

# LAWYERS JOURNAL

## Attorneys Against Hunger raises more than \$139,000



By Zandy Dudiak

Eighteen anti-hunger agencies and pantries have more money in their pots this year to better serve Allegheny County residents affected by food insecurity, thanks to the ACBF's Attorneys Against Hunger (AAH) campaign.

Abby Steidl and Corrine McGinley co-chaired the campaign, which raised more than \$139,000 between November 2023 and April 2024, \$11,000 more than the previous year. The increase came mostly from individual donors, said Lorrie Albert, ACBF Associate Executive Director.

"It was great to have another successful AAH campaign," Albert said. "It was better than we anticipated. We have consistently raised more than \$100,000 per year for the last 12 years for our community and over \$2.5 million since the campaign's inception in 1993."

The law firm of Steidl & Steinberg was the lead sponsor of AAH. Support sponsors were Gleason and Judge Raymond A. Novak.

"I think my main focus every year is that hunger and need do not stop," Steidl said. "They don't suddenly

Continued on page 10

## Free Sorg Forum CLE to be held Oct. 7

By ACBA Staff

The Allegheny County Bar Association Membership Committee and Professional Ethics Committee will present the following free live webinar CLE, *Safeguarding Justice: Understanding the Pennsylvania Lawyers Fund for Client Security*, on Monday, October 7.

As the latest installment of the ACBA Sorg Forum series, ACBA members are invited to attend this CLE for free.

Sorg Forums are designed to advance professionalism among ACBA members. It is funded by the John H. Sorg Fund for Professional Ethics, which was established to maintain and elevate the standard of ethics of the Allegheny County Bar. The Sorg Fund is housed with the Allegheny County Bar Foundation and is consistent with the ACBF's charitable and educational purposes as set forth in the Foundation's governing documents.

This program has been approved for one hour of Ethics CLE credit and also qualifies for one hour of credit under the West Virginia Rules for Mandatory Continuing Legal Education.

This free CLE program is designed to shed light on the Pennsylvania Lawyers Fund for Client Security, an essential resource dedicated to safeguarding the integrity of the legal profession and supporting victims of

FREE CLE

**SAFEGUARDING JUSTICE:**  
Understanding the  
**Pennsylvania Lawyers Fund**  
for **Client Security**

**ACBA Sorg Forum**

**Monday, October 7 | Noon | Live Webinar**

Gain insight on the Pa. Lawyers Fund for Client Security, a resource dedicated to safeguarding the integrity of the legal profession and supporting victims of attorney dishonesty.

Funded by the John H. Sorg Fund  
for Professional Ethics.

For more visit  
[ACBA.org/calendar](https://ACBA.org/calendar).

attorney dishonesty. This program will offer a comprehensive overview of the Fund's mission and operations, highlighting its critical role in reimbursing clients who have been wronged by dishonest legal practitioners.

Key topics to be discussed include:

- Criteria for claims and the process for filing a claim
- Common pitfalls leading to disciplinary actions and claims
- Preventative measures and best practices for managing client relationships, safeguarding funds

and ensuring transparency and accountability in legal practice

- The role of the PLFCS in reinforcing public confidence and promoting ethical standards within the legal community

This CLE is an invaluable opportunity for attorneys to familiarize themselves with a vital resource that upholds ethical practice and supports affected clients.

Speakers will be Kathryn Peifer Morgan of the Pennsylvania Lawyers Fund for Client Security and Bruce S. Zero of Powell, Zero, Mundy.

Members can register at [ACBA.org/calendar](https://ACBA.org/calendar). ■

### THE ALLEGHENY COUNTY BAR ASSOCIATION JUDICIARY COMMITTEE WILL INTERVIEW CANDIDATES SEEKING RATINGS FOR THE ALLEGHENY COUNTY COURT OF COMMON PLEAS AND PA APPELLATE COURTS

In accordance with the By-Laws of Bar Association Article 14 – Committee on Judiciary – and the “Guidelines, Rules and Procedures” of the Committee, notice is hereby given that:

#### THE ACBA JUDICIARY COMMITTEE

will meet at 4 p.m. on the following dates at the ACBA headquarters, 4th floor Koppers Building, Pittsburgh, Pa. to consider candidates seeking ratings for the Allegheny County Court of Common Pleas and Pennsylvania Appellate Courts.

Wednesday, October 2, 2024  
Wednesday, October 23, 2024  
Wednesday, November 6, 2024  
Wednesday, November 20, 2024

Tuesday, December 3, 2024  
Wednesday, December 18, 2024  
Tuesday, January 7, 2025  
Wednesday, January 22, 2025

Candidates that are requesting an interview must submit an application that is available online at [ACBA.org](https://ACBA.org). Up to three candidate interviews may be conducted during each Committee meeting and the Judiciary Committee will take appropriate action on the applications at the conclusion of the interviews.

To download a candidate questionnaire and other related materials please visit [ACBA.org/judiciary-committee](https://ACBA.org/judiciary-committee). If you have questions about the candidate questionnaire, please contact David Blaner, ACBA Executive Director by phone at 412-402-6601 or by email at [dblaner@acba.org](mailto:dblaner@acba.org).

One copy of the candidate questionnaire, confidential questionnaire, supplemental questionnaire, signed candidate pledge form, signed acknowledgement form and a writing sample must be emailed to David Blaner, ACBA Executive Director, for your application to be processed.

Please submit one complete pdf document as your application.

**The deadline for submitting an application to the Judiciary Committee is two weeks prior to the listed meetings dates. Candidate evaluations will be scheduled based upon the date and time that the questionnaires are submitted to the ACBA.**

Non-Profit Org.  
U.S. Postage  
PAID  
Pittsburgh, PA  
Permit # 130

Allegheny County Bar Association  
400 Koppers Building, 436 Seventh Avenue  
Pittsburgh, PA 15219-1818

Return Service Requested



# LAWYERS JOURNAL

The *Lawyers Journal* is published fortnightly by the Allegheny County Bar Association  
400 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
[www.ACBA.org](http://www.ACBA.org)  
Advertising Inquiries: 412-402-6620 / [bknavish@acba.org](mailto:bknavish@acba.org)  
Address Changes: 412-402-6612 / [bbrumbaugh@acba.org](mailto:bbrumbaugh@acba.org)  
Circulation 4,883  
© Allegheny County Bar Association 2024  
Editor-in-Chief: *Daniel A. Seibel, Esq.*  
Supervising Editor: *David A. Blaner*  
Editor: *Jennifer A. Pulice, Esq.*  
Graphic Artist Supervisor: *Jessica Wysocki Valesky*  
Editor/Graphic Artist: *Daniel Priore*  
Proofreader: *Sharon Antill*  
■ The *LJ* editorial policy can be found online at [www.ACBA.org](http://www.ACBA.org).  
■ Information published in the *LJ* may not be republished, resold, recorded or used in any manner, in whole or in part, without the permission of the publishers.

## Gender Bias Duty Officers

[ACBA.org/member-center/gender-bias-hotline](http://ACBA.org/member-center/gender-bias-hotline)  
If you have observed or experienced any form of gender bias in your role as an attorney or law student intern, you may contact any one of the following members of the Gender Bias Subcommittee of the Women in the Law Division on a daily basis. The duty officers will keep your report confidential and will discuss with you actions available through the subcommittee.

Kimberly Brown .....412-394-7995  
[kabrown@jonesday.com](mailto:kabrown@jonesday.com)  
Rhoda Neft .....412-606-8387  
[rhoda.neft@gmail.com](mailto:rhoda.neft@gmail.com)

## Professional Ethics Hotline

[ACBA.org/OfficerAssignments](http://ACBA.org/OfficerAssignments)  
Wonder if your decisions, legal advice or other professional actions are ethical? Need guidance? The ACBA Professional Ethics Committee “Ethics Hotline” makes available Committee Members to answer ethical questions by telephone on a daily basis. *All calls are confidential.*

**September**  
John F. Becker .....412-921-1605  
Cathy Martin .....412-586-6118  
**October**  
John H. Riordan Jr. ....412-651-4159  
Mark Vuono .....412-310-6399

# THE PITTSBURGH LEGAL JOURNAL OPINIONS

provides ACBA members with timely, precedent-setting, full text opinions, from various divisions of the Court of Common Pleas. The *Opinions* can be viewed online in a fully searchable format at [www.ACBA.org/Opinions](http://www.ACBA.org/Opinions).

The latest cases loaded into the database involve the issues of:  
Jurisdiction | Forum Selection Clause | Final Custody Order | Custody Hearing

## Looking to hire the perfect legal professional?

When attorneys, legal assistants, legal secretaries and paralegals are looking for job openings in the Pittsburgh Legal Community, one of the first places they turn to is the Allegheny County Bar Association (ACBA) Job Board located at [jobs.acba.org](http://jobs.acba.org). In fact, our job board averages nearly 4,000 views per month.

Posting a job opening on the ACBA Job Board is an extremely affordable option and ensures your job posting will be seen by an audience who is looking for legal job openings in the Pittsburgh region. In addition to the job posting itself, the ACBA also posts information regarding these positions on our social media channels.

Enter the code **JOB30** and receive **30% OFF** any of the first three job posting packages: the “30 Day” package, the “First Seen” package and the “Job Flash” package.

Visit  
[jobs.acba.org](http://jobs.acba.org)  
for additional  
information and pricing.

## Need clients?

The Lawyer Referral Service can help bring them to you.

For details, contact  
Whitney Hughes  
at 412-402-6703 or  
[whughes@acba.org](mailto:whughes@acba.org).

To learn more, see  
[GetAPittsburghLawyer.com](http://GetAPittsburghLawyer.com).

## Find out what’s happening in the Pittsburgh Legal Community

- CLEs
- Committee Meetings
- Social Events
- Zoom Sessions
- And more ...



[ACBA.org/calendar](http://ACBA.org/calendar)

## Family Law Practice

in all areas including:  
• Divorce  
• Custody  
• Support  
• Equitable Distribution

*Pamela V. Collis, Esq.*

 **MEYER • DARRAGH**  
BUCKLER • BEBENEK & ECK, PLLC  
U.S. Steel Tower, Suite 4850  
600 Grant Street, Pittsburgh, PA 15219  
(o) 412-261-6600 (d) 412-553-7165  
(e) [pcollis@mdbbe.com](mailto:pcollis@mdbbe.com)  
[www.mdbbe.com](http://www.mdbbe.com)



## LICENSED PSYCHOLOGIST FORENSIC PSYCHOLOGICAL ASSESSMENTS

**EVALUATIONS**  
Forensic | Psychosexual  
Custody | Parent Capacity  
Mental Health

**EXPERT WITNESS**  
Addiction | Incarceration  
Law Enforcement | PTSD  
Serious Mental Illness



  
*Melody Caldwell, PsyD*

[www.drmelodycaldwell.com](http://www.drmelodycaldwell.com)  
[caldwellpsy@gmail.com](mailto:caldwellpsy@gmail.com) | 412-350-8698



PRESIDENT’S MESSAGE

# The ACBA for newbies (and not so newbies)

By Regina Wilson

The first pillar of belonging is to be welcomed. Often when I am welcomed into a new place or organization, I’m given a tour or an overview, to help me understand where to go and how everything works. I thought it would be helpful for me to give a tour or an overview of the Allegheny County Bar Association (ACBA) to new and not so new members.

Personally, as I learned more about the ACBA, I was able to use that knowledge to figure out what interested me and how to get more involved. I hope this overview of the ACBA will help you figure out how you might want to get involved. I apologize in advance for all of the acronyms.

The Allegheny County Bar Association (ACBA) was founded in 1870 and is a 501(c)(6) professional organization. The Allegheny County Bar Foundation (ACBF), which is a 501(c)(3), is the charitable arm of the ACBA. The ACBA is governed by the Board of Governors, while the ACBF is governed by the Board of Trustees. The Board of Governors is comprised of the officers, governors, liaisons from the three divisions and ex officio members. Governors on the Board of Governors are elected by fellow members.

The ACBA has approximately 70 Committees, Divisions and Sections. Due to space limitations, I am not able to do a deep dive and/or list all the Committees, Divisions and Sections. I encourage all members to visit the



Regina Wilson  
ACBA President

Committees, Divisions and Sections page on the ACBA’s website. It can be found under the Member Center tab. There you will find more information about each committee, section and division.

There are three Divisions, the Homer S. Brown Division (HSBD), the Women in the Law Division (WLD), and Young Lawyers Division (YLD). Members are placed automatically in these Divisions based on the information provided to the ACBA. It should be noted that if a member is not automatically placed in HSBD or WLD, they can request to join these Divisions. The divisions have their own officers, council, bylaws and website.

All 16 Sections are focused on a substantive area of law. To join a Section, members check a box on their

membership application/record and pay a membership fee. These membership fees fund the programming of the Section. Each Section has officers, a council and bylaws. Sections are a great way to meet lawyers in a specific substantive area of law.

There are 36 Committees that I break down into three categories, internal committees, substantive law committees and personal interest committees. Please note that these are my personal classifications, that I use when explaining the organization to others. These are not the official ACBA classifications of Committees. Each ACBA committee has a Chair and a Vice-Chair.

The ACBA President appoints the members of internal committees. Some internal committees are the Audit Committee, Finance Committee and Membership Committee. The Alternative Dispute Resolution Committee, Legal Technology and E-Discovery Committee and Sports Law Committee are just some of the substantive law Committees. Personal interest Committees may involve several substantive areas of law, but they may also involve areas of interest outside of the law. I view the Arts and the Law Committee, Health and Wellness Committee, Military and Veterans Affairs Committee and the affinity committees as personal interest committees. Members can join substantive law and personal interest Committees by asking to be added to the email list and/or attending meetings.

The Judiciary Committee is a little different from the other ACBA

committees. Members of Judiciary Committee, which evaluates and rates prospective judicial candidates, are elected by fellow members of the ACBA.

From time to time, when deemed necessary, the ACBA Board of Governors may form ad hoc committees to address certain needs of the association. In the past ad hoc committees have been formed to create the ALLY Initiative, plan the Barristers Ball, conduct strategic planning and to review an internal process. Members of ad hoc committees are appointed by the ACBA President.


The ACBA has three sports leagues – soccer, basketball and softball. Each league has a commissioner. For more information about the sports leagues and their seasons, please go to the sports leagues page under the Member Center tab on the ACBA website.

Our Committees, Divisions and Sections plan educational, networking and social events. Social events can be a great way to meet other members in a relaxed environment. Attending a meeting can also be a great way to become involved. If you are interested in joining a Committee, Division and/or Section, and you do not know where to start, I encourage you to reach out to the chair. You can find the chair of a Committee, Division or Section on the ACBA’s website.

I hope this overview of the ACBA is helpful. I look forward to seeing you at a future ACBA event.

P.S. There is a Members-Only Happy Hour planned for October 9. Hope to see you there! ■

*Quality...Experience...Results...*  
*It's what your clients deserve.*  
**Medical Malpractice • Auto Accidents • Personal Injury**



**GISMONDI**  
& ASSOCIATES

**412-281-2200**

www.gislaw.com • 310 Grant St., Ste. 700, Grant Bldg., Pgh., PA 15219

CELEBRATING  
**70 YEARS** | **GATEWAY ENGINEERS**  
A FULL-SERVICE CIVIL ENGINEERING FIRM



**As we celebrate our 70th anniversary,  
we recognize the businesses, institutions,  
and 40+ municipalities we serve.**



**People, Projects, and Purpose.**

(412) 921 4030 | GATEWAYENGINEERS.COM



# BLI Class off and running for 2024-25

By Ron Cichowicz

Excitement is building for this year's Bar Leadership Initiative (BLI) Class of 2024-25, which recently welcomed the largest contingent of members in program history.

A program of the ACBA Young Lawyers Division (YLD), BLI encourages participants to get involved with the bar association and ultimately assume leadership positions in the ACBA and the legal profession at large. BLI provides an avenue for its members to build professional contacts while enhancing involvement in the community.

Rebeca Himena Miller, an associate with Leech Tishman, chairs this year's BLI Class. She said she sees numerous benefits in the BLI program – and not just for class members.

“ACBA is a tremendous organization because it helps with career-building networking, showing lawyers how to build a client base, be a pleasant adversary and build a reputation while serving the community,” said Miller, who also is the YLD Chair-Elect. “I encourage potential members to find the time in their schedule to participate.

“This year, with the BLI, I almost feel like a hen and the members are my baby chicks. They’re being nurtured and developed. The bar association is an incubator, providing tools and opportunities in a safe environment where members can work on their weaknesses and develop strengths. BLI is an opportunity to get younger lawyers integrated into the ACBA and its structure and expand their involvement in the ACBA.”



PHOTO BY JAMES PIAGGIO

*The 2024-25 Bar Leadership Initiative Class met for orientation and a networking reception with ACBA members on the lower level of the Koppers Building August 21.*

The ACBA accepts applications for the year-long BLI program. YLD membership is not based on a person's age; rather, membership is automatic for anyone in practice less than 10 years, which potentially allows for a diverse BLI Class.

“This is an exciting year,” Miller said. “This is the most members BLI has ever had, which shows that the ACBA as an organization is getting more successful in procuring membership and there is lots more interest in younger attorneys to join the bar association.”

BLI members this year are Alyssa Zottola, Antonio Bonnetty, Ashley

Morgan, Eric Bill, Erin Volz, Gaurav Gupte, Giulia Schaub, Harrison Graydon, Jake Noble, Joseph Peluso, Katherine Ryalls, Kennedy Houck, Keymo Hoshing, Mary Davis, Mary Shahverdian, Nathaniel Ecker, Ryan Pallone, Samantha Thompson and Zoe Crawford.

"This class is the most diverse we've had," said Miller. "It also boasts the most out-of-state attorneys now transplanted to Pittsburgh and invested here. It's also the most diverse in terms of practice areas."

The class typically meets monthly. BLI members are encouraged to

participate in various ACBA and YLD activities throughout the year. The orientation meeting and kickoff reception was held August 21, followed by a YLD Happy Hour on September 12 at Spritzery and the YLD's Diverse Law Students Reception September 18 at Revel and Roost. Future events planned so far (with others to come) include the Esquire Open Pickleball Tournament at the Rivers Club, October 10; a "Boo-ery" Tour, October 19; Passing the Bar Bash at the Foundry, November 21;

**Continued on page 10**

**GLENMEDE**  
PRIVATE WEALTH

**Mark Busher**  
Regional Director, Pittsburgh  
mark.busher@glenmede.com  
412-533-1810



# A *Partnership* Built on Trust

For more than 65 years, we've delivered wealth and investment management solutions to address complex needs and long-term objectives.

Let us be a resource for you and your clients.

**Glenmede**  
501 Grant Street, Suite 350  
Pittsburgh, PA 15219  
[www.glenmede.com](http://www.glenmede.com)



# Considerations when deciding to sell or not sell oil and gas rights

By Bill Smith

The Marcellus and Utica shale boom in PA, WV, and OH has significantly increased the net worth of many people and companies owning oil and gas rights under property. The question always becomes, as an owner, should we sell or should we hold on?

The answer to this question is different for every owner based on their personal situation.

CX-Energy is a Licensed Real Estate Broker specializing in oil and gas real estate and has been helping owners in PA, WV, and OH sell or lease their oil and gas rights since 2008. CX-Energy has consummated over a billion dollars in gross transactions in the Tri-State area.

After 16 years of consulting with owners we would like to share with you what we have heard as they have considered selling or leasing their oil and gas rights.

- Owners' thoughts around not selling:
- I can pass them onto my children and grandchildren in my estate, maybe they will see them get drilled and produced.
  - Even though my Marcellus checks have dropped significantly due to the wells declining, eventually they will drill the Utica.
  - Even though the price of natural gas and oil is low now it will eventually come back up and my checks will too.

- I would rather lease and hopefully get drilled and collect monthly royalty checks.
  - Oil and gas wells decline significantly over the first three years so I will sell after year three.
  - I'm concerned if I sell the oil and gas rights under my land I have no control of the use of what happens on my land.
- Owners' thoughts on selling:
- Although the wells could pay out a large sum of money over time eventually the oil and gas rights are worth much less since the oil and gas in the well declines and it is not a natural reproducing resource.
  - Owning oil and gas rights is like owning a winning lottery ticket, when you collect you can choose small monthly payments over time or a large lump sum of cash now.
  - I can sell the oil and gas rights under my land and negotiate a no ingress and egress Deed so I don't have to worry about the use of my land by the buyer.
  - Me and my four siblings own our oil and gas rights and when one of us passes we have to deal with their three kids. If we sell now, it's easier to split up cash than it is property.
  - The wife and I are in our late 70s now and we don't want the kids fighting about who wants to keep the oil and gas rights in our estate and who wants to sell them, cash is easier to split up among my heirs.

- Oil and gas lose value as the wells deplete. I want to sell and do a 1031 Tax Deferred Exchange with the money into an income producing real estate property. As long as I take care of the property and gradually increase rents the value goes up instead of down like a depleted oil and gas well.
  - The royalty income I receive is taxed as ordinary income and will put me in a higher tax bracket. The sale of my oil and gas rights is taxed as a capital gain which is much less and I can reduce the tax liability with my basis in the property.
  - I'm on my third five-year lease and still have not been drilled so I'm not receiving monthly royalty income and the lease rental payment paid for each lease has been going down.
  - I can sell this monthly income stream for a large lump sum and I'm tired of the up and down check amounts, how do I know the gas company is paying me right?
  - I'm concerned fracking will be banned in the US.
- CX-Energy uses its expertise, experience, and proprietary oil and gas mapping technology to educate oil and gas rights owners. Our goal is to provide information for an owner to make the best decisions for themselves and their families.
- CX-Energy now has a database of close to 3,000 oil and gas rights buyers and exploration and production companies.

If you hire CX-Energy to sell or lease for you, our goal is to get you the most money and best terms possible, as quickly as possible, and with the fewest problems possible. ■

*Bill Smith is VP of Land and Managing Broker CX-Energy.*


## ACBA Conference Room Rental

Need temporary office space or conference room facilities downtown? Practice in the suburbs but have an occasional need for a client meeting downtown?

ACBA members can rent office space and/or conference rooms depending on availability in the Koppers Building on a daily or short-term basis.

Several room size and connectivity options plus discounted rates for ACBA members, prices start at just \$20 per day.

Visit [ACBA.org/offices](https://www.acba.org/offices) for more.

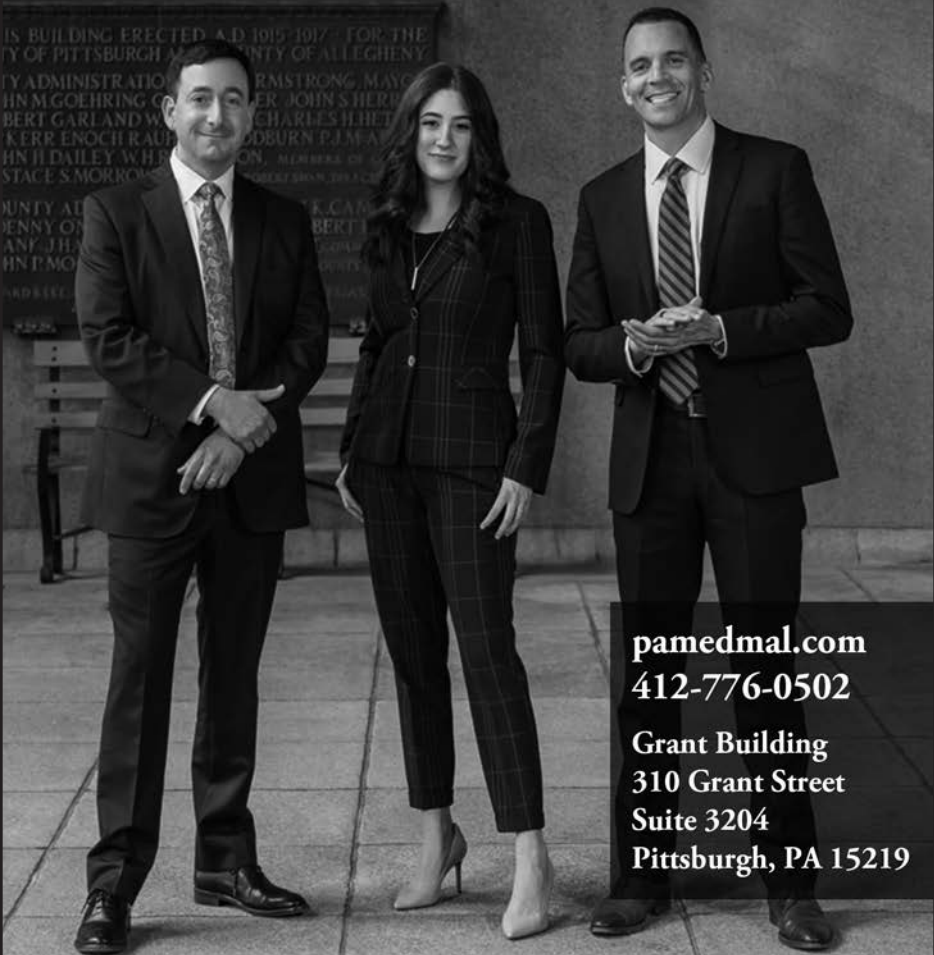


# LUPETIN & UNATIN, LLC

ATTORNEYS AT LAW

REFERRALS WELCOME

## Medical Malpractice, Wrongful Death & Catastrophic Personal Injury



**pamedmal.com**  
**412-776-0502**

Grant Building  
310 Grant Street  
Suite 3204  
Pittsburgh, PA 15219

Gregory Unatin, Maggie Cooney and Brendan Lupetin



# OnYourBehalf

by Ursuline Support Services



**OnYourBehalf** offers a continuum of support services in order to advocate, guide and protect you as you navigate life's transitions.

## Our Services

- **Power of Attorney and Guardianship**
- **Financial Support Services**
- **Family Guardian Support**

For more information on any of our services, please contact us at:

**OnYourBehalf**  
by Ursuline Support Services

2717 Murray Avenue | Pittsburgh, PA 15217  
412-224-4700

[www.UrsulineOnYourBehalf.org](https://www.UrsulineOnYourBehalf.org)







PHOTOS BY JAMES PIAGGIO  
ACBF Golf Committee Co-Chair Kim Bodnar, Anthony Hassey and Matthew Bole get ready to tee off on Hole 2 at the Longue Vue Club on August 19 at the 30th Annual ACBA Golf Tournament and 10th Annual Bocce Tournament. UPMC was this year's Golf Tournament sponsor.

Callaway Golf Tournament winners are Douglas Marthinsen, Nick Smutney and David Spear (Not pictured: Tony Mengine).



The 10th Annual Bocce Tournament champions are Brendan Makarewicz, Ron Giulianelli, Mark Vitelli and Seth Murray.



ACBF Secretary Maggie Prescott and Eunji Kwon of Fort Pitt Capital Group go against Michael Quatrini and YLD Treasurer Erika Dowd during the 10th Annual Bocce Tournament.

# IS YOUR CHILD INTERESTED IN ATTENDING YALE OR THE UNIVERSITY OF PARIS?




Universit   
de Paris

## Get a scholarship through the KENNEDY T. FRIEND EDUCATION FUND

Under the will of Kennedy T. Friend, a distinguished Pittsburgh attorney, the children of Allegheny County attorneys who desire to attend either Yale University or the University of Paris are eligible for scholarships to those universities. The scholarships are available for students pursuing a graduate or undergraduate degree in any field of study at those institutions, not just law.

Don't delay – scholarship applications should be submitted at the same time as the admission application to the respective institution is submitted.




For more information or to apply,  
visit [ACBA.org/KTF](https://ACBA.org/KTF) or contact  
David Gordon at [david.gordon@pnc.com](mailto:david.gordon@pnc.com).

## Mark D. Shepard

### The “Pleasantly Persistent” Mediator

Best in the Field - Litigators: Mediation - Pennsylvania  
2024 Chambers USA Guide

“Mark Shepard is recognized as a leading name in the ADR space.  
He is one of the best lawyers I know and has a wonderful temperament.”



As an experienced and trusted mediator, Mark Shepard has assisted hundreds of parties in resolving complex legal disputes among individuals and businesses of all types and sizes.

Through his collaborative, relationship-driven approach, Mark has an energy and passion to resolve difficult and time consuming conflicts, and guide parties in reaching agreement in the most professional and productive process possible.

To schedule a mediation or obtain more information, contact:

MARK D. SHEPARD  
412.394.6546 (office)  
412.559.2264 (mobile)  
[MShepard@markshepardmediation.com](mailto:MShepard@markshepardmediation.com)  
Two Gateway Center · Pittsburgh, PA 15222



## ACBA Golf and Bocce Tournament



PHOTOS BY JAMES PIAGGIO

Dan Woods, Ryan Sexton, Terry Fisher and ACBF Golf Committee Co-Chair Brett Solomon pause for a photo on Hole 1 at the Longue Vue Club.



Terry Fisher tees off on Hole 1 at the Longue Vue Club during the 30th Annual ACBA Golf Tournament.

Scramble Golf Tournament winners are Ray Secoli, Gerald Pecora and Linda Roese.



Ron Giulianelli tries to get close to the Pallino during the 10th Annual Bocce Tournament.

# Do banking that meets your needs.

Dollar Bank Private Banking delivers an elevated level of service with personalized attention. We offer specialized financial services, like custom credit solutions and deposit products, that suit your needs.

**We'll do the banking so you can do life:**

- Single point of contact
- Meetings at your home or office to make the most of your time
- Locally based team for real-time account management
- No annual fee for service
- Dedication to our customers and communities since 1855

**Contact your dedicated and experienced private banker today!**



Melissa Reft Krawczynski  
Vice President, Private Banking  
NMLS: 476911  
412-261-8288  
krawczynskimj@dollarbank.com





# Looking to Market Your Practice or Company?

The ACBA is your premier attorney-to-attorney marketing resource.

Lawyers Journal Advertising • Target Marketing E-Blasts  
Native Advertising in the *Sidebar* • Event Sponsorships


Jennifer Pulice: [jpulice@acba.org](mailto:jpulice@acba.org) / 412-402-6623 • Brian Knavish: [bknavish@acba.org](mailto:bknavish@acba.org) / 412-402-6620  
[www.ACBA.org/Partnerships](http://www.ACBA.org/Partnerships)

## KNOX LAW WELCOMES HON. ANDREW F. SZEFI (ret.)


*Mediation/Arbitration/Early Neutral Evaluation*

Hon. Andrew F. Szeft (ret.) has joined Knox Law's Pittsburgh office to focus on alternative dispute resolution in federal and state courts, both in-person and remote.

Judge Szeft brings a fresh and informed perspective to the process, having served as a judge in the Court of Common Pleas of Allegheny County. He also served as Allegheny County solicitor for 10 years.



[aszefi@kmgslaw.com](mailto:aszefi@kmgslaw.com)  
412-765-3600  
310 Grant St., Ste. 3600  
Pittsburgh, PA 15219-2301  
[www.kmgslaw.com](http://www.kmgslaw.com)



Knox McLaughlin Gornall & Sennett, P.C.  
Erie | Pittsburgh | Jamestown, NY

## Honey Legal Nurse Consultant LLC

Over 35 years of experience in healthcare


**How I can help:**


- Plaintiff & Defense
- Screening Cases for Merit
- Chronologies/Timelines
- Audit Trails
- Medical Summaries

**Let my experience work for you**

[diane@honeylegallnurse.com](mailto:diane@honeylegallnurse.com) (412) 337-5651 Call or Email today







# RIMKUS

## WHAT HAPPENED?

Complex questions answered

From code compliance to injury causation, you can count on us to uncover the facts.

**Consultants. Experts. Innovators.**

World-class. Global reach. 800.580.3228 [rimkus.com](http://rimkus.com)

## We Stop Online Counterfeiting



Ference & Associates, a national leader in online brand protection, has a successful track record of shutting down online counterfeit sellers so your clients can get back to growing their businesses.

Visit [ferencelaw.com/counterfeiting](http://ferencelaw.com/counterfeiting) to learn more about how we can help your clients protect their products from online counterfeiting.

# FERENCE

Intellectual Property Lawyers



412.741.8400 • 409 Broad Street / Sewickley, PA 15143 • [ferencelaw.com](http://ferencelaw.com)



Members reminded to update profile in new ‘My ACBA Hub’

Members are reminded that the ACBA successfully launched its new bar association management software system, MemberCentral, earlier this year.

The new system – which is used by bar associations across the country – is designed to enhance the ACBA experience for members. Expect streamlined website navigation, easier event registration and a more customized ACBA experience for each member with the “My ACBA Hub” feature.

With the system now live, the ACBA is reminding members to take ownership of their ACBA membership accounts if they haven’t already by completing the following.

- Visit [ACBA.org/UpdateInfo](https://www.acba.org/UpdateInfo).
- Create a new username and password.
- Update your contact and demographic information.

Implementing a psychological professional into your legal strategy

By Melody Caldwell

Psychology, as with law, is not a field that lends itself to black-and-white scenarios, but rather the spectrum of gray area in between. The ability to assess a person’s behavioral profile is essential as both a lawyer and a psychologist: to establish the motivations fueling a person’s behavior and decisions, and, in some cases, to prevent them. The goal for both is the same – to give a voice to the voiceless.

The concept of law has existed for centuries as a pillar of society, while the study of psychology is a comparatively modern endeavor. Both are constantly evolving, constantly progressing to keep up with the unending advancement of humanity and its needs. In this way, psychology and law interconnect – one appreciates the sanctity of its longstanding history, the other, the promise of the future – to make each other stronger.

For many decades, psychologists’ intersection with law focused primarily on responsibilities associated with criminal law: eyewitness testimony, consent to treatment, capital punishment, the rights of juveniles, intricacies of juror selection and decision-making, as well as expert and character evidence. However, psychology is relevant in the legal system in a myriad of ways.

Likely, you’ve succeeded as a lawyer up to now without the use of a psychological expert, though you may be recalling cases or clients that could



Melody Caldwell

have benefited from one on your team. Whether you practice criminal, civil, common, international, procedural, contract, or constitutional law, understanding psychology principles is instrumental in negotiation, conflict resolution, persuasion, establishing favorable perceptions, and evaluating implicit bias.

Consulting a psychologist halves your workload and adds value to your team – and your wallet. When a client is seen as a human instead of being reduced to legal jargon like a defendant or a plaintiff or an hourly rate, they are more likely to be cooperative, receptive, and resilient. The role of a psychologist is exactly that – to highlight the humanity of the individuals involved, whether they are adults or children.

A psychologist, like a lawyer, is an advocate for their client. Psychologists use clinical interviewing skills and assessments to measure intelligence, achievement, personality, feigning, trauma, and so much more. Whether a criminal case is centered around severe mental illness, or a disability claimant needs evidence that their physical condition affects more than just their body, psychological evaluations answer these and so many more questions.

Hiring and consulting a psychologist is a short-term investment for long-term success. In an age of online reviews and social media, a strong reputation is one of the most difficult things to maintain consistently. Top legal teams interact with numerous professionals, including psychologists, who provide expert knowledge. As a lawyer, your priority is to know and enact the law. As a psychologist, the priority is to evaluate, test, diagnose, and treat the client. Together, you can maximize your results, your profits, and your wins. ■

Dr. Melody Caldwell is a licensed psychologist and member of the American Psychology-Law Society (AP-LS). For more visit [www.drmelodycaldwell.com](https://www.drmelodycaldwell.com).

If you have an idea for a substantive law article or would be interested in authoring one, please email Jennifer Pulice at [jpulice@acba.org](mailto:jpulice@acba.org).



Vitti Law Group is a family-run law firm with over 29 years of experience. It is our goal to provide clients with personalized, comprehensive, responsive, expert legal counseling to satisfy each of their unique needs.

Vitti Law Group can assist with:

- Collaborative Law
- Asset Protection
- Elder Law
- Estate Administration
- Trust Administration
- Funeral Planning
- Family Matters
- Mediation
- Power of Attorney
- Probate
- Retirement Planning
- Wills, Trusts
- Gifts and Charitable Donations
- Real Estate Transfers
- Corporate Creation

CONTACT US TODAY FOR A CONSULTATION  
[vittilaw.com/request-a-consultation](https://vittilaw.com/request-a-consultation)



ESTATE LAW | BUSINESS LAW | FAMILY LAW | REAL ESTATE

Pittsburgh Office | 663 Fifth Street | 412.281.1725  
Oakmont, PA 15139 | M-F 9AM-4PM

WHAT'S YOUR PLAN?

- ✓ Do you have a financial plan?
- ✓ Is your investment strategy customized to meet the goals of this plan?
- ✓ Do your estate and financial plans work together?

Tim Hunkele and Elisa Cavalier have 40 years of combined experience personalizing financial plans.



For a consultation, please contact either

TIMOTHY HUNKELE

☎ 412-633-1766  
✉ [thunkele@rwbaird.com](mailto:thunkele@rwbaird.com)

ELISA CAVALIER

☎ 412-633-1688  
✉ [ecavalier@rwbaird.com](mailto:ecavalier@rwbaird.com)

BAIRD

Private Wealth Management



ACBA Professional Ethics Hotline

Wonder if your decisions, legal advice or other professional actions are ethical?

ACBA members can get confidential consultation on their legal actions and/or potential actions through the bar association's Professional Ethics Hotline.

Through this service, members of the ACBA Professional Ethics Committee are available to give their opinion on the proper interpretation of the Code of Judicial Conduct and/or Rules of Professional Conduct. They are available to address ethics questions from any ACBA member, but they advise only about the member's own conduct; they will not give opinions about the conduct of other lawyers or judicial officials. All calls are confidential.

Members of the Professional Ethics Committee take shifts as "duty officers" throughout the year. For details or to obtain the contact information of this month's duty officer, see [ACBA.org/OfficerAssignments](http://ACBA.org/OfficerAssignments).

ATTORNEYS AGAINST HUNGER continued from front page

end. Due to underwriting costs being covered, every cent donated goes to these local hunger organizations which are combating hunger in local communities."

ACBA sections and committees provided a challenge grant of \$15,000 once contributions reached \$85,000. Added support came from a challenge grant provided by Eckert Seamans Cherin & Mellott, the Rita M. McGinley Foundation and the McGinley family members of the bar.

As part of the effort, the Young Lawyers Division held a successful "Strike Out Hunger" fundraiser at Shorty's in April that raised more than \$4,350 for the campaign. That event was chaired by McCall Chafin and Rachel Pressdee.

The agencies receiving funds this year are: East End Cooperative Ministry, Greater Pittsburgh Community Food Bank, Urban League of Pittsburgh's Hunger Services, The Intersection Inc., Jubilee Kitchen & Food Pantry, Just Harvest, Squirrel Hill Community Food Pantry, Allies for Health + Wellbeing (formerly PATF), Rainbow Kitchen, North Hills Community Outreach, South Hills Interfaith Movement (SHIM), Focus on Renewal and Casa San Jose.

Downtown Ministerium Walk-In Ministry divided the contribution it received from Attorneys Against Hunger among five churches: First Lutheran, First Presbyterian, Smithfield United, St. Mary of Mercy (Divine Mercy Parish) and Trinity Cathedral.

Jubilee Kitchen and SHIM received an extra donation this year to support their large-scale renovations

that benefit their hunger programs. SHIM has received funds annually from AAH since 2011, but this is the first time the organization has received an increased amount to support a specific project.

Seth Dubin, SHIM Director of Development and Communications, said the organization responded to increased client numbers during the pandemic and afterward by adding an elevator, creating private consultation rooms for clients and staff to meet in a dignified space, and making a waiting room for people in line for the walk-through food pantry. Dubin pointed out that by locating the consultation rooms next to the food pantry, it is more convenient for people also seeking financial aid, utility assistance and employment counseling.

"While food is a very important part of the puzzle, there's a lot more that has to fall in place," Dubin said.

The project also involved repositioning the entrance to face the parking lot and adding two handicapped spaces to make SHIM more welcoming, said Rachel White, SHIM Development and Communications Manager.

"These were renovations we had been planning for quite some time," Dubin said. "We saw a need to create a more welcoming, accessible and safer space."

When SHIM first received funds from AAH 13 years ago, it served 1,000 people a month from two food pantries. SHIM now has three food pantries and serves 3,900 people every month.

"Not only has the need grown over that time, but AAH, the ACBA and the ACBF were a big part of our journey of growth," Dubin added. "We are very grateful for that."

The need for AAH to support these organizations is ongoing, according to Steidl.

"During the pandemic, people were so generous and hunger and need had a face – people saw it in their friends and neighbors and townships and they did so much to try and help," she continued. "Now, the need is just as great as it was, but it's not as visible and on the news with drive up food lines every night. And I hope that people don't forget that every cent that they give matters to these organizations." ■

BLI CLASS continued from page 4

the YLD Holiday Party, December 5 and the Holiday Gift Drive at ACBA headquarters in the Koppers Building downtown, December 7.

Additionally, the BLI Class each year is charged with planning and implementing a group project. Miller said the decision on what project to undertake will come soon.

"The hope for the project is to reconnect the young lawyers' love for the law and transfer that to our innate desire to serve others," she said. "As young lawyers we are tasked with so much to do that it can feel overwhelming. So to find an outlet that has a legal tone to it but also connects us to service is important, to remind ourselves we are in the service of our communities. It may not feel like it now, but we are slowly building a skill set to empower people legally and have opportunities to serve our community."

"We are reconnecting with the heart of service."

Anyone interested in applying for a future BLI class must submit an application, resume, statement of interest and a recommendation from someone in the legal community. More information can be found at [www.acbayld.org](http://www.acbayld.org). ■



A trusted resource for attorneys since 1998.

achieva Family Trust

WE SPECIALIZE IN:

- Helping advisors analyze an individual's current and potential government benefits to determine if a special needs trust is appropriate.
- Providing corporate trustee services for all types of special needs trusts: Pooled Trusts, Payback Trusts and Third Party Trusts.

We are proud to have the legal expertise of three attorneys on staff:

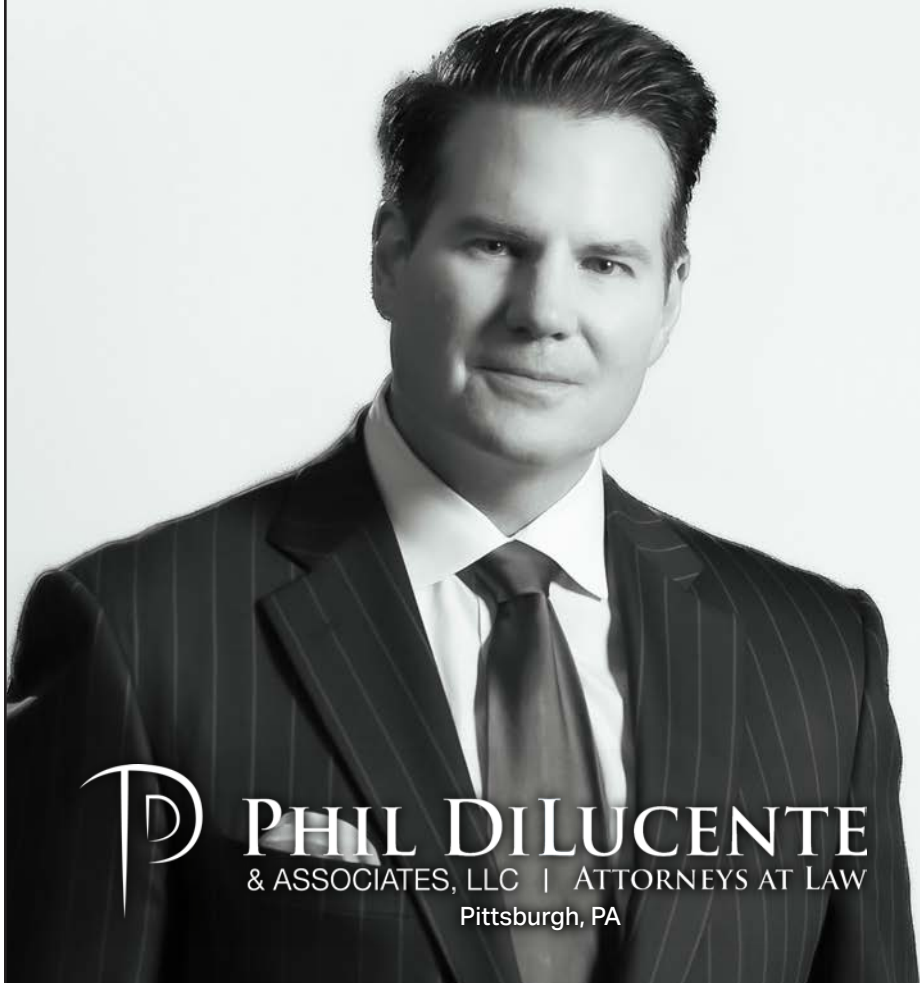
Amy Dolan Strano, Esq., President

Jacquelyn Connell, Esq., Vice President

LeeAnn Fulena, Esq., Director of Strategic Operations

412.995.5000 x565 | [www.achievafamilytrust.org](http://www.achievafamilytrust.org)

1-800-GET-PHIL



AUTO ACCIDENTS  
PRELIMINARY HEARINGS  
CRIMINAL DEFENSE, DUI

GETPHIL.COM



# The effect of the election on the stock market

By Chris Barto

The stock market allows investors to invest in high-quality companies each day. This is an effective way to grow wealth over time, but several factors can affect its performance.

## Stock Market Before Election

Presidential elections happen every four years in the U.S., and leading up to election day, the stock market becomes more volatile. This volatility results from investor uncertainty regarding policy and regulation changes a new president can bring when they step into office.

The short-term performance of specific sectors can be unprecedented during this time, with some sectors having higher volatility than others. For instance, the healthcare industry's stock market value can change drastically leading up to the election in anticipation of legislative change in healthcare policies. Another example is the energy sector, where changes in spending priorities dictated by the stance of the parties can increase volatility.

The election polls can also have an impact on stock markets. The market typically performs poorly when candidates tie in major polls, as this causes investor uncertainty.

## Stock Market Election Predictions

Despite an individual's political views, the odds are high that the stock markets have already priced in what will happen. This is because the stock

market is a forward-looking instrument, meaning that prices will reflect investor predictions.

The stock market has accurately depicted who will win in 87% of elections since 1928. Data shows that the probability of the incumbent party losing is high if the stock market drops before the election. If the stock market value rises, there may be a higher probability of the incumbent party winning.

## Stock Market After Election

The stock market reacts differently depending on the type of election and which party wins. It also changes throughout the duration of the president's full term.

## The Stock Market and the 4-Year Presidential Cycle

During the four-year presidential term, the stock market seems to follow a predictable trend, which leads to the creation of the "presidential election cycle theory." This theory states that the stock market is weak in the first half of the presidential cycle and high in the second half, particularly in the third year.

While the research to support the dip in the first half is inconclusive, the Standard and Poor's 500 (S&P 500) – which shows the stock performance of the 500 leading companies in the U.S. – has historically shown an average gain of about 16.3% in the third year of the presidential cycle. The president will typically try to drive the market

up closer to the end of their term to increase the chance of re-election, which may be a reason for the third-year gains. There are exceptions to this theory, and the data from the limited number of election cycles may not be enough to predict future patterns.

## The Effect of the Winning Presidential Party

Research shows that the winning party has a minimal effect on the stock market in the long run. However, there are some cases in which there is a slight impact, especially in the months following election wins.

Generally, the stock market after elections increases more when a Republican candidate wins. However, the market has performed significantly better under Democrat presidents during their full term in office.

The market also has a brief positive reaction when the incumbent party is re-elected, especially when they're a Democrat party.

## Stock Market After Midterm Election

Midterm elections happen two years into a president's four-year term and determine the control of the U.S. Senate and House of Representatives. Historically, the stock market performs negatively leading up to midterm elections, but recovers quickly after them. Stock market performance after midterm elections is higher than usual, with an average return of 16% for those years.

Like the presidential party, midterm election results don't greatly impact the stock market. People may think that it's better when one party controls both the White House and Congress, but data from past elections shows that the market performs slightly better when the Democrat party controls the White House and the Republican party controls the Congress either fully or split.

Regardless of volatility leading up to elections and the slight impact of the winning party, the stock market during election years has been favorable overall. Looking at data since 1928, 20 out of the total election years had positive returns with an average return rate of 11.58%. The stock markets posted negative returns only four times.

## Investment Strategies for Elections

It's important to remember that elections have little impact on the stock market's overall performance over a long period of time. This is because fluctuations in returns caused by election periods even out the longer your investment period is. Despite the volatility leading up to elections and who's in office after them, the stock market continues to provide returns year on year. Historical data from the S&P 500 index supports this notion, as it shows an average annual return rate of about 10.3% since 1957.

Rather than worrying too much about the elections, keep an eye on

Continued on page 18



When the evidence has left the office, we get it. **bit-x-bit**



Exclusively endorsed since 2008 by the ACBA for eDiscovery and digital forensics services.

Superior computer forensics can help you win cases. And as lawyers and electronic data experts, we get what you need – on every level. Discover more about our capabilities, forensics and e-discovery. Call 412-325-4033. Or visit [bit-x-bit.com](http://bit-x-bit.com).



## BEHAVIORAL FINANCE:

Why and How to Avoid Emotional Investment Decision-Making

**TUES., OCTOBER 1, 2024 — 12 – 1 P.M. EST**

**In-person, Koppers Building— 1 Hour of Substantive CLE Credit**

LUNCH WILL BE PROVIDED.

There are many emotional biases that can impact our financial decision-making. All investors want to avoid losses, but we cannot just focus on the losses, or we may miss opportunities to acquire gains. Market downturns, fluctuations, and recoveries are part of the cycle, but the good news is there are ways to mitigate emotional decision-making by incorporating historic research, reasoning, and time-tested investment principles.

Join us for a discussion centered around best practices for individual investors and crucial insights as to what key factors are impacting today's economy and stock market performance. Some of the highlights of this presentation include:

- Let's illustrate the impact of attempting to time the market.
- What impact does inflation and taxes have on your portfolio?
- How do past recessions differ from today's economic landscape?
- Recent changes to Required Minimum Distribution (RMD) start dates.
- Can a Roth IRA conversion strategy benefit your future heirs?

**Register online through the [acba.org](https://www.acba.org/?pg=SemWebCatalog) events calendar today!**

<https://www.acba.org/?pg=SemWebCatalog>

PRESENTERS



**MIKE FERTIG, AIF®**  
Senior Financial Advisor, Fragasso Financial Advisors



**JIM SINEGAL**  
Senior Investment Analyst, Fragasso Financial Advisors

About our presenters: Mike Fertig has been in the industry for over thirty years, acquiring many of his clients through speaking and educating. Prior to joining Fragasso, Jim Sinegal was an analyst at Morningstar where he provided regular commentary for CNBC, NPR and American Banker.

**412.227.3200 | [FRAGASSOADVISORS.COM](http://FRAGASSOADVISORS.COM)**

Investment advice offered by investment advisor representatives through Fragasso Financial Advisors, a registered investment advisor.



## ACBA Expert and Vendor Guide

In order to serve the needs of their clients, attorneys partner with an array of businesses, vendors, expert witnesses and consultants. Through our **Expert and Vendor Guide**, the ACBA aims to help attorneys find the right business partners to help their practices excel.

This publication lists dozens of business contacts – organized by business category – that Pittsburgh-area attorneys frequently partner with. This publication is distributed to ACBA membership via email four times per year, and it is available 24/7 at [ACBA.org/EVG](http://ACBA.org/EVG).

Vendors interested in being listed in future editions of the Expert and Vendor Guide should contact Brian Knavish, the ACBA’s Director of Marketing, Media Relations and Strategic Partnerships, at [bknavish@acba.org](mailto:bknavish@acba.org) or 412-402-6620.

**MICHAEL D. McDOWELL, ESQ.**  
*Arbitrator and Mediator*  
[www.ArbitrationsAndMediations.com](http://www.ArbitrationsAndMediations.com)

- Over Thirty Years of Experience in Alternative Dispute Resolution and Complex Litigation
- Member, National Academy of Arbitrators

LABOR • EMPLOYMENT • SECURITIES  
COMMERCIAL • ENERGY

P.O. Box 15054 • Pittsburgh, Pennsylvania 15237  
[MMcDowell@ArbitrationsAndMediations.com](mailto:MMcDowell@ArbitrationsAndMediations.com)  
**412-260-5151**




**Dispute Advisory & Expert Witness Services**

- Forensic Accounting
- Economic Damages
- Business Valuation
- Construction Claims & Schedule Analysis
- Insurance Claims Consulting
- Litigation Technology Services

**LitCon GROUP**

☎ **412-338-6700**  
🌐 [www.LitConGroup.com](http://www.LitConGroup.com)  
✉ [infopit@LitConGroup.com](mailto:infopit@LitConGroup.com)

📍 **420 Fort Duquesne Blvd. Suite 2075**  
**Pittsburgh, PA 15222**





**We combine technical, scientific, financial and strategic expertise to advise clients seeking to realize value and mitigate risk.**

CONSTRUCTION ADVISORY


FINANCIAL

TECHNICAL & SCIENTIFIC






**ERIN FALLON, CCP, PSP**  
*Your Pittsburgh Dispute Resolution Director*  
412-293-3759 | [efallon@jsheld.com](mailto:efallon@jsheld.com)  
[jsheld.com](http://jsheld.com)



**PROPERTY TAX SAVINGS**



**WE KNOW HOW TO GET RESULTS BECAUSE WE KNOW PROPERTY TAX LAW.**

We are *the* property tax law firm. It's all we do, with 50 years of experience and billions in assessment reductions nationwide.

Contact Sharon DiPaolo and the team at Siegel Jennings for a no-fee, no-risk review of your portfolio.

**412-486-2848 • [siegeltax.com](http://siegeltax.com)**

**SIEGEL JENNINGS** Celebrating 50 YEARS - EST 1974 -  
PROPERTY TAX LAW

Pittsburgh • Cleveland • Chicago • Columbus



# Workplace wellness: Make your office life healthier

By Natalia Autenrieth

Better choices can mean a happier, healthier office. Where is your greatest untapped opportunity for improving your health and well-being?

I would argue that for many people, the answer is “At work!” That may sound unconventional, as after all, we do not associate rows of cubicles and fluorescent lights with health. However, the choices we make at the office have a direct impact on health and well-being. We spend nearly 1,800 hours at work over the course of the year, so even our smallest choices can have a lasting impact.

Busy professionals have plenty on their minds, from the latest fire-drill deadline to managing relationships and juggling multiple responsibilities. Healthy habits are unlikely to stick if they are complicated or difficult to maintain. My recommendation is to choose one new healthy choice that would be easiest to try, then add another – spacing them out so that you are never overwhelmed. Here are some workplace wellness ideas to consider.

### Know your options.

Companies big and small are making an investment in the well-being of their employees. As a result, on-site gym facilities and healthy food choices aren’t just for the likes of Google! Begin by learning more about the workplace wellness perks and benefits available through your employer: you might be surprised to find on-site chiropractic service, weight management support and discounts on fitness club

memberships. Once you understand your options, use them – after all, they are a part of your overall compensation package.

### Resolve to move throughout the day.

Human bodies are not made to sit at a desk for 8 hours at a time! By building more movement into your day, you will find a new source of productivity (and your back will thank you, too.) Your changes on this front need not be dramatic: take the stairs, go for a walk at lunch, or choose the bathroom that is farther away from your office.

### Drink water.

No, the water that is filtered through the coffee grounds does not count! Multiple studies have shown that 75% of Americans are chronically dehydrated. Are you one of them? Here is a simple test: if you are thirsty, you are already dehydrated. As a result, you might find yourself foggy, more irritable, less able to concentrate, and more anxious – a terrible set of ingredients that can derail your workday. If drinking plain water sounds boring, invest in an infusion bottle and some fruit and herbs to make it more interesting. Health apps like FitBit and Hydro Coach can be effective, although non-tech solutions like crossing glasses of water off a checklist work too. Use whatever tools you like, and get that water in!

### Bring your own lunch and healthy snacks.

Oh, the dreaded Cubicle Diet: doughnuts from the morning meeting,

pizza for lunch, and candy from the vending machine to ward off the afternoon slump. If you are tired of the vicious cycle of office food, consider that bringing in your own lunch and snacks is the best way to control what goes into your body. Home-cooked lunch does not have to feel like a downgrade: bring foods and healthy snacks for work that you genuinely enjoy, mix it up, and enjoy the resulting savings and greater energy levels.

### Consider a standing desk.

If back pain plagues your days, sitting at a desk may not be for you. Early research has shown that standing desks can alleviate upper back and neck troubles. If you are skeptical of trying a standing desk, consider one of the convertible kits that allow you the flexibility of sitting or standing. Standing desks are a relatively recent introduction to the office, but studies are showing their potential at improving energy levels and productivity, along with weight loss and lower blood pressure.

### Keep your space clean.

How well do you know your office? Consider this survey from WebMD: the number one dirtiest place in the office is the handles on the faucet in the break room, followed by the door of the microwave. A study from the University of Arizona also found that an average desktop has more germs than a toilet seat.

Under normal circumstances, your immune system should be able to handle most of those threats without

skipping a beat. However, stress and fatigue can sabotage your natural defense system. What can you do to protect yourself? As simple as it sounds, wash your hands. You might also wipe down your desk and keyboard, dust the bookshelves, and put away old paperwork. This does not have to take long if you simply take 5 minutes at the end of the day to tidy up.

### Take sanity breaks.

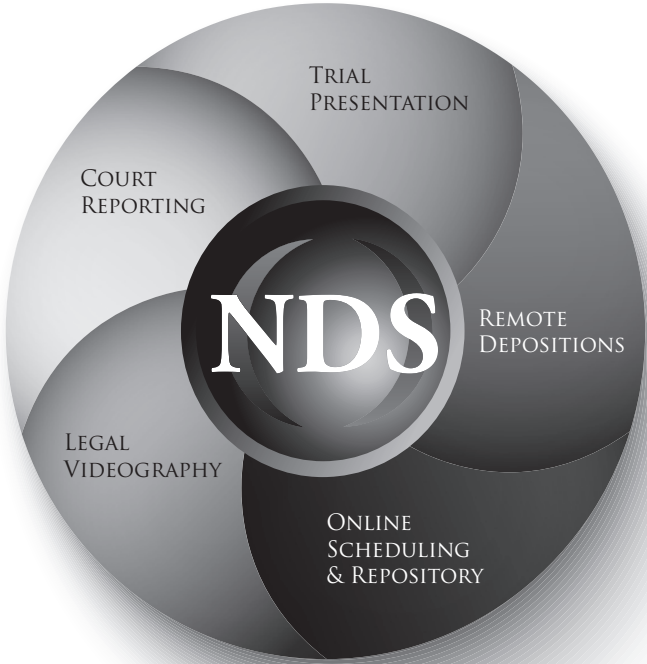
Most professionals take sanity breaks throughout the day without having been instructed to do so. The problem is that those breaks aren’t always effective. While a scroll through the Facebook or Instagram feed can feel like a welcome change of pace, it does not get you away from your monitor – so as far as your eyes and your body is concerned, you did not take a break at all!

Improve your workplace wellness by getting up from your desk, walking over to the water cooler to refill your bottle, or even doing a quick stretching routine. Those of us who need reminders about breaks might try the Pomodoro technique: intense bursts of 25 minutes of focused work, followed by a short break.

### Making your office life healthier, one choice at a time.


Beyond bringing healthy snacks for work, overall healthier eating choices and walking breaks, it is important to be present to your stress levels. Take

Continued on page 18



TEAM UP WITH YOUR **LOCAL** RESOURCE  
FOR ALL OF YOUR LITIGATION NEEDS

Proudly serving the Pittsburgh Legal Community  
for over 18 years.



# NETWORK


## DEPOSITION SERVICES

*Discovery to Verdict. One Reliable Source.*

PROVIDING SOLUTIONS FOR IN-PERSON  
AND VIRTUAL SETTINGS.

ndsreporting.com • 412-281-7908


## YOUR EXPERT IN PSYCHIATRIC CONSULTATION & TESTIMONY



brings you the professional expertise and experience needed  
for testimony in disability and psychiatric malpractice cases

With his depth of expertise, he brings **INTEGRITY,  
DILIGENCE & EXPERIENCE** as an expert witness

Nationally known psychiatric expert witness  
over the last sixteen years in:



- mental health malpractice
- disability cases
- workman compensation
- employee/employer disputes
- post-traumatic stress disorder cases

experts@elkimenetwork.com | 412-545-3777

Founder of the National Psychiatric Expert Witness Association

Recipient of the 2021 Lifetime Leadership Award in Psychiatry,  
Pittsburgh Psychiatric Society, for Contributions to Psychiatry

Trained at Harvard Medical School and did  
psychiatric residency at Johns Hopkins Hospital

Winner of the Exemplary Psychiatrist of the Year Award  
from the National Alliance on Mental Illness

Past Head of three Academic Departments of Psychiatry including  
the St. Francis Medical Center where he became Chairman when  
Rabbi Alexander Twerski stepped down – The latter is what  
brought Dr. Singerman and his family to Pittsburgh 30 years ago –  
Dr. Singerman resides in the South Hills



CONNECT  
WITH US  
SOCIALLY

  
@AlleghenyCoBar

  
facebook.com/  
alleghenycountybar

  
alleghenycohar

  
acba.org/Linked-In

ACBA

www.ACBA.org

# Members-Only Happy Hour in O'Reilly Theater Oct. 9

*ACBA members  
also get \$5 off  
upcoming  
performance of  
'The Hobbit'*

By Brian Knavish

Few experiences in Pittsburgh bring more energy than a night out in the Cultural District. That's exactly what ACBA members can experience on Wednesday, Oct. 9. That's the night of the next ACBA Members-Only Happy Hour – which will be held from 5 to 7 p.m. – in the O'Reilly Theater lobby, home of the Pittsburgh Public Theater. While there's no production that night, the Public Theater is preparing for the upcoming production of "The Hobbit," which takes the stage at the O'Reilly Oct. 23 through Nov. 10. Not only will members be able to enjoy networking with their fellow attorneys, they'll also be able to meet and talk with members of the theater's artistic staff, including Artistic Director Marya Sea Kaminski, Managing Director Shaunda McDill and more.

SPONSORED BY  
FORT PITT  
CAPITAL GROUP



ACBA

MEMBERS-ONLY  
HAPPY HOUR

In the Theater

Wednesday, October 9  
5 p.m. | O'Reilly Theater

Enjoy food, beverages and networking  
at the O'Reilly Theater in the heart of  
Pittsburgh's Cultural District.

Meet members of the theater's  
artistic team and discuss the  
upcoming production of "The Hobbit."

For more visit [ACBA.org/PPT](https://ACBA.org/PPT).

MEMBERS-ONLY  
HAPPY HOUR



No CLE. No Seminar. Just Happy Hour.

ACBA members can also get \$5 off tickets to any production of The Hobbit by using the promo code "PPTACBA" between Oct. 3 and Nov. 10; visit [www.PPT.org](https://www.PPT.org) to purchase. "In our production of The Hobbit, a group of friends gathers around Bilbo's dining table to play a D&D adventure game that quickly takes on a life of its own. Live music and extraordinary puppets transform Bilbo's living room into the forests of Mirkwood and the cliffs of the Lonely Mountain, as Tolkien's monsters and heroes manifest and disappear right in front of our eyes. This story dares us to believe that a wild imagination and true, tender

friendship can make magic possible even in the gravest circumstances," said Marya Sea Kaminski, Artistic Director, Pittsburgh Public Theater. The event – the latest in the popular Members-Only Happy Hour Series – gives attorneys from across the ACBA the chance to mingle, while enjoying food and beverages. As the tagline goes, "No CLE. No Seminar. Just Happy Hour." Thanks to event sponsor Fort Pitt Capital, admission is just \$10 in advance and \$15 at the door, and that includes snacks and your first drink. For more information or to register, visit [ACBA.org/PPT](https://ACBA.org/PPT). ■



ALLEGHENY COUNTY  
BAR ASSOCIATION  
Serving the Pittsburgh Legal Community



ACBA

INSURANCE PROGRAM

Powered by **USI** and **MyBenefit Advisor**

ACBA members receive steep discounts on insurance.  
Often the amount you save is more than the cost of membership.

■ Lawyers Professional Liability

■ Home, Auto, Life

■ Long-Term Care and Disability

■ Health Insurance

■ Vision

■ Dental

■ Travel Insurance

■ Pet Insurance

■ Student Loan Refinancing

■ Cyber Insurance

■ Business Insurance

■ Employee Benefit Plans



MYBENEFIT  
ADVISOR

For more, visit  
[ACBA.org/Insurance](https://ACBA.org/Insurance)





**Mark LeFever**  
[mark.lefever@usi.com](mailto:mark.lefever@usi.com)  
717-572-2858



**Rob Higginbotham**  
[rob.higginbotham@mybenefitadvisor.com](mailto:rob.higginbotham@mybenefitadvisor.com)  
412-310-8852



**Michelle Logan**  
[michelle.logan@usi.com](mailto:michelle.logan@usi.com)  
412-551-5999



**Craig Pritts**  
[craig.pritts@mybenefitadvisor.com](mailto:craig.pritts@mybenefitadvisor.com)  
412-414-4495

mediations that  
bridge the divide

Personal injury • Commercial • Construction • Employment





CIPRIANI  
• MEDIATION SERVICES •

After decades spent understanding, evaluating, and communicating the strengths and weaknesses of high-stakes conflicts, **Gerard J. Cipriani** is now one of Pennsylvania's leading mediators. His effective communication style and invaluable experience can help your parties build a bridge to resolution.

If you have reached an impasse,  
let Cipriani Mediation Services be  
your guide to the other side



[gjc@ciprianimmediation.com](mailto:gjc@ciprianimmediation.com)  
412-926-1300



# 50/60 Year Practitioners Awards Ceremony to be held Oct. 21

By Zandy Dudiak

This year, numerous lawyers and judges in the Pittsburgh Legal Community who entered practice in 1964 and 1974 will be honored at the ACBA’s 50/60 Year Practitioners Awards Ceremony at 5 p.m. on Monday, Oct. 21 at the Hotel Monaco.

The evening will begin at 5 p.m. with a short program followed by a reception with cocktails and hors d’oeuvres. All ACBA members are encouraged to attend the ceremony and recognize the achievements of these respected legal pioneers. There is no cost to attend, but registration is required by accessing the ACBA events calendar online or visiting [ACBA.org/5060](http://ACBA.org/5060).

Mary Ann Fiorilli, ACBA Director of Membership, Events and CLE, said the event is “a celebration of the members of our legal community who have achieved these milestones” and to “thank them for all the years they’ve offered their expertise. It’s not an easy profession.”

According to ACBA Executive Director David A. Blaner, the event is the Bar Association’s “Homecoming,” with members and their families getting together with their friends and colleagues to celebrate their 50 or 60 years of practice. All those being honored still have active licenses to practice law.

ACBA 50/60

YEAR PRACTITIONERS AWARDS CEREMONY

Celebrate with your fellow attorneys who have been practicing law for 50 or 60 years.

MONDAY, OCTOBER 21 | 5-7 PM | HOTEL MONACO

For more information, including an updated list of honorees, visit [ACBA.org/5060](http://ACBA.org/5060).

ALLEGHENY COUNTY BAR ASSOCIATION

SPONSORED BY AMERISERV WEALTH & CAPITAL MANAGEMENT

The eight ACBA members who hit 60-year milestones are attorneys John G. Arch, Marvin A. Fein, retired Common Pleas Court Judge Frank J. Lucchino, William A. Meyer Jr., Maurice A. Nernberg, Edward W. Seifert, Howard A. Specter and Joseph M. Zoffer.

Former judges who are among the practitioners reaching their 50-year mark are retired Superior Court Judge Maureen E. Lally-Green and retired Common Pleas Court Judges Judith L. A. Friedman and Robert C. Gallo.

The 44 honorees include these attorneys who have reached 50-year milestones: Sanford M. Aderson, John

A. Bacharach, Samuel W. Braver, Nicholas P. Brenlove, Daniel P. Carroll, Kenneth W. Christman, Verdell Dean, Jonathan W. Delano, Michael D. DeMarco, Charles A. DeMonaco, Thomas A. Donovan, Joel M. Dresbold, Eric A. Dykes, Edward Feinstein, John W. Giltinan, Michael D. Hanna Jr., George A. Huber, Dennis R. Joyce, Michael J. Kearney Jr., James E. Mahood, Joseph F. McDonough, Thomas G. Michalek, Ronald D. Morelli, Ernest B. Orsatti, David S. Pollock, Vincent J. Quatrini Jr., David G. Ries, John H. Riordan Jr., Victor A. Roque, George T. Ryden,

Charles H. Saul, David P. Siegel, Thomas A. Smock, Orlando R. Sodini, W. Ronald Stout, James A. Villanova, Robert P. Vincler, Joel A. Waldman, Michele H. Weatherly, Jack A. Wintner and James H. Wirtz.

Speakers for the program portion of the event will be chosen in September. AmeriServ Wealth & Capital Management is the long-time sponsor of the event.

“The ACBA’s Annual 50- and 60-year celebration continues to be one of the largest attended events by our members,” Blaner said. “On average, we have over 250 attendees each year.” ■

### Wonder if your decisions, legal advice or other professional actions are ethical?

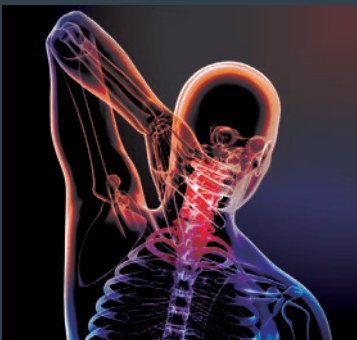
Members can get consultation on their legal actions and potential actions through the ACBA Professional Ethics Hotline.

All calls are confidential.

See [ACBA.org/OfficerAssignments](http://ACBA.org/OfficerAssignments) for details.

## EXPERIENCE, SERVICE, EXPERTISE AND CREDIBILITY...

That’s what our experts bring to every case they work on, every time, every day. It’s what sets us apart, and the reason we’ve earned a national reputation for providing outstanding forensic, scientific and engineering solutions to our clients for over 30 years. Our experts use a variety of scientific and cutting-edge industry tools, practices, and software during their investigations and research to identify and analyze all of the facts in a process, case, or claim. Then they relay their findings to our clients via a comprehensive, easy to understand report and can provide expert testimony in court.



When you need help, ask an Expert. Ask ARCCA.



FORENSIC ENGINEERING & EXPERT WITNESS CONSULTING  
SPORTS BIOMECHANICS & HUMAN PERFORMANCE  
RESEARCH, DEVELOPMENT, TESTING & EVALUATION

800-700-4944 | [ARCCA.com](http://ARCCA.com)

BIOMECHANICS | ACCIDENT RECONSTRUCTION | HUMAN FACTORS | TRANSPORTATION  
PREMISES LIABILITY | FAILURE ANALYSIS | FIRE & EXPLOSION | PROPERTY



# In Memoriam – Tribute

## G. Daniel Carney

By Hon. Maureen P. Kelly



G. Daniel Carney

G. Daniel “Dan” Carney, 87, passed on Aug. 18, 2024, after a very brief illness. Dan was a highly respected civil trial lawyer and mentor to many.

Dan graduated from John Carroll University and Northwestern University School of Law.

Following service as an attorney in the Army JAG Corps, he practiced law for his entire career at Thorp, Reed & Armstrong (later Clark Hill). He was still of-counsel when he died.

As a trial lawyer, he earned a national reputation representing Fortune 500 companies in the litigation and trial of medical device, toxic tort, commercial and railroad cases. His accomplishments as a trial lawyer were recognized by induction as a Fellow of the Academy of Trial Lawyers and Fellow of the American College of Trial Lawyers.

Dan served as chair of the litigation department at Thorp Reed for many years. There, he taught young attorneys how to be trial lawyers – but more importantly – he taught them about ethics, integrity and not just professional responsibilities but responsibilities to their families.

Dan was committed to improving how justice was served – as he held many leadership roles in the bar. He served as a Governor of the ACBA, chair of the ACBA Bench-Bar

Conference Committee and chair of the ACBA Education Committee. He served as editor of the Allegheny County Court of Common Pleas Manual for 20 years. Dan served on the United States District Court for the Western District of Pennsylvania Lawyers’ Advisory Group.

One of his most substantial contributions to the bar was that he was the moving force in the establishment of mandatory continuing legal education for all lawyers in Pennsylvania. In that role of catalyst, he served as the first president of the Pennsylvania Bar Institute.

Dan was the leader of the St. Thomas More Society for many years – focusing on the responsibilities and concerns of Catholic lawyers.

Service of others was an integral part of who Dan was personally and professionally. The obligation to serve was something that he always preached to associates who worked for him; taught to the lawyers he mentored; and prodded his partners about.

He led many nonprofit organizations, including the boards of the Auberly Foundation, Lifeline, the Mt. Lebanon Civil Service Commission and St. Paul’s Monastery on the South Side.

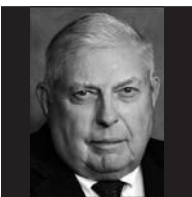
Dan was the founder and long-time president of the advisory board of Seton-LaSalle Catholic High School. His pride and joy was serving as coach of the Seton-LaSalle mock trial team for many years.

He received many awards over the years, the ACBA Civil Litigation Professionalism Award and the Catholic Charities of Pittsburgh Champion of Justice Award meant the most to him.

Continued on page 18

# In Memoriam

## William D. Phillips



William D. Phillips

William D. “Denny” Phillips, a lifelong Washington resident, died at home surrounded by his loving family on Monday, Aug. 19, 2024, after a courageous battle with recently

diagnosed cancer.

Denny was born on March 8, 1938, a son of the late Anastasia McCartan Phillips and William John Phillips. He graduated from Immaculate Conception High School in 1955, and from Washington and Jefferson College in 1959, where he enlisted in the ROTC program. He obtained his Juris Doctor from Duquesne University School of Law in 1962.

After obtaining his law degree, he served in the Seventh Army as the Company Commander of the 39th Transportation Company. Some of his fondest memories are from the Officer’s Club in Stuttgart, Germany, where he was stationed for two years, and where he was awarded the Army Commendation Medal. Upon his return to Washington, he served as an Assistant District Attorney of Washington County.

It was in the courtroom where he met the court reporter who would become the love of his life, Sandra Faldowski Phillips, to whom he would have been married 58 years next month. In 1978, he co-founded the law firm Phillips and Faldowski PC with his brother-in-law Damon Faldowski, and he worked at the firm (now

Phillips, Phillips & Smith-Delach, PC) until his death.

He was a highly respected, formidable, and decorated trial attorney. He was elected as a Fellow of the American College of Trial Lawyers, an honor reserved to only the most skilled and experienced trial attorneys in America. He was also a founding member of the Academy of Trial Lawyers of Southwestern Pennsylvania. He was a past recipient of the Robert Ceisler Professionalism Award from the Washington County Bar Association, which recognizes those who serve the highest ideals of professionalism and collegiality in the legal profession.

Sandy and Denny had three children, William John Phillips of Washington, Dennis Griffith Phillips (Samantha Molinaro) of Washington, and Laura Duncan Phillips (Bryan Mills) of Thornburg. Denny became a grandfather at the age of 81, and his two grandchildren William Mills (5) and Juliet Phillips (4) were the light and joy of his life. Even in the last days of his life, he enjoyed watching them play and tear apart the playroom. He is also survived by his sisters Ellen (late Roger J.) Gaydos of McDonald, and Cathie (Leon) Pappa of Alexandria, Va. He was a proud uncle to many nieces and nephews with whom he maintained close relationships, as well as with his many cousins and other lifelong friends.

Denny most enjoyed spending time with his family, including trips with his sons to Osh Kosh for the air show, spending time with his wife in Sarasota,

Continued on page 18

# Helping clients manage risk, disputes, and uncertainty

With more than 500 experts in 17 countries, HKA is the world’s leading consultancy for multidisciplinary expert and specialized services in risk management and dispute resolution.

HKA services include:

- Economic damage analyses in breach of contract, intellectual property, and other commercial disputes
- Business interruption and other insurance claims
- Forensic accounting and fraud investigations
- Construction disputes
- Business and asset valuations for litigation and non-litigation purposes
- Forensic and valuation analyses in bankruptcy disputes
- Post-acquisition disputes, including neutral services
- Government contracts and compliance expertise

HK>A

HKA.COM

## HAVE REAL PROPERTY YOU NEED LISTED AND SOLD? CALL MAUREEN

**Maureen States**  
Neighborhood Realty Services  
(412) 377-7775  
(412) 241-4700 x11

- Over 40 years of experience in real estate sales in Western Pennsylvania.
- Experience with estate real property listing and sales.
- Experience working with court ordered sales of real property.
- Residential, multi-unit properties, investment properties, and small commercial.

# NEIGHBORHOOD REALTY SERVICES

1028 South Braddock Avenue  
Pittsburgh, PA 15218  
(412) 241-4700  
www.neighborhoodrealtyservices.com



# Fall Foundation Reception is Sept. 24

YOU'RE INVITED



**FALL FOUNDATION Reception**

**TUESDAY, SEPTEMBER 24**  
**5:30 PM**  
**HOTEL MONACO**

Visit [ACBF.org](https://www.acbf.org) for more.





By ACBA Staff

The Allegheny County Bar Foundation’s annual Fall Foundation Reception is slated for Tuesday, Sept. 24, at 5:30 p.m. at Hotel Monaco. Come enjoy an

evening of cocktails and hors d’oeuvres to celebrate the work of the Foundation, recognize the 2024 Pro Bono Award winners and induct the Fellows GIVE Class of 2024. For more visit [www.acbf.org](https://www.acbf.org). ■

Our Health Care Power of Attorney and Living Will documents are available on the ACBA website for free at [ACBA.org/LivingWill](https://www.acba.org/LivingWill).

# CLE on Pooled Employer Plans to be held Oct. 8





**STEP INTO POOLED EMPLOYER PLANS**

**Tuesday, October 8 | Noon | Live Webinar**

Congress created Pooled Employer Plans (PEPs) to encourage more businesses to sponsor workplace retirement plans. During this seminar, learn the ins and outs of PEPs and when a PEP is a good fit for a business owner.

For more visit [ACBA.org/PEP](https://www.acba.org/PEP).



**SPEAKER**  
**Kate Blake**  
*Pentegra Retirement Services*

1 Subst.  
ACBA  
CLE

By ACBA Staff

The Allegheny County Bar Association Corporate, Banking and Business Law Section will present the Live Webinar CLE, *Step into Pooled Employer Plans*, on Tuesday, October 8. Congress created Pooled Employer Plans (PEPs) to encourage more businesses to sponsor workplace retirement plans. Facilitated through Pooled Plan Providers (PPPs), PEPs are gaining momentum as a retirement plan solution for the right businesses. While PEPs were initially designed with smaller employers in mind, the potential benefits of PEPs – administrative ease, reduced fiduciary responsibility and cost savings – can equally appeal

to larger employers. During this seminar, learn the ins and outs of PEPs – what they are, the roles and responsibilities of the entities involved and when a PEP is a good fit for a business owner.

Learning objectives:

- Understand what a PEP is and how it works
- Determine when a PEP might be a good fit for a business
- Identify the roles and responsibilities of the entities involved with offering PEPs
- Comprehend the fiduciary implications of PEPs

Equip yourself with the knowledge to effectively advise clients on

Continued on page 18

**noblemediation, LLC**



HON. GARY P. CARUSO (RET.)



HON. DAMON J. FALDOWSKI (RET.)



JOHN M. NOBLE, ESQUIRE

is proud to announce that Jay N. Silberblatt, Esq. has joined the *noblemediation* ADR panel.



**ALICIA R. NOCERA, ESQUIRE**



**JAY N. SILBERBLATT, ESQUIRE**

Mr. Silberblatt excelled in his 44-year litigation practice, representing both plaintiffs and defendants, with extensive experience in personal injury, professional liability, legal malpractice, commercial disputes, business dissolution, and Orphans Court practice. He served as the 2022-2023 President of the Pennsylvania Bar Association, is Board Certified by the NBTA as a Civil Trial Advocate, is a Certified Mediator for the U.S. District Court for the Western District of Pa, and is a member of both the PBA ADR Committee and the Mediation Council of Western Pa. Well-known throughout the Commonwealth, he has been an active member of the ACBA and PBA his entire career.

**Mr. Silberblatt and Ms. Nocera are now accepting ADR referrals**

Contact Elly today to schedule your next in-person or remote Mediation or Arbitration with one of our ADR professionals.

phone (724) 925-1123  
email [elly@noblemediation.com](mailto:elly@noblemediation.com)  
website [www.noblemediation.com](https://www.noblemediation.com)



**Elly Carr**  
ADR Coordinator

**PUT YOUR TRUST in Us.**



**Lisa M. Dougan, Esq. | John P. Shaffer, Esq. | Thomas E. Crowley, Esq.**

**Aligned Partners Trust Company’s** team of professionals has over 75 years of combined experience in trust and estate administrative services. Since 2000, we have been serving in the following fiduciary capacities in an efficient, professional, flexible and cost-effective manner:

**Trustee | Agent for Trustee**  
**Trustee with Independent Investment Advisor**  
**Executor | Guardian of the Estate**  
**Financial Agent Under POA**

HOW CAN WE **ALIGN** WITH YOU?



**Aligned Partners**  
TRUST COMPANY

707 GRANT STREET 2800 GULF TOWER PITTSBURGH, PA 15219  
(412) 258 3590 [ALIGNEDPARTNERS.COM](https://www.alignedpartners.com)



### Need temporary office space or conference room facilities downtown?

Practice in the suburbs but have an occasional need for a client meeting downtown?

ACBA members can rent office space and/or conference rooms depending on availability in the Koppers Building on a daily or short-term basis.



Several room size and connectivity options plus discounted rates for ACBA members, prices start at just \$20 per day.

Visit [ACBA.org/offices](https://www.acba.org/offices) for more.

EFFECT ON THE STOCK MARKET  
continued from page 11

other factors that have a greater impact on the stock market. These include interest rates, inflation, geopolitical conflicts, and the state of the economy.

If you’re investing in the stock market, it’s essential that you:

- **Stay invested:** Invest for the long term to ensure the realization of the compounding effect of interest.
  - **Be consistent:** The dollar cost average over time – investing set amounts at regular intervals – is better when investing in stock markets.
  - **Run a diversified portfolio:** A diversified portfolio among sectors is one of the surest ways to insulate yourself from increased volatility.
- Knowing how elections impact the stock market over the short term and strategies to counteract stock market fluctuations is essential for investors. ■

*Chris Barto is a Senior Investment Analyst at Fort Pitt Capital Group. The ACBA Partners at Fort Pitt Capital Group can be of assistance to the Pittsburgh Legal Community by contacting Ludgy Lilavois at [llilavois@fortpittcapital.com](mailto:llilavois@fortpittcapital.com).*

IN MEMORIAM – TRIBUTE  
continued from page 16

Following his passing, his administrative assistant said it best – if you look up “gentleman” in the dictionary – you will find a picture of Dan Carney.

Dan is survived by Peggy Carney, his wife of 53 years, and his children Christopher (Ashly) Carney, Megan (Jim) Gilson and Kevin Carney (Beth Parisi) and beloved grandsons August Carney and Keller Gilson. ■

IN MEMORIAM  
continued from page 16

and daily work debriefings at the Union Grill with his daughter.

He was an avid World War II amateur historian and was a devotee of all things Winston Churchill. He was an accomplished pilot, and he enjoyed golfing, building model airplanes, and reading. He will perhaps be most fondly remembered for his many WDP-isms, including but not limited to “at ease,” “if I were any better, I wouldn’t know what to do with myself,” and “it’s good to be seen, as opposed to viewed.” ■

CLE OCT. 8  
continued from page 17

incorporating PEPs into their retirement strategies, ensuring their plans are both compliant and beneficial.

The speaker is Kate Blake of Pentegra Retirement Services.

This program has been approved for one hour of substantive CLE credit and also qualifies for one hour of credit under the West Virginia Rules for Mandatory Continuing Legal Education. For more information visit [ACBA.org/PEP](https://www.acba.org/PEP). ■

WORKPLACE WELLNESS  
continued from page 13

those vacation days, and make sure you really recharge on your days off. While it can be tempting to blame our busy schedules for the lack of focus on health, they are not an excuse. Even the busiest professionals can make small workplace wellness changes that will make their time at the office more productive, and their lives overall – healthier and happier. ■

## When you need to refer a client – choose WesBanco

We’ve been a trusted fiduciary partner for over 100 years.

We are fully prepared to meet the expectations of your clients and welcome the opportunity to discuss their investment needs and estate planning goals. Contact us today to learn more about our services and fiduciary capabilities.

**Harold Migias, JD**  
Senior Vice President  
O: (724) 909-7055  
M: (304) 312-4619

**Drew Ecklund**  
Vice President  
O: (724) 909-7314  
M: (724) 244-8988

- INVESTMENT MANAGEMENT
- IRAS & PENSION PLANS
- TRUSTS
- CHARITABLE TRUSTS
- GUARDIANSHIPS
- SPECIAL/SUPPLEMENTAL NEEDS TRUSTS
- ESTATE ADMINISTRATION
- ESCROW AGENT



**WesBanco**  
Trust and Investment Services

WesBanco Bank, Inc. is a Member FDIC. WesBanco Trust and Investment Services may invest in insured deposits or nondeposit investment products. Nondeposit investment products are not insured by the FDIC or any other government agency, are not deposits or other obligations of, or guaranteed by any bank, and are subject to investment risks, including the potential loss of principal. [wesbanco.com](https://www.wesbanco.com)

# Buchanan

## INNOVATIVE LEGAL STRATEGIES FUELED BY ADVANCED TECHNOLOGY

Named a BTI Consulting Group  
2024 *Leading Edge Law Firm*

*BTI Best of the Best Law Firm* for Generative AI

Named a 2024 *U.S. News*  
Best Companies to Work For: Law Firms

Legal and Government Relations Services

Pittsburgh | 16 Offices Nationwide | [BIPC.com](https://www.bipc.com)



CONTINUING LEGAL EDUCATION *from the*  
ALLEGHENY COUNTY BAR ASSOCIATION

Register today at  
[ACBA.org/calendar](https://ACBA.org/calendar).



The Pa. CLE Board may take up to 45 days to post credits.

**Criminal Defense Counsel’s Ethical Obligations Surrounding the Client File**  
Tuesday, September 24 | Noon | Koppers Building | 1 Substantive, 1 Ethics credits

**The Ethics of Social Media in Litigation and Court**  
Wednesday, September 25 | Noon | Live Webinar | 1 Ethics credit

**Behavioral Finance: Why and How to Avoid Emotional Investment Decision-Making**  
Tuesday, October 1 | Noon | Koppers Building | 1 Substantive credit

**Current Valuation Considerations for Estate Planning**  
Wednesday, October 2 | 4 p.m. | Dollar Bank Corporate Headquarters | 1 Substantive credit  
*\*Reception to follow courtesy of Grossman Yanak & Ford LLP and Dollar Bank*

**Charitable Giving: Making the Most of Your Donations**  
Thursday, October 3 | Noon | Live Webinar | 1 Substantive credit

**Safeguarding Justice – Understanding the Pennsylvania Lawyers Fund for Client Security**  
Monday, October 7 | Noon | Live Webinar | 1 Ethics credit  
*\*Free for ACBA members courtesy of the Sorg Forum*

**Step into Pooled Employer Plans**  
Tuesday, October 8 | Noon | Live Webinar | 1 Substantive credit

**2024 Unfair Trade Practices Litigation: Impact of Dwyer v. Ameriprise**  
Wednesday, October 9 | Noon | Koppers Building | 2 Substantive credits

**Allegheny County Property Reassessment Update**  
Thursday, October 10 | Noon | Live Webinar | 1 Substantive credit

**Effect of Personal Injury Recovery on Supplemental Security Income Benefits**  
Friday, October 11 | Noon | Koppers Building | 1 Substantive credit

**Legal Issues Arising from the Police Body Camera Video of the Arrest and Death of Jim Rogers**  
Monday, October 14 | 10 a.m. | Koppers Building | 3 Substantive credits

**Coping with Stress for Attorneys**  
Tuesday, October 22 | 4 p.m. | Koppers Building | 1 Substantive credit

**When Good Enough Isn’t Good Enough: Perfectionism in the Legal Profession**  
Wednesday, October 23 | Noon | Koppers Building | 1 Ethics credit

**What’s Stopping You? Overcoming Obstacles to Pro Bono**  
Friday, October 25 | Noon | Live Webinar | 1 Substantive credit

**Election 2024: Exploring the Legal Landscape of Pennsylvania Election Law**  
Tuesday, October 29 | Noon | Live Webinar | 1 Substantive credit

**Digital Forensics in the Healthcare Sector: Protecting Sensitive Data**  
Wednesday, October 30 | Noon | Koppers Building | 1 Ethics credit

**Bridge the Gap**  
Wednesday, November 6 | 9 a.m. | Live Webinar | 4 Ethics credits

**The Next Black Box – ChatGPT, Generative AI and Legal Technology**  
Wednesday, November 20 | Noon | Live Webinar | 1 Substantive credit

**CERCLA Hazardous Substance Designation of Per and Polyfluoroalkyl Substances**  
Thursday, November 21 | Noon | Live Webinar | 1 Substantive credit



# Conflict is never easy.

**Especially the dissolution of a marriage and its financial and emotional impact.**

As **litigation support experts**, we combine experience in this legal landscape with investigative skills to conduct a thorough and accurate examination of family financial matters and help you navigate toward a fair and equitable resolution.

Our cross-disciplinary team of valuation, litigation support, and forensic professionals can address a comprehensive range of family law issues, including:

- Net Disposable Income
- Retirement and Pension Calculations
- Tracing
- Discovery Assistance
- Trust Analysis
- Business Valuation
- Marital and Non-Marital Asset Quantification

**When expertise and experience matters, choose HBK Valuation, Litigation & Forensics as a valued member of your team.**



Beth A. Mascetta,  
CPA, CVA  
Principal



Christopher J. Pattison,  
CVA  
Principal



Angelica L. Revelant,  
Esquire, CVA, MAFF  
Senior Manager



Julie D. Herzog,  
CPA/ABV, CFE  
Manager



Robert J. Zahner,  
CPA/ABV, ASA, CVA  
Principal



John L. Petrancosta,  
CPA/ABV/CFE, CFE, CVA  
Senior Director



**HBK**®

**Valuation, Litigation & Forensics**

310 GRANT STREET • SUITE 1550 | PITTSBURGH, PA 15219 | 412.431.4460 | [hbkvg.com](https://hbkvg.com)

# ACCEPTING REFERRALS

Medical Malpractice  
Personal Injury  
Workers’ Compensation





**Phillips  
Froetschel**  
*Trial Lawyers*

(412) 546-5220  
[pittmedmal.com](https://pittmedmal.com)

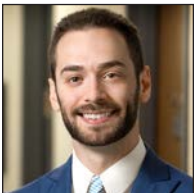


## Bar Briefs

### News and Notes

The **Pennsylvania Loan Repayment Assistance Program (LRAP)** is accepting applications through Tuesday, Oct. 15. LRAP's focus is helping attorneys employed at civil legal service organizations funded by Pa. IOLTA to better manage undergraduate and law school debt. Attorneys employed at these organizations provide free legal assistance to Pa.'s underserved communities. The program is administered by the Pennsylvania Bar Foundation and the PA IOLTA Board in collaboration with the Pennsylvania Bar Association and the Supreme Court of Pa. Eligible attorneys can submit an application at [www.paioltagrants.org](http://www.paioltagrants.org).

### People on the Move



Noah  
Jordan

Noah Jordan is pleased to announce the opening of Jordan Law Firm, LLC.



Stephen H.  
Jordan



Alan C.  
Blanco



Louis B.  
Kushner

The firm will be handling traditional labor law and employment law matters as well as offering an ADR practice. **Stephen H. Jordan, Alan C. Blanco and Louis B. Kushner** have joined the firm as Of Counsel.

### Change in Status

Ralph David Karsh is suspended from the Bar of this Commonwealth for a period of three months.

Visit us today at  
[www.ACBA.org](http://www.ACBA.org).

## Lawyers' Mart

### APPRAISALS

**ANTIQUE AUTO APPRAISALS** for all vehicles 1900 to 2005. Expert Witness. Diminished Value. Certified Appraiser – K. Merusi. 412-731-2878, [kmerusi@gmail.com](mailto:kmerusi@gmail.com).

### ESTATE PLANNING

**IF YOUR CLIENTS ARE CONSIDERING CHARITABLE GIVING** as part of their estate planning The Pittsburgh

Presbytery Foundation can provide a means to support charitable work helping those in need throughout SW Pennsylvania. For more information contact the Foundation at [www.pghpresbytery.org/pghpresbyterianfdn.htm](http://www.pghpresbytery.org/pghpresbyterianfdn.htm) or Rev. Dr. Douglas Portz at 412-323-1400 Ext. 318.

### OIL, GAS & MINERALS

**ATTORNEY STEPHEN RALPH, PROFESSIONAL GEOLOGIST** Oil & Gas Transactions, Mediation, Asset Management and Consulting. 724-519-8094. [OilandGasMediation.com](http://OilandGasMediation.com).



**Depressed?  
Stressed?  
Anxious?  
Overwhelmed?**

**YOU ARE NOT ALONE.**

**LAWYERS CONCERNED FOR LAWYERS  
PENNSYLVANIA**

[www.lclpa.org](http://www.lclpa.org)

**LCL CONFIDENTIAL HELPLINE  
1-888-999-1941**

The Firm Welcomes New Partner  
**MEGAN E. DIRLAM!**



**MASSA BUTLER  
GIGLIONE & DIRLAM**  
— ATTORNEYS AT LAW —

**At Our New Offices in Two Gateway Center!**  
603 Stanwix Street, Suite 300  
Pittsburgh, PA 15222

412.338.1800 | [MassaLawGroup.com](http://MassaLawGroup.com)

### YOUR PREMIER MEDICAL-LEGAL RESOURCE

#### Medical Expert Services

Independent Medical Examinations (IME)  
Impairment Rating Evaluations (IRE)  
Disability and Fitness for Duty  
Functional Capacity Evaluations (FCE)  
Medical Record Reviews  
Peer Review Services  
Expert Deposition and Live Testimony  
Ergonomic Assessments

#### Nurse Consultant Services

IME Attendance  
Life Care Plans  
Medical Cost Projections  
Medical Record Chronology  
Expert Deposition and Live Testimony



*Leading the Way in Disability Case  
Management and Your Medical  
Legal Expert Resource*



412-545-3777

[experts@elkimenetwork.com](mailto:experts@elkimenetwork.com)

[www.elkimenetwork.com](http://www.elkimenetwork.com)

Proud business partner of the  
**ALLEGHENY COUNTY BAR ASSOCIATION**

461 Cochran Road, Suite 104  
Pittsburgh, PA 15228



**It's your journey.  
We're here to help you get there.**

The team of professionals at Key Private Bank provides wealth management and customized services including:

- Investment management
- Financial planning
- Insurance management
- Customized financing
- Trust and estate planning
- Credit and banking

To learn more, contact Kim Cantalamessa at 412-807-2755 or [kim\\_cantalamessa@keybank.com](mailto:kim_cantalamessa@keybank.com), or visit [key.com/getthere](http://key.com/getthere).

### Key Private Bank



Key Private Bank is part of KeyBank National Association. Bank and trust products are provided by KeyBank. Member FDIC and Equal Housing Lender.

Investment products are:

NOT FDIC INSURED • NOT BANK GUARANTEED • MAY LOSE VALUE • NOT A DEPOSIT  
• NOT INSURED BY ANY FEDERAL OR STATE GOVERNMENT AGENCY

Key.com is a federally registered service mark of KeyCorp. ©2024 KeyCorp.  
220323-1518019