

NEWS & VIEWS

ASBESTOS & OCCUPATIONAL DISEASE
 CHILDHOOD LEAD POISONING
 MEDICAL MALPRACTICE
 AUTOMOBILE ACCIDENTS
 CONSTRUCTION ACCIDENTS
 SOCIAL SECURITY DISABILITY
 WORKERS' COMPENSATION
 FIRE LOSS CLAIMS

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YOUNG MAN SETTLES INDUSTRIAL ACCIDENT FOR \$2 MILLION

A 28-year-old Buffalo man, who lost his left arm in an industrial accident, was retained by our firm. The worker, who was cleaning a furniture press manufactured in Italy, severed his forearm at the elbow when it became enmeshed in the machine's moving parts. We sued the manufacturer of the machine and its U.S. distributor.

After an extensive investigation which included the taking of testimony from corporate representatives in Italy, the case settled for \$2 million.

At the time of the injury, our client was directed to clean the rotating belt of the machine on a daily basis. In September 2004, his left hand got caught and was

dragged into a moving chain and sprocket causing severe mutilation and amputation at the elbow

The evidence in this case demonstrated that the machine was defectively designed because it failed to incorporate basic, well recognized, and inexpensive safety devices which would have cut the power to the machine and prevented our client's injury.

Both the manufacturer and the distributor were well aware that it was necessary to have electric power flowing to the press (and to the belt and roller assembly) to perform a thorough cleaning

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DIESEL FUME EXPOSURE LINKED TO LUNG CANCER

We represent the widow of a railroad worker who sued her husband's employers under the Federal Employers' Liability Act (FELA) which permits an injured worker to bring a lawsuit directly against his employers. The FELA applies to railroad workers, who do not have recourse to the State's workers' compensation insurance system.

Our client's husband died of lung cancer at the age of 61. Originally, the lawsuit proceeded on the theory that the cancer resulted from occupational exposure to asbestos-containing products encountered in the course of the decedent's work as a brakeman, switchman, conductor or fireman. As the investigation unfolded, it was ascertained that the plaintiff's husband suffered significant exposure to diesel engine exhaust. It was learned that the railroad industry had known for decades that diesel exhaust was harmful when inhaled. In fact, in 1955, the Association of American Railroads was already well aware not only of the potential danger from exposure to diesel locomotive exhaust but also that the FELA was sufficiently broad to allow lawsuits against the railroads for disease resulting from diesel exposure.

In 1946, most locomotives in service in the United States were still powered by steam boilers, but, by 1959, already 95% of the locomotives in service were diesel powered. In recent years scientists and doctors studying the effects of diesel exhaust exposure have concluded that lung cancer is causally related to diesel exhaust.

The use of diesel powered engines is not, of course, confined to the railroad industry. It is very likely that anyone spending considerable time in a confined or enclosed area such as a truck terminal contaminated by diesel exhaust may eventually experience ill health effects as a result.

At this time a decision is awaited from the judge presiding over this case whether the plaintiff will be allowed to amend her lawsuit to add the allegations of diesel fume exposure. Assuming that the Court grants us this permission to amend the lawsuit, the case will move toward trial on both the asbestos and diesel fume exposure theories.

We are aware of this growing modern threat and welcome your inquiries. ■

CHILDREN CONTINUE TO BE AT RISK FOR LEAD POISONING

ONE LEAD PIGMENT MANUFACTURER TARGETED IN DOWNSTATE LEAD POISONING LAWSUIT INVOLVING SINGLE CHILD'S POISONING

There may be a scientific development that could identify a certain manufacturer of an old lead pigment found in deteriorated paint at a specific location. This process is known as spectroscopy. That is what attorneys are claiming, on behalf of a child poisoned in his apartment in Bronx, New York. This lawsuit was brought against a former lead pigment manufacturer, NL Industries. The child's attorneys maintain that the premises was covered with lead paint that was produced, distributed, furnished and sold by NL Industries, a claim that could not have been made until recently with the reported refinement of the spectroscopy analysis.

It can be expected that NL Industries will mount a serious challenge to this case and the validity of the spectroscopy identification of a single pigment maker from a single sample of paint. If the attorneys representing the child succeed, it could bring about a new wave of product liability actions against the former lead pigment manufacturers.

STATE AND MUNICIPAL ACTIONS AGAINST LEAD PIGMENT MANUFACTURERS CONTINUE AS "PUBLIC NUISANCE" LITIGATION

In recent years, the former makers of lead-based pigments used in paints have been sued together in "public nuisance" actions brought by state and local governments around the country. They seek to have that industry bear the high cost of ridding the nation's older housing stock of hazardous lead-based paint. It has been

argued that the industry has known, as early as 1900, that its white lead pigment product was a "deadly cumulative poison." It continued to be used in paint products for decades thereafter. The industry defendants have defended these actions in part by insisting that the municipalities could not prevail on a market share theory of liability and could not identify the actual manufacturer of particular pigments in paint.

More recently, one of the defendant manufacturers has preemptively sued several cities in Ohio seeking to block their "nuisance" lawsuits in state courts and seeking to have a federal district court decide whether the nuisance suits violate the company's constitutional rights to be free from multiple lawsuits in multiple districts, as well as the threat of inconsistent and contrary decisions.

EFFORTS BEING MADE TO LESSEN RISK OF LEAD POISONING TO CHILDREN IN WESTERN NEW YORK

Housing built before 1978 often contains old leaded paint on window surfaces and other painted wood trim surfaces that have deteriorated. Flakes and chips turn into lead dust that children get onto their fingers and hands, and then transfer the lead into their bodies by mouthing their fingers and hands. Children under the age of 3 remain at greatest risk as a child's body readily absorbs toxic lead, but children are susceptible to lead poisoning up to about age seven.

- Even low levels of lead in young children can result in reduced intelligence, attention span, learning disabilities, hearing impairment and behavior problems;

- A tiny amount of lead - concentrated in just one chip of paint - can result in serious poisoning and even irreversible developmental damage in children under the age of six;
- Children are poisoned by simple hand-to-mouth contact with leaded dust that exists from degraded lead-based paint in their homes;
- Childhood lead poisoning causes enormous societal costs, including medical and special education costs.

Childhood lead poisoning continues to be a serious public health problem, especially in the inner cities of Buffalo, Rochester and Syracuse, and has received increasing publicity. Billboards offer a stark message: "Lead Safe Homes = Smarter Children." More public service announcements can be heard on the radio.

Much of the credit for increased public awareness is given to organizations such as Lead Connections in Erie County (www.leadconnections.org), and the Rochester Coalition to End Lead Poisoning (www.lead-safe-by-2010.org). Lead Connections in Erie County is currently providing a link called "Contractor Connections" and invites contractors to sign up for lead safe work practice training programs. It also offers business development and support to start-up lead paint abatement contracting companies, as well as opportunities to obtain discounted building materials and hazard control supplies. ■

LIPSITZ & PONTERIO HELP LEAD-POISONED CHILDREN

We dedicate much of our time to representing children who have been injured by lead poisoning. We have sued dozens of negligent landlords in Erie, Monroe, Onondaga, and other western New York counties. We have carefully prepared cases to bring about settlements that will make a difference in the lives of these children. One recent successful outcome is listed below:

A Rochester landlord's insurance company agreed to pay \$310,000 for the benefit of a 13-year-old boy who suffered lead poisoning in a Sullivan Street house when he was a toddler. The landlord defendant in the case was a sophisticated rental property owner who had received notices about lead hazards existing at several of his other properties before the poisoning of this child. The settlement money has been structured to provide the client with future lump-sum payments through young adulthood. ■

PROTECTING THE ATTORNEY-CLIENT PRIVILEGE

Just about everyone has their favorite lawyer joke, and lawyers are often, and unjustly, blamed for all of the ills that afflict our society. Yet we often lose sight of the importance that the legal profession plays in protecting the ordinary citizen from oppression.

The law is a complex system of rules that govern behavior and determine how wrongs are to be compensated. It is nearly impossible to navigate this system without representation by a lawyer, and the ability to speak freely and in confidence to a lawyer is essential to effective legal representation.

Embedded within our legal system is the attorney-client privilege which protects your right to talk to a lawyer about the facts of your case in order to obtain professional assistance. Unless the purpose of your communication is the planning of a crime or other wrongful act, your lawyer cannot disclose what you tell him in confidence, and you cannot be asked what it was that you told your lawyer. Our society places a high value upon frank and open discussions between the client and lawyer. This ensures that the client does not refrain from telling the lawyer the truth, which is necessary for the lawyer to provide an opinion on the law or render other legal assistance.

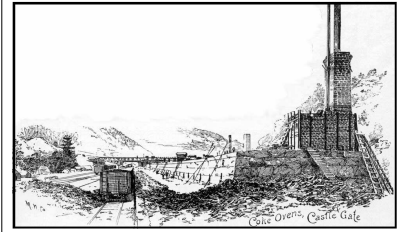
It is not uncommon that we see a client suffering from an occupational disease who has an incomplete or inaccurate understanding of the cause. This is because exposure to a toxic substance sufficient to cause a serious and sometimes deadly disease often goes undetected at the time it occurs, and it is only through the course of a thorough investigation that the injured person can later identify the circumstances of the exposure and the agents responsible for it. Often a common material used in construction or industry is manufactured with the use of a toxic chemical but there is no label or warning of this on the packaging. This is often the case with asbestos-containing materials.

An example of the problem of proving the cause of disease is malignant mesothelioma. This is a terminal asbestos-related cancer that, on average, does not

show up until 35 years after the first exposure to asbestos dust. Exposure even at low levels of asbestos dust that are invisible to the naked eye and that can only be detected by sophisticated instruments can cause the development of mesothelioma many years later. Therefore, when a mesothelioma victim comes to our office and advises us that he has no idea whether or not he was ever exposed to asbestos or ever worked with an asbestos containing product, it is important to undertake an investigation to uncover the facts of the case. In such a case, the client's initial belief about his exposure history often changes as a result of learning more about the composition and the toxic nature of the products he worked with 20 or 30 years in the past.

Here is where the importance of the attorney-client privilege comes into play. Should the lawyers for the asbestos companies be allowed to ask the client what he told his attorney in confidence when the case began? Imagine how the trial would unfold if they were. "And so Mr. Client, is it not true that you told your own lawyer that you have no idea whether you were ever exposed to asbestos from the defendant's products?" Fortunately, the law does not permit such prying into the communications between lawyer and client. Otherwise, clients would be afraid to level with their lawyers and lawyers would be unable to provide effective representation.

In 1981 the U.S. Supreme Court wrote in *Upjohn Co. v. United States* that, "The client cannot be compelled to answer the question, 'What did you say or write to your attorney?' but may not refuse to disclose any relevant facts within his knowledge merely because he incorporated a statement of such fact into his communication to his attorney." The distinction is a crucial one, especially because of the widespread but unjustified suspicion of the legal profession. Although a witness may always be asked about the facts underlying his case, it is unacceptable in our system to punish the victim of a negligent or grossly careless act for having sought out effective counsel. ■



AFTER 8 YEARS, WIDOW OF COKE OVEN WORKER MAY SEE AWARD

Our client's husband, who was diagnosed with lung cancer, was screened for asbestos disease by an out-of-town law firm in 1999. Although he had worked his entire adult life in the coke oven division of Bethlehem Steel, and was a lifetime non-smoker, the out-of-town law firm informed the family that there was no basis for a legal action, being unaware of the close connection between lung cancer and exposure to coke oven emissions. Our client's husband died of lung cancer at the end of 1999, and, having no reason to believe his death was related, she failed to apply for widow's benefits under the Workers' Compensation Law.

With the assistance of a medical expert who reviewed the hospital and medical records of the deceased coke oven worker, we have been able to persuade the Workers' Compensation Board that the usual two year statute of limitations for filing the death claim should run, not from the date of death, but from the more recent point at which we and our medical expert informed the widow of the true cause of her husband's death.

We are hopeful that we will be able to establish this claim for our client entitling her to receive a lump-sum payment for retroactive benefits to the date of her husband's death in 1999, together with future weekly benefits for the rest of her life. ■

ASBESTOS EXPOSURE THROUGH DRYWALL WORK

When most people think of asbestos exposure, they think of tradesmen exposed to such materials as pipe insulation and raw asbestos fiber. Although these exposures are real, many people are unaware of a source of asbestos exposure that affected not only tradesmen, but any individual who participated in home improvement projects. The source of asbestos exposure is joint compounds used in the installation and repair of drywall.

Many joint compounds contained asbestos beginning as early as the 1950s and continued to contain asbestos until the late 1970s. What is most troubling about this is that joint compound products were not used solely by tradesmen. These products were used by many home owners and "do-it-your-selves" on a widespread basis. In fact, many of the companies who manufactured the asbestos-containing joint compounds had a strong advertising push toward this group of users during that same time frame.

Asbestos-containing joint compounds were manufactured by numerous compa-

nies. The joint compounds commonly came in a dry powder form, although some came in a "pre-mixed" state. The joint compound products came packaged in a variety of ways and in various sizes. Some were packaged in paper bags ranging in size up to 25 pounds while others came in small cardboard boxes or metal buckets.

To anyone who has ever worked with joint compound products, the method of exposure is quite simple, but also quite substantial. The first area of exposure is the mixing of the dry powder joint compound with water. Both the dumping of the joint compound powder and the adding of water creates a substantial amount of airborne dust. In new construction, joint compound is then applied between the seams and over nail/screw holes in a series of about three coats, with sanding occurring between each of the three coats to create a smooth surface for painting later on. After each coat dries, the joint compound hardens like cement. When the hardened joint compound is sanded, a tremendous amount of airborne dust is

released which exposes not only the individual sanding, but anyone in the general vicinity, including family members if the work is being performed in a home.

In the late 1960s, while OSHA was in the planning stages, some of the manufacturers of asbestos-containing joint compounds aggressively pushed to deplete their supply of these compounds before they were "banned" by OSHA. However, when OSHA was adopted in 1971, it did not ban the sale of asbestos-containing joint compounds. With the knowledge these companies had of the potential health hazards of exposure to asbestos, one would think they would have halted their production and sales of asbestos-containing joint compounds. To the contrary, many of the companies continued to produce and sell their asbestos-containing joint compounds until the late 1970s. ■

BERNADETTE B. TUTUSKA FOUGHT FOR ASBESTOS VICTIMS



Bernadette B. Tutuska of West Seneca, who successfully lobbied against legislation that would legally hinder victims of asbestos poisoning, died on October 31, 2006. She was 63.

Born Bernadette Stachura in Buffalo, she was a graduate of Mount Mercy Academy and Erie Community College. She worked at Kandefer Plumbing as a secretary.

Mrs. Tutuska contracted mesothelioma, a cancer caused by the inhalation of asbestos particles. Starting in the early 1970s, her husband worked in construction and unknowingly carried home asbestos particles in his work clothes, which she would shake before washing.

"My husband asked at work if the dust was dangerous, and he was told it wasn't," she told *The Buffalo News* in 2004. "His clothes were just loaded with the dust. I'd bang them against a pole. I was breathing the asbestos."

The Tutuskas traveled to Washington, D.C., in April 2004 and lobbied against a Senate bill that would have established a national trust fund and eliminated asbestos lawsuits, releasing corporations from any further responsibility. The bill was defeated, and the Tutuskas were able to settle their lawsuit.

A member of the Women's Auxiliary of Harvey D. Morin Post 2940, Veterans of Foreign Wars, Mrs. Tutuska enjoyed needlepoint and sewing blankets for her children's families. In recent years, the Tutuskas traveled throughout the West, the South and the East Coast in their recreation vehicle. ■

"Bernadette B. Tutuska Fought for Asbestos Victims."
The Buffalo News, 3 November 2006; D5

*"My husband asked at work
if the dust was dangerous,
and he was told it wasn't."*

ASBESTOS BANKRUPTCY UPDATE

As part of representation of clients occupationally exposed to asbestos, we file claims against bankrupt asbestos companies. Due to the fact that these companies have declared bankruptcy, it is impossible to sue them, and so the claims process is the only way in which clients can recover money for their exposure to the asbestos-containing products manufactured or distributed by these bankrupt companies.

Before bankrupt companies can begin to pay claimants for the injuries suffered, a number of events must occur. First, a Plan of Organization must first be approved by the Court. This Plan establishes a Trust, to which claims may be made. All claims must be made on Proof of Claim forms, which are made available by each individual Trust. The Trust then evaluates the claims, and pays them accordingly. It is important to note that there are very specific medical and exposure guidelines for each trust, and so not every client has a valid claim against every Trust.

Among the recent activity in asbestos bankruptcy is the following

Babcock & Wilcox- This company manufactured steam-generating boiler and refractory products. Often, these systems were used in power plants and manufacturing facilities. The Joint Plan of Reorganization was approved by Judge Sarah Vance on January 17, 2006. A Proof of Claim form has been released by the Trust, and claims are currently being processed.

Combustion Engineering- This company manufactured and supplied boilers and boiler products, and manufactured pipecovering and block. The Plan of Reorganization was approved by Judge Judith K. Fitzgerald on December 19, 2005. A Proof of Claim form has been released by the Trust, and claims are currently being processed.

Federal Mogul- This company distributed asbestos-containing fireproofing and manufactured asbestos-containing brakes. The 4th Amended Plan of Reorganization was proposed in Fall of 2006, and a Confirmation Hearing will be held in early February of 2007 in front of Judge Judith K. Fitzgerald. If the plan is approved, and a Trust is established, a Proof of Claim form should be released within the year.

Owens Corning/Fibreboard- Owens Corning manufactured insulation products. Fibreboard manufactured a variety of cements, pipecovering and block insulation. The 6th Amended Joint Plan of Reorganization was approved by Judge Judith K. Fitzgerald on November 2, 2006. A Proof of Claim form is expected within the next six months.

Pittsburgh Corning- This company manufactured an industrial thermal pipe insulation product. On December 21, 2006, Judge Judith K. Fitzgerald denied the Second Amended Plan of Reorganization. Until a Plan is accepted and approved by the Court, no Proof of Claim form will be released.

W.R. Grace- This company manufactured fireproofing and insulation compounds, including Monokote and Zonolite. Recently, claimants were required to file extensive questionnaires detailing asbestos exposure, and Proof of Claim forms. The Trust is still in the process of determining how much money to allocate to each different claim level, and it is unclear when payment can be expected on W.R. Grace claims. ■

HOLDING CENTER LAWSUIT

We represent a resident of Erie County who is suing several officers and staff members of the Erie County Holding Center for a lack of attention to his medical needs, which left him in a diabetic coma for three days. Deliberate indifference by the state to the serious medical needs of an inmate is a federal civil rights violation.

Our client was taken into custody by the Erie County Sheriff's Department in April of 2005 for a petty crime. At that time, the plaintiff told the arresting officer that he was an insulin dependant diabetic. Despite repeating his request for medical attention during his detention, the plaintiff was given neither a proper diet nor proper medication for two days. It was not until he was found in his cell "falling into the walls" that his deteriorating medical condition was recognized. He

was then transported by ambulance to ECMC where he was admitted and diagnosed as being in a diabetic coma. He remained hospitalized for three days.

Erie County has long been on notice that overcrowding has created unsanitary and unsafe conditions in the Holding Center, but officials have been slow to respond. Their indifference has left detainees in deplorable conditions. It is hoped that this plaintiff's cause of action may serve as a catalyst, prompting the changes necessary to protect the rights of the detainees at the Erie County Holding Center to be treated humanely. ■

ALLERGIC CONTACT DERMATITIS

We represent a Buffalo man in his early 40s who is completely disabled as a result of having contracted chronic allergic contact dermatitis at work. For about four years, our client worked at a local manufacturing company assembling air brake hoses for the automobile industry. On a daily basis, he handled rubber hose manufactured by Goodyear Tire & Rubber Company. He was a very productive worker, often exceeding production records by assembling over 1,000 hoses per day. He performed his work without wearing gloves.

In August of 2004, our client began to experience symptoms of contact dermatitis. He continued to work with the air brake hose until May 9, 2005, since which time he has been unable to return to work due to his disability despite continued treatment. Patch testing performed by his doctor revealed that our client is allergic to chemicals used as rubber accelerants.

"It does not appear we are in a position to refute there may have been traces of these chemicals in the rubber products supplied by Goodyear."

Although Goodyear has been aware since at least the 1970s that its rubber products present a substantial risk of chronic allergic contact dermatitis among industrial workers, it failed to take any steps to inform either our client or his employer about the hazards of working with its rubber hose. It even advised workers using its rubber hose that protective gloves were "Not applicable." It was only after our client became totally disabled (a painful rash covered nearly his entire upper body and he could not use his hands even to carry out the activities of daily living) and after his employer asked Goodyear whether its hose contained the toxic chemicals that caused this catastrophic disease that Goodyear gave the employer just enough information to say publicly, "It does not appear we are in a position to refute there may have been traces of these chemicals in the rubber products supplied by Goodyear." A trace is all that it took to permanently disable this devoted husband and father of three.

It is our goal to use the civil justice system to obtain fair and reasonable compensation for our client. ■

YOUNG MAN SETTLES

(Continued from page 1)

of both sections of the press belt. Power was needed to cycle the belt from the lower to the upper position where the belt was accessible for cleaning.

Like many industrial accidents, this one could have been avoided had the manufacturer incorporated basic shut-off switches in the design of the machine. Its negligent failure to do so has maimed our client for life. Lawsuits against negligent manufacturers are one of the effective tools our society has to deter and punish the misconduct of those corporations which all too often place profits ahead of people. ■

ERIE AND MONROE COUNTIES BENEFIT FROM HUD GRANT PROGRAMS FOR LEAD POISONING PREVENTION ACTIVITIES

The Erie County Department of Health is operating a LEADSAFE program funded by two grants from the U.S. Department of Housing and Urban Development totaling \$3.7 million. The goal of this program is to reach as many families as possible in order to prevent lead poisoning and to secure abatement of hazardous lead paint. To qualify for the grant program, the home in question must have been built no later than 1978, and the occupant of the home must meet low income qualifications. In the case of non-owner occupied rental property, it is important to realize that the income of the property owner does not matter, it is the income of the tenant occupant that counts, and a tenant family receiving any public assistance, even WIC, is likely to qualify.

Tenants concerned about whether their house or apartment has dangerous lead-based paint can ask for an initial Home Education Visit by contacting the LEADSAFE Program at 961-6800. The Home Education Visit is funded by HUD's "Outreach" grant program. As part of the outreach activities, the parent or householder is given information about lead poisoning prevention, and sources of lead poisoning. If the outreach worker sees obvious and imminently dangerous areas of deteriorated old paint, the worker can request an inspection of the premises for lead-based paint under the "hazard control" grant program.

When an inspection under this program reveals lead paint hazards, the property owner is contacted, and assuming the owner or the tenant qualifies, the property owner is given an application for a grant program (providing up to \$10,000 per unit) for lead hazard control supplies and labor. Again, there are low income qualifications, but we are advised that these qualifications can be satisfied if the tenant family is low income, even if the property owner is not.

Monroe County is benefiting from similar HUD grant programs. Last year money was restored to HUD's office of Lead Hazard Control to be used in places such as Rochester and Buffalo to allow for the removal of lead paint. Congresswoman Louise M. Slaughter, a Democrat representing the 28th Congressional District in Western New York, was instrumental in getting passage of an amendment to restore \$35,000,000 in federal funding to many local programs aimed at reducing the environmental scourge of lead poisoning. ■

DUREZ DEATH TOLL CONTINUES TO CLIMB

Our firm proudly represents the families of approximately 200 former and retired workers from Durez Plastics in North Tonawanda, New York. Attorneys Michael A. Ponterio and John Ned Lipsitz first began representing Durez workers in the mid 1980s. Since that time, the death toll from mesothelioma, lung cancer and asbestosis has been steadily climbing. When we last wrote about Durez in our Spring 2005 newsletter, there had been close to 50 deaths from malignant mesothelioma among the plant population. The number now stands at approximately 70. There have also been many doz-

ens of deaths due to lung cancer and asbestosis. This is truly a disaster of tragic proportions which has touched virtually every family in North Tonawanda.

Because many of you have close friends and relatives who have moved away from the Western New York area but who are still at risk of disease due to their past association with Durez Plastics, we urge you to share this newsletter with them. If you would like to add the name of a friend or relative to our newsletter list, please let us know by contacting Mary Marsowicz at (716) 849-0701. ■

WHO SHOULD DRAFT A WILL?

Drafting a Will involves legal knowledge and the making of decisions requiring the experienced professional judgment of an attorney. Only a practicing attorney can avoid numerous pitfalls and can advise you of the best course for your personal situation.

1. If you do not have a valid Will at the time of death, your property may not be distributed in accordance with your wishes.

2. Every adult should have a properly prepared Will kept in a safe place.

3. A Will does not increase estate expenses and frequently reduces them.

4. A Will can minimize estate and income taxes.

5. Homemade Wills are extremely problematic and are frequently the subject of lawsuits.

6. Life insurance and joint property are not substitutes for a Will.

7. Do NOT execute, alter, amend, or change a Will, except under the direction of an attorney. If you do not have an attorney to advise you as to your Will and your estate planning, contact us and we can refer you to someone who is reasonable and competent. ■

WELCOME ABOARD!

We are pleased to announce that we have recently moved our office to the 5th floor (in the same office building) in order to gain more space for our growing practice. While our telephone and fax numbers remain the same, our current address is:

Lipsitz & Ponterio, LLC
135 Delaware Avenue
5th Floor
Buffalo, NY 14202

We would like to welcome seven new staff members to our office this year: Joseph Kremer, Dennis Harlow, Elizabeth Salzman, Missy Cormier, Rose Hinkel, Tammy Casper, and Kinya Harte.

Joe Kremer is an experienced litigation attorney, concentrating on childhood lead disease cases. He previously worked for Lipsitz Green Scime Cambria.

Dennis Harlow started working for us in 2003 as a law clerk while attending law school at the State University of New York at Buffalo. Dennis received his JD and MLS-Master in Library Science degrees in 2006. He is a full time associate focusing on legal research.

An experienced legal secretary, Rose Hinkel has been assigned to work for Joe Kremer. She is a graduate of State College of New York at Buffalo.

Tammy Casper, Elizabeth Salzman, Missy Cormier and Kinya Harte have been hired as legal assistants.

Tammy has assumed responsibility for organizing and summarizing medical, educational and lead inspection records for our childhood lead disease cases. She attended Genesee Community College.

Elizabeth has assumed responsibility in the asbestos bankruptcy area. She has been completing and filing claim forms with bankruptcy trusts on behalf of our asbestos clients. Elizabeth graduated from the State University of New York at Buffalo with a Bachelor of Arts in Political Science and Bachelor of Arts in Social Science Interdisciplinary Concentration in Legal Studies.

Missy has also assumed responsibility in the asbestos bankruptcy area. She was previously a legal secretary for 13 years and most recently owned her own children's consignment shop called Rumpelstiltskins for 13 years.

Kinya has assumed responsibility in the asbestos bankruptcy area as well. She has been completing and filing claim forms with bankruptcy trusts on behalf of our asbestos clients. Kinya graduated from the State University of New York at Buffalo with a Bachelor of Arts Degree in English and Spanish and received a Journalism Certificate. ■

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OUR WEBSITE PROVIDES A WEALTH OF INFORMATION ABOUT EACH OF OUR AREAS OF PRACTICE

WHEN YOU VISIT OUR SITE, YOU WILL BE ABLE TO CLICK THE "TELL A FRIEND" LINK AND PASS THE INFORMATION TO FRIENDS AND RELATIVES WHO MAY BE INTERESTED