



## Richard L. Weber

### Member

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## Profile

### Honors & Affiliations

- Listed in:
  - *The Best Lawyers in America*®, Commercial Litigation, 2025, 2026
  - *New York Super Lawyers*®
    - Business Litigation, 2022
    - Environmental, 2020
- 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
- Oswego County Bar Association
- Board Member, Operation Oswego County
- Articles Editor, 1998-1999, *William and Mary Law Review*

### Representative Matters

- Representing a college beneficiary to a trust, argued that due to the prior closure of a Catholic school that was also named as a trust beneficiary, the share designated for the defunct school must pass instead to the other designated beneficiaries under application of New York's anti-lapse statute. *Matter of Gurney*, 152 AD3d 1122 (3d Dept. 2017).
- Successfully defended client who had no actual or constructive notice of hazardous lead paint conditions at his rental property. Summary judgment awarded to client and affirmed on appeal. *Kimball v. Normandeau*, 132 AD3d 1340 (4th Dept. 2015).
- Represented client in a partition action where the ownership shares of the parties in the underlying real property derived from a Will – the case concerned allegations of ouster, adverse possession and liability to cotenants for rent. The court found that client was not liable for rent to cotenants. *Cooney, et al v. Shepard*, 18 AD3d 1376 (4th Dept. 2014).
- Partial summary judgment was granted on client's Objections to interim accounting of the Estate fiduciary; the decision was modified and reversed in

### 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
- Essential Resources for Business
- Cybersecurity and Data Privacy

part on appeal. *Matter of Carano*, 96 AD3d 1556 (4th Dept. 2012).

- 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.
- 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.

## Representative Presentations

- Libel Law, New York Press Association Annual Conference, March 31, 2023
- Environmental Contaminants: 'Forever' Chemicals and the Law, Nature Science Seminar Series, Le Moyne College, March 24, 2023
- Cybersecurity + Law Practice Management, Oswego County Bar Association, January 13, 2023
- What's New in New York Civil Practice – CPLR and Uniform Rules Update, Oswego County Bar Association Annual Meeting CLE, June 30, 2022
- An Interview with Richard Weber, Litigation and the VagaBONDS, Legally Bond Podcast, November 1, 2021
- COVID-19: Updates on Labor and Employment & Product Liability Considerations, MACNY, April 28, 2020
- 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, "The Child Victim's Act: What It Means for Your Business," *Oswego County Business News*, February 2020
- 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

- President, Board of Directors, Baltimore Woods Nature Center (Marcellus, NY)
- Board Member, Redhouse Arts Center (Syracuse, NY)
- Board Member, Operation Oswego County (Economic Development not-for-profit corporation, Oswego, NY)