



BOND SCHOENECK
& KING ATTORNEYS

**STRONG
BONDS.
SMART
CONNECTIONS.**

2021
ANNUAL
REPORT

Strong Bonds Make Smart Connections

Letter from the Chairman



Kevin M. Bernstein
Chairman
*Management
Committee*

When I wrote my message for last year’s annual report, I never thought this letter would reflect many of the same themes of navigating business in a pandemic world. But as we know the past year held similar challenges for our clients, and I’m proud to say that Bond was with them every step of the way to inform, guide, grow and ensure a safe and even prosperous workplace amidst myriad challenges.

Our stories in this annual report illustrate how, with the strong bonds we have with our clients, we were able to put together noteworthy solutions by connecting them with attorneys with the right skill sets, employing innovative approaches and the right resources, to solve client issues and create beneficial results. Thus, this year’s theme: Strong Bonds. Smart Connections.

Throughout the year we continued to support our clients who were still confronting the ongoing challenges in their workplaces, particularly with all the changes to the rules and updated government guidance. As we entered the second year of the pandemic, it wasn’t quite what we experienced in 2020, but it was still largely unknown territory.

What started in 2020 as our highly popular weekly COVID-19 webinar series took on a slightly different focus in 2021. The weekly series was renamed “Business in 2021: A Weekly Update and Discussion on Legal

and Practical Issues.” Each week more than 800 people logged on to hear the latest updates on all things COVID, as well as developments in government, legislation, employment law and whatever the hot topics for the week were. When we launched the webinar series in March 2020, we expected it to last just a few months to get our clients through the immediate impact the pandemic had on their operations. We continue it today as a vital resource for staying connected with our clients. If you’re not already among the many who tune in each week, I invite you to sign up on our website.

Last year also saw continued positive growth at Bond. In April, we had a major combination with the law firm of Putney Twombly Hall & Hirson in New York City, adding 15 attorneys to Bond’s New York City and Garden City offices. The addition of the Putney firm, with its 155-year New York City history of providing labor and employment and other services, was a natural next step for our downstate

footprint. Putney also had a New Jersey office, giving us a foothold in a new state as well.

In a second downstate move, Bond opened an office in Westchester in October, our 13th office. The addition of a Westchester office was part of the firm's strategic plan to have a presence in all major metropolitan areas across the state. This office will serve Bond's already significant client base in Westchester County, including school districts, colleges and universities, libraries, municipalities, long term care and health facilities and numerous businesses.

Bond continued to grow in other ways as well. Our Cybersecurity and Data Privacy practice has helped dozens of higher education clients, as well as private businesses, develop policies to address the rapidly changing landscape in this digital age. With an emphasis on prevention to help mitigate risk, they also respond to data breaches and help clients navigate through them. On the higher education front, we continue to recruit top legal talent from prestigious institutions and now have one of the most robust Higher Education practices for a firm our size in the Northeast. Our Public Finance attorneys also helped colleges and universities with more than \$35 million in savings on multiple refinance

projects (see our story about it in this report). Our Collegiate Sports team in our Kansas City office has been recognized as the leading provider of consulting services to NCAA-member institutions in the areas of major and secondary infractions cases; compliance program reviews and audits; student-athlete eligibility reinstatement; rules interpretations and governance issues; and other NCAA-related concerns. Also, our Intellectual Property attorneys were very active, handling hundreds of patent matters and patent infringement lawsuits on behalf of world-leading companies.

We also added the former general counsel and deputy general counsel from the National Labor Relations Board to our Labor and Employment practice, helping employers with compliance issues, collective bargaining, unionization efforts and unfair labor practices.

As we continue to help clients across our spectrum of legal services, one thing hasn't changed, and that's the bond we have with each client. A bond to help them stay strong, resilient and ready to face the challenges of the coming year.



2021 Management Committee



(L to R): Peter A. Jones, Richard J. Evrard, Kevin M. Bernstein, Edward C. Radin, Jennifer M. Boll, John H. Callahan, Thomas G. Eron

Exposing the Limited Reach of the NCAA

Bond successfully argued that Baylor University did not break NCAA rules when it failed to report allegations of sexual and physical abuse of female students by football student-athletes between 2010 and 2015.

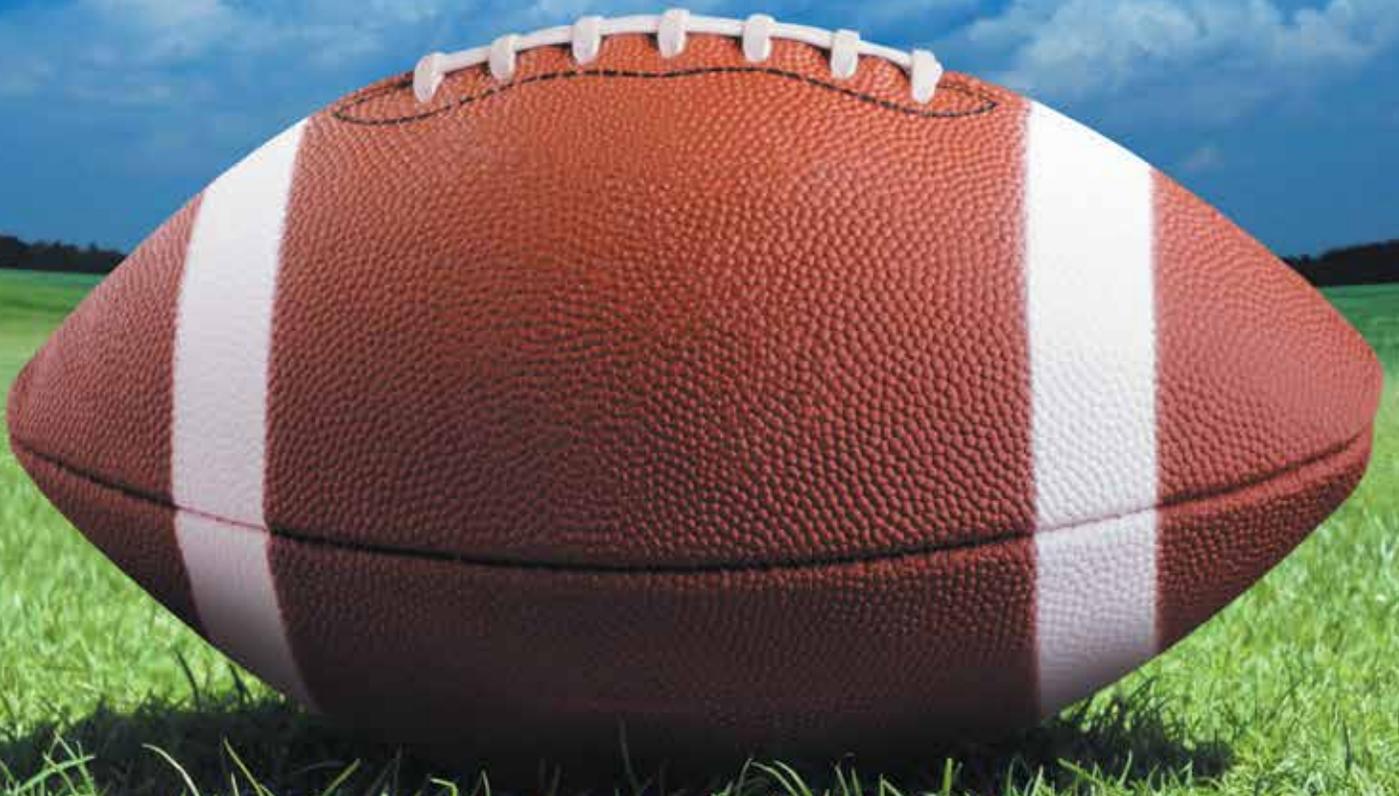
In a ruling issued in August, the NCAA Division I Committee on Infractions concluded Baylor's lack of accountability in these cases, while unacceptable and egregious, did not constitute a violation of NCAA regulations because it was a campuswide problem and not limited to athletics.

"The (NCAA) membership has not adopted legislation regulating how member institutions should respond to sexual and interpersonal violence involving student-athletes," the committee's decision reads. "The panel cannot conclude, however, that the football program's failure to report incidents of alleged sexual and interpersonal violence constituted impermissible benefits to student-athletes when there was a campuswide culture of non-reporting."

Since 2017, Bond has represented universities in four major areas of alleged wrongdoing: academic misconduct (allegations of sham academic courses at the University of North Carolina); admissions fraud and bribery (the FBI's "Operation Varsity Blues" that led to the arrest of actor Felicity Huffman and other high-profile parents who paid bribes to get their children into elite colleges); corruption, kickbacks and boosters (the Adidas recruiting scandal in which the executives with the sportswear company were accused of bribing high-profile recruits to sign with certain college teams); and Title IX issues (the Baylor case). In each case, Bond attorneys argued the positions of the institutions involved, and the resulting landmark rulings revealed the limits of the NCAA's dominion over campus administration.

Richard J. Evrard handled this matter.

“ Since 2017, Bond has obtained four landmark rulings that revealed the limits of the NCAA’s dominion over campus administration. ”



Class Action Certification is Denied and Case is Dismissed

Bond achieved a significant class action victory for a New York City nonprofit agency that offers more than 160 programs serving 65,000 people a year.

The class action lawsuit was filed by two former employees of the agency in the New York State Supreme Court in 2018. The plaintiffs were seeking to recover allegedly unpaid prevailing wages and supplemental benefits on behalf of a putative class of maintenance workers and security guards employed by the agency. Because the statute of limitations for these claims was six years, and the class members numbered in the hundreds, the potential liability could have been in the millions of dollars.

In response to the lawsuit, Bond filed a third-party complaint against New York City, acting by and through the New York City Human Resource Administration/ Department of Social Services and the New York City Department of Homeless Services. These are the city agencies that funded the programs that employed the putative class representatives. The third-party complaint sought relief based upon indemnification,

unjust enrichment, contribution and breach of contract claims.

After discovery in December 2020, plaintiffs filed a motion for class certification. In February 2021, Bond filed in opposition to the motion as well as a cross motion to dismiss plaintiffs' complaint on the grounds that: (1) plaintiffs failed to sufficiently plead a claim for breach of contract; (2) the prevailing wage requirements of New York Labor Law Sections 230 and 231 were inapplicable to plaintiffs, according to the allegations in their complaint; and (3) plaintiffs failed to exhaust their administrative remedies.

After hearing oral argument on the motion and cross-motion the court issued its decision in December 2021 denying plaintiffs' motion for class certification and granting Bond's motion to dismiss plaintiffs' complaint against Bond's client in its entirety.

Stephanie M. Campbell, Gregory B. Reilly and Samuel G. Dobre handled the matter.

“ Because the statute of limitations for these claims was six years, and the class members numbered in the hundreds, the potential liability could have been in the millions of dollars. ”





Negotiating an Increased Purchase Price in Tech Company Sale

A long-time client reached out to Bond when it received two competing offers to purchase the business.

Bond counseled the client, a leading technology integrator, in selecting the best offer based on the proposed purchase price, transaction structure and tax benefits of each proposal. Bond handled the negotiation of the purchase agreement, the ancillary agreements and the related lease amendments. Despite challenges associated with the purchaser's financing, Bond successfully closed the transaction. As an added bonus for the client, Bond negotiated a substantial post-closing increase in the purchase price.

Dori K. Bailey, Raymond P. Reichert, Elizabeth L. Morgan, Amy G. Rhinehardt, Milena Vorndran and Ryleigh A. Peterson handled this matter.



Discrimination, Retaliation Claims Dismissed

Bond successfully defended a small, private college in a case asserting age discrimination and retaliation claims under the Age Discrimination in Employment Act (ADEA) and related state and local laws.

The plaintiff filed suit against the college and its athletics director in 2018, alleging that he was denied a promotion and forced to resign because of his age and in retaliation for complaints he claimed to have made.

Bond moved for summary judgment, arguing the plaintiff was not promoted because the position he sought required basketball coaching experience and the plaintiff, who had no basketball coaching experience, was not qualified for the position. The district court agreed, ruling in September 2020 that the plaintiff had failed to produce evidence that he was qualified for the promotional position or that he was treated differently than his younger co-workers and dismissed the case. The plaintiff appealed the dismissal to the Second Circuit. In December 2021, the Second Circuit agreed with Bond's arguments and affirmed the lower court's ruling. The plaintiff subsequently moved for rehearing, but his motion was denied.

Jessica C. Moller handled this matter.



Furthering Economic Development in Upstate New York

Oneida County Industrial Development Agency (IDA) was an integral partner in providing vital tax benefits to the Cree/Wolfspeed project for the construction of the world's largest silicon carbide fabrication in Marcy, New York.

Bond served as transaction counsel to this long-standing client and in that role devised the structure of the lease-leaseback transaction between Wolfspeed (formerly Cree) and the IDA; negotiated and drafted all IDA transaction documents, including a complex and unique PILOT Agreement; worked with the lenders to structure financing in conjunction with the IDA benefits; and oversaw the coordination of all private and public partners to a successful closing of the transaction.

Linda E. Romano handled the matter.



Nothing Malicious Here

In a long-running battle with a property owner, Bond defended the Town of Shelby against claims that stemmed from the Town's enforcement of its building and zoning codes.

The property owner claimed he was being targeted and wrongfully persecuted by the Town based on its issuance of nearly 60 citations for code violations. After years of litigation, Bond secured the dismissal of the property owner's lawsuit for malicious prosecution and abuse of process when the Supreme Court, Orleans County, dismissed all claims against the Town, with prejudice.

Jeffrey F. Allen handled this matter.

Innovative Offshore Wind Research Projects Hailed by the White House

Bond assisted the National Offshore Wind Research and Development Consortium (NOWRDC), a groundbreaking collaboration of federal and state agencies and private industry, in the successful contracting of approximately \$30 million of scientific research contracts.

The research, which is focused on solving technical challenges to the growth of offshore wind as a source of renewable energy, will be performed by major public and private institutions and industry participants. It is funded through a \$48 million award to NOWRDC from the New York Energy Research and Development Authority and the U.S. Department of Energy. NOWRDC's contribution to this accomplishment was lauded in a [press release](#) by the White House:

Funding for Innovative Supply Chain and Maintenance Projects. The National Offshore Wind Research and Development Consortium is awarding over \$3 million to six offshore wind R&D projects, bringing total investment through NOWRDC over the past year to \$14 million. The competitive awards will

fund three new supply chain projects to facilitate U.S. manufacturing, ensure quality component production and simplify transportation of major wind plant components. Three additional projects will support asset monitoring and inspection to reduce operational costs for offshore wind farms. The NOWRDC was established in 2018 with a \$20.5 million Department of Energy (DOE) investment and matching funds from the New York State Energy Research and Development Authority (NYSERDA), with follow-on contributions from state agencies in Maryland, Virginia, Massachusetts, Maine and New Jersey—all resulting in approximately \$48 million in committed funds.

Thomas W. Simcoe acted as counsel and was assisted by Paul J. Avery, George R. McGuire and Delaney M. R. Knapp.

A close-up, low-angle shot of a white offshore wind turbine's nacelle and hub, with three blades extending outwards. The background shows a vast, calm blue ocean under a clear sky, with another wind turbine visible in the distance. The overall color palette is dominated by various shades of blue and white.

“ The research, which is focused on solving technical challenges to the growth of offshore wind as a source of renewable energy, will be performed by major public and private institutions and industry participants. ”

Helping Higher Ed Clients Achieve Significant Savings

Favorable market conditions, including continuance of historically low interest rates, allowed Bond's Public Finance attorneys to help several higher ed clients refinance outstanding indebtedness.

The result was substantial interest savings and improved operational flexibility for these borrowers.

In 2021, Bond assisted the following higher ed clients with their refinancing transactions:

- Clarkson University
- Fordham University
- Hamilton College
- Le Moyne College
- St. John's University
- Skidmore College
- The Culinary Institute of America

As a result of these transactions, our clients realized an aggregate of more than \$35 million in net present value interest savings and, in some cases, favorably modified or eliminated financial covenants and/or collateral requirements.

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



“ As a result of these transactions, our clients realized an aggregate of more than \$35 million in net present value interest savings and, in some cases, favorably modified or eliminated financial covenants and/or collateral requirements. ”



Helping Oversee a City's School Infrastructure Redevelopment

The Rochester Joint School Construction Board worked with Bond as legal counsel on a multistage, district wide program to upgrade and modernize the Rochester city school district facilities.

As part of the project, Bond was instrumental in securing the issuance of \$435 million in bonds to complete Phase 2, which wrapped up in 2021 and included renovations to 12 schools.

The full scope of this long-term project involved three phases. Phase 1 began in 2008, Phase 2 in 2014 and Phase 3, which was approved in 2021, will commence in 2022 to complete the project. In total, the cost of the fully completed project is estimated at more than \$1 billion and will affect nearly 50 schools.

As general counsel, Bond attorneys were involved in contract review, construction, bonding and litigation. Bond also helped draft Phase 3 legislation, which was approved for \$475 million.

Edward P. Hourihan, Gregory J. McDonald, Paul W. Reichel, Curtis A. Johnson and Gail M. Norris handled various aspects of the project.

No Finding of Discrimination

A Naples, Florida, restaurant was accused of discriminating against one of its employees due to her race and national origin.

Bond was hired to represent the restaurant and responded to the charge of discrimination filed with the Equal Employment Opportunity Commission (EEOC). After the EEOC found that there was no reasonable cause for a finding of discrimination, the aggrieved employee requested a hearing with the Department of Administrative Hearings (DOAH). After trial, the DOAH ruled that the restaurant did not discriminate against the employee.



Thomas K. Rinaldi handled this matter.



Fully Funding the State's Foundation Aid Formula

Bond played a role in the New York State Legislature's decision to fully fund the state's court-mandated Foundation Aid formula, which distributes money to school districts based on need.

The formula was put in place after a court ruling in favor of the Campaign for Fiscal Equity (CFE), a nonprofit advocacy organization that sought to protect and promote the constitutional right to a sound basic education for all public school children. While the CFE case led the way in 2006, when New York State defaulted on the Foundation Aid formula required by the CFE case, Bond kept the pressure on key decision-makers by filing complaints with the U.S. Office for Civil Rights (OCR) on behalf of some of its school district clients.

Bond demanded fair funding for school districts with predominantly minority student populations that were being systematically shortchanged by New York State.

Candace J. Gomez, Kate I. Reid and Howard M. Miller handled this matter.



Expediting a Large Equity Sale

Bond represented a manufacturing client in an equity sale with a purchase price of more than \$90 million paid in cash at closing.

The timing of the sale was ambitious; the beginning of the due diligence period until closing was less than three months. Included in the deal structure was a one-time tax credit for the benefit of the owners, paying out more than \$2 million in additional monies, the purchase of a blocker corporation, a complex real estate lease, continued employment and other terms in a very truncated sale process.

Jennifer M. Boll, Nicholas J. Hoffman, Elizabeth L. Morgan, Sunny I. Tice, Robert R. Tyson and Robert W. Patterson handled the matter.

Going a Step Further for Justice

Bond represented the estates of two men who were killed in the infamous limousine accident in Schoharie County in 2018, when an out-of-control limousine crashed into the parking lot of the Apple Barrel Country Store. The limousine proceeded into a ravine below, ultimately killing all 17 passengers, the driver and Bond's two clients who were standing in the Country Store's parking lot at the time of the accident.

The major defendants were the limousine company and Mavis Discount Tire, which exclusively serviced the limousine for a number of years prior to the accident. The main claim alleged that there was a massive brake failure when the limousine descended down a steep hill toward an intersection above the store's parking lot. However, unlike other plaintiffs, Bond also filed a separate lawsuit against the Country Store on the grounds that it failed to properly safeguard customers who were standing in the parking lot near a hilly intersection that was identified as dangerous. In prior years large trucks had experienced brake failure while descending this hill and approaching the intersection, and entered the store's parking lot causing property damage. Bond successfully settled the claim against the Country Store for \$500,000. This settlement is noteworthy since few thought

the claim against the Country Store would be successful. However, correspondence from the store's owner asking New York State to make modifications to the intersection supported Bond's claim. While the state did not make modifications, the store didn't try to mitigate the danger either. In addition to the monetary settlement, Bond was also involved in defeating a motion by Mavis to dismiss the complaint on the grounds that it owed no duty to the passengers in the limousine or to our clients who were standing in the parking lot. Bond was one of two law firms that argued in opposition to the motion and played an instrumental role in the preparation of the brief. The motion to dismiss is currently on appeal. Bond will continue to vigorously represent its clients in this case against Mavis and the other defendants.

Michael R. Wolford and Laura A. Myers are handling this matter.



“ In addition to the monetary settlement, Bond was also involved in defeating a motion by Mavis to dismiss the complaint on the grounds that it owed no duty to the passengers in the limousine or to our clients who were standing in the parking lot. ”

Justice in Prevailing Wage Case

Bond successfully represented an employer in determining its position on a prevailing wage rate claim. The New York State Court held a three-day bench trial to determine whether a warehouse worker who maintained inventory and delivered parts to 10 toll plazas operated by the MTA Bridge & Tunnel Authority in New York City was entitled to be paid the prevailing wage rate as an electrician for all of his hours of work.

Our client, Kapsch TrafficCom North America, which maintained and serviced the gates at the toll plazas under contract with MTA, had determined the employee was not entitled to the prevailing wage, as he was not an electrician and did not service or maintain the toll gates as required by its MTA contract. We argued that, at most, the employee might be entitled to the prevailing wage, but only for the brief periods of time that he claimed he assisted service technicians in repairing and maintaining the toll gates.

At the conclusion of the trial, the judge entered a verdict in favor of the plaintiff employee and against our client and a co-defendant, finding that the employee was entitled to the prevailing wage for all hours of work dating back six years. Including statutory interest, the amount of the judgment grew to more than a half million dollars.

Bond appealed the verdict on behalf of Kapsch TrafficCom, arguing the employee was not entitled to the prevailing wage, and had not offered any proof as to how much time he spent performing prevailing wage duties as opposed to his other regular, assigned job duties. In a unanimous opinion, the Second Department agreed with Bond's position, determining that the employee "never quantified or estimated the amount of time he spent each day upon such [prevailing wage] tasks." It reversed the judgment, dismissed the complaint and awarded court costs in our client's favor.

Parris v Schneider Elec. Mobility NA, Inc. [Kapsch TrafficCom NA, Inc.], 197 AD3d 710, 2021 NY Slip Op 04755 (2d Dept. 2021), *lv. to appeal denied*, ___ N.Y.3d ___, 2022 NY Slip Op 61546 (Feb. 10, 2022).

James E. McGrath, III handled this matter.



“ In a unanimous opinion, the Second Department agreed with Bond’s position, determining that the employee “never quantified or estimated the amount of time he spent each day upon such [prevailing wage] tasks.” It reversed the judgment, dismissed the complaint and awarded court costs in our client’s favor. ”

Achieving a Favorable Result While Avoiding Litigation

Bond obtained a settlement on behalf of Dynamic Energy Solutions in connection with a complex dispute with its subcontractors and the parties' insurers.

The dispute arose out of an environmental event that occurred at a solar construction project in 2018 that resulted in significant expenses and fines for Dynamic.

After nearly two years of stalled negotiations with the subcontractors and insurers to reimburse Dynamic for its costs and expenses, Dynamic reached out to Bond. Through a mediation orchestrated by Bond involving more than a dozen different parties (including attorneys), Bond was able to achieve a mutually agreeable resolution between the parties without the need for expensive, protracted and uncertain litigation.

The multifaceted matter involved tricky insurance coverage issues with Dynamic's insurer for the project, multiple adverse parties with competing interests and complex choice of law and expert issues. The incident happened in Massachusetts, Dynamic is a Pennsylvania company, the primary defendant was an Arizona corporation and there was an Arizona choice of law provision in the key contract and the insurer was based in London. Bond was able to navigate all of these issues and the client was absolutely thrilled with the result, saying they would not have achieved the result they did without Bond's assistance.

Stephen A. Sharkey handled this matter.

“ Through a mediation orchestrated by Bond involving more than a dozen different parties (including attorneys), Bond was able to achieve a mutually agreeable resolution between the parties without the need for expensive, protracted and uncertain litigation. ”





Sale of Innovator and Market Leader

Bond handled the acquisition of Hollowick, Inc., a second generation, family-owned business and innovator in tabletop lighting and food warming solutions, by Steelite International, the world's leading supplier of tabletop and buffet solutions to the global hospitality industry.

Established in 1971, Hollowick has advanced the industry through its innovative and distinctive products, including disposable liquid candle systems, liquid tealight™ and adjustable wick chafing fuel. Hollowick manufactures its products in Manlius, New York, and orders will continued to be fulfilled and distributed from the Manlius facility to the hospitality community. Bond counseled the client in every phase of the transaction, including the transaction structure, negotiation of the purchase agreement and the ancillary agreements, employee benefits, tax considerations and real estate matters.

Dori K. Bailey, Charles J. Sullivan, Robert R. Tyson, Aaron M. Pierce, Raymond P. Reichert, John B. Elleman, Elizabeth L. Morgan, Haley R. DeCarlo, Ryleigh A. Peterson and Theresa M. Burdo handled this matter.

A Team Effort

Hodges University wanted to sell its administrative buildings in Naples, Florida, consolidate the university's operations to its Fort Myers campus and satisfy publicly held bonds secured by the real property.



Attorneys in Naples and Syracuse demonstrated Bond's one-firm philosophy by teaming together to assist the university in its efforts. Bond attorneys in Naples negotiated on the university's behalf as general counsel, advised on general real estate matters and handled leasing issues, while Syracuse attorneys handled the public financing aspect to ultimately close the transaction.

Thomas K. Rinaldi, James F. Morey, Kevin V. Recchia, Paul W. Reichel and Matthew N. Wells handled this matter.



New Member Service Center and at a Reduced Price

A financial institution was interested in establishing a new member service center and branch location. The long-time client called on Bond to obtain the necessary regulatory approval and close the transaction. As an unexpected benefit, Bond was able to do so while helping the institution achieve a substantial reduction in the purchase price.

The credit union needed a new member service center and branch location due to strong member growth—as its main location could no longer support all the services provided to its members. In addition, one of the existing branches required significant repairs and renovations. Management made the decision to purchase a new building providing sufficient space for the new service center and relocate the mortgage department from the main office for greater operating efficiency.

A property was identified in the heart of one of the busiest intersections in the city that would provide increased accessibility, visibility and customer traffic and was spacious enough to provide room for a retail presence, in addition to back-office personnel. The client would also save the substantial costs associated with renovating the existing branch.

Bond immediately began the process of seeking and obtaining the regulatory approval necessary to purchase this property and open the new member service center. Bond also advised the client in the negotiation of the purchase price of the property and was successful in reducing the purchase price by hundreds of thousands of dollars.

Dori K. Bailey, Kevin M. Pole, Amy G. Rhinehardt and Mary M. Burchill handled this matter.



“

We know that
an inclusive
environment
both honors
our history
and propels
us to future
achievements.

”

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

In a year when deep divisions seemed to dominate the evening news and morning headlines, Bond continued its efforts to come together on the critical issues of diversity, equity and inclusion (DEI). This journey to learn, grow and improve in the critical areas of DEI within our firm makes us better. Better advocates for our clients and better citizens in our communities. As the firm’s official diversity statement attests: “Our goal is to embrace differences in characteristics and perspectives, such as race, ethnicity, religion, gender, age, sexual orientation, gender identity, gender expression, veteran/military status, disability, family and marital status, to strengthen who we are as a firm. ... We know that an inclusive environment both honors our history and propels us to future achievements.”

Each action we take to address issues of structural racism and injustice makes us stronger. This year, Bond hosted a history professor to provide an educational session on the meaning of Juneteenth – the day commemorating the end of slavery in the United States – and in 2021 the firm commemorated the United States’ second Independence Day as a firm holiday. Bond leadership decided in the fall of 2020 to add the holiday to the firm calendar, several months before Congress voted to make it a federal holiday.

This is a journey, and Bond will continue to build on its past efforts, which included the following:

- Served as name sponsor of the Bond, Schoeneck & King Series on Race and Justice in Central New York, partnering with Syracuse University College of Law and the Onondaga County

Bar Association, to provide legal and non-legal programming aimed at opening a respectful, constructive and healthy dialogue about systemic racism and unequal access to justice in the community. The series, which included a presentation by Anthony Ray Hinton, who spent 30 years on Alabama’s death row after he was wrongfully convicted of murder, later won the 2021 Innovation Award from the New York State Bar Association;

- Sponsored a webinar, with one of the authors of “Marriage Equality: From Outlaws to In-Laws,” on the history of marriage equality, which included a discussion of current issues of relevance, such as the implications to the LGBTQ community of the *Fulton* case at the Supreme Court;
- Presented “Gender Identity & Expression: Working Toward

“ When we’re talking about diversity, it’s not a box to check. It is a reality that should be deeply felt and held and valued by all of us. ”

– Ava Duvernay, American filmmaker

an Inclusive Workplace,” a webinar that examined the state and federal legal landscape as it relates to matters of gender identity and expression in employment;

- Hosted “Structural Racism and the Law,” a webinar presented by Paula Johnson, a professor at Syracuse University College of Law and co-founder of the Cold Case Justice Initiative. In her talk, Johnson provided an overview of legislative actions and systems that have been put in place to maintain racial inequity and suppression of BIPOC (Black and indigenous people of color) communities;
- Issued a statement in support of Americans of Asian and Pacific Island (AAPI) descent following an uptick of reported hate crimes and incidents of bias and harassment against these communities and hosted a webinar to further discuss the topic;
- Presented on a lawyer’s ethical responsibility regarding diversity, equity and inclusion during Syracuse University College of Law’s new student orientation;
- Provided resources and educational materials for various heritage month celebrations, including a lunch-and-learn program for Latinx/Hispanic Heritage Month that focused on Supreme Court Justice Sonya Sotomayor;
- Hosted a complimentary webinar, “Afro-Latinos in the U.S. and in the Law,” in collaboration with Amistad Long Island Black Bar Association; Long Island Hispanic Bar Association; and Syracuse University College of Law as part of its celebration of Black History Month. The presentation explored the cultural history and diversity of Afro-Latinos in the United States and discussed important issues impacting Afro-Latinos in the law, government and public policy;
- Formed a Pride affinity group to encourage connection around and conversation about LGBTQ issues among attorneys and staff;
- Held its first internal 21-Day Racial Equity Habit Building Challenge, made possible by the generosity and exceptional work of Dr. Eddie Moore;
- Participated in and helped organize a networking event with the Women’s Bar Association of the State of New York with students at the University of Buffalo School of Law;
- Sponsored and attended the Syracuse University College of Law Black Law Students’ Association Virtual Black History Month Celebration;
- Supported the Discover Law program at the University of Buffalo with members of Bond serving as mentors for the program;

- Participated in the Lavender Law LGBTQ Law Fair; and
- Continued to support the efforts of the Buffalo Niagara Partnership through its Diversity Executive Council and Diversity Executive Exchange.

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:
 - Elected Monica C. Barrett to the firm's management committee. Monica is co-managing member of the firm's New York City office, co-chair of the firm's diversity committee, co-chair of the firm's higher education practice and a member of the LGBTQ community;
 - Named Kate I. Reid as co-chair of the school law practice, joining Candace J. Gomez, who was chosen in late 2020;
 - Named Jennifer M. Schwartzott as deputy managing member of the Rochester office;
 - Welcomed several new lateral attorneys to our ranks, including Alice B. Stock, formerly the Deputy General Counsel for the National Labor Relations Board, who joined Bond's New York City office; Terria Jenkins, who was chief trademark counsel at Eastman Kodak and now works in our intellectual property practice in Rochester; and Sandra M. Casey, who previously served as acting General Counsel for the State University of New York, who's now in the Albany office;
 - Named Jessica L. Copeland and Amber L. Lawyer as chair and deputy chair, respectively, of the cybersecurity and data privacy practice;

- Participated in the Albany and Onondaga County Bar Association's Diversity Internship Programs;
- Offered 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; and
- Continued service by 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.

New Member



Sara M. Richmond
School Law
Westchester

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

New Laterals



Mary Ellen Donnelly
Member
Labor and Employment
New York City



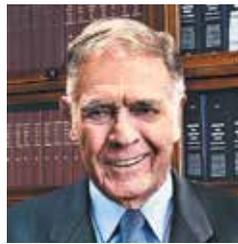
James E. McGrath III
Member
Labor and Employment
New York City



Daniel F. Murphy, Jr.
Member
Labor and Employment
New York City



Geoffrey H. Ward
Member
Trust and Estate
Garden City



Charles J. Groppe
Of Counsel
Trust and Estate
Garden City



Christopher M. Houlihan
Of Counsel
Litigation
New York City



Andrea Hyde
Of Counsel
Trust and Estate
Garden City



Thomas A. Martin
Of Counsel
Litigation
New York City



William M. Pollak
Of Counsel
Business and Transactions
New York City



Peter B. Robb
Of Counsel
Labor and Employment
Naples



Alice B. Stock
Of Counsel
Labor and Employment
New York City



Sandra M. Casey
Senior Counsel
Higher Education
Albany



Lawrence J. Finnell
Senior Counsel
Employee Benefits and
Executive Compensation
New York City



Terria P. Jenkins
Senior Counsel
Intellectual Property
Rochester



Rebecca K. Kimura
Senior Counsel
Labor and Employment
New York City



Barbara M. Maisto
Senior Counsel
Litigation
Garden City



Lakshmi S. Mergeche
Senior Counsel
School Law
Garden City



Gabriel S. Oberfield
Senior Counsel
Health Care
New York City

New Associates



Kevin G. Cope
Litigation
Buffalo



Haley R. DeCarlo
Property
Syracuse



Dustin M. Dorsino
Business and Transactions
Syracuse



Gianelle M. Duby
Labor and Employment
Syracuse



Lisa R. Feldman
Higher Education
New York City



Brendan J. Goodwine
Intellectual Property
Buffalo



Ryan Lefkowitz
Litigation
Rochester



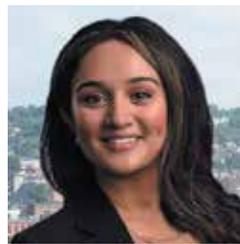
Michaela J. Mancini
Litigation
Syracuse



Kelly L. McKinney
Associate Trainee
Labor and Employment
Garden City



Amelia McLean-Robertson
Environmental and Energy
Syracuse



Hoda A. Moussa
Associate Trainee
Business and Transactions
Buffalo



Nicole E. Price
Labor and Employment
New York City



Jane F. Skinner
Trust and Estate
Rochester



Sarah M. Zucco
Labor and Employment
New York City

A Letter from the Chair of the Women's Initiative



Jennifer M. Boll, Chair
The Women's Initiative

Since its founding in 2008, Bond's Women's Initiative has worked to create opportunities for personal, professional and collaborative growth of women, both inside and outside the firm. That mission continued last year against a backdrop of global advancement for women that included the first woman elected U.S. vice president and the first woman appointed director-general of the World Trade Organization.

Inside 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 as general counsel, practice group chairs and deputy chairs and committee members. The Women's Initiative takes pride in this progress and kept the drumbeat going last year by:

- Presenting the Bond "Torchbearer Spotlight" series, which showcases women attorneys who lead and inspire others in their law practice, private life, community service and/or educational experiences. Featured attorneys were Mara D. Afzali, Monica C. Barrett and Sharon M. Porcellio.
- Participating in the "2021 Go Red for Women Capital Region NY Experience" to support the American Heart Association.
- Sponsoring, in collaboration with the firm's Well-Being Committee, a facilitated and supportive conversation, "Working During Unprecedented Times: A Roundtable Discussion," to share coping strategies, tips and resources for navigating the personal challenges of COVID-19.
- Organizing virtual book club chats:
 - "This Is How It Always Is," by Laurie Frankel. Sarah Calvin from The Bookstore Plus in Lake Placid, New York, a second-generation, woman-owned business, led the discussion.

- "The Vanishing Half" by Britt Bennett. Casey Frank, owner of The Golden Bee Bookshop in Liverpool, New York, facilitated the discussion.
- Hosting a virtual retreat, which included several events:
 - "Her Seat at the Table: Women in Negotiation and Self-Advocacy," a lecture presented by Columbia Law Professor Alex Carter.
 - "Inside Baseball," a discussion about the inner workings of the firm (i.e., how to land leadership roles, how the compensation system works and the succession planning process for retiring members).
 - "Hey Superwoman – What's Next?" a presentation by legal industry and workplace expert Debbie Epstein Henry, who discussed ways to maximize opportunities, maintain productivity and navigate our way in times of transition.
- Hosting bimonthly, virtual happy hours for Bond women attorneys to connect and reconnect across the firm.

We're proud of our progress so far and look forward to building on it in the years to come by celebrating and facilitating the achievement of women in our firm and communities.

A handwritten signature in black ink that reads "Jennifer M. Boll". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Accolades & Honors

Chambers USA®

Five Bond practice areas were recognized:

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

Chambers-ranked lawyers included Kevin M. Bernstein, Michael I. Bernstein, Louis P. DiLorenzo, Jonathan B. Fellows, Charles D. Grieco, Vincent O. Hanley, Laura H. Harshbarger, Edward P. Hourihan, Jr., Peter G. Klein, Randall M. Odza, Stephen A. Sharkey and Robert R. Tyson.

Best Lawyers® “Best Law Firms”

Bond was recognized nationally in four categories:

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

Bond also had the most Metropolitan Tier 1 rankings among the 949 ranked firms in New York State.

Best Lawyers and Super Lawyers®

Eighty-eight Bond attorneys were recognized in Best Lawyers in America. Twenty-two of the firm’s attorneys were recognized as Best Lawyers in America: Ones to Watch.

Sixty-seven Bond attorneys were named New York Super Lawyers, one was named as a Florida Super Lawyer and 29 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.” Fourteen Bond attorneys achieved that recognition:

Albany

- John M. Bagyi – Labor Law, Management

Buffalo

- Sharon M. Porcellio – Litigation, Labor and Employment
- Raymond P. Reichert – Tax Law
- Steven J. Ricca – Land Use and Zoning Law

Long Island

- Terry O’Neil – Employment Law, Management

Naples

- Kevin V. Recchia – Real Estate Law

New York City

- Daniel F. Murphy, Jr. – Litigation, Labor and Employment

Rochester

- Brian Laudadio – Litigation, Municipal

Syracuse

- Thomas G. Eron – Education Law
- Peter A. Jones – Labor Law, Management
- Colin M. Leonard – Employment Law, Management
- Paul W. Reichel – Tax Law
- Virginia C. Robbins – Environmental Law
- Linda E. Romano – Corporate Law

BTI

Bond was recognized as one of the Most Recommended Law Firms in 2021 based on the BTI Consulting Group’s annual survey of top legal decision makers (i.e., general counsels, chief legal officers, etc.). The firm also was selected as one of only 43 midsize law firms in BTI’s “Punching Way Above Their Weight” client-service study. And finally, BTI included Bond on its elite list of client service leaders, the BTI Client Service A-Team 2021. The BTI Client Service A-Team is limited solely to law firms considered by clients to deliver the absolute best levels of client service.

New York State Bar Association Innovation Awards

The New York State Bar Association awarded the “Bond, Schoeneck & King Series on Race and Justice in Central New York” its 2021 Innovation Award in the medium-sized law firm bar association category. The series was created to provide legal and non-legal programming aimed at opening a respectful, constructive and healthy dialogue about systemic racism and unequal access to justice in the community.

Best Estate Planning and Intellectual Property Firm in Rochester

Bond was named best law firm for estate planning and intellectual property representation according to *Rochester Business Journal* and *The Daily Record’s* Reader Ranking Awards. The awards highlight locally owned and operated businesses and their services, as voted by the readers of both publications.

Individual Accolades & Achievements

Mara D. Afzali (Albany) was honored as a “Woman on the Rise” by the *Albany Business Review*.

John M. Bagyi (Albany) was named one of the Lawdragon 500 Leading U.S. Corporate Employment Lawyers. **Louis P. DiLorenzo** (New York City and Westchester) was named to Lawdragon 500 Leading U.S. Corporate Employment Lawyers as a member of its Hall of Fame for labor and employment.

Mitchell J. Banas, Jr. (Buffalo), and **Michael R. Wolford** (Rochester) were named to the United States District Court for the Western District of New York Pro Bono Honor Roll for service to the court.

Brian J. Butler (Syracuse) was named to *The Daily Record's* Power 20 Litigation list 2021 and Power 50 Law list; **Cressida A. Dixon** and **Edward P. Hourihan** (both Rochester) were named to the 2021 Power 50 Law list by *The Daily Record*. **Terria P. Jenkins** (Rochester) and **George R. McGuire** (Syracuse) were named to Power 20 Intellectual Property list; and **Edward C. Radin** (Rochester) was named to the Power 20 Trusts and Estates list.

John H. Callahan, Collin M. Carr, John D. Clopper, George H. Lowe, Liza R. Magley, Hannah K. Redmond, Melissa O. Rothbart (all Syracuse) and **Jennifer M. Schwartzott** (Rochester) were recognized by the New York State Bar Association for exemplary pro bono work (50 or more hours).

Louis P. DiLorenzo (New York City and Westchester) received an honorary Doctor of Laws degree from the Northeast College of Health Sciences in recognition of his significant contributions to society through the practice of law.

Cressida A. Dixon and **Matthew W. Taylor** (both Rochester) were appointed public administrator and deputy public administrator, respectively, for Monroe County. In these roles, Cressida and Matthew administer the estates of deceased residents that would otherwise remain un-administered for lack of proper representation.

Richard J. Evrard and **Mike Glazier** (both Kansas City) were named by *Sports Business Journal* as 2021 Power Players: Outside Counsel.

Shannon A. Knapp (Syracuse) and **Jennifer L. Tsyn** (Albany) both earned the American National Standards Institute (ANSI)-accredited Certified Information Privacy Professional/United States (CIPP/US) credential through the International Association of Privacy Professionals.

Katherine S. McClung (Rochester) was named a Greater Rochester Chamber of Commerce ATHENA International Young Professional Award finalist. The award recognizes emerging female leaders in the 30- to 45-year-old range who demonstrate excellence, creativity and initiative in their business or profession and serve as a role model for young women both personally and professionally.

Mary P. Moore (Rochester), **Emma L. Osborne**, **Thomas K. Rinaldi** (both Naples) and **Brendan M. Sheehan** (Syracuse) 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 or in their respective communities.

Frank J. Patyi (Syracuse) was named the 2021 Volunteer Lawyers Project of CNY Pro Bono Champion.

Andrew H. Reiss (Naples) was elected president of the Collier County Bar Association.

Andrew H. Reiss and **Thomas K. Rinaldi** (both Naples) were named to the *Naples Illustrated* 2021 Top Lawyers list for commercial litigation.

Virginia C. Robbins (Syracuse) was elected president of the American College of Environmental Lawyers (ACOEL), a professional invitation-only association of distinguished lawyers who practice in the field of environmental law.

Theresa E. Rusnak (Rochester) received a Legal Excellence Award, Up and Coming Lawyer category, from the *Rochester Business Journal*.

Jennifer M. Schwartzott (Rochester) was named a 2020 Woman of Excellence by the *Rochester Business Journal*.

Justin L. Vigdor (Rochester) celebrated 70 years since his admission to practice law.

Michael R. Wolford (Rochester) received a Legal Excellence Award, Lifetime Achievement category, from the *Rochester Business Journal*.

Community Commitment

Bond attorneys and staff strive to make our communities better, stronger and healthier places to live and work. We proudly support hundreds of nonprofits each year and take part in community fundraising and awareness events throughout the firm. Our people are our bond and we proudly work together to make a difference.



Buffalo



Garden City



Naples



New York City



Rochester



Syracuse



Westchester

Representative Clients

- Adapt Community Network
- Albany Med Health System
- AmeriCU Credit Union
- ArchCare
- Bedford Central School District
- Bose
- Boston Market
- Central Hudson Gas & Electric
- Clarkson University
- Colgate University
- Conmed
- Crouse Health
- Greater New York Automobile Dealers Association
- Le Moyne College
- Liverpool Central School District
- Marist College
- Mohawk Valley Health System
- Museum of Jewish Heritage
- New Visions for Public Schools
- New York University
- Pace University
- Pinnacle Realty
- Plug Power
- Rochester Joint School Construction Board
- Rochester Regional Health
- St. Bonaventure University
- The New School
- Tompkins Community Bank
- Town of Wheatfield
- United Rentals
- Vaughn College
- Woodlawn Cemetery

Representative Board Affiliations

Bond attorneys and staff support organizations in their communities through board involvement, volunteerism and financial support. This is just a sampling of the boards that our attorneys are a part of, that help make our communities a better place to live and work.

- Al Sigi Foundation
- Alzheimer's Association – Northeastern New York Chapter
- Boys & Girls Club of Collier County
- Buffalo Philharmonic Orchestra
- Cazenovia Public Library
- CNY Arts
- Education Success Network
- Explore & More Children's Museum
- Francis House
- Hospice of Central New York and of the Finger Lakes
- Huntington Family Centers
- Jake's Help From Heaven
- Junior Achievement of Northeastern New York
- JustCause
- Legal Services of the Hudson Valley
- Long Island Alzheimer's and Dementia Center
- Maureen's Hope Foundation
- Memorial Art Gallery
- Mercy Hospital Foundation
- Milton J. Rubenstein Museum of Science & Technology
- Onondaga Historical Association
- Preservation Buffalo Niagara
- Society of St. Vincent de Paul of Buffalo, New York
- Syracuse City Ballet
- The Jewish Community Foundation of Central New York
- Willow Domestic Violence Center
- YMCA of Central New York
- YMCA of Greater Rochester

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