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In Confidence.**

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MCCM Welcomes New Lawyers to the Firm

Rita Nischal



Rita Nischal joined MCCM in September 2009 as an associate attorney in the Trusts and Estates practice area, concentrating her practice in Medicaid Planning, and Estate Tax Planning and Administration.

Rita received her law degree with a concentration in finance transactions from the University at Buffalo Law School in 2004. She is licensed to practice law in the State of New York and in the Province of Ontario, Canada. Rita holds a bachelor's degree in Psychology and Economics from the University of Toronto.

Before coming to MCCM, Rita practiced in Buffalo, New York for a number of years as a corporate and estate law associate. She and her husband, Nicholas Davis, welcomed their first child, Brayden Ram Davis, into their family on February 26, 2011.

Peter J. Gregory



Peter J. Gregory joined MCCM in September 2010 and is an associate attorney in the litigation group where he represents clients in a broad range of civil litigation matters including personal injury, collections, and commercial and business litigation.

A native of Rochester, Peter grew up in Webster and is an alumnus of Allendale Columbia School. He graduated with Honors from Hobart College in 2007 where he earned a degree in political science. Peter graduated from Albany Law School in 2010. While at Albany Law School, he clerked for a well-respected personal injury firm located in New York's Capital District.

Peter is a member of the Monroe County Bar Association (Litigation Section and Young Lawyers Section), the New York State Bar

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MCCM Opens Fairport Office

MCCM has opened a satellite office in the Village of Fairport, located at 12 Pleasant Street just east of Main Street, south of the Erie Canal. The Fairport office was established pursuant to an office sharing arrangement with the Law Office of Douglas W. Whitney, which occupies a single family residence that has been converted into office space.

The office sharing arrangement provides MCCM with access to a full service law office on the eastside of Rochester, including conference room space, a private office dedicated to MCCM, and electronic access to MCCM's telephone system and computer server.

The Fairport office provides an eastside location for meeting with clients (by appointment only) who may find it difficult or inconvenient to travel to



Downtown Rochester. The office is conveniently located within the Village of Fairport's pedestrian area, which contains several eateries and shops.

Bicyclists Beware!

According to the National Highway Traffic Safety Commission, more than 50,000 bicyclists are injured in motor vehicle traffic crashes in the United States each year. The resulting injuries produced from the force of a several ton vehicle colliding with a bicyclist are often devastating. Fractures are almost a certainty, head injuries are very common and a multitude of internal and soft tissue injuries are also the norm.

There are a number of measures that bicyclists can take to protect themselves such as always wearing a properly fitted helmet, following the rules of the road, obeying all traffic signs, signals and markings, riding in the same direction as traffic, and wearing high visibility clothing. However, often overlooked are the necessary protections afforded to you by your automobile insurance policy. Yes, you read correctly – your automobile policy.

Even though your car may be parked at home while you are out on your bike, your automobile policy is riding along with you. The portion of the policy at work is the vastly misunderstood provision of your policy labeled “UM/SUM”, which stands for uninsured motorist/supplemental underinsured motorist protection.

In New York, drivers are only required to carry \$25,000 of liability insurance. That means in the event that the driver of an automobile causes an accident and seriously injures you on your bicycle, the most you can recover is that \$25,000 policy (together with any no-fault benefits paid by the insurance company). In today’s high cost world, \$25,000 is woefully inadequate for a



seriously injured victim. This is where your UM/SUM policy comes in.

Your UM/SUM policy protects you from uninsured and underinsured drivers. So in the above example, if your UM/SUM coverage is higher than the \$25,000 policy of the at-fault driver, your own insurance company may pay for your damages above \$25,000 up to the limits of your UM/SUM policy.

Typically you can purchase UM/SUM coverage equal to the amount of your liability coverage (the amount your insurance company would pay if you were responsible for an accident causing someone else injury). The absolute minimum policy in nearly every circumstance should be at least \$100,000 for both liability and UM/SUM. For clients with higher net worth, good paying jobs, and family members to protect, higher coverage amounts should be seriously considered.

One of the most difficult aspects of a personal injury practice is informing a seriously injured client that they do not have sufficient insurance coverage. The financial crisis that follows an underinsured victim is often more devastating than the injury itself. A quick review of your insurance policies and making adjustments before an accident occurs could prevent you from being victimized twice.

Insurance coverage can be confusing and very dependent on your individual circumstances. Because we would rather help you select the appropriate coverage before an accident, than inform you of insufficient coverage after an accident, we welcome your calls to discuss your coverage at no cost to you.

MCCM Launches New Website

We are pleased to announce the recent launch of our new website at www.mccmlaw.com. “We think that you will find the new MCCM website to be user friendly, easy to navigate and filled with new useful content,” said Managing Partner Paul Barden. It is also filled with images of Rochester that you will be sure to recognize.

The new MCCM website is a great place to learn more about our attorneys and their practice areas. Find out what our attorneys have been up to on the News/Events Page. A Biography Page has been dedicated to each attorney that includes information about each attorney’s background, professional affiliations and areas of practice. MCCM clients and friends that have a specific legal issue that they need addressed will also find detailed descriptions of the types of law that our attorneys practice on our Practice Area Pages.

Clients that have an upcoming appointment should visit the Locations Page of our new website, where we have posted

directions to both our downtown and Fairport office locations and parking information.

The Articles Page of our new website allows our attorneys to share useful and timely legal information with MCCM clients and friends. Many of our clients have already used this information to comply with both new and existing laws and regulations. The articles can be shared on LinkedIn, Facebook, Twitter and a variety of other social media outlets. Clients and friends that visit our new website should be sure to sign up for our e-Newsletter to receive new articles as they are published.

As always, feel free to contact one of our attorneys if you are not able to find what you are looking for on our website. You will find our contact information on our Biography Pages. Let us know what you think about our new website. We welcome your feedback.

Our Lawyers in the Spotlight

Continuing Legal Education and other Presentations:

Amy Varel was recently a featured speaker at the Monroe County Bar Association's continuing legal education program entitled "Corporate Nuts & Bolts in the Evolution of a Business". Amy was also a featured speaker at the Rochester Women's Network's three part series entitled "3T's: Time, Talent & Treasure". The 3T's program was presented to women who currently serve, or are considering serving, on a not-for-profit board. Amy's presentation covered fiduciary responsibilities and governance of a New York not-for-profit organization.

Peter Weishaar was again one of the featured speakers at the Western New York Fire District Legislative Officers Association Fall Workshop. Pete reviewed the procedures for buying and selling surplus fire equipment and apparatus, which are topics often faced by fire districts when they address the need to replace aging equipment. Pete also worked with the other panelists to facilitate a consolidation exercise, which was a major focus of this year's workshop.

Ed Daniel was a presenter at the Monroe County Bar Association's 45th Annual Tax Institute, at which Ed spoke on the topic of legislative and case law updates in New York Tax Law. Ed was also a presenter at the Monroe County Bar Association's continuing legal education program titled "Tax Relief Act of 2010: Individual & Business Tax Changes."

Peter Weishaar, drawing on his experience as a member of the Monroe County Bar Association's Professional Performance Committee, was one of the featured speakers at a recent continuing legal education seminar entitled "The 12 Most Common Mistakes Made by Lawyers."

Honors, Awards and Appointments:

Lucien ("Lou") Morin II was a 2010 recipient of the William E. McKnight Voluntary Service Award in 2010 for his pro bono work and joined the ranks of the New York State Bar Association's Empire State Counsel having volunteered over 50 hours of pro bono service helping those persons who are unable to afford counsel to achieve justice.

Paul Barden, a Lieutenant Colonel in the U.S. Army Reserve, has been selected to serve on the New York State Bar Association's Military Veterans Committee.

Amy Varel was recently elected to be chair of the Monroe County Bar Association's business law section. Amy's term as chair will begin next year.

Kevin Cooman continues his role as a trustee of Allendale Columbia School, having completed a three-year term as Chair.

Amy Varel was recently elected to the board of directors of Rochester Women's Network ("RWN"). RWN is a not-for-profit corporation that is committed to the professional and personal growth of its members.

Raquel Laude was recently elected to the board of directors of Habitat for Humanity of Ontario County, where she also serves on the family support and board services committees. Habitat for Humanity is an international not-for-profit organization that partners with families in need to offer safe, affordable and decent housing.

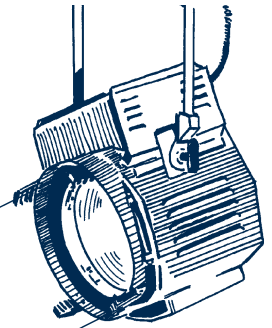
Raquel Laude recently became a member of the Rochester Woodworkers Society and has pledged the firm's support to the Society as a business sponsor.

Client Service:

Kevin Cooman concluded a mediation settlement resulting in a substantial recovery for a client who was seriously injured in a collision on the New York State Thruway. A negligent tractor trailer operator had sideswiped the client's car at a high rate of speed, causing the car to leave the road.

Mike McConville, Amy Varel and **Joe Platania** are collaborating with a number of successful closely held family businesses developing wealth and business management succession planning techniques that capitalize on recent tax law changes.

Ed Daniel recently joined Lakeview Mental Health Services, Inc. at the ribbon cutting ceremony celebrating the opening of their Lakeview Heights Apartments in Seneca Falls, a 40-unit apartment facility financed with low-income housing tax credits that serves persons with special needs in Seneca County.



*MCCM Welcomes New Lawyers to the Firm
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Association and the New York State Academy of Trial Lawyers. Peter volunteers regularly with his alma maters and currently serves as a board member for the Allendale Columbia School Alumni Association. He is also a member of the Rochester Young Professionals. Away from the office, Peter enjoys golf and spending time with his niece and nephew.

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At McConville, Considine we provide a wide range of legal services.

Bankruptcy

(We are a debt relief agency – we help people file for bankruptcy relief under the Bankruptcy Code)

Business

Elder Law and Medicaid Planning

Employment

Health Care

Litigation

Municipal and Government

Personal Injury

Real Estate

Taxation

Wills, Trusts and Estates

For more detailed information about these practice areas, please visit us online at www.mccmlaw.com.

In this issue we feature our *Litigation Practice*

McConville, Considine's five litigation attorneys can assist you in resolving civil disputes in any area, including:

- Article 78 Proceedings involving municipal and State government action
- Banking and financial transactions
- Civil Rights and Discrimination claims
- Commercial and contract disputes involving businesses and individuals
- Construction claims related to performance or nonpayment
- Employment-related claims for employees and employers
- Estate matters contested by heirs and beneficiaries
- Health Care
- Landlord/Tenant disputes
- Personal Injury and Property Damage claims for injured persons or business owners
- Real Estate and Land Use disputes
- Products Liability claims as a result of defective products
- Tax Assessment Review of property valuation for businesses and municipalities

Resolve it with us. In Confidence.

We welcome new client referrals from our existing clients and friends.