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20

ANNUAL  
REPORT



**BOND**

Essential to Your Business



# A Vital Link Message from the Chairman



**Kevin M. Bernstein**  
Chairman  
*Management  
Committee*

2020 was a year like no other, consumed so quickly by a worldwide crisis that exposed virtually every aspect of our lives to the COVID-19 pandemic. Like most businesses, our clients experienced unprecedented upheaval.

Our clients relied on us to help them survive this emergency, manage their workforce when longtime rules no longer applied and know where to turn for economic relief as it became available. And we were with them every step of the way.

Early on, our clients were in need of timely advice so in March we established a COVID-19 webinar series that, at its peak, drew more than 1,200 attendees a week. The series continues, still drawing 700-plus weekly attendees. We also established our COVID-19 Essential Resources for Business practice with attorneys from across the firm and from nearly all of our practices to cover all the areas affected by the pandemic.

In May we launched industry-specific webinars to assist secondary and higher education institutions, long-term and healthcare facilities, the hospitality industry and other clients manage their operations during the pandemic. We helped clients understand the Coronavirus Aid, Relief and Economic Security (CARES) Act; apply for Paycheck Protection Program (PPP) loans and comply with the regulations surrounding

loan forgiveness, employee retention, reopening guidelines (and the rapidly changing phases and restrictions in doing so); manage remote work arrangements and more.

We counseled higher education institutions as they confronted issues they never faced before. We helped small businesses, who were hugely impacted, find ways to continue operating. In New York, our government relations practice monitored news coming out of Albany on a daily—often hourly—basis and informed our clients how developments, often in the form of executive orders, affected our clients.

Our attorneys also participated in webinars hosted by other entities, including industry associations, chambers of commerce and bar associations. When New York began to reopen for business, we held regional webinars across the state to guide our clients through reopening safely and in compliance with guidance in their county. Starting in July we issued weekly updates on travel restrictions in and out of New York State. In all, we held hundreds of webinars and issued

## 2020 Management Committee



**Kevin M. Bernstein**



**Jennifer M. Boll**



**John H. Callahan**



**Thomas G. Eron**



**Richard J. Evrard**



**Peter A. Jones**



**Edward C. Radin**



**David Otte**  
Chief Operating Officer

even more information memos to help clients and friends of the firm navigate the often-murky waters of this unique new world in which we were living.

In short, we became a link that brought our clients together with the knowledge and resources they needed to stay operational.

Like you, we were thrown abruptly into this changing landscape, learning to work from home with new technologies and in virtual meetings, making terms like “Zoom” or “Teams” part of our daily lexicon, all while juggling makeshift offices at dining room tables, homeschooling our children, learning how to manage the grocery store and dealing with new social isolation that we had never experienced before.

I am proud of how our attorneys responded to help our clients at every turn. I am equally proud of our support personnel who stepped up to make sure we were fully operational remotely; how quickly we assembled and disseminated timely

information to our clients; and how all of our administrative departments continued to work diligently and seamlessly so that we met our clients’ needs.

We know we continue to face adversity and are still in the midst of this, even as we see the roll out of the three vaccines now available. But at the same time we are confident we have come through the worst and in many ways are stronger for it.

We will continue to be here for you, supporting you as we emerge into a newer world, smarter and more efficient than ever. For those of you who have experienced personal loss, we extend our sympathies and to all of our clients we are grateful for your continued loyalty.

# Strategic Planting of Seeds for the Future

Even as Bond prepared for business renewal and the post-COVID recovery, it never stopped planning for the future. Following the words of Walter Gretzky, Wayne's father, Bond has always tried to "skate to where the puck is going, not where it has been."

As a result, the firm reached out and secured a growth opportunity that will strengthen its nationally recognized labor and employment practice, as well as extend other strong practice areas into its downstate offices, and open a new office in the tri-state area.

Lou DiLorenzo, founding member of the firm's New York City and Garden City offices, reached out to the managing partner of the law firm of Putney, Twombly, Hall & Hirson, Dan Murphy, to renew discussions on a possible combination. Dan has been a friend, colleague and competitor to Lou and Bond for decades. Both the friendship and the friendly competition between the two became more pronounced when Bond opened offices downstate some 18 years ago. This time, when Bond knocked on their door, Dan and Putney answered and, as a result of several months of discussions, the firms decided to combine effective April 1, 2021. This combination, according to industry experts and those involved, seemed to check all the boxes and is much more than just a strategic combination of two nationally recognized and longstanding labor and employment law practices.

Putney is a 155-year-old New York City firm that will be bringing its strong trust and estate, corporate and litigation practices to Bond. Many of their clients are in industry groups that complement Bond's areas of concentration including education, health care, construction, nonprofits and manufacturing. Putney's practices will extend existing Bond practices to New York City and Long Island. According to Kevin Bernstein, Bond's managing member, this was a natural next step for Bond downstate. Putney clients will gain access to the numerous practice areas offered by Bond, such as employee benefits, immigration, OSHA, cybersecurity, intellectual property and creditors' rights work, to name a few.

The Putney attorneys and several support staff will primarily join Bond in its midtown office, with a few attorneys and staff joining Bond in its Garden City office. Several attorneys from both firms admitted in New Jersey will also be spending time in that office. The New York City office of Bond and Putney will be co-managed by Dan Murphy, Monica Barrett (former General Counsel of Rutgers) and Lou DiLorenzo.





**Mary Ellen Donnelly**  
Member



**Charles J. Grope**  
Of Counsel



**Christopher M. Houlihan**  
Of Counsel



**Andrea Hyde**  
Of Counsel



**Rebecca K. Kimura**  
Senior Counsel



**Barbara M. Maisto**  
Senior Counsel



**Thomas A. Martin**  
Of Counsel



**James E. McGrath, III**  
Member



**Daniel F. Murphy**  
Member



**William M. Pollak**  
Of Counsel



**Nicole E. Price**  
Associate



**Geoffrey H. Ward**  
Member



**Michael D. Yim**  
Member



**Sarah Zucco**  
Associate



# Protecting Trade Secrets

Bond represented an international manufacturer and distributor of industrial machinery in trade secret litigation. The company terminated its CEO, who, soon after, took a position with a direct competitor.

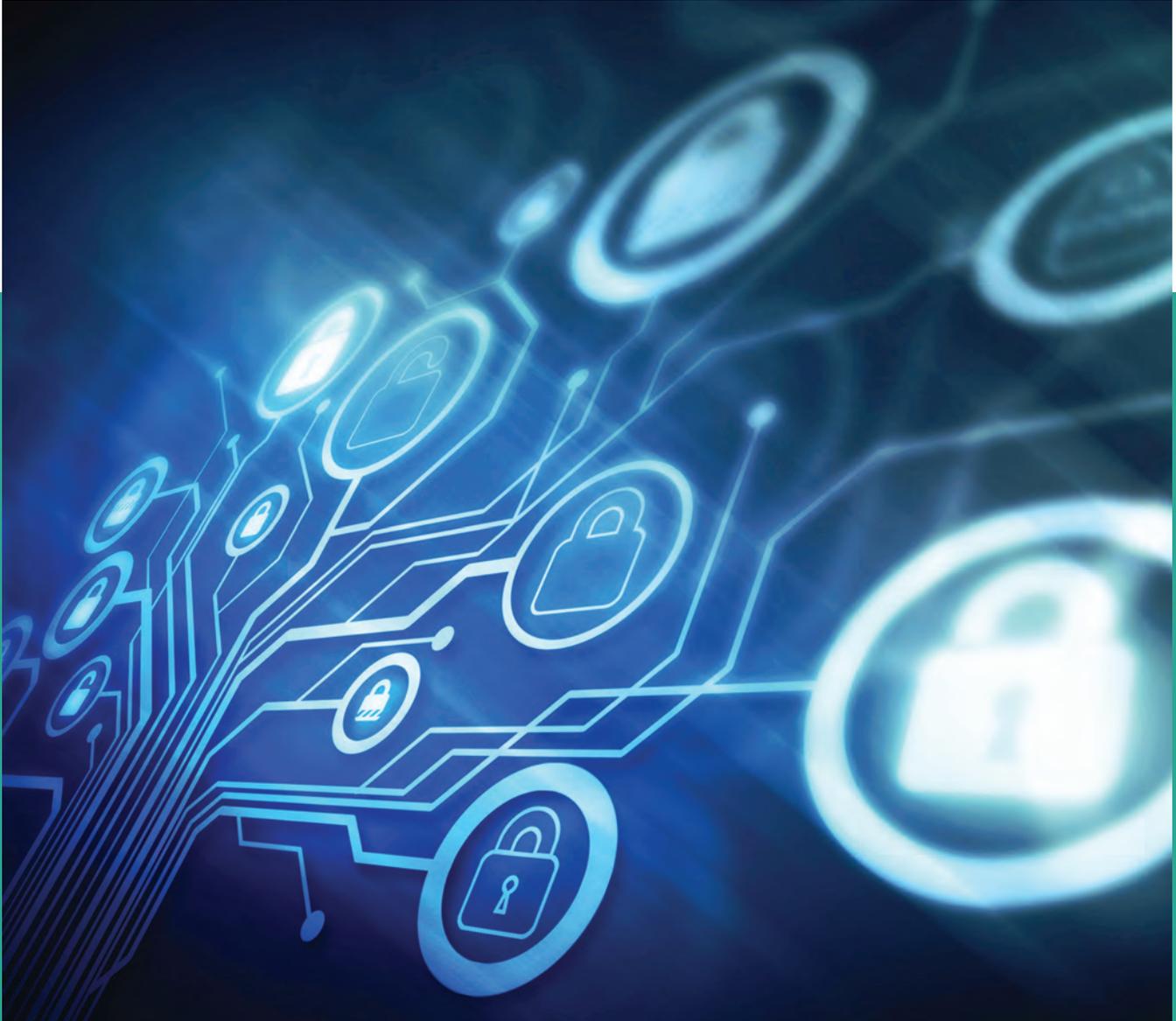
Bond's client alleged that this former CEO immediately began to solicit certain former colleagues, including a second defendant in the suit. It was further alleged that when the second defendant resigned from the company, he not only sent his new employer emails containing confidential project information for the purpose of soliciting that business for his new employer, but also backed up his entire email account to an external hard drive, which included myriad confidential information of the client, along with his contacts.

After conducting a forensic examination of numerous devices, Bond discovered evidence for all of the above, and immediately brought suit in federal district court, Eastern District of Pennsylvania, asserting causes of action for misappropriation of trade secrets, unfair competition and breach of fiduciary duty, among others, and moved for both a

temporary restraining order (TRO) and preliminary injunction (PI). The court granted Bond's application for a TRO in full, followed by a PI barring the defendants from using or disclosing broad categories of information. The existence of the TRO and PI provided significant leverage in the case, ultimately resulting in a very favorable resolution for the client.

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Bradley A. Hoppe, Riane F. Lafferty, Mitchell J. Banas and Randall M. Odza handled this matter.



**“ The existence of the TRO and PI provided significant leverage in the case, ultimately resulting in a very favorable resolution for the client. ”**



#### BUSINESS AND TRANSACTIONS

## Successful Sale Includes a Post-Closing Increase in the Purchase Price

A long-time client was a third-generation, essential business that continued to operate throughout the pandemic. When the owner decided to sell, Bond handled the sale of the business assets and the related real estate transaction.

Despite many challenges, such as obtaining regulatory approval from a government agency that had limited operations, Bond successfully negotiated the deal, significantly increased the overall tax efficiency of the sale and closed the transaction. As an added bonus for the seller, Bond negotiated a post-closing increase in the purchase price.

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Dori K. Bailey, Charles J. Sullivan, Raymond P. Reichert, Kevin M. Pole, Kerry W. Langan, Elizabeth L. Lehmann, Sunny I. Tice and Amy G. Rhinehardt handled this matter.

#### BUSINESS AND TRANSACTIONS, PROPERTY

## Bond Guides Property Deal Through Multiple Phases

Bond represented the purchaser in an \$18,425,000 acquisition of real estate near Albany, New York, on which a ShopRite supermarket is located.



The property was subject to a payment in lieu of tax (PILOT) agreement through the town industrial development agency, as well as a PILOT mortgage.

Bond negotiated the purchase agreement for the project and assignment/assumption agreement for the PILOT agreement.

Bond also formed four limited liability companies in connection with the purchase, one to own the property and three additional entities to be members of the property owning entity. In addition, Bond drafted a contribution agreement among the limited liability company members to address liability that may arise under the loan documents.

Finally, Bond represented the purchasing entity on a mortgage loan of over \$13 million to finance the purchase.

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Sarah Lewis Belcher and Jennifer L. Tsyn handled this matter.

## Employee Released From Non-Compete Clause

Bond successfully represented a physician assistant (PA) who was accused by his former employer of violating a non-compete clause in his employment contract. The employer, a staffing agency that provides emergency medical and hospitalist services to small community hospitals, sued the PA after he took a job working for NES Health at the same hospital in upstate New York where the staffing agency had placed him. Bond attorneys successfully argued against the agency's motion for a preliminary injunction seeking to stop the physician assistant from continuing to work at the hospital.



The former employer then attempted to appeal this ruling, first to the Appellate Division and then the Court of Appeals, but lost both applications. The former employer then filed a summary judgment motion seeking to prevent Bond's client from continuing to work at the hospital and to extend the term of the non-compete period (which was about to expire). Bond countered by seeking summary judgment dismissing the complaint. The Court denied the agency's motion in its entirety and granted part of Bond's motion, ruling the non-compete provision in the employment agreement was overbroad.

Following the Court's ruling on the summary judgment motion, the agency sought to immediately go to trial on its remaining claims, but Bond successfully argued discovery was necessary and sought to obtain copies of all non-compete agreements from the last nine years from the former employer. Faced with this burdensome discovery and the possibility its non-compete provision would not be enforced by the Court, the former employer voluntarily discontinued the lawsuit against Bond's client without any remuneration.

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Stephen A. Sharkey and Bradley A. Hoppe handled this matter.

**“ The Court denied the agency's motion in its entirety and granted part of Bond's motion, ruling the non-compete provision in the employment agreement was overbroad. ”**

# A Volatile Year for Nonprofit Borrowers

Tax-exempt bond issuance through the first two months of 2020 was the highest in the last 10 years as nonprofit borrowers took advantage of historically low interest rates.

However, like the rest of the economy, these issuances ground to a halt as fear from COVID-19 roiled the marketplace. Following an initial lull, this marketplace gained steam into the summer and early fall. It reached record volumes in October, the busiest month for municipal bond finance in the past three years, as borrowers sought to issue debt ahead of the general election.

Among the highlights, Bond's public finance practice acted as counsel to:

- The University of Rochester in connection with a \$420 million bond financing for various capital projects and the refinancing of outstanding debt resulting in significant interest savings. The projects included the construction of a new, 362,000-square-foot orthopaedics campus, including an ambulatory surgery center, housing for physical therapy and related medical specialties and a four-story clinical office tower; and the construction and renovation of a 743,000-square-foot, nine-story emergency department/inpatient tower located at Strong Memorial Hospital.
- Fordham University in connection with a \$145 million bond financing for the construction and expansion of the 124,000-square-foot McGinley Center located on the Rose Hill Campus in the Bronx.
- Skidmore College in connection with a \$47 million bond financing for a 145,000-square-foot addition to the college's Center for Integrated Sciences located in Saratoga Springs.
- Highland Hospital of Rochester in connection with a \$32 million bond financing for an 80,000-square-foot, four-story vertical expansion of the hospital building, including 58 private bed surgical units, clinical programs and space for future interior renovations. The hospital also refinanced outstanding debt in order to achieve interest cost savings.

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Matthew N. Wells, Paul W. Reichel and Thomas W. Simcoe worked on these matters.



## No Finding of Religious Discrimination

**A Florida university was faced with a claim of religious discrimination by a former student. Bond worked with the institution's administration and staff to respond to the student's formal complaint filed with the Florida Commission on Human Relations (FCHR).**



Based on its investigation, the FCHR determined that there was no reasonable cause to determine that religious discrimination occurred. The student, however, did not accept the FCHR's finding, and her counsel requested a formal hearing with the Department of Administrative Hearings.

After a three-day trial, the judge ruled that the university did not discriminate against the student due to her religion when she was dismissed and denied readmission. Based on the evidence and argument presented, the judge found that in the student's three years in the education program, there was well-documented, consistent and argumentative conduct. Ultimately, the judge opined that the evidence failed to prove that the university took any action against the student because of her religion. Although the student claimed hundreds of thousands of dollars in economic and non-economic damages, plus attorney's fees and costs, the judge submitted a Final Recommended Order to dismiss the student's claims with prejudice.

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Thomas K. Rinaldi handled this matter.



### EMPLOYEE BENEFITS AND EXECUTIVE COMPENSATION

## Fighting Affordable Care Act Penalty Assessments

**In 2017, the IRS began issuing proposed penalty assessments under one of the Affordable Care Act's (ACA) signature provisions, the so-called "employer mandate." This mandate requires large employers to offer affordable, minimum essential health coverage that provides minimum value to their full-time employees (and their dependents) or face potentially stiff penalties, often in excess of six figures.**

In 2020, Bond assisted numerous employers in defending against proposed assessments. In all cases, Bond successfully negotiated with the IRS, resulting in the closure of the inquiries without a penalty assessment. Bond attorneys were able to utilize their breadth of knowledge and experience regarding the ACA to reach these favorable results. In total, Bond saved clients more than \$2 million in proposed assessments.

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Bond's employee benefits and executive compensation practice handled these matters.

**FINANCIAL INSTITUTIONS REGULATORY**

## Successful Financial Institution Advocacy

**A long-time financial institution client reached out to Bond when it received an examination report from its regulator containing unexpected findings and conclusions. Bond reviewed the findings and determined that the examiner's conclusions were not consistent with the facts, the law or the agency's own guidance and policies.**

Bond worked closely with the financial institution's board of directors and management to identify key facts to rebut the examiner's findings. Bond also challenged the examiner's legal basis for the findings by demonstrating that the conclusions were not consistent with the law, regulation or the guidance and policies issued by the regulator.

Bond developed a strategy for the appeal that disputed the findings and the legal basis for the examiner's conclusions that included leading an initial meeting with regulatory staff to lay the groundwork for an appeal. From this initial meeting Bond prepared and successfully argued a formal appeal to the regulator's senior director emphasizing key facts that were not addressed in the agency's report and the relevant legal framework. Bond won the appeal and succeeded in modifying the examination report to accurately reflect the facts and the law, and achieve the client's goals.

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Dori K. Bailey handled this matter.



**BUSINESS AND TRANSACTIONS, COVID-19 ESSENTIAL RESOURCES FOR BUSINESS, TAX**

## Steering a Multimillion-Dollar Sale During the COVID Storm

**Engineered Molding Technology, LLC (EMT) is a manufacturer of molded silicone products for the biopharmaceutical industry. Bond represented them in the sale by its members to Repligen Corporation in a \$28 million deal.**

Bond negotiated a Membership Interest Purchase Agreement and then navigated the transaction through closing. Bond assisted the client in working through various issues during the past year, including an outstanding PPP loan, change in control provisions in binding vendor contracts and renegotiation of an existing lease. Bond also counseled EMT regarding the consequences of an Internal Revenue Code section 338(h)(10) election and negotiated an appropriate tax adjustment amount on behalf of EMT's members.

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Jennifer L. Tsyn and Caitlin A. Anderson handled this matter.



## TAX

# Retroactive Tax Assessment Deemed Unconstitutional

**Bond successfully argued to overturn a New York administrative law judge's retroactive application of amended tax law — which would have subjected a client's gain from a stock sale in 2009 to state income tax.**



Bond's position, argued before the New York State Tax Appeals Tribunal, was that the administrative law judge's application of 2010 amendments to New York State law was unconstitutional under the due process clause of the U.S. and New York constitutions. Bond argued that the sale of the client's 50% stake in an energy services company in July 2009 was conducted as a stock sale, based on a tribunal decision that held that the sale would be considered a stock sale for New York tax purposes, which meant the client, a nonresident of the state, would not be taxed on the gain.

The tribunal agreed and canceled the client's \$810,000 tax assessment for the years 2009, 2010 and 2011.

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Jennifer M. Boll argued the case with assistance from Jennifer L. Tsyn and Mara D. Afzali.

## ENVIRONMENTAL AND ENERGY

# NYSDEC Negotiated Settlement

**Bond represented a privately owned asphalt products manufacturer, road construction, maintenance and asphalt applications engineering company in the Northeast.**

The company stores and uses large quantities of petroleum-based products. The New York State Department of Environmental Conservation (NYSDEC) alleged operational and licensing compliance violations spanning years at different company facilities, and they were facing several hundred thousand dollars in potential penalties and fees.

Bond negotiated a comprehensive settlement on behalf of the company that resolved those violations. The agreement settled all NYSDEC enforcement issues at ten of their active petroleum bulk storage facilities across New York State and its five Major Oil Storage Facilities (MOSF) in exchange for certain equipment changes at one of their facilities and a modest payment covering all civil penalties and back-MOSF license fees and surcharges.



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Kevin M. Bernstein and Michelle R. Billington handled this matter.



## Closing a Multimillion-Dollar Sale Amid Turbulent Year

**Bond guided a longstanding client through the multimillion-dollar sale of one of its U.S. operating subsidiaries to an international company headquartered in Europe.**

While this transaction began in early 2020, due diligence and negotiations were abruptly halted due to travel restrictions and other challenges relating to COVID-19. After a nearly seven-month pause, the parties were able to safely schedule site visits and resume due diligence in the fall.

Despite numerous challenges, including operations scattered around the United States and principals, many working remotely, located on both sides of the Atlantic, the Bond team ensured the transaction stayed on track for a year-end closing. The complex deal drew on attorneys in several Bond practices, including mergers and acquisitions, employee benefits and executive compensation, labor and employment, real estate, tax law, environmental and energy and business and transactions.

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Michael C. Donlon, Charles D. Grieco, Vincent O. Hanley, Michael E. Hickey, Tim C. Loftis, Robert W. Patterson, Raymond P. Reichert and Jeffrey P. Gleason handled this matter.

### LITIGATION

## High-Profile Commercial Lease Action

**Moore Corporate Real Estate (Moore CRE), Rochester's largest locally owned boutique commercial real estate brokerage firm, found itself in a fiercely contested action against Rochester Tech Park, the owner of a large manufacturing and industrial park located at the former Kodak campus.**



Moore CRE filed an action against Tech Park seeking to recover more than \$2 million in commissions for brokering long-term commercial leases for over a dozen high-profile companies. Rochester Tech Park had refused to pay Moore CRE its commissions despite reaping nearly \$100 million in lease revenue as a result of Moore CRE's efforts.

After nearly two years of litigation, Bond negotiated a settlement in which Moore CRE recovered more than \$2.5 million, representing the entire amount owed, including attorney's fees and interest.

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Jeffrey F. Allen and Edward P. Hourihan handled this matter.

# A Fruitful Collaboration

Beak & Skiff Apple Orchards has grown apples in Lafayette, New York, for five generations. Operating in this rural hamlet since 1911, Beak & Skiff's operations expanded over the years to include "pick your own" retail sales, complete with a country store and bakery.

In the early 2000s, Beak & Skiff began a new chapter with the creation of its "1911" line of hard cider and wine products, a line that it expanded to include spirits such as gin, vodka, bourbon whiskey and brandy. Beak & Skiff now operates tasting rooms, a tavern, a café and a distillery on its campus, and ships its 1911 products to retailers across the country. This year, Beak & Skiff introduced an innovative line of CBD products, including CBD seltzers and balms.

As it expanded into the spirits market, Beak & Skiff was faced with the challenge of staying in compliance with various liquor licensing rules and Bond was there to help and guide them through it. From covering other areas of the farmstead under its liquor licenses,

to expanding its annual hard cider production capacity, to helping decipher the complex and frequently changing guidance regarding operations during the COVID-19 pandemic, Bond has been proud to help Beak & Skiff with its growing and evolving business.

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Jennifer L. Tsyn handled these matters.



**“ ... Beak & Skiff was faced with the challenge of staying in compliance with various liquor licensing rules and Bond was there to help and guide them through it. ”**

## Enforcing Patents on Cutting-Edge LED Technologies

Bond represented Signify (formerly known as Philips Lighting) in three patent infringement cases in the U.S. District Court for the Southern District of New York. Signify is the world's largest lighting manufacturer, whose products are utilized worldwide, including on the outside of the iconic Empire State Building in New York City.



These patent infringement cases were litigated in support of Signify's EnabLED patent license program, which contains nearly 500 Signify inventions, from basic LED control to system-level architectures.

In these three lawsuits, Bond argued that several companies based in the United States, Belgium, Italy and China infringed on Signify's LED patented inventions covering important innovations related to electrical power supplies, circuit arrangements, thermal management systems and optical configurations. Bond achieved several victories during the course of litigating these cases, including dismissal of counterclaims in one of the suits.

Each of the following cases was successfully resolved in 2020:

- *Signify North America Corporation and Signify Holding B.V. v. Delta Light (USA) LLC and Delta Light N.V.* (S.D.N.Y.)
- *Signify North America Corporation and Signify Holding B.V. v. Reggiani Lighting USA, Inc. and Reggiani S.p.A. Illuminazione* (S.D.N.Y.)
- *Signify North America Corporation and Signify Holding B.V. v. Qingdao Yeelink Information Technology Co., Ltd.* (S.D.N.Y.)

In addition to the above cases, Bond has represented Signify in enforcement matters in federal courts nationwide, including venues in California, Massachusetts, Mississippi and Texas.

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Jeremy P. Oczek, Sharon M. Porcellio, George R. McGuire and Jonathan L. Gray handled these matters in the Southern District of New York.

“Bond achieved several victories during the course of litigating these IP cases, including dismissal of counterclaims in one of the suits.”

## Negligence Claims Dismissed Due to Lack of Evidence



**Bond successfully obtained a dismissal of all claims for punitive damages on behalf of a nonprofit nursing home in the Bronx. In the case, a resident of the**

**nursing home suffered a severe head injury on the premises and died less than 36 hours later from a fatal subdural hematoma.**

In its motion to dismiss the punitive damage part of the claim filed by the deceased resident's family, Bond argued the plaintiff's complaint lacked the evidence needed to satisfy New York's stringent pleading requirements for punitive damages because the plaintiff relied solely on unsupported claims of gross negligence and wanton and reckless conduct without bringing a corresponding action for gross negligence. The dismissal laid bare the fact that plaintiffs must plead specific allegations arising to egregious conduct to support a punitive damage prayer for relief.

Judge Joseph E. Capella fully adopted Bond's argument that the plaintiff's claims seeking punitive damages were devoid of any specific facts asserting conduct that would justify such claims. Accordingly, the court dismissed all claims for punitive damages even though the parties had not yet commenced depositions or otherwise completed discovery.

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John F. McKay, III and Justin C. Tan handled this matter.



## Successful Dismissal of Unfair Treatment

**Bond represented the Research Foundation for Mental Hygiene (RFMH) in an unfair treatment and racial bias lawsuit brought by an applicant who had not received an offer of employment.**

Bond argued that the allegations exceeded the time limit to bring such claims and, further, that the plaintiff provided minimal support for the allegations. Additionally, the plaintiff made a retaliation claim against RFMH, but Bond successfully argued that the plaintiff once again failed to establish a causal connection between the protected activity and any adverse employment action.

A three-judge panel dismissed the suit, affirming U.S. District Judge Gary Sharpe's June 2019 ruling that all the plaintiff's allegations were either "time-barred or too vague."

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Michael D. Billok handled this matter.

# Prevailing in Police Union Negotiations

With the City of Long Beach perched on the brink of bankruptcy and the possible dissolution of its police force, Bond attorneys prevailed in securing a favorable award from an Interest Arbitration Panel overseeing contract negotiations between the municipality and its police union.

Precipitated by various factors, including damage wrought by Superstorm Sandy in 2012, the revenue-raising constraints imposed by New York's tax cap legislation starting in 2013, the lingering effects of the 2008 recession and ever-increasing pension and health care costs, the city's financial condition had been in precipitous decline for years.

Given this bleak financial reality, Bond attorneys argued the city was in no position to grant the 5% retroactive raises the Police Benevolent Association (PBA) was seeking for its 70 members for the years 2015-16 and 2016-17. The PBA members already were earning the highest average pay of any city police force in New York State. Instead, Bond argued the city, deemed to be in "significant financial stress" by the New York State Comptroller, should be permitted to forgo raises for the years in question.

An Interest Arbitration Panel was convened to issue a binding award to

resolve the dispute. The arbitration panel majority, which included Bond attorney Terry O'Neil as the city's representative, agreed with the city. It issued a "historical" compulsory arbitration award that included no retroactive wage increases and implemented additional sweeping benefits changes for new hires, including: the introduction of employee contributions to health insurance premiums, reduced longevity payments, reduced personal leave entitlements, reduced vacation and sick leave entitlements. It also included a cap on termination pay (which averaged \$550,000 with some over \$700,000) resulting in 14 retirements before the new cap took effect.

The decision will enable the city to maintain its own police force, instead of dissolving it and seeking services from the county.

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Richard S. Finkel and Emily E. Iannucci put in the case for the city and Terry O'Neil was on the arbitration panel.



**“ The decision will enable the city to maintain its own police force, instead of dissolving it and seeking services from the county. ”**

## 30-Year-Old Unemployment Claim Ruling Upheld

An unemployment insurance case 30 years in the making – it began the same year Germany reunified and the Hubble Space Telescope was launched – finally reached its ultimate resolution in 2020. Originally filed in 1990, the claim was denied when the Unemployment Insurance Appeal Board determined the claimant was not entitled to benefits because she had been terminated from her job for misconduct.



Seventeen years later, the Board revisited its decision after a consent judgment in a separate case raised the possibility that due process errors had been made in the 1990 case. Specifically, the Board reconsidered the claim after disregarding testimony that had not been subject to cross-examination and for which the claimant had not received sufficient assistance in her cross-examination, to which she was entitled. Even after tossing out potentially tainted testimony, the Board determined it did not need to reconsider the merits of the matter.

The claimant appealed the 2018 decision, naming both her former employer, represented by Bond, as well as the state Department of Labor, represented by the New York State Attorney General's Office. Bond argued the claimant-appellant failed to allege any procedural violations in her appeal and was not entitled to a reconsideration of her case on the merits. The Appellate Court agreed with Bond's argument and affirmed the Board's original determination.

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Stephanie H. Fedorka and Robert A. LaBerge handled this matter.

**“ Bond argued the claimant-appellant failed to allege any procedural violations in her appeal and was not entitled to a reconsideration of her case on the merits. ”**

## EXEMPT ORGANIZATIONS

# Charity Survived Pandemic with Emergency Access to Funds

The Rescue Mission Alliance (RMA) of Syracuse, a charity that provides food, shelter and clothing to Central New Yorkers in need, was plunged into a financial crisis after the COVID-19 pandemic forced the closure of its thrift stores. The retail shops generate two-thirds of the RMA's operating revenue. Working pro bono in a *cy pres* matter on RMA's behalf, Bond attorneys argued the organization required emergency access to an endowment fund.



An abbreviated form of the French phrase, *cy pres comme possible* (translation: “as near as possible”), a *cy pres* proceeding is one in which a court reinterprets the terms of a charitable gift because the original intent is no longer possible or practicable to fulfill.

Bond obtained a court order in Onondaga County Surrogate's Court, with the consent of the New York Attorney General, granting RMA emergency access to a significant part of a \$1.5 million restricted endowment fund. With the infusion of capital that Bond was able to secure, RMA successfully navigated through the end of the shutdown period and the gradual reopening of its stores.

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Thomas W. Simcoe, Delaney M. R. Knapp and Thomas Bezigian, Jr. handled this matter.

“ Working pro bono in a *cy pres* matter on RMA's behalf, Bond attorneys argued the organization required emergency access to an endowment fund. ”

# Helping Businesses Stay Above Water During COVID

The first crack appeared on March 16, 2020, when the governors of New York, New Jersey and Connecticut announced the immediate closure of restaurants and bars for on-premises service.

Less than a week later the dam burst when New York State sent all non-essential workers home. And by month's end, when more than a third of the global population was under some form of lockdown, businesses began getting swept away by the raging floodwaters of COVID-19.

Through it all, Bond did its part to stanch the flow and help keep our clients afloat.

Even as the number of working U.S. business owners plummeted by 3.3 million (or 22%) between February and April, Bond business attorneys were helping clients secure federal loans, grants and tax credits so they could pay the rent, keep the lights on, help their workers stay employed and make payroll.

One example was a restaurant group made up of four separate companies with fast-food franchises in four states. Bond was able to demonstrate the large employer was eligible for small business loans through the Payroll Protection Program (PPP) because it qualified for a number of PPP exemptions. For

example, Bond showed the client that it was exempt from the 500-employee maximum requirement. Although the company employs well over 500 workers, businesses with an NAICS code beginning with 72 (generally hotels and restaurants) could apply the size limit to the physical locations of their operations (i.e., each restaurant location), rather than the whole company.

Bond attorneys also assisted the restaurant group with its PPP loan application and counseled them throughout the loan period about which nonpayroll expenses would qualify for forgiveness (e.g., rent, utilities, worker protection costs, certain supplier costs, etc.) and helped the group – as well as countless other clients – complete the actual loan forgiveness applications, including how to complete loan-necessity questionnaires.

Guidance issued by the Department of Health and Human Services, Occupational Safety and Health Administration, the Centers for Disease Control and Prevention and state



and local authorities – such as social-distance requirements, take-out dining only, sanitation requirements, for example – compelled the restaurant group to reduce some staff and, as a result, qualified them for a PPP safe harbor.

Throughout the pandemic, we continued to help business clients individually through our weekly webinar series and timely information memos.

We also sponsored Syracuse.com’s Back in Business series, which included informative articles about business interruption insurance, reviewing contracts, responding to requests for worker accommodations, preparing for retaliation claims and more.

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Jeffrey B. Scheer and Bond business attorneys handled this and related matters.

## ENVIRONMENTAL, LITIGATION

# Going the Long Haul for a Client

Bond attorneys represented the Town of Colonie and Capital Region Landfills during an intensive four-year long environmental impact review process that culminated in the New York State Department of Environmental Conservation (DEC) issuing four permits for the expansion and operation of Area 7 of the Town of Colonie Landfill. The towns of Waterford and Halfmoon, and numerous residents from both towns, filed petitions in New York Supreme Court seeking to annul those permits.



Bond attorneys asked the court to dismiss the petitions on two grounds: first, that the petitioners did not have standing; and second, that even if petitioners had standing, their claims nevertheless failed because DEC complied with all applicable procedural and substantive requirements in issuing the permits. In January 2019, the trial court held that petitioners lacked standing and dismissed the petitions in their entirety.

Petitioners appealed the trial court decision. In September, Kevin Bernstein argued the appeal via video before the Appellate Division, Third Department. The Third Department held that while some petitioners appeared to have standing, Bond was correct that the petitioners' claims failed on substantive grounds. Rather than remanding the case to the trial court, the Third Department denied the petitioners' claims on the merits.

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Kevin M. Bernstein, Virginia C. Robbins, Brendan M. Sheehan and Michelle R. Billington handled this matter.

## ENVIRONMENTAL, LITIGATION

# Mining a Success

**Red Wing Properties, which has operated a sand and gravel mine since the 1990s, sought to expand its mining operation onto adjacent land it owned.**

In response the Town of Rhinebeck passed a zoning law that prohibited it from mining this adjacent land. On behalf of Red Wing, Bond challenged the zoning prohibition and argued that Red Wing had a vested right to mine the remainder of its property as a pre-existing nonconforming use.

The Supreme Court affirmed the municipal determinations and denied Red Wing's claims and dismissed the proceeding. However, on appeal, the Appellate Division, Second Department, reversed the decision, concluding that Red Wing did establish a vested right to mine on the adjacent property as a prior nonconforming use and the Court of Appeals denied the Town's motion for leave to appeal. Therefore, Red Wing is now able to mine the remaining portion of its land once it receives the DEC permit.



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Ryan Keleher, Kevin Bernstein and Michelle Billington handled this matter.

## SCHOOL LAW

# Defending Public School System's Reopening Plan

**Bond defended Buffalo Public Schools (BPS) against a petition filed by a teachers union that could have effectively shuttered the city school system for the 2020-21 academic year.**



Alleging the city public school system's plan to reopen its doors following a COVID-19 shutdown was inadequate, the Buffalo Teachers Federation (BTF) filed an order to show cause and petition for a preliminary injunction in aid of arbitration. The teachers union filed the grievance under a common contractual provision that requires employers to provide a "safe and healthy work environment." Arguing the reopening plan placed teachers at great risk of contracting COVID-19, the BTF sought to prevent the district from requiring teachers to return to in-person instruction (while students remained fully remote) pending an arbitrator's decision on the merits of the grievance.

Bond argued the granting of a restraining order was prohibited by New York State Civil Practice Law and Rules § 6313, and the court did not have the authority to issue the subsequent preliminary injunction because the arbitrator would not be able to grant the ultimate relief requested (i.e., to effectively shut down schools while the arbitration was litigated, heard, briefed and decided). The district also argued the teachers union did not provide sufficient (or any) evidence of the likelihood of actual harm. The court agreed, first denying the request for a temporary restraining order and then the request for a preliminary injunction.

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Together with the client's in-house general counsel, Dennis K. Schaeffer handled this matter.



## LITIGATION

# Appellate Division Victory

**Bond prevailed in an Appellate Division decision involving the beneficiary of a \$5 million insurance policy who sued the insurance broker, brokerage company, insurance company and a Bond client, claiming that coverage was wrongfully disclaimed after discovering the decedent made material misrepresentations on the insurance application.**

Bond made a motion for summary judgment, which was fully granted by the trial court. The plaintiff appealed the decision to the Appellate Division and the Court affirmed the dismissal of the complaint against Bond's client.

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Ryan P. Keleher and Mara D. Afzali handled this matter.

# A Rescue in the Land of “It’s a Wonderful Life”

In the spring of 2020, following numerous executive orders from Governor Cuomo, New York State higher education institutions were forced to close their campuses and quickly transition to remote education.

One such college was the New York Chiropractic College (NYCC), a leading private health science college in Seneca Falls, New York. Seneca Falls has universally been recognized as the “Bedford Falls” village referenced in the iconic Frank Capra holiday movie entitled, “It’s a Wonderful Life.”

When the lockdown came, things were not so wonderful for NYCC. Unlike other schools, the majority of NYCC’s instruction involves “hands on” teaching and, by July of 2020, the backlog of courses that had to be canceled and unavailable for conversion to remote learning was jeopardizing graduation, future academic schedules and enrollment. As a result, NYCC had an emergency need to reopen and return students to campus for in-person living and learning. At the time, New York State was not permitting colleges, or any schools, to reopen for in-person learning or on-campus living. It was easy to understand the state’s position at the time, but NYCC was faced with two challenges: (1) it needed to open as soon as possible to avoid the

catastrophic disruption to its students’ “hands on” education any further; and (2) it had to reopen safely for students, employees and the community. Bond worked with NYCC to address both of these challenges, which resulted in NYCC being one of the first, if not the first, college in upstate New York to return to on-campus living and in-person learning.

First, Bond worked with NYCC to prepare a unique plan to reopen safely and in compliance with state and federal guidelines. Navigating these detailed, and sometimes contradictory, guidelines was a difficult task, and, because NYCC was reopening before other higher education institutions, there was no model to follow. Second, Bond appeared on behalf of NYCC, together with President Michael Mestan, before the Seneca Falls Town and Seneca County legislative bodies, and later the state’s development board, to plead NYCC’s special need for an exception to the existing prohibition against in-person teaching and residential life. These efforts were successful and NYCC’s return to campus plan was approved. Although the



plan was initially opposed by the Seneca County Health Department at each of the legislative sessions as being premature, top health department officials later hailed the provisions of the plan and asked if they could use it as a model for evaluating other reopening plans once they were more widely allowed.

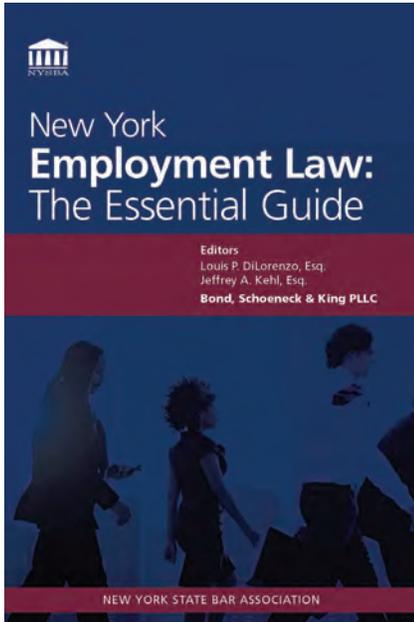
Through it all, Bond worked directly with NYCC's President, Provost and head of human resources, among others. Michael Mestan, President of New York

Chiropractic College, commented, "We are grateful to Adam, Lou, Laura and your team for the guidance you provided us through the pandemic. Using 'It's a Wonderful Life' movie as a reflective lens, our outcome would have been significantly different had we not had Bond on our team."

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Louis P. DiLorenzo, Laura H. Harshbarger and Adam P. Mastroleo handled these matters.

## Labor and Employment Practice Reaching out to Employers



### The Essential Guide on Employment Law

When it came time to look for authors of a new guide on employment law, the New York Bar Association (NYSBA) tapped Bond to do the job. The result is a comprehensive, 12-chapter, 500-page book titled the *New York Employment Law: The Essential Guide*.

Bond members Louis P. DiLorenzo and Jeffrey A. Kehl edited the guide which was written by Bond’s 80-attorney labor and employment and employee benefits attorneys. The book, described by Lou as a “labor of love” by the firm’s attorneys, answers more than 450 employment-related questions frequently asked by human resources professionals, laypersons, and even other attorneys. It addresses such wide-ranging issues as hiring, discrimination, employee benefits, worker’s compensation, discipline, unemployment insurance, New York State Department of Labor regulations and wage and hour requirements, employment contracts and tort law as it affects the workplace.

In the guide’s introduction Lou writes that “the law does not create a workplace culture. Instead, it is generated through the relationship between employers and employees – an atmosphere created by people rather than by statutes or the common law. This book will provide the legal rules of the road for those who are responsible for shaping, changing and maintaining a wide variety of cultures across a number of industries.”

This is the first major publication by NYSBA concerning New York Employment Law for the private sector and is available through the NYSBA website and on Amazon.com and Bond will update the treatise every two years.

**“ When it came time to look for authors of a new guide on employment law, the New York Bar Association tapped Bond to do the job. ”**

## Sexual Harassment Prevention Training Online

For the second consecutive year, Bond produced its award-winning “Sexual and Other Workplace Harassment” interactive training program. The online training, designed to satisfy New York State’s and New York City’s sexual harassment training requirements, has been used by hundreds of Bond clients and more than 30,000 individual users.



The cost-effective and convenient self-scheduled training has been lauded by employers as “simple, clear and all-inclusive,” “much better, higher quality and more interactive, than other training” and “informative, easy to understand and navigate.” Originally produced for New York employers in 2019, Bond also produced an edition to meet New York City requirements and then, due to employer demand, a version in Spanish. Last year Bond added to its inventory a federal version for all other states except for California, and will add a California version in 2021.



## Chambers US Regional Employment

Bond attorney Michael I. Bernstein was once again asked by Chambers USA to be the contributing editor and to author the introduction of the 2020 edition of *US Regional Employment*.

The regional guide provides a current picture of employment issues, trends provides expert legal commentary on the impact of COVID-19 on the workplace, the “Black Lives Matter” and “Me Too” movements, unions, the National Labor Relations Board, the interviewing process, restrictive covenants, discrimination and harassment and whistle-blower claims.

# Diversity and Inclusion



**Monica C. Barrett**  
Co-Chair  
*Diversity Committee*



**Sanjeeve K. DeSoyza**  
Co-Chair  
*Diversity Committee*



**Kimberly Wolf Price**  
*Professional Development and Diversity Officer*

At Bond, diversity and inclusion is about leaning into what makes us different as individuals to strengthen what we offer together as a team. It makes us better advocates and advisers to our clients and creates a culture where innovation and excellence flourish. Encouraging inclusion and equity at Bond aligns with our goals to maintain the highest standards of legal practice and ethics and embrace differences in characteristics and perspectives to strengthen who we are as a firm.

A year like no other, 2020 drove us not only indoors, as we sheltered at home from the COVID-19 pandemic, but also inward, as we grappled with the murder of George Floyd and so many other tragic incidents of racial bias. In the face of a sustained, national outcry against hundreds of years of systemic, dehumanizing racism, Bond redoubled its own commitment to learning about and promoting anti-racism and intentional diversity throughout our communities, the legal profession and our firm by:

- Kimberly Wolf Price joined Bond to guide our efforts as the firm's first attorney professional development and diversity officer.
- Creating an educational program for our lawyers, "Bond Attorneys: Client Counseling & Racial Justice."
- Hosting a free educational webinar for clients and friends, "Racial Justice in Action: Important Steps that Bond Clients are Taking to Promote Diversity, Equity and Inclusion."

- Committing financial resources to support the educational mission of historically Black colleges and universities through the Thurgood Marshall College Fund (HBCU).
- Undertaking a 21-Day Racial Equity Habit Building Challenge, led by our firm Chairman and Management and Diversity Committees.
- Recognizing Juneteenth as an official firm holiday (with planned educational components) to begin in 2021.
- Presenting a webinar with the University at Buffalo Law Alumni Association on avoiding bias in the workplace.
- Providing resources and educational materials for various Heritage Month Celebrations including Black History, Women's History, Pride and National Latinx/Hispanic Heritage months.
- Serving as the name sponsor of the Bond, Schoeneck & King Race and Justice in CNY Series with the Onondaga

## ENCOURAGE INCLUSION



“ At Bond, diversity and inclusion is about leaning into what makes us different as individuals to strengthen what we offer together as a team. ”

County Bar Association and Syracuse University College of Law which began with a community book read of *Just Mercy* by Brian Stevenson.

These activities complemented our continuing efforts to support equity and inclusion initiatives in our firm, the profession and our communities, including:

- Supporting and advancing women attorneys, including as members (partners) and in leadership positions within the firm. In 2020:
  - Suzanne Galbato was named general counsel for the firm, the first woman to hold this position.
  - Suzanne Messer (Syracuse) was selected to serve as co-deputy chair of litigation.
  - Candace Gomez (Garden City) was named co-chair of the school law practice area.
  - Monica Barrett (New York City) and Cressida Dixon (Rochester) continued to serve as deputy managing members of their respective offices.
- Participating in the Albany and Onondaga County Bar Association's Diversity Internship Programs.
- Sponsoring the first annual Black History Month Dinner hosted by Syracuse University College of Law's Black Law Students' Association.
- Offering summer law clerk opportunities to 1L students from communities traditionally underrepresented in the legal profession through the M. Catherine Richardson Clerkship Program. A retired Bond member, and the first woman member at Bond, Catherine remains a pioneer and champion of diversity in the legal profession.
- Continuing service of our attorneys and leadership from across the firm on boards and committees of civic organizations, *pro bono* agencies, bar associations and professional groups aimed at creating change in our communities and in the legal profession.



Jennifer M. Boll, Chair  
*The Women's Initiative*

# A Letter from the Chair of the Women's Initiative

When members of Bond formed the Women's Initiative in 2008 to promote the professional development of women attorneys at Bond and in our communities, none could have predicted the turmoil of 2020.

An October 2020 report by the Brookings Institution pointed to women shouldering the majority of family caregiving responsibilities during the pandemic, as school and childcare facilities closed.

True to its mission, Bond's Women's Initiative met the moment by focusing its resources on the support of women attorneys at Bond and professionals in our communities.

2020 events included:

- "Effective Communication at a Social Distance: Ethical and Practical Approaches to Virtual Conversations," webinar for Bond attorneys and clients, hosted by Alexandra Carter – Columbia Law School professor, negotiation trainer and author of *Ask for More*
- Virtual Retreat, providing opportunities for connections and sharing by Bond members during a half-day retreat focused on self-care and wellness
- "Remote Work: Finding Your Balance," a CLE program for all Bond attorneys
- "Well-Being During Uncertain Times," presentations by Libby Coreno, Esq., and Daniel Lukasik, Esq., for law firm staff, attorneys and management

- "Black is the Body," book club chat hosted by Professor Jennifer Brice
- "Untamed," book club chat hosted by Leah Hambridge
- "The Vanishing Half," book club chat hosted by Casey Rose Frank
- Happy Hours: bimonthly virtual happy hours for Bond women attorneys to connect and reconnect across the firm

The Women's Initiative supports the professional development of women attorneys at all levels within Bond. Women fill an increasing number of leadership roles at Bond, including serving as general counsel, on Bond's Management Committee, Compensation Committee, and as practice group chairs. The Women's Initiative takes pride in this progress and looks forward to continuing our support.

A handwritten signature in white ink that reads "Jennifer M. Boll". The signature is fluid and cursive, written in a professional style.

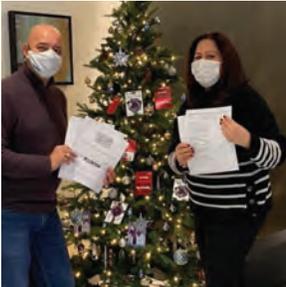


# Starting at Home

**Because we are threads pulled tight through the fabric of the communities in which we work, Bond attorneys and staff are committed to doing all we can to help enrich local lives.**

That's why we are proud supporters of numerous organizations dedicated to community development and enhancement – from sports to cultural activities, from health and human services to educational institutions and many more. By joining hands with our neighbors, we hope to make our communities better places for everyone to work, live and thrive.

Below is a representative sampling of some of the organizations we supported in 2020:



- ACR Health
- Artpark & Company
- Black Community Focus Fund
- Boys & Girls Club of Collier County
- Campaign For Justice
- Cantalician Foundation
- Conservancy of Southwest Florida
- Eldercare Foundation
- Explore & More Children's Museum
- Food Bank For New York City
- Food Pantries For The Capital District
- Fun Time Early Childhood Academy
- Habitat For Humanity
- Healthcare Network of Southwest Florida
- Island Harvest
- Jake's Help From Heaven
- Jar of Hope
- Landmark Theatre
- Legal Services of The Hudson Valley
- Lewis County General Hospital Foundation
- Senior Center of Saratoga Springs
- Shawnee Community Services
- The Arc of Steuben County
- The Hochstein School
- Thurgood Marshall College Fund
- Villa of Hope
- Volunteer Lawyers Project of Onondaga County
- William Floyd Scholarship Fund



# New Members



**Thomas Bezegian, Jr.**  
Trust and Estate  
Syracuse



**Nicholas J. Hoffman**  
Business and  
Transactions  
Buffalo



**Emily E. Iannucci**  
Labor and  
Employment  
Garden City



**Curtis A. Johnson**  
Litigation  
Rochester



**Adam P. Mastroleo**  
Labor and  
Employment  
Syracuse



**Kate I. Reid**  
School Law  
Syracuse



**Thomas K. Rinaldi**  
Litigation  
Naples



**Brendan M. Sheehan**  
Litigation  
Syracuse

# New Laterals



**John D. Clopper**  
Litigation  
Syracuse



**Brian J. Gerling**  
Intellectual Property  
and Technology  
Syracuse



**Jeffrey P. Gleason**  
Business and  
Transactions  
Buffalo



**Barbara A. Lee, Ph.D.**  
Higher Education  
New York City



**Mariam Mahmood-Qureshi**  
School Law  
New York City



**Laura A. Myers**  
Litigation  
Rochester



**Andrew H. Reiss**  
Litigation  
Naples



**Kyle D. Ritchie**  
Collegiate Sports  
Kansas City



**Michael W. Sheridan**  
Collegiate Sports  
Kansas City



**Michael R. Wolford**  
Litigation  
Rochester

“ Experience, knowledge and a drive to serve our clients builds a strong Bond. ”

# New Associates



**Collin M. Carr**  
Litigation  
Syracuse



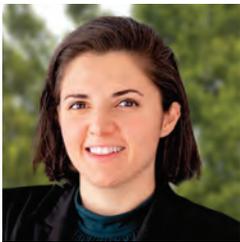
**Thomas R. Clifford**  
Business and  
Transactions  
Syracuse



**Jeffrey D. Eaton**  
Business Restructuring,  
Creditors' Rights and  
Bankruptcy  
Syracuse



**Brittany R. Frank**  
Labor and  
Employment  
Garden City



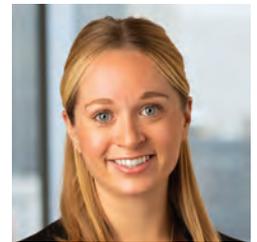
**Catherine A. Graiose**  
Business and  
Transactions  
Albany



**Shannon A. Knapp**  
Labor and  
Employment  
Syracuse



**Nolan T. Kokkoris**  
Property  
Syracuse



**Kathleen H. McGraw**  
Litigation  
Buffalo



**Lindsay M. McKenna**  
Trust and Estate  
Buffalo



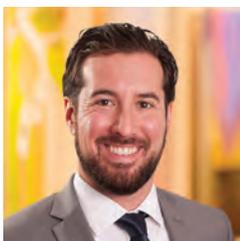
**Eric M. O'Bryan**  
Litigation  
Albany



**Nihla F. Sikkander**  
Labor and  
Employment  
Albany



**Sarah K. Spencer**  
Property  
Rochester



**Travis R. Talerico**  
Labor and  
Employment  
Rochester



**Peter H. Wiltenburg**  
Labor and  
Employment  
Buffalo



## BOND RECOGNITION

# Accolades & Honors

### Chambers USA®

Five Bond practice areas were recognized:

- Environmental – New York State and Upstate New York
- Labor and Employment – Upstate New York
- Corporate – Upstate New York
- Litigation – Upstate New York
- Real Estate – Upstate New York

Chambers-ranked lawyers included Kevin Bernstein, Michael Bernstein, Louis DiLorenzo, Jonathan Fellows, Vincent Hanley, Laura Harshbarger, Edward Hourihan, Jr., Randall Odza, and Stephen Sharkey.

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### Best Lawyers® “Best Law Firms”

Bond was recognized with three National Tier 1 Rankings:

- Employment Law – Management
  - Labor Law – Management
  - Litigation – Labor and Employment
- 

### Best Lawyers and Super Lawyers®

One hundred and two Bond attorneys were recognized in the Best Lawyers in America® 2020, which also recognized Bond as having the greatest number of Best Lawyers in five categories (education, employment, labor, litigation, and trust and estates). Eleven of the firm’s attorneys were recognized as Best Lawyers in America: Ones to Watch

Sixty-three Bond attorneys were named in the 2020 New York Super Lawyers, one was named as a 2020 Florida Super Lawyer and 34 attorneys were named as Super Lawyers Rising Stars.

## Best Lawyers “Lawyers of the Year”

Only one lawyer in any practice area in a city is honored as “Lawyer of the Year.” Sixteen Bond attorneys achieved that recognition:

- Albany
    - Hermes Fernandez – Health Care Law
    - John Bagyi – Labor Law, Management
  - Buffalo:
    - Charles Swanekamp – Legal Malpractice Law, Defendants
    - Melinda Disare – Labor Law, Management
    - Michael Piette: Land Use and Zoning Law
  - Long Island:
    - Terry O’Neil – Employment Law, Management
  - Rochester:
    - Mary Fisher – Trust and Estates
  - Syracuse:
    - John Allen – Litigation, Trust and Estate
    - Kevin Bernstein – Environmental Law
    - Daniel Bordoni – Education Law
    - John Callahan – Personal Injury Litigation, Defendants
    - Thomas Eron – Employment Law, Management
    - John Gaal – Labor Law, Management
    - Brian Haynes – Employee Benefits (ERISA) Law
    - Peter Jones – Litigation, Labor and Employment
    - Paul Reichel – Tax Law
- 

## Buffalo Business First 2020 Legal Elite

Mitchell Banas, Jr., Jessica Copeland, Sharon Porcellio, James Rooney and Heath Szymczak were included in the 2020 Legal Elite of Western New York, recognizing some of the most-respected Western New York lawyers as nominated by their peers.

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## Law360’s Top 200 Largest U.S. Law Firms

The *Law360* 400 ranked Bond 182 on its list of the 200 largest U.S.-based law firms.

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## New York Law Journal’s Top 100 Firms

Bond was listed in New York Law Journal’s Top 100 firms ranked by number of lawyers in New York State. Bond ranked 40.

**John Bagyi** (Albany) and **Louis DiLorenzo** (New York and Syracuse) were named two of the *Lawdragon 500* Leading U.S. Corporate Employment Lawyers. Selections are made after a vigorous research process that includes peer reviews.

**Claire Bopp** (Rochester) was honored in the Up & Coming Attorneys category in *The Daily Record's* 2020 Excellence in Law Awards.

**Dennis Brown, James Dati** and **Andrew Reiss** (all Naples) were selected by *Naples Illustrated* magazine for inclusion in Top Lawyers 2020, a peer-review honor. Dennis was selected for tax law, James for corporate law and Andrew for business litigation.

**Jessica Copeland** (Buffalo), **Adam Mastroleo** (Syracuse) and **Justin Tan** (Garden City) were selected as 40 Under 40 honorees by their respective business journals, recognizing 40 individuals under the age of 40 who have excelled in the workplace and in their respective communities.

**Louis DiLorenzo** (New York and Syracuse) and **John Gaal** (retired) were honored with a Burton Law360 Award for Distinguished Legal Writing. This prestigious award is bestowed upon partners who are authors of legal articles from the nation's 1,000 largest law firms. In 2020, authors from just 30 law firms received this honor.

**Katherine McClung** (Rochester) was one of 25 attorneys selected nationwide as a *National Law Journal* 2020 Employment Law Trailblazer. The *National Law Journal* recognizes attorneys that have made an impact in their practice area through new types of strategies or innovative court cases as "trailblazers." Kate also was named a *The Daily Record's* 2020 Excellence in Law winner in the Top Women in Law category.

**Hilary Moreira** (Garden City) was selected as one of the 2020 Top 50 Women in Business by *Long Island Business News*. The event honors Long Island's top women in business, education, government and the nonprofit sector for their business savvy, influential work, mentoring and community involvement. Hilary also was selected as a 2020 Recipient of Outstanding Women in Law Award from Hofstra University School of Law.

**Randall Odza** (Buffalo) was selected for inclusion as a fellow of the American Bar Foundation. Fellows comprise a global honorary society of lawyers, judges, law faculty and legal scholars, and membership is limited to 1% of lawyers admitted in the United States.

**Sharon Porcellio** (Buffalo) was named by New York State Chief Judge Janet DiFiore as a member of the New York State Unified Court System's Commission to Reimagine the Future of New York's Courts. The new commission is charged with examining the enhanced use of technology and online platforms, among other innovations, and making recommendations to improve the delivery and quality of justice services, facilitate access to justice and better equip the New York State court.

**M. Catherine Richardson** (retired) received a 2020 Syracuse Law Honors Award, presented on behalf of the Syracuse University Law Alumni Association and the College of Law to celebrate the distinguished achievements in any field of endeavor by living members of Syracuse Law alumni, current and former faculty and staff, students, parents and friends, for service to the College of Law, the legal profession, Syracuse University or the world at large.

# Representative Clients

- Babcock & Wilcox
- Brentwood Union Free School District
- City of Long Beach
- City of Syracuse
- Community Bank System
- Document Security Systems
- Healthnow New York
- KeyBank
- King Kullen Grocery
- KIPP Academy Charter School
- Manhattanville College
- Middletown City School District
- Nathan Littauer Hospital
- National Grid
- Niagara County
- North Syracuse Central School District
- Oswego Health
- PCT Ltd.
- Servotronics
- Skidmore College
- Southern Tier Environments for Living
- The Buffalo News
- Vassar College

**“ The breadth of our client base stimulates multifaceted thinking. ”**

# Representative Board Affiliations

- Advocates for Upstate Medical University
- AI Sigl Community of Agencies
- The Prevention Council
- American Red Cross of Greater Rochester
- Argus Community
- CASA of New York State
- Catholic Health System Continuing Care Foundation
- Habitat for Humanity Buffalo
- Hope for Bereaved
- Jewish Community Center of Syracuse
- Jewish Community Foundation of CNY
- Legal Aid Bureau of Buffalo
- Legal Aid Society of Mid-New York
- Legal Services of Central New York
- Legal Services of the Hudson Valley
- Long Island Alzheimer's and Dementia Center
- OCC Foundation
- Paige's Butterfly Run
- Public Broadcasting Council of Central New York
- Rochester Fringe Festival
- Rochester Museum & Science Center
- Saratoga-Warren-Washington Workforce Development Board
- Syracuse Stage
- The Arc Erie County New York
- YMCA of Central New York
- Youth Haven



Some photographs in this report use actors and depict fictionalized events.  
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ALBANY | BUFFALO | GARDEN CITY | NEW YORK | ROCHESTER | SARATOGA SPRINGS  
SYRACUSE | UTICA | BOSTON | KANSAS CITY | NAPLES, FL | RED BANK, NJ

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