

JEFFREY KYLE ANDERSON

anderson@amtinjurylaw.com

Mr. Anderson is managing partner in the law firm of Anderson, Moschetti & Taffany, PLLC. He received his Bachelor of Arts degree from Colgate University, *Cum Laude* in 1978 and Juris Doctor Degree from Albany Law School of Union University in 1981.

For the past thirty one years, Mr. Anderson has represented clients in personal injury and wrongful death cases arising from automobile accidents, defective products, medical negligence, construction site accidents and unsafe premises. He has obtained numerous multi-million settlements and verdicts on behalf of his clients, including a verdict of \$4.8 million in a products liability case.

Mr. Anderson is admitted to practice in state and federal courts in New York and is a member of the American Bar Association, American Association for Justice, New York State Bar Association, New York State Trial Lawyers Association (former member Board of Directors), Albany, Rensselaer and Saratoga County Bar Associations, and is a past President of the Capital District Trial Lawyers Association.

Mr. Anderson is also a founding partner of Litigation Resolution Services, which provides arbitration and mediation services in upstate New York. He has been asked to mediate and arbitrate hundreds of personal injury and wrongful death cases, by agreement between plaintiffs' and defense counsel. He is also a member of the Dispute Resolution Section of the New York State Bar Association, having served as Co-Liaison to the Torts, Insurance and Compensation Law Section, and as a member of the Arbitration, Mediation and ADR in the Courts Committees. Mr. Anderson received training in mediation from the Harvard Negotiation Institute at Harvard Law School.

Mr. Anderson regularly lectures at seminars on personal injury, products liability, medical malpractice, workplace injuries and trial practice. He has lectured at numerous annual Decisions programs for the New York State Trial Lawyers Association, Capital District Trial Lawyers Association, New York State Bar Association, American Bar Association, American Association for Justice, Society of Safety Engineers, Rensselaer Polytechnic Institute, National Business Institute and for community organizations. In 2008 he authored a chapter on Products Liability Law for the two volume treatise *The Plaintiff's Personal Injury Action in New York*, published by the New York State Bar Association; which will be updated in 2013.

Mr. Anderson has been consistently voted as one of the top attorneys in Upstate New York in Super Lawyers, and for ten years has been rated *AV Preeminent* by Martindale-Hubbell.

John W. Bailey
Bailey Kelleher & Johnson PC



jwbailey@bkjlaw.com

John W. Bailey is an experienced trial attorney, having completed more than 200 jury trials. He has also tried numerous bench trials. Mr. Bailey's practice now concentrates on defending municipalities and corporations in high exposure damages cases.

A former President of the Defense Research Institute, Mr. Bailey has lectured on behalf of the New York State Bar Association, the Albany County Bar Association and Mealeys. He has served as a Town Justice for the Town of Guilderland, New York for 10 years.

Mr. Bailey represents individuals, families, businesses, and municipalities in several matters of civil litigation.

Admitted to practice

All New York State Courts (1980)

Federal Courts

U.S. District Court, Northern District of New York (1980)

U.S. District Court, Southern District of New York (1994)

U.S. Court of Appeals, Second Circuit (1996)

Education

Juris Doctor, Albany Law School (1979)

Bachelor of Arts, cum laude, The University at Albany (1976)

Memberships

New York State Bar Association

Albany County Bar Association

American Bar Association

DRI of Northeastern New York (Former President: 1991)



Dennis J. Brady
Partner

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Dennis Brady is a partner at the firm. Over the past two decades, he has represented the interests of clients in all aspects of civil litigation, including trial and appeal in the state and federal courts. Throughout his career, he has handled matters on behalf of many prominent national insurers, several municipalities, public housing and transportation authorities, and a variety of large corporations, including major global companies in the transportation and food and hospitality industries.

The focus of his practice has been counseling and litigation on behalf of corporations, insurance carriers, and municipalities in the areas of construction defect and construction accidents falling under the purview of the Labor Law, including contractual and insurance risk transfer issues; elevator and escalator liability; monitoring and resolution of complex excess risk and catastrophic personal injury claims; hotel and restaurant liability including premises, security, and dram shop claims; insurance including coverage opinion letters, counseling on first party, excess, self, and captive matters and litigation of complex third-party claims and coverage issues; municipal liability; premises and security liability, including property damage and personal injuries; products liability; transportation-related litigation; and wrongful death actions. He is a frequent speaker for legal and professional organizations on labor law and other topics in his areas of concentration.

Before joining Goldberg Segalla, Dennis was managing partner of MacKay, Wrynn & Brady LLP. During law school, he was invited to write for the St. John's University Law Review. He also interned for the Supreme Court of the State of New York, the New York State Attorney General's Office, and the Securities and Exchange Commission.

Professional Affiliations

- New York State Bar Association Torts, Insurance, and Compensation Law Section: Member, Executive Committee; Chair, Committee on Products Liability
- Queens County Bar Association
- Defense Association of New York (DANY)
- Insurance Federation of New York (IFNY)
- Brehon Law Society

Civic Activities

- St. Patrick's Society of Queens: Past President

Admitted to Practice

- New York
- New Jersey
- U.S. District Courts for the Southern and Eastern Districts of New York
- U.S. District Court for the State of New Jersey
- U.S. Supreme Court

Education

- St. John's University School of Law, J.D., 1992
- St. John's University School of Business, B.S., 1987



Eileen E. Buholtz received her bachelor of music degree from the Eastman School of Music, University of Rochester, in 1973 as a clarinet major with a minor in humanities. She obtained her law degree magna cum laude from Syracuse University in 1979. She concentrates her practice in insurance defense litigation, commercial litigation, and in estate planning and administration. Combining these skills, she has successfully litigated several contested estate matters including will contests. She has lectured for the New York State Bar Association and the Monroe County Bar Association on New York State Labor Law issues including construction site accidents and on trial practice, evidence and ethics. Eileen is past vice-president of the Women's Bar Association of the State of New York, (www.wbasny.org) and serves as on the Executive Committee of the New York State Bar Association's Torts, Insurance and Compensation Law Section. In 1994 she received awards from the Monroe County Bar Association and the New York State Bar Association for her pro bono representation to victims of domestic violence and elder abuse.



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John P. Comerford is a Partner at Lipsitz & Ponterio, LLC. He grew up in Lewiston, New York, a small historic town near the Canadian border. As a young child, Mr. Comerford grew up in the shadows of Love Canal and personally observed the consequences of environmental pollution. After graduating from high school, he attended Cornell University and studied Environmental Science. Mr. Comerford devotes the majority of his time to asbestos personal injury matters. He has litigated cases throughout Upstate New York in cities which include Buffalo, Niagara Falls, Rochester, Syracuse, Albany and Binghamton. Over the course of his career, he has helped hundreds of people recover financial awards for injuries. In June 2009, Mr. Comerford became an accredited attorney for the preparation, presentation and prosecution of claims for veterans benefits before the Department of Veterans Affairs (VA).

In August, 2013, Mr. Comerford, together with Lipsitz & Ponterio attorneys Michael Ponterio and John LaMancuso [obtained a jury verdict in the amount of \\$3 million dollars on behalf of a former Ashland Oil employee.](#) The jury in this case assigned 35% of the responsibility for damages to defendant Crane Co. for causing our client's injuries and the remaining percentages of responsibility to other entities, including those defendants which settled before trial. The jury also found that Crane Co's actions were taken with reckless disregard for the safety of others.

In November, 2010, Mr. Comerford, Keith Vona and Joseph Kremer served as counsel for a trial in Syracuse, New York, and obtained a [\\$1 million dollar verdict](#) on behalf of our client, a tugboat engineer, for injuries resulting from exposure to asbestos on the job. The jury in this case assigned 60% of the responsibility for damages to defendant John Crane, which manufactured gaskets that the plaintiff scraped off the flanges on pipes aboard the tugboat where he worked.

On November 5, 2004, John Comerford and Michael Ponterio obtained a \$3,750,000 jury verdict against Garlock in Niagara Falls, New York. Mr. Comerford has also assisted homeowners and commercial property owners in cases directly against insurance companies. After a two week trial in Buffalo, New York, a jury ordered an insurance company to pay a Niagara Falls hotel owner nearly a million dollars for wrongly denying his claim based on "arson." Another Niagara Falls hotel owner received a large settlement for water damage.

Over the course of his career, he has helped hundreds of people recover financial awards for injuries. Mr. Comerford obtained a \$2,000,000 jury verdict for a plant worker with lung cancer and asbestosis. He recently obtained a \$2,000,000 settlement for a 61 year old housewife with mesothelioma exposed to asbestos from laundering her husband's contaminated work clothes. Mr. Comerford assisted in trying an automobile accident case in Federal Court which settled for \$890,000.

Mr. Comerford resides in Amherst, NY is married and is the father of three boys and two girls.

Admissions:

- 1996; New York, Massachusetts and U.S. District Court, Western District of New York

Education:

- J.D., 1995, State University of New York at Buffalo Law School
- B.S., 1990, Cornell University

Memberships:

- American Association of Trial Lawyers
- New York State Trial Lawyers Association
- Bar Association of Erie County
- New York State Bar Association

Board Memberships:

- Canisius College, Board of Regents; Board Member 2012 - 2015

Speaking Engagements:

- Mr. Comerford appeared on [AM Buffalo, September 25, 2013](#).
- Plaintiffs Asbestos Litigation Seminars in 2003; 2005; 2007; 2008; 2013
- Harris Martin Publishing in San Francisco (2004) and in New York City (2009).

Awards/Nominations:

- 2013; 2012; 2011, Selected as a *Super Lawyer* by Thomson Reuters

John DiBlasi, a former Justice of the New York State Supreme Court, has repeatedly been rated a top mediator in multiple categories in the New York Law Journal's annual survey. He holds an AV Preeminent peer rating from Martindale-Hubbell in the fields of Alternative Dispute Resolution (ADR) and Litigation and has received the SuperLawyer designation. His ADR practice encompasses a wide and varied range of cases, inclusive of commercial, personal injury and civil rights/discrimination matters. Judge DiBlasi served as a Presiding Justice of the Commercial Division of the Supreme Court of the State of New York. He created the Alternative Commercial Dispute Resolution Program used successfully by the court in which he presided. He has experience as a jurist and mediator handling thousands of personal injury cases including toxic torts, products liability, medical malpractice and other areas of liability. Judge DiBlasi has served as an Adjunct Professor of Law at Pace University and St. John's University Schools of Law. He has published articles on trial tactics in the New York State Bar Journal and articles on alternative dispute resolution in both the New York Law Journal. Judge DiBlasi devotes his practice exclusively to ADR and is affiliated with National Arbitration and Mediation (NAM).



Thomas J. DiNovo
OConnell & Aronowitz PC

Practice Areas:

[Civil Litigation](#), [Personal Injury Litigation](#)

Tom is a senior partner in our Litigation department, and practices almost exclusively in the area of personal injury litigation. He has represented those who have sustained serious injuries as a result of accidents, product liability and professional malpractice in both State and Federal Courts. He has secured several multi-million dollar verdicts and settlements throughout New York and neighboring states. He is involved in the representation of clients at examinations before trial, various court proceedings and as trial counsel. He is known for his thoroughness and attention to detail, particularly in handling complex product liability and professional negligence matters.

Tom has lectured at seminars sponsored by the New York State Bar Association on various topics regarding personal injury litigation, and has also lectured to the National Academy of Forensic Engineers on topics including the use of forensic animation and expert witness testimony. He has co-authored articles on forensic animation for the *Journal of the National Academy of Forensic Engineers*.

Tom has been consecutively awarded an "AV-Preeminent" rating by Martindale-Hubbell, the highest possible rating in both legal ability and ethical standards. He is a regular guest commentator on local radio shows, including TALK 1300 AM. As a Certified New York State Emergency Medical Technician, Tom is personally committed to supporting Emergency Service Providers in our local community. He acts as general counsel to several local emergency response organizations and has also provided continuing education programs to a number of EMS organizations and fire departments.

Very active in the community, Tom has served for many years on the Board and then Executive Board for local little league organizations. He serves as a member of the Board of Trustees at Christian Brothers Academy, and an all boys LaSallian Jr/Sr high school. His community service activities also included volunteering to present safety programs to local high school students as part of a national End Districted Driving campaign.

Admissions: New York State

Memberships:

- American Association for Justice
- New York State Bar Association
- New York State Trial Lawyers Association
- Capital District Trial Lawyers Association

Education:

- Albany Law School
- Siena College



ANTHONY H. GAIR

Partner | [Gair, Gair, Conason, Steigman, Mackauf, Bloom & Rubinowitz](#)

80 Pine St

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New York, New York 10005-1724

EDUCATION

J.D., Thomas M. Cooley Law School, 1980

cum laude

LLM, New York University, 1985

B.A., Long Island University, 1971

JURISDICTIONS ADMITTED TO PRACTICE

New York, 1980

U.S District Court, Southern and Eastern District of New York, 1980

Anthony H. Gair

Anthony H. Gair is a partner at [Gair, Gair, Conason, Steigman Mackauf Bloom & Rubinowitz](#), which was founded by his father, [Harry A. Gair](#) in 1919. Mr. Gair joined the firm in 1980, and specializes in preparing and trying New York personal injury cases including [construction accidents](#), [defective products](#), [medical malpractice](#) and [automobile accidents](#). He has also tried numerous cases against the City of New York, one of which involved the City's failure to erect and place proper barriers on Rockaway Turnpike, a case which resulted in a multi-million dollar jury verdict.

Mr. Gair's goal is to help people injured by the negligence and carelessness of others-- especially people whose lives are destroyed by corporations who place more emphasis on corporate profits than responsibility and safety. He has also expended countless hours in advising younger attorneys on how to effectively represent people who have suffered catastrophic injuries and taught at Fordham University School of Law in the Continuing Legal Education program. Mr. Gair is a life-time member of Scribes-American Society of Writers on Legal Subjects as well as a member of the Roscoe Pound Foundation. He was a recipient of The New York State Trial Lawyers' Civil Justice Honor Award in 2006. In 2011 he was named Best Lawyer of the Year in Product Liability Litigation, New York City Area by Best Lawyers in America.

While he is well regarded as one of New York City's most respected personal injury attorneys, Mr. Gair also enjoys a national reputation in the area of civil rights litigation in connection with police misconduct.

One of his most notable cases in this area of law is his heading up the team that represented the Diallo family for the wrongful death of their son Amadou, who was shot 19 times by members of the New York City Police Department's Street Crimes Unit—a case that was extensively covered by the national media. He is also nationally recognized in the field of [products liability](#) litigation and in the representation of individuals severely injured in construction accidents and has [lectured extensively on this area](#).

Mr. Gair has lectured everywhere from his [law school commencement](#) to the New York State Bar Association. Since 2007 he has lectured each year for the New York State Bar Association on the past years decisions in the area of New York Construction Accident Law and the current state of the law. Click [here](#) for his 2011 lecture. Click [here](#) for his 2012 lecture. He has appeared as an expert [legal commentator](#) on every major television network and on many radio shows. His legal opinions have also been featured in various newspapers including the New York Times, the Daily News and the New York Post. His noteworthy literary contributions include his roles as a consulting editor of the Medical Malpractice Law and Strategy journal. He is listed in "Best Lawyers" in New York and also listed in "[Super Lawyers](#)". He has also been selected as a member of The Law Dragon Top 500 Attorneys in The United States.



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Dennis Glascott is a partner in the firm's Litigation Department. He is an active trial attorney, with more than twenty-five years of trial experience in state and federal courts across New York State. Dennis devotes his practice to complex and catastrophic personal injury litigation; and has successfully defended self-insured and insured clients in a variety of areas, including products liability, premises and construction site personal injury litigation (New York State Labor Law), municipal liability and police misconduct (42 USC Section 1983) civil rights litigation.

Dennis is a member of the Defense Research Institute (DRI), the New York State Bar Association, Bar Association of Erie County, and Western Trial Lawyer's Association and Defense Trial Lawyers Association of Western New York. He has served on the Executive Committee for the New York State Bar Association's Tort, Insurance and Compensation Law Section, and he was recognized as the Section Chairperson of the Year for his work. He served as the Planning Chair for a state wide program entitled, "How to Litigate a Products Liability Case: The Fundamentals" which was co-sponsored by the Torts, Insurance and Compensation Law and Trial Lawyers Sections of the New York State Bar Association.

Dennis is a frequent writer and lecturer on various topics, including trial techniques, construction site personal injury, premises liability and ethics. He is the Editor-in-Chief of Post Trial Practice and Procedures in New York, a publication recently released by the New York State Bar Association to assist the bench and bar on the post verdict procedures under NY Law.

Dennis is a former member of the Judge Advocate General's Corps of the U.S. Navy, having obtained the rank of Lieutenant Commander before entering private practice in New York City. After returning to his hometown of Buffalo, New York, Dennis has become an active member of the Western New York community, including extensive community service.

Honors

- Martindale-Hubbell Peer Review Rating: AV Preeminent
- Selected for inclusion in *Best Lawyers in America* 2013–2014 (Personal Injury Litigation — Defendants and Product Liability Litigation — Defendants)
- Fellow, Litigation Counsel of America, Trial Lawyer Honorary Society
- Selected for inclusion in *Super Lawyers, Corporate Counsel Edition*
- Selected for inclusion in Upstate New York *Super Lawyers* (Personal Injury Defense: Products); Top 50 list
- Recipient, New York State Bar Association Torts Insurance and Compensation Law Section Chair of the Year Award, 2006

Professional Affiliations

- Defense Research Institute
- American Bar Association, Tort, Trial and Insurance Practice Section
- New York State Bar Association: Torts, Insurance and Compensation Law Section; Trial Lawyers Section
- Western New York Trial Lawyers Association
- Defense Trial Lawyers Association of Western New York
- Women's Bar Association of the State of New York, Western New York Chapter
- Bar Association of Erie County
- New York State Magistrates Association
- Diversity Law Institute
- Institute of Trial Presentation

Admitted to Practice

- New York
- U.S. District Courts for the Western, Southern and Eastern Districts of New York
- U.S. Court of Appeals for the Second Circuit

Civic Activities

- Judge Advocates General's Corp., U.S. Naval Reserve, Lieutenant Commander (Ret.) 1986-1998
- Village Justice, Village of Angola, NY
- Buffalo City Court Judge (acting)
- Member, United States Coast Guard Auxillary
- Fire Fighter, Lake Erie Beach Volunteer Fire Department (Water Rescue Team)
- Member, Advanced Local Emergency Rescue Team - Mutual Aid Marine Response Team
- Member, Veteran of Foreign Wars
- Former Board Member, Village of Angola Zoning Board of Appeals
- Former Board Member, Executive committee, Town of Evans Youth Court

Education

- Naval Justice School, 1986
- University of Toledo College of Law, J.D., 1985
- State University of New York at Buffalo, B.A., 1982

Publications/Presentations

- Quoted in "Judging the Jury: It's an Art and Science," *Buffalo Law Journal*, June 18, 2012
- Presenter, "Who is More Connected to Your Jury-You or the Social Network?," Litigation Counsel of America, Renaissance Symposium V, Telluride, CO March 16-17, 2012
- Editor-in-Chief, Post-Trial Practice and Procedures, New York State Bar Association Handbook, 2011
- Co-Author, "Can 'Ahlborn' Apply to Medicaid, Workers' Comp Liens?" *New York Law Journal*, May 2008
- Co-Author, "Set-Offs Available Under General Obligations Law §15-108," *New York State Bar Association Post Trial Practice and Procedures Book*, 2008
- Co-Author, "Will the Change to General Obligations Law §15-108 Promote More Settlements?" *New York State Bar Association Torts, Insurance and Compensation Law Journal*, 2008
- Overall Planning Chair, "How to Litigate a Products Liability Case - the Fundamentals," co-sponsored by Torts Insurance and Compensation Law Section and Trial Lawyers Sections of New York State Bar Association, March 2007
- Presenter, "Ethics and Product Liability Litigation," *New York State Bar Association Seminar*, March 2007
- Co-Author, "New York Court of Appeals Rejects the Product Line Exception to Successor Corporate Liability," *New York State Bar Association, Torts, Insurance and Compensation Law Section Journal*, Winter 2007
- Presenter, "Section 240(1) of the New York Labor Law," *Erie Institute of Law Premises Liability Program*, March 2006
- Local Program Chair, "Basic of Premises Liability," co-sponsored by Premises and Labor Law Committee of the Torts Insurance and Compensation Law Section and Committee on Continuing Legal Education of the New York State Bar Association
- Local Program Chair, "Update and Overview on Premises Liability," *New York State Bar Association*, 2005
- Presenter, "Exterior Premises Liability," *New York State Bar Association*, 2005

David Glazer professional biography

David is a partner at Shafer Glazer, LLP and has been handling products liability cases for over 15 years. He is a Member of the Executive Committee of the Torts, Insurance and Compensation Law Section of the New York State Bar Association and Editor of the Torts, Insurance and Compensation Law Journal and a member of the New York State Bar Association Committee on Insurance Programs. He was recently honored as a New York Super Lawyer for the fifth time.



HON. JEROME GORSKI (RET.)

Associate Justice, Appellate Division, 4th Department

Hon. Jerome C. Gorski has had a long and distinguished legal career. He joins NAM after having served as a Justice in the Appellate Division of the State of New York, Fourth Dept., since his appointment in August, 2001. Prior to his appointment to the Appellate Division, he served as a Trial Judge in the Eighth Judicial District for over 12 years (January, 1989-August, 2001), and the Civil Trial Terms in New York City in 1989, 1990, 1992, 1994 and from September 1996-September 1998. Before his service on the bench, Judge Gorski served as a law clerk for the USDJ John J. Sirica, and to County Court Judge and NYS Supreme Court Justice James L. Kane. When not working in the Court system, Judge Gorski was engaged in private practice which consisted of general legal practice, negligence, product liability litigation, employment rights and collective bargaining/labor relations related work.

While on the bench, Judge Gorski was rated A-Superior by the Erie County Bar Association as a candidate for Supreme Court Justice, and was the recipient of the Outstanding Jurist Award in 1998 and the 2000 Award of Merit from the Erie County Bar Association.

According to the 2009/2010 New York Judge Reviews, his personality and temperament “are worth rave reviews”; practicing attorneys unequivocally complimented his judging skill and his level of knowledge and expertise stating “He’s the best of the best.” As for his settlement skills, “Best judge on settling, good at negotiating.” and “He can settle cases better than anyone”. In a February 1, 2012 article published in the Buffalo News, Judge Gorski is noted for his strong negotiating and settlement skills during his career on the bench.

Now retired from the bench and serving as a full time mediator/arbitrator with NAM, Judge Gorski brings to the ADR arena his broad knowledge of many legal issues, as well as his strong negotiation and settlement skills that he honed as a labor lawyer and trial judge.

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

- Appellate Practice
- Attorney Malpractice
- Bond/Surety
- Business/Commercial/Corporate
- Communication/Media
- Construction
- Employment Rights/Labor
- Environmental Law Planning
- Insurance
- Legal Ethics/Professional Liabilities
- Matrimonial
- Medical Malpractice
- Negligence
- Partnership Law
- Personal Injury
- Property/Land Law/Leasing
- Public Law
- Product Liability
- Torts & Product Liability
- Trade Secrets
- Worker’s Compensation

JUDICIAL EXPERIENCE

- Associate Justice, Appellate Division, 4th Department (2001-2011)
- Justice of the Supreme Court, Eighth Judicial District (1989-2001)
- Judge of the Civil Trial Terms, NYC (Oct. 1989, Oct. 1990, Sept. 1992, Sept. 1994, Sept. 1996-Sept. 1998)
- Orleans County Calendar Part 1991, 1994, 1996

PROFESSIONAL LICENSES

- Admitted to Practice in the State of New York (1962)

PROFESSIONAL BACKGROUND

- Law Clerk, County Court Judge and NYS Supreme Court Judge James L. Kane (1973-1980)
- Private Practice (1963-1989)
- Law Clerk, Judge John J. Sirica, United States District Court, District of Columbia (1962-1963)

EDUCATION

- Georgetown University Law School, J.D. (1962)
- Board of Editors-Georgetown University Law Review
- Niagara University, BA-Cum Laude (1958)

HONORS & AWARDS

- Outstanding Jurist Award, Erie County Bar Association (1998)
- Award of Merit, Erie County Bar Association (2000)
- Rated A-Superior Candidate for Supreme Court Justice, Erie County Bar Association

MEMBERSHIPS & PROFESSIONAL ACTIVITIES

- Member, Advisory Committee on Judicial Ethics (1995-Present)
- Member, Pattern Jury Instructions (Civil) Committee (1997-2008)
- Panel Member, Eighth Judicial District Anti-Discrimination Panel (1996-Present)
- Member, Jury Selection Uniformity Committee (1993-94)
- National Judicial College (November 1993)
- Erie County Bar Association, Board of Directors (1977-1980)
- Western New York Trial Lawyers Association
- American Trial Lawyers Association
- President, Lawyer Club of Buffalo (1984)

MEMBERSHIPS & PROFESSIONAL ACTIVITIES (con't.)

- Member, Erie County Bar Association
- Member, NYS Bar Association
- Chairman, Eight County Diocesan Catholic Charities Appeal (1980)
- Member, Board of Trustee Erie County United Way (1979-1980)
- Member, Board of Trustees Studio Arena Theater (1974-1984)
- Chairman, Maintenance Fund Drive, Studio Arena Theater (1982)
- Member, Board of Directors Buffalo Hearing and Speech Center (1972-1984)
- Member, Daemen College Scholarship Fund Committee (1985-1988)
- Member, Board of Advisors-Niagara University (1990-present)
- Advisory Committee Member and Chair of Speakers' Committee of Kids Voting Project (1996-1998)
- Member, NYS Justices Association

TEACHING & PUBLICATIONS

- The Exclusionary Rule and the Question of Standing, 50 Georgetown Law Journal 585
- Lecturer, NYS Bar Association Seminars
- Lecturer, Judicial Seminars (1994-1999)
- Lecturer, Newly Elected Judges (1996-1999)

William J. Greagan

William Greagan is a partner in Goldberg Segalla's Product Liability, Business and Commercial, Transportation, and General Liability Practice Groups. In addition, Bill is the Co-Chair of the firm's Construction Practice Group. He has defended numerous manufacturers of tools, industrial machinery, consumer goods, and appliances in product liability actions in both state and federal courts. His liability defense litigation experience includes a range of issues related to toxic torts, environmental, and governmental liability. Bill has lectured on product liability and other topics for the New York State Bar Association. He has been selected for inclusion in Upstate New York *Super Lawyers* and is rated AV Preeminent by Martindale-Hubbell.



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Ellen Greiper has 26 years of experience defending multi-party construction defect cases in the federal and state courts of New York. She has litigated, through trial, high-exposure premises liability and labor law cases as well as large personal injury matters.

Ellen brings a unique perspective to the handling of complex litigation by proactively taking the lead and moving litigants through a streamlined discovery process toward effective and expedited resolutions. She has also spoken at legal organizations on emerging topics in the general liability and construction arenas.

Ellen has been appointed arbitrator for the district courts in Nassau County hearing no-fault and contract claims, as well as arbitrating attorney fee disputes brought in the Supreme Court. She is also a mediator for trial-ready cases in the Supreme Court, Nassau County.

Professional Affiliations

- Nassau County Bar Association
- Theodore Roosevelt Inn of Court
- Judges-Lawyers Chapter of Hadassah

Admitted to Practice

- New York
- New Jersey
- U.S. District Courts for the Southern, Eastern, Western, and Northern Districts of New York
- U.S. Supreme Court

Community Involvement

- Board of Directors, Community Mainstreaming Associates, a nonprofit agency dedicated to housing and vocational training for the developmentally disabled
- Committeeperson for the local election district
- Member, Port Washington Police Department Ethics Committee

Education

- Brooklyn Law School, J.D., 1985 (Editor, *Brooklyn Journal of International Law*)
- State University of New York at Stony Brook, B.A., 1981



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Keith R. Vona, Esq.

Prior joining Lipsitz & Ponterio, Mr. Vona served as a United States Marine and worked as a City of Buffalo police officer for ten years. Mr. Vona concentrates his practice in the areas of Asbestos Litigation and Lead Paint Poisoning.

In September 2011, Mr. Vona, together with Michael Ponterio and Neil McKinnon obtained the [first jury verdict in Western New York on behalf of a lead poisoned child.](#)

Since 2006, Mr. Vona has obtained over \$40 Million in settlements on behalf of the firm's mesothelioma clients.

In the last three years, Mr. Vona has been trial counsel in asbestos cases involving plaintiffs' verdicts in excess of \$10 million:

- December 2011 - Mr. Vona together with Michael Ponterio, obtained a jury verdict in the amount of [\\$2 million dollars on behalf of a former Durez factory worker.](#)
- July 2011 - Mr. Vona and Michael Ponterio obtained a [jury verdict in the sum of \\$2.5 million dollars](#) against Ford Motor Company on behalf of a former chemist.
- November 2010 - Mr. Vona, John Comerford and Joseph Kremer obtained a [\\$1 million dollar verdict](#) against John Crane, Inc., on behalf of a former tugboat engineer for injuries resulting from exposure to asbestos on the job.
- July 2008 - Mr. Vona served as co-counsel in obtaining a [\\$5 million dollar verdict for a former United States Navy boilerman.](#) The verdict is believed to be the largest for a mesothelioma victim in Upstate New York.

Admissions:

2009, Western District, New York State

2006, New York State

Education:

J.D., 2005, State University of New York at Buffalo Law School

B.S., 2001, State University of New York College at Buffalo

Memberships:

New York State Trial Lawyers' Association

Bar Association of Erie County

American Bar Association

Police Benevolent Association

Awards/Nominations:

2013; Selected as an Upstate New York Rising Star by *Super Lawyers* a Thomson Reuters publication

Timothy J. Higgins, Esq.



Born in Troy, New York, Mr. Higgins resides in Saratoga County. He graduated from Adirondack Community College in Queensbury (A.A.S.) in 1986, Empire State College (State University of New York) (B.A.) in 1990, and Albany Law School of Union University (J.D.) in 1994.

Mr. Higgins' litigation practice includes all types of personal injury and wrongful death litigation, including representation of persons hurt in automobile and workplace (construction site) accidents, and medical malpractice. Mr. Higgins also represents and litigates on behalf of employers and municipalities in matters involving claims of employment discrimination and civil rights violations.

Prior to joining Lemire Johnson, Mr. Higgins was a partner with Powers & Santola, LLP, in Albany, where he had worked since graduating from law school. Before beginning his legal studies and career, Mr. Higgins worked for ten years as a news reporter and sports broadcaster at WGY 810 AM in Schenectady as well as radio stations in Saratoga Springs and Glens Falls.

Mr. Higgins is regularly called upon by various bar associations and groups to lecture to other lawyers, on topics ranging from "The Basics of Civil Practice" to "Discovery for Experienced Litigators" to "The Art of Trial Advocacy: Demonstrative Evidence for Television Generation Jurors."

Mr. Higgins is a contributing columnist for the Saratoga County Bar Association's newsletter to its members, is a member of the Executive Committee of the Trial Lawyers Section of the New York State Bar Association, a Charter Member of the New York State Academy of Trial Lawyers, and is a past winner of the Albany County Bar Association's "President's Award."

Admitted to practice:

All New York Courts

U.S. District Court of the Northern District of New York

U.S. District Court of the Southern District of New York

Member of:

New York State Bar Association

Albany County Bar Association

Saratoga County Bar Association

New York State Academy of Trial Lawyers

Brian J. Isaac, Esq. | Pollack Pollack Isaac & Delcicco

Areas of Practice

- Civil litigation
- Appellate practice
- Personal injury

University

- Brandeis University, B.A., 1981

Law School

- Brooklyn Law School, J.D., 1984, *Cum Laude; Moot Court Assoc.*

Admitted

- New York: 1985
- US Court of Appeals 2nd Circuit: 2010
- Appellate Division of the Supreme Court of the State of NY: 1985
- US District Court Eastern District of New York: 1990
- US District Court Southern District of New York: 1990

Memberships

- American Academy of Appellate Lawyers, 2013
- New York State Bar Association
- New York State Trial Lawyers Association: 1985
- New York Court Lawyers
- American Bar Association

Biography

- State Taxation of Multinationals and the Unitary Business Concept: A Contemporary View, Author
- Brooklyn Journal of International Law, "Notes Editor" 1983,1984; NYS Trial Lawyers Institute
- Chairman of Amicus: 2005

Awards

- Super Lawyer: 2007, 2008, 2009, 2010, 2011, 2012

Cases

- Duane Reade Shareholders vs. Shirley Miller
- Touray vs. Munoz
- NDL Association vs. Villanova Hgts
- Rubio vs. NYCTA

KENNETH A. KRAJEWSKI

MANAGING PARTNER | BROWN & KELLY, LLP
kkrajewski@brownkelly.com



Named a 2008, 2009, 2010, 2011 and 2012 **Super Lawyer** in the practice area of Personal Injury Defense, Kenneth A. Krajewski is a seasoned trial attorney with experience in toxic tort, product liability, safe place to work, automobile/truck, and insurance coverage litigation. For over two decades, Ken has represented and defended large and small businesses, municipalities, governmental entities, schools, and individuals from all manner of claims, suits, actions and litigation. He has tried cases involving environmental and toxic tort claims, product liability claims, industrial accidents, construction site accidents, automobile accidents, and insurance coverage disputes. Ken has represented businesses from Fortune 500 companies to "mom and pop" proprietorships.

Ken is a member of the Bar Association of Erie County and the New York State Bar Association -Torts, Insurance and Compensation Law Section, where he serves as the Chair of the Toxic Tort Committee. He is also a member of the Defense Research Institute, has served as an officer and director of the Defense Trial Lawyers Association of Western New York, and is a past president of The Advocate's Club of Western New York.

He joined the firm as a partner in 2001. Mr. Krajewski is a graduate of Empire State College and the Capital University Law School, *cum laude*. He is admitted to the Bar of the State of New York, and the Western, Northern and Southern Districts of New York. He is a native of Western New York.

Mr. Krajewski frequently serves as a lecturer and moderator on insurance and personal injury topics for state and local bar associations and is a frequent in-house lecturer for businesses, builders and contractors, insurers and self-insureds. With his partner, Joe Schnitter, Ken is the co-author of the chapter on Inland Marine Insurance in the New York State Bar Association publication Insurance Law Practice. He is a recurring speaker and contributor to the Torts, Insurance and Compensation Law Section's annual "Law School for Claims Professionals" program.

PRACTICE AREAS

Insurance

Litigation

ADMITTED TO PRACTICE

New York

COURT ADMISSIONS

Courts of the State of New York

Western, Northern and Southern Districts of New York

EDUCATION

Empire State College

Capital University Law School, *cum laude*

PROFESSIONAL HIGHLIGHTS

New York Super Lawyers - Upstate Edition 2008-2011

New York State Bar Association - Torts, Insurance and Compensation Law Section, Chair of the Automobile Liability Committee

Officer and director of the Defense Trial Lawyers Association of Western New York

Past president of The Advocate's Club of Western New York

Dennis McCoy is a senior litigation partner who has used his advocacy skills and analytical judgments to guide clients through strategically sensitive legal problems for over three decades. The mainstay of Dennis's career has been representation of clients in major, complex litigation at trial. He has tried cases from one end of New York State to the other, as well as other states in the Northeast. A major emphasis of his practice has been the representation of professionals in malpractice actions, primarily legal and health care professionals. He has served as a national and regional counsel for two major companies either managing or directly litigating their highest exposure cases throughout the United States.

Two years ago, in recognition of his standing in the Western New York legal community, Dennis was asked by the Chief Judge of the Western District of New York, to become a mediator on the court's panel of mediators. This experience has helped Dennis further refine his skills as an advocate representing companies in a variety of alternative dispute venues. Given the risks involved with high stakes litigation, mediation has become an increasingly more important option to traditional dispute resolution.

Dennis is a widely sought after lecturer on litigation and professional liability topics. He has presented lectures throughout New York and the United States on these topics. In 2012, Dennis will co-chair the American Conference Institute's biennial conference on Lawyer Professional Liability in New York City. Dennis has also served as an expert witness in cases involving trial practice, ethics and lawyer liability.



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John McDonough is vice chair of the firm's Commercial Litigation Department. He focuses his practice, both nationally and internationally, on general litigation and complex insurance defense matters including directors' and officers' liability, errors and omissions litigation, complex product liability matters, and mass tort litigation. He focuses his practice on catastrophic injury cases arising from toxic exposures including asbestos, benzene and lead, construction accidents, medical malpractice, professional liability, food liability including labeling liability and integrity of contents, multidistrict litigation and class action litigation, and food borne biohazards such as bovine spongiform encephalopathy (Mad Cow Disease), mercury and diacetyl. John's practice includes advice on complex insurance and reinsurance matters, including London LMX business, for major foreign reinsurers and involvement in complex insurance and reinsurance disputes. He was appellate counsel in the landmark antisubrogation case in New York, *North Star v. Continental Insurance Co.*

John is a frequent author and lecturer for many organizations, including the Defense Research Institute (DRI), the Torts and Insurance Practice Section of the New York State Bar Association, the Defense Association of New York (DANY), and the American Conference Institute. John is a former member of the board of directors of DRI (1997-2001; 2009-2012), and has served as the former president of DANY (1997-1998); chairman of the board of directors of DANY (1998-1999) and editor-in-chief of *The Defendant*, the quarterly journal of DANY (1989-present). John is vice chairman of the board of directors of St. Vincent Services; a member of the Federation of Defense & Corporate Counsel (FDCC); was elected to the Product Liability Advisory Council (PLAC) in 2011; and is a member of the Legal Task Force for the Sporting Goods Manufacturers Association (SGMA). John is also frequently asked to provide quotes for publications including *Business Week* and the *New York Law Journal*. John has been named an ALM New York Top Rated Lawyer. In 2013, John received DANY's James S. Conway Award for outstanding service to the Defense Profession.

John earned his bachelor's degree at Boston College in 1976 and his law degree at the New England School of Law in 1979.

Matthew H. McNamara



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Matthew McNamara is a 1996 graduate of Cornell University and a 1999 graduate of Boston University where he received his J.D. He is admitted to practice law in the State of New York and the Commonwealth of Massachusetts, United States District Court for the Northern, Western, and Eastern Districts of New York, and the United States District Court of Massachusetts.

Matt is a member of the American Bar Association, New York State Bar Association, Massachusetts Bar Association, Saratoga County Bar Association, Albany County Bar Association, Defense Research Institute, Capital District Trial Lawyers, American Inns of Court, and Saratoga County Bar Association Law Week Committee.

Matt has had experience in a variety of areas including General Civil Litigation, Products Liability, Medical Malpractice, Toxic Tort, Personal Injury, and Criminal Defense.

Areas of Practice

- Litigation
- Products Liability
- Professional Malpractice
- Labor and Employment
- Personal Injury



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Michael is a Partner and trial attorney who has counseled and represented numerous corporations and clients, including manufacturers of various products, lawyers, construction companies, trucking companies, health clubs, security companies, alarm installers, landlords, managing agents, foster care agencies, municipalities, nurses, physicians, nursing homes and physical therapists. Michael has successfully tried many high-exposure cases to verdict.

In the Fall of 2012, Michael was a speaker on the topic of Ethics during a Medicare Set Aside seminar on Long Island, which was sponsored by the National Business Institute. In the Spring of 2011, Michael lectured on the topic of Premises Liability for the New York State Bar Association. In the Fall of 2010, Michael lectured at the Law School for Insurance Professionals course sponsored by the New York State Bar Association on the topics of Medicare and liens. His outlines are published in the corresponding course books. He also was a contributing author to the Construction Site Personal Injury Litigation, New York Labor Law sections 200, 240(1) and 241(6) text originally published in 2006 and updated in 2008 by the New York State Bar Association. Michael has lectured at the Construction Work Site and Accident Litigation Seminar in the Fall of 2003 for the New York State Bar Association.

Mike has been featured in the "And the Defense Wins" section of *The Voice*, DRI's weekly eNewsletter.

Practice Areas

Construction and Labor Law
Fire and Explosion
General Liability
Hospitality and Dram Shop
Premises Liability
Products Liability
Security Guards
Trucking and Transportation
Architects and Engineers

Education

St. John's University School of Law, J.D., 1988
Binghamton University, B.A., *cum laude*, 1985
- Psychology National Honor Society

Bar and Court Admissions

New York
New Jersey
District of Columbia
U.S. District Courts – Southern, Eastern, Northern and Western Districts of New York, District of New Jersey, District Court of Connecticut

Other Professional Affiliations

American Bar Association, Tort and Insurance Practice Section

New York State Bar Association, Products Liability Committee

District of Columbia Bar Association

New Jersey Bar Association

Notable Cases

Gonzalez v. Express Management; Tejada v. Creston Holding; Morales v. Coram Materials Corp.; Cooper v. 40 Clarkson Avenue Owners, Corp., et al.; Hayes v. Riverbend Housing Company, Inc.; S.M.R.K., Inc., et al. v. 25 West 43rd Street Company, et al.; Saini, et al. v. Tonju Associates, et al.; Tarazzi v. 2025 Richmond Avenue Associates, Inc., et al.; and Tyree v. Seneca Center-Home Attendant Program, Inc., et al.



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PRACTICE AREAS

Second Amendment Litigation
and Gun-Related Issues
Product Liability
Construction
Appellate
Transportation
Toxic Torts



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A partner of the firm in its White Plains office, Brian Stapleton's practice focuses on the defense of large-exposure products liability, labor law, wrongful death and other liability claims across the country. Brian engages in a significant amount of Second Amendment litigation, at both the trial and appellate levels, in New York and across the country. He also engages in extensive appellate advocacy in the courts of New York and the federal judiciary.

As a highly experienced trial attorney, Brian has obtained verdicts in over 100 cases and has tried numerous civil cases involving wrongful death, design and manufacturing defects, medical malpractice, and bankruptcy fraud. He has won high-profile criminal cases of murder and kidnapping, and has successfully defended complex multi-defendant RICO cases in the U.S. District Courts for the Districts of New York and Connecticut.

With several reported cases to his credit, Brian has successfully briefed and argued numerous appellate cases, most notably in *Illinois v. Dante Brown*.

Honors

- Selected for inclusion in *New York Super Lawyers* (Metro - Personal Injury Defense: Products)

Professional Affiliations

- New York State Bar Association; Torts, Insurance and Compensation Law Section

Admitted to Practice

- New York
- Connecticut, 1990
- U.S. District Courts for the Northern, Southern, Eastern, and Western Districts of New York
- U.S. District Court for the District of Connecticut
- U.S. Court of Appeals for the Second Circuit

Education

- Case Western Reserve University, J.D., 1989
- Xavier University, B.A., 1986

Publications/Presentations

- Quoted in "Second Amendment Lawyer Challenges Weapons Ban," *Connecticut Law Tribune*, September 11, 2013
- Author/Presenter, "New York's SAFE Act — A Primer for Attorneys," New York State Bar Association, Albany, NY, June 28, 2013
- Featured in "Gun Law Under Fire," *The Real Story With Al Terzi*, FOX-CT, June 2, 2013
- Interviewed on Challenge to Connecticut Gun Law on "Face the State," WFSB-TV, May 26, 2013
- Quoted in "Pro-Gun Coalition Sues Connecticut Over Landmark Gun Legislation," MSNBC, May 23, 2013
- Featured in "Lawsuit Challenges New Gun Laws in Conn.," New England Cable News, May 23, 2013
- Quoted in "Suit Filed Against Gun Laws," *Republican American*, May 23, 2013
- Interviewed on Challenge to Connecticut Gun Law on "The Brad Davis Program," WDRC-AM, The Talk of Connecticut, May 23, 2013
- Quoted in "Lawsuit Filed Against State of Conn. Over Gun Law," Associated Press, May 22, 2013 (published in the *Wall Street Journal*)
- Quoted in "Connecticut's Landmark Gun Law Faces Challenge in Federal Court," *Hartford Courant*, May 22, 2013
- Quoted in "Groups Aim to Shoot Down New State Gun Laws," *Connecticut Law Tribune*, May 22, 2013

- Presenter and Author, "Preparing the Judgment and Bill of Costs," presented as part of the New York State Bar Association's 201s CLE Seminar "The Basics of Trial: After The Verdict," Albany, NY, April 2013
- Interviewed on Challenge to New York Gun Law, Fred Dicker Live From the State Capitol, Talk 1300 AM, April 3, 2013
- Quoted in "NY Gun Law Challenge to Feature Fight Over Ammo Monopoly," *Law360*, March 25, 2013
- Interviewed in "Are Court Challenges to NY's Tough Gun Law DOA?" North Country Public Radio, March 7, 2013
- Co-Editor, "Construction Site Personal Injury Litigation: Labor Law Sections 200, 240(1) and 241(6)," New York State Bar Association, 2007; revised in 2012
- Presenter and Author, "Mediation, Arbitration & Settlement Negotiations," presented as part of the New York State Bar Association's Summer 2012 CLE Seminar "The Basics of Handling An Auto Accident Case," Manhattan and Melville, New York, May and June 2012.
- Presenter and Author, "Dram Shop Litigation - Proving and Disproving Liability," presented as part of the New York State Bar Association's Fall 2011 CLE Seminar "MVA Litigation - The Road Less Traveled," Manhattan and Melville, New York, November 2011
- Presenter and Author, "Deposition Technology Basics," presented as part of the New York State Bar Association's CLE Seminar "The Art of the Deposition In The Digital Age," Manhattan and Melville, New York, October 2011
- Presenter and Author, "Compensable Time - Regular and Overtime As Defined in the Fair Labor Standards Act," presented as part of the Lorman Education Services' Seminar "The Fair Labor Standards Act In New York," White Plains, New York, September 2011
- Presenter, "An Overview of the Labor Law in New York State," presented to Berkley Facultative and Reinsurance Services, Stamford, Connecticut, September 2011
- Author and Editor, *Second Amendment Update*, Goldberg Segalla LLP, 2009-present
- Presenter, "Evaluating Damages and the Use of Expert Testimony," NYSBA Keeping Current With Automobile Litigation CLE Seminar, Manhattan and Melville, New York, September 2008
- Presenter, "Law School for Claims Professionals: More Than the Basics," New York State Bar Association, Buffalo, New York, June 2007
- Presenter, "An Overview of Negligent Security Cases," Framingham, Massachusetts, February 2007
- Presenter, "A Landowner's Duty to Provide a Secure Premises," Melville, New York, January 2007
- Co-Editor, *Labor Law Update*, Goldberg Segalla LLP, 2007-present
- Author, "Premises Liability Claims Overview: Theories of Liability & Standards of Care," New York State Bar Association, 2007
- Author, "Premises Liability Claims Overview: Criminal Conduct on Premises," New York State Bar Association, 2007
- Author and Editor-in-Chief, "A Landowner's Duty to Provide A Secure Premises: An Overview of Negligent Security Cases," Goldberg Segalla LLP, 2007