



# What Lies On The Horizon

by Daniel Joseph, Esq., Secretary,  
Pennsylvania Bar Association

One of the significant benefits of bar membership, both locally and in the Pennsylvania Bar Association, is that both associations have active political action committees. The PBA has been



Daniel Joseph

recognized by the Supreme Court of Pennsylvania as the organization that is most representative of the lawyers in Pennsylvania, and accordingly, its voice is heard by the Supreme Court and by lawmakers on all important issues. The Westmoreland Bar Association, with its active PAC, contributes to local legislators as well as to the PBA PAC. Our profession is constantly under attack by interest groups that seek to open up areas of practice to non-lawyers, and by legislation that seeks to limit the rights of our clients and impact our profession in ways that are inappropriate.

The PBA legislative department regularly fights battles on Capitol Hill on behalf of lawyers and their clients. These battles cannot be fought without sufficient funds. It disturbs me that so few carry the load for so many. At last count, only 12.9% of the lawyers in Pennsylvania contributed

to the PAC. Every year, political contributions made by the PBA PAC are dwarfed by contributions made by the medical society, the realtors association and insurance companies' representatives. If every member of the PBA contributed \$50 to the PBA PAC, our voice would be the loudest on Capitol Hill.

This brings me to the main point of this article—to alert my fellow attorneys to a number of matters that are on the horizon that will be affecting the practice of law. Both the local bar associations and the PBA are working together on addressing these matters.

On September 14, 2004, the U.S. House of Representatives passed HR 4571 which bears the short title "Lawsuit Abuse Reduction Act of 2004." Among other things, HR 4571 amends Federal Rule of Civil Procedure 11 as follows: (1) by making an award of sanctions by a judge mandatory rather than discretionary; (2) by making Fed.R.Civ. 11 and its terms applicable to state court cases that involve interstate commerce; (3) by including provisions governing venue in an effort to prevent forum shopping; and (4) by requiring a federal district court to suspend a lawyer who has been sanctioned three times under Rule 11 from the practice of law for one year.



In the opinion of the PBA, the implementation of the amendments to Rule 11 called for in HR 4571 violates the established procedure for amending the Federal Rules of Civil Procedure (28 USCA §§ 2071-2077). That raises serious constitutional concerns. Furthermore, the determination of whether to sanction counsel for litigation improprieties has been and should remain at least to some extent within the discretion of the trial judge who has observed the proceedings in their context.

The passage of this law would take discretion away from the state courts, and require them to apply Rule 11 when a determination is made that interstate commerce is involved. As many of you know, Pennsylvania has already taken great steps to reduce the number of so-called "frivolous lawsuits." At its recent meeting in Harrisburg in November of this year, the PBA House of Delegates opposed this proposed intrusion by the federal government into our state courts.

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## President's Message

# Thank You, From All Of Us

by Robert I. Johnston, Esq.

Well, as far as I'm concerned we dodged a bullet with the Holiday Dinner Dance. Because of the Greensburg Country Club bankruptcy, I'd been having visions of everyone showing up to padlocked doors, or only 11 people bothering to attend, or maybe having to grill the steaks myself while people in tuxedos and fancy dresses stood in a big line waiting to eat. As anyone who attended will tell you, the evening could hardly have been nicer. The food was great, as was the band, attendance



was good (perfect for the room), we raised a nice sum for the Bar Foundation, and a good time was had by all. Is it just us, or does every bar association enjoy the harmony and goodwill that seems always evident at our gatherings?

But I shouldn't have worried. Everything we've done this year has been just about as nice as I could have hoped—better in fact. Our Board Retreat in April was wonderful, and, but for an unfortunate late-night glitch having to do with disturbing the peace, so was the Bench/Bar Conference at Rocky Gap. We had a very productive and enjoyable Planning Committee retreat and the Fall Gathering at Latrobe Country Club was as nice an evening as I can remember. We've had wonderful CLEs this year, we've made some progress in our relations with the medical folks, the Young Lawyers Committee is performing better than in a long while, and we've put on superb educational programs reaching out to the commu-

nity, some of which were "standing room only."

I know, like me, you're asking yourself, "How can one bar president have accomplished so much, in so short a time?" Actually, I can't think of much of anything I did to make ANY of it happen except, possibly, for my share in the unfortunate Rocky Gap incident, and I can't claim to even have been present for some of the stuff. Truth is, the things that were so good this year have been pretty darn good every year, whoever the President was.

These things, and more, happened this year and every year that I can remember, and will happen again next year, partly because of you and me, for sure, but mostly because of people named Diane, and Cathy, and Julia, and Susan.

Diane Krivoniak has been our Executive Director going on 16 years—for 16 presidents. Think about that for a minute. Every year, a new boss—one year a "hands on" person, the next, something different—not to mention 486 other lawyers who used to be your boss, or expect to be one day, or think they are now. I can't imagine what that must be like, but having shared staff with Denis Zuzik on more than one occasion, the thought does tend to make you shudder.

And it's not just Diane. Cathy Klosky has been with us for just as long, Julia Moreman for 10 years, 5 years for Susan Zellner, and Iva

Munk is going on 14. We see them at everything we do, although they often seem a bit like shadows, lurking just in the background. They remind me a lot of Milt Munk, someone you see so frequently at Bar events that it's hard to think of one without the other, and easy to take for granted.

I've been on our Board six years now, and I've also had the opportunity as Chair of the PBA Professional Liability Committee and as a member of the House of Delegates to learn how things are in other counties. We

are years ahead of nearly everyone, in nearly everything we do as a bar association. We provide great service to our members. We work to keep this a great place to be a lawyer, and we are increasingly working to be an influence in the commu-

nity in which we live, and work, and raise our families. We have each other to thank for that but we would accomplish little without the people who, day in and day out, with little recognition for their efforts, and with patience and good cheer, make it all happen.

So, from all of us, thank you, Diane, and Cathy, and Julia, and Susan, and Iva. And may all of you have a happy holiday season and a wonderful new year.

**Is it just us, or does every bar association enjoy the harmony and goodwill that seems always evident at our gatherings?**

# Nominations Announced for 2005–2006 Board, Committees

The Nominating Committee of the Westmoreland Bar Association has recommended the following members for positions on the Board of Directors and the



▲ Incoming WBA President James R. Silvis

Membership and Building Committees. Those WBA members attending the Annual Meeting of the association, to be held on April 4, 2005, will vote “yea” or “nay” to fill these positions.

At the conclusion of the annual meeting, James R. Silvis will assume the Bar presidency.



▲ James E. Whelton, Jr.

**VICE PRESIDENT: JAMES E. WHELTON, JR.**

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

James E. Whelton, Jr., is in his third year as a Director on the WBA board. He serves as Chair of the Lawyer Referral Service Committee and is a member of the Elder Law/Orphans’ Court Committee.

A member of the PBA House of Delegates since 2003, Jim is also a member of the PBA’s Unauthorized Practice of Law Committee. He served on the board of Laurel Legal Services from 2000 to 2003, and was president of the board in 2001.

A graduate of Gannon University and Duquesne University, Jim has been a member of the WBA since 1990 and maintains a solo practice in Greensburg.

**BOARD OF DIRECTORS: DONALD J. SNYDER, JR.**

*The Director ensures that the WBA’s mission, services, policies and programs are carried out. Three-year term.*

As a member of the Board of Directors, Donald J. Snyder, Jr., hopes “to serve my fellow lawyers and to assist the Association in its efforts to address the challenges that it faces in the future.”

Presently, he is a member of the WBA’s Civil Rules and Municipal Law Committees, the Westmoreland Academy of Trial Lawyers, the Pennsylvania Municipal Authorities

Association, the International Right-of-Way Association, the American Arbitration Association, the Westmoreland Collegium of Solicitors and the Ned J. Nakles American Inn of Court, as well as the PBA and ABA.

He is a former Director and President of the Westmoreland-Fayette Historical Society and the Charter Oak Pool Club, Inc.

Don is a graduate of Washington & Jefferson College and Dickinson School of Law. A member of the WBA since 1975, he is a partner with McDonald, Snyder & Lightcap, P.C., in Latrobe.

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▲ Donald J. Snyder, Jr.

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# Nominations Announced for 2005–2006 Board, Committees *continued from page 3*



▲ Harry F. Smail, Jr.

**MEMBERSHIP COMMITTEE: HARRY F. SMAIL, JR.**

*The Membership Committee is the first point of contact that most applicants have with the WBA. Five-year term.*

**H**arry F. Smail, Jr., currently serves on the

WBA's Criminal Law, Family Law, Governmental Affairs, Young Lawyers and Parent Counsel & Guardian Committees, and is Chair of the Explorers Post Committee.

He is a member of the Ned J. Nakles American Inn of Court, the American Bar Association and the Pennsylvania Trial Lawyers Association. His community

involvement includes membership in the Rotary Club of Mountain View, the Brotherhood of the Paternal Order of the Elks and Westmoreland Lodge 518 F. & A.M.

A graduate of Grove City College and Duquesne University, Harry joined the WBA in 1998. He has a solo practice in Greensburg.

**BUILDING COMMITTEE: JAMES A. HORCHAK**

*Responsible for maintaining the management and upkeep of Bar Headquarters. Five-year term.*

**A**lthough his term as Chair of the WBA Young Lawyers Committee is coming to an end, James A. Horchak says he wishes

“to continue serving the members of



▲ James A. Horchak

the Westmoreland Bar Association and develop as a participating member of the bar. I understand the issues faced by the Building Committee and welcome the opportunity to serve.”

In addition to the Young Lawyers Committee, Jim serves on the WBA's Planning, Investment, Elder Law & Orphans' Court, Bench/Bar and Business Law Committees. He joined the WBA in 2001.

He is also a member of the PBA's Probate & Trust Section, the American & Pennsylvania Institute of Certified Public Accountants and the Ned J. Nakles American Inn of Court.

A graduate of St. Vincent College and Duquesne University, Jim is an associate with Quatrini Rafferty Galloway in Greensburg.

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# dicta Vengeance, Part II

by Beth Orbison, Esq.

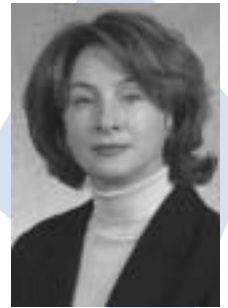
In 1980, Dante Bertani and Tim McCormick undertook the monumental task of representing the notorious Michael Travaglia after he and John Lesko were charged with first-degree murder in the death of Officer Leonard Miller, a rookie policeman in Apollo Borough, Armstrong County. The news media referred to Travaglia and Lesko's criminal escapades over an eight-day period of time, during which they murdered four people in four separate incidents, as a "killing spree." The Commonwealth sought the imposition of the death penalty. Many people saw Travaglia and Lesko as "poster boys" for the proposition

that the death penalty is a just and appropriate sanction. Officer Miller's father saw it differently.

As Mr. Bertani recalls, Mr. Miller introduced himself and said that he did not believe that the death penalty was an appropriate punishment. A religious man, he expressed his belief that the time of one's death was a determination to be made by God, not men. He understood that not only he and his family were suffering, but also the defendant's family was in a tremendous amount of pain as a result of what had occurred. In spite of the deplorable acts that had been committed, he believed that there is "good" in everyone. And he questioned whether anyone knows what he or she might do under similar circumstances.

In the May-June 2004 issue of *the sidebar*, I recounted a lecture given by

Sister Helen Prejean, author of the best-seller entitled "Dead Man Walking," during which she talked candidly about her role as spiritual advisor to inmates on death row, and her calling as a vocal opponent of the death penalty. After her talk, John Hitchcock, M.D., a Training and Supervising Analyst at the Pittsburgh Psychoanalytic Society and Institute who has written about psychoanalysis and the arts, and Irwin C. Rosen, Ph.D., who was the Chief Psychologist and a Training and Supervising Analyst in Child and



▲ Beth Orbison

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## Dicta: Vengeance, Part II *continued from page 5*

Adult Psychoanalysis at the highly regarded Menninger Clinic in Topeka, Kans., each spoke about his perception of the implementation of the death penalty in our society from a psychoanalytic perspective.

Dr. Hitchcock discussed the role of the concept of “identification and empathy” in our thinking and feeling about revenge. He posited that the punisher’s desire for vengeance and retribution, applying the retaliatory principle of “do unto the doer as he has done to you,” is a primitive intervention.

Primitive in that he traces its beginning to infantile behavior, which is narcissistic in nature, incapable of empathy, and struggling for power.

These early experiences of powerlessness remain potent in later life. The criminal may act this out when he relishes the power he exerts over his victim. (At the same time, he may feel powerless to prevent his criminal actions.) The avenger’s response is “infantile” to the extent that he is unable to identify with the offender and lacks empathy. According to Hitchcock, it is the ability to maintain the anonymity of the condemned that facilitates the ability to impose the ultimate punishment.

But being empathic is no easy task. No matter how much we attempt to put ourselves in another’s shoes, we do so from our (narcissistic) perspective.

The challenge is to connect and stay connected, as a way of overcoming anonymity. When Sister Prejean candidly acknowledges that, under just the right (or wrong) circumstances, she could commit a heinous crime, she acknowledges her darker side, identifies with the criminality of another and exhibits empathy. When she concedes that she may share thoughts, feelings, and experiences in common with the offender, she neither idealizes nor demonizes him and his humanity remains intact.

Experienced criminal defense attorneys echo similar sentiments. An attorney, armed only with the information derived from the affidavit of probable cause, will walk into jail to meet a client for the first time and imagine a big, burly, club-wielding thug, only to find a fairly regular, unremarkable, and personable guy. A defendant who committed murder twenty years ago and has benefited from the structure that long-term incarceration can provide, is now

**Legislators, lawyers and judges may benefit from a deeper understanding of the psychodynamics that drive us to impose punishment and seek revenge.**

sober, works in the library, gets along well with others in the jail population, and looks like any other middle-aged man you might meet in passing. In the abstract, it is easy to totalize someone as a demon when you see only part of the picture.

Brian Aston was not consciously applying psychoanalytic theory a few years ago when he represented Denard Galloway on a charge of capital murder, but he had good intuition when he made his closing argument. Shortly after being appointed to represent Galloway, Brian realized that he had a lot in common with his client. They were the same age; they both had two children; Brian’s oldest child was the same age as Galloway’s oldest child. When Galloway was convicted of first-degree murder, Brian advocated for the imposition of a life sentence, comparing himself to the defendant in his closing argument. Brian told the jury about their similarities, and then described how their futures would differ. Brian described what he hoped to accomplish at each stage of his

life—the growth of his career, the development of his children, the progressive improvement in the quality of his life. And at each stage, he described what Galloway’s life would be like—living the same day, day-after-day in prison, the same meals, the same daily schedule, with no expectations, no fulfillment of dreams.

In retrospect, Brian realizes that his purpose, admittedly unwittingly, was to ask the jury to empathize with the defendant on a very fundamental

level. He did this by showing that Galloway was a man like him, a man with a family and hopes and dreams. When Brian dared to say, “He is a man like me,” he said to the jury, “This is a man with whom I can identify, and I hope you can, too.” The Galloway jury imposed a life sentence.

Dr. Irwin Rosen concurred that in death penalty cases “... the target must be dehumanized, their personhood sucked out, in order to stay a target.” Believing that “the instinct for love can overcome the need for vengeance,” he defines the avenger as “a man who has fallen in hate.” As he referred to well-known literary and mythological figures—Captain Ahab in “Moby Dick,” Oedipus, Dostoevsky’s *The Brothers Karamazov*, and others—he demonstrated his belief that “seeking revenge is like taking poison and waiting for the other one to die.”

With the United States Supreme Court reviewing more and more death sentences, legislators challenged to implement changes in state death penalty statutes, and recently enacted court rules that now require attorneys who represent clients in death penalty cases to have specialized training, legislators, lawyers and judges may benefit from a deeper understanding of the underlying psychodynamics of that force that drives us to impose punishment and seek revenge.

# Judge Hudock Writes Squirrely Opinion

## SAYS "NUTS" TO PENNSYLVANIA GAME COMMISSION

Judge Joseph Hudock has served many many many many distinguished years as both a trial judge here in Westmoreland County and as a judge of the Superior Court of Pennsylvania. And now he has reached the zenith of his career by writing an opinion that people are reading.

In *Commonwealth v. Gosselin*, 2004 Pa.Super. 426, Judge Hudock found himself smack dab in the middle of a dispute between the Pennsylvania Game Commission and at least one erstwhile rodent aficionado. It seems that the defendant, while a resident of South Carolina, had adopted a sickly squirrel, nursed her back to health and then, in 1994, moved to the Commonwealth *con rodentia*. By that

time, the squirrel, one Nutkin by name, had been somewhat domesticated, had become somewhat elderly, as squirrels go, and had taken a liking to being the family pet. Well, I mean, she was hand-fed nuts, warmed in winter, cooled in summer, and had a room all to herself. What's not to like?

Alas, the Pa. Game Commission was not happy with a happy Nutkin. It believed that the keeping of such a wild animal as a pet violated the laws of the Commonwealth, particularly § 2307(a) of the Game and Wildlife Code, 34 Pa.C.S.A. § 2307(a). Those heartless bureaucrats averred that turning Nutkin out into the cold, sans nuts, was mandated by law, and they brought suit to enforce the statute.

But the defendant would not go down without a tussle. After an adverse ruling from the trial court, she



▲ *Nutkin begs the Court for mercy.*

appealed, and soon found herself before the Superior Court and the kindly Judge Hudock.

With the gentle good wit and down-to-earth common sense that makes him so darn beloved, he dispatched the Game Commission's argument with razor-sharp analysis. According to the statute in question, if the animal was lawfully tagged or taken in South Carolina, the judge reasoned (and I can just see that wonderful twinkle in his eye), then it is lawful to maintain it as a pet in

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## What Lies On The Horizon *continued from page 1*

The Pennsylvania Supreme Court adopted the code of civility in December 2000 at 258 Supreme Court Rules, Docket No. 1, Code of Civility Act 1. The code addressed the importance of civility between judges and lawyers and between judges and judges. This code did not address the



importance of civility among lawyers. There is a movement to recommend an addendum to the Code of Civility to include civility among lawyers, and the Pennsylvania

Supreme Court may soon act on this matter. The addendum, as it is now drafted, lists 16 items concerning lawyers' duties to other lawyers. Most of these items are not controversial. However, some attorneys have taken the position that they fear good vigorous advocacy may be suppressed by the rules. The PBA has decided not to take a position on this issue at this time. However, the issue will certainly be raised at the PBA's May 2005 meeting.

On earlier occasions, the PBA has fought the effort to impose a sales, business receipts or other form of transaction tax on fees for legal services. This issue has come up again, and this time appears to have some serious support. The PBA has taken a position in opposition to the imposition of this type of tax. A sales or business receipts tax on fees for legal services would impose a burden on the basic

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constitutional rights of citizens to have access to justice and to the courts. This is one issue that is not going away and we need to be prepared to confront it.

As you can see, there are many issues on the horizon that could have a great impact on the practice of law, in addition to all of the so-called tort reform rules and legislation that are being proposed. The proposed medical malpractice legislation that sought to impose caps on recoveries is a battle that was successfully won by the PBA. However, it may be a short-lived victory. This issue will be back, and it is safe to assume that the next time it returns, it will be a broader-based proposal, recommending caps not only on medical malpractice cases, but on all types of personal injury cases.

As I hope you will discern from what has been reviewed here, the input of lawyers across the state is extremely important on these issues. Input can be given by way of contributions to your local legislators, by conversations with your local legislators and, most importantly, by significant contributions to your PAC. My request is that for those of you who have not given to the PAC, please do so immediately. For those of you who have, thank you very much.

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## Squirrely *continued from page 7*

Pennsylvania. Since there was no law in South Carolina requiring the tagging or prohibiting the taking of squirrels, Judge Hudock ruled that the conduct was lawful in South Carolina and that the Pa. law in question did not apply to Nutkin. He reversed the trial court and ruled that the defendant was well within her rights to keep Nutkin as a pet. Oh, happy days.

The case has been widely reported. It made the *New York Times*, and Michael Feldman, host of NPR's "What Do You Know," interviewed Mr. Gosselin on the air. Though mispronouncing Judge Hudock's last name, Mr. Gosselin was effusive in his praise of both his lawyer, the judicial system, world peace and Judge Hudock in particular.

So all's well that ends well. The defendant was acquitted, the Game Commission got bupkis, and Nutkin is now free to spend her declining years in peace, prosperity and nuts galore. Now I ask you, who could want more than that?



From The Bench

# A Year In Review

by The Hon. Christopher A. Feliciani

It is hard to believe that I have completed one year as a Common Pleas Court Judge. The past year has gone by faster than words can explain. After having completed my first year, I am happy for having made the decision to run for judge. It is a position that carries enormous responsibility, and although the daily pressure of making difficult decisions is great, the rewards of seeing success are even greater! Although I miss the camaraderie that I had when I practiced law, I must say that I have received such a warm welcome from the bench and the bar that I have nothing but positive things to say about the transition from lawyer to judge.

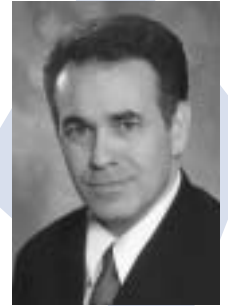
As a lawyer, my perception of a judge's role differed greatly from what

I have experienced this past year. I can recall many times thinking to myself (and maybe once or twice saying aloud), "It is not that difficult, Judge, just make a decision already!" Now that I am responsible for making decisions that affect the lives of so many people, every single decision, even those that may seem routine or trivial to the litigants, requires the highest degree of thought and attention. I humbly say, with the benefit of my meager one year's worth of experience, and at a point in my career not so remote to when I practiced law, it is not as easy as it looks to be a judge! On the other hand, it is more rewarding than I ever imagined.

As an advocate, you always have the obligation of zealously represent-

ing your client's interests and doing your best to persuade the Court that you are correct in your interpretation of the law. Even when it requires stretching the law to its limit to advocate your client's position, you do whatever you can, within reason, to persuade the Court to rule in your favor.

When the argument is concluded you know that you have given your very best and you move on to the next case. As a judge, however, you must be correct in your ultimate findings of fact and conclusions and must always interpret the law in a reasonable manner. If



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## A Year In Review *continued from page 9*

there is one element of my transition that was difficult it was the elimination of my role as an advocate. I specifically recall an argument I was making while trying a case before Judge Blahovec and the Court peering down at me with one eyebrow perched, saying something like, “Mr. Feliciani, where in the world did you come up with that argument?” In my heart I knew that the facts just didn’t quite support the relief that I was seeking. However, I thought that if I presented the argument in such a persuasive manner, and loud enough, the judge just might rule in my favor! Now that I am a judge, those days are gone. But I will never forget the daily demands and overwhelming burdens placed upon lawyers in the representation of their clients and I will always maintain sensitivity to those issues.

As a judge I have none of the haunting problems that I remember so well from practicing law, such as the late nights preparing for hearings and trials, the weekend phone calls from clients, preparing direct and cross examinations of witnesses and preparing witnesses for trial. Those have all been replaced by an equal, but much different obligation—the need

to always remain focused upon fairness and impartiality and always provide litigants with their day in court.

I am now convinced more than ever that being a judge truly requires the benefit of having had many experiences in life as well as in the practice of law. It is a position that requires the utmost of firmness and resolve, while

at the same time demands humility and compassion. I am sincerely grateful for having been given the opportunity to serve the citizens of Westmoreland County in this position and wish to thank the Westmoreland County Bench and the Westmoreland Bar Association for making the transition pleasurable.

*Happy Holidays*

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*Judith A. Sturdevant*

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## Where's Sponte?

**F**ear not, Sua Sponte fans. Your favorite curmudgeonly lawyer will be back in the January/February 2005 issue of *the sidebar*. Please

don't storm the citadel looking for the responsible party—they're long gone. If you just can't wait until then, check out his archives at [www.funnylawyer.com](http://www.funnylawyer.com).



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September/October 2004 Trial Term

# Jury Trial Verdicts

by Rachel Huss, Esq.

Of 105 cases listed for the September/October 2004 Civil Jury Trial Term, thirty settled, four were discontinued, one was stricken, one was dismissed, thirty-five were continued, eight were transferred to arbitration, a summary jury trial was scheduled in one, one resulted in a non-jury verdict, one resulted in a verdict after a binding summary jury trial, four resulted in jury verdicts, and nineteen were held to the next term.

**IRENE GLASS AND JAMES R. GLASS, HER HUSBAND**  
V.

**BARBARA J. BOWERS, M.D., INDIVIDUALLY, AND GLAUCOMA-CATARACT CONSULTANTS, INC., A CORPORATION**  
NO. 1819 OF 1999

*Cause of Action: Professional Negligence—Medical Malpractice—Loss of Consortium*

This medical malpractice action stems from the alleged negligence of Defendant Dr. Bowers, an ophthalmologist, during surgery she performed on wife-Plaintiff on March 18, 1997. The surgery involved the removal of a cataract and the implantation of an intraocular lens in Plaintiff's right eye. Plaintiff alleged negligence of Defendant-corporation in failing to properly measure Plaintiff's right eye for acceptance of her intraocular lens implant, resulting in her receiving an incorrect or improper power of lens. Plaintiff also alleged negligence on behalf of Defendant-doctor in implanting the improper lens, which caused a condition in Plaintiff known as anisometropia (the surgically repaired eye is nearsighted while the unaffected eye is farsighted). Additionally, Plaintiff alleged negligence of Defendant-

doctor in failing to detect and remove vitreous humor (a transparent gel) which entered the anterior chamber of the eye after Defendant-doctor ruptured the posterior lens capsule (located behind the lens) during surgery. Although the rupture of the lens capsule was an acceptable risk of surgery, Plaintiff contended that the failure of Defendant-doctor to identify the vitreous humor at the time of rupture and remove it at the time of surgery fell below the acceptable standard of medical care. The presence of the vitreous humor caused Plaintiff to experience blurred vision. Plaintiff subsequently underwent correctional surgery of her right eye by another ophthalmologist who removed and inserted the proper power of intraocular lens and removed the vitreous humor. Husband-Plaintiff asserted a claim for loss of consortium.

Defendants contended that the measurements of Plaintiff's right eye were done correctly and that the correct lens was inserted to replace the

cataract. Defendants maintained that Plaintiff also had a cataract in the left eye, which worsened by the time she had seen the second ophthalmologist. When that left cataract was removed by the second ophthalmologist and a new lens was inserted in the left eye, Plaintiff reported that her eyesight was improved. When the second ophthalmologist subsequently performed measurements of Plaintiff's right eye, Defendants contended that he calculated the measurements incorrectly because he used an improper formula. Defendants contend that based upon those improper measurements, the second ophthalmologist was negligent in inserting an incorrect lens into Plaintiff's right eye. Defendants also disputed that vitreous humor was present during surgery. Defendants

*continued on page 12*



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## Jury Trial Verdicts *continued from page 11*

maintained that at the time of surgery, Defendant-doctor performed tests in addition to making observations to detect the vitreous humor, because of the difficulty in detecting the clear fluid. These tests revealed no leakage. Further, Defendants contended that the presence of vitreous humor is problematic only if it is associated with pain from inflammation and scarring. Because Plaintiff complained only of blurred vision and not of pain associated with the vitreous humor, Defendants contended that Plaintiff's vision complaints were not related to the vitreous humor.

*Plaintiff's Counsel:* Ronald J. Bergman, Robert A. Nedwick, Nedwick & Bergman, Gbg.

*Defendants' Counsel:* Thomas A. Matis, Gaca Matis Baum & Rizza, Pgh.

*Trial Judge:* The Hon. William J. Ober

*Result:* Verdict in favor of Defendants. Jury found no negligence associated with either Defendant.

**SONDRA L. McCURDY**

**V.**

**JOSEPH J. ZIEGLER**

**NO. 7529 OF 2000**

*Cause of Action: Negligence — Premises Liability*

Defendant-landlord was the owner of a duplex located on McFarland Street in Derry, Westmoreland County. Plaintiff-tenant occupied the second floor apartment of the duplex. Access to the second floor apartment was provided by a wooden stairway on the outside of the premises, which was

not covered or protected from weather. On May 21, 1999, it was raining as Plaintiff attempted to descend the stairway to place a letter in her mailbox. Plaintiff slipped on the wet steps and fell, causing her to sustain a fracture to her upper left arm. Plaintiff had previously fallen in 1994, which prompted Defendant to add backs to the steps and add handrails. Defendant had also added sandpaper strips, which provided substantial grip on the steps. Prior to the 1999 accident, Defendant removed the sandpaper strips from the steps and had the steps repainted with an oil-based paint. After the steps were repainted but before the accident, Plaintiff complained to Defendant about the steps and requested that sandpaper strips be placed again on the steps. Defendant promised that he would add the sandpaper strips but did not do so before the fall occurred. Plaintiff contended that the removal of the sandpaper strips coupled with the slippery nature of the paint caused Plaintiff to fall and sustain injuries. In addition to the fracture requiring surgical intervention, Plaintiff suffered dislocation of her left shoulder, right parietal head injury, exacerbation of pre-existing hypokalemic condition, aggravation of a pre-existing lupus erythematosus condition, significant impressive ecchymosis petechia involving her left upper extremity, and anemia secondary to blood loss associated with her left upper extremity fracture.

Defendant denied that he had exclusive care, custody and control over the property, and averred that Plaintiff had exclusive possession, care, custody and control over the premises, including the stairs leading to and from the second floor apartment. Defendant alleged that Plaintiff, as tenant, had the duty to repair and maintain the stairway. In addition, Defendant contended that the stairway in question was not in a dangerous or defective condition. Because he had difficulty keeping the sandpaper strips attached to the steps, Defendant removed the strips. Defendant also maintained that an abrasive was added to the paint when the steps were repainted. In the alternative, Defendant argued that he neither knew nor had reason to know of a dangerous condition of the stairway. Defendant pursued a contributory negligence claim against the Plaintiff.

*Plaintiff's Counsel:* Richard H. Galloway, QuatriniRaffertyGalloway, P.C., Gbg.

*Defendant's Counsel:* Thomas W. Smith, Mears, Smith, Houser & Boyle, P.C., Gbg.

*Trial Judge:* The Hon. Gary P. Caruso

*Result:* Molded verdict in favor of Defendant. Jury found that Defendant was not negligent.

**MICHAEL MATTHEWS**

**V.**

**SARA DAWSON**

**NO. 2894 OF 2000**

*Cause of Action: Negligence— Motor Vehicle Collision*

This action arose out of a motor vehicle collision that occurred at approximately 6:45 p.m. on May 14, 1998, on State Route 819 near its intersection with Glencove Road in Greensburg, Westmoreland County. While operating his vehicle in a northerly direction on Route 819, Plaintiff alleged that he engaged his right turn signal and slowed his

### LawSpeak

"A little patience, and we shall see the reign of witches pass over, their spells dissolve, and the people, recovering their true sight, restore their government to it's true principles. It is true that in the meantime we are suffering deeply in spirit, and incurring the horrors of a war and long oppressions of enormous public debt. ... If the game runs sometimes against us at home we must have patience till luck turns, and then we shall have an opportunity of winning back the principles we have lost, for this is a game where principles are at stake."

— Thomas Jefferson, 1798, after the passage of the Sedition Act.

vehicle in anticipation of making a right turn onto Glencove Road. Plaintiff averred that Defendant attempted to pass or veer around Plaintiff's vehicle to the right, causing Defendant's vehicle to collide into the right side of Plaintiff's vehicle. Plaintiff asserted injuries such as a herniated disc and related symptoms including stiffness and pain to his neck and back, headaches, dizziness and confusion, as well as loss of earnings and earning capacity.

Defendant admitted negligence at trial. Defendant denied that her negligence was a factual cause in bringing about harm to Plaintiff and denied that Plaintiff sustained a serious injury such that non-economic damages could be recovered.

*Plaintiff's Counsel:* Thomas P. Pellis, Aimee R. Jim, Meyer, Darragh, Buckler, Bebenek & Eck, P.L.L.C., Gbg.

*Defendant's Counsel:* Scott O. Mears, Jr., Richard F. Boyle, Jr., Mears, Smith, Houser & Boyle, P.C., Gbg.

*Trial Judge:* The Hon. Daniel J. Ackerman, President Judge

*Result:* Verdict in favor of the Defendant. Jury found that Defendant's negligence was not a factual cause in bringing about harm to Plaintiff.

**JAMES F. BARRON,  
INDIVIDUALLY AND T/D/B/A  
JAMES F. BARRON TRUCKING  
V.  
ANGELO IAFRATE  
CONSTRUCTION COMPANY,  
A CORPORATION  
NO. 7944 OF 2001**

*Cause of Action: Negligence—  
Arbitration Appeal*

Plaintiff was the owner and operator of a 1998 Western Star tri-axle truck. On August 30, 2000, at approximately 7:45 p.m., Plaintiff's employee was operating the Western Star truck on a construction project on the Pennsylvania Turnpike between Exits 8 and 9 in Westmoreland County. An employee of Defendant, a high lift operator, was also working at the construction site. As Plaintiff's

employee was emptying a load of shale from the Western Star truck, Defendant's employee caused the high lift that he was operating to back into and collide with the Western Star truck, causing property damage to the truck in the amount of \$22,333.84. Plaintiff alleged that the accident rendered the truck inoperable for a period of 27 working days. Plaintiff sought to recover lost profits for the period of inoperability in the amount of \$7,094.25.

Defendant denied negligence and asserted various affirmative defenses, including that the incident, injuries and/or damages alleged to have been sustained by Plaintiff were not proximately caused by Defendant.

*Plaintiff's Counsel:* Wesley T. Long, Fisher, Long & Rigone, Gbg.

*Defendant's Counsel:* Thomas M. Witowski, Post & Schell, P.C., Lancaster

*Trial Judge:* The Hon. Gary P. Caruso

*Result:* Verdict in favor of Plaintiff in the amount of \$6,000.00.

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*Adventures in Law-Law Land*

# *A Major Confrontation*

*by Judge Irving L. Bloom*

**B**ack in the late 50s when I was going to law school, I lived on Division Street in Greensburg. At the time I owned a beautiful boxer dog named Major who was of



a sour temper, always growling and snapping at people, but would listen to me occasionally. When Major would get loose people would run from him with great swiftness. I lived right across the street from late attorney and

Federal District Judge Daniel J. Snyder. One afternoon as Dan Snyder was trudging home with a briefcase full of legal documents, Major was loose, saw Dan coming, ran across the street and nipped him in the derriere. He didn't break the skin, but Dan was a bit

upset and commented about "keeping your damn dog away from me."

About twenty years later, I had become the Westmoreland County solicitor and was faced with a serious legal problem when *High Times*, the national pot smokers' magazine, advertised that they were going to have a national smoke-in in Mammoth Park in Westmoreland County, Pennsylvania. Of course, the commissioners objected vigorously and announced they would not grant such a park permit. I reminded them that they would be sued by the ACLU in Federal Court if they didn't give the permit but they didn't care. Their attitude was we might lose the case but in the end we would win because then the Federal Court would tell pot smokers they could use the county parks, not the commissioners who had to run for re-election.

As I predicted, the denial of the park permit resulted in an ACLU lawsuit against the county. By luck of the draw, the case was assigned to then Federal District Judge Daniel J. Snyder. After a few days of testimony, and at the last recess before testimony ended, Judge Snyder said to me, "Hey, Irv, whatever happened to that mean dog you had? You know, the one that bit me in the ass."

I replied, "Major is dead now, Judge. It's been about twenty years."

Judge Snyder then said, "Isn't that something? You once had a dog that bit me in the ass, and now you're trying a case in front of me."

I lost the case. The pot people received a Federal Court Order from Judge Snyder under which they used Mammoth Park for their pot rally and the area was beclouded with smoke. Doggone!

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# Spotlight on Ray Bitar



**Q WHAT JOBS HAVE YOU HAD PRIOR TO BECOMING AN ATTORNEY?**

**A** I was a Mathematics & Science teacher and a coach. Before that, I did everything from selling papers (age 7) to finishing concrete. You name it, I've done it!

**Q WHICH WAS YOUR FAVORITE AND WHY?**

**A** I loved teaching and coaching. You have an extended family when you are a teacher. You influence a lot of people. I still reap the rewards.

**Q WHAT IS THE FUNNIEST THING THAT HAS HAPPENED TO YOU AS AN ATTORNEY?**

**A** The day I was to meet a client at the Pittsburgh Court and could not remember what she looked like. She was sitting in the hall and I walked by her for one-half an hour. When she finally talked to me, I confessed.

**Q WHAT IS THE QUALITY YOU MOST LIKE IN AN ATTORNEY?**

**A** I love straight talk and integrity.

**Q WHAT IS YOUR FAVORITE JOURNEY?**

**A** I'm still in it. Life.

**Q WHAT IS YOUR GREATEST REGRET?**

**A** God's been good to me and my family. You can't change the past—look forward.

**Q WHO ARE YOUR HEROES IN REAL LIFE?**

**A** I admire people who work hard to provide for their family. Today, with the problems in society, you have to admire the successful parent.

**Q WHAT ADVICE WOULD YOU GIVE ATTORNEYS NEW TO THE PRACTICE OF LAW?**

**A** Run your practice, don't let your practice run you.

**Q WHAT DO YOU CONSIDER YOUR GREATEST ACHIEVEMENT?**

**A** I made a great choice in choosing my wife, Mary Lou, and my two sons have done the same.

*continued on page 16*



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# Spotlight on Ray Bitar

*continued from page 15*

**Q** WHAT IS YOUR IDEA OF PERFECT HAPPINESS?

**A** To always see smiles on the faces of your family and friends.

**Q** WHAT IS YOUR MOST TREASURED POSSESSION?

**A** That's easy. My family. My wife, sons, daughters-in-law, five grandchildren, memories of Mom and Dad, brothers, sisters, nephews, nieces, uncles, aunts and close friends.

**Q** WHAT DO YOU MOST DISLIKE?

**A** What is happening to our country! The moral decay, breakdown of family values, etc.

**Q** WHAT IS YOUR GREATEST EXTRAVAGANCE?

**A** I'm not extravagant. I look for bargains, but I'm not chintzy! I guess I golf too much!

**Q** WHAT TALENT WOULD YOU MOST LIKE TO HAVE?

**A** I can't sing or paint a picture. When I see what people in the Arts can do, it amazes me.

**Q** WHAT DO YOU MOST VALUE IN YOUR FRIENDS?

**A** Caring. It's easy to be friends with people who care about others.

**Q** WHICH LIVING PERSON DO YOU MOST ADMIRE?

**A** My wife. I haven't told her this. People who know her, know exactly why.

**Q** WHAT IS YOUR MOTTO?

**A** Look sharp! Feel sharp! Be sharp! My former wrestlers know that motto well.

Candid Camera:

## Holiday Dinner Dance



▲ *"Yes, Pat, you are really light on your toes, but honestly, I promised the next dance to my wife."*



▲ *"Let's tell everyone we're coming back. That'll put the fear of God into them."*



▲ *"Yes, I am a judge, but you can just call me 'Pookie.'"*



▲ *"I don't know, Irv, it doesn't look like a Hanukkah bush to me."*



▶ *"No, no, guys, if you want to join us, you'll have to sign up for the Cross Dressers Club, too."*



◀ *Dan Joseph and his date for the evening.*



▲ *"Do, a deer, a female deer. Re, a drop of golden sun ..."*



▲ *"Harry, if you're the president of the bar association, why didn't they take your picture first?"*



# bookmark What Have You Been Reading?

by Charles J. Dangelo, Esq.

To the best of my recollection, the first time I visited a library was in the fall of 1965. Since that day, I've been reading two to four books a month, always ignoring the best sellers and letting chance guide me to unusual and neglected books hidden in the stacks. The following are some of the best works I have stumbled across during the past year.



▲ Chuck Dangelo

**NON-FICTION  
GUNS, GERMS  
AND STEEL: THE  
FATES OF HUMAN**

**SOCIETIES** ❖ by Jared Diamond ❖ In this extraordinary book, Jared Diamond explains why Europe progressed faster than other societies

and came to dominate the world. The author applies scientific methods to the study of history, which makes it a “must read” for history buffs who focus on the accumulation of facts and ignore analysis.

**WHY PEOPLE BELIEVE WEIRD THINGS: PSEUDOSCIENCE, SUPERSTITION, AND OTHER CONFUSIONS OF OUR TIME** ❖ by

Michael Shermer ❖ This book is a tour through several species of nonsense that have gained popularity over the last couple of decades. The chapters on Holocaust denial alone are worth the price of the book.

**LIES MY TEACHER TOLD ME: EVERYTHING YOUR AMERICAN HISTORY TEXTBOOK GOT WRONG and LIES ACROSS AMERICA: WHAT OUR HISTORIC SITES GET WRONG**

❖ by James W. Loewen ❖ In these two books, which should be read in series, the author presents a convincing argument that Americans are being

presented with an incomplete and/or whitewashed version of history in our school system and at our historic sites. The writing is clear and cuts like a laser.

**SOCRATES CAFÉ: A FRESH TASTE OF PHILOSOPHY** ❖ by

Christopher Phillips ❖ Christopher Phillips is committed to the noble goal of reviving Socratic dialogue and, to that end, has traveled the nation facilitating such dialogues in coffee shops, schools and churches. The discussions facilitated by the author are nothing like the harsh “Socratic method” practiced in law school, but rather are enlightening and meaningful experiences for the participants.

**DOUBT, A HISTORY** ❖ by Jennifer Michael Hecht ❖ Recognizing that this subject has been intentionally slighted, the author demonstrates that doubt has a distinct and colorful history. The book is very broad in scope, covering the history of doubt for a period of

*continued on page 18*



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# What Have You Been Reading? *continued from page 17*

more than 26 centuries. Interestingly, the author shows that doubt is a driving force for change both inside and outside religion.

**NICKEL AND DIMED: ON (NOT) GETTING BY IN AMERICA** ❖ *by Barbara Ehrenreich* ❖ Barbara Ehrenreich wanted to find out what it's like trying to live on the meager wages paid by crappy service jobs. So, she left her fancy life and took jobs at Wal-Mart, greasy spoon restaurants, a nursing home, and a maid service, and then tried to survive while living in trailer parks, cheap hotels, and vermin-infested apartment buildings. This is investigative journalism at its best, and a real eye opener.

**THE PLEASURE OF FINDING THINGS OUT: THE BEST SHORT WORKS OF RICHARD P. FEYNMAN** ❖ Winner of the Nobel Prize in physics and veteran of the Manhattan Project, Richard Feynman discusses various science-related topics in this wonderful collection of essays, lectures and interviews. He writes in a clear, conversational style that makes this work a pleasure to read.

## FICTION

**DANGEROUS VISIONS** ❖ *Edited by Harlan Ellison* ❖ When an Internet bulletin board reported that the 35th anniversary edition of this short-story anthology had been published, I drove straight to Barnes & Noble to buy it. I first discovered this anthology in my sophomore year of high school, and I read it until the binding split and

pages began to fall out. Remarkably, "Dangerous Visions" has not gone stale over time; I found the stories to be as delightful today as they were so many years ago. This book is not for the easily offended.

**MAN IN THE HIGH CASTLE** ❖ *by Philip K. Dick* ❖ Imagine a world in which the Allies lost World War II, Germany and Japan have split the United States into two occupation zones, and the Final Solution has been extended from Europe to North America and Africa. The storyline focuses on the humiliation experienced by Americans who have lived under years of Japanese occupation in the "Pacific States of America." This is a masterpiece that has been relegated to the literary ghetto of science fiction.

**ORLANDO FURIOSO** ❖ *by Ludovico Ariosto (translated by Guido*

*Waldman)* ❖ First published in 1516, this Italian classic is a fast-paced adventure story inspired by the chivalric legends of the Song of Roland. The book has a modern tone and will appeal to anyone who has enjoyed "The Lord of the Rings."

**AND NOW THE NEWS: VOLUME IX OF THE COMPLETE STORIES OF THEODORE STURGEON** ❖ Sturgeon is a brilliant and sensitive writer, probably the best talent to have emerged from the pulp fiction genre popular in the 1940s and 1950s. I've been reading every volume of the "Complete Stories of Theodore Sturgeon" that I find.

**STEPHENWOLF** ❖ *by Hermann Hesse* ❖ I found this jewel at a charity book sale at Westmoreland Mall. It is a profound book that explores, among other things, the dark side of being middle-aged.

## On The Move ...

**ANA M. COTTONE** has opened a new office at 41 North Main Street, Suite 306, Greensburg, PA 15601. Her phone number is 724-853-7415.

**REBECCA FENOGLIETTO** has moved to 801 Freeport Road, New Kensington, PA 15068. Her new numbers are: phone 724-339-3111, Ext. 6; fax 724-339-0809.

**IRVING GREEN** has moved to 801 Freeport Road, New Kensington, PA 15068. His new numbers are: phone 724-339-3111, Ext. 5; fax 724-339-0809.

**TIMOTHY B. KINNEY** has opened a new office at 116 North Main Street, Greensburg, PA 15601. His phone number is 724-836-1808; fax 724-836-1806.

**RICHARD A. KOVACH** has a new mailing address per 911 emergency services changes: Kovach & Kovach, 5817 Route 981, Latrobe, PA 15650. His phone and fax numbers remain the same.

**AARON M. KRESS** has moved to 801 Freeport Road, New Kensington, PA 15068. His new numbers are: phone 724-339-3111, Ext. 4; fax 724-339-0809; e-mail aaron@choiceonemail.com.

**PATRICK NOONAN** has left the District Attorney's office to accept a position as Associate General Counsel for the University of Pittsburgh. He can be reached at 1710 Cathedral of Learning, Pittsburgh, PA 15260-6404; phone 412-624-6282; fax 412-624-1606; e-mail noonan@pitt.edu.

**DENNIS SCARPINITI** has moved to 801 Freeport Road, New Kensington, PA 15068. His new numbers are: phone 724-339-3111, Ext. 8; fax 724-339-0809.

## Got News?

*Do you have news to share with the sidebar? Making Partner? Marriage? Birth? Anniversary? Accomplishments? Send us a fax (724.834.6855), an e-mail (westbar.org@verizon.net), a note by carrier pigeon or any other means and we'll publish your news in the next available issue.*

# Actions of the Board

## OCTOBER 19, 2004

- Accepted Membership Committee recommendations as submitted: Tom Jones, Norbert Smith, Candice Stewart, Jason Dibble, Farley Kalp as participating members.
- Voted to follow investment advisor's recommendation and adjust the bar finances as suggested.
- Agreed that Investment Advisory Committee will make recommendation on adjustments to IPS.
- Learned that several Laurel Legal Services Board members, who soon will complete their service with LLS, have indicated they do not wish to be reappointed: Dick Galloway, Denis Zuzik, Diane Murphy, and Dan Joseph.
- Learned that the Ned J. Nakles American Inn of Court will celebrate its tenth year in 2005 and plans to hold a celebration.
- Voted to waive, through May 2005, the \$100 per month rental fee charged to the Inns for use of the building for their monthly dinner meetings.
- Asked that LLS Executive Director make a written request for funding from WBA.
- Learned that the Inns and the Trial Academy leadership have endorsed the medical/legal code of ethics.
- Heard report from Young Lawyer Chair Horchak on YL activities: CLEs, Halloween Party and adoption of YL by-laws
- Agreed to ask By-Laws Committee to review YL by-laws to ensure they are in line with WBA by-laws.
- Reviewed Building Committee's recommendations for usage fees for room rental at bar building.
- Voted to charge for all mediations that occur at the bar building in the amount of \$50 per half-day and \$100 per full day.
- Voted to accept the By-Laws Committee recommendations inclusive of the Investment Advisory Committee language.

- Agreed that Investment Committee will be a standing committee as outlined by the WBA by-laws.
- Reviewed Mediation Center drawings.

## NOVEMBER 16, 2004

*Joint meeting with WBA Board and Court of Common Pleas.*

- Discussed court's handling of mandatory medical malpractice mediation, bar-sponsored mediation and future mediation in Westmoreland County.
- Discussed the project between the WBA and the medical society to develop a doctor/lawyer code of ethics. Heard comments from bench that the document should seek to have language that encourages doctors to cooperate with the courts and to charge fair fees and that code should provide opportunity for doctors to testify by phone.
- Reviewed proposed 2005 WBA budget and agreed that Finance Committee should meet ahead of December meeting before the board takes action.
- Appointments to the Laurel Legal Services Board have been confirmed: John Ranker, Cindy Stine, Harry Smail. One opening remains.
- A copier distributor has proposed a bar association contract which will provide 3% distribution back to bar and authorized Executive Director to investigate this proposal to see who in the bar uses the copier and to report back at next meeting.
- YL Chair Horchak provided update on YL activities: Holiday party on December 16, December CLE Bridge the Gap.
- LRS application will be mailed on December 1; startup date set for January 1, 2005.
- Voted to have the architect develop drawings for mediation center in basement of bar building and to bid out this project.
- Agreed to set up temporary mediation setting on first floor of headquarters where all mediations will occur.
- WBA-developed living trust flier will be sent to all WBA members with offer to provide additional copies of flier—at cost—for members to use with their clients.
- \$2,500 contribution was made to PBA PAC for WBA's 2004 donation.
- Agreed to meet with LLS Executive Director Cindy Sheehan to discuss current relationship between the WBA and LLS.
- Discussed possibility of the WBA managing a court reporting service to bar members and agreed to research this further.

## Lawyers Abstract Company of Westmoreland County

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## CALENDAR of Events

### JANUARY

- 12 Membership Committee, Noon
- 17 Courthouse closed in observance of Martin Luther King, Jr., Day
- 18 Family Law Committee, Noon  
Board Meeting, 4 p.m.
- 19 Northern Lawyers, Noon, *King's, New Kensington*
- 20 Young Lawyers Committee, Noon
- 27 Solo Practice/Small Firm Committee, Noon

### FEBRUARY

- 9 Membership Committee, Noon
- 15 Family Law Committee, Noon  
Board Meeting, 4 p.m.
- 16 Northern Lawyers, Noon, *King's, New Kensington*
- 21 Courthouse closed in observance of Presidents Day

### Did You Know ...

- *The WBA website is a wealth of information with links to county, state and federal offices as well as a Calendar of Events and a CLE schedule for the WBA. The site is updated weekly, or more often, so you have the most up-to-date information.*
- *You can access a comprehensive index of the sidebar, as well as back issues to 1999, at [www.westbar.org](http://www.westbar.org).*

*Just click on "Publications" in the menu, then scroll down and click on the issue to download fully searchable PDF documents.*

- *You can access all jury trial verdicts from 2000 to the present at [www.westbar.org](http://www.westbar.org).*

*Just scroll down on the main page and click on "Westmoreland County Jury Trial Verdicts." Click on the year to download fully searchable PDF documents.*

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