent and an accounting. Sister alleged that she was unable to issue subpoenas to her mother's bank to obtain bank account information, but could not issue the subpoenas, or obtain this information, without her brother's concurrence which he refused to give. She alleged that her brother was not fulfilling his fiduciary role and refused fully to account for their mother's assets. Sister sought declaratory relief to determine: 1) the extent to which she could act without the concurrence of a co-agent who could be acting in derogation of his fiduciary duty; and 2) whether she was entitled to an accounting from the co-agent.

HOLDING: The court held that if the allegations are proven as pled, sister acted properly and prudently in seeking to fulfill her fiduciary role. As a co-agent, sister had both the right and the duty to seek an accounting from her brother based upon her allegations of improper disbursements of their mother's property.

REASONING: The court reasoned that co-agents under a durable power of attorney are liable "for failure either to participate in the administration of assets subject to the power or for failure to attempt to prevent a breach of fiduciary obligations thereunder." § 709.08(9)(d), F.S. Under § 709.08(9)(a), "concurrence of both is required on all acts in the exercise of power." Further, § 709.08(8) provides that an agent is a fiduciary who must observe the standards of care applicable to trustees as described in s. 737.302. If the exercise of the power is improper, the agent is liable to interested persons as described in § 731.201 for damage or loss resulting from a breach of fiduciary duty by the agent to the same extent as the trustee of an express trust. Thus, those acting as co-agents must be guided by the same fiduciary principles applicable to co-trustees.

It goes without saying that co-trustees owe to each other, as well as to the beneficiaries of the trust, the duty and obligation

¹The term "agent" and "attorney in fact" are synonymous under the new Act. See § 709.2102(1), F.S. (2011).

²The term "agent" and "attorney in fact" are synonymous under the new Act. See § 709.2102(1), F.S. (2011).

to so conduct themselves as to foster a spirit of mutual trust, confidence, and cooperation to the extent possible. At the same time, the trustees should maintain an attitude of vigilant concern for the proper administration or protection of the trust business and affairs.

Although the court's reasoning is based on § 709.08, F.S. (2006), the court noted that the same reasoning applies to a durable power of attorney executed after the effective date of the new Florida Power of Attorney Act, i.e., 10/1/11. The new Act provides in part that:

- A principal may designate two or more persons to act as co-agents, and unless the power of attorney otherwise provides, each co-agent may exercise its authority independently. § 709.2111(1), Fla. Stat. (2011).
- If a power of attorney requires that two or more persons act together as co-agents, one or more of the agents may delegate to a co-agent the authority to conduct banking transactions pursuant to the power of attorney. § 709.2111(6).

- An agent may be required by a co-agent to disclose receipts, disbursements, or transactions conducted on behalf of the principal. § 709.2114(6).
- An agent (including a co-agent) may petition a court to construe or enforce a power of attorney, review the agent's conduct, terminate the agent's authority, remove the agent, and grant other appropriate relief. § 709.2116(1).
- An agent's exercise of power may be challenged in a proceeding brought on behalf of the principal on the grounds that the exercise of the power was affected by a conflict of interest. § 709.2116(4).

PRACTICE TIPS: Pursuant to § 709.2111, F.S. (2011), an agent who does not participate in or conceal a breach of fiduciary duty committed by another agent, including a predecessor agent, is not liable for the actions or omissions of the other agent. However, an agent who has actual knowledge of a breach or imminent breach of fiduciary duty by another agent, including a predecessor agent, must take any action reasonably appropriate in the circumstances to safeguard the principal's best interests.

INJURED CLIENT?

Expert Witness and Medical Treatment for the Injured



If your clients suffer back and neck pain or other injuries due to an auto accident, sports injury or slip and fall, the Board Certified Physicians at Palm Beach Spine & Diagnostic Institute will develop a comprehensive treatment plan and provide innovative treatment options to help your clients. Our doctors provide them with an expert diagnosis, explain the options and recommend the best treatment for their injuries.



- Same/Next Day VIP Treatment
- Ethical Professional Care and a Spirit of Teamwork
- Open Lines of Communication
- Reasonable Fees
- Final Narratives/Impairment Ratings
- 24-Hour Turn-around
- Expert Medical Care

Lawrence Gorfine, M.D. | Douglas MacLear, D.O.
2290 10th Avenue North • Suite 600 • Lake Worth • Florida 33461
CALL TODAY: (561) 649-8770 | www.helpain.com

Rule 1.140: Defenses

By Matt Triggs and Jonathan Galler

Ever been told that the best defense is a good offense? Anyone ever instruct you to hit first and hit hard?

That may be decent advice when it comes to football, boxing and political debates. But if you are trying to challenge a court's exercise of personal jurisdiction, the best defense is to stay on defense. If you take an early swing at your opponent, you just might find yourself stuck in the fight for the long haul.

The governing principles can be found in Rule 1.140.

First, under Rule 1.140, a defendant or non-party seeking to challenge personal jurisdiction must assert the defense in the first responsive motion or pleading or that defense is waived. *See Chancellor v. BWC Investments*, 57 So. 3d 969, 971 (Fla. 4th DCA 2011). The Rule provides that "[a] party waives all defenses and objections that the party does not present either by motion... or, if the party has made no motion, in a responsive pleading..." Rule 1.140(h)(1).

Second, under Rule 1.140, a defendant or non-party may join a timely asserted jurisdictional challenge with other defenses or objections but may not join the jurisdictional challenge with a claim for affirmative relief without waiving the challenge. *See Klem v. Espejo-Norton*, 983 So. 2d 1235, 1237 (Fla. 3d DCA 2008); *see* Rule 1.140(b) ("No defense or objection is waived by being joined with other defenses or objections in a responsive pleading or motion.").

As the Florida Supreme Court has held, "a defendant waives a challenge to personal jurisdiction by seeking affirmative relief – such requests are logically inconsistent with an initial defense of lack of jurisdiction." *Babcock v. Whatmore*, 707 So. 2d 702, 704 (Fla. 1998).

In cases discussing this well-settled principle, the issue that typically arises is whether the relief sought by the defendant or non-party qualifies as "affirmative relief" or is merely "defensive."

The Fourth District Court of Appeal addressed this issue just a few months ago in *Garfinkel v. Katzman*, 2011 WL 6057977 (Fla. 4th DCA Dec. 7, 2011). In that case, Garfinkel, a non-party witness, filed a motion for protective order to quash a deposition subpoena for lack of service. Garfinkel also sought to limit the scope of any deposition permitted on grounds of spousal and attorney-client privilege.

The trial court found that the motion for protective order waived Garfinkel's right to challenge the court's exercise of personal jurisdiction. But the Fourth District reversed, holding that (i) Garfinkel's motion timely raised her objection to personal jurisdiction and (ii) the accompanying request to limit the scope of the deposition was purely defensive in nature. *Garfinkel*, 2011 WL 6057977, *1. The Court was not persuaded by the appellee's argument that Garfinkel's objection for lack of service constituted just a few, short sentences in her motion and that the main thrust of the motion had been to limit the scope of the deposition.

In other words, Garfinkel's challenge to the court's exercise of personal jurisdiction was not waived when Garfinkel simultaneously asserted, and even emphasized in her motion papers, an additional request; that request constituted a defense, not a prayer for affirmative relief.

The Fourth District employed similar reasoning years earlier in *Ginsberg v. Lamour*, 711 So. 2d 182 (Fla. 4th DCA 1998). In

that case, the Court held that the defendant had not waived his challenge to personal jurisdiction where he filed a response to plaintiff's motion for entry of

default alongside a motion to quash service of process. The Court characterized the response to the motion for default as "purely defensive" and cited Rule 1.140(b) for the proposition that the assertion of that defense at the same time as the motion to quash service did not waive the defendant's objection to personal jurisdiction. *Ginsberg*, 711 So. 2d at 183.

The contours of this principle were discussed by the Second District Court of Appeal last year in *Faller v. Faller*, 51 So. 2d 1235 (Fla. 2d DCA 2011). There, the defendant filed a motion to dismiss for lack of personal jurisdiction and also moved to stay the action. The trial court ruled that the defendant had waived his objection to personal jurisdiction by joining the request for a stay. The trial court reasoned that a request for a stay is not a specifically enumerated Rule 1.140(b) defense and, therefore, cannot be joined with a jurisdictional challenge without waiving the challenge.

The Second District, however, reversed, holding that the motion to stay was defensive in that the defendant had simply sought a "time out" and had not sought to enforce any contractual or statutory right. *Faller*, 51 So. 2d at 1237. The Court also explained that Rule 1.140(b) is not an exhaustive list of possible defenses, the implication being that even a defense that is not specifically enumerated in Rule 1.140(b) may be joined with an objection to personal jurisdiction without waiving that objection. As the Court stated, "Florida courts have recognized various defenses that when raised, do not waive personal jurisdiction." *Id.* The dispositive question is whether the argument accompanying the jurisdictional challenge is merely defensive or rises to the level of a claim for affirmative relief.

Notably, at least one type of claim for affirmative relief will not waive a challenge to personal jurisdiction. In *Arch Aluminum & Glass Co., Inc. v. Haney*, 964 So. 2d 228, 235 (Fla. 4th DCA 2007), the Court held that "[a] compulsory counterclaim does not waive a personal jurisdiction defense because a compulsory counterclaim is waived if not asserted in answer." The filing of a *permissive* counterclaim, however, does waive a challenge to personal jurisdiction. *Id.* For this reason, a defendant wishing to preserve an objection to personal jurisdiction and also wishing to assert a counterclaim better be certain that the counterclaim is indeed compulsory.

In sum, when challenging personal jurisdiction, litigants should probably take their cues from baseball instead of football. After all, baseball is one of the few sports in which the *defense* controls the ball.

Matt Triggs is the head of the litigation department of Proskauer Rose LLP in Boca Raton and finds baseball painfully boring. Jonathan Galler is a senior associate in the department and thinks baseball is the only sport worth watching. Both concentrate their practices in commercial and probate litigation.





VOLUNTEERS NEEDED FOR LAW WEEK: MOCK TRIALS & SPEAKER PROGRAMS April 30 – May 4, 2012

We need volunteers to present Mock Trials and/or be guest speakers in schools throughout the county.
In return for your support, you'll receive pro bono credits. If you can help, please complete the form and return to Sherry C. Ingram (information below)

----- Clip and Mail -----



JUDGE/ATTORNEY NAME: _____

FIRM ADDRESS & PHONE: _____

E-MAIL ADDRESS (REQUIRED): _____

AREA(S) OF SPECIALTY: _____

PREFERRED DAY (please circle) Monday Tuesday Wednesday Thursday Friday

EVENT PREFERENCE: ☐ MOCK TRIAL ☐ SPEAKER'S BUREAU

SCHOOL PREFERENCE (if any): _____

SCHOOL LEVEL PREFERENCE: ☐ Elementary ☐ Middle ☐ High School

GEOGRAPHICAL PREFERENCE:

<input type="checkbox"/> Palm Beach	<input type="checkbox"/> Lake Worth/Lantana	<input type="checkbox"/> Jupiter/Tequesta	<input type="checkbox"/> Riviera Bch/Lake Park
<input type="checkbox"/> West Palm Beach	<input type="checkbox"/> Delray Beach	<input type="checkbox"/> Boca Raton	
<input type="checkbox"/> Boynton Beach	<input type="checkbox"/> North Palm Beach	<input type="checkbox"/> Wellington/Royal Palm Beach	
<input type="checkbox"/> Palm Beach Gardens	<input type="checkbox"/> Belle Glade	<input type="checkbox"/> Other, please specify _____	

PLEASE RETURN BY MARCH 21 TO:

Sherry C. Ingram, CP, FRP
Palm Beach County Attorney's Office
300 N. Dixie Highway, Suite 359
West Palm Beach, FL 33401
Direct: 561/355-4389 Fax: 561/355-4234
Email: singram@pbcgov.org

Welcome New Members!

The following represents each new member's name, hometown, law school, and date of admission to the Florida Bar and law firm association.

Annette Barreau - Chicago, IL; University of Miami, 1996; Associated with Vitas Healthcare Corporation, Miami

Carlton Campbell, Jr., Howard University, 2011; Office of the State Attorney, Palm Beach County.

James Matthew Crowley - Florida; University of Florida, 2003; Associate in Gunster, Yoakley & Stewart, P.A., Ft. Lauderdale.

Maritere Cullen - San Juan, P.R.; Pontifical Catholic University, 2001; Sole Practitioner, Cullen Law and Mediation Group, LLC, Jupiter.

Danae Dunkley - Kingston, Jamaica; University of Florida, 2010; Associate in The DuBosar Law Group, Boca Raton.

Angela J. Eckman - Registered Paralegal Membership, Searcy Denney Scarola Barnhart & Shipley, P.A., West Palm Beach

Holly Michelle Johnson - Gainesville, FL; University of Florida, 2011; Associate in C. Deborah Bain, P. A., North Palm Beach.

Katherine Ann Kiziah - Florida; Nova Southeastern University, 2005; Associate in Powers McNalis Torres Teebagy Luongo, West Palm Beach.

Andrew Steven Kwan - Winter Park, FL; University of Florida, 2009; Associate in Beasley, Hauser, Kramer & Galardi, P.A., West Palm Beach.

Leanna Lalla, California Western School of Law, 2011; Associate in the Law Office of Malcolm E. Harrison, P.A., Wellington.

Lorri Lomnitzer - Montreal, Canada; Whittier Law School, 2005; Associate in Arnstein & Lehr, LLP, West Palm Beach.

Angela Many - Boynton Beach, FL; Stetson University College of Law, 2006; Associate in Adams Coogler, West Palm Beach.

Lanelle Kay Meidan - Miami, FL; Washington University, 1999; Associate in Akerman, Link & Sartory, West Palm Beach.

Lana Jane Peebles - West Palm Beach, FL; Stetson University College of Law, 2011; Associate Associate in Powers McNalis Torres Teebagy Luongo, West Palm Beach.

Warren Peebles - St Louis, MO; Stetson College of Law, 2011; Sole Practitioner, Warren Peebles, P.A., West Palm Beach.

Steven Presley - Plantation, Florida; Nova Southeastern University, 2011; Associate in Presley Law and Associates, P.A. Wellington.

Poorad Razavi - Tehran, Iran; University of Cincinnati College of Law, 2005; Associate in Clark Fountain, LaVista, Prather, Keen & Littky-Rubin, West Palm Beach.

Geoffrey Ryan - Boston, MA; Juris Doctorate, 1995; Associated with T.D. Bank, West Palm Beach.

Heather Boyer Samuels - New York, N.Y.; Nova Southeastern University, 2011; Associate in Solkoff Legal, P.A.

Jennifer Schettewi - Catholic University, 1996; Sole Practitioner, Treasure Coast Mediation, LLC., Hobe Sound.

Ronald Seymour - Hollywood, FL; Florida Coastal School of Law, 2011; Associate in The Law Offices of Shannon M. Mahoney, P.A., West Palm Beach.

Payal Shah - West Palm Beach, FL; Florida State University, 2006; Office of the Guardian ad Litem, 15th Judicial Circuit, West Palm Beach.

Harry Sherman - Havana, Cuba; University of Miami, 1991; Palm Beach Gardens, FL.

Gail Silver - Pittsburgh, P.A.; UM School of Law, 1991; Associate in Silver Bass & Brams, P.A., West Palm Beach.

Jocelyne Tholl - Nova Southeastern University, 2011; Associate in Loren Law Firm, West Palm Beach.

Deirdre Ziegenfuss - George Washington University, 2011; 15th Judicial Circuit of Florida, West Palm Beach.

WELCOME



Louis Williams joins Matrix Mediation

Florida Supreme Court Certified Circuit Civil Mediator

Louis Williams has joined Matrix Mediation as a full time mediator with 33 years of experience as a Trial Lawyer, he has been re-certified as a Board Certified Civil Trial Lawyer continuously since 1989. Louis is AV rated by Martindale Hubbell.

Louis Williams is now offering services in
Complex Commercial Litigation, Personal Injury, Products Liability, Medical Malpractice, and Family Law.



West Palm Beach • Boca Raton • Stuart

Main: (561) 340.3500 • Fax: (561) 242.2821 • (800)379.2580 • Cell: (561) 762.7052 • louis@matrixmediation.com



Diversity Committee Unveils New Website for Diverse Candidates for the Bench and JNC

Submitted by Grasford Smith

The Committee for Diversity and Inclusion ("CDI"), Palm Beach Bar

Association's only permanent standing committee, has a strong commitment to bringing racial, ethnic and gender diversity to all levels of practice and service in Palm Beach County. This commitment has historically been focused on attracting new legal talent to our community, in particular through the Bar's Diversity Internship Program which has been revamped in recent years to include the participation of many of Palm Beach County's government agencies and top law firms. Within the last year, the Committee has also recognized the need to strive for diversity on the Bench and Judicial Nominating Commission ("JNC"). As one panelist stated at Fawl's Road to the Bench/JNC event on January 19, 2012, a diverse Bench contributes to the perception of fairness and equality in our community.

Without a doubt, our local Bar has qualified diverse candidates who can serve with great distinction on the Bench and JNC. Yet, vacancy after vacancy, the diversity of these bodies seems to improve only slightly, if at all. To help change that pattern, the Committee has designed a website, now available at http://www.palmbeachbar.org/diversity_mentor.php, to offer assistance to those diverse candidates who are interested in serving on our local Bench and JNC. For those interested in serving on the Bench, the website provides a sign up list for mentors and mentees, lists current vacancies on the Bench, and provides the current application for judicial appointments. The sign up process also ensures that participants will be notified when there are vacancies on the Bench and the JNC. Importantly, the website also provides important insights about the judicial application process gathered from members of the Board of Governors and the Bench.

We encourage all diverse candidates who are interested in the Bench and JNC to visit our new website. While this website is a step in the right direction, CDI is open to considering other ideas from our legal community to facilitate this important mission.

Support our Advertisers.
Mention that you saw their ad in the *Bulletin*!



PASSION *for the law* COMMITMENT *to the legal community* EXCELLENCE *in all endeavors*

Elect Maureen Martinez

Palm Beach County Bar Association Board of Directors

Maureen Martinez is an attorney at Williams, Leininger & Cosby where she is engaged in the defense of governmental agencies, insurance carriers, and their insureds in personal injury and coverage litigation. She began her career as an Assistant State Attorney at the Office of the State Attorney for the 15th Judicial Circuit, Florida. She was also a partner at Romano Law Group (formerly Romano, Eriksen & Cronin) where she maintained a successful trial practice in the areas of Criminal Defense, Personal Injury and Construction Defects.

Maureen is actively involved in the legal community and participates in the following organizations:

- Palm Beach County Bar Association, Board of Directors, 2008-2010
- Palm Beach County Bar Association, Law Week Chair, 2007-2008, Co-Chair 2009 – 2011
- Palm Beach County Bar Association, Committee Member; High School Mock Trial Competition Chair, 2010; Diversity Task Force, 2009; Judicial Relations Committee, 2008-2009; Bench Bar Conference Committee, 2008; Law Week Committee, 2005-2006
- The Florida Bar, Member Outreach Committee, 2009-2010
- Craig S. Bernard American Inns of Court LIV, Secretary, 2007, 2008 and 2009
- Florida Justice Association, Young Lawyers Section, Board of Directors, 2005-2009
- Florida Justice Association /Research & Education Foundation, Hon. E. Earle Zehmer Law School Mock Trial Competition, Chair 2005-2007 and Co-Chair 2008
- Palm Beach County Justice Association, Board of Directors 2004-2007
- Belli Society, Board of Directors, 2005-2009
- Nova Southeastern University - Shepard Broad Law Center, Student Government Association President 1996

The Construction Law CLE Committee of the Palm Beach County Bar Association
presents:



**"Cross-Examining a Delay Expert -
What Every Construction Lawyer Needs to Know
About Critical Path Method Scheduling"**

Monday, April 23, 2012 - 11:45a.m. - 1:35p.m.

Bar Offices - **NEW LOCATION:** 1507 Belvedere Rd., WPB

Program Schedule

11:45am - 12:00pm **Check In / Late Registration / Lunch**

LUNCH SPONSORED BY:



12:00pm - 12:05pm **Welcome - Opening Remarks** - *Cristopher S. Rapp, Esq.,
Jones, Foster, Johnston & Stubbs, P.A., Construction Law CLE
Committee Chair*

12:05pm - 1:35pm **Cross-Examining a Delay Expert - What Every Construction
Lawyer Needs to Know About Critical Path Method Scheduling-**
*Linda Dickhaus Agnant, Esq., Board Certified Construction Law
Attorney, Casey Ciklin Lubitz Martens & O'Connell*

This course is expected to receive 2.0 CLER from The Florida Bar.

The cost of the seminar, **including lunch**, is **\$50** for PBCBA members/paralegals, **\$90** for non-PBCBA members/paralegals. **After 4/16/12, add \$10.00 late fee.**

All refund requests must be made no later than 48 hours prior to the date of the seminar.

___ Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

**HOW TO
REGISTER**



BY CHECK
Return this
form



BY CREDIT CARD
For security purposes, you must register
online at www.palmbeachbar.org



**Materials will now be emailed to all
registrants prior to the seminar**

Credit card registration payment not accepted by Fax to comply with PCI regulations

Name: _____

Telephone: _____

Address: _____

City/Zip _____

Email Address: _____

___ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery) (Construction Law Seminar 4/23/12) Cost is the same as listed above, **in addition to \$10 for shipping and handling.**

PAYMENT BY **CHECK** ONLY, WITH THIS FORM.

Palm Beach County Bar Association, 1507 Belvedere Road, West Palm Beach, FL 33406.

The Palm Beach County Bar Association's Commercial and Business Litigation CLE Committee presents:



***Substantive Law and Practical Advice
from the Masters
in the Litigation and Trial of Business Disputes -
A Lunchtime Seminar Series***

January 18, 2012

March 1, 2012

April 4, 2012

May 9, 2012

11:45 a.m.—1:00 p.m.

Judicial Conference Room, Main Courthouse, WPB

Lunches Sponsored By: BankAtlantic

January 18, 2012 - "The Use of ADR in Business Litigation" - L. Louis Mrachek, Board Certified Civil Trial and Business Litigation Lawyer, Page, Mrachek, Fitzgerald & Rose, P.A.

(This course has been granted 1.0 CLER/1.0 Business Litigation Certification Credits by the Florida Bar)

****BRING YOUR BUSINESS CARDS - DRAWING AT LUNCH FOR FLORIDA PANTHERS HOCKEY TICKETS****

(Panthers vs Islanders (NY) - Sunday, March 25, 2012 - 5:00pm)

March 1, 2012 - "Proving and Defending Against Damage Claims in Business Litigation" -

James W. Beasley, Jr., Beasley, Hauser, Kramer & Galardi, P.A.

(This course has been granted 1.0 CLER/ 1.0 Civil Trial Certification Credits by the Florida Bar)

****BRING YOUR BUSINESS CARDS - DRAWING AT LUNCH FOR FLORIDA PANTHERS HOCKEY TICKETS****

(Panthers vs Hurricanes (Carolina) - Saturday, April 7, 2012—7:30pm)

April 4, 2012 - "Commercial Consultants, LLC v. BBA US Holdings, Inc.: A Case Study In Fee-Shifting Issues" - John "Jack" Scarola, Board Certified Civil Trial and Business Litigation Lawyer, Searcy, Denney, Scarola, Barnhart & Shipley, P.A.

(This course has been granted 1.0 CLER/ 1.0 Business Litigation Certification Credits by the Florida Bar)

May 9, 2012 - "View from the Bench" - Judges TBA

(This course has been granted 1.0 CLER by the Florida Bar)

The cost of each seminar is \$25 for PBCBA members/paralegals, \$65 for non-PBCBA members/paralegals if registered 7 days before each seminar; Add \$15 to registration fee after that date.

All refund requests must be made no later than 48 hours prior to the date of the seminar.

Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

**HOW TO
REGISTER**



BY CHECK
Return this
form



BY CREDIT CARD
For security purposes, you must register
online at www.palmbeachbar.org



**Materials will now be emailed to all
registrants prior to the seminar**

Credit card registration payment not accepted by Fax to comply with PCI regulations.

Please register me for the following (checked) seminar(s):

____ January 18, 2012 ____ March 1, 2012 ____ April 4, 2012 ____ May 9, 2012

Name: _____ Telephone #: _____

Address: _____ Email Address: _____

____ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery). (Commercial/Business). Cost is the same as listed above, in addition to \$10 for shipping and handling.

PAYMENT BY CHECK ONLY WITH THIS FORM.

Palm Beach County Bar Association, 1601 Belvedere Road, Suite 302E, West Palm Beach, FL 33406. Telephone: (561) 687-2800

The Circuit Civil Practice Committee of the Palm Beach County Bar Association
presents:



“Walk a Mile in a Judge’s Shoes”
Friday, May 11, 2012 - 1:00p.m. - 5:30p.m.

Bar Offices - **NEW LOCATION:** 1507 Belvedere Road, WPB

Program Schedule

- 12:45pm - 1:00pm **Check In / Late Registration**
- 1:00pm - 1:05pm **Welcome - Opening Remarks** - *Todd S. Stewart, Esq.,
Board Certified Civil Trial Attorney, Law Offices of Todd S.
Stewart, Circuit Civil Practice Committee Chairperson*
- 1:05pm - 3:15pm **From the Bench: What Judges do behind the scenes and
what goes into them, such as Bar Grievances, appeals,
hearing preparation, duty judge, writs, etc. -**
*Honorable Donald W. Hafele, Honorable Robin L. Rosenberg,
Fifteenth Judicial Circuit - Moderated by Mark A. Greenberg, Esq.,
Mark A. Greenberg, P.A.*
- 3:15pm - 3:30pm **BREAK**
- 3:30pm - 4:00pm **E-filing Update** - *Sharon R. Bock, Clerk & Comptroller of Palm
Beach County, Clerk & Comptrollers Office*
- 4:00pm - 4:30pm **JNC Process** - *Michael J. Gelfand, Esq., Board Certified
Real Estate Attorney, Former JNC Member, Gelfand & Arpe*
- 4:30pm - 5:30pm **Happy Hour**




**SPONSORED BY: Signature Court Reporting
ARC Mediation
Signed, Sealed and Delivered**

This course is expected to receive 4.0 CLER from The Florida Bar.

The cost of the seminar is **\$100** for PBCBA members/paralegals, **\$140** for non-PBCBA members/
paralegals. **After 5/4/12, add \$10.00 late fee.**

All refund requests must be made no later than 48 hours prior to the date of the seminar.

___ Please check here if you have a disability that may require special attention or services. To ensure avail-
ability of appropriate accommodations, attach a general description of your needs. We will contact you for fur-
ther coordination.

HOW TO REGISTER	 BY CHECK Return this form	 BY CREDIT CARD For security purposes, your must register online at www.palmbeachbar.org	 Materials will now be emailed to all registrants prior to the seminar
------------------------	-------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------

Credit card registration payment not accepted by Fax to comply with PCI regulations

Name: _____

Telephone: _____

Address: _____

City/Zip _____

Email Address: _____

___ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery) (Circuit Civil Seminar 5/11/12) Cost is the same as listed above, **in addition to \$10 for shipping and handling.**

PAYMENT BY **CHECK** ONLY, WITH THIS FORM.

Palm Beach County Bar Association, 1507 Belvedere Rd., West Palm Beach, FL 33406.

The Palm Beach County Bar Association's Elder Law Affairs Committee presents:



"The 12th Annual View From The Bench"

*Tuesday, March 27, 2012 - 6:00pm - 8:30pm
The Colony Hotel, Palm Beach, 155 Hammon Avenue*

Program Schedule

6:00pm - 6:30pm Registration and Cash Bar
6:30pm - 8:30pm Dinner and Presentation:

- *Honorable Martin H. Colin*
- *Honorable Diana Lewis*
- *Honorable James L. Martz*
- *Honorable John L. Phillips*
- *Honorable Rosemarie Scher*



This course is expected to receive **2.0 CLER /**
Certification credits are pending from The Florida Bar.

The cost of the seminar (including 1 free drink ticket) is \$60 for PBCBA members/paralegals;
\$100 for non-PBCBA members/paralegals if registered by 3/20/12; add \$25 to registration fee after that date.

Sponsored by: Jo Ann Abrams, Attorney at Law



Sabadell United Bank



Estate & Trust Litigation



LAW OFFICES OF
CRAIG GOLDENFARB, P.A.
PERSONAL INJURY • NURSING HOME NEGLECT • MEDICAL AND LEGAL MALPRACTICE

All refund requests must be made no later than 48 hours prior to the date of the seminar.

___ Please check here if you have a disability that may require special attention or services. To ensure availability of appropriate accommodations, attach a general description of your needs. We will contact you for further coordination.

**HOW TO
REGISTER**



BY CHECK
Return this
form



BY CREDIT CARD
For security purposes, you must register
online at www.palmbeachbar.org



**Materials will now be emailed to all
registrants prior to the seminar**

If you have an issue or question you would like the judges to address state here:

Please select one of the following:

- ___ ***Mediterranean Grouper, Tomatoes, Capers, Artichoke over Angel Hair Pasta***
___ ***New Orleans Chicken Blackened with Spiced Potatoes and ham***
___ ***Eggplant Rollatini with Angel Hair Pasta***

"Credit card registration payment not accepted by Fax to comply with PCI regulations"

Name: _____ Telephone #: _____

Address: _____ Email Address: _____

___ I will not be able to attend the seminar but would like to order the CD (allow 4 weeks for delivery) (3/27/12) Cost is the same as listed above,
In addition to \$10 for shipping and handling. **PAYMENT BY CHECK ONLY, WITH THIS FORM.**

Palm Beach County Bar Association, 1601 Belvedere Road, Suite 302E, West Palm Beach, FL 33406. Telephone: (561) 687-2800

Highlights from our Third Annual Lawyer Variety Show

With two standing ovations and rave reviews, this year's Variety Show was a great success! Thank you to our performers and emcee Michelle Suskauer for their talent, time and wonderful entertainment. Here are pictures from the evening. Additional photos can be seen on the Bar's Facebook page at www.palmbeachbar.org.



John Howe, President of our Bar danced his way on stage to Party Rock!



Al Johnson, Paul Scala and Darren Shull



Adam Ludwin, new member Nicole Grassi, Claudia Shea and Mark Shea



Michelle Suskauer and her dad



Bullfrog Evans & The Robe Warriors



Adriana Lopez sings I Will Survive



John Whittles



Judge Stephen Rapp and his wife Diane



Patti Velasquez as Carol Burnett



Ted Leopold with his daughter and wife Roslyn



Brian Denney



Skip Smith and Mike Hyman



Internet Sleuthing: NumberGuru & Spokeo

By: Christopher B. Hopkins and Tracy T. Segal

In our professional and personal lives, we are faced with questions like who is calling from an unfamiliar phone number? Who is using an unknown email address? How do we find someone? Who lives or works at a specific street address? In years past, these questions were answered by clumsy Autotrack searches or time-consuming requests for county, state or FDLE reports. Nowadays, you can accomplish these tasks instantaneously, (mostly) for free, from a PC or smartphone.

Let's begin with searching for information when you only have a phone number.

NumberGuru

A "reverse lookup" is a search where you have a phone number and want to see who owns the number. Particularly in large ESI discovery situations, you may get cell records, documents with an unknown sender's fax number or even a single document with unidentified phone numbers. The largest impediment to a reverse lookup search is that toll free, cell phone, and unlisted numbers are often dead-ends.

NumberGuru.com may be the solution for any reverse lookup search task. It is accessible on the web as well as through Android, iPhone or Windows Mobile apps. According to their marketing material, NumberGuru aggregates 100% of landline (regular) phones and nearly half of all domestic cell phones (apparently not Verizon numbers). Similarly, they have collected all toll-free and telemarketing information.

The process is free, simple, and unlimited. Simply type in the subject phone number and NumberGuru will provide the owner's name, location, phone type (e.g., mobile or landline), and carrier. NumberGuru has a "social" element to it service as well; if the number is a business or marketer, users comment and provide spam reports about the number. Most importantly, NumberGuru is fairly successful at providing information even if the number is unlisted.

If a NumberGuru search fails to find information, consider the following alternative steps: (1) simply type the unknown number into Google – this is particularly helpful if the number is a person's direct line at a law firm or business; (2) FoneFinder.net provides the city, state, and carrier information for unknown phone numbers; and (3) sites like whitepages.com, anywho.com, and 411.com are weaker alternative sites for reverse lookup searches.

Spokeo.com

Sometimes, however, you have an isolated name, email address, phone number, address or even a person's username on a specific website and you need more information. As mentioned above, when sifting through electronic discovery, you often obtain documents with unknown email addresses or fax numbers. Founded in 2006 by "two Stanford grads working out of their parents' basement," Spokeo claims that it aggregates personal information from sources as varied as social media sites to state databases. A FoxNews report in early 2011 described Spokeo.com as a "growing threat to internet privacy."

I tested the site on myself, using my name, unlisted home phone, cell phone, address, email, and a frequent website username I use. Spokeo was fairly successful as an initial search tool however more specific search sites (e.g., property appraiser, social media sites) return more accurate details.

A search for "Christopher B Hopkins" revealed several hundred *doppelgangers* nationwide and nearly 200 in Florida.

Two clicks later I was looking at 8 possible candidates in West Palm Beach. Unfortunately, two were prior addresses and one was my work address. So that was not terribly helpful since a generic Google search and a county property appraiser search would likely yield better intel.

Spokeo recognized our unlisted home phone and provided my name and address (something I've since removed under their privacy policy). Given that Spokeo charges about \$15 for three months of unlimited access, finding one person via an unlisted number might pay for itself in a single search. Conversely, it was completely wrong about my cell number. Entering my home address, Spokeo provided generic information about property ownership but it did hand over some interesting data on my neighbors. Spokeo provided little information based upon my personal email but did identify my work email. Finally, searching for a username I frequently select for websites, it was able to produce some social media information.

I Want to Search But Not Be Found

Of course, as soon as you learn how to research other people, your thoughts may turn to how to cloak your own internet and phone activity. Both NumberGuru and Spokeo have privacy policies which allow you to opt out.

Two internet tips might be helpful. Ever wonder if someone is emailing you from the office or their smartphone? A bit of IT knowledge may help. It's all in the title of your email. If someone replies to an email and it comes back as "RE: subject," the capital "RE" means the response was typed on a computer (presumably home or office). If the reply is "Re:," with a lower case email, that means it was sent on a mobile phone. On the flipside, you can cover your tracks by manually changing "e" to "E." This too might be a valuable clue if a specific email is critical to your case.

What if you want to leave a voicemail on someone's cell phone but you do not actually want to speak to someone? Download the (free) SlyDial app – this allows you to dial a mobile number and go straight to voicemail without the recipient's phone ringing.

Christopher B. Hopkins is the chair of the PBCBA Technology Committee. After you have scoured the web for his personal details you are welcome to pose any lingering questions at christopher.hopkins@akerman.com.

Of all the banks in South Florida, only one has the distinction of being called "The Lawyers' Bank."

For over 30 years, we have concentrated on providing law firms, their partners, associates, staff and clients with an uncommon level of attention and service. Which is why so many law firms in South Florida count on **Sabadell United Bank**. Whether it's business or personal banking, or private banking, our goal is to make a **measurable difference** in all relationships through exceptional service, and constant focus on delivering **measurable results** to our clients.

For more information, please call
Bud Osborne, Executive Vice President,
or Donn Londeree, Vice President at (561) 750-0075
or Vincent Cuomo, Vice President at (561) 688-9400



MEMBER
FDIC

www.sabadellunited.com

Sabadell
United Bank



©2010 Sabadell United Bank

APPEARANCES CAN BE DECEIVING



2 CARAT OVAL CUT DIAMOND



OVAL CUT CUBIC ZIRCONIA



Fighting for the Injured

Rosenthal, Levy & Simon, P.A.

ATTORNEYS AT LAW

Our commitment is forever.

There's genuine and there's imitation. Rosenthal, Levy & Simon's commitment to workers' compensation clients is 25 years strong. When time to decide who will fight for your clients, choose a genuine original. Our advocacy is authentic. Our commitment is rock solid.

We've stood the test of time.

WEST PALM BEACH | PORT ST. LUCIE | NATIONWIDE | WWW.ROSENTHALLEVY.COM | TOLL FREE: 1-866-640-7117

Steven G. Cripps Receives the Florida Bar President's Pro Bono Service Award

The 15th Judicial Circuit Pro Bono Committee Chair Michelle Suskauer, Esq. is pleased to announce that Steven G. Cripps was awarded the 2012 Florida Bar President's Pro Bono Service Award for the Fifteenth Judicial Circuit. The Florida Bar President's Pro Bono Service Award was established in 1981. Its purpose is twofold: "to further encourage lawyers to volunteer free legal services to the poor and to communicate to the public a sense of the substantial volunteer services provided by Florida lawyers to those who cannot afford legal fees." The award is given at a ceremony before the Florida Supreme Court in January.

Steven received his B.A. cum laude in 1975 from State University of New York at Geneseo and his law degree from the University of Miami. He has been a member of The Florida Bar since 1979. He is also a member of the Palm Beach County Bar Association. Steven served for one year as a law clerk for

U.S. Magistrate, Honorable Peter R. Palermo before opening his own practice in 1983 of Orsley & Cripps, P.A. The firm was the recipient of the 2001 Pro Bono Firm Award from the Palm Beach County Legal Aid Society.

Steven was nominated for this award for his longstanding support of Legal Aid and Pro Bono work in Palm Beach County. Steven has consistently provided legal services in the most critical area of legal needs, family law. Since 1988, he has represented pro bono clients on his own and through the Legal Aid Society of Palm Beach County's Pro Bono Project. He has helped in excess of 30 clients and logged close to 300 hours and those are only the clients and hours that he reports (any estimation would put those numbers much higher).

At a time when finding lawyers to handle pro bono family cases is at its most challenging, Steven is **always** available to take another case. There has never been a time when he has rejected

a case. In addition, Steven never shies away from a highly contested or litigated case. He recently agreed to step in to a very contentious family law case on the eve of trial. The case had been in litigation for years and the prior attorney had unexpectedly left the practice of law leaving the client unrepresented at the final hour. When Steven was called, he graciously agreed to step in and complete the case for the client. Steven is truly an unsung hero never wanting any recognition for his outstanding service to the clients.

Steven is worthy of this recognition by virtue of his innumerable hours of dedication to the Legal Aid Society and the family law clients that he represents. For his consistent and longstanding dedication Steven is the deserving recipient of The Fifteenth Judicial Circuit Florida Bar President's Pro Bono Service Award.

RAISE THE BAR — Support Future Women Leaders

The Women's Foundation of Palm Beach County invites you to a networking and cocktail event to benefit the Girls' Leadership Institute at the Historic Palm Beach County Courthouse. The date of the event is Thursday, March 29, 2012 and will be held from 5:30 - 7:30 PM.

Complimentary wine, beer and hors d'oeuvres will be served.

This is the second annual Raise the Bar event in Palm Beach County and 100% of the proceeds from the event will be given to the Girls' Leadership Institute, a one-day seminar that provides hands-on leadership training and support for future women leaders of Palm Beach County.

For more information, please contact Jennifer Mahoney at info@womensfoundationpbc.org

And The Winners Are...2011 Pro Bono Awards

Advocacy for the Arts Award

Thomas E. Streit, Esq.
Akerman

Alternative Dispute Resolution Award

Patti A. Velasquez, Esq.
Matrix Mediation LLC

Appellate Law Award

Julie Littky-Rubin, Esq.
Clark, Fountain, La Vista, Prather,
Keen & Littky-Rubin

Child Advocacy Award

Amy L. Cosentino, Esq.
The Law Office of Amy L. Cosentino, P.A.

Corporate Counsel Award

Office Depot
Elisa D. Garcia C., Esq., General Counsel

Emeritus Award

Barry Weiss

Family Law Award

Kathryn M. Beamer, Esq.
Kathryn M. Beamer, P.A.

Non-Profit Award

Patrick Quinlan, Esq.
Searcy, Denney, Scarola, Barnhart and
Shipley, P.A.

Special Services Award

Legal Graphics Works

Real Property Law Award

Kirk Friedland, Esq.

And Justice for All Award

Maxine Cheesman, Esq.
The Law Offices of Cheesman & Varner, P.A.



Who Are They?

From Page 4

1. Michael Jonas
2. Scott Link
3. Philippe Jeck
4. Gary Lesser
5. Adam Doner



JEFFREY
GRUBMAN, P.A.

Mediator | Arbitrator



- FLORIDA SUPREME COURT CERTIFIED MEDIATOR (CIRCUIT CIVIL)
- FEDERAL COURT CERTIFIED MEDIATOR (SOUTHERN DISTRICT OF FLORIDA)
- AMERICAN ARBITRATION ASSOCIATION AND FINRA CERTIFIED ARBITRATOR AND MEDIATOR
- CO-CHAIR ADR COMMITTEE (SOUTH PALM BEACH COUNTY BAR ASSOCIATION)
- FORMERLY PRACTICED LITIGATION WITH MORGAN LEWIS AND RUDEN McCLOSKEY

Boca Raton Office
2500 N. Military Trail
Suite 200
Boca Raton, FL 33431
Tel: (561) 393-9733
Fax: (561) 393-9707

Miami Office
201 S. Biscayne Blvd
17th Floor
Miami, FL 33131
Tel: (305) 379-3910

E-mail
jeff@jeffgrubman.com

Web
www.jeffgrubman.com

STATE OF THE ART MEDIATION FACILITIES
MEDIATES CASES THROUGHOUT SOUTH FLORIDA
HOURLY AND DAILY RATES AVAILABLE

Diversity Intern Program

DID YOU KNOW?

- There is a Diversity Law Internship Program available to you for placement of a summer intern with a diverse background.
- For several years now, law firms in Palm Beach County have participated in the Diversity Law Internship Program, a program committed to diversity.
- Several local law firms were recognized by the Florida Bar for their commitment to diversity through its Diversity Law Internship program.
- The Diversity Law Internship program has even resulted in diverse law clerks being offered permanent positions based upon the quality of the clerk's work and the firms' hiring needs.
- Each year, more corporations and businesses are refusing to do business with law firms that do not reflect the diversity of their patrons, customers and clients.

IF YOU DID NOT, DON'T MISS OUT AGAIN ON THIS OPPORTUNITY TO BE INVOLVED AND PARTICIPATE

Join us! You can enrich your firm, expand your books of business and support the diversity of the Palm Beach County Bar by:

1. Agreeing to Place a Diverse intern at your firm.
2. Making a contribution to the program to fund a governmental internship position.

Please contact Julia Wyda, Esq. for details on participation at 561-253-2208.



Lawyers' Reporting

Reporting | Video | Interpreting | Process Service



Available on the
App Store

Our iPhone, iPad and Android apps give you instant access to your transcripts & exhibits, calendar, invoices and more.

With 50 locations throughout Florida and new locations in
New York, NY | Chicago, IL | Philadelphia, PA | Washington, DC
Los Angeles, CA | San Francisco, CA | San Diego, CA | Boston, MA
Phoenix, AZ | Atlanta, GA | San Antonio, TX | Houston, TX

Lawyers' Reporting
1655 Palm Beach Lakes Boulevard, Suite 405 West Palm Beach, FL 33401
Phone: (561) 242-0023 Toll Free: (800) 326-9690
Fax: (561) 659-9855 Toll Free Fax: (877) 530-3579
Email: service@lawyersreporting.com
www.lawyersreporting.com

THE LAW OFFICES OF
ROBIN BRESKY
COURT REPORTER & VIDEO
EDITH OF RESEARCH, STRENGTH OF KNOWLEDGE.

Law Offices of
Paul J. Burkhardt, P.L.
CLARK • FOUNTAIN • LA VISTA
PRATHER • KEEN & LITTKY-RUBIN
— TRIAL & APPELLATE ATTORNEYS —

MCCABE RABIN, P.A.
ATTORNEYS AT LAW

POWERS, MCNALIS, TORRES & TEEBAGY
ATTORNEYS AT LAW

RICHMAN GREER
PROFESSIONAL ASSOCIATION

ROBERTS, REYNOLDS, BEDARD & TUZZIO, P.A.

SHAPIRO, FISHMAN & GACHÉ, LLP
ATTORNEYS AT LAW

SCHWARZBERG & ASSOCIATES
ATTORNEYS AT LAW
COMMERCIAL, REAL ESTATE & BANKING

SQUIRE SANDERS
LEGAL COUNSEL
WORLDWIDE

CARLTON FIELDS
ATTORNEYS AT LAW

GONZALEZ & SHENKMAN, P.L.
ATTORNEYS AT LAW

GORDON & DONER
ForTheInjured.com
333-3333

LESSER LESSER LANDY & SMITH, P.L.C.
ATTORNEYS AT LAW
— Personal Injury since 1922 —

LIGGIO BENRUBI
ATTORNEYS AT LAW

SHUTTS & BOWEN LLP

In addition, we would like to thank the following firms for making a financial contribution that will allow us to place law students with a governmental agency.

Platinum Contributor:
Greenberg Traurig

Gold Contributor:
Beasley Hauser Kramer & Galardi, PA
Searcy Denney Scarola Barnhart & Shipley

Silver Contributor:
Akerman Senterfitt
Casey Ciklin Martens McBane & O'Connell
Rutherford Mulhall

North County Section Annual BBQ & Casino Night Highlights

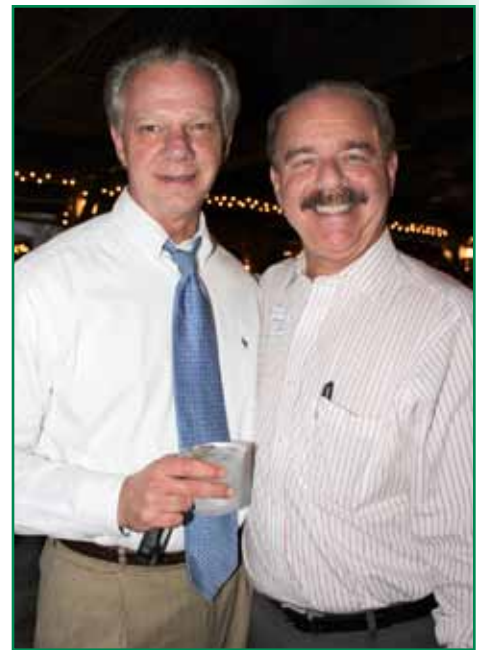
North County Section members have fun during its annual BBQ & Casino Night! Here are pictures from the evening.



Brian Scher and Judge Rosemarie Scher



NCS President Ron Ponzoli and his wife Rachel



Jay White and Jerry Beer



Rick and Misty Chaves



Stan Klett, Michael Napoleone and Jody Oliver

PBCBA Online Courses & Services

- Florida Notary Public
- Florida Online Traffic School
- First Time Driver (D.A.T.A.) Course
- Mature Driver Course
- Parent Education and Family Stabilization Course

www.palmbeachbar.org/online_courses.php



Curtis Shenkman



Join the North County Section for its **Inaugural Caribbean Beach Bash**

Sunday, April 15, 2012

11:30 am to 2:30

Hilton Singer Island.

Enjoy an afternoon of food, live music, games and lots of fun for the entire family! The cost is just \$15.00 for NCS Members & spouses; \$5.00 for children 13 and younger; free for children 2 and under and judges are complimentary. Attorneys who are not North County Section members are welcome to attend for \$30.00

Register before 5:00 pm on 4/12/12
to avoid a \$5.00 late fee per person.

Sponsored by: Daszkal Bolton, LexisNexis,
Richman Greer, Signature Court Reporting,
Searcy Denney Scarola Barnhart & Shipley,
The Crexent Business Center, U.S. Legal Support
and Visual Evidence

North County Section seeks nominations for its 10th Annual Jurist of the Year Award

The North County Section is seeking nominations for its *10th Annual Jurist of the Year Award*. If you're a North County Section member, please take a minute and send us a recommendation as to which local judge you feel deserves to be honored for his or her dedication to the Bench and to our community. The letters of recommendations will be reviewed by the section's Board of Directors. A winner will be selected based upon the following criteria: The judge should be one with an excellent reputation for sound judicial decisions. The judge should have an unblemished record of integrity as a lawyer and as a judge. The judge should generally be recognized by Bar members as highly qualified; and active in Bar related activities. He or she should be respectful of the law and understanding of cases.

Who is eligible? Any judge who currently presides over cases in Palm Beach County will be eligible to win the award.

Send your nomination to the Bar Office at 1507 Belvedere Road, West Palm Beach, FL 33406 or email your letter to lpoirier@palmbeachbar.org. Nominations are due no later than Friday, April 6.

Previous winners include Judge Mary Lupo, Judge Roger Colton, Judge Peter Blanc, Judge Thomas Barkdull, Judge Barry Cohen, Judge Jonathan Gerber, Judge David Crow, Judge Fine and Judge Jack Cook.

Liability for Permissive Use of a Rental Vehicle

Continued from page 7

rental car often has to turn the car over to car park, garage, or filling station personnel and others for temporary operation *and that it would be unreasonable to negate the rental car agency's liability and its insurance coverage in case of accident because of the existence of a collateral or side agreement of the kind here involved*. Often such permittees of rental car lessees temporarily driving rental cars would not be as fortunate as [the permittee] and have the protection of their own personal auto liability insurance coverage, rendering it even more difficult for injured members of the public to recover their losses arising from the negligence of drivers of rental cars. (Emphasis supplied by the Court).

Based upon this settled law, the Supreme Court reversed the First District holding that the insurer for the renter could not rely upon the terms of the rental contract to which it was not a party because such terms were inconsistent with the Supreme Court's decision in both Susco and Roth, *supra*, and directed that the judgment of the trial court in favor of the insureds and the injured parties be reinstated.

This case follows the reasoning of the Supreme Court in prior cases that once permissive use is given for the operation of an automobile, the owner and bailee bear a responsibility for the use of that vehicle by any party who subsequently has permissive use and that statements in contracts or otherwise attempting to limit that use to the original bailee are not applicable to a claim made by an injured third party.

NOTE: BECAUSE A NUMBER OF PEOPLE HAVE REQUESTED COPIES OF PAST ARTICLES, A COMPILATION OF THESE ARTICLES IS NOW AVAILABLE TO MEMBERS OF THE PALM BEACH COUNTY BAR ASSOCIATION, FREE OF CHARGE, BY CALLING (561) 684-2500.

Save the Date for the North County Section's 10th Annual Jurist of the Year

Thursday, May 17

5:30 pm to 8:00 pm

Ruth's Chris Steak House, North Palm Beach
RSVP online at www.palmbeachbar.org

Join the North County Section &
the Palm Beach County Justice Association for a
joint Happy Hour!

**Yard House
Palm Beach Gardens**

**Thursday, March 15
5:30 pm to 7:00 pm**

Cost: \$15.00 for NCS & PBC Justice Association
Members; Spouses are welcome for \$20.00;
Judges are complimentary.

RSVP on line no later than 5:00 pm on
3/12/12 to avoid a \$5.00 late fee

Joint Luncheon



Scott Murray, Sia Baker-Barnes and Jason Guari



Judge Ronald Alvarez and Colleen Farnsworth



Judge Jonathan Gerber and Tracy Gerber



Denise Nieman and Rod Steele



Steve Brannock



Appropriately, the last committee to meet at the Bar's old office was the Real Estate CLE Committee. Pitching in with our move are Jared Quartell, Gerald Pumphrey and Steve Rubin.

The Palm Beach County Bar Association held a joint luncheon with members of the Forum Club. More than 1,000 attended the event and were entertained by our Keynote Speaker Palm Beach Post Columnist Frank Cerabino. (Cerabino filled in at the last minute when Supreme Court Justice Samuel Alito was unable to attend)



Patrick C. Massa, Esq.

*Providing quality mediation services
since 1994*

Certified Mediator - Over 3,000 mediations

Board Certified Civil Trial Lawyer for 28 years

Past President - P.B. County Bar

Past President - P.B. Chapter - ABOTA

Crystal Tree Office Center

1201 US One, Suite 400, North Palm Beach, FL 33408

561-694-1800/561-694-1833 (fax)

No administrative fees
No cancellation fees
No travel fees for
Palm Beach or Martin Counties

For easy access to scheduling
mediation, go to:
www.pmassalaw.com

ADMIRALTY & MARITIME

NAVIGATING INJURIES ON THE WATER

Admiralty and maritime cases are a specialized area of law. Admiralty and maritime matters include all personal injuries, property losses or wrongful deaths that occur on board a boat or ship. The ship or boat can be used for professional, commercial or recreational reasons. This includes everything from cruising vessels and cruise ships to recreational boats and Jet Skis.

Many attorneys make the mistake of thinking that land law applies at sea — it does not. At LaBovick Law Group, we know the difference. We help passengers and crew in all vessel-related cases.

THESE CASES INCLUDE:

- Cruise Ship Injuries
- Seaman's Personal Injury and Death
- Jones Act and Un-Seaworthiness
- Recreational Boating Accidents
- Cargo Claims and Subrogation
- Collisions at Sea
- Vessel Sales, Documentation and Transfer
- Marine and Boatyard Fires
- Salvage
- Marine Pollution Issues

Contact our dedicated maritime practice group today to find out your legal options.

REAL ATTORNEYS.
HELPING REAL PEOPLE.
WITH REAL PROBLEMS.

Mark R. Hanson, Esq.
Director of Litigation
and Maritime Law



5220 Hood Road | Second Floor | Palm Beach Gardens, FL 33418

1-866-LABOVICK (522-6842) | **www.LaBovick.com**

CO-COUNSEL AND REFERRAL FEES AVAILABLE

Young Lawyers Past President Happy Hour Highlights



YLS President-elect Lee McElroy presents Immediate Past YLS President Allison Kapner with some gifts recognizing her years of service on the YLS Board.



Brian Balaguera and Dan Barsky



Lana and Warren Peebles



Patrick Hely, Katherine Van Deusen and Andrei Korotkov



Leanna Lalla, Nicole Scimone and Catalina Restrepo



R.T. White, Theo Kypreos, Melissa Lazarchick and Miles McGrane

Bulletin Board

*** Ad Rates ***

CLASSIFIED ADVERTISING RATES:
TO PLACE AN AD: 1) Please fax all ads to 561/687-9007 by the 25th of the month. 2) Upon receipt you will be notified of cost. 3) Send payment by the 25th of the month. 4) Cost: 50 words or less \$50, 50-75 words \$65, up to 75 words \$75. 5) Members receive one free classified ad per year (excluding professional announcements). Web-site advertising is also available for a cost of \$50 for a two week run. Payment must be received prior to publication and renewable only upon receipt of next payment.

The Palm Beach County Bar Association, its officers, directors, and staff do not endorse any product or service advertised.

The PBCBA is committed to equal employment opportunity and does not accept employment ads which imply a preference based on race, color, sex, religion, national origin, disability, familial status, sexual orientation, age, marital status and gender identity or expression.

POSITIONS AVAILABLE:

ASSOCIATE ATTORNEY: WPB Business Litigation and Trade Regulation practice group seeking associate with 3-5

years of experience. Candidates should be comfortable taking depositions and handling hearings. Excellent research and writings skills required. Candidates must be licensed to practice in Florida. Search firm submissions will not be accepted for this position. Qualified candidates submit cover letter and resume to Shannon Williams, Director of Legal Talent Management swilliams@carltonfields.com.

GROWING AV RATED West Palm Beach firm seeks an attorney with 3+ years experience in local government law or in employment law, particularly in representing employers. E-mail resume and compensation requirements to glen@torcivialaw.com.

PROFESSIONAL ANNOUNCEMENTS:

The following announce their availability for referral, assistance and consultation.

SCOTT SUSKAUER: "AV" rated, Board Certified Criminal Trial Lawyer. Over 20 years of experience. All criminal matters in State and Federal Court including felonies, misdemeanors, DUI, juvenile and traffic matters, 1601 Forum Place, Ste. 1200, WPB, FL 33401; (561) 687-7866. www.suskauerlaw.com.

GREGORY TENDRICH, Esq.: "AV" rated, FINRA Arbitrator, Certified County Court Mediator & Former Series 7 licensed VP & Asst. General Counsel to national and regional NYSE & FINRA stock brokerage firms, is accepting referrals and is available to co-counsel, provide trial/arbitration consultation or assistance in matters involving the recovery of losses due to stock broker fraud, unsuitability, churning and misrepresentation, in addition to SEC, FINRA, NYSE and other regulatory enforcement matters. Please call (561) 417-8777 or visit www.yourstocklawyer.com.

GREY TESH: "Law is not black & white, it's Grey." Passionate, caring, prepared, truthful. Criminal defense (board certified) and personal injury, over 100 jury & non-jury trials, Federal (nationwide) and State. aaacriminaldefense.com & floridainjuryaccidentlawyers.com. 1610 Southern Blvd, WPB, FL 33406. (561) 686-6886.



Specialized ADR

*The "Go-To" Firm For
Alternative Dispute Resolution*



"Specialized ADR" Has Launched!



Steven
Schwarzberg



Alex
Del Russo



Michael
Slade



Carrie
Cherveny



Yoni
Markhoff



David
Carroll

We are excited to announce the launch of "Specialized ADR," a full-service alternative dispute resolution ("ADR") firm comprised of professionals who provide a wide array of ADR services as Mediators, Arbitrators, Independent Investigators, Court-Appointed Special Masters, Magistrates, Receivers, Referees, E-Discovery Special Masters, and Neutral Case Evaluators. Founded by Steven L. Schwarzberg and Aaron D. Schwarzberg, Specialized ADR focuses its services in the tri-county area and uses facilities conveniently located in West Palm Beach, Ft. Lauderdale, Boca Raton and Miami.

Why "Specialized" ADR? Specialized ADR has professionals with substantial experience in their respective fields available who can better understand and handle hard-to-resolve disputes in a pragmatic, reasonable, and mutually acceptable manner. Some of our professionals have many years of successful mediation experience; others are non-lawyers who are leaders in their fields (e.g., engineer, appraiser, physician, internet and Intellectual Property expert, aviation law and HR Consultant). Some of our mediators are Supreme Court certified and act in a facilitative manner; others are non-certified, and apply a more evaluative direct approach to settlement negotiations, as the parties request and the situation requires. Depending on the case at hand, having a non-certified professional experienced in the industry or field in question who will play a more involved evaluative role may be exactly what the parties need to reach a negotiated conclusion.

Specialized ADR Is Resolution-Oriented. Our Mission is to provide parties, clients, the Courts and other tribunals with high quality, intelligent, engaging, and effective assistance on a neutral and efficient basis. In doing so, we seek to become the "Go-To Firm" for Alternative Dispute Resolution in South Florida. We're not just another mediation firm. We work with and want to attract the highest caliber of professionals capable of serving in a variety of ADR functions, in judicial, administrative, regulatory, corporate, and related forums. Specialized ADR: utilizes cutting edge technology and creative resources to make available web-based mediation; operates 7 days a week and into the evening; uses professionals who speak foreign languages; offers Team Mediation; and provides the infrastructure needed to handle a wide array of ADR services.

Esperanté - Suite 210

222 Lakeview Avenue • West Palm Beach, FL 33401

Telephone: (561) 253-2255 Fax: (866) 924-6714

Contact Aaron Schwarzberg

www.specializedADR.com



Sandy
Myers



Deborah
Chames



Richard
Dwoskin



Kristin
Ahr



Meryl
Felsen



Aaron
Schwarzberg

Bulletin Board

SARAH SHULLMAN is pleased to announce the opening of the Law Offices of Sarah Shullman, P.A. in Wellington, FL. Sarah focuses on business litigation and consumer law and is accepting referrals as primary, local or co-counsel in litigation matters. For more information, please call (561) 227-1545 or visit www.shullmanlaw.com.

OFFICE SPACE

WOULD YOU LIKE TO SELL YOUR PALM BEACH COUNTY LAW PRACTICE?

I may be interested in purchasing it. Call or email (561) 880-0155; Paul@paulburkhart.net. You are assured of strict confidentiality.

OFFICE SUBLEASE IN CENTURION TOWER:

1601 Forum Place, West Palm Beach. Includes office (one or two offices available), file space, secretarial station, copier/scanner, conference rooms and internet. Call Beth (561) 659-7878.

JUPITER INDIANTOWN ROAD:

1,000 TO 2,000 sq.ft. for rent. Class A offices with kitchens. Large private offices with windows. Just east of I-95. Monument signage. REBEL COOK real estate 622-9920 rebelcook@rebelcook.com www.rebelcook.com

OFFICE SPACE TO SUBLET: PGA Blvd.

Class A building. Law firm with very nicely built out space across the street from courthouse. Has 2 professional offices available for sublease with room for up to 2 additional support staff, perfect for small firm or solo practitioner. All amenities included. \$3000 per month, plus sales tax. (561) 799-6040

SOLO OFFICE 4 RENT: \$800/mo, includes lawyer's office, secretary space, conference room, free parking, cleaning, water, electric, T-1 phone line and internet \$60/mo, shared fax/copier/high speed scanner, I-95 & Southern Blvd. (561) 686-6886.

PALM BEACH GARDENS FOR RENT- CLASS A OFFICES:

Village Square Crossings. 1100 sq.ft. end unit – large window offices. 1268 sq.ft. with kitchen – 2 entry doors. Close to PGA Courthouse. REBEL COOK real estate 622-9920 rebelcook@rebelcook.com www.rebelcook.com.

SHARED OFFICE SPACE: BOCA RATON-

Office with adjacent secretarial area available in luxury building near I-95. 2300 Glades Road. Conference room, telephone system, copy, fax are available. Call (561) 361-8300.

SHARED OFFICE SPACE with a bankruptcy and criminal defense firm available in a beautiful, new 10th floor office in WPB. The office is outfitted with dark wood furniture, marble floors in lobby, front conference room, polished nickel accents, large flat screen TV in lobby. Shared use of professional Ricoh all-in-one machine as well as phones, conference rooms. Asking \$500.00 per month. Please contact Michael Kaufman (561) 478-2878.

HEARSAY



Gary Betensky, a Shareholder with the law firm of Richman Greer, P.A., has been elected President of the Palm Beach Regional Office of the American Jewish

Committee (AJC), the global leader for advocacy on behalf of the Jewish people and Israel (www.ajc.org).

Gerry Rosenthal, Senior Shareholder at Rosenthal, Levy & Simon, P.A. is one of eighteen to be elected to the charter class of the Florida Workers' Compensation Institute Hall of Fame.



Steven A. Stinson has opened a law office in West Palm Beach, Florida. He has more than 30 years experience as a trial attorney, primarily in South Florida.

He will also be providing mediation services as a Certified Circuit Civil Mediator.



Robert H. Friedman of Friedman P.A. was awarded the "AV Preeminent" rating by Martindale-Hubbell's Peer Review Ratings.

Jones, Foster, Johnston & Stubbs, P.A. proudly announces that **Ben Alexander**, a firm Shareholder and Chairman of the firm's Marketing Committee was recently elected as an officer of the firm.

Kelly Shivery (f/k/a Kelly Sheehan) has joined McCabe Rabin as an investor-arbitration paralegal and is a Registered Paralegal with the Florida Bar. Kelly previously was a Senior Case Administrator at the Financial Industry Regulatory Authority's Southeast Regional Office (FINRA) and was an editor of FINRA's publication entitled the Neutral Corner.



Managing Partner Wendy Sartory Link is proud to announce that **Lanelle Meidan** has joined the law firm of Ackerman, Link & Sartory, P.A. Ms.

Meidan practices in the areas of complex commercial litigation. She is a member of the Florida, California, Illinois, New York and District of Columbia Bars.



Lewis, Longman & Walker, P.A. is pleased to announce that **Kenneth G. Spillias**, a Shareholder in the firm's WPB office, has been named President and Managing Shareholder of the firm effective March 1, 2012.



Also the firm is pleased to announce **Tara W. Duh** has been elected as a Shareholder of the firm.

Gordon & Doner is pleased to announce the promotion of **Scott M. Fischer** to Shareholder and **Scott J. Donaldson** to Senior Associate. The entire team at Gordon & Doner would like to congratulate them both on their well-deserved promotion.

Bari L. Goldstein, an Associate of Christine D. Hanley & Associates, P.A., was elected Second Vice President of the Board of Directors of Families First of Palm Beach County.

Missing Bar Events? Be Sure to Read your eNewsletters



Is your current email address on file with our office? If not, please be sure to send your current information to us. As postage rates continue to rise, the Bar is sending notices of all of its functions – membership luncheons, free happy hours, judicial receptions, judicial evaluations, online voting, and important court information via email. Don't be left out of the loop! Send your email address to us today to sspence@palmbeachbar.org



PALM BEACH COUNTY BAR ASSOCIATION

BULLETIN

1507 Belvedere Road, West Palm Beach, FL 33406

PRESORT STD
US POSTAGE
PAID
WEST PALM BCH FL
PERMIT NO. 66

PAST PRESIDENTS...

M.D. CARMICHAEL*
RICHARD P. ROBBINS*
L.R. BAKER*
HARRY A. JOHNSTON*
GEORGE W. COLEMAN*
H.C. FISHER****
MARSHALL B. WOOD*
E. HARRIS DREW***
B.F. PATY*
JOSEPH S. WHITE*
HENRY P. LILIENTHAL*
MANLEY P. CALDWELL*
WILBUR E. COOK*
W. MURRAY HAMNER*
RICHARD PRESCOTT*
RUSSELL MORROW*
CULVER SMITH*
RAYMOND ALLEY*
C.Y. BYRD*
WILLARD UTLEY*
C.H. ERNEST*

PAUL W. POTTER*
WAREING T. MILLER*
CHARLES B. FULTON*****
J. LEO CHAPMAN*
ELWYN L. MIDDLETON*
H. ELMO ROBINSON*
J. STOCKTON BRYAN, JR.
HAROLD G. MAASS*
ROBERT F. CROMWELL*
CHARLES H. WARWICK III
PHILLIP D. ANDERSON*
FREDERICK C. PRIOR
JAMES C. DOWNEY*
WILLIAM A. FOSTER
ALAN F. BRACKETT*
ROBERT D. TYLANDER*
ROBERT MCK FOSTER*
JOHN M. FARRELL
H. LAURENCE COOPER, JR.*
JOHN R. DAY*
JOHN L. BURNS*
HARRY JOHNSTON II

GAVIN LETTS*
JAMES S. ROBINSON
CHARLES H. DAMSEL, JR.
EDWARD LEWIS
RAYMOND ROYCE
PETER VAN ANDEL
LARRY KLEIN
THEODORE BABBITT
JOHN FLANIGAN
SIDNEY A. STUBBS, JR.
JOSEPH J. REITER**
JOHN B. McCracken*
DAVID L. ROTH
D. CULVER SMITH III
TIMOTHY W. GASKILL
ARTHUR G. WROBLE
GUY C. HILL
PATRICK J. CASEY
JAMES G. PRESSLY, JR.
PATRICK C. MASSA
STEVEN A. STINSON
CARL M. MATHISON, JR.

ROBERT V. ROMANI*
MICHAEL P. WALSH
JULIEANN ALLISON
MICHAEL A. VISCOMI
CAROL McLEAN BREWER
JERALD S. BEER
JOHN G. WHITE III**
MICHAEL T. KRANZ
EDWARD DOWNEY
SCOTT G. HAWKINS**
AMY L. SMITH
GREGORY W. COLEMAN
LISA S. SMALL
STANLEY D. KLETT, JR.
THEODORE J. LEOPOLD
MANUEL FARACH
MEENU T. SASSER
RICHARD D. SCHULER
MICHELLE SUSKAUER
MICHAEL J. NAPOLEONE

* DECEASED
** FLORIDA BAR PRESIDENT
*** DECEASED, FLORIDA BAR PRESIDENT, SUPREME COURT JUSTICE
**** DECEASED, FLORIDA BAR PRESIDENT
***** DECEASED, FLORIDA BAR PRESIDENT, FEDERAL COURT JUDGE

CALENDAR March 2012

Thursday, March 1, 11:45am – 1pm
**Commercial & Business Law
CLE Seminar**
*“Proving and Defending Against
Damage Claims in Bus. Lit”*
Judicial Conference Room,
Main Courthouse

Friday, March 2, 11:30am – 1pm
Solo & Small Firm Luncheon
Bar Assn. Office

Friday, March 2, 11:45am – 1pm
**Criminal Practice
Committee Meeting**
Judicial Conference Room,
Main Courthouse

Saturday, March 3, 6:00pm
Legal Aid Gift Gathering
BallenIsles

Thursday, March 8, Noon – 1pm
South County FAWL Luncheon
Duncan Conference Center
Contact www.fawl.org

Thursday, March 8, 5:30pm
FAWL Reception
Info at www.pbcfawl.org

Friday, March 9, 8:45am – 4:00pm
Bench Bar Conference
Convention Center

Monday, March 12, 8:30am – 2pm
Securities Law CLE Seminar
Bar Assn. Office

Tuesday, March 13, Noon – 1pm
YLS Board Meeting
Bar Assn. Office

Wednesday, March 14, Noon -1pm
NCS Board Meeting

Thursday, March 15, 8am – 2pm
**PI Wrongful Death
CLE Seminar**
Bar Assn. Office

Thursday, March 15, 5:30pm
NCS Happy Hour
Yard House

Friday, March 16,
11:45am – 1:30pm
Federal Bar Luncheon
The Colony Hotel, Palm Beach

Friday, March 16, 5:00pm
**Cunningham Bar General
Member Meeting**
Contact: www.cunninghambar.org

Tuesday, March 20,
11:45am -1pm
**Unified Family Practice
Committee Meeting**
Law Library

Tuesday, March 20, 5:30pm
Inns of Court Meeting
Judicial Conference Room, Main
Courthouse

Tuesday, March 20, 5:30pm
Legal Aid Board Meeting
Bar Assn. Office

Wednesday, March 21 – 23
**TFB Board of Governors
Meeting**
Hilton, Pensacola Beach

Thursday, March 22, 11:45 – 1:pm
FAWL Luncheon
Marriott, West Palm Beach
Contact: scortvriend@carltonfields.com

Thursday, March 22,
5:30pm – 7pm
YLS Happy Hour

Tuesday, March 27, Noon – 1pm
**Committee for Diversity &
Inclusion Committee Meeting**
Bar Assn. Office

Tuesday, March 27, 6pm – 9pm
**Elder Law Affairs Dinner
CLE Seminar**
The Colony Hotel, Palm Beach

Wednesday, March 28, 5:00pm
**PBCBA Board of Directors
Meeting**
Bar Assn. Office

Thursday, March 29
Voting Begins

Thursday, March 29
Raise the Bar Event