Nominations Announced for 2013–2014 Board, Committees

The Nominating Committee, comprised of Barbara J. Christner (Chair), Michael J. Stewart, John K. Greiner, Kerri Ann Shimborske-Abel, Samuel R. Coury, Terrance C. Ferguson, and Annalie-se P. Masser, met last month to review applications submitted for openings on the Board of Directors, the Membership Committee, and the Building Committee. The committee’s charge as outlined in the bylaws is to recommend to the Board the names of at least one prospective candidate for each office to be filled at the annual meeting.

For the April 1, 2013, Annual Membership Meeting, the openings will be as such:
• One opening on the Board of Directors for Vice President. One-year term.
• Two openings on the Board of Directors. Three-year terms.
• One opening on the Membership Committee. Five-year term.
• One opening on the Building Committee. Five-year term.

At the annual meeting, participating members of the WBA will vote to fill each of the openings. As stated in the WBA bylaws, nominations for any of these openings will be accepted from the floor. The committee’s recommended candidates are:

• Harry F. Smail, Jr., Vice President
• Patrick T. Noonan, Board of Directors
• James P. Silvis, Board of Directors
• Judi Potoka Petrush, Membership Committee
• Charles J. Dangelo, Building Committee

At the conclusion of the annual meeting, John K. Greiner will assume the Bar presidency.

HARRY F. SMAIL, JR.

The Vice President ensures that the WBA’s mission, services, policies, and programs are carried out. One one-year term open.

Harry F. Smail, Jr., has been nominated for the position of Vice President. He is completing his third year as a Director on the WBA board.

Harry is a member of the ADR, Bankruptcy, Bench/Bar, Business/Employment Law, Civil Litigation, Criminal Law, Elder Law & Orphans’ Court, Family Law, Municipal Law, Planning, Real Estate, and Young Lawyers Committees, as well as the Ned J. Nakles American Inn of Court, and numerous other professional associations.

A graduate of Grove City College with degrees in Political Science/Pre-Law and Business Administration,
Recently, Mike Stewart and I had the privilege of teaching two civics education lessons to the fifth grade at the Valley School of Ligonier. As I am certain many of you would agree, going into the schools on Law Day, for civics education or for any other reason, is a most enjoyable and rewarding experience. Mike and I may have been more excited than the kids!

Our Board recognized several years ago that we lawyers, as a group, possess the knowledge and unique ability to aid our teachers in filling any gaps that may exist in the teaching of civics education in our local school systems. We believe there is a need for some outside help, or supplementation, and we can be the organization that fills that void.

Over the past several months, we have introduced two lesson plans that were developed by the PBA into several fifth grade classrooms. The response has been very positive.

The first lesson plan is entitled “No Animals in the Library/School.” It generates a lively discussion about rules versus laws and order in our society, from home, to school, to the playground, and beyond.

The second lesson plan is constructed as a mock trial entitled “The Case of the Missing Puppy.” The kids set up a classroom courtroom with all of the customary courtroom roles, and they decide whether a babysitter should be responsible for compensating the homeowners after “Spot” makes a successful dash for freedom.

We would like to see these lesson plans—with our attorneys in the lead—in every fifth-grade classroom in this county, maybe once in the fall and a follow-up in the spring, beginning this year and every year into the future. In order to make this possible, WE NEED A FEW GOOD MEN and WOMEN! Will you please volunteer for the program and of course, help us infiltrate school districts where you may have some influence?

The Board has been actively examining how to improve our collective image as attorneys in our communities and this will go a very long way toward that goal. Of course, we must embrace the program and demonstrate that same level of enthusiasm and competence as we would do if we were preparing for a trial. The kids are receptive, and they will all benefit. We will all smile and say, “It has been a very good day.”

Please call the Bar office at 724-834-6730, and let us know that you are interested in participating.

It has been my honor and privilege to serve this year as Bar President. I have been proud to work as part of a team with Mike Stewart, John Greiner, and more recently, Joe Lazzaro. It does take a “village” to successfully operate our Association and my special thanks to Executive Director Diane Krivoniak, and to Cathy, Julia, and Susan.

I look forward in the coming year to continuing my work with President Greiner. I know you will be as supportive of John as you have so graciously been of me.

Thank you.

Sincerely,

David S. DeRose, Esq.
Oglebay Resort & Conference Center

A New Old Venue for 2013 Bench/Bar Conference

by John M. Hauser, III, Esq., Bench/Bar Committee Co-Chair

The 27th Annual Bench/Bar Conference will be held June 13-14, at the familiar forum of Oglebay Resort in Wheeling, W.Va., and should have something for everyone. Fewer than 90 minutes from Greensburg, with abundant amenities and activities, this resort seems the perfect locale for the rowdy crowd that we (and the folks at Bedford Springs Resort) know our members can be.

Attendees at the Conference will enjoy the activities and facilities at the resort including tennis courts, indoor and outdoor swimming pools, ping pong, a fitness center, racquetball courts, hiking trails, a full-service spa, and two top-tier golf courses. The animal lovers among us will likely appreciate The Good Zoo, while the enormous model train set containing numerous landmarks from southwestern Pennsylvania is not to be missed. For the more adventuresome members of our group, the Fiestaeware factory is in nearby Newell, W.Va., and the casino in downtown Wheeling will likely draw the attention of the gamblers among our ranks.

If just hearing about the fun has you too excited to wait, you may also be glad to hear that, as has become the custom with the two-day Bench/Bar format, rooms are also available for Wednesday, June 12, and members arriving early will gather for a celebratory Bench/Bar kickoff dinner that evening.

Activities at this year's conference will be similar in many ways to past conferences, and dinner will again be an outdoor barbecue featuring live entertainment. However, to avoid any disruption to hotel patrons—as well as any disruption to our festivities by hotel staff—this year's dinner has been booked at the outdoor pavilion down the hill from the hotel.

For the hackers among us, there will be a golf outing, which will be played on the well-known Palmer course, designed by Latrobe's finest, “Arnie” himself. And last, but certainly not least, the Young Lawyers' Suite will be a separate cottage away from the hotel and not far from dinner or the band. As always, the suite will be well-stocked with potent potables and late-night foodstuffs.

Well, I believe that covers something for absolutely everyone. Regardless of your interests, we are confident that you will find this location to be a welcome respite from the daily grind, and perfectly suited to the relaxation, camaraderie, and mildly rowdy behavior that we hope for every year. We hope to see you there!
January 2013 Civil Trial Term

Jury Trial Verdicts

by Beth Orbison, Esq., Thomas L. Jones, Esq., and Monique J. Lafontant Mears, Esq.

Of twenty-five cases listed for the January 2013 Civil Jury Trial Term, ten settled, twelve were continued, one was transferred to arbitration, and two jury trials were held.

CAROL ALLEN
V.
MADALYN CAPERELL
NO. 7993 OF 2010

Cause of Action: Negligence—
Personal Injury—Automobile Collision

On September 1, 2010, at approximately 9:00 p.m., Plaintiff, while operating her vehicle, approached the four-way intersection of Buttermilk Hollow Road and Center Highway in North Huntingdon. She claimed that she stopped at the stop sign, and then proceeded through the intersection when her vehicle was struck in the right rear by the Defendant’s vehicle.

Defendant claimed that she was operating her vehicle on Center Highway when she came to a complete stop at the intersection, proceeded through the intersection, and then struck the Plaintiff’s vehicle, which had failed to stop and sped in front of her.

As a result of the collision, Plaintiff claimed to have sustained a cervical strain, concussion, full thickness rotator cuff tear, right shoulder and right biceps tendinopathy, lacerations, and contusions. In addition, she was unable to drive for about six months due to anxiety related to the accident.

Plaintiff’s Counsel: Daniel S. Schiffman, Schiffman & Wojdowski, Pgh.

Defendant’s Counsel: Kenneth Ficerai, Gbg.

Trial Judge: The Hon. Richard E. McCormick, Jr.

Result: Verdict for the Plaintiff in the amount of $4,371.53 in economic damages; zero awarded for non-economic damages.

WALTECH SERVICES, INC.
V.
VSI, INC., FRANK C. YESH
AND PHYLLIS M. YESH
NO. 3772 OF 2005

Cause of Action: Contract—
Breach of Contract for Services

Walter Matenkosky, principal and President of Plaintiff Corporation, agreed to perform services as an independent contractor for the Defendants, Frank and Phyllis Yesh, who are the principals of Defendant Corporation. Defendants are in the business of providing security system services. Plaintiff and Defendants agreed that Plaintiff would be paid $45 per hour for his services and that his expenses would be reimbursed. Plaintiff periodically provided timesheets and invoices to Defendants, detailing the hours he worked and the expenses he incurred. Although Plaintiff was paid for some of his time, Plaintiff claimed that a balance remained due and owing.

Defendants denied that Plaintiff was owed anything. They contended that Plaintiff was paid in full and that he could not substantiate his claim with valid or credible records.

In an earlier proceeding, the Court determined that Mr. and Mrs. Yesh are personally liable for all of VSI, Inc.’s obligations.

Plaintiff’s Counsel: Daniel C. Hudock, McDonald, Snyder & Lightcap, Latrobe

Defendants’ Counsel: David Colecchia, LAW CARE®, Gbg.

Trial Judge: The Hon. Richard E. McCormick, Jr.

Result: Verdict for the Plaintiff in the amount of $78,541.70.

Lawyers’ Exchange

(Free to all members of the WBA)

MEN TORS WANTED The Paralegal Program at Westmoreland County Community College is seeking mentors for an internship which is part of the curriculum in the program. If you are willing to have a student intern assist you with your practice, or have any questions, please contact John Shelapinsky at shelapinskyj@wccc.edu.

OFFICE SUITES FOR RENT First Floor: Two rooms, two entrances off center hall, $395/month. Second Floor: Two rooms, one for secretary’s station and waiting chairs and large office for attorney, $325/month. Both suites have use of first-floor conference room and handicap entrance, free off-street parking for tenants. Beautiful building with all amenities, landlord pays all utilities. Call 724-834-9087 or 724-837-5210.
Art of the Steal: Heist or Conspiracy?

Is a will necessarily the most sacred document in the world? Can trusts be broken for the betterment of the public good? These questions will be discussed following a complimentary three-hour CLE offered on Monday, April 29, from 3 to 6 p.m., at the University of Pittsburgh at Greensburg, sponsored by The Community Foundation of Westmoreland County in partnership with the Westmoreland Bar Association.

Attorneys will be treated to the viewing of “The Art of the Steal”—the 2009 documentary about the dismantling of the Barnes Collection in Lower Merion, Pa.—followed by a discussion about the legal issues surrounding the officers’ decision to break Albert C. Barnes’ will and relocate his art collection to Philadelphia. Carolyn Duronio, partner at Reed Smith, will speak from 5 to 6 p.m. and explain the legal reasoning which led to the breaking of the Barnes will.

Mark your calendars and plan to join us. The CLE program will be followed by a networking reception in the Mary Lou Campana Chapel at the University of Pittsburgh at Greensburg. An invitation from The Community Foundation will be mailed to your office by mid-March.

Born into a working-class family in Philadelphia, Albert C. Barnes was a man who, through hard work and determination, became a doctor and medical researcher, founding a successful pharmaceutical firm that made him a multimillionaire. As his fortune grew, Barnes developed a taste for art and, in time, assembled one of the world’s most remarkable private collections, featuring original paintings by Van Gogh, Renoir, Picasso, Cézanne, and many other important artists. Barnes relied on his own instincts rather than the advice of experts when he bought paintings, and he had little use for the pretentious attitudes of Philadelphia’s art collectors and high society; the animosity between Barnes and the city’s art establishment grew to the point that in 1922 he opened the Barnes Foundation, a private gallery where he kept his collection rather than share it with institutions such as the Philadelphia Museum of Art.

The Barnes Foundation was open by invitation only, and the doctor preferred to have his collection seen by students and serious art lovers rather than those he felt didn’t appreciate the work. Barnes died in 1951, and made strict provisions in his will that his collection was not to be sold, lent to other museums, or removed from the grounds of the Barnes Foundation. Lincoln University, a traditionally African-American college, was appointed to oversee the foundation’s collection. But after the death of Barnes’ protégée, Violette de Mazia, in 1988, Lincoln University’s trustees took full control of the collection, now estimated to be worth $25 billion, and a number of individuals and organizations inexperienced in the world of art laid hands upon the Barnes archive. “The Art of the Steal” is a documentary by Don Argott that explores how greed, political power, and good intentions collided to violate Albert C. Barnes’ wishes and scatter his collection across the globe.

—Review from Rotten Tomatoes
Harry earned his J.D. from Duquesne University. He has been in private practice since 1997 in Greensburg, and also serves as Solicitor for the Westmoreland County Clerk of Courts and Sheriff’s Office.

PATRICK T. NOONAN

*The Director ensures that the WBA’s mission, services, policies, and programs are carried out. Two three-year terms open.*

**Professional Background:** Associate General Counsel, University of Pittsburgh, 2004–present; Former Assistant District Attorney and Sole Practitioner, Westmoreland County; Former Assistant United States Attorney, Western District of Pennsylvania; J.D. from University of Pittsburgh; B.A. from University of Notre Dame.

**WBA Activities:** Member since 1989; Bench/Bar Committee; Business Employment Law Committee; Planning Committee; Master, Ned J. Nakles American Inn of Court, 1995–present.

Other Professional Information:
Lifetime resident of Westmoreland County; Member, National Association of College and University Attorneys; Counsel, Pitt/UPMC Radiation Safety Executive Committee.

**Reason for Interest:** It is my observation, shared by many colleagues, that the Westmoreland Bar is an exceptional Association and remains the envy of our neighbors. For over two decades, I have observed our Association thrive under committed leadership invested in the retention of our Association’s outstanding character. A host of memorable days in my career have been spent with members of this Association, be it sparring in a courtroom or convening in the aftermath for a beer or two.

The first in my family to practice law, I am the grateful beneficiary of numerous mentors who call this Association home, both Bench and Bar. I appreciate the support of the Nominating Committee, and if elected, I seek simply to contribute and serve my fellow members in the advance and preservation of our distinctive Association.

JAMES P. SILVIS

*The Director ensures that the WBA’s mission, services, policies, and programs are carried out. Two three-year terms open.*

**Professional Background:** O’Connell & Silvis, LLP, 2002–present; Westmoreland County Public Defender’s Office, 2004–2006; Assistant County Solicitor, 2010–present; J.D., University of Michigan School of Law; B.A., University of Virginia.

**WBA Activities:** Member since 2002; Member, Ned J. Nakles American Inn of Court, 2003–present; Mock Trial, 2003–present; Young Lawyers Committee, 2003–present.

**Other Professional Information:** Lawyers Concerned for Lawyers, 2006–present; Vice President, St. Thomas More Society of the Diocese of Greensburg; Solicitor, Police Rod and Gun Club.

**Reason for Interest:** Growing up in a lawyer’s family, I routinely heard of the many benefits to be gained through an active membership in the WBA. Since joining, I’ve had that confirmed. I’m excited to have the opportunity to join the Board to work toward maintaining the WBA’s vitality both professionally and socially. The WBA has been blessed to have had many invaluable contributors over the years, and we need to continue to attract new members so we can all benefit from the many talents they possess.

JUDI POTOKA PETRUSH

*The Membership Committee is the first point of contact most applicants have with the WBA. One five-year term open.*

**Professional Background:** Assistant District Attorney, Westmoreland County, 1995–present; member of the
Sex Crimes/Child Abuse Unit and Federal Habeas Corpus Unit; J.D., University of Pittsburgh; B.A., English Writing & Business, University of Pittsburgh.

**WBA Activities:** Member since 1994; Criminal Law Committee, Mock Trial Committee, Law Day, WBA Civics Education Project, WBA Values and Vision Task Force.

**Other Professional Information:** National District Attorney’s Association; Pennsylvania District Attorney’s Association; Speaker: Duquesne University Wecht Institute of Forensic Science and Law; National Ski Patrol (volunteer Seven Springs Ski Patrol).

**Reason for Interest:** Participating in the educational opportunities offered by the WBA has been both professionally and personally rewarding. The WBA’s community outreach programs, especially the programs directed at our school children, are outstanding. I am eager to share and recommend these experiences to new members of the WBA.

**CHARLES J. DANGELO**

_The Building Committee is responsible for maintaining the management and upkeep of Bar Headquarters. One five-year term open._

**Professional Background:** Special Partner, Meyer, Darragh, Buckler, Bebenek, and Eck, PLLC; 21 years of public service experience as law clerk for the Commonwealth Court of Pennsylvania, the Court of Common Pleas of Westmoreland County, and the Workers’ Compensation Appeal Board; J.D. and M.A. from Duquesne University; B.A. from the University of Pittsburgh.

**WBA Activities:** WBA member since 2001; participate in WBA committees: former chair of the Law Library Committee and Co-Chair of the Municipal Law Committee; work as a recent-decision editor for the Westmoreland Law Journal; involved in the WBA initiatives on values and vision and e-filing.

**Other Professional Information:** Member of the Ned J. Nakles American Inn of Court; former member of the James Bowman American Inn of Court; Order of the Sons of Italy in America, Emilia Sammartino Lodge.

**Reason for Interest:** I have considerable background in areas of law that pertain to real estate such as zoning, tax assessment, historic preservation, and health and safety regulation. Also, I have an interest in art and design, as well as a good eye for form, light, and color. I would like to have the opportunity to use my skills on the Building Committee and contribute to the maintenance and improvement of WBA’s facilities.
New Member Sketches

K. CASEY CRYTZER has been admitted as a participating member of the WBA. He earned a B.A. in History from Allegheny College, and his J.D. from Duquesne University. Casey is a Relationship Manager at PNC Wealth Management in Ligonier. He and his wife, Amanda, have four children—Cora, Ella, Sylvia, and Louis—and make their home in Freeport.

SHANE M. GANNON has joined the WBA as a participating member. Shane earned his undergraduate degree in PoliSci from Waynesburg University, and his J.D. from Duquesne University. He is an associate with Mears, Smith, Houser & Boyle, P.C., in Greensburg, and lives in Connellsville.

ERIN LARIMER was admitted to the WBA as a participating member. She earned a B.A. in English from Saint Vincent College, and earned her J.D. from Duquesne University. She and her husband, Zachary, live in Murrysville.

TIMOTHY MILLER has been admitted as a participating member of the WBA. He earned a B.A. in Journalism from American University, and his J.D. from Duquesne University. Tim is an associate with DeBernardo, Antoniono, McCabe, Davis & DeDiana, P.C., in Greensburg, and lives in Pittsburgh.

JAMES STOCKSTILL has joined the WBA as an associate member. James earned his undergraduate degree in Political Science from the University of Mississippi, and his J.D. from the University of Pittsburgh. A sole practitioner with offices in Pittsburgh, he and his wife, Julie Boisseau, reside in Pittsburgh.

WBA members, be part of something BIG. The WBA is accepting applications for the 2013 Lawyer Referral Service. At just $125, the registration fee allows WBA participating members to enroll in the only court-recognized referral service in Westmoreland County. Our service receives more than 1,000 calls each year, and is listed on all Notice to Defend correspondence issued in Westmoreland County.

If you want an affordable, LOCALLY endorsed source of referrals, why not join the WBA Referral Service? Registration forms are available by calling the WBA at 724-834-6730.

Intellectual Property Law
Patents, Trademarks, Copyrights

NILS H. LJUNGMAN, JR.
NILS H. LJUNGMAN & ASSOCIATES
724-836-2305
nhla@earthlink.net
ljungmanandassociates.com

- Over 30 years of practice before the U.S. Patent and Trademark Office
- 95% success rate in obtaining U.S. patents with over 1600 U.S. patents issued (overall average success rate for all U.S. patent practitioners is 46%)
- Registered at Canadian Patent Office with over 300 patents issued
- Registered over 300 Federal and Pennsylvania trademarks
- Obtained patents in all major countries, including European Union, Japan, China, U.K., Germany, Brazil, Mexico, etc.

Bachelor’s degree in Engineering from New York University
Master’s degree in Electrical Engineering from Drexel University
J.D. from Temple University
Chemistry studies at University of Pittsburgh
Registered Professional Engineer (Pennsylvania)
Formerly Assistant Professor at Villanova University
Formerly Doctoral Candidate in Mathematics at Bryn Mawr College
Understanding, Awareness, and Compassion for Our LGBTQ Community

by Beth Orbison, Esq.

If you don’t know what “LGBTQ” stands for, you need to read on. If you can’t define the word “heterosexism”—or if you are heterosexist—you need to read on. And if you believe that “reparative therapy” is a valid treatment modality, then you definitely need to read on.

Historically, lesbian, gay, bisexual, transgender and questioning people (“LGBTQ”) have faced rejection, misunderstanding, invisibility, and, in the worst cases, discrimination and violence in our community and schools. As part of the “Community Awareness Series,” a workshop entitled “Working with LGBTQ People in Crisis” was held on February 1, 2013, at the Youth Services Center in Greensburg to enable participants to develop an understanding of the LGBTQ community and the issues they face, to gain tools for working with LGBTQ people in crisis, and to provide an informed response to LGBTQ victims of partner violence.

The Persad Center, a leader in serving the LGBTQ community for over 30 years, is working to foster inclusion, and eliminate hate crimes and LGBT discrimination in western Pennsylvania through its Community Safe Zone Program. Ted Hoover, Community Safe Zone Coordinator, explained that for too long, the LGBTQ population has been made to feel apart and different from their own communities. “In western PA—with its landscape of small towns and tight-knit neighborhoods—the isolation and invisibility is especially acute. A lack of understanding and acceptance of LGBT people has resulted in various forms of discrimination. But western PA, and its landscape, is changing. The LGBT population—children, parents, co-workers, teachers, and friends—are citizens living and working right here.” (See Community Safe Zone: A Program of Persad Center brochure, available from the Persad Center.)

Workshop participants learned that referring to someone as a “homosexual” was old-fashioned; that so-called “reparative therapy”—that is, trying to “fix” gays to become “straight”—is not valid or ethical science and not supported by any major mental health association; that LGBTQ people constantly have to deal with the triple threat of heterosexism, homophobia, and internalized homophobia; that the LGBTQ community is not protected by many anti-discrimination laws; and that LGBTQ people suffer from higher rates of suicide, depression, smoking, substance abuse, STD transmission, and runaways.

Workshop presenters differentiated sexual orientation from sexual behavior and sexual identity. Biological gender was differentiated from gender role and gender identity in an effort to foster understanding of issues faced by the LGBTQ community.

Multiple resources for LGBTQ youth and their allies have been compiled by members of the WestCo Pride Project and include:

1) PFLAG (Parents and Families of Lesbians and Gays) Greensburg; Voicemail at 724-610-9388; online at pflaggreensburg.org; e-mail pflaggbg@gmail.com

You built a successful firm by putting your clients’ needs first. We follow the same business model.

You don’t believe in shortcuts. Instead, you’re building your business one client at a time. By listening, learning and doing what’s right for each individual. At PNC Wealth Management, we take the same approach. We begin by sitting down and talking with you to get the full scope of your business and personal financial goals. Then we craft a solution to help you, your clients and even your firm get there.

Let us help you build on your achievements. Call Felicia Besh at 724-238-3345 or visit pnc.com.
Understanding, Awareness, and Compassion
continued from page 9

2) Westmoreland LGBTQ Interfaith Network:
On Facebook
3) Dreams of Hope at www.dreamsofhope.org
4) The Gay-Straight Alliance Network
(www.gsanetwork.org/about-us) meets in Greensburg every Wednesday from 5 to 7 p.m.
If you are interested in being a part of this alliance, contact them for the location of the next meeting.
If you would like to help broaden knowledge and cultural competence in your workplace or organization, or spread the word to your LGBT and allied friends, coworkers and clients about the goals and activities of Persad’s Community Safe Zone, contact any of the workshop presenters: Rebecca Harvey, Ph.D., Licensed Clinical Social Worker and assistant professor and program director of Marriage and Family Therapy at Seton Hill University, whose areas of interest include sexual issues and sexual minorities (Harvey@setonhill.edu); Ted Hoover, Community Safe Zone Coordinator (Persad Center, 5150 Penn Avenue, Pittsburgh, PA 15224, 1-888-873-7723 ext. 218, www.persadcenter.org); Mae Palacios from the Blackburn Center (hotline 1-888-832-2272, office 724-837-9540, www.blackburncenter.org); and Mary Clark, former County Children’s Homeless Initiative Coordinator (724-837-4820).

save the dates!

March 27: New Member Ceremony and Reception, 3 to 6 p.m.
April 1: WBF/WBA Annual Meeting, 4:30 to 8 p.m., Rizzo’s Banquet Hall, Crabtree, Pa.
April 29: “The Art of the Steal” CLE, 3 to 6 p.m., University of Pittsburgh at Greensburg
May: 51st Annual Memorial Service
June 8: Gettysburg Bus Trip
June 13-14: 27th Annual Bench/Bar Conference, Oglebay Resort & Conference Center
To-Wit: Alley-Oop

by S. Sponte, Esq.

I have been writing this column for a very long time now, and for a very long time, I’ve been irked. You’d think that with as much time and creative energy as I’ve devoted both to my literary ambitions and to your professional amusement that I’d be this magazine’s most popular feature, numero uno, the top dog, its undisputed head shanda.

Oh, but I’m not. According to every one of this publication’s readers’ polls, I rank no better than third. Now if, say, John Grisham were writing for this magazine and maybe Robert Ludlum, I’d understand my perennial third-place finish. I wouldn’t agree, but I’d understand.

As it turns out though, my popularity is consistently bested by both the obituaries and the disciplinary suspensions. I take it with a grain of salt that all one has to do to be more popular than me is to die, but to be outstripped by unethical conduct, oh, that hurts.

"I take it with a grain of salt that all one has to do to be more popular than me is to die, but to be outstripped by unethical conduct, oh, that hurts."

As I’ve been enjoying my annual December vacation in the sun these past couple of weeks, I’ve been giving the matter some thought and I have come up with the perfect solution. It’s perhaps a bit macabre, but I’ve decided to give you Romans the spectacle you really want by telling you in advance about all the important disciplinary suspensions that will occur this coming year. You can read them right here, right now, you can have your blood lust sated eo instanter, and then you can be free for the rest of the year to enjoy my stuff completely undistracted by such reprehensible goings on. Next issue I’ll be back to once again make your professional life a living guffaw. In the meantime, go ahead, have your little fun.

BESSIE MAE MUCHO—In utter disregard of the strictures against the commingling of funds, Ms. Mucho is suspended for two years for inadvertently depositing her paycheck.

continued on page 12
To-Wit: Alley-Oop
continued from page 11

into her client escrow account. Noting
that her clients received a windfall
from her gaffe, the committee is
permitting her to practice only medical
malpractice defense work during her
suspension. “If she continues with
such profligate handling of funds,”
states the committee, “perhaps she
may yet do some good.”

CARMEN MONOKSIDE—Mr.
Monokside is suspended for five
years for settling seventeen personal
injury cases for clients who didn’t exist.
“I’m sorry,” apologized Mr. Monokside
to the committee. “I accept my
punishment and I’ll get by. Thank
God I had such a good year.”

EVELLES SER II—Mr. Lesser, a
matrimonial specialist, is suspended
for eighteen months for awaking one
morning suffering from a bout of
acute catatonic hypoprocedure during
which he stacked all one hundred
seventy-one of his client files in the
alley outside his office and set fire to
them. “We are sympathetic to
his understandable indisposition,”
stated the committee, “but having an
epiphany is no defense to his conduct.”

T. FASTIDEUS BREWSTER—
Mr. Brewster is suspended from
practice for one year for failing to
report his partner for absconding to
Mexico with the escrow and general
office funds and Mr. Brewster’s wife.
“I knew I took my chances by not
turning him in immediately,” Mr.
Brewster said in his own defense,
“but I was afraid he’d bring her back.”
The magazine will conduct
another readers’ poll later this year and
now you owe me. I want your votes;
I also want you all to stay alive. Yeah, I
know, when it comes to my colleagues
I’m not usually this magnanimous, but
if history means anything, it’s the only
chance I got.  

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practice

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and/or recommendations. © 2012 Ameriprise Financial, Inc. All rights reserved.
This piece is not an article fashioned from various sources; rather, it is a review of an article with the same title written in 1785 by the defendant's counsel, Hugh Henry Brackenridge. One might assume that Brackenridge's professional relationship with the defendant might have tainted his writing with bias or embellishment; but there is no evidence of that, nor did he engage in self-praise when it came to his role. In short, there is no reason to believe that this lawyer, legislator, supreme court justice, publisher, and writer (see the sidebar, August 2009, page 15) presented anything but the facts as he recalled them. As with all good lawyers, the facts are skillfully proffered; for even when we know that Mamachtaga was a killer, and that he was not lynched, but received the due process of the day, the reader is left with a profound sense of sadness at his fate.

Of course there is no trial transcript to refer to: eighteenth-century legal proceedings, especially those conducted on the frontier, left little, if any documentation. Brackenridge, therefore, took it upon himself to record and publish the extraordinary events in which he was a participant, beginning, “I know the particulars of the following story well because one of the men (Smith) was shingling a house for me in the town of Pittsburgh, the evening before he was murdered by Mamachtaga . . . ”

The crime and trial have been written about before, most recently by George Swetnam, the former well known feature writer for the Pittsburgh Press, in Pittsylvania Country (republished in 1992 by McDonald/Sward Publishing Co.). The original source however is Brackenridge's article which was published in Philadelphia in 1795 in Incidents of the Insurrection in the Western Parts of Pennsylvania, in the Year 1794 [Whiskey Rebellion]. The events described in the article occurred in the summer of 1785, but no specific dates were given.

THE CRIME

The Delawares, Mamachtaga's tribe, were the first of all Indians to sign a treaty with the United States and were an on-again off-again ally during the Revolution. The translation of his name, “Mamachtaga,” symbolized “Trees Blown Across” (by a whirlwind), and was bestowed upon him because of his unruly nature. When meeting him, Brackenridge noted that he had an “appearance of great ferocity.” Before they met, however, the young lawyer, on his own, undertook an investigation of the crime.

He went to the Delaware camp on Killbuck Island in the Ohio River—the scene of the crimes—where a man named Smith and his companion named Evans, had gone, perhaps to trade in liquor. There, he learned from witnesses that Mamachtaga, while under the influence of alcohol, attacked four men in a cabin, and with a knife killed Smith and Evans and wounded the other two. Mamachtaga made no effort to escape, but simply sat on a log in a stupor, surrendering himself to the authorities when they arrived.

THE CRIME

Hugh Henry Brackenridge defended Mamachtaga at his trial in 1785.

For an Indian charged with a crime to be represented by a lawyer was unheard of, but Brackenridge thought it would be “a pleasantry.”
and proclaiming no knowledge of what had happened. Because the county seat at Hannastown was thirty miles away, Mamachtaga was confined at the military garrison in Pittsburgh until the next term of the court of Oyer and Terminer (the court of general criminal jurisdiction) could be held.

For an Indian charged with a crime to be represented by a lawyer was unheard of, but Brackenridge thought it would be a novelty (in his words, “a pleasantry”), and he engaged an interpreter to inquire if his potential client might have access to furs or peltry which might also provide a fee. The good news for Brackenridge was that Mamachtaga had a forty-weight of beaver, which had not been traded, a brother who might raise yet another hundred-weight, and the interpreter had procured a contract for the transfer of the furs which Mamachtaga had signed with his mark—a hieroglyphic resembling a turkey track. The bad news was that the interpreter insisted upon receiving half the fee.

A Delaware woman known as Grenadier Squaw, who spoke some English and who also seemed to be there out of sympathy for the prisoner, was doing some work by the open trapdoor. Brackenridge asked her to question Mamachtaga as to whether he would choose to be hanged or burned. With a look of resentment, she refused, not, Brackenridge concluded, because the question was tactless and inhuman; but rather because in their culture, they concealed from the condemned the time and manner of execution.

The question was then conveyed through the interpreter, and, after reasonable hesitation, Mamachtaga replied he would rather be shot or tomahawked. Knowing that he would be of little use to his client, Brackenridge, to the consternation of the interpreter, ordered that the pelts be given to a trader with directions that he furnish the client with blankets and additional food to comfort him as needed.

Defense lawyers seldom engender popularity, and when the public learned that the Indian had a lawyer, it was enraged by the possibility that he might be acquitted by “the crooks of the law.” Talk rapidly spread about taking vengeance against the lawyer and the interpreter and lynching the defendant. A mob did form for the latter purpose, but the commanding officer at the garrison persuaded its members to disperse and to leave the defendant to the civil authorities.

In the interim, the interpreter fled to the hills, washing his hands of the whole affair, and left the lawyer constrained to take the fee of pelts not yet consumed by the client’s meager needs. The decision sounds inconsistent with his earlier largesse, but Brackenridge seemingly rationalized it on the basis that tribal members told him that while Mamachtaga had been a great warrior, he was viewed as a bad man, having killed two of...
his own people, and his loss would not be cause for regret.

Aside from the fee, it appears that Brackenridge wrestled with whether or not to withdraw from the case; concluding that he should not, for he wanted to avoid the impression that he was yielding to public pressure.

There were some who suggested that acquittal might be possible if he could prove that the victims had made Mamachtaga drunk, as the client himself contended, but such a defense was contradicted by all of the eyewitnesses and his client’s prior record; for Mamachtaga had been previously convicted by the court of stealing a keg of whiskey.

**THE TRIAL**

The trial would commence as soon as two judges from Philadelphia had crossed the mountains and arrived at Hannastown. The two who were to preside over the proceedings were Chief Justice Thomas McKean (who would be elected governor in 1799) and Associate Justice George Bryan.

That two Pennsylvania Supreme Court justices should cross the state for a jury trial on the frontier suggests that the case had taken on an aspect of public importance.

As the trial opened, Mamachtaga, through an interpreter, was asked by the court to enter a plea. Not recognizing that, as a matter of form, he should say “not guilty,” the defendant avoided a direct answer, unwilling to deny his act, for it was unbecoming for a warrior to deny the truth. The court then directed that the plea be entered for him.

In empanelling the jury, it appears that Mamachtaga alone, after an explanation by the interpreter, exercised his challenges to individual prospective jurors “according to the sourness or cheerfulness of the countenance” of each man called. As each prospective juror was called, the clerk, in the usual format of the time, announced: “Prisoner, look upon the juror. Juror, look upon the prisoner at the bar. Are you related to the prisoner?” Brackenridge noted that when the question was posed to the first prospective juror from the panel, “a German,” it caused a stir, as the man became indignant at the impertinence of a question that would suggest such a relationship; and the excited man was calmed only when the matter was explained to him by another German on the panel.

Brackenridge proffered intoxication as a defense, but the offer was overruled by the court, and it was explained to Mamachtaga that his being drunk would not excuse murder under the law; to which Mamachtaga responded that he hoped the good man above would excuse it.

**THE VERDICT**

The jury returned a verdict of guilty without leaving the bar. The trial had been so swift that the court had time to decide a second homicide case, this one against a John Bradly, also charged with murder, but who was found guilty of manslaughter. At the end of the session, both men were sentenced. 

*continued on page 16*
When Mamachtaga was asked why he should not be sentenced to death, he replied that he would rather “run awhile.” Brackenridge explained this strange response as follows:

This was under the idea of the custom among the Indians of giving time to the murderer, according to the circumstances of the case, to run, during which time if he can satisfy the relations of the deceased, buy a commutation for his life [with] a gun, a horse, fur and the like, it is in their power to dispense with the punishment; but if this cannot be done, having not enough to give, or the relations not consenting to a commutation, he must come at the end of the time appointed to the spot assigned, and there, by a warrior of the nation, or some relative, son, brother, etc. of the deceased, be put to death, in which case the tomahawk is the usual instrument. No instance will occur in which the condemned man will not be punctual to his engagement.

The narrative then turned briefly to the sentencing of John Bradly, the white man convicted of manslaughter. The judges first pronounced that he was to hang, which resulted in a loud anguished outcry from the prisoner, who was calmed only after it was explained to him that this was simply a procedural form and that the sentence would be mitigated if he sought the “benefit of clergy.” This being done, the sentence of “burning in the hand” was pronounced and the sheriff immediately bound the man’s hand with a rope to a low beam in the courthouse and a hot iron was applied.

When the sheriff came forward with the rope to bind Bradly, Mamachtaga thought the rope was meant for him, and showed signs of dismay and horror, believing that his execution was imminent. Upon composing himself, after learning that he was not to be hung then and there, the judges asked if he had anything to say, to which he replied that he knew that his trial was fair and hoped that his nation would not seek revenge on his account.

While being led away to the jail, he was asked if he knew who the men were who were dressed in red robes and had passed judgment upon him. Having some exposure to the Moravian missionaries among the Delawares, he replied that he supposed that one was God and the other Jesus.

TO DIE LIKE A WARRIOR

Mamachtaga was lodged in the jail, sharing a room with two other prisoners: one a thief, the other convicted for a “crime against nature.” The latter was also under a sentence of death. The thief somehow had obtained a knife and suggested to the other condemned man that since
he had to die anyway, he could avoid the disgrace of hanging by allowing the Indian to kill him with the knife. It was a proposition to which this simple and distraught man agreed; but Mamachtaga, despite an offer of liquor for his services, spurned the idea, saying he had killed enough men already.

At this point in Brackenridge’s narrative, the reader likely feels some pangs of sympathy for the plight of the defendant, but Brackenridge ensures it with a dramatic climax involving a risk taken by the condemned man’s jailer.

He relates that the jailer’s son was stricken with a fever that was of such concern, that the jailer unshackled Mamachtaga, and the two went into the woods where the defendant gathered roots which he said would—and in fact, did—cure the child.

No escape having been attempted, the jailer unironed him once again on the morning of his scheduled execution in order to grant Mamachtaga’s wish to go into the forest and gather the plants necessary to concoct the paint he wished to apply to his body so that “he might die like a warrior.” True to his word, Mamachtaga returned highly painted for “the great occasion.”

Brackenridge’s narrative then gives his eyewitness account of that occasion:

A great body of people assembled at the place of execution. The white man was hung first, and afterwards the Indian ascended the ladder placed to the cross timber of the gibbet; and a rope [was] fastened. When he swung off, [the rope] broke and the Indian fell, and having swooned a little, he rose with a smile and went up again. A stronger rope in the meantime having been provided, or rather two put together about his neck so that the weight was supported… he underwent the sentence of the law and was hanged till he was dead.

Why did he not try to escape when presented with two opportunities to do so? Brackenridge explained his action by referring to the common belief among the Indian tribes that once a warrior gave his word to do something he then lacked the physical power to do otherwise.

**Sources**


Actions of the Board

NOVEMBER 14, 2012
The Annual Bench/Bar Leaders meeting convened at 4 p.m. In attendance: Judges Blahovec, Hathaway, Scherer, Bononi, Marsili, McCormick Jr., Bell, Pezze, Driscoll, and CA Paul Kuntz.

Topics included:
• Opinions in WLJ—Judges indicated they are sending the opinions that they feel are worthy of publication.
• Court-Appointed Fees—Judges agreed to support the efforts of the WBA in their approach to the commissioners for an increase in court-appointed rates as it has been ten years since the last increase.
• Upcoming judicial retirements—Recommendation that the bar association provide a good education about all judicial candidates to the public.
• Bench/Bar Conference date will be Flag Day 2013; WBA asked for cooperation with the court calendar.

Civil Court cases and pro se cases—Agreed that mediation of pro se cases might be of help to the courts. Discussed the purging of civil court cases and the court costs associated with this.
E-filing—Row officers have indicated that they will pursue e-filing. The WBA is interested in working with the courts in any undertaking with e-filing and the judges agreed to support any efforts to institute e-filing.

 Regular business:
• Accepted Membership Committee report: Kristen Weidus, Tyler Jones, and Zachary Kansler, participating.
• Discussed the Laurel Legal Services Board and the WBA appointments to the board: Mary Meisner is not seeking reappointment while April Knizner has accepted reappointment.
• Established a board policy that any PAC board member intending to run for any political office or judicial opening be made inactive from any PAC activity until after the respective election.

DECEMBER 20, 2012
• Accepted Membership Committee report: Tim Miller, Shane Gannon, and Erin Larimer, participating; Nathan Lyle and James Stockstill, associate.
• Passed the 2013 budget with decision to wait until end-of-year figures are confirmed before making Pershing Fund (investments) contribution.
• Learned that advertising rates for Sheriff’s sales in the law journal will increase from $165 to $225, effective with the May sale list.
• Agreed to hold the annual meeting on Monday, April 1, after discussing the Jewish holiday that ends near that date.
• Agreed that Tim Andrews will put together the background information on the court-appointed fees with a meeting to be set to discuss this with the commissioners.

Voted to hire Architect Barry Morris to determine costs of renovating first floor to be totally usable as a CLE/large meeting room inclusive of addressing the bathroom and kitchen needs.

Young Lawyers reported good showing at last YL meeting and are preparing to do a service project once a month. Learned that Vice President of YL will be elected at next meeting.

Voted to offer judicial candidates the opportunity to resolve disputes over campaign issues by referring them to the ADR Committee, who will attempt to mediate the conflicts before being reported to the Disciplinary Board.

Confirmed June 8 for the Gettysburg tour with Don Rigone and Ralph Conrad serving as tour guides.
One of the greatest courtroom dramas in history, Nuremberg shows how the international prosecutors built their case against the top Nazi war criminals using the Nazis’ own films and records. The trial established the “Nuremberg principles,” laying the foundation for all subsequent trials for crimes against the peace, war crimes, and crimes against humanity.

This is the U.S. government’s official film about the trial, made for the War Department & U.S. Military Government by Stuart Schulberg, a veteran of John Ford’s OSS War Crimes film team. Though it was distributed in Germany in 1948 and 1949 as part of the U.S. de-Nazification campaign, its release to American theaters and other countries was canceled due to political concerns.

Over the years, the original picture negative and sound elements were lost or destroyed. Filmmakers Sandra Schulberg (daughter of Stuart Schulberg) and Josh Waletzky created a new 35mm negative and re-constructed the soundtrack using original sound from the trial. The Schulberg/Waletzky restoration allows audiences to hear Justice Robert H. Jackson’s famous opening and closing statements to the Tribunal, and the testimony from the German defendants and their defense attorneys—all in their own voices—as well as bits of the English, Russian, and French prosecutors. Now, more than 60 years later, the newly restored film can be seen around the world for the first time. The film ends with Justice Jackson’s stirring words: “Let Nuremberg stand as a warning to all who plan and wage aggressive war.”

On Wednesday, January 9, more than 450 Westmoreland Bar Association members, their guests, and members of the public attended a powerful evening of history as the critically acclaimed Nuremberg: Its Lesson for Today had its local premiere at the Seton Hill Performing Arts Center in Greensburg, more than 60 years after it was first filmed.

Filmmaker Stuart Schulberg’s daughter, Sandra Schulberg, who is responsible for painstakingly restoring the film with Josh Waletzky (see box at right), joined WBA members for a meet-and-greet at Bar headquarters before the film, and conducted a Q&A at the film’s conclusion.

Heartfelt thanks to the following sponsors of Nuremberg: Its Lesson for Today, who made this event possible:
- National Catholic Center for Holocaust Education (NCCHE)
- Belden Family Fund
- Berk Whitehead Kerr & Turin PC
- B. Patrick Costello

Sandra Schulberg
[Photo courtesy of Bruce Siskawicz and the NCCHE]
MARCH
13 Real Estate Committee, Noon
    Ned J. Nakles American Inn of Court, 5 p.m.
14 Membership Committee, Noon
18 Family Law Committee, Noon
20 [CLE] Auto Law/Personal Injury Update 2013, Noon to 1:15 p.m., 1 optional substantive credit
    Board Meeting, 4 p.m.
21 Elder Law & Orphans’ Court Committees, Noon
    Dine Around: Chef Mark’s Palate, Latrobe, 6 p.m.
27 Presentation of New Members, 3 p.m., Westmoreland County Courthouse
29 Courthouse closed in observance of Good Friday

APRIL
1 Annual Meeting of the WBF and WBA, 4:30 p.m., Rizzo’s Banquet Hall, Crabtree, Pa.
17 [CLE] Subrogation and Medicare Issues in Personal Injury Cases, Noon to 2:15 p.m., 2 optional substantive credits
    Board Meeting, 4 p.m.
24 [CLE] Video Compliance Seminar, 9 a.m. to 4:15 p.m., 5 optional substantive and 1 optional ethics credits
    Dine Around: Kitchen on Main, Ligonier, 6 p.m.
25 Ned J. Nakles American Inn of Court, 5 p.m.
29 [CLE] The Art of the Steal, 3 to 6 p.m., University of Pittsburgh at Greensburg, 3 CLE credits

All committee meetings and activities will be held at the WBA Headquarters unless otherwise noted. Visit www.westbar.org for more information about activities and CLE courses, or to register online.

LAWYERS CONCERNED FOR LAWYERS CORNER

• The 12-step recovery meeting, exclusively for lawyers and judges, is in downtown Pittsburgh every Thursday at 5:15 p.m. For the exact location, call Pennsylvania Lawyers Concerned for Lawyers at 1-800-335-2572.

• LCL has a new website at www.lclpa.org. Attorneys and judges will find information on how LCL can help them, a member of their family or a colleague who may be in distress. It is confidential and easy to navigate. Visit it today.

• Lawyers Confidential Help Line: 1-888-999-1941. Operates 24 hours a day.
Estate Planning Teleconference
featuring Charles A. Redd
hosted by PNC Wealth Management

Attendance qualifies for 1.5 CLE and/or CPE credit. To qualify for the 1.5 continuing education credits, attendees must be present the entire call.

Tuesday, March 19, 2013
12:30 - 2:30

Westmoreland Bar Association
129 North Pennsylvania Avenue, Conference Room
Greensburg, PA 15601

Boxed lunch will be provided.

Vexatious Fiduciary Duty Concerns
• Discretionary distribution scenarios
• Use and misuse of exculpatory clauses
• Hazards in decanting and trust modification
• Directed trusts

RSVP Information: Space is limited. Kindly RSVP to Barb Pellicciotti at barbara.pellicciotti@pnc.com.
J oin other bar members and their guests for an informal evening of food and conversation. The Dine Around will travel to three different eateries on three different weeknights over three months. Register for the ones that interest you, or register for all three. There are openings for approximately 30 attendees with no registration costs. Reservations are necessary and taken on a first-come, first-served basis. Register online at www.westbar.org, or call the Bar office at 724-834-6730 to reserve your Dine Around date(s). Start time: 6 p.m. • Cost: On own, as ordered from menu.

THURSDAY, MARCH 21: CHEF MARK’S PALATE
1032 LATROBE 30 SHOPPING PLAZA, LATROBE, PA 15650

The goal of Chef Mark is to satisfy all your dining needs. At the Palate, you are promised to enjoy fresh local cuisine, quality product, affordable prices, personalized and pleasant service, and Chef Mark’s signature artistic presentation. Entrées include New York Strip Steak, Asiago Crusted Chicken, Broiled Lump Crab Cakes, Smoked Salmon, Pecan Crusted Trout, Lobster Tail, and more.

Order off the menu; average meal $20-$25; BYOB, $5 corkage fee.

www.chefmarkspalate.com

THURSDAY, APRIL 24: THE KITCHEN ON MAIN
136 EAST MAIN STREET, LIGONIER, PA 15658

If you like Out of the Fire Café in Donegal, you will love its sister restaurant, The Kitchen on Main in Ligonier. Just off the Diamond on East Main Street, it has an upscale, cozy atmosphere, and serves unique American cuisine including Seafood Garlic Herb Linguini, Filet Mignon, Pan Roasted Scottish Salmon, 48 Hour Maple Cured Frenched Pork Chop, and more.

Order off the menu; average meal $20-$30; BYOB, $3 alcohol fee per person.

www.thekitchenonmain.com

THURSDAY, MAY 16: THE TOUCHDOWN CLUB II
ROUTE 30 WEST, LATROBE, PA 15650

The Touchdown Club II proudly continues the tradition started by the original Touchdown Club in 1947 of a friendly gathering spot with a quiet, relaxing atmosphere, good food, and good drinks. Whether you are in the mood for chicken, veal, beef, seafood, or pasta, The Touchdown Club II has an entrée to satisfy every craving. Be sure to save room for dessert!

Order off the menu; meals average $20-$25.

www.touchdownclub2.com
VOLUNTEER FOR LAW DAY 2013

E-mail dk.wba@verizon.net, or return the form below via fax (724-834-6855) or mail (WBA, 129 N Pennsylvania Ave, Greensburg PA 15601-2311), by Friday, April 5, 2013.

The promise of equality under the law is what has made America a beacon to other nations. It is a pledge clearly set forth in the Declaration of Independence and in the opening words of the Preamble of the Constitution, “We the People.” It is, in the words of Abraham Lincoln, the proposition to which our nation is dedicated.

This year’s Law Day theme, “Realizing the Dream: Equality for All,” provides an opportunity to explore the movement for civil and human rights in America and the impact that it has had in promoting the ideal of equality under the law. It will provide a forum for reflecting on the work that remains to be done in rectifying injustice, eliminating all forms of discrimination, and putting an end to other violations of our basic human rights.

LAW DAY 2013 CLASSROOM VISITS

As in years past, we are asking Westmoreland Bar Association members to volunteer for classroom visits in Westmoreland County schools during the month of May 2013. If you would like to volunteer, please complete the form below and return it to the WBA by Friday, April 5, 2013.

YES! SIGN ME UP FOR LAW DAY!

To register for Law Day 2013, complete this form and return it to the Westmoreland Bar Association by mailing to 129 N Pennsylvania Ave, Greensburg PA 15601-2311; by faxing to 724-834-6855; or by e-mailing dk.wba@verizon.net. Thank you for your interest!

Name ______________________________________________________________________________________

Firm ______________________________________________________________________________________

Address __________________________________________________________________________________

City _______________________________________________ State ______________ ZIP ______________

Phone ___________________ Fax _______________________ E-mail ______________________________

School/School District Preference _____________________________ Grade(s) Preference ___________

Availability (weekdays in May) ________________________________________________________________
Light the Night in memory of one of the WBA’s finest—Tim McCormick—on Friday, April 19, by participating in Tim’s Walk at Twin Lakes Park in Greensburg. There are several ways you can help!

1. Join the Westmoreland Bar Association team and walk with us on April 19, 2013. Go to https://wpa.dojiggy.com:443/ng/index.cfm/ae21b9e/reg-catalog/join-team/b0f8c21?returnTo=https%3A%2F%2Fwpa.dojiggy.com%3A443%2FNg%2Findex.cfm%2Fae21b9e%2Freg-catalog%2Fregfees (choose “Westmoreland Bar Association” from the drop-down menu in the “Join Team” box) to register under our team name, or phone our office at 724-834-6730 to help you register.

2. Make a donation. Make checks payable to Leukemia & Lymphoma Society. On memo line write: Tim’s Walk. Mail check to Westmoreland Bar Association 129 North Pennsylvania Avenue, Greensburg PA 15601-2311

3. Register your dog! Here is the link https://wpa.dojiggy.com/ng/index.cfm/ae21b9e/reg-catalog/registerindividual/b61a14f1?returnTo=https%3A%2F%2Fwpa.dojiggy.com%3A443%2FNg%2Findex.cfm%2Fae21b9e%2Freg-catalog%2Fregfees

4. You can become a sponsor! You’re in good company! Mike Stewart, of Stewart, McArdle, Sorice, Whalen, Farrell, Finoli & Cavanaugh, LLC, has signed on as chair, also Sean Cassidy & Associates, TRIB Total Media, Kohl’s Department Stores and McDowell Associates.

5. To become a sponsor, or if you have your own ideas, contact Christopher.Omiros@lls.org or phone 412-697-2850.
ECHOES OF THE WAR
150TH ANNIVERSARY
GETTYSBURG

The American Bus Association is calling Gettysburg the top destination for 2013! Why not add this to your Summer Vacation plans?

The Battle of Gettysburg was the turning point of the American Civil War. Many historians agree that it was on these hallowed grounds that our nation was saved.

Join the WBA on Saturday June 8th as former WBA member Ralph Conrad and current member Don Rigone lead a tour of the Gettysburg battlefield for WBA members and their guests.

A block of rooms has been reserved for Friday and Saturday nights at 1863 Inn of Gettysburg at a starting rate of $140/night, which includes breakfast. Attendees will need to make their own reservations by calling 866-953-4483 and booking a room from the WBA block. The bus will depart at exactly 8:30 am on Saturday June 8th from the hotel. Tour guests will be responsible for their own transportation to the hotel, all hotel charges, and their own food.

150TH ANNIVERSARY
GETTYSBURG

___ Yes, I will attend the Gettysburg tour on June 8th.
WBA member name
Name of family member(s)
Mail to WBA, 129 N. Pennsylvania Avenue, Greensburg PA 15601, fax 724-834-6855, or email westbar.org@westbar.org by Friday February 22, 2013

The Bus is filling up!
Learn the basics in representing claimants making a claim for unemployment compensation benefits.

Topics of Discussion
• Initial phone conversation with a potential new unemployment compensation client
• Strategies to prepare the client for the hearing
• Fee agreements
• What to expect at the hearing
• Appeals to the Unemployment Compensation Board of Review

An introduction to Veterans Disability Benefits

Topics of Discussion
• What are Veterans Disability benefits?
• What is the process?
• How do Veterans Disability benefits work with other disability benefits? (SSD, LTD, etc.)
• What additional benefits are available for disabled veterans?

Speakers:
James A. Horchak, Esquire
Michael V. Quatrini, Esquire

ONE (1) Substantive Credit available toward your annual CLE requirements.

You may pre-register for this seminar by visiting the westbar.org website. You must “LOG IN” to register OR submit the form below.

A Quick Primer in Unemployment Compensation Claims & An Introduction to Veterans Disability Benefits
May 14, 2013

Name:_____________________________
Attorney I.D. # ___________________
Address:_________________________________________
Email:___________________________________________
Phone: __________________________________________

Pre-Registration Fees
CLE Credit:
☐ WBA Members - $30 per credit hour
☐ Non-Members - $50 per credit hour

☐ Enclosed is my check made payable to the Westmoreland Bar Association.
☐ I Bill my ☐ MasterCard ☐ VISA ☐ DISCOVER for $_________________________ (Amount).

Card # ____________________________
Expiration Date _______________________
Three digit security code on back of card ____________________
Credit Card Billing Address __________________________________________

☐ Non-Credit:
☐ $10 Flat rate
☐ Waived for Young Lawyers (practicing 10 years or less)

WALK- IN:
CLE Credit
WBA Members- $40 per credit hr.
Non-Members - $50 per credit hr.

Non-Credit
$20 Flat Rate
Waived for:
• Young Lawyers (practicing 10 years or less)
Lunch will be provided.

Westmoreland Bar Association
129 North Pennsylvania Ave.
Greensburg, PA 15601
724-834-6730
Fax: 724-834-6855
www.westbar.org
For refund policy information, or if special arrangements are needed for the disabled, please contact the WBA Office at 724-834-6730, or by email at westbar.org@westbar.org