



Richard L. Weber

Member

rweber@bsk.com
One Lincoln Center
110 West Fayette Street
Syracuse, NY 13202-1355
(315) 218-8375
(315) 218-8100 fax

Profile

Rick resolves toxic situations, whether they be interpersonal or environmental. Trust and estate conflicts, rocky transitions in family businesses, injuries from exposure to toxic chemicals, breaches of contractual relationships, creditor's rights and construction law are all interpersonal situations that Rick guides clients through on a regular basis.

As a co-chair of the firm's toxic tort and environmental litigation practice, Rick represents clients facing potential liability for discharges or releases of toxic substances, such as discharges of petroleum products and exposure to industrial chemicals, and for the failure to abate or remediate such substances. By guiding his clients expediently through their options to determine how they can resolve an issue before trial, Rick reduces stress and facilitates timely resolution reduces costs.

A trial attorney, Rick regularly addresses toxic relationships in areas such as commercial disputes, will contests, estate accountings, libel law and premises liability (including defense of lead paint exposure and Labor Law § 240 "Scaffold Law" claims.) Rick has extensive experience in securing pre- and post-judgment remedies for clients, including temporary restraining orders, specific enforcement of contract remedies (including non-compete and non-solicitation clauses) and disclosure of judgment debtor assets.

Representative Matters

- represented residential landlords in multiple lead-paint exposure cases, including securing dismissal of claims by motion for summary judgment
- secured a temporary restraining order and other relief related to the dissolution of a business partnership
- secured a guardian for an incapacitated elderly woman pursuant to Article 81 of the Mental Hygiene Law
- represented office supply wholesaler in action against software developer for defective software development and installation
- settled multiple actions related to trust and estate accountings
- defended a manufacturer of commercial kitchen equipment in a product liability lawsuit
- foreclosed on a commercial shopping center, with appointment of a receiver to manage the property during pendency of the action

Education

- College of William and Mary School of Law (J.D. 1999)
- State University of New York at Buffalo (B.A., *magna cum laude*, 1994)

Bar/Court Admissions

- New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Western District of New York

Practices

- Higher Education
- Toxic Tort and Environmental Litigation
- Litigation
- Environmental and Energy
- Business Restructuring, Creditors' Rights and Bankruptcy

- enforced a restrictive covenant with preliminary injunction, to bar competition by a disloyal former employee
- defended a scaffold law claim related to the collapse of an incomplete building addition

Honors & Affiliations

- Listed in:
 - *New York Super Lawyers 2018*[®], Environmental Litigation
- New York State Bar Association, Torts, Insurance and Compensation Law Section, Chair, Toxic Tort Committee
- Onondaga County Bar Association
- Onondaga County Bar Foundation, Past President
- Mediator, ADR Mandatory Mediation Program, Northern District of New York
- Articles Editor, 1998-1999, *William and Mary Law Review*

Representative Presentations

- Going Beyond Lead: Lessons Learned from Lead Litigation and Trending Substances, HB Litigation Conferences, 2015 National Lead Litigation Conference 2015, November 6, 2015
- Libel: Say it Safely, New York Press Association Convention, 2012, 2013
- Advanced Insurance Coverage: Exclusions in Personal Lines Insurance, New York State Bar Association Continuing Legal Education Program, 2012
- Estate Litigation, New York State Bar Association Continuing Legal Education Program, 2011
- Basic Tort and Insurance Law Practice: Automobile Insurance Sources of Coverage, New York State Bar Association Continuing Legal Education Program, 2008, 2010
- Defamation, Disparagement and Language: Avoiding Libel Issues, New York Press Association Convention, 2010
- Collections and the Enforcement of Money Judgments: The Negotiated Settlement, New York State Bar Association Continuing Legal Education Program, 2005, 2007

Representative Publications

- Richard L. Weber and Thomas R. Smith, "Regulatory Corner," *NYS Chemistry Council Newsletter*, March 2017
- "No Greater Rights: The Limits of Pro Se Litigation in New York Courts," *NYSBA Journal*, July/August 2007, at 10
- "Stipulators Beware: The Perils of CPLR 2104," *NYSBA Perspective*, Fall/Winter 2006, at 14
- "State v. Speonk Fuel: The Untold Story Behind the Court of Appeals Decision," *The New York Environmental Lawyer*, Spring/Summer 2005, Vol. 25 No. 2, pgs. 16-20
- "Playground Personal Injury Law - A Primer," *NYSBA Perspective*, Spring/Summer 2004, at 12

- "Riding on a Diamond in the Sky: The DBS Set Aside Provisions of the 1992 Cable Act," 40 *Wm & Mary L. Rev.* 1795, 1999

Other Activities

- Former member, Board of Directors, Skaneateles Ski Hill, 2012-2016