

Edward L. Fiandach, Esq.

In 1976, nationally renowned Rochester New York DWI trial expert, Edward L. Fiandach, presented his first paper on Driving While Intoxicated. Since then he's given over 100 lectures on DWI, became New York's first Board Certified DWI Specialist, authored two sets of books on DWI.

established a firm that tries more DWI cases than any firm in the State of New York and has written more articles on New York DWI than any attorney in the world. His monthly DWI newsletter, The New York DWI Bulletin, is the only statewide publication of its kind and for twelve years has been continuously used by lawyers, prosecutors and judges across the state. His annually supplemented DWI treatises, New York Driving While Intoxicated, 2d and Handling Drunk Driving Cases 2d, both two volume, nationally distributed texts, are widely acclaimed as the most authoritative publications of their kind. His DWI articles have been published nationally in The Magistrate, The Public Defense Backup Report, The Daily Record, Rochester Democrat & Chronicle, Times Union, Criminal Justice Journal and The Automobile Liability Newsletter, The Champion and numerous state and local bar association publications in New York and elsewhere.

He also owns and is factory trained on a BAC DataMaster and has conducted replicate DWI testing to demonstrate the effects mouth alcohol at lectures and for the media.

In July of 2005 at a program conducted at Harvard Law School, Mr. Fiandach was honored by being named the Dean of The National College for DUI Defense.

This puts him at the top of the nation's DWI lawyers.

He is the first DWI attorney in the State of New York to ever be approved as a Board Certified DWI specialist by the American Bar Association and the only one in the Buffalo, Rochester, Utica, Syracuse, Binghamton and Watertown area. He is also rated "AV" by the nationally recognized Martindale-Hubbe™ lawyer rating system. This is the highest rating a lawyer can receive. This puts him in the top 5 percent of all American lawyers.

Mr. Fiandach is frequently used as a source of DWI information by such prestigious news outlets as The New York Times, The New York Daily News, CNN, the Associated Press, ABC, The Harrisburg Patriot, Lawyer's Weekly and others. He has been a featured "Speaking Out" columnist in the Rochester Democrat & Chronicle on eleven occasions. He is a frequent guest of local television and is regularly interviewed by all local media as an expert on DWI and alcohol related issues. He is also a frequent guest on television, radio and internet talk shows.

A dynamic speaker, Ed Fiandach has lectured on DWI nationwide for groups such as the National College for DUI Defense, the Kansas Association of Criminal Defense Lawyers, the Georgia Institute of Legal Education, New York State Bar Association, the New York State Magistrates Association, the New York State Association of Criminal Defense Lawyers, Lorman Legal Education, the Erie County Bar Association, and numerous other professional organizations. He is a regent and founding member of the National College for DUI Defense. He has taught the subject of DWI to New York State Judges on behalf of the New York State Office of Court Administration. He owns and is a factory trained operator of the BAC DataMaster.

Mr. Fiandach is also an adjunct professor of Constitutional Law and Criminal Procedure at the prestigious University of Rochester. He teaches a course on Criminal Procedure and Constitutional Law to almost 100 upper classpersons.

About Erin H. Gerstenzang



Erin's practice is based out of Atlanta, Georgia, however, her defense practice takes her statewide, including all 20 counties in Metro Atlanta, and the cities of Athens, Rome, Macon, and Augusta.

Originally from upstate New York, Erin moved to Atlanta to attend law school at Emory University. Although she is admitted to practice in New York as well as Georgia, Erin chose to settle down in DeKalb County, Georgia after finding the charms of southern living to be too compelling to move away from. As a result, she made Atlanta her home which is where she has built her law practice and started a family.

Erin knew she wanted to practice criminal defense law even before she started law school. Having been raised by two criminal defense attorneys, she internalized at an early age the importance of helping others, especially those who are most vulnerable to abuse. Erin grew up watching her parents successfully help and defend people whose lives were in peril. Erin strives to do the same for her clients. Erin believes that by zealously defending her clients, she also serves the greater goal of maintaining and preserving the integrity of our criminal justice system.

Erin brings tenacity, keen intellect, and deep knowledge of the law and science of DUI defense to all of her cases. Erin believes strongly in the constitutional protections afforded by the Fourth, Fifth and Sixth Amendments and safeguards her clients' rights each and every day. Whether it is a problematic law enforcement investigation, incorrectly performed field sobriety tests, or flawed scientific evidence, Erin will identify mistakes and she consistently wins favorable resolutions for her clients.

Erin is a frequent lecturer on relevant legal matters, including Georgia traffic and DUI law at the Municipal Court of Atlanta's FYI program. She also regularly speaks at national and local legal conferences regarding DUI law. She co-authored the article "The Impact of Recent U.S. Supreme Court Decisions on DUI Defense Law" published in the National Association of Criminal Defense Lawyers' ("NACDL's") magazine *The Champion*.

Erin is admitted to State Bar of Georgia, as well as the New York State Bar. She is a lead trial attorney in Atlanta, at **Stein & Ward LLP**. Erin graduated from Emory University School of Law in 2004, and earned a Bachelor of Arts degree, Cum Laude, in Political Science and Philosophy from Northeastern University in Boston, MA.

Peter Gerstenzang



Peter Gerstenzang is the senior partner in the Albany law firm of Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang. He is a 1970 graduate of Albany Law School. He is one of only three lawyers in New York State who have been Board Certified as specialists in DUI Defense Law by the National College for DUI Defense ("NCDD"). The NCDD is the only organization accredited by the American Bar Association to certify attorneys as specialists in DUI law.* His practice focuses on Criminal Defense with an emphasis on DWI cases and Vehicular Crimes. In addition, Mr. Gerstenzang is listed as a top DWI attorney in the following publications: *The Best Lawyers in America*®, *The New York Area's Best Lawyers*®, and *New York Super Lawyers*®Upstate Edition. He is listed as one of the "Top 25 Hudson Valley Super Lawyers 2010" regardless of category.

Mr. Gerstenzang commenced his legal career as a prosecutor for the United States Army in the Republic of Vietnam. From 1972 to 1975, he was an Assistant District Attorney for the County of Albany. Certified as a breath test operator, he taught at the New York State Police Academy in their Breath Test Training Program for 12 years. Mr. Gerstenzang currently serves on the Board of Regents as the Assistant Dean of the National College for DUI Defense, which holds an annual seminar in Cambridge, Massachusetts on the campus of Harvard Law School. He is the Chair of the Traffic Safety Committee of the Criminal Justice Section of the New York State Bar Association. His book, ***Handling the DWI Case in New York***, published annually by Thomson/West, is considered a standard reference for the defense of Driving While Intoxicated cases.

Mr. Gerstenzang is a regular lecturer for the New York State Bar Association (Chair, Big Apple XIII Program held in New York City, in May of 2012, and Chair, Representing a DWI Defendant in New York from Arraignment to Disposition, September – October, 2010); National Association of Criminal Defense Lawyers/ National College for DUI Defense (Annual DUI Seminar, Las Vegas, Nevada, October 2010); the New York State Association of Criminal Defense Lawyers; the New York State Office of Court Administration (Judge's Training Programs; City and District Court Clerks Association, Ignition Interlock Device Program, October 2010); New York State Defenders Association, Albany County Bar Association, and the New York State Magistrates Association. In addition, he teaches for various law enforcement, defense and judicial associations.

Stephen L. Jones, Esq.

A former prosecutor who has successfully defended over 1,000 OUI cases, Stephen Jones is a nationally recognized attorney who literally wrote the book on drunk driving defense for Massachusetts. He has appeared on The Today Show, MSNBC, Chronicle and the Discovery Channel. He has lectured nationwide on trial techniques and at the FBI Academy in Quantico, VA. He serves on the Board of Regents of the National College for DUI Defense (NCDD), the Board of Directors of the Massachusetts Association of Criminal Defense Lawyers and the DUI Committee of the National Association of Criminal Defense Lawyers. He is Board Certified in DUI Defense. (NCDD is a private organization whose standards for certification are not regulated by Massachusetts.)

YEARS OF SELECTION

- Super Lawyers: 2009 - 2012

ABOUT STEPHEN JONES

Admitted: 1985, Massachusetts

Professional Webpage: www.dwilawoffice.com

Honors and Awards:

- named SuperLawyer In DUI Defense for Massachusetts and New England, Super Lawyer, 2009

Special Licenses/Certifications:

- Board Certified in DUI Defense, 2004

Bar/Professional Activity:

- Board of Directors, Massachusetts Association of Criminal Defense Lawyers Board of Regents, Chair - Curriculum Committee National College for DUI Defense DUI Committee, National Association of Criminal Defense Lawyers

Pro bono/Community Service:

- Annual City to Shore Bike Ride for MS. VIP fundraiser for and rider in an 80 mile bike ride since 2008
- Volunteer speaker for Public Defenders Groups



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Clinton M. Ward, Esq.
Josh D. Lee, Esq.
Cassandra L. Coats, Esq.
Caitlin Towles, Esq.

Josh D. Lee Biography

Attorney Josh D. Lee is a Vinita, Oklahoma based criminal defense attorney. He is a nationally recognized expert on forensic science related topics and lectures frequently on scientific aspects of alcohol and drug testing.

Mr. Lee has been invited to lecture at the American Chemical Society (ACS) National Meeting on four occasions. In 2011, Josh was elected Forensic Science Co-Chairman for the Chemistry and the Law Division of the ACS. He is also an "Assistant Chromatography Instructor" for the ACS.

Mr. Lee is a published author on the topics of gas chromatography, the science of breath testing, and search and seizure. He is a certified instructor of the Standardized Field Sobriety Tests, certified independent operator of the Intoxilyzer 5000 and Intoxilyzer 8000 by the state of Oklahoma, and is trained in the Drug Recognition Expert program.

Mr. Lee is a founding member of the firm Ward Lee & Coats, PLC. He is a member of the American Chemical Society, the American Academy of Forensic Sciences, the National College for DUI Defense, the Oklahoma Criminal Defense Lawyers Association, and the Texas Criminal Defense Lawyers Association.



Thomas J. O'Hern, Albany, NY

Tom is a partner in the Albany firm of Gerstenzang, O'Hern, Hickey & Gerstenzang. His practice focuses primarily on the defense of Driving While Intoxicated Cases. Tom is a life member of the New York State Association of Criminal Defense Attorneys. He is a regular speaker for the New York State Bar Association and the New York State Association of Criminal Defense Lawyers.

Attorney Ben Sessions was born in Thomaston, Georgia and has lived all of his life in Georgia. He graduated summa cum laude from Georgia State University, with a major in Political Science. Mr. Sessions received his Juris Doctor from the University of Georgia School of Law in May 2004.

After graduation from law school, Mr. Sessions moved to Griffin, GA, where he worked for one of the premier litigation firms in middle Georgia. Mr. Sessions developed an excellent reputation in a short period of time and was recruited by Mr. McIlhinney in 2005.

His primary areas of practice are criminal defense, particularly DUI and drug cases, and plaintiff's personal injury cases. Mr. Sessions has represented clients in more than 100 DUI and Drug cases—in many of those cases the charges have been reduced or dismissed. Mr. Sessions prides himself on his detailed trial preparation and development of arguments to successfully exclude the State's evidence from the trial of a case.

An active member of the State Bar of Georgia, Mr. Sessions is a member of the Georgia Association of Criminal Defense Lawyers. Mr. Sessions is admitted to practice before the Georgia Court of Appeals and all State Courts of Georgia.

Eric H. Sills

Eric H. Sills is a criminal defense attorney in Albany, New York, whose practice focuses on DWI defense. He is a partner in the law firm of Gerstenzang, O'Hern, Hickey, Sills & Gerstenzang and, together with Peter Gerstenzang, is the co-author of the book *Handling the DWI Case in New York*. He is also the co-author of two articles published in the National Association of Criminal Defense Lawyers' ("NACDL's") magazine *The Champion*, as well as the author of, among other things, a two-part article published in the New York State Defenders Association's *Public Defense Backup Center Report*, a two-part article published in *Fiandach's New York DWI Bulletin*, and various materials used by the New York State Office of Court Administration Judicial Training Program (i.e., "Judge's School").

Eric is one of only three lawyers in New York State who have been Board Certified as specialists in DUI Defense Law by the National College for DUI Defense ("NCDD"). The NCDD is the only organization accredited by the American Bar Association to certify attorneys as specialists in DUI law.*

Eric is currently the New York State Delegate to the NCDD. He is also a member of NACDL's DUI Committee, and is listed as a top DWI attorney in the following publications: *The Best Lawyers in America®*, *The New York Area's Best Lawyers®*, and *New York Super Lawyers® Upstate Edition*. In fact, Eric is listed as one of the "Top 25 Hudson Valley Super Lawyers 2010" regardless of category.

Eric routinely lectures on DWI topics throughout New York State. He is also a member of the Committee on Character and Fitness for the Third Judicial District. Eric is a 1992 graduate of Boston College Law School, where he served as a Production Editor on the *Boston College Environmental Affairs Law Review*.