

39 REMINGER ATTORNEYS HONORED IN 2009

12/30/2009

We are proud to announce that a number of Reminger attorneys were recognized in 2009 by leading organizations including Ohio SuperLawyers[®], Ohio Rising Stars, Best Lawyers in America[®] and Leading Lawyers.

Ohio Super Lawyers[®]: D. Cheryl Atwell, Mario C. Ciano, Marilena DiSilvio, Andrew J. Dorman, Ronald A. Fresco, Brian D. Goldwasser, Gary H. Goldwasser, Roy A. Hulme, Paulette M. Ivan, Thomas B. Kilbane, Stephan Carl Kremer, James L. Malone, William A. Meadows, Thomas A. Prislipsky, Michael Romanello, Stephen E. Walters

Ohio Rising Stars

Angela M. Courtwright, John M. Dunn, Adam M. Fried, Brian T. Gannon, Erin S. Hess, Lisa House, Robert Kish, W. Bradford Longbrake, Franklin C. Malemud, Kevin R. Sanislo, Stephanie Seeley

Best Lawyers in America[®]

Kenneth P. Abbarno, Charles P. Alusheff, Joseph E. Cavasinni, Mario C. Ciano, George S. Coakley, Andrew J. Dorman, Adam M. Fried, Gary H. Goldwasser, Paulette Ivan, Barbara Janovitz, Frank Leonetti, III, James L. Malone, Clifford C. Masch, William A. Meadows, Michael Romanello, David Ross, Nicholas D. Satullo, James J. Turek, Stephen E. Walters, Leon A. Weiss, Jason D. Winter

Leading Lawyers

Mario C. Ciano, George S. Coakley, Leon A. Weiss

OHIO COURT TO DECIDE WHAT DAMAGES ARE REASONABLE

1/11/2010

The January 11th issue of American Medical News contained an article in its Professional Issues section featuring commentary from Reminger attorney and partner Martin T. Galvin.

The magazine article is entitled "Ohio Court to Decide What Damages are Reasonable."

2010 GROWTH REPORT FOR REMINGER'S YOUNGSTOWN OFFICE

1/13/2010

In a time when some law firms have cut back or even shut their doors, the Youngstown office of Reminger Co., LPA has thrived in the soft economy. From staffing, to new initiatives, to professional accolades and more, Reminger enjoyed a particularly positive 2009. Reminger's Youngstown office is one of ten Reminger offices located throughout Ohio and Kentucky. 2009 marked a year of exciting advancements for the firm as a whole, including:

- Opening a new office in Louisville, Kentucky

- Launching the Reminger Foundation, a non-profit 501(c)(3) charitable organization providing grants to worthy causes that improve the quality of people's lives and promote positive change in neighborhoods where Reminger's offices are located
- Creating the Women's Initiative, focused on strengthening and furthering Reminger's dedication to attracting and retaining talented women lawyers
- Hiring four new partners and naming seven additional partners
- Bringing aboard four new associates
- Relocating their office in the Toledo market

If 2010 is anything like last year, Reminger is looking forward to another great year of relationships, successes and opportunities to contribute to the communities they serve.

REMINGER ARGUES FIRST CASE BEFORE UNITED STATES SUPREME COURT

1/13/2010

On January 13, 2010, George Coakley of the Reminger Co., LPA firm's Cleveland office argued its first case before the U.S. Supreme Court. The case is styled *Karen L. Jerman v. Carlisle, McNellie, Rini, Kramer & Ulrich, et. al.*, Supreme Court of the United States Case No. 08-1200. A decision on the case has yet to be announced.

The case began in the U.S. District Court for the Northern District of Ohio. There, Judge Patricia Gaughan ruled on two legal issues for the first time in Ohio: (1) the words "in writing" in a validation notice sent to a debtor is a violation of the Fair Debt Collection Practices Act ("Act") and (2) the bona fide error defense under the FDCPA encompassed legal as well as clerical error.

The Petitioner appealed Judge Gaughan's ruling on the bona fide error defense to the Sixth Circuit Court of Appeals. The Sixth Circuit affirmed the trial court's decision in all respects. The Sixth Circuit's decision created a "circuit split" on the issue - three circuits had found the defense was limited to clerical error; and three found the exact opposite.

The U.S. Supreme Court granted certiorari to the Petitioner on June 29, 2009. Coakley, who had handled the case from its inception with his partner James O'Connor, assembled a team of appellate and professional liability lawyers within Reminger to write the briefs and prepare for oral argument. Coakley and his team were able to assemble an impressive list of amici or "friends" who filed briefs in support of the position advanced by the Reminger team on behalf of their client.

Oral argument was conducted before the nine Justices of the U.S. Supreme Court on January 13th. Coakley's team, their client and "friends" now await what could be a significant ruling by the Court interpreting the FDCPA for just the second time in the Act's history since 1977.

Coakley said that he was "surprised how the case developed from a seemingly simple issue to one of far greater proportions over time. Arguing before the U.S. Supreme Court is as good as it gets for a trial lawyer. Everyone should be so lucky."

REDUCING YOUR REAL ESTATE TAXES

1/20/2010

The current real estate market is suffering and in many cases, property values have fallen across the State of Ohio. However, not all property values have fallen and many property owners are still paying taxes based on overvalued properties. Although times are tough in the real estate industry, the one bright spot for property owners is the possibility of reducing their real estate taxes.

For an electronic or hard copy of the entire article and for more information, please contact **Nick Catanzarite** at **216-430-2288** or ncatanzarite@reminger.com.

REMINGER ANNOUNCES TWO NEW ATTORNEYS IN KENTUCKY OFFICES

Matthew T. Lockaby and Justin N. Rost Join Law Firm

2/4/2010

Reminger Co., LPA is pleased to announce the addition of attorneys Matthew T. Lockaby and Justin N. Rost to their expanding Ft. Mitchell, Lexington and Louisville offices.

Matt defends insurers against extra-contractual ("bad faith") claims and general casualty lawsuits. He also defends trucking companies and their insurers in matters both routine and catastrophic. Justin focuses his diverse legal practice on civil defense litigation and actively represents clients in the state and federal courts in Kentucky. Prior to joining Reminger, Justin maintained a diverse civil trial practice in Florida where he was recognized as one of Florida Super Lawyers' Rising Stars in 2008-2009.

DONALD L. MILLER, II RECOGNIZED AS SUPER LAWYER®

2/4/2010

Don Miller was honored in 2009 as a Kentucky Super Lawyer® for the third year in row. Don practices in Reminger Co., LPA's Louisville and Lexington offices. Don spends the majority of his time defending personal injury suits, including long term health care negligence, for various insurers and self-insured clients. He also handles trucking claims and spends substantial time defending insurers against extra-contractual ("bad faith") claims. Don also has a great deal of experience in the defense of drug product liability litigation and has first chaired many jury trials.

37 REMINGER ATTORNEYS RECOGNIZED BY OHIO SUPER LAWYERS® AND OHIO RISING STARS

4/9/2010

We are proud to announce that a number of Reminger attorneys were recognized in 2010 by leading organizations Ohio Super Lawyers® and Ohio Rising Stars.

Ohio Super Lawyers®

Akron Office: D. Cheryl Atwell, Stephan Carl Kremer

Cincinnati Office: Brian D. Goldwasser

Cleveland Office: Kenneth P. Abbarno, Hugh J. Bode, Mario C. Ciano, Marilena DiSilvio, Andrew J. Dorman, Marc W. Groedel, Daniel R. Haude, Roy A. Hulme, Thomas B. Kilbane, James L. Malone, Clifford C. Masch, William A. Meadows, James J. Turek, Stephen E. Walters, Leon A. Weiss,

Columbus Office:

Warren M. Enders, Ronald A. Fresco, Paulette M. Ivan, Michael Romanello

Youngstown Office: Thomas A. Prislipsky

Ohio Rising Stars:

Cincinnati Office: Joseph Borchelt, Rick L. Weil

Cleveland Office: Anthony M. Catanzarite, Brian T. Gannon, Erin S. Hess, Bethanie E. Ricketts, Stephanie Seeley, John B. Stalzer, Robert S. Yallech

Columbus Office: Angela M. Courtwright, Lisa House, Robert Kish

Sandusky Office: Jeanne M. Mullin

Toledo Office: Emily W. Newman

TWO REMINGER ATTORNEYS FEATURED AS CO-AUTHORS OF SPRING 2010 DRI PUBLICATION

4/13/2010

Reminger attorneys Laurie J. Avery and W. Bradford Longbrake co-authored the cover story of the upcoming Spring 2010 issue of In-House Defense Quarterly. The article, titled "The New Language of Personal Jurisdiction?" explains that a person or entity can only be sued in a Court that is found to have personal jurisdiction over them. In order to view a copy of the article, visit www.reminger.com/idq2010/PersonalJurisdiction.pdf.

REMINGER ESTATE PLANNING CHAIR BARBARA JANOVITZ FEATURED IN CLEVELAND JEWISH NEWS AND CURRENTS NEWSPAPER

4/15/2010

Reminger estate planning chair Barbara Janovitz was recently published in two Cleveland-area publications, featuring advice on the 2010 estate tax. For a copy of the *Cleveland Jewish News* article, titled "Estate Planning and Giving: What Happened to the Estate Tax" visit <http://www.reminger.com/idq2010/BJanovitz-EstateTax.pdf>; for the *Currents* newspaper article entitled "Estate Tax Planning During Uncertain Times", visit <http://www.reminger.com/idq2010/BJanovitz-EstateTaxPlanning.pdf>.

UNITED STATES SUPREME COURT LIMITS DEFENSE TO LIABILITY IN CONSUMER PROTECTION CASE

4/22/2010

The United States Supreme Court announced a decision Wednesday, April 22, 2010, in a case that limits the scope of a defense provided to debt collectors who violate the Fair Debt Collection Practices Act (FDCPA) so as to exempt a legal error made in good faith. Reminger attorney George Coakley represented a Beachwood attorney and her firm against allegations that they engaged in abusive debt-collection practices when they issued a notice in connection with a foreclosure action. To read the article, visit <http://www.reminger.com/news.asp?id=347>.

COURT'S FAIR DEBT COLLECTION PRACTICES ACT RULING MAY HAVE NEGATIVE IMPACT ON LAWYERS

4/27/2010

LawyersUSAOnline.com posted a story on their site April 27, 2010, featuring commentary from Reminger attorney and partner George Coakley regarding the U.S. Supreme Court's decision in a Fair Debt Collection Practices Act case that may create ethical dilemmas for attorneys forced to interpret the statute on behalf of their clients. Coakley questioned, "If they are faced with an interpretation of law where they might be wrong, then they have a real ethical dilemma: do they advance the interest of their client, as they should, or do they protect themselves from personal liability?"

To read the article, visit <http://lawyersusaonline.com/blog/2010/04/26/court%e2%80%99s-fair-debt-act-ruling-may-have-negative-impact-on-lawyers/>.

TWO REMINGER ATTORNEYS FEATURED AS CO-AUTHORS OF SPRING 2010 DRI PUBLICATION

4/27/2010

Reminger attorneys Laurie J. Avery and W. Bradford Longbrake co-authored the cover story of the upcoming Spring 2010 issue of In-House Defense Quarterly.

The article, titled "The New Language of Personal Jurisdiction?" examines how courts are addressing the impact of the internet on the issue of Personal Jurisdiction. Traditional measures of due process limit the exercise of personal jurisdiction to occasions where a defendant's activities demonstrate significant contacts with that state.

To read the article, visit <http://www.reminger.com/idq2010/PersonalJurisdiction.pdf>.

OHIO SUPREME COURT ALLOWS JURIES TO CONSIDER MEDICAL WRITE-OFFS

Reminger Attorneys Martin Galvin and William Meadows Authored Amicus Brief on Behalf of the Academy of Medicine of Cleveland and Northern Ohio

5/5/2010

On May 4, 2009 the Ohio Supreme Court issued an Opinion the case of *Jacques v. Manton*, 2010-Ohio-1838, and in so doing reaffirmed the viability of *Robinson v. Bates*, 2006-Ohio-6362. The essence of the Court's decision is that, at trial, where damages for personal injury are sought, evidence may be admitted of both the amount billed a plaintiff in medical charges and the amount actually paid. A plaintiff may still present evidence of the face amount of their medical bills, but defendants, in turn, may show the jury what portion of the medical bills were written off by the health care provider. The Ohio Supreme Court stated that this result was mandated both by the common law collateral source rule, and by R.C. 2315.20, which was enacted after the cause of action in *Jacques* accrued. Two lower courts had held both that R.C. 2315.20 superseded *Robinson v. Bates*, and that this statute prohibited juries from being informed that portions of medical bills introduced into evidence had been written off.

Reminger was privileged to have participated in this case. Marty Galvin and Bill Meadows authored an Amicus Brief on behalf of the Academy of Medicine of Cleveland and Northern Ohio.

"We were pleased to be able to provide support in this appeal on behalf of such a vital organization as the Academy of Medicine," said Galvin.

Meadows added, "This decision will hopefully eliminate the ability of plaintiffs to obtain damage awards that include medical expenses which were never actually paid to medical providers."

REMINGER ESTATE PLANNING CHAIR BARBARA BELLING JANOVITZ APPOINTED TO CLEVELAND CLINIC TAUSSIG CANCER INSTITUTE NATIONAL LEADERSHIP BOARD, RECOGNIZED BY GOLDEN AGE CENTERS OF GREATER CLEVELAND

5/7/2010

Reminger Estate Planning Group Chair Barbara Bellin Janovitz was recently appointed to the Cleveland Clinic Taussig Cancer Institute National Leadership Board.

The Taussig Cancer Institute provides world-class care to patients with cancer and is at the forefront of new and emerging clinical, translational and basic cancer research. The leadership board is comprised of individuals who have a commitment to providing financial and innovative support to the institute.

In addition to her role with the Taussig Cancer Institute, Janovitz also performs community service with a multitude of community organizations, including the Different Needz Foundation and the Golden Age Centers of Greater Cleveland. For her contributions, Janovitz was recently recognized as one of the Golden Age Center's "Faces of the Month."

TWO REMINGER ATTORNEYS FEATURED AS CONTRIBUTING AUTHORS IN *DENTAL IMPLANTS: THE ART & SCIENCE*

5/10/2010

Reminger attorneys Rick Rymond and Ron Mingus co-authored a chapter on risk management in the second edition of *Dental Implants: The Art & Science*, published this spring by Saunders, an affiliate of Elsevier Inc.

Their chapter, entitled "Dental Risk Management" addresses important considerations affecting dentists today, including dental malpractice law, state dental board actions, risk management practices, professional liability insurance considerations and complications associated with implant dentistry.

For a copy of the "Dental Risk Management" book chapter, contact Rick or Ron.

KELLY JOHNS AUTHORS ARTICLE ON WORKERS' COMPENSATION FEATURED IN YOUNGSTOWN BUSINESS JOURNAL

5/15/2010

The Mid-May issue of the Youngstown Business Journal featured an article written by Reminger attorney Kelly Johns, entitled "How to Determine If Your Firm Is Liable For an Injury Claim." The story outlines in a simple, easy-to-understand format what an employer needs to do in the event of a claim.

For a copy of the article, visit <http://www.reminger.com/E-Blast/KJohnsBusinessJournal.pdf>.

REMINGER ATTORNEY CHAIRS NEW OACTA PROFESSIONAL LIABILITY COMMITTEE, PUBLISHES FIRST ISSUE OF QUARTERLY REVIEW

5/20/2010

Reminger attorney Nicholas D. Satullo was tapped last fall to chair the newly created Professional Liability Committee for the Ohio Association of Civil Trial Attorneys (OACTA) as part of their expansion of substantive law committees. This committee published OACTA's most recent Quarterly Review, which is currently being distributed statewide to its members.

The four scholarly articles are focused on important recent decisions and developing trends in legal malpractice actions, and the value of Advisory Opinions in providing guidance in interpreting the ethics rules governing the practice of law in Ohio.

Satullo authored an article for the publication entitled "Third Party Claims by Attorney-Malpractice Defendants Against Attorneys: Yes, No and Maybe."

Joe Borchelt, a Reminger attorney who practices out of the Cincinnati office also contributed with "Discovery Tools for the Successful Defense of Legal Malpractice Actions - Rejuvenation of the Implied Waiver Doctrine in Ohio." Borchelt is also the editor of OACTA's quarterly newsletter "The Update."

To view the a copy of the publication, visit <http://www.reminger.com/E-Blast/OACTASpr2010.pdf>.

NICOLE M. NORCIA JOINS REMINGER TEAM IN COLUMBUS

5/21/2010

Reminger Co, LPA is pleased to announce the addition of attorney Nicole M. Norcia to their Columbus office. She focuses her legal practice on a wide variety of areas including transportation and personal injury defense, insurance defense and domestic and probate work. Nicole also represents a wide multitude of clients with respect to general liability matters.

Nicole is a member of The Ohio State Bar Association, Columbus Bar Association, Women Lawyers of Franklin County and she also serves on the Board of Music Loves Ohio.

Prior to graduating magna cum laude with a Juris Doctor at Capital University Law School, Nicole earned her undergraduate degree from Wittenberg University. She was also a member of the Order of the Curia, a law school honorary society.

Nicole may be reached at **614-232-2432** or at nnorcia@reminger.com.

INSURANCE COVERAGE NEWSLETTER 2010

5/25/2010

Reminger's insurance practice group created a newsletter which contains a number of articles addressing some of the "hot" areas of Ohio insurance law. For an electronic or hard copy, to discuss the topics outlined in this newsletter in greater detail or to discuss the presentation of a seminar on any of the topics please contact Cliff Masch at **216-430-2164** or cmasch@reminger.com.

REMINGER ATTORNEY ADAM FRIED SPEAKING AT ANNUAL CONSORTIUM AGAINST ADULT ABUSE CONFERENCE

5/26/2010

Adam Fried has been invited to speak at the annual conference for the [Consortium Against Adult Abuse](#) to be held on June 11, 2010. His workshop is titled "Guardians v. Caregivers" and will relate to the conference title: "The Specter of Undue Influence and Financial Exploitation". The conference is open to Social Workers, Nursing Home Administrators, Attorneys and First Responders.
