

BOARD OF DIRECTORS
ROBERT L. FELLOWS
President

LAURA M. CATINA
Vice President

LAURIE A. DORSAINVIL
Treasurer

AIMEE POLLAK
Secretary

DIRECTORS

RICKI H. BERGER
ANDREA F. COMPOSTO
RICHARD A. GLICKEL
KEITH I. BRAUNFOTEL
ROBERT L. PITKOFSKY
HERNAN CACERES
MARC J. ACKERMAN
AMY M. MARA

BRIDGET GAUNTLETT
ALICIA B. CEMBER
LEONARD J. BIRBROWER
NICOLE DIGIACOMO

EXECUTIVE DIRECTOR
NANCY LOW-HOGAN, Ph.D.

Inside this issue:

President's Post

Page 1

Souvenir Journal Ad Form

Page 2

Annual Dinner

Page 3

Judge Walker Retirement

Page 4

November ADR Training

Page 5

Bankruptcy Judgeship

Vacancy

Page 6

RCBA Cares

Page 7

Hispanic Heritage Month

Special Article

Page 8—12

Spotlight

Page 13—14

Commercial Litigation Issues of

Interest

Page 15—16

Technology Tips

Page 17

The Practice Page

Page 18

CLE, Committee Corner and

Classified Ads

Page 19—26

Rachael Candoni—Editor

ROCKLAND COUNTY BAR ASSOCIATION

NEWSBRIEF

www.rocklandbar.org

October 2022

President's Post

Dear Colleagues,

The only thing that is certain is change and there is much change on the horizon as we embrace the Fall. There are fourteen Supreme Court candidates running for office for seven positions in our Ninth Judicial District. We shall see how this changes the configuration of Justices now sitting in our Courthouse.

I speak for many litigators in wishing the Hon. Robert Berliner the very best upon his retirement. He has served Rockland well. He has engendered the respect from the bench and bar alike – an exemplar of fairness and impartiality, with a jurisprudential intellect, well reflected in his decisions combined with the ability to bring parties together and resolve matters. This Justice will be sorely missed. The question to be answered after Election Day is who shall replace him? Ultimately we will see the final Rockland Bench come to light after Election Day and perhaps even thereafter based on needs perceived by our Administrative Judge, the Hon. Anne E. Minihan.

We have a variety of CLE's on an array of topics scheduled. Please consider attending any of the following that might suit your continuing legal education needs and requirements: Letters of Engagement and Written Retainer (October 13) and Utilizing a Trust to Avoid the Pitfalls of Probate (October 25). For those of you interested in serving as mediators in our District, please consider attending the upcoming ADR mediation program which has, to date, been well received. This program runs three days (November 3, 4 and 6) and you will earn 24 CLE credits.

Our Annual Dinner is on the horizon, scheduled for October 20th at the View on the Hudson in Piermont. Our Guest of Honor will be the Honorable Hector D. LaSalle, Presiding Justice in the New York State Supreme Court, Appellate Division, Second Judicial Department. We will also be honoring the following individuals: Hon. William Warren with the Lifetime Achievement Award; Mary Lynn Nicolas-Brewster with the Natalie Couch Award; Amy Mara with the Sterns Award; and we will honor David Goldstein posthumously with the Joseph G. Balsamo Award. The View is a scenic venue overlooking the Hudson. It will be enjoyable to be together in person, masked or unmasked.

We are in the planning stage of putting together a public forum in collaboration with the Rockland County Women's Bar Association on the effects of Dobbs Decision overturning Roe v. Wade. RCBA will have more information about this as our plans become finalized. The RCBA welcomes any suggestions for future CLE programs and for that matter in other areas where the Association might be relevant and helpful to the practice of law and the service of our clients.

We have an active Lawyer Referral Service. So, think of joining in your area of expertise. It is an invaluable way to help build your practice. Also, why not consider joining one of our RCBA Committees? Our newly formed Diversity, Equity and Inclusion Committee is active and engaged. If any of you have suggestions in any area of law, reach out to a Committee Chairperson.

All of us hope that COVID is on the run and that we will be back in the Courthouse with some degree of normalcy, seeing our colleagues and court personnel who have been missed. Come back with gratitude and appreciation. Welcome the tapestry of our new season!

Sincerely,

Robert (Rob) L. Fellows

ROCKLAND COUNTY BAR ASSOCIATION, INC.
337 NORTH MAIN STREET - SUITE 1
NEW CITY, NEW YORK 10956
845-634-2149

2022 ANNUAL DINNER – OCTOBER 20

SOUVENIR JOURNAL

With Guest of Honor:
Presiding Judge Hector D. LaSalle
Supreme Court of the State of New York
Appellate Division, Second Judicial Department

Also honoring:
The Lifetime Achievement Award:
Hon. William P. Warren

The Natalie Couch Award:
Mary Lynn Nicolas-Brewster, Esq.

The Sterns Award:
Amy M. Mara, Esq.

The Joseph G. Balsamo Award:
David I. Goldstein, Esq. (posthumously)

ADVERTISING RATES (Please Check One)

- | | |
|-------------------------------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> OUTSIDE BACK COVER\$1,000.00 | <input type="checkbox"/> FULL PAGE\$350.00 |
| <input type="checkbox"/> INSIDE FRONT OR BACK COVER \$750.00 | <input type="checkbox"/> HALF PAGE\$250.00 |
| <input type="checkbox"/> GOLD PAGE \$500.00 | <input type="checkbox"/> QUARTER PAGE\$150.00 |
| <input type="checkbox"/> BOOSTER (1/8 PAGE) \$100.00 | |

Please insert my advertisement to occupy a page, as indicated above, in the 2022 Souvenir Journal

For the sum of \$ _____
Name _____

Address _____

Please make your check payable to the **ROCKLAND COUNTY BAR FOUNDATION**, or
pay online: www.rocklandbar.org, click on link on our homepage.

DATE OF ANNUAL DINNER: THURSDAY, OCTOBER 20, 2022 – 6pm-10pm
The View on the Hudson, Piermont, NY

Please email your ad to: - rachael@rocklandbar.org – ad deadline October 10, 2022.
Call us with your questions: Rachael Candoni – 845-634-2149
Rockland County Bar Association, 337 N. Main St., Suite 1, New City, NY 10956
Thank you for your support!



1893-2022

Annual Dinner

Thursday, October 20, 2022
6:00 P.M. - The View on the Hudson

Guest of Honor:

Hon. Hector D. LaSalle

Presiding Justice

Supreme Court of the State of New York

Appellate Division

Second Judicial Department

Honoring:

Lifetime Achievement Award Recipient

Hon. William P. Warren

Natalie Couch Award Recipient

Mary Lynn Nicolas-Brewster, Esq.

Sterns Award Recipient

Amy M. Mara, Esq.

Joseph G. Balsamo Award Recipient

David I. Goldstein, Esq. (*posthumously*)

HON. SAM D. WALKER

Retiring



After 34 Years

OF HARD WORK & DEDICATION TO JUSTICE

PLEASE JOIN US AT JUDGE WALKER'S RETIREMENT CELEBRATION

THURSDAY NOVEMBER 10, 2022

MULINO'S LAKE ISLE
660 WHITE PLAINS ROAD EASTCHESTER, NY 10709

6:00pm-10:00pm

\$100 PP - Dinner, Wine, Beer Soda
Cash Bar

RSVP By October 21, 2022

Lhinson@nycourts.gov (914) 824 5427
cash or checks payable to cash

"Save the Date"



The Rockland County Bar Association and The Rockland County Women's Bar Association's Basic Mediation Training

Presented by the 9th Judicial District Access to Justice Committee ADR Subcommittee

When: November 3, 4 & 6, Thursday, Friday & Sunday
Where: Clarkstown Town Hall
Time: 9:00 am – 6:00 pm
RSVP: Click the link below this announcement

The RCBA and RCWBA cordially invite you to join us for a three (3) day Basic Mediation Training Program at the low cost of \$100 to members. Lunch is included. This mediation training course has been approved under Part 146 by the New York State Unified Court System's Office of ADR Programs.¹

Participants who complete this three-day course will not only receive their Basic Mediation Certification, they will also receive 24 hours of Continuing Legal Education by the Rockland County Bar Association.

Take advantage of this opportunity to expand your skills and your practice!

Thank you,

Robert (Rob) L. Fellows,
President RCBA

Siobhan O'Grady,
President RC

¹ Pursuant to 22 NYCRR Part 146.4(b), "Mediators who wish to qualify for appointment to a court roster must have successfully completed at least 40 hours of approved training [including] at least 24 hours of training in basic mediation skills and techniques; and at least 16 hours of additional training in the specific mediation techniques pertaining to the subject area of the types of cases referred to them."

Participation in a course does not guarantee placement on a local court roster. Some Courts may require additional training and experience beyond the enumerated Part 146 requirements. Acceptance on court rosters may depend on a court's need for mediators at any given time and may include a particular court's need for mediators with specific case-type training or experience. Final placement on any court roster is at the discretion of the local Administrative Judge.

- >> Final placement on any court roster is at the discretion of the local Administrative Judge;
- >> Participation in a course does not guarantee placement on a local court roster;
- >> Some courts may require additional training and experience beyond Part 146's requirements; ;
- >> Acceptance on court rosters may depend on a court's need for mediators at any given time and may include a particular court's need for mediators with specific case-type training or experience.

[Click here to register](#)

**UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT
ANNOUNCEMENT FOR BANKRUPTCY JUDGESHIP**

The United States Court of Appeals for the Second Circuit invites applications from qualified candidates for a 14-year appointment as United States Bankruptcy Judge for the Northern District of New York in Albany, New York. The selection process will be confidential and competitive. Applicants will be considered without regard to race, color, religion, sex, national origin, age, sexual orientation, or disability.

The current annual salary of a United States Bankruptcy Judge is \$205,528.

The Second Circuit uses an open and competitive selection process. All applications are screened by a Merit Selection Committee. The Committee will review applicants using the following criteria: legal competence evidenced by experience with complex legal issues; an aptitude for legal scholarship and writing; familiarity with the courts and court processes; commitment to equal justice under the law; characteristics indicative of a sound judicial temperament; a reputation for integrity, good character and ethical behavior; and physical and mental health sufficient to meet the demands and tenure of the position. The Merit Selection Committee will select a limited number of applicants for interview and will conduct appropriate due diligence inquiries into the candidates' backgrounds and qualifications. Upon a majority vote of the Second Circuit Judicial Council, the Council will forward the Merit Selection Committee's Report with any recommendations or comments to the active judges of the Court of Appeals. The selected nominee will be required to satisfy FBI and IRS background investigations prior to appointment.

Basic qualifications for consideration include:

1. Membership in good standing of at least one state bar, the District of Columbia bar, or the Commonwealth of Puerto Rico bar, and never other than membership in good standing of every bar of which the applicant has been a member; and
2. A minimum of five years of legal practice experience.

Application forms are posted on the Court's website at <http://www.ca2.uscourts.gov>.

Completed application packages must be in the format required by the Second Circuit and received no later than October 14, 2022.

RCBA Cares

The following resources are provided to you courtesy of the Lawyer to Lawyer Committee.*

Lawyer Assistance Programs

New York State Bar Association: 1-800-255-0569; lap@nysba.org

New York City Bar Association: 212-302-5787; <https://nysba.org/attorney-well-being/>

Suicide Prevention

National Suicide Prevention Lifeline: 1-800-273-TALK (8255) - National, Toll-Free, 24 Hours

Crisis Text Line: Need help? Text START to 741-741

Chemical Dependency and Self-Help Sites

Alcoholics Anonymous (AA): 212-870-3400; www.aa.org

International Lawyers in A.A. (ILAA): www.ilaa.org

Narcotics Anonymous (NA): 818-773-9999; www.na.org

Nicotine Anonymous (NA): 1-877-TRY-NICA; nicotine-anonymous.org

Mental Health

Depressed Anonymous: depressedanon.com

National Mental Health Association (NMHA) - 1-800-273-TALK (8255) to reach a 24-hour crisis center; Text MHA to 741741 at the Crisis Text Line

Source: Andrew Denney, Bureau Chief of NYLJ and the New York State Association of Criminal Defense Lawyers.

****For more information about the Lawyer to Lawyer Committee, please email Manuela Gomez at manuela@rocklandbar.org***

In celebration of Hispanic Heritage Month (September 15 – October 15), the Committee on Diversity, Equity and Inclusion is pleased to provide an excerpt from Rye Town Justice Jose Castaneda's novel Entre acuarelas y lagrimas, Watercolors and Tears followed by an English translation and Judge Castaneda's biography.



Continued...

La queja común era que su llegada aumentaba la delincuencia, devaluaba las propiedades y afectaba la calidad de vida en general. Olvidaban al parecer que muchos de sus abuelos o bisabuelos llegaron en condiciones similares y con las mismas esperanzas. Según su orden de llegada, fueron también víctimas del rechazo inmigrantes irlandeses, judíos, italianos, asiáticos, puertorriqueños y otros grupos que les siguieron.

Los dos jornaleros llegaron a la parada el sábado temprano. En pocos minutos se detuvo frente a ellos una camioneta que de entrada parecía demasiado limpia para ser un vehículo de trabajo. El hombre del volante traía la cabeza rapada, un tatuaje de calavera y rifles cruzados en el hombro y unas gafas de sol que ocultaban su mirada. Guillermo manejó la transacción con el escaso inglés que había aprendido, y dedujo que se trataba de un trabajo de clavar postes en un sitio cercano. Para un obrero iti-

nerante entrar en contacto con contratistas abría la posibilidad de ganar un jornal, y los dos aceptaron confiados la oferta de trabajo.

Al entrar a la camioneta los recibió un fuerte olor a marihuana y una música estridente que impedía la conversación. Mientras se acomodaban en el asiento trasero, Guillermo le señaló a su amigo el cabo de madera que el pasajero de adelante llevaba a su derecha. Manuel empinó el cuello para advertir el tipo de herramienta: resultó ser un palo amenazante que el hombre sostenía en sus manos. Ante ese detalle perturbador, los dos anunciaron al instante su decisión de bajarse. Sin embargo, sus rostros asustados parecieron llenar de júbilo a los contratistas que, atacados de la risa, chocaron las palmas de sus manos y se alistaron a partir. El conductor clavó el pie en el acelerador, rastrilló las ruedas sobre la gravilla y emprendió viaje, dejando atrás una nube de polvo.

Los jornaleros estaban a la merced de dos desconocidos que los llevaron por una autopista a alta velocidad. Proyectando su voz por encima del bullicio, Guillermo gritó de nuevo que se detuvieran. El acompañante del conductor, un hombre flaco de nariz larga y afilada, pelo enmarañado y un riego de pecas en el rostro, bajó el volumen de la música y empezó a lanzar insultos que alternaba con aullidos. Lo que para ellos parecía burla y juego, para Manuel y su compañero fueron momentos de terror. Manuel tenía el corazón acelerado y la respiración pesada. Una sequedad en la boca lo hacía tragar saliva continuamente.

La camioneta dejó finalmente la autopista. En cuanto disminuyó la velocidad, los inmigrantes se lanzaron hacia las puertas con el fin de salir corriendo. Su plan fue frustrado por el seguro de las manijas que impedía abrirlas desde adentro. La tentativa originó una des-

carga de ira en el conductor y su compinche. Este último sacó de su bota una navaja de cabo dorado y giró la cintura para quedar frente a ellos. La proximidad con el hombre los llevó a confirmar que su pelo apestaba a cannabis y su aliento, a halitosis.

Sin levantar la mirada, con la navaja en la mano y una risilla burlona, el hombre continuó insultándolos mientras les lanzaba pinchazos en sus piernas. Eran punzadas que picaban sin sacar sangre, pero que agudizaron la zozobra de los jornaleros. A medida que el hombre los atacaba, intercalaba palabras sueltas en español destinadas a zaherir. Manuel no creyó que él comprendiera del todo lo que decía, pero lo sorprendió la nitidez con que pronunciaba: «¡Cornudo, chingón, patojo...! —continuó con sus gritos enfurecidos y nuevos insultos propios de reyertas callejeras—: ¡Puto, cabrón cucaracha...!».

En esa lluvia de ultrajes, los ojos de Manuel se encontraron de momento con la mirada del hombre. Confirmó que no era una mirada de burla ni desdén; era una mirada de odio. Odio cruel, intenso, visceral, como nunca lo había visto. «El más injusto de los odios», pensó Manuel, puesto que ni siquiera se conocían, y el hombre no podía tener queja alguna contra él. Lo injusto de esa actitud contrastaba con la certeza en el corazón de Manuel de que, si él hubiera encontrado algún día a ese joven en una situación precaria, en un desierto, en una selva, en medio de un desastre, hubiera corrido a auxiliarlo con toda su humanidad.

El tiempo de recorrido se hizo eterno. Por la mente de Manuel pasaban con urgencia soluciones ilusorias, milagrosas, hasta reconocer en su angustia que en realidad no sabía qué hacer. Los agresores tomaron por una carretera solitaria hasta llegar a un edificio abandonado a un costado de la autopista. La vegeta-

ción densa bloqueaba la vista del tráfico, pero su ruido se escuchaba de lleno. El conductor apagó el motor, caminó alrededor del vehículo y se detuvo frente a la puerta de Manuel. Era un hombre corpulento y musculado, con un gesto permanente de desdén. El pecoso también se apeó, garrote en mano, y después de pasarle la navaja a su cómplice abrió la puerta y les ordenó salir. Manuel estuvo atento a sus movimientos y, en un momento intuitivo, agarró la manija y cerró de un tirón.

En tanto los hombres forcejaban desde afuera, Guillermo se unió a Manuel en su esfuerzo por impedir que abrieran. La puerta cedía por momentos, pero los jornaleros se aferraron a ella en su desespero por resguardarse. En medio del forcejeo, el hombre fortachón regresó a su asiento, activó el contacto con la llave y procedió a bajar los vidrios. Manuel y Guillermo quedaron desprotegidos, sus rostros expuestos a los puñetazos que

Continued...

los asaltantes les descargaban mientras intentaban agarrarlos de la ropa.

En esa guerra declarada, el hombre de las pecas se agachó a recoger piedras para lanzarles, y luego puñados de arena con lo que buscaba enceguecerlos. En medio de la reyerta escucharon el ruido de un camión que se acercaba al lugar. La agresión se detuvo. Mientras el ruido del motor se acrecentaba, las intenciones sobre la puerta se invirtieron: ahora Manuel y Guillermo trataban de abrirla para salir, mientras los atacantes empujaban para cerrarla. De pronto el camión dio un giro inesperado, tomó por una vía alterna y continuó de largo sin acercarse a ellos. Los jornaleros pedían auxilio a gritos desesperados que se perdían en la distancia.

En un breve descuido de los asaltantes, Manuel logró abrir de un empujón, aunque en el esfuerzo terminó de brucear contra el suelo. Mientras trataba de pararse, el hombre del garrote le descargó

implacable varios golpes en las piernas y en la espalda. Sus ojos tenían un brillo de rabia, y las pecas se le acentuaban con el sol. Manuel se cubrió el rostro con las manos en tanto lanzaba alaridos de dolor que en la soledad del lugar parecían gritos de muerte. En medio de su angustia, la imagen del hombre que lo golpeó en el desierto apareció junto a la imagen del presente. Las dos miradas inhumanas le resultaban idénticas.

En un momento de arrojo Guillermo saltó sobre el atacante y le arrebató el garrote. Con él en sus manos logró mantener a raya a los asaltantes mientras ayudaba a Manuel a levantarse. El hombre corpulento, que sin quitarse las gafas ondeaba amenazante la navaja, arremetió contra él con tanta fuerza como furia traía en su rostro. En rápida secuencia le asestó varias puñaladas en los brazos y el costado, dejándolo tendido en el suelo. Consciente del peligro de muerte que acechaba, Manuel sacó

bríos de su mismo espanto para lanzar un grito temerario que por un instante sorprendió a sus agresores. Tomó el garrote de la mano de Guillermo y, agitándolo sin parar, impidió a los hombres acercarse.

Manuel levantó a su amigo por la cintura y, sin dejar de ondear el garrote, lo ayudó a que se alejaron del lugar. Descendieron por una hondonada, penetraron en el rastrojo y, entre la agonía y el dolor, cruzaron una franja de vegetación espesa hasta salir a la autopista. Cuando miraron hacia atrás, confirmaron a lo lejos que los agresores huían en su vehículo. En medio de hondos gemidos, Guillermo colapsó. Manuel, cojeando y con la ropa manchada de sangre, continuó agitando los brazos hasta lograr que vinieran a auxiliarlos.

English Translation:

Early Saturday, Guillermo and Manuel arrived at the designated place day laborers waited to be hired. Within minutes of their arrival a pickup truck, which appeared much too clean to be a working vehicle, pulled up in front of them. The man behind the wheel had a shaved head, a skull and crossed rifles tattoo on his shoulder, and a pair of sunglasses that hid his eyes. Guillermo handled the transaction with the scant English he had learned so far, and deduced that the job the men offered required digging holes on the ground to set up poles at a nearby construction site. For an itinerant laborer, an initial contact with contractors opened the possibility of earning a day's wages, and the two happily accepted the job offer.

As they entered the pickup truck they were greeted by a strong smell of marijuana and music that was too loud to talk over. When they settled in the back seat, Guillermo pointed out to his friend the end of a wood stick that the front passenger carried with him. Manuel craned his neck to see what kind of tool it was, but it turned out to be no more than a menacing club that the man was holding in his hands. The two perturbed men instantly announced their decision to get out of the vehicle. However, their frightened faces seemed to fill the contractors with glee, as they clapped their palms high and prepared to leave. The driver stuck his foot on the gas, raked the wheels over the gravel and drove off, leaving behind a cloud of dust.

The day laborers were now at the mercy of two strangers who drove them at high speeds on a highway. Projecting his voice above the din, Guillermo shouted for them to stop. The front seat passenger, a skinny man with a pointed nose, matted hair, and a dusting of freckles on his face, turned down the volume of the music and began to alternate between hurling insults and howling with joy. What seemed like mockery and frolicking for them, were moments of pure terror for Manuel and his companion. Manuel's heart was racing, his breathing heavy, and the dryness in his mouth made him swallow repeatedly.

Continued...

The vehicle finally left the highway. As soon as it slowed down, the immigrants launched themselves towards the doors intending to escape. However, the child-safety lock prevented them from opening the doors from the inside. Their attempt caused the driver and his companion to explode in anger. The latter pulled a gold-handled knife from his boot and made a slight turn to face them. The man was so close to him that Manuel could smell the marijuana in his hair and the halitosis on his breath.

Without looking up, with the knife in his hand and a mocking cackle in his throat, the front passenger hurled insults at them as he jabbed them in their legs. These stinging punctures drew no blood, but increased the victims' panic. While the man attacked them, he shouted words in Spanish intended to offend and degrade. Manuel did not think the aggressor fully understood the words he was saying, but he was surprised by the clarity with which he pronounced them: "Cornudo, chingón, patojo...!" After momentarily bursting with laughter, he continued with enraged shouts that he most likely heard in street fights: "Puto, cabrón, cucaracha...!"

In the middle of the outrage, Manuel's eyes briefly met the man's gaze. He confirmed that his was not a look of mockery or disdain; it was a look of hatred. Cruel, intense, visceral hatred, the likes of which he had never seen. "The most unjust of hatreds," Manuel thought, since they did not even know each other, and the man could not possibly have any grievance against him. The unfairness of that gratuitous attitude contrasted with the certainty in Manuel's heart that, if he ever found that young man in a precarious situation anywhere, in a desert, in a jungle, amid a disaster, he would certainly have rushed to help him with all his humanity.

The journey took forever. Manuel's mind urgently went through illusory, almost miraculous outcomes, until he recognized in his anguish that he did not know what to do. The assailants followed a lonely road parallel to the highway until they reached an abandoned building. The dense vegetation blocked the view from the traffic, but its noise could still be heard in full. The driver turned off the engine, walked around the vehicle and stopped by Manuel's side. He was a burly, muscular man with a permanent gesture of disdain. His freckled companion also got out, club in hand, and after passing the knife to his accomplice, opened the door and ordered them out. Manuel was attentive to every movement and, in an intuitive moment, grabbed the handle and pulled door shut again.

As the men struggled from outside, Guillermo and Manuel joined efforts to prevent them from opening the door. The door gave way at times, but the laborers clung to it in their desperate struggle for protection. During the struggle, the burly man returned to his seat, activated the ignition, and proceeded to lower the windows. Manuel and Guillermo were suddenly exposed to the punches that the assailants unloaded on them as they tried repeatedly to grab them by their clothes.

In this declared war, the freckled man bent down to pick up stones to throw at them, and then handfuls of sand with which he sought to blind them. In the middle of the brawl, they heard a truck approaching. The aggression stopped for a moment. While the noise of the engine got closer, the intentions towards the door temporarily reversed: now Manuel and Guillermo tried to open it to get out, while the attackers pushed in to keep it closed. Suddenly, the truck made an unexpected turn, took an alternate route, and continued without passing near them. The laborers' desperate cries for help got lost in the distance.

While the assailants were temporarily distracted, Manuel managed to push open the door but ended up face down on the ground. As he tried to stand up, the man with the club delivered several blows to his back and legs. His eyes glinted with rage and his freckles were accentuated by the sun. Manuel covered his face with his hands as he shrieked out in pain which echoed like death cries in this desolate place. In his anguish, the image of the man who struck him in the desert while crossing the border appeared next to his present attacker. The two heartless gazes were identical.

Continued...

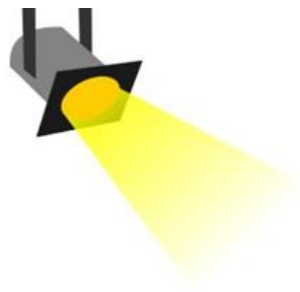
In a daring moment, Guillermo jumped over the attacker and snatched the club from him. Holding it firmly in his hands, he managed to keep the assailants at bay while he helped Manuel stand to his feet. The burly man, his sunglasses still on, kept attacking him with as much force as the fury on his face. In rapid succession, he stabbed Guillermo in the arms and torso several times, leaving him lying on the ground groaning with pain. Aware of the lurking peril of death Manuel drew strength from his own terror to launch a reckless scream that surprised his assailants. He took the club from Guillermo's hand and, waving it without stopping, he managed to keep the assailants at bay.

Manuel lifted his friend by the waist and, still waving his club, helped him move away from the spot. They descended through a ravine, entered an underbrush, and crossed a strip of thick vegetation until they came out on the side of the highway. When they looked back,, they saw from a distance that their aggressors were fleeing in their vehicle. Amid his anguished groans of pain, Guillermo collapsed. Manuel, his clothes stained with blood, continued waving his arms until some drivers stopped to help them.

Jose Orlando Castaneda Biography:

When he finished high school in his native Colombia, Jose Castaneda moved to Danbury, Conn., where he received a BA from Western Connecticut State University. He later received an MA degree from Columbia University, N.Y., and subsequently went to work for the private banking sector in N.Y. Next, he received a J.D. degree from Pace University. Following graduation he opened an office in Port Chester, N.Y., where he is currently a solo practitioner. In 2007 he was appointed to the Bench as Port Chester Village Justice, a position he held until 2021, when he was elected Rye Town Justice.

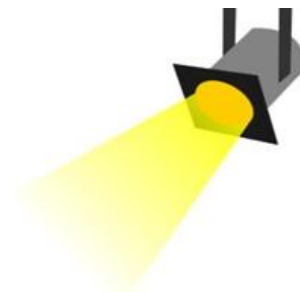
In 2008 he published *The Flower Parade*, a well-received short story that centers on the annual flower festival in Medellin, Colombia, and the travails of a family forced to flee from rural violence. More recently, in 2021, his novel *Entre acuarelas y lagrimas, Watercolors and Tears*, was published in Seville, Spain. It is now being translated into English for publication in New York. *Watercolors and Tears* was a finalist at Seville's 2022 Caligrama Literary Awards, where it received a especial distinction for novelistic style. *Watercolors and Tears* is a vivid and absorbent literary novel that touches on the current issues of immigration and its consequences to family life. The Spanish version is currently available in Amazon.



SPOTLIGHT

On

Hernan Caceres, Esq.



In recognition of Hispanic Heritage Month (September 15th through October 15th), the Committee on Diversity, Equity and Inclusion turns the spotlight on Hernan Caceres, a solo practitioner in New City.

Where did you grow up?

I was born in El Salvador and I arrived to the United States with my mother when I was eleven years old because of political unrest in the very end of the 70s and early 1980s. I grew up in Elmhurst, Queens, the “United Nations” of New York City. Newly arrived, my mom immediately began working several jobs. She worked in simple things that did not require speaking English, like stuffing envelopes or making rope chains of gold by hand. I would always help my mother any time I could. Shortly thereafter, we had saved enough money to bring my sisters to New York by showing to the authorities that my sisters would not be a public charge.

Where did you go to college and law school?

I went to Queens College and Albany Law School. I almost did not go to college. My main focus was primarily helping my family, by always working and earning money. Everything else was secondary. During high school, I went to class with other immigrant kids like me. I always enjoyed collaborating and organizing popular activities or events like school dances and school trips. By the time, I was a high school senior, I was elected School President. My high school, home room teacher, Mr. McDermott saw something in me and encouraged me to apply to college.



I was not sure what I wanted to study at CUNY Queens College but I was interested in space exploration and possibly becoming an astronaut. I was informed that in order to become an astronaut, I could either enroll in the Air Force or become a math major. I decided to take the latter route, however, math was not for me. During college, I had already joined the school senate and became the first Hispanic President of the political science club. Eventually, I switched gears and chose to become a political science major.

During college, I worked as a paralegal for a personal injury law firm. It would only be a matter of time, until the moment, I decided for myself, to apply to law school. This meant, that I would no longer work, and help financially at home. I was afraid of leaving my mother and younger sisters behind, but decided to apply to law schools far from home, so I could focus first and foremost, on graduating law school.

What area of law do you practice and what has been your career path?

I am currently a solo practitioner who represents clients in personal injury actions. My interest for this type of law began, while I was a paralegal in college. Assisting personal injury lawyers, allowed me to come, “face to face,” with the afflictions, anxiety, chaos and economic worries within the Hispanic immigrant community, many members of which are engaged in hard labor or dangerous types of work. Could a parent be deported for claiming what was lawfully her right to bring a claim or lawsuit? Could she be reimbursed for lost wages, while being undocumented? Time and time again, I saw the gaze of a father or mother, more anxious about paying the rent, or putting food on the table, rather than paying attention to their broken leg or personal injury. These fears, these worries and these concerns, were very well known to me, while growing up, as an immigrant.

Continued...

My first attorney job out of law school was also for a personal injury firm. After two and half years, an opportunity arose, to join a personal injury insurance-defense firm in order to receive health benefits because by then, I was married and had a child on the way. About two and half years of doing defense work, I decided to open my own personal injury firm and have been a solo practitioner ever since. My office was first located in Queens and I currently have an office in New City.

How did you get to Rockland County from Queens?

It was fate. A colleague of mine asked me to cover a court appearance in Rockland, Supreme Court. I had never heard of Rockland County, so, I used MapQuest on my Pearl Blackberry for directions. I was very worried while driving to Rockland, because the MapQuest directions instructed me to travel to New Jersey!!! Meanwhile, I was expected in Court first thing in the morning in Rockland NY.

However, it was a very beautiful day and I truly enjoyed the drive up the Palisades Parkway. When I arrived in New City, I was impressed by the open space and greenery. My wife and I had been house hunting and were very close to buying a house in Suffolk County but after the court appearance in Rockland Supreme, we started taking trips to Rockland with more frequency, and fell in love with the parks, pools and hamlets. We changed our plans and bought a house in Rockland.

My office started out in Queens, but the commute interfered with me spending time with my family. I was my children's soccer coach and they also participated in other sports. I moved my office to New City to be closer to my children.

Who is your inspiration/hero?

My children are my inspiration. Currently, my son is enrolled in Cal Tech and my daughter is a freshman at University of Pittsburgh. She will automatically be enrolled in their law school if she maintains a certain GPA and scores high enough on the LSAT. She will then be able to graduate with a college and law degree in six years!

My mom is my hero. My mom is a petite woman, with little education but with the heart of a lion. If it was not for her, I would not be sitting here today and there is no telling what would have happened to me in El Salvador.

What good advice have you received?

As a young attorney starting out, I asked an older attorney in Nassau County for career advice or words of wisdom. To my surprise, he said to me that when you have a family, enjoy them because you only have one chance to do so, but money, you can make it *anytime you choose*.

What is your favorite book/movie?

A TIME TO KILL by John Grisham is one of my favorite books and movies. It touches on family, racism, and political views. It is about a lawyer being the finest, under very stressful circumstances.

What is your guilty pleasure?

Coffee. I must have it first thing in the morning.

Is there anything else we didn't cover that you would like the bar association to know about you?

I couldn't do anything without giving thanks to God and all the angels he placed in my path because if not for them, I wouldn't be here today.

My firm's logo proudly displays a Cross and my website states "A place of justice is a hallowed place." I saw this phrase in a courtroom at Kings Supreme Court and it struck me that as attorneys we also aim in trying to do God's work by serving Justice.

Last, I am very grateful to my wife, my best friend, who has always supported me selflessly. I could not do, what I do, every day, without her.

[October 2022]

COMMERCIAL LITIGATION ISSUES OF INTEREST

Submitted by Joseph Churgin, Esq. and Susan Cooper, Esq.*

Your client worked on a construction project as a subcontractor under a contract that contained an arbitration clause. Your client was not fully paid and filed a mechanic's lien against property. The general contractor commenced an action against your client for tort and breach of contract. You served an answer with discovery demands but did not assert any counterclaims. You then commenced a separate action against the general contractor for breach of contract and to enforce the mechanic's lien. At the same time, you moved to stay your client's separate action and compel arbitration. The general contractor moved to dismiss your separate action, arguing that your client waived his right to arbitration by not raising it in the first action and by affirmatively seeking the benefits of litigation.

Will you win your motion to compel arbitration and stay the action?

The answer is *yes*.

In *Saracino Const. Corp. v. Borough Constr. Group LLC* (Sup. Ct. Suffolk Co. September 6, 2022 – Case No. 600335/22), NYLJ1664193725NY60033522, Saracino entered into a subcontract with Borough for a construction project on school district property in Nassau County. The parties' contract contained an arbitration clause. After a dispute with Borough, Saracino filed a mechanic's lien. There followed a special proceeding regarding the lien, which did not involve the parties' contractual disputes. Borough commenced an action in New York County against Saracino for tort and breach of contract. Saracino answered the complaint without asserting any counterclaims, and served discovery demands.

Less than two months later, Saracino commenced an action against Borough in Nassau County for breach of contract and to enforce the mechanic's lien. Saracino simultaneously moved to stay the action and compel arbitration. Borough then moved to dismiss certain causes of action, arguing that Saracino had waived the contractual right to arbitration by participating in the earlier litigation in New York County without asserting an arbitration claim. Saracino argued that it commenced the action in order to preserve its lien rights and its claims under a payment bond provided by Borough.

Continued...

...Continued

The Court began by noting that New York State favors arbitration to resolve disputes with as little interference as possible by the courts. However, said the Court, “a right to arbitration can be modified, waived or abandoned,” quoting *Sherill v Grayco Builders*, 64 N.Y.2d 261. Citing *Stark v. Molod Spitz De-Santis & Stark*, 9 N.Y.3 59, the Court noted that such a waiver occurs when a party affirmatively seeks the benefits of litigation in a manner that is inconsistent with a later claim of right to settle the dispute by arbitration. However, as held in *Stark*, turning to the courts when there is “an urgent need to preserve the status quo” will not result in a waiver.

Here, observed the Court, the earlier special proceeding pursuant to the Lien Law was limited in scope and did not address the underlying contract dispute. In the action brought by Borough, Saracino answered and served discovery demands in November of 2021, but did not assert any counterclaims. Saracino commenced this action and moved to compel arbitration in January of 2022.

“Under these circumstances,” the Court found no waiver. The Court granted the motion to compel arbitration and stay the action pending arbitration. The motion to dismiss certain causes of action were denied without prejudice to allow Borough to assert any claims or defenses in arbitration.

The lesson? If you represent a contractor with a mechanic’s lien and want to preserve both the statutory right to a lien and a contractual right to arbitration, be careful of how and when you use the courts. Assert your client’s arbitration rights early, without using court proceedings for anything other than asserting your client’s right to arbitrate and to enforce the mechanic’s lien. Otherwise, you risk waiving the right to arbitrate the underlying breach of contract claims.

Editor’s note: In this case, the original breach of contract action by the general contractor against the subcontractor was not venued in the county where the lien property was located. The subcontractor answered without asserting counterclaims. The subcontractor could not move to foreclose the lien in that county, and promptly commenced its own action in the county where the property was located.

*By Joseph Churgin, Esq. and Susan Cooper, Esq. of
SAVAD CHURGIN, LLP, Attorneys at Law

Technology Tips for Attorneys

submitted by

Michael Loewenberg*

We use software programs all the time in our work and, if you're like most of us, you use the same narrow set of functions in each application, not taking advantage of the capabilities that your tools can do for you. There are lots of reasons for working the way we do: we don't know the full breadth of functions available to us; we don't know anyone who can show us how to do new things; we don't know what to ask so Google search results can be confusing and we just don't have the time.

If you don't have a software guru to ask, it's hard to learn new software functions and integrate them into your daily workflow. Online software manuals can be useful but they are generic and it's often difficult to extrapolate and apply the functions to the work at hand.

I've found software-program-specific cheat sheets tremendously helpful when I want to learn more about things the applications can do. I can look over the cheat sheets with tips, tricks and shortcuts so I have an idea about the things the program can do. For example, I've found functions that I've done manually for so long that are easily accomplished with built-in features that I didn't know about.

I want to tell you about two excellent resources you can use to learn more about the programs you use every day. Both share their content at no charge, although they do ask for your email address.

For Microsoft Office products, check out the Quick Reference section on Custom Guide: <https://www.customguide.com/quick-reference>. These Reference pages show all the functions available in the programs, what they do and how to access them. The Guides for Word, for example, are divided into Basic, Intermediate and Advanced sheets and cover most of what you use Word for. There are also Reference Guides for computer basics and other applications like Slack and Zoom.

Another site that you may find useful is Use The Keyboard <https://usethekeyboard.com/>

Knowing keyboard shortcuts for your software (and computer) makes you much more efficient because you don't have to move your hand to the mouse to execute a function.

Use The Keyboard has shortcuts for dozens of programs and websites, for both Mac and Windows. Perusing the shortcuts for programs you use (or want to learn) can help you understand new functions and make you more efficient using the ones you've used all along.

*Michael Loewenberg is the President of MESH Business Solutions, Inc., New City, NY, 10956 and he is also an Affiliate Member of the RCBA.

THE PRACTICE PAGE

CONFIDENTIALITY AGREEMENTS AND CPLR 5003-b

Hon. Mark C. Dillon *

CPLR 5003-b is a relatively new practice statute and deserves some initial focus. It was added to the CPLR in 2018, followed by an amendment rendering its application more expansive in 2019. The statute was enacted in response to a national and statewide focus in 2017 upon the problem of sexual harassment in the workplace, including what became known then as the “Me Too” and “Time’s Up” movements. The state legislature enacted a number of Acts responsive to those issues in 2018, including a mandate that all employers in the state implement a sexual harassment policy, employee training, and clear internal complaint and investigation processes (“NYS Assembly Mem. in Support of Legis.,” Bill Jacket, p. 15, L.2019, ch. 160, sec. 9). CPLR 5003-b was parallel legislation initially focused on the litigation side of sexual harassment claims (L.2018, ch. 57, pt. KK, subpt. D, sec. 2), until it was expanded the following year to apply to all forms of discrimination suits (L.2019, ch. 160, sec. 9).

The statute is one paragraph. In its amended form, it expansively applies to any and all causes of action involving discrimination, whether derived in common law, equity, or “any [other] provision of law.” The phrase “any provision of law” is of course a nod to statutes, but also, to any relevant discrimination-related codes, rules, and regulations. The statute specifically invokes article 15 of the state’s Executive Law, which renders unlawful any discriminatory practice based on race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, or status as a victim of domestic violence (Executive Law 296, 296-a, *see also* 296-b).

Actions and proceedings within the scope of CPLR 5003-b are subject to special provisions regarding the execution of confidentiality agreements between the parties. The procedures for negotiating and executing confidentiality agreements are at the true heart of CPLR 5003-b. Given the nature of discrimination claims, there was legislative concern about the negotiation of confidentiality stipulations for settlement agreements, shielding information about the terms of the settlement from the public. The statute does not prohibit such stipulations which, as a general matter, may serve a useful and mutually-beneficial purpose for the parties. But the statute imposes time-regulated safeguards for plaintiffs in deciding when, and whether, to agree to confidentiality in a way that becomes binding upon them.

In actions or proceedings within the scope of the statute, the defendant employer is prohibited from including within the settlement agreement a condition of confidentiality “unless the condition of confidentiality is the plaintiff’s preference.” Fair enough. Beyond that, the plaintiff is entitled to at least 21 days to consider the issue of confidentiality, which assures that any decision that is ultimately reached on the issue is made freely, knowingly, and upon consultation with counsel and perhaps others. Even after the 21-day wait period is fulfilled and the settlement agreement is executed by all parties with a confidentiality provision included, the plaintiff enjoys an additional seven days, measured from the agreement’s execution, to revoke the agreement. A revocation of the agreement necessarily voids any previously-contemplated stipulation of confidentiality. The final sentence of CPLR 5003-b therefore directs that the parties’ executed settlement agreement is not effective or enforceable until after the seven-day revocation period has expired. The statute has the effect of pacing the true completion and effectiveness of settlement agreements in discrimination cases until a week after their execution, to provide plaintiffs with the benefit of time for consultation, contemplation, and even the changing of minds.

A wide range of discrimination cases are affected by CPLR 5003-b. Defendant employers may continue to negotiate stipulations of confidentiality when they wish, and may typically be willing to pay more money to settle actions in exchange for that confidentiality. But under this relatively new statute, the statutory waiting periods are binding before such actions are fully and finally resolved.

CPLR 5003-b is still new enough that it does not appear to have yet generated any case law. As to that, it may just be a matter of more time.

*Mark C. Dillon is a Justice of the Appellate Division, 2nd Dep’t., an Adjunct Professor of New York Practice at Fordham Law School, and a contributing author of CPLR Practice Commentaries in McKinney’s.

IT'S DUES TIME!

This is a friendly reminder that it is time to pay your 2022-23 RCBA Membership Dues. Annual Dues for 2022-23 for regular Members are \$185.00.

[Renew and pay online](#) or send in the Renewal Form with your check. After October 15, 2022 the dues amount increases to \$200.00!

If you have any questions about your Membership, please contact Rachael Candoni, Program Coordinator, at rachael@rocklandbar.org, or call Rachael at 845-634-2149.

We've all had a tough year.

Introducing...

20% discount

on all ads

in *Newsbrief*.

Book your ad now

and get 20% off through 2023.

Call or email Rachael for ad size and price details:

rachael@rocklandbar.org, or call 845-634-2149

Ad deadline: 1st of each month.



The Law Offices of
Allen A. Kolber, Esq.

134 Route 59
Suffern, NY 10901

Tel: 845-918-1277
email: akolber@kolberlegal.com
www.KolberLegal.com

- Bankruptcy Law and Litigation
- Chapters 7, 13, and Corporate Chapter 11
- Representing Debtors and Creditors

Over 30 Years Experience

**SEND CONGRATULATIONS
AND WARM GREETINGS
TO OUR HONOREES
&
TO PRESIDING JUSTICE
HECTOR D. LASALLE
TAKE AN AD
IN OUR
2022
SOUVENIR
JOURNAL**

[CLICK HERE!](#)



MEMO

TO ALL RCBA COMMITTEE CHAIRS & VICE – CHAIRS

The Association is seeking articles from your committee for publication in the Bar's monthly Newsletter. The membership would greatly benefit from your input and would appreciate it. The article does not have to be complicated or long- a succinct piece of general interest and importance would be best.

If you are able to submit an article for the Newsletter it should be sent via email to rachael@rocklandbar.org by the 15th of the month so that the Executive Board may review it.

Thank you!



CLE CORNER

PLAN YOUR YEAR OF CLEs NOW!

2022 CLE TITLE	DATE & TIME
Medical Malpractice 101: With an Emphasis on Depositions	October 6, 2022 1:00 p.m. to 2:00 p.m.
Letters of Engagement and Written Retainer	October 13, 2022 12:30 p.m. to 1:30 p.m.
Utilizing a Trust to Avoid the Pitfalls of Probate	October 25, 2022 11:30 a.m. to 12:30 p.m.

NEW CLE REQUIREMENT

In addition to ethics and professionalism, skills, law practice management, and areas of professional practice, a new category was added for diversity, inclusion and elimination of bias courses. This category of credit is effective January 1, 2018.

Experienced attorneys due to re-register on or after July 1, 2018 must complete at least one credit hour in the Diversity, Inclusion and Elimination of Bias CLE category of credit as part of their biennial CLE requirement. The transitional CLE requirement for newly admitted attorneys remains unchanged. For more information about the CLE Rules, visit nycourts.gov/Attorneys/CLE.

CLE REQUIREMENTS

Newly admitted attorneys must complete 32 credit hours of accredited “transitional” education within the first two years of admission to the Bar. Sixteen (16) credit hours must be completed in each of the first two years of admission to the Bar as follows: 3 hours of Ethics and Professionalism; 6 hours of Skills; 7 hours of Practice Management and/or areas of Professional Practice.

Experienced Attorneys must complete 24 credit hours of CLE during each biennial reporting cycle: 4 credit hours must be in Ethics and Professionalism. The other credit hours may be a combination of the following categories: Ethics and Professionalism, Skills, Practice Management or Professional Practice.

FINANCIAL HARDSHIP POLICY:

RCBA members and non-members may apply for tuition assistance to attend Association continuing legal education programs based on financial hardship. Any member or non-member of our Association who has a genuine financial hardship may apply in writing, no later than five working days prior to the program, explaining the basis of his/her hardship, and, if approved, may receive tuition assistance, depending on the circumstances.

COMMITTEE CORNER

Your Committee Chair will contact you regarding any upcoming remote meetings.

20% "Covid Discount" on All Ads—Still in Effect

NEWSBRIEF ADVERTISING RATES

FULL PAGE (7.5x10.25)	\$400.00
1/2 PAGE (7.5x5):	\$250.00
1/4 PAGE (3.75x5):	\$200.00
1/8 PAGE (3.75x2.5):	\$125.00
BUSINESS CARD:	\$75.00

Classified Ad: RCBA Members – free, up to 50 words; over 50 words, cost is \$75.00.

Non-Members, cost is \$50 for up to 50 words; up to 100 words, cost is \$75.

Regular Discounts: 10% for 6 mo. bookings, 20% for 1 year bookings

PLEASE NOTE:

NEWSBRIEF IS NOT PUBLISHED IN JULY

CALL RACHAEL @ 845-634-2149

TO ADVERTISE IN NEWSBRIEF

Advertising & articles appearing in the RCBA Newsletter does not presume endorsement of products, services & views of the Rockland County Bar Association.

All advertisements and articles must be reviewed by the Executive Committee for content.



ANNOUNCEMENT FROM THE RCBA REAL ESTATE COMMITTEE

Please be advised, that after many months of work and coordination between the RCBA, the Real Estate Committee, its Co-Chairs and Members; we are pleased to announce that the RCBA Real Estate Committee has created, voted-on and Approved an updated Real Estate Contract for the first time in Decades!

Co-Chairs Jeff Yanowitz and David Ascher took notes and comments from the Real Estate Committee members over many months to provide this updated Contract to the entire RCBA! We look forward to utilizing this Contract throughout Rockland County and providing a more modern and stream-lined approach to Real Estate Transactions for us all.

Please find two updated contracts (single family home and condominium) on our RCBA website at www.rocklandbar.org. Scroll down to the bottom of the homepage and find links under "Helpful Links."

Bank Statement:

I'll bring
ORDER
to your law
BUSINESS.

ORANGE
Bank&Trust
COMPANY



Where the brightest bankers live.



Trusts, securities, and insurance products are not FDIC insured or insured by any Federal Government entity. Not bank guaranteed. Not a deposit. May lose value. *Investment management services provided by our affiliate, Hudson Valley Investment Advisors, Inc., a wholly-owned subsidiary of Orange County Bancorp, Inc.



Banking built for lawyers



**You went to law school to be a lawyer,
not an accountant.**

Take advantage of Nota - a no-cost IOLTA management tool that helps solo and small law firms track client funds down to the penny.¹ **Enjoy peace of mind with one-click reconciliation, automated transaction alerts, and real-time bank data.**



Visit

trustnota.com/rockland

to learn how Nota can help.

Andrew Atkinson

Nota | Account Executive



 (716) 861-3816

 andrew@trustnota.com

[1] M&T Bank's standard deposit account and service fees may apply.

Banking services powered by M&T Bank, Member FDIC.

Nota is a product offered by M&T Bank. It is available to attorneys whose offices are located in and who are practicing law in NY, NJ, MD, PA, DE, CT, VA, DC, FL, and WV and to whom the rules and regulations for IOLTA accounts are applicable. The advertised product and its features and availability are subject to change at any time and without notice. Use of the product is subject to and governed by certain terms, conditions, and agreements required by M&T Bank.

Use of the product will be subject to and governed by certain terms, conditions, and agreements required by M&T Bank.

© 2021 M&T Bank. All Rights Reserved.

**OFFICE FURNITURE FOR SALE**

Gently used office furniture for sale.
Everything must go in the next month or two!
Some of furniture includes a desk, credenza,
waiting room chairs, etc.
Please contact Jay Konigsberg at 845-634-0971
for more information!

**PART-TIME PARALEGAL**

Looking for a part time paralegal or legal secretary with
computer skills for estate work- flexible hours. Please
email Tom O'Connell at 7294460@gmail.com

**OFFICE SPACE FOR RENT**

New City- four offices and one secretarial area availa-
ble within a law office. Includes conference room,
waiting room, large parking lot, room with or without
furniture. E-mail: sherry@davisanddavis.com

**APPELLATE DIVISION, SECOND JUDICIAL DEPT.
SEEKING ATTORNEYS**

Announcement No. 52254 & 52119

The Appellate Division is recruiting for positions in the Appellate
Court Attorney Series. Positions seeking to be filled:

- Assistant Appellate Court Attorney
- Appellate Court Attorney
- Senior Appellate Court Attorney
- Principal Appellate Court Attorney

Positions located in Brooklyn, NY

Application available at www.nycourts.gov/careers/UCS5.pdf

Resume can be sent to AD2-HR@nycourts.gov

**OFFICE SPACE FOR RENT**

Beautiful, spacious and modern office available for imme-
diate occupancy. Located at One Blue Hill Plaza, Pearl
River. If interested, call: (845) 356-4600

**ATTORNEYS SEEKING PARALEGALS**

Rockland Community College ABA approved Paralegal program
can assist attorneys with filling their open job positions for both
part and full time employment opportunities. We have students
that range from entry level to experienced Paralegals. Paralegals
are not permitted to practice law, which means they cannot give
legal advice, represent clients in court, set a legal fee or accept a
case. All RCC students are trained to work virtually and profi-
cient in virtual computer programs. Contact Amy Hurwitz-
Placement Coordinator at (845) 574-4418 or email at
ahurwitz@sunyrockland.edu



OUR RCBA 2022-23 MAJOR SPONSOR

M&T Bank

Understanding what's important®

GOLD SPONSOR

Thank You
to our Sponsors!