



## Gerry Award

Sr. Judge Maryanne Trump Barry received the prestigious Judge John F. Gerry Award for her outstanding contributions to the legal profession and humanitarian works in the community at the annual Gerry Award Dinner in October. (l-r) Mrs. Jean Gerry, Sr. Judge Barry and Gerry Award Committee chairperson Hon. John B. Mariano, J.S.C. (retired).



## Wills for Heroes Event a Resounding Success

By Wali Rushdan, II  
Business Editor, Rutgers Journal of Law & Public Policy  
Rutgers University School of Law - Camden  
Juris Doctor Candidate - 2012

At 7:30 am on Saturday, October 22, over a dozen yawning and hungry law students converged at Rutgers Law School-Camden. They weren't there to do their usual case briefing and memo writing. Instead, they were there to set up for the Wills for Heroes event. The Wills for Heroes Foundation (WFH)



is a national non-profit program which brings together volunteer attorneys with first responders for the purpose of providing wills and other estate planning documents, free of charge. The "heroes" consist of our neighborhood firefighters, police officers and emergency medical technicians who place themselves in harm's way daily for the benefit of our communities.

By 9 am, the volunteers had swelled to thirty students and fifteen volunteer attorneys. In between moving furniture and posting signs, they quickly snacked on bagels, donuts and coffee donated by Dunkin Donuts on Broadway in Camden and fruit trays from Chik-Fil-A in Cherry Hill. With a food boost, the energy and excitement started to flow as the second WFH event involving Rutgers law students got underway.

As with the first event in February 2010 which was co-hosted by the Pennsauken Fire Department, Rutgers Law School-Camden Estates & Trust Society (ETS) again joined with national sponsor, Ballard Spahr, LLP, and local sponsor, the Camden County Bar Association's Probate & Trust Committee. "The first year was just

Continued on Page 3



Rutgers School of Law-Camden students Primitivo J. Cruz, Nicole A. Gentile, Samantha M. Kugler and Wali W. Rushdan, II were recipients of \$1,000 Judge John F. Gerry Memorial Scholarships presented at the Gerry Dinner. (l-r) Primitivo J. Cruz, Nicole A. Gentile, Mrs. Jean Gerry, Samantha Kugler and Gerry Dinner Chair Hon. John B. Mariano, J.S.C. (ret.).

## Season's Greetings to YOU & YOURS!

The Editorial Staff of *The Barrister* joins with the Officers and Trustees of the Association, Foundation and the Headquarters Team in wishing you and yours a happy, healthy, safe holiday season and a bright and prosperous New Year.

We also pause to remember our courageous men and women in uniform stationed around the globe for their continued service, and wish them a safe and speedy return, and a special remembrance for those who have made the ultimate sacrifice to protect the freedoms we enjoy.

### Happy Holidays!

## Inside

Calendar	2
Criminal Law	5
Starting, Buying or Buying Into a Law Practice?	7
NJSBA Trustee Update	8
Personal Injury	11
Bankruptcy Update	12
Law Practice Management	13

# The Docket

## Saturday, December 3rd

*Children's Holiday Party*

11 am – 2 pm

The Coastline Restaurant  
1240 Brace Road, Cherry Hill

## Tuesday, December 6th

*Young Lawyer Committee Meeting*

Noon

Bar Headquarters, Cherry Hill

*Probate & Trust Committee*

*CLE Luncheon Meeting*

*10th Annual Forum –*

*Hot Trends in Probate Litigation*

Noon – 2 pm

Tavistock Country Club, Haddonfield

*School Bullying Seminar*

4 – 6:15 pm

Tavistock Country Club, Haddonfield

## Wednesday, December 7th

Lunch & Learn Series

*Building an Internet Marketing Plan*

*That Works Seminar*

Noon – 1:30

Bar Headquarters, Cherry Hill

## Thursday, December 8th

*Debtor/Creditor Committee Meeting*

8:00 am

Bar Headquarters, Cherry Hill

*Ethics Seminar - OK, Now What Do I Do?*

4 – 6:15 pm

Tavistock Country Club, Haddonfield

## Tuesday, December 13th

*CCBA Board of Trustees*

*Executive Committee Meeting*

8:30 am

Bar Headquarters, Cherry Hill

## Wednesday, December 14th

Lunch & Learn Series

*Building an Internet Marketing Plan*

*That Works Seminar*

Noon – 1:30

Bar Headquarters, Cherry Hill

## Monday, December 19th

*CCBA Board of Trustees Meeting*

4 pm

Tavistock CC, Haddonfield

*CCBA Holiday Cocktail Party*

6 – 9 pm

Tavistock Country Club, Haddonfield

## Wednesday, December 21st

*Adopt-A-Family Donation Drop Off*

8:30 – 10:30 am

St. Joseph's Pro Cathedral Church, Camden

## Tentative Agenda for December 19 Trustees Meeting

A tentative agenda for this month's regular Board of Trustees meeting follows. The meeting will begin at 4 p.m., at Tavistock Country Club in Haddonfield. All meetings are open to the membership. Anyone interested in attending should notify and confirm their attendance by calling Bar Headquarters at 856.482.0620.

- I. Call to Order
- II. Minutes from Previous Meeting
- III. Treasurer's Report
- IV. President's Report
- V. Executive Director's Report
- VI. Membership Committee Report
- VII. Young Lawyer Committee Report
- VIII. Standing Committee Reports
- IX. Foundation Update
- X. NJSBA Update
- XII. New Business (if any)
- XIII. Old Business
- XIV. Adjourn

Be sure to  
check this  
month's  
inserts

## Barrister

Published monthly, except July and August, by the  
Camden County Bar Association

### President

Louis R. Lessig  
360 Haddon Avenue  
Westmont, NJ 08108

### President-elect

Brenda Lee Eutsler  
1702 Haddonfield-Berlin Rd.  
Cherry Hill, NJ 08033

### First Vice President

Gary W. Boguski  
199 6th Avenue  
Mt. Laurel, NJ 08054

### Second Vice President

Casey Price  
35 Kings Hwy. East, Ste. 110  
Haddonfield, NJ 08033

### Treasurer

Jenifer G. Fowler  
76 E. Euclid Avenue, Ste. 101  
Haddonfield, NJ 08033

### Secretary

Louis R. Moffa, Jr.  
457 Haddonfield Rd., Ste. 600  
Cherry Hill, NJ 08002

### Executive Director

Laurence B. Pelletier  
1040 N. Kings Highway  
Ste. 201  
Cherry Hill, NJ 08034

### Advertising

856.482.0620  
lbp@camdencountybar.org

### Board of Trustees

#### 2012

Ronald G. Lieberman  
Ellen M. McDowell  
Jerrold N. Poslusny, Jr.  
Carl Ahrens Price  
John F. Renner

Periodicals postage paid  
at Cherry Hill, NJ  
and additional offices  
(USPS 712 - 480).

Classified Advertising  
rates \$30 per insertion

Annual Subscription  
Rate \$40

#### 2013

Charles C. Bratton, II  
Carol A. Cannerelli  
Adam E. Gersh  
Steven J. Polansky  
William Tobolsky

Views and opinions in  
editorials and articles  
are not to be taken as  
official expressions of the  
Association's policies unless  
so stated, and publication  
of contributed articles  
does not necessarily imply  
endorsement in any way of  
the views expressed.

#### 2014

Gregory P. DeMichele  
Eric G. Fikry  
Louis G. Guzzo  
Michael V. Madden  
Justin T. Loughry

### Young Lawyer Trustee

William F. Cook

### New Jersey State Bar Trustee

Arnold N. Fishman

### Immediate Past President

Linda W. Eynon

### Ombudsperson

Robert G. Harbeson

### ABA Delegate

Richard A. DeMichele, Jr.

### Editorial Board

John C. Connell  
Warren W. Faulk  
V. Richard Ferreri  
William Groble  
Peter M. Halden  
James D. Hamilton, Jr.  
John J. Levy  
John G. McCormick  
Casey Price  
Louis R. Lessig (ex-officio)

### Editorial Offices

1040 N. Kings Highway  
Ste. 201  
Cherry Hill, NJ 08034

Be an active  
participant  
in YOUR  
professional  
organization.

ATTEND  
MEETINGS  
AND  
FUNCTIONS!

## Out & About

### Judge Gerry Dinner



Ed Borden, Judge Schwartz & Peter Pearlman



CCBA President  
Lou Lessig &  
Immediate Past  
President Linda  
Eynon



Chris Deacon, Sarah Matthews, Kristyn Byrnes & Maureen Behm



John Fiorella &  
Judge Burns



Chris Gibson  
& Joe Martin

## Wills for Heroes Event a Resounding Success

Continued from Page 1

about getting the event off the ground—but this year we wanted to take it to the next level,” said ETS Co-founder and past President Katharine Krassan.

The students and attorneys definitely took it to the next level! This year’s event was held in the newly dedicated “Donald Clark Bridge” at Rutgers Law School. The number of first responder families swelled from 15 in 2010 to 40 thanks to the recruiting and registration efforts of Lauren Parry, current ETS President, students Jill Dell’Aquila and Brielle Reynolds, and others who have family members in the South Jersey first responder community.



Student and attorney volunteers turned out for a successful “Wills for Heroes” program at Rutgers School of Law-Camden.

The morning started without a hitch but soon a glitch with the computers shook things up a bit. Fortunately, the problem was cured by Taylor Parry of Clearstream Tech, Riverton, NJ, who had donated his technical services for the day. Taylor also developed the special software used to schedule the first responders.

WFH Co-Founder Daniel McKenna, Esq., an associate in the Philadelphia office of Ballard Spahr LLP, has implemented WFH events across the country. Dan led the training for the attorneys and students which included many 2Ls and 3Ls and an impressively large number of 1L students led by the efforts of 1L and Student Bar Association Representative Ben Foster.

With support from the business community, the first responders and volunteers ate well through the day! In addition to the donated breakfast items, lunch fare was donated by the Olive Garden and Wegman’s in Cherry Hill. Remarkably, WFH had some star power behind the event as well. Chef Dana Herbert, the winner of TLC’s *The Next Great Cake Baker* and owner of Desserts By Dana in Wilmington, DE, skillfully created and donated a delicious red velvet cake which was a precise replica of the Wills for Heroes logo. All that remained of the cake at the end of the day were a few crumbs!

The most important people of the day were the dozens of first responder families who were helped by the program. They all expressed a profound sense of gratitude and appreciation for the lawyers and students who donated their time. First responder family Wanda and Noel Cortez described their feeling after having their estate plan created as “a great sense of relief.” Noel stated, “we have family that have passed away without a will, and knowing exactly what our wishes are will make a huge difference for our family when that time comes.” Similar sentiments were expressed by Harold Tolbert of the Lindenwold Police Department who said, “this was an important step for me and my family, and I know no matter what happens to me, my little guy is now taken care of.”

“I am so proud of the Rutgers’ law students and my colleagues who participated in this event,” stated Brenda Lee Eutsler, Esq., Co-Chair of the Camden County Bar Association’s Probate and Trust Committee and Faculty Advisor to the Estates & Trusts Society. “By working side-by-side with practicing attorneys, the law students had a valuable learning experience and hopefully were inspired by my colleagues to give freely of their time and wisdom when they become attorneys.”



Voted by the legal community as

# **BEST**

# **PROCESS SERVER**

In New York, Pennsylvania,  
New Jersey and Connecticut!\*

# **GUARANTEED**

*Subpoena Service, Inc.*

**“If we don’t serve it, you don’t pay”®**  
**Anywhere in the U.S.A.**



**800.776.2377**

**info@served.com**

**800.236.2092**

**www.served.com**

\*NY Law Journal and Legal Intelligencer Polls, 2011; Ct. Law Tribune Poll, 2011; Harvey Research Study, 2010

## CRIMINAL LAW

# Balancing the “Emergency Aid” Doctrine and the Fourth Amendment

## Right to be Free from Unreasonable Searches and Seizures

By Kenneth D. Aita

A somewhat common and quite thought provoking factual scenario has presented itself to me recently and I thought it provided an interesting topic for review. The police department receives a 911 “hang-up.” The officers are dispatched to the residence and are met by the owner or individual with apparent authority over the property and are informed that the call did not come from the residence, and if it did, it was purely a mistake. By all accounts, everything seems fine to the officers when they arrive and speak to the owner. There aren’t any factors present to indicate that there may be any problems or anyone may be in danger or in need of police assistance. Everyone knows what happens next. The officers express to the owner that they need to enter the home to ensure that everything is okay. The owner, who may or may not have something to hide, happens to be a staunch believer in the Fourth Amendment and believes that the officers do not have the authority to enter the home under these circumstances without a warrant. The owner then refuses the officer’s “request” to enter the home.

The situation now quickly deteriorates into a standoff that pits two important principles against one another—the officer’s belief that he has the lawful right to enter the home, and the homeowner’s belief that he actually has a constitutional right to be free from an “illegal” search and seizure. I know the visceral response to this situation is to suggest that the individual must be hiding something if he is refusing entrance, but I know all of us learned early on in law school that this belief is irrelevant. As lawyers, we are trained not to consider this fact, but the officer at the scene may not have the restraint to keep that belief from taking over his quick and fluid analysis of the standoff. This situation will undoubtedly deteriorate rapidly and escalate into a confrontation that will usually not end well for the homeowner.

The owner respectfully but sternly refuses the request and shuts the door. The police now forcibly enter the home. A couple of different things could occur at this point. The more common scenario is the police find contraband and charges result. Or, a more troubling and challenging scenario, the police

search every nook and cranny of the house, fail to find anything illegal, but nonetheless charge the individual with Obstructing the Administration of Law under N.J.S.A. 2C:29-1 for not allowing the officers to enter the home and complete the investigation.

The State will certainly argue that the officers had an absolute duty to enter the home because there could clearly be a person bound by duct tape in a closet clinging to a phone and the goal to save this distressed person outweighs any Fourth Amendment rights the homeowner may have. This argument seems disingenuous as that particular argument could be used in any search and seizure setting. There is always a possibility that someone may harm another individual or the police, but our Fourth Amendment jurisprudence doesn’t make an exception for things that may possibly occur. The police always need to point to articulable facts that lead to a belief that there is criminality afoot. My review of the case law in this area has uncovered a somewhat contrary result. It seems that in this limited setting; a 911 hang up, the police have much broader latitude than in other situations.

The leading case on point discussing the “emergency aid” doctrine as an exception to the warrant requirement is State v. Frankel, 179 N.J. 586 (2004). In that case, the police responded to a home due to a 911 hang-up. The return calls by the dispatcher resulted in busy signals. When the officer arrived, he was met at the door by Mr. Frankel, who, according to the officer was both surprised and nervous. Frankel explained that he did not dial 911. When the officer suggested that perhaps someone from inside the home made the call, Frankel tripped over his words, and explained that he lived alone. The officer then asked Frankel to step from behind a sheet hanging in front of the screen door and patted him down for safety. The officer then requested permission to search the home to “make sure everything was okay.” He wanted to satisfy himself that a domestic violence victim, or an injured person in need of assistance was not inside. Frankel denied his request to enter. The officer and Frankel conversed on the porch while waiting for backup to arrive. When the backup officer arrived, the officer decided to enter the home

to make sure that Frankel was alone and no one needed help. During the entry and search, the officer observed a quantity of marijuana and evidence of a growing facility. No one else was found inside the home. Frankel was arrested and charged accordingly.

It seems somewhat counterintuitive to Fourth Amendment law, but the Supreme Court held that under these facts, the officer was justified in entering the home under the emergency aid exception to the warrant requirement. That exception permits public safety officials such as police, firefighters, or paramedics, to enter a home without a warrant for the purpose of preserving life, or preventing serious injury. The Frankel case directs the court to undertake the ever-popular fact-sensitive analysis to determine if the police action was justified. There is a three-prong test to determine whether the search is justified under this doctrine. The public safety official must have an objectively reasonable basis to believe that an emergency requires that he provide immediate assistance to protect or preserve life, or prevent serious injury; his primary motivation for entry must be to render assistance, not to search or seize evidence; and there must be a reasonable nexus between the emergency and the areas to be searched. Under this analysis the State will frequently be able to make an argument that there is the possibility that someone could be in need of assistance inside the home thereby justifying entry. Even if the facts presented to the officers when they arrive indicate nothing out of the ordinary at the home, an argument could be made that there could be a problem inside that they are not aware of when they arrive at the front door. Fourth Amendment rights should not be diminished based on the prospect of what could possibly happen. It seems under the limited circumstances of a 911 hang-up, the officers have wide latitude to search and seize, far more than in other settings. A more bright line rule would be more appropriate given the nature of the intrusion into a hallowed area such as the residence.

As I stated earlier, a more troubling situation is when the homeowner refuses entry and the officer decides he is going to enter nonetheless. The officer forcibly enters the home, conducts a complete and thorough search of the home,

*Continued on Page 10*

## Tips For Perfect Holiday & Special Event Photographs

By Bud Cardone, Jr.

When shooting on holidays and special events, you should include items that clearly identify the event. Place identifying objects, such as a birthday cake, holiday presents, wedding cake, etc. in the foreground or make them part of the activity. Use a wide angle setting (28mm or 24mm) and shoot with a small aperture (f16 or f22) to keep everything in focus.

Try shooting from a high angle to get interesting shots that can tell the whole story. Stand on a chair and shoot while everyone opens their holiday gifts. Include the pile of wrapping paper in the foreground and the tree in the background.

Get above the crowd and shoot downward to get some interesting and unusual shots. Get below your subject to tell the story from a whole new angle. Have your friends stand above you while you shoot upward. Try to fill the sky or ceiling with objects that help tell the story...like party balloons, Christmas lights, fire works, mountains, etc. A wide angle lens setting works best for these situations.

Capture emotions to make ordinary photos special photos. When your family and friends get together, take some shots as they greet each other. Capture that special look a father gives his daughter when he walks her down the aisle. Or the expression of someone opening a wonderful gift. Pay attention to what's going on so you don't miss the action. And don't forget to shoot the expressions of those who are watching what's going on.

For best results in natural light bump up the ASA of your memory card to 400 or higher. If you use a flash indoors, try bouncing the flash off a white ceiling to avoid harsh shadows. (Colored ceilings will affect the color of the photo.)

Everyday is a special day when you spend it with those you care about. Recording these events will help you create a photo album that you can be proud of and enjoy for many years to come.

*Bud Cardone is the CCBA's official photographer and owner of LARGEMOOR FILM & DIGITAL SERVICES, INC. (856) 963.3264*

### ADR Services

Arbitration ~ Mediation ~ Complex Case Management

**John B. Mariano**

40+yrs Legal Exp. ~17 yrs Superior Court Judge (ret)

**Fax/Tel: 856.429.8366**

## Abo and Company, LLC

CERTIFIED PUBLIC ACCOUNTANTS / LITIGATION & FORENSIC CONSULTANTS

We are proud to be a Partner in Progress of the Camden County Bar Association.

Let us know if you:

- Need our technical experience and professional insight for projects on accounting, tax, valuation, investigative or litigation support;
- Need help with estate or trust tax returns;
- Would like us to confidentially assess your own personal tax situation or run multiple scenario tax projections for you;
- Have a company or individual you'd like us to meet with;
- Would like any of the numerous articles and handouts of particular interest to lawyers and law firms at Abo and Company, including:
  - Presentation entitled "The Financial Side of a Law Practice—What They Forgot To Tell You in Law School"
  - Presentation to the National Employment Lawyers Assoc-NJ on "Law Firm Collections and Receivable Tips"
  - Labor & Employment Law Section of the New Jersey Bar's seminar "Use of Experts in Employment Cases"
  - The National Business Institute (NBI) at their two days of seminars entitled "Accounting 101 For Attorneys"
  - NYC, NJ, Camden County and Chester County PA Bar seminars on "Buy-Sell Agreements" (includes our 122 point checklist on buy-sells)
  - The Sharper Lawyer's seminar entitled "Practical Strategies to Improve Your Law Firm's Bottom Line"
- Abo and Company's "Inventory of Personal Assets—Financial and Estate Planner"
- Abo and Company's 88 point "Attorney Trust Accounting Checklist"
- Abo's Hitlist to Consider in the Buy-Sell Valuation and Formula
- Memo on C-Corporation vs. LLC or S-Corporation
- IRS Audit Technique Guide on Attorneys and Law Firms
- Checklist for those serving as Executors
- Sample Reconciliation of Income Tax Return with Actual Disposable Income

To learn more or to receive any of the above, please contact by phone, fax or e-mail:

Martin H. Abo, CPA/ABV/CVA/CFF (marty@aboandcompany.com)

Patrick Sharkey, CPA/MST/CSEP (pat@aboandcompany.com)

#### New Jersey

307 Fellowship Rd., Ste. 202 • Mt. Laurel, NJ 08054  
Phone: 856-222-4723 • Fax: 856-222-4760

#### Pennsylvania

6 E. Trenton Ave., Ste. 5 • Morrisville, PA 19067  
Phone: 215-736-3156 • Fax: 215-736-3215



[www.aboandcompany.com](http://www.aboandcompany.com)



*Martin H. Abo,  
CPA/ABV/CVA/CFF*

# Starting, Buying or Buying Into a Law Practice?

## Soul searching questions to review with your advisors

1. What are your qualifications for operating this practice?
2. Should you “go it alone” or go in with another new lawyer? A seasoned lawyer?
  - a. Consider a “trial” period
  - b. Consider expense sharing or “of counsel”
  - c. Consider your separate malpractice coverage
  - d. Inform clients in written fee agreements that you and other lawyer may not be same firm
  - e. Consider complimenting skill sets, both technically and personally
  - f. Consider “who gets what” on breakup (i.e. phone number, website, office space, files, etc.)
  - g. Confirm other’s financial position/ability
  - h. Obtain Abo’s “122 Point Checklist on Buy-sell Agreements” from [www.aboandcompany.com](http://www.aboandcompany.com)
3. Why go into this practice (increase wealth, purchase lifestyle, job vs. career)?
4. How much money are you able to put into this practice?
5. How much money do you need to borrow?
6. Where will office be (i.e. present location, incubator, sublet, other law office, from home, etc.)?
7. Are you planning on providing legal services for “rent”?
  - a. Have you pegged a fair number of hours/billing rates to a fair rental?
  - b. Are the hours to be cumulative or non-cumulative?
  - c. Have you priced out other services/expenses available beyond just rent?
  - d. Have you delineated what type of work you pass on to include in such bartering? Can you say no?
  - e. Who will determine if hours were well spent or perhaps excessive?
  - f. Who sets priorities or for when hours are to be performed?
  - g. Are other non-legal hours considered in trade (i.e. general research, form template preparation, technology assistance, personal matters, etc.)?
8. Who will your clients be and why will they come to this firm?
9. What competition does the practice have at this location and in the area generally?
10. How does your fee structure compare to those of your competitors?
11. Are you willing to work long hours without knowing how much you’ll make?
12. Have you worked in a similar type and size practice?
13. Have you considered strategic relationships with potential client referrers (i.e. banks, accountants, other lawyers, financial planners, insurance brokers, etc.)?
14. Have you considered internet presence?
15. Have you considered your staffing needs?
16. Have you worked in this type of practice as a manager/supervisor before?
17. Do you know how much money you can afford to lend and tie up in this practice?
18. Do you know where to get any remaining funds to purchase and run the practice?
19. Do you know the minimum you need to personally live on?
20. Do you feel you’re realistic on the revenue projections and will have enough cash (it’s tough going back to the well)?
21. Are you aware of local, state and federal regulations that may affect your services?
22. Have you asked and confirmed why the owner/partner is bringing you in?
23. Do you have available all services presently provided to the partner/seller at less-than-fair-value (i.e. cheap rent, related vendors, family members doing services, etc.)?
24. Have you visited the clients and then asked as many frank questions as you need to be sure about the legitimacy of the billings, profits, etc.?
25. Have you investigated the experience rating of unemployment as well as workmen’s compensation insurance?
26. Have you reviewed and obtained disability as well as life insurance?
27. Do you know the partner’s/seller’s credit and collection policies (i.e. tightening terms may jeopardize service revenues)?
28. Do you feel comfortable with all of your advisors (i.e. CPA, banker, practice lawyer, insurance agent, etc.) and feel comfortable with their knowledge of the practice and familiarity with the profession?
29. Have you considered the morale of existing associates/employees you plan to retain?
30. Do you know the profitability of particular services (i.e. which ones will be money makers, which ones need volume, which ones are dogs)?
31. Are you able to work in the practice prior to committing (confidentiality agreements)?
32. Can part or all of wages you earn be applied to the buy-in/purchase price?
33. Have you conferred with vendors to check their knowledge of the firm, the partner’s/seller’s payment practices, integrity and acumen, continuation of credit terms to you, etc.?
34. Have you analyzed the partner’s/seller’s perks (i.e. necessary vs. additional compensation)?
35. Have you conferred with clients to see if they will continue to patronize the practice?
36. Have you conferred with lost clients, looking for “skeletons”?
37. Have you conferred with previous associates/partners?
38. Have you considered how you will manage any remaining college or law school loans (i.e. consider finding out about deferment by going to [www.salliemae.com](http://www.salliemae.com), by looking to *Student Lawyer* published by Law Student Division of the ABA or reaching out to specific lenders)?
39. Have you considered what will be Plan B if this doesn’t work out?

*The above article was retrieved from the “E-mail alerts” disseminated to clients and friends of Abo and Company, LLC, Certified Public Accountants - Litigation & Forensic Consultants. With offices in Mount Laurel, NJ and Morrisville, PA you can check them out at [www.aboandcompany.com](http://www.aboandcompany.com) or by calling 856-222-4723 for their newsletters or updates.*

## NJSBA UPDATE

# General Council



By Arnold Fishman  
arnold@fishmanandfishmanlaw.com

As I write this (you won't read it for more than a month), we just concluded a meeting of the General Council. What the %&@ (expletive deleted) is the General Council? It is the body politic of the New Jersey State Bar Association. It has literally hundreds of members (most of whom don't attend). Historically, it meets only in the

Fall at the Law Center in New Brunswick. This time, our own Linda Eynon, as Chair of its Executive Committee, presided. At the meeting, a representative to the Nominating Committee is elected, there is a report from the NJSBA President, an educational component (CLE credit is given) and then the fun begins. The NJSBA bylaws provide that the General Council may adopt resolutions directed to the Board. While those resolutions are nonbinding, the President must report to the next General Council what success, if any, the Board has made toward the implementation of the resolution. That would serve as some incentive for any President to shepherd it along.

It was, as usual, poorly attended. My very rough estimate is there were about fifty attendees. We elected Richard J. Bodalato to the Nominating Committee from among three very qualified candidates. Richie has impeccable credentials that include NJSBA and Foundation President and every other important job you can think of. Todd B. Ruback, Chair of the NJSBA Privacy Law Committee who spoke on data security, ably presented the education component. In response to the last GC Resolution, Susan Feeney, the President, reported that the Governor was well satisfied with the work of the State JPAC Committee and is not amenable to reinstating the counties in the Judicial and Prosecutorial appointment process.

Let the games begin!

Resolution number one was a good way to start. It seeks to have trial-certified attorneys who reach a certain age or have been recertified a certain number of times become exempt from the onerous recertification process. In its support, its proponents argued

that attorneys who have been admitted for fifty years are not required to engage in MCLE. While there was some push back, it passed handily.

The second resolution was a no-brainer. Who is against the full funding of legal services?

The next resolution related to the ongoing tension surrounding the location of the Mid-Year Meeting. Its focus this year is/was (is as I write this, was as you read it) Dublin, Ireland. The proposal was that all meetings be held within three hundred and fifty miles of New Jersey. A friendly amendment for that mileage restriction to be enforced every other year was accepted. The majority felt that, even as amended, this was too rigid a limitation, and voted it down. That action prompted a successful call for an ad hoc committee to study the affordability of the mid-year meeting. This prompted spirited debate. Currently, the choice of location is made by the NJSBA Board on recommendation of the MAPS (Meeting Arrangements and Program) Committee based upon suggestions from the incoming president. So now we want a committee to tell another committee how to do its job. I don't get it!

The final two resolutions, one to eliminate the second GC meeting scheduled to take place at the Annual Meeting in May in Atlantic City, and the other to require that the resolutions be placed first on the agenda, were ruled out of order since they were addressed to the GC Executive Committee and not the Board. However, Linda promised that they would receive a fair hearing at the next meeting of that Committee.

Linda was sorely tested in her efforts to herd all the cats in the room. She emerged, if not triumphant, neither bloodied nor bowed—thereby justifying the confidence of our leadership in bestowing upon her this important position. All in all, it was, as always, a well-spent Friday afternoon. It was an occasion to visit our beautiful headquarters, to receive credit for attending an informative lecture, a chance to mingle with the active members of our State Bar Association, an opportunity to be instrumental in molding our profession, and a primer on participatory democracy all in one place with lunch included. What could be better?



We rely on members to provide announcements for the Legal Briefs section. If you have a new member of the firm, you've moved or you or a member of your firm has received an award or recognition for a professional or community activity, we want to know and share it with fellow bar members. Please email your submissions to [lbp@camdencountybar.org](mailto:lbp@camdencountybar.org).

**Bruce P. Matez**, a shareholder and partner at Borger Jones Matez & Keeley-Cain, P.A., has been appointed to serve on the Board of Directors for The Starting Point, Inc. of NJ, a non-profit education, referral and counseling center providing support to children and adults through a wide array of services including appropriate referrals to counseling and psychotherapy, workshops, forums, Twelve-Step meetings, and weekend programs.

Mr. Matez has focused his practice on family law matters for over 20 years and now devotes a significant portion of his practice to mediation and Collaborative Law.

**Steven J. Fram** and **Mark J. Oberstaedt** of Archer & Greiner P.C. in Haddonfield, were featured speakers for *The Mechanics of New Jersey Civil Procedure*, a full-day seminar presented by the National Business Institute (NBI) on Nov. 18, in Cherry Hill.

Mr. Fram chairs Archer & Greiner's Commercial Litigation Practice Group, and concentrates his practice on the resolution of complex business disputes, including business torts, class actions, intellectual property and technology matters, and shareholder and corporate governance disputes. Mr. Oberstaedt is a senior partner in the Commercial Litigation Practice Group. He concentrates his practice on the resolution of complex business disputes, including business torts, class actions, fraud and ERISA.

Acting as counsel for the organization that presents Peter Nero and the Philly Pops, **Archer & Greiner P.C.** has helped the orchestra attain the financial resources and administrative support it needs for the upcoming 2011-12 season of performances.



# A Truly Deserving Recipient

Following a networking cocktail hour there was laughter and applause as guests and speakers gathered to honor Sr. Judge Maryanne Trump Barry, United States Court of Appeals, Third Circuit at the Bar Foundation's annual Judge John F. Gerry Award Dinner at the Westin Hotel in Mt. Laurel.

The Gerry Award is presented in recognition of continuing outstanding contributions of a member of the Bar of the State of New Jersey or a member of the State or Federal Judiciary in New Jersey who exemplifies the spirit and humanitarianism that marked Judge Gerry's life and career.



Judge Barry, Judge Hayden & Susan Vockert



Judge & Mrs. Brotman



Jean Gerry & Carl Poplar



Judge Rodriguez & CCBA President Lou Lessig



Bar Foundation President Rick DeMichele with Judge & Mrs. Leone



Stanley & Sharon King and Judge Freeman



John Kearney, Jim Hamilton & Jeremy Frey



Judge Simandle, Jim Hamilton & Ed Sheehan

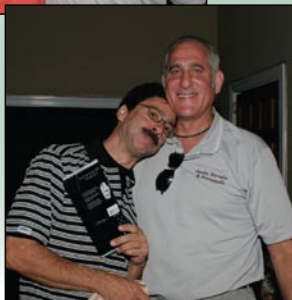
# Picture Perfect Fall Weather Greet Golfers at Annual Autumn Scramble

The weather gods were smiling on the Foundation as golfers arrived for the 19th Annual Autumn Scramble on October 10th at the Links Golf Club in Marlton. Warm and sunny, the field of foursomes took to the course to enjoy a beautiful fall afternoon on the links followed by cocktails, dinner and awards!

Special thanks go out to golf towel sponsors DuBois, Sheehan, Hamilton, Levin & Weissman, LLC and Brown & Connery LLP; Cocktail Hour & Cart Snack sponsor Tate & Tate Court Reporters; Major prize donors Asbell & Eutsler, P.A. and Eisner & Fowler; Sweet treats sponsor Ken Landis Tax Solutions; and all of our other prize and hole sponsors.



Maury Cutler & Al Schwalbe



Scramble co-chairs Mark Oddo & Al Schwalbe worked well together for another success!



First place team: Brenda Lee Eutsler, Greg Eutsler, Jim Herman & Mauricio Saavedra.



Mike Fekete & Mike Ferrara



Now THAT'S a great prize!

## CRIMINAL LAW

## Balancing the "Emergency Aid" Doctrine and the Fourth Amendment

Continued from Page 5

and does not find anything illegal. The officer is certainly not happy with the homeowner so he decides to charge him with Obstructing the Administration of Law under N.J.S.A. 2C:29-1. A very broad, catchall statute which is frequently cited when someone commits what I call "contempt of cop." In this situation, the alleged obstruction is the assertion of a fundamental, constitutional right. Even if the officer believes that he is justified in entering the home, does the homeowner have to consent? Doesn't he have the right to refuse legally? Is the homeowner's behavior criminal? He verbally refused consent, but obviously didn't physically interfere with the "investigation." It seems there are two separate issues; the officers' right to enter, and whether the homeowner is forced by law to consent. My humble opinion is that the person cannot be charged with any violation of law. A good analogy would be the search of a vehicle. If the officer asks for consent to search a vehicle and the consent is refused, and assuming they have another independent lawful basis to conduct the search, the person would not be charged with Obstruction. Why would it be different in the 911-hangup setting? An assertion of a constitutional right should not result in criminal charges.

In any event, as with other exceptions to the warrant requirement, the emergency aid doctrine often conflicts with Fourth Amendment rights. For some reason, it seems that the Court permits broader latitude for the State to justify a search under these circumstances, than other exceptions. These cases seem difficult for Judges. Fundamental rights vs. police caretaking and safety functions.

126 White Horse Pike, Haddon Heights, NJ 08035 • [Kdaesq@comcast.net](mailto:Kdaesq@comcast.net)



### A Star of **ADROPTIONS**<sup>®</sup>

MEDIATION/ARBITRATION/MOCK TRIALS

**Bette E. Uhrmacher** was a Judge of the Superior Court of New Jersey for more than 15 years, serving in all three divisions. Seven of those years were served in the Civil Division where she recently managed the medical malpractice calendar. Judge Uhrmacher has handled a broad spectrum of civil cases as well as handling some probate and general equity matters. For four years, Judge Uhrmacher was Presiding Judge of the Criminal Division.

Prior to joining the bench, Judge Uhrmacher served as the Chief of the Civil Division of the U.S. Attorney's Office for the District of New Jersey. Additionally, she was Attorney-in-Charge of the Trenton U.S. Attorney's Office, and appointed to a Senior Litigation Counsel position. She also served as an Assistant U.S. Attorney for the District of New Jersey.

Throughout her career, Judge Uhrmacher has been active in Teaching and Continuing Legal Education programs. Currently, she serves as Chair, Haydn Proctor Inn of Court, Monmouth County and will be teaching a Trial Advocacy course in the Fall.

Judge Uhrmacher has received consistently high ratings from attorneys appearing before her in each of the New Jersey Law Journal surveys of the Judiciary.

Judge Uhrmacher received a JD from the University of Texas at Austin and a BS from Simmons College, Boston, Massachusetts.

Suite 1100  
Two Commerce Square  
2001 Market Street  
Philadelphia, PA 19103-7044

Phone: 215-564-1775  
800-364-6098  
FAX: 215-564-1822

[adroptions.com](http://adroptions.com)

**ADROPTIONS**<sup>®</sup>  
Settling Cases Since 1993

Please call Mike Carney at (215) 564-1775 to submit your case for Judge Uhrmacher.



They rely on *US*...

...because we offer comprehensive insurance programs at competitive prices.

We have more than 50 years of experience in administering professional liability programs to members of bar associations. USI Affinity's reputation and market position provide leverage to ensure competitively priced, quality product offerings built for your firm's needs.

Find out why USI Affinity is the right choice for your practice.



For a **FREE** quote contact  
Jack Fleming, Esquire  
**201-489-3834**  
[Jack.Fleming@USIAffinity.com](mailto:Jack.Fleming@USIAffinity.com)



© USI Affinity 2011

Liability : Medical : Dental : Vision : Life & Disability



## PERSONAL INJURY

# Court Orders and Structured Settlements



By Thomas D. Begley, Jr., CELA  
www.begleylawgroup.com

A Self-Settled Special Needs Trust can only be established by a parent, grandparent, guardian or a court. Often, there is no parent or grandparent available to establish a trust. In New Jersey, a guardian can only establish a trust if authorized to do so by a court, so it makes little sense for a guardian to establish a trust. If the court is establishing a trust, there are certain provisions that must be contained in the order for the trust to be acceptable to the Social Security Administration and the State Medicaid Agency.

- **Court Order.** In the case of a trust established through the actions of a court, the creation of the trust must be by a court order. Approval of a trust by the court is not sufficient.<sup>1</sup> Additionally, according to the recent Program Operations Manual System (POMS), the trust must be *required* by the court so this language should be in the court order.<sup>2</sup> Actually, approval of the trust by the court is not even appropriate, since approval for eligibility purposes must be made by the Social Security Administration and/or the State Medicaid Agency. A clarification under this POMS is that the court must order that the trust be established rather than simply approving a trust established by an ineligible party. Appropriate language must be inserted in each court order. New Jersey has statutory authority for the court to establish a special needs trust.<sup>3</sup>
- **Established and Required.** The court order must contain language clearly stating that the trust is required and established. This language is required by the Program Operations Manual System of the Social Security Administration.<sup>4</sup> It is not sufficient for the order to say that the trust is approved by the court.<sup>5</sup> A number of issues arise where a self-settled special needs trust is established by a court:
- **Eligibility Determination.** The Trial Court or Probate Court does not make a public benefits eligibility determination. It is good practice to include language in the order to the effect that the establishment of the trust does not make any determination regarding eligibility for any public benefits which the plaintiff may or could be receiving as the court reserves jurisdiction of those issues to any government agencies which provides such benefits.
- **Bond.** In New Jersey, if the beneficiary is a minor, a trustee is required to post bond, unless otherwise ordered by the court.<sup>6</sup> In cases where there is a professional trustee, courts will seldom require a bond, so language should be included in the order that the trustee of the special needs trust shall not be required to post bond. If there is an individual trustee, a court will often require that bond be posted.
- **What Court Establishes the Trust?** The most appropriate court to establish the trust depends on the nature of the underlying action.
  - *Trial Court.* In most personal injury cases the trust is established

by the trial court. If the person with a disability is a minor or mentally incompetent, court supervision of a settlement is required. If the plaintiff is not a minor or incompetent, a trial court may, nevertheless, be willing to establish the trust.

- *Probate Court.* If for some reason a trial court is unwilling to establish a trust, for example in the case where the plaintiff is not a minor or incapacitated person, the probate court has jurisdiction to do so.
- *Statutory Authority.* New Jersey has statutory authority for a court to establish a special needs trust.
- *Federal Court.* A federal court may establish a self-settled special needs trust, if approval of the trust is ancillary to the underlying litigation that was sufficient to invoke the jurisdiction of the federal court.
- **Direct Payment.** Payment of any lump sum or periodic payment must be made directly from the defendant or assignment company to the Special Needs Trust. If payment of the lump sum is made to the personal injury attorney, this would constitute constructive receipt. Receipt of the lump sum would disqualify the plaintiff from public benefits. Receipt of the monies allocated to purchase a structured settlement would cause a loss of the income tax exemption on the income earned by the structure.
- **Structured Settlement.** Where a structured settlement is being paid into the Special Needs Trust, the Attorney General of New Jersey has directed that the structure contain a commutation rider and that the beneficiary on death be the trustee of the Special Needs Trust. This is to insure that New Jersey will receive the payback to which it is entitled.



## CAMPISE REPORTING, INC.

Certified Court Reporters

273 WEST MAIN STREET - MOORESTOWN, NJ 08057

P (856) 234-6646 - F (856) 778-8933

Email: Office@campise.com - [www.campise.com](http://www.campise.com)

*Experience, Professionalism, and a History of Excellence*

## Judge M. Allan Vogelson (Ret.)

### Alternative Dispute Resolution

Mediation • Arbitration • Case Management • Special Master  
Neutral • UM/UIM • Investigations • Hearing Officer  
State and Federal Mediation and Arbitration Qualified



For more information, contact M. Allan Vogelson, P.J.S.C. (Ret.)  
at 856-985-4060 or [avogelson@parkermccay.com](mailto:avogelson@parkermccay.com)

Mount Laurel, NJ Lawrenceville, NJ Atlantic City, NJ

[WWW.PARKERMCCAY.COM](http://WWW.PARKERMCCAY.COM)

<sup>1</sup> POMS SI 01120.203 B 1 f.

<sup>2</sup> POMS SI 1120.203 B 1 f. and POMS SI 1120.203 B 2 f.

<sup>3</sup> N.J.S.A. 3B:1-36.

<sup>4</sup> POMS SI 1120.203 B 1 f and POMS SI 1120.203 B 2 f.

<sup>5</sup> POMS SI 1120.203 B 1 f.

<sup>6</sup> N.J.A.C. 10:71-4.11(i)iv.

## BANKRUPTCY UPDATE

## In Re Gloster



By Ellen M. McDowell  
emcdowell@mratorneys.com

Bankruptcy is an area of law that is constantly evolving in response to economic trends. With the depressed housing market in recent years, many homeowners find themselves with both a first and second mortgage, yet the principal balance of the first mortgage alone is higher than the value of the residence. How to treat the junior lien presents

an interesting conundrum for debtors, creditors, trustees and judges. The complexity of such a question is exacerbated when the debtors in question are in Chapter 13 but have recently received a discharge under Chapter 7 and are thus ineligible for a Chapter 13 discharge (see Section 1328(f) of the Bankruptcy Code). This is the set of facts recently addressed in *In re Gloster*, Docket No. 11-13273.

In *Gloster*, the Debtors filed a Chapter 7 bankruptcy in September 2010, valuing their house at \$182,000 pursuant to a comparative market analysis. The property was encumbered by both a first and second mortgage. The first mortgage was held by Chase in the amount of \$200,200, the second by Bank of America in the amount of \$51,171. The Glosters received a discharge of their debts in the Chapter 7 in December of 2010.

In February 2011, Mrs. Gloster filed a Chapter 13 petition, listing the same amounts owed on each mortgage and valuing the residence based upon the same market analysis at \$182,000. In her subsequent filing, Mrs. Gloster sought to cure the arrears on her first mortgage and

strip off the second mortgage owed to Bank of America; the question became, however, whether she could strip off the second mortgage in light of her ineligibility to receive a discharge due to her recent Chapter 7 discharge. The Chapter 13 trustee objected to the proposed treatment of the second mortgage, despite the fact that Bank of America neither objected nor even filed a proof of claim.

In assessing the merits of the Chapter 13 trustee's objection, the Court began by reviewing the Debtor's certification in justification of her second filing. With extra income due to a promotion at work after receiving her Chapter 7 discharge, Mrs. Gloster now had sufficient income with which to cure her mortgage arrears. The Trustee argued that this subsequent filing was not in good faith because the case was filed only five months after the Chapter 7. The Trustee objected to plan confirmation on the grounds that both filings, colloquially known as a "Chapter 20," would provide Mrs. Gloster with a greater benefit than either filing individually.

The Court began its discussion with a brief overview of the nature of a "Chapter 20" filing. Noting that the ability to strip down a wholly unsecured second mortgage remained unchanged after the 2005 BAPCPA amendments to the Bankruptcy Code, the Court considered the split of authority on this emerging issue. Some courts hold that lien stripping in a subsequent Chapter 13 filing is prohibited as a *de facto* discharge; other courts allow the stripping off of the second mortgage but require the second mortgage to be reinstated if the case is closed without a discharge. A third approach allows lien-stripping because nothing in the Bankruptcy Code specifically precludes it. In *Gloster*, Judge Winfield of the Bankruptcy Court for the District of New Jersey adopted the reasoning of this third approach, holding that while 11 U.S.C.S. § 1325(a)(5)(B)(i)(I) prohibits modification of secured claims until either payment in full or discharge, under prior court precedent a creditor who is wholly unsecured has only an unsecured claim which is not subject to the anti-modification provisions. The Court determined that because Bank of America's second mortgage was wholly unsecured, the anti-modification provisions did not apply and the second mortgage could be stripped-off.

The Court next addressed the question of whether such a strip-off is prohibited as a *de facto* discharge of the second mortgage debt (which is otherwise impermissible under Section 1328(f)). First noting that eligibility for a discharge is not a requirement for filing a Chapter 13, the Court cites the reasoning from a bankruptcy case out of California,

*Continued on Page 17*

### Clients with IRS problems?

Ken, a former IRS Revenue Officer,  
has solved tax problems for 42 years.



90% plus Offer in Compromise settlement  
acceptance rate.

Levy & seizure avoidance, installment agreements,  
tax lien resolution, etc. with IRS, NJ Taxation and  
other taxing authorities.

FREE consultation. (and they remain your client!)

**KEN LANDIS TAX Solutions**

311 West Cuthbert Blvd.  
Haddon Township NJ 08108  
Call 856.858.4722 Fax 856.858.4153  
Office@KenLandisTaxSolutions.com

**856.858.4722**

### A-1 Courier Service



When Tomorrow is To Late

2 Split Rock Drive- Suite 5  
Cherry Hill, NJ 08003  
Phone 856-424-8393  
Pager 856-962-3825

Business to Business  
Legal Messenger  
Subpoena Service  
Medical & Lab

24 Hours 7 Days  
Same Day Service

www.A1SJ.com

**Brian Lane**  
President

## LAW PRACTICE MANAGEMENT

# Six Proven Strategies for Transitioning Clients



By Joel A. Rose

**1. Plan Ahead:** Anticipating the impact of a key partner's departure should begin when the client first comes to the firm. Client transition should be a function of management, firm culture and development opportunity rather than the age of a senior partner. The senior partner and lawyer management should develop a plan for the orderly transition of his or her clients (and networking relationships). It should be agreed upon by the partner and the client, so that all know which partners will be responsible for making it happen.

Ideally, if the client is of sufficient size and financial importance to justify the investment of lawyers' time, there should be at least two partners—a client team—who have a personal relationship with the client's key person or people. Introduce these partners at an early point and do not keep “rotating” faces. If those lawyers are several years apart in age, the continuity will be natural and easier to maintain. When a lawyer retires from the firm, the linkage with someone else will already be in place, and the likelihood of the client leaving will be reduced.

**2. Pay attention to the client's signals and messages:** Client entertainment is not a one-way street. If your client seems to favor one of your lawyers by inviting him or her to the super-box

at the stadium or to a charity gala, then clearly, this lawyer is your relationship manager, or one of them, regardless of what you or your other partners think.

**3. Start the transition before the client realizes you are doing so:** When you know the relationship partner's plans for retirement, begin the transition process at least a year or two in advance, selecting the replacement. The likely new relationship partner should be included in the luncheons, golf outings and other client relation events, as well as in important meetings involving the client's legal work. Observe carefully how the candidate and the client respond to each other. If the personal chemistry is not working, you will need to try a second or third candidate until the right person is identified.

**4. Keep the current relationship partner anxiety-free:** He or she must be your willing ally in the transition process, not a reluctant or resistant foe. To that end, add rather than substitute a relationship partner. Both the existing and the new relationship partners should continue in those roles, even after you believe the new person is securely established. The partner who knows that he or she is training an addition to the role instead of his or her own replacement will be much more cooperative and helpful. Certainly, the original relationship partner sees what is happening (if he or she is so naive that he or she does not see it, he or she would not be in that role), but his or her eventual departure should be (or appear to be) on a mutually acceptable timetable.

**5. Avoid negative consequences for the outgoing partner:** Compensation is an important component affecting the transition process. Do not reduce compensation because the relationship partner spends less time at his or her task. You want him or her to spend less time so that the new person has the opportunity to work at the relationship. In fact, we are proponents of rewarding the responsible partner for making the successful transition happen. Give that partner a goal to transition by a certain date and provide a bonus or other incentive if the transition goes well. Do not take away the perks that the relationship partner truly enjoys. Buy an extra ticket to the ball game or the theater so that the relationship partner does not experience a tangible and possibly embarrassing reduction in his role in the firm.

**6. Select the right replacement partner, based not only on personal qualities, but also on experience in legal practice areas:** The most capable and charming “creditors rights” practitioner may be a poor choice as a relationship partner for your “Silicon Valley” or “entertainment industry” clients. While it is not necessary that the relationship partner also be primarily responsible for the client's legal work, it is essential that the partner do at least some of it and know something in the practice area. The new relationship partner can succeed only if there is some common ground with the client. This is not often true when the first relationship partner, or the originating attorney had such experience.

\* Joel A. Rose is president of Joel A. Rose & Associates, Inc., Management Consultants to Law Firm, based in Cherry Hill, NJ. Mr. Rose may be contacted at [jrose63827@aol.com](mailto:jrose63827@aol.com) or (856) 427-0050.



ANDRES & BERGER  
Award-Winning Certified Civil Trial Attorneys

## Reputation and Results

With over 60 years of experience serving Southern New Jersey, the law firm of Andres & Berger, P.C. is recognized as one of the leading firms whose practice is limited to medical malpractice and personal injury litigation.

Top 100 New Jersey Super Lawyers  
New Jersey Monthly

Preeminent Lawyers (AV rated)  
Martindale-Hubbell

The Best Lawyers in America  
Woodward/White, Inc

Referral of malpractice and personal injury claims involving significant permanent injury or death are invited from members of the bar and referral fees are honored pursuant to Rule 1:39-6(d).

264 Kings Highway East | Haddonfield, NJ 08033  
t. 856.795.1444 | [www.andresberger.com](http://www.andresberger.com)



## VERDICTS IN THE COURT

### Superior Court of New Jersey

VERDICT: Settled (10/5/11)  
Case Type: Auto Negligence  
Judge: F.J. Fernandez-Vina, J.S.C.  
Plaintiff's Atty: Thomas Karpousis, Esq.  
Defendant's Atty: Anthony Castellani, Esq.  
L-0900-09 Jury

VERDICT: Liability Verdict: 100% Liability  
Against Defendant, Dismissed  
Plaintiff Glenda Moore, Damage  
Verdict: \$20,000 Against  
Defendant (10/5/11)  
Case Type: Auto Negligence  
Judge: Deborah Silverman Katz, J.S.C.  
Plaintiff's Atty: Keith Gentes, Esq.  
Defendant's Atty: Robert Kaplan, Esq.  
L-1157-09 Jury

VERDICT: Case Dismissed With  
Prejudice (10/11/11)  
Case Type: Contract  
Judge: John A. Fratto, J.S.C.  
Plaintiff's Atty: David Heim, Esq.  
Defendant's Atty: William MacMillan, Esq.  
L-6173-08 Jury

VERDICT: Damage Verdict: \$0 Against  
Defendant (10/13/11)  
Case Type: Auto Negligence  
Judge: John A. Fratto, J.S.C.  
Plaintiff's Atty: Brian Meehan, Esq.  
Defendant's Atty: William Henifen, IV, Esq.  
L-4722-09 Jury

VERDICT: Settled (10/13/11)  
Case Type: Auto Negligence  
Judge: F. J. Fernandez-Vina, J.S.C.  
Plaintiff's Atty: Scott Goldberg, Esq.  
Defendant's Atty: Diane Magram, Esq.  
L-2418-09 Jury (7)

VERDICT: No Cause, Damage Verdict  
\$0 Against Defendant (10/19/11)  
Case Type: Auto Negligence  
Judge: Kathleen Delaney, J.S.C.  
Plaintiff's Atty: Edward Mulvahill, Esq.  
Defendant's Atty: Tanya Riotto Seybold, Esq.  
L-4652-09 Jury (6)

VERDICT: Damage Verdict: \$300,000 Against  
Defendant (10/20/11)  
Case Type: Condemnation  
Judge: John T. Kelley, J.S.C.  
Plaintiff's Atty: Rudy Rendazzo, Esq.  
Defendant's Atty: Robert Lipschitz, Esq.  
and Blake Davis, Esq.  
L-3264-09 Jury (7)

VERDICT: No Cause (10/20/11)  
Case Type: Personal Injury  
Judge: Louis R. Meloni, J.S.C.  
Plaintiff's Atty: George Symanski, Esq.  
Defendant's Atty: Robert Ayik, Esq.  
and Daniel Distasi, Esq.  
L-2621-09 Jury

VERDICT: No Cause (10/21/11)  
Case Type: Auto Negligence  
Judge: John A. Fratto, J.S.C.  
Plaintiff's Atty: Robert Grossman, Esq.  
Defendant's Atty: Jacqueline V. McDonald, Esq.  
L-5405-08 Jury (8)

VERDICT: Liability Verdict: In Favor of  
Defendant (10/24/11)  
Case Type: General Equity - Contract  
Judge: Mary Eva Colalillo, J.S.C.  
Plaintiff's Atty: Elizabeth Malloy, Esq.  
Defendant's Atty: Kathleen Duble, Pro Se  
C-141-11 Bench

VERDICT: No Cause (10/25/11)  
Case Type: Auto Negligence  
Judge: Kathleen Delaney, J.S.C.  
Plaintiff's Atty: Robert Siegel, Esq.  
Defendant's Atty: Thomas Murphy, Esq.  
L-6056-08 Jury

VERDICT: No Cause Liability Verdict: 60%  
Against Plaintiff, 40% Against  
Defendant (10/26/11)  
Case Type: Auto  
Judge: Stephen M. Holden, J.S.C.  
Plaintiff's Atty: Marc Weinberg, Esq.  
Defendant's Atty: James Law, Esq.  
L-5392-08 Jury

VERDICT: No Cause (10/26/11)  
Case Type: Auto Negligence  
Judge: Robert G. Millenky, J.S.C.  
Plaintiff's Atty: Jeffrey Hank, Esq.  
Defendant's Atty: Jacqueline McDonald, Esq.  
L-4801-09 Jury

VERDICT: No Cause (10/26/11)  
Case Type: Auto (Damages Only)  
Judge: Richard F. Wells, J.S.C.  
Plaintiff's Atty: Marian I. Kelly, Esq.  
and Michael D. Miller, Esq.  
Defendant's Atty: Thomas J. Murray, Jr., Esq.  
L-3317-09 Jury

VERDICT: Settled During Trial (10/27/11)  
Case Type: Contract  
Judge: John T. Kelley, J.S.C.  
Plaintiff's Atty: Walter Wolf, Esq.  
Defendant's Atty: Joseph Bennie, Esq.  
and Trisha Haybert, Esq.  
L-3866-09 Jury

VERDICT: No Cause (10/27/11)  
Case Type: Auto Negligence  
Judge: Robert G. Millenky, J.S.C.  
Plaintiff's Atty: Bruce Wallace, Esq.  
Defendant's Atty: Robert Kaplan, Esq.  
L-4429-09 Jury

VERDICT: Damage Verdict: \$175,000 Against  
Defendant (10/28/11)  
Case Type: Auto Negligence  
Judge: Louis R. Meloni, J.S.C.  
Plaintiff's Atty: Ben Goldstein, Esq.  
Defendant's Atty: Diane Magram, Esq.  
L-1999-09 Jury

### ADRIENNE JARVIS, JD, PHD

#### Welcomes Social Security Referrals

Personalized Caring Service

Bilingual

Complete All Forms  
& Collect All Medicals

For More Information

Call: 856.482.2212

OR

email: afjesq@aol.com

### PAUL SNYDER

Wealth Management Associates, Inc.

INDEPENDENCE • SERVICE • OBJECTIVITY

- Investment advice & management
- Rollover IRAs
- Company retirement plans
- Stocks, bonds, ETFs
- Mutual funds
- Municipal bonds
- Variable annuities
- Alternative investments

Member, Camden County Bar Assoc.

856.235.6821

psnyder@wealthmange.com

Securities offered through Securities America, Inc., mem-  
ber FINRA/SIPC. Paul Snyder, Registered Representative.  
• Wealth Management Associates & Securities are not  
affiliated companies.

## Alternative Dispute Resolution

Approved mediators by the Superior Court of the  
State of New Jersey for the statewide Mediation Program  
for Civil, General Equity, Matrimonial and Probate matters.

## STARK & STARK

ATTORNEYS AT LAW

**Robert L. Newman, Esq.\*** **Jeffrey A. Weiner, Esq.**

\*Named Top Commercial Attorney by SJ Magazine (2010, 2011)

856.874.4443

Stark-Stark.com

401 Route 73 North, Suite 130, Marlton, NJ 08053

# Back in the Day



By Hon. Richard S. Hyland (ret.)  
rhylandatlaw@aol.com

November is the month when the Bar Exam results are released and nearly 5,000 took the exam in 2011 with 75% using laptops for the essay questions. The ratio of males to females was 51% to 49%. When I took the exam in 1960 there were no multiple choice questions and I hoped the examiners could read my handwritten answers.

At that time you found out the results by calling John Gildea, the Clerk of the Supreme Court. Many were serving their clerkships so their preceptor offered to call since Gildea knew them better than a lowly clerk. This was followed up by a terse “pass” or “fail” sent on a skimpy piece of paper. Nowadays, candidates get a number beforehand and can go on line to get the results.

When I got word from my brother and preceptor I was stationed at Fort Dix doing my six months stint on active duty in the U.S. Army. It was about 9 pm and I was in the midst of cleaning my M-1 rifle which was all apart on my cot. I was desperately trying to find that elusive speck of dust in the barrel that my sergeant always found at morning inspection and which could jeopardize my weekend pass. My bunkmate was an 18 year old kid from West Virginia who was asleep by then after perfectly cleaning his weapon which he could do blindfolded behind his back. I envied him for that until he was yanked out of line one day and had nearly every tooth pulled out because he never received any dental care. It was episodes like this that brought me back to reality and more maturity after seven uninterrupted years of academia!

I yelled out loud with the good news and everyone in the barracks came over to congratulate me. Five minutes later the celebration ended and I had to go back to my rifle with all the effort I could muster so I could celebrate that weekend. There were two other future lawyers in the barracks and only one passed. However, in later years we all served as Superior Court Judges at the same time.

It was great passing the first time, but in all my years of practice no prospective client ever asked whether I did or not. There were several prominent judges and lawyers who were not “first-timers.” One guy sat for the fifth time and when he saw the questions on that occasion packed up after 10 minutes, never to try again. However, he later became a very successful builder.

The only time I ever learned of a negative comment about a first time failure was from the legendary Ed Menetti with his mocking wit. He was holding court on Market St. with several lawyers when an attorney who was somewhat of a blowhard approached them. Ed peremptorily waived him away saying “Sorry Joe, this conversation is just for “first-timers.”

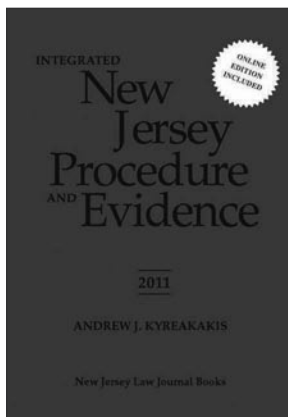
For any comments please contact me at rhylandatlaw@aol.com



## NEW! A practical, comprehensive, and strategic approach to evidence law.

**Including Online Edition!**

You can review *Integrated New Jersey Procedure and Evidence* for 30 days. To reserve your copy at the lowest rate, please call or e-mail Matt Clare (mclare@alm.com) at 973.854.2945 or order online at [www.lawcatalog.com/njevidence](http://www.lawcatalog.com/njevidence)



- 450 Page Annual Paperback
- Includes 2011 Online Edition at No Extra Cost
- Searchable Text and Index
- One-click Access to Related Material Cases, Statutes, and other Authoritative Content

**New Jersey Law Journal**  
An ALM Publication

**2011 Edition, Annual paperback, \$169.95**



GETLEGAL .com

817.358.2103 | 610.757.8411

WEBSITES • SOCIAL MARKETING • APPS • LEGAL DIRECTORIES



Webby Award: 2009 and 2008 for Best Legal Websites



# See how wide our focus is.

The name you trust for judgment searches can also be counted on for nationwide corporate and UCC searches and filing.



Charles Jones® has been one of the most trusted names in judgment searches for almost a century. But did you know that we also focus on corporate and UCC searches and filings? See how clearly the Charles Jones experience, quality and customer service can make even your most complex transaction simple and more cost-effective.

**For more details, call 800-792-8888 or visit [signatureinfo.com](http://signatureinfo.com)**

Home of Charles Jones® & Data Trace™ NJ/PA products and services



SIGNATURE INFORMATION SOLUTIONS®

Charles Jones and Signature Information Solutions are registered trademarks of Signature Information Solutions LLC. Data Trace is a trademark of Data Trace Information Services LLC. ©2010 Signature Information Solutions LLC. All rights reserved.

# Welcome New Members

## October 2011

### Active (10)

#### Matthew A. Baker, Esq.

Wardell, Craig, Annin & Baxter, LLP  
41 Grove Street  
Haddonfield, NJ 08033  
P: 856-795-2220

#### Thomas D. Begley, Jr.

Begley Law Group, P.C.  
509 S. Lenola Road, Bldg. 7  
Moorestown, NJ 08057  
P: 856-235-8501

#### Andrew W. Cole, Esq.

Andrew W. Cole, P.C.  
516 South 44th Street  
Philadelphia, PA 19104  
P: 267-975-8255

#### Anna M. Einspahr, Esq.

Special Counsel  
1601 Market Street, Suite 1810  
Philadelphia, PA 19103  
P: 215-569-0999

#### Amy L. Knapp, Esq.

293 Shell Road  
Carney's Point, NJ 08069  
P: 856-299-9919

#### Ryan Lamb, Esq.

Law Office of Georgette Miller & Assocs.  
335 Evesham Avenue  
Lawnside, NJ 08045  
P: 845-323-1100

#### Milena Mladenovich, Esq.

Contract Attorney at  
Morgan, Lewis & Bockius  
1801 Market Street  
Philadelphia, PA 19103  
P: 302-409-0559

#### Harry F. Schmoll, Esq.

1 Eves Drive  
Marlton, NJ 08053  
P: 856-596-1212

#### Mary Claire Wolf, Esq.

Pappas & Wolf  
423 White Horse Pike  
Haddon Heights, NJ 08035  
P: 856-222-9991

#### Jennifer L. Zegel, Esq.

Reger, Rizzo & Darnall, LLP  
Cira Center, 13th Floor  
2929 Arch Street  
Philadelphia, PA 19104  
P: 215-495-6523

### Law Students (6)

#### Romil Devang Amin

One Market Street, Apt. 462  
Camden, NJ 08102  
P: 732-642-7131

#### Abigail Holmes

43 Country Lane  
Sunderland, MA 01375  
P: 413-695-9423

#### Dejon Del Pino

P.O. Box 622  
Camden, NJ 08101  
P: 609-233-2436

#### Timothy McCarthy

5615 Plymouth Avenue  
Pennsauken, NJ 08109  
P: 856-816-3592

#### Charles Pastor

705 Collings Avenue, #2A  
Collingswood, NJ 08107  
P: 215-917-8513

#### Young Yoon

6093 CMS Way  
215 North 3rd Street  
Camden, NJ 08102  
P: 201-543-1141

## November 2011

### Active (8)

#### Laura K. DeScioli, Esq.

Archer & Greiner, P.C.  
One Centennial Square  
Haddonfield, NJ 08033  
P: 856-795-2121

#### Amelia Mauriello Lolli, Esq.

Connor, Weber & Oberlies  
236 West Route 38, Ste 200  
Moorestown, NJ 08057  
P: 856-780-3800

#### Daniel Long, Esq.

Wade, Long, Wood & Kennedy  
1250 Chews Landing Road, Suite 1  
Laurel Springs, NJ 08021  
P: 856-346-2800

#### Julia Montgomery, Esq.

360 Haddon Avenue, Apt. 1  
Collingswood, NJ 08108

#### Sean Anthony O'Mara, Esq.

Tobolsky Law  
1813 Berlin Road  
Cherry Hill, NJ 08003  
P: 856-428-5700

#### Orlando M. Rivera, Esq.

Rivera Law, LLC  
22 Orchid Lane  
Cherry Hill, NJ 08002  
P: 609-790-9237

#### Stephanie E. Sanderson-Braem

Stradley Ronon Stevens & Young LLP  
200 Lake Drive East, Suite 100  
Cherry Hill, NJ 08002-11741  
P: 856-414-6356

#### Nicole Strauss-Russo

Litchfield Cavo, LLP  
1800 Chapel Avenue, Suite 360  
Cherry Hill, NJ 08002  
P: 856-382-2271

### Law Students (2)

#### Brett Schneider

140 Thurber Street, Apt. 1  
Syracuse, NY 13210  
P: 856-397-0020

#### Robert Slomicz

3 Page Court  
Toms River, NJ 08753  
P: 908-489-6296

## BANKRUPTCY UPDATE

### In Re Gloster

Continued from Page 12

*In re Tran*, which provided that while dismissal of a case reinstates any pre-petition liens avoided in the case, completion of the plan results in the closure of the case as opposed to dismissal. Modification of claims is conditioned upon the completion of the plan, and not upon a discharge, and therefore modification of the unsecured claim arising due to the strip-off is appropriate when the debtors complete their Chapter 13 plan. *Gloster* at 10 (citing *In re Tran*, 431 B.R. 230, 235 (Bankr. N.D.Cal. 2010)).

Finally, Judge Winfield discussed the Debtor's good faith, and how such good faith is a requirement for obtaining the admittedly greater benefits of a "Chapter 20" than either a Chapter 7 or 13 individually. The Court reasoned that debtors who seek the strip-off of a lien in a "Chapter 20" filing should demonstrate good faith by either testimony or affidavit explaining the reasons for the dual filing. The Court discussed several factors that weigh upon a finding of good faith, such as whether the second filing is necessary for anything other than lien avoidance,

whether the Debtor's plan is equitable, whether they are actually devoting their income to the plan and whether they are merely attempting to avoid paying their creditors. Upon reviewing Mrs. Gloster's certification in this case, and in light of her promotion and her new found ability to pay, the Court ultimately found the filing to be in good faith. The fact that part of the reasoning behind the subsequent petition was to avoid the second mortgage does not negate the legitimate intent to cure the Debtor's mortgage arrears. Although the Debtor is obtaining a greater benefit than she otherwise could under either chapter individually, "as long as the Chapter 20 plan meets the good faith analysis there is no reason to deny this benefit to the Debtor or Chase." *Gloster* at 13.

In sum, the ruling in *Gloster* further demonstrates that the Bankruptcy Court is one of equity, seeking the most pragmatic result in the best interest of all involved. Neither the Debtor nor the first mortgagor would be served by refusing to confirm the plan, and inasmuch as Bank of America did not object to its treatment in this case, the Court came to the most even-handed, just result possible in light of the facts of the case.



# CLASSIFIEDS

To schedule your classified or display advertising call Kathy at 856.482.0620, email [kdp@camdencountybar.org](mailto:kdp@camdencountybar.org) or fax copy to 856.482.0637

## PER DIEM & REFERRALS

### POSITION AVAILABLE

South Jersey Plaintiffs' Firm with Phila. office has opening for attorney with minimum 5 years of plaintiffs experience, insurance company BI claims adjusting experience, NJ and PA license. Must have successfully tried cases to completion and be self motivated. Salary commensurate with capabilities, record, and ability to generate clients. Computer/Tech/Social Network oriented. Send resume and salary requirements to [resume@ciecka.com](mailto:resume@ciecka.com).

### CORPORATE BUSINESS ATTORNEY

Stark & Stark, a prominent New Jersey law firm, seeks an associate with 4 years experience for its expanding Corporate and Business Law Department at its office in Marlton. Admission to PA Bar, judicial clerkship experience and portable business a plus. Experience preferred in general Corporate and Commercial transactions, Business, Commercial and General litigation.

Excellent academic record and writing skills required. Ideal candidate should project an image of confidence and business savvy. Please send resume and salary requirements to Stark & Stark, Attention: Bonnie Brenner, Director of Human Resources, P.O. Box 5315, Princeton, NJ 08543 or via e-mail [HR@Stark-Stark.com](mailto:HR@Stark-Stark.com). Qualified minorities, females, veterans and attorneys with disabilities are encouraged to apply. EEO

### ATTENTION ATTORNEYS

Attorney with 18 years experience available for Motion work, legal research, depositions, and court appearances. Call Miles Lessem, Esq. at 856.354.1435

### REFERRALS INVITED

Attorney with 25 years of Appellate experience invites referrals. Available for arbitrations & per-diem work. R. 1:40 Mediator. Richard C. Borton, Esq. [www.bortonlaw.com](http://www.bortonlaw.com) 856.428.5825

### RECEPTIONIST/CONFERENCE ROOMS;

Convenient Mt. Laurel location.  
Email: [rmjteg@netzero.net](mailto:rmjteg@netzero.net)

## OFFICE SPACE

### PRIME OFFICE SPACE, ROUTE 70 CHERRY HILL

800+ sq ft, private offices, secretarial areas together with shared use of conference rooms and reception area. On site parking. 856.424.7800

### CHERRY HILL OFFICE SUITE

Ideal location on Kresson Rd., close to Haddonfield and major highways. 672 square feet consisting of two private offices, secretarial and client waiting area, and supply closet. Conference room available. Partially furnished. Rental \$675.00 per month plus share of taxes and utilities. Lawyers building. Title Company on premises. Off street parking. Call 856.428.9111 and speak to Jim or Nancy.

### VOORHEES - FOR SALE

Professional office building - corner. Excellent Location - Rt. 561 Haddonfield-Berlin Rd. Large private parking lot. Please contact: Jo - 609.504.4667

### FOR RENT HADDON HEIGHTS - KINGS HIGHWAY

Anchor store for commercial use. Approx. 1,200 square ft. plus basement storage. \$1,100/month plus utilities. Please contact: Jo - 609.504.4667

### 5,000 SQ. FT. +/- CLASS "A" OFFICE SPACE - DIVISIBLE - HADDONFIELD

Ground floor (law) office suite situated in distinct and highly visible "CHESTNUT HOUSE" located one block from the PATCO Highspeed Line Station and a 1/2 block from Kings Highway Downtown District. Private parking lot. On-site owner/management with a strong commitment to detail and preserving the integrity of one of Haddonfield's Classics. Contact: Ben Sepielli @ Farrell & Knight Realty, Inc. 856-429-1770.

### SHARED USE - HADDONFIELD

#### 3 - LOCATIONS

Private offices with secretarial space (optional) and EXECUTIVE size corner office (available furnished) in existing law firm suite with shared use of 21 x 14 conference room, reception area with full time receptionist, kitchenette, etc. Situated in multi-tenant professional building. Contact: Ben Sepielli @ Farrell & Knight Realty, Inc. 856-429-1770.

### 600 - 900 SQ. FT. +/- HADDONFIELD

#### CREATIVE RENTAL RATES

Totally refurbished office suites. Conveniently located in downtown Haddonfield blocks from PATCO High-speed Line Station. Set-up time available... Contact: Ben Sepielli @ Farrell & Knight Realty, Inc. 856-429-1770

### OFFICE FOR RENT - HADDON HEIGHTS

White Horse Pike within 1 mi. of Rt. 295. Incl. 1 or 2 attorney offices with adjoining secretarial office and work areas. Use of library (NJ Super, Reports, Digest, Statutes, etc.) Ample parking & storage. Call Jay Levin: 856.547.0900

### CHERRY HILL OFFICE SPACE

Professional office and secretarial space on Kings Highway shared with other attorneys. Includes shared use of conference room, telephone system, voicemail, etc. Available Oct 1. Call 856-667-8868

### OFFICE SPACE FOR LEASE

Voorhees near speedline. Parking and shared use of conference room, reception and kitchen. Call for information @ 856-616-1300

### HOME IN CAPE MAY

One story, 3 BR, 2 B cottage in the desirable east end of town. Cathedral ceiling in LR. Deck with awning and large storage shed in back yard. Central HVAC and lawn sprinkler systems. Most furniture included. New roof and freshly painted exterior in 2010. Call John Jones @ 856-424-3444.

### BANKRUPTCY WIZMUR & FINBERG L.L.P.

"There is life after debt . . .  
Let us help your clients get there!"

*We welcome referrals for consultation and representation in bankruptcy related matters.*

- Chapters 7, 13 & 11
- Discharge/Stay Violations
- Post Discharge Credit Repair
- Mortgage Foreclosure Relief

[www.consumerbankruptcylaw.com](http://www.consumerbankruptcylaw.com)

OFFICES IN

Marlton, Willingboro, Northfield & Vineland

**856.988.9055**

We are a debt relief agency authorized to help people file for bankruptcy relief!

### Sonya M. Mocarski, MS

Board Certified:  
Vocational Expert & Disability Analyst

Vocational Earnings Assessment  
Medical Case Management  
Life Care Planning & Critique

**25 Years Experience**

Diversified Rehabilitation &  
Consulting, Inc.

P.O. Box 787, Atco, NJ 08004  
(Berlin Office)

856-753-1792/ Fax: 856-753-7118

[smmocarskidre@comcast.net](mailto:smmocarskidre@comcast.net)

**Make YOUR association  
work for you!**

**GET INVOLVED IN A  
COMMITTEE.**





Rutgers Camden Law School has a program for law firms that need additional help but cannot hire a full-time clerk.

The Per Diem Program will help match employers with Rutgers Camden Law School students, recent graduates or licensed attorneys who are available for temporary work at the following rates:

\$15.00/hour for students, \$20/hour for recent graduates and \$25/hour for admitted attorneys

Firms may either

\* sign-up to receive the booklet of resumes and pick the student, law graduate or per diem attorney best suited to the project, or

\* request the next available attorney, law graduate or student.

Please complete the form at

<http://camlaw.rutgers.edu/content/diem-law-clerkattorney-program>

to sign up for the program or to obtain more information.

**CONIGLIO FAMILY & SPORTS CHIROPRACTIC**

FREE Telephone Consultation



468-4200 • 1144 Mantua Pike • Mantua

“Best of South Jersey” for over 8 years

Offering Gentle Expert Care • 16 Years Experience

Spinal Whiplash Pain Requires Serious Care



Dr. Barry Coniglio



Accepts Most Insurance



Dr. Scott Aumenta

[www.greatspine.com](http://www.greatspine.com)

**DAVID C. EPLER, ESQUIRE  
HIGH RIDGE MEDIATION CENTER**

856.627.3200

[dceplerlaw@aol.com](mailto:dceplerlaw@aol.com)

**Providing Family Mediation Services**

- Custody/Parenting Time Agreements
- Memoranda of Understanding
- Property Settlement Agreements
- Pre-Nuptial & Cohabitation Agreements

ALSO AVAILABLE TO ACT AS REVIEW ATTORNEY



**“There’s a real family atmosphere at our firm — and at Susquehanna Bank.**

Susquehanna has done everything from helping us finance our children’s college educations to wiring money to family members in far-off places. They’ve been endlessly kind to us.”

Michael P. Madden, Esq. and James J. Madden, Esq.  
Madden & Madden, P.A., Haddonfield, New Jersey



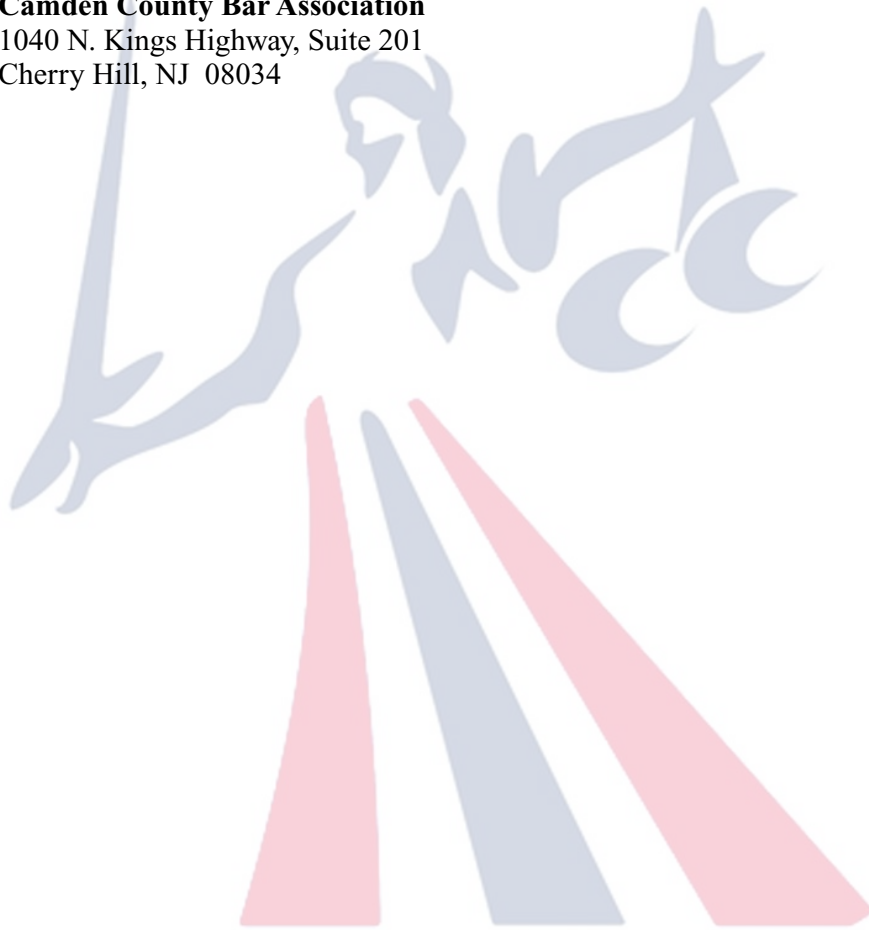
To learn more about how we helped, visit [susquehanna.net/stories](http://susquehanna.net/stories)

Doing what counts.™ | 800.256.5022 | Member FDIC



Susquehanna Bank

**Camden County Bar Association**  
1040 N. Kings Highway, Suite 201  
Cherry Hill, NJ 08034

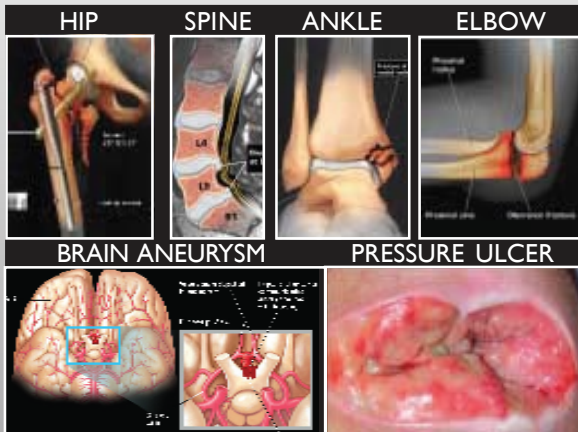


## Law Offices of Andrew A. Ballerini

Accepting Referrals of Serious and Catastrophic Injury Cases Including:

**Nursing Home, Medical Malpractice,  
Product Liability, Truck & Automobile Injuries**

We **RELENTLESSLY** represent our clients using our valuable resources to help prove the significance of **OUR CLIENTS' INJURIES!**



See other exhibits @ [www.ballerinilaw.com](http://www.ballerinilaw.com)



Andrew A. Ballerini

As Certified Civil Trial Attorneys, we have and will pay one third referral fees to those attorneys who give us the opportunity to serve their clients.



Richard J. Talbot

### Recent case results include:

- \$188K Fall, 1/2 Hour After Ice Storm
- \$250K Fall, Knee Dislocation-450 lb. Plaintiff
- \$525K Medical Malpractice
- 250K Fractured Femur-Policy Limit Despite Seatbelt Defense
- \$300K Truck/Motor Vehicle Accident
- \$265K Nursing Home Fall-Fractured Hip
- \$630K Motor Vehicle Accident w/Bus-Fractured Ankle

CERTIFIED BY THE SUPREME COURT OF NJ AS  
CIVIL TRIAL ATTORNEYS  
Members of the Million Dollar Advocate Forum

Harvard Law Building, 1522 Route 38, Cherry Hill  
**856.665.7140**