

# Legal Notes

Lacy,  
Katzen,  
Ryen &  
Mittleman, LLP



September 2003

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

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## Our attorneys

Louis A. Ryen	Jacqueline M. Thomas
Ronald A. Mittleman	Herbert W. Lacy
Michael S. Schnittman	(1920-1989)
Peter T. Rodgers	Leon Katzen
Sally A. Smith	-----
Karen Schaefer	David D. MacKnight
Richard G. Curtis	Denine K. Carr
Lawrence J. Schwind	Matthew A. Ryen
David E. Anderson	Jennifer L. Chadwick
Craig R. Welch	Joanne Constantino
Christopher B. Mumford	Lara R. Badain
Leslie W. Kernan Jr.	Suzanne L. Cognata
Terrance W. Emmens	Kevin A. Morabito
Mark H. Stein	Daniel S. Bryson
	Lisa C. Arrington

## Personal-injury services focus on helping people when they need it most



Jacqueline Thomas and Peter Rodgers — caring about clients in crisis.

**A**t Lacy, Katzen, Ryen & Mittleman, LLP, personal-injury cases are considered an important opportunity to help clients. The firm's work in this practice area reflects the highest standards of professionalism and service to clients.

"I have the unique opportunity to help people when they are in the greatest need of legal help — often at the most difficult point of their lives, when their livelihood or good health has been taken away and they need representation to right a wrong," said Managing Partner **Peter T. Rodgers, Esq.** "I've been practicing law for 27

years, as a trial lawyer. I spend most of my time in the personal-injury area."

Rodgers sees personal injury as an arena with both emotional and intellectual rewards: "This is a challenging area of the law," he said. "Every case is unique and different, and presents new challenges. I enjoy the complexity of each new case, especially medical ones — I often have to learn about something completely new. I enjoy that intellectual challenge."

Over the years, according to Rodgers, the firm has handled more

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## Personal injury, continued

than a thousand personal-injury cases. Some people come to Lacy, Katzen for help with such cases because they already have retained the firm for other legal needs; others because they have been referred by friends, clients of the firm and even other lawyers. “A lot of these matters come to us from first-time clients,” Rodgers noted. “An injury is likely to be a rather unusual event in someone’s life.”

The firm handles all types of personal-injury cases. The most common cases involve automobile accidents; injuries on a premise or property; product liability — injuries from unsafe or defective products, including consumer items and drugs; hospital and medical negligence; and nursing-home negligence.

“We only take those cases that are meritorious,” noted Rodgers. “There has to be real wrongdoing to the client. We often advise people *not* to initiate a case, because we will not take frivolous cases.”

The firm looks at what an incident may have cost someone before accepting a case. “The nature of disability, lost earnings, future lost earnings, current and future medical expenses — all of these are factors,” said Rodgers.

The other key player in Lacy, Katzen’s personal-injury practice is

## Bringing a personal-injury case

If you are considering a personal-injury case, keep these tips in mind.

- Contact us promptly— don’t let time run out on a legitimate personal-injury claim. We may need to give prompt notice of your claim.

- Collect and organize your records; “the more information you can provide, the easier it is to proceed and the better we can serve you.”

- Don’t talk to others about your case.

Once you contact Lacy, Katzen for help, we will:

- Meet with you to discuss your case.

- Assess the case and its potential for success.

- Help you deal with related insurance issues and paperwork.

*As is the standard in the legal profession, Lacy, Katzen handles personal-injury cases on a contingency basis; you only pay for legal services if we win your case.*

*To talk about a case, call us at (585) 454-5650.*

**Jacqueline M. Thomas, Esq.**, who is known as a strong advocate for her clients.

“What I find most rewarding about personal-injury work or cases is helping people who have serious problems in their lives,” said Thomas.

“They’ve been hurt, are often unable to work, and don’t know whom to

turn to for help. We often are their only port in a storm.”

Thomas brings a unique perspective to the personal-injury practice, because she represented insurance companies in the past. Her knowledge of insurance-coverage issues and how insurance companies handle cases is an invaluable tool in helping clients.

Clients may recognize Thomas from a photo in a display at the Rochester International Airport promoting St. John Fisher College. “Fisher wanted to start a society for graduates with legal careers, and asked me to be on a steering committee,” she recalled. A feature on law and justice for a commencement brochure became the airport promotion. “Seeing it was a shock, since it’s ‘larger than life,’ but I’ve gotten lots of compliments from people.”

A new mom, Thomas has found that parenthood has affected her view of the law and the work world by giving her a greater appreciation for the consequences of injuries on an entire family. “It is very rewarding to be able to help people through difficult times in their lives,” she said.

Rodgers and Thomas define personal-injury law in terms of the client: “A person whose life has been changed because of another’s negligence feels a deep sense of injustice. The tort law allows an individual to seek justice in a civilized manner.”

## “Who’s who” — Rodgers and Thomas

- Peter Rodgers has a BA from Fordham University; earned his juris doctor degree from the State University of New York at Buffalo; and has been admitted to the New York State Bar and the U.S. District Court, Western District of New York. He joined the firm on graduating from law school in 1976, and has written and lectured frequently on how to develop, present and try personal-injury cases.

Rodgers serves as chair of the Grievance Committee for the 7th Judicial District, which reviews complaints against lawyers involving violations of ethical and professional rules. He has served as a trustee of the Monroe County Bar Association; chair of the association’s Courts Committee; and member of its Bench & Bar and Personal Injury Law committees. He is a member of the New York State Bar Association, New

York State Trial Lawyers Association; Genesee Valley Trial Lawyers Association; and Association of Trial Lawyers of America and its American Board of Trial Advocates. He is a trustee of McQuaid Jesuit High School.

Rodgers enjoys bicycling, skiing and running — he ran in a marathon in Dublin, Ireland — and spending time with his wife and two sons.

- Jacqueline Thomas has been practicing law since 1991. She is a Rochester native; one of the first class of girls to go through The Aquinas Institute; and a graduate of St. John Fisher College and Union University’s Albany Law School. She joined Lacy, Katzen in 1994, after working for a firm in Albany but finding that she and her husband preferred to return to Rochester, where they were born and raised. She serves on the Aquinas board of trustees, and has been a volunteer trainer with the Humane Society of Rochester.

## New office in Linden Oaks makes it easier for “eastiders” to receive service



Clients on the “eastside” of the Rochester area have a new resource from Lacy, Katzen. The firm recently opened an office at the Linden Oaks complex to better serve clients in areas such as Brighton, Penfield, Pittsford/Palmyra and other eastern sections of the metropolitan area and county.

“This is basically a convenience, to make it easier for our clients to meet with their attorneys,” said **Karen Schaefer, Esq.** “People living on the eastside could come downtown to our main office or go out to the Canandaigua office, but this will be closer for many people. It’s ideal — we picked this site because it’s right off I490 at Route 441, and visible from the highway. It’s also accessible via 390 and 590.”

Schaefer, who concentrates her practice in business law and estate planning, wills and related areas, will be the main partner onsite at Linden Oaks. **Matthew Ryen** and **Dan Bryson**, who practice in real estate law; and **Suzanne Cognata** (formerly Amico), who practices matrimonial and family law, also expect to use the

new space regularly. “I have many clients in the Brighton-Penfield-Pittsford area. This new site should be especially convenient for them,” Bryson said.

The new office is another example of the firm’s philosophy that “no matter whom you need for any legal issue, our attorneys will be happy to meet clients at the site most convenient for you,” said Ryen.

Please note that there is no “walk-in” service at Linden Oaks; to meet with a Lacy, Katzen attorney there, clients must call first. Just call (585) 454-5650.



*Karen Schaefer, Matthew Ryen and Suzanne Cognata.*

## The duty of your stockbroker

**D**uring the past three years, many individuals have suffered losses in their brokerage accounts due to downturns in the stock markets. Your brokerage firm and your stockbroker are not guarantors of investments made on your behalf, even if they were responsible for recommending the investments. However, they are obligated to determine your investment objectives and recommend investments that are suitable, based upon your age, financial situation and investment objectives. Your brokerage firm and your stockbroker may be held accountable for losses sustained as a result of investments that are determined to be unsuitable for you.

The next issue of Legal Notes will feature our services in the area of stockbroker duty. In the meantime, if you have concerns in this area, please call to see how we can be of service.

## Expanded technology to result in better service

**L**acy, Katzen will respond to clients’ calls and requirements a little faster and ever-more efficiently in the near future, thanks to a new computerized case-management system.

“We won’t become *too* high-tech,” promised **Suzanne Mayer**, the firm’s director. “We are focusing on developing more sensitive responses to clients. The new system supports these efforts by making it easier to handle the details and specifics of each case.”

The new system will be installed in three segments over the next few months. “As we invest in new equipment and training, please be patient — there may be a few glitches or delays as we get used to this new system and environment,” noted Mayer.

If you have suggestions about how we can continue to improve our services, please feel free to contact Mayer at (585) 454-5650, ext. 1246, or [smayer@lacykatzen.com](mailto:smayer@lacykatzen.com).



## Firm news

• **Lacy, Katzen, Ryen & Mittleman LLP** has been recognized for high professional legal standards and ethics in the 2003 *Bar Register of Preeminent Lawyers*, 87th Edition.

• The *Rochester Business Journal* ranked Lacy, Katzen #8 of the 25 largest local law firms. The listing was published in the August 15, 2003, issue.

• **Lisa Arrington** is serving as secretary to the executive board of the Greater Rochester Area Partnership for the Elderly (GRAPE).

• **Denine Carr** is the new Membership chair for the 2003-2004 year for the Greater Rochester Association for Women Attorneys (GRAWA). She received the President's Award in May 2003 from last year's outgoing president, now Magistrate Judge Marian Payson, acknowledging her work as last year's chair of GRAWA's Family and Careers Committee.

Carr spoke about "Sexual and Other Unlawful Harassment" at a recent seminar sponsored by the Sterling Institute, and will speak at seminars

sponsored by The Council and Lorman in September and November respectively.

• Founding Partner **Leon Katzen** celebrated his 85th birthday in July.

• **Karen Schaefer** has been elected to the Business Law Section council of the Monroe County Bar Association.

• The firm newsletter has a new editor, **Ruth E. Thaler-Carter**, whose family is a long-time firm client. She is an award-winning freelance writer/editor who specializes in newsletters and communications for associations, not-for-profit organizations and businesses.

## Our Practice Groups

Civil & Criminal Litigation

Collection & Creditor Services

Corporate, Banking & Business Law

Debt Relief & Bankruptcy

Divorce & Family Law

Employment Law

Estates, Trusts & Elder Law Services

Municipal Law

Personal Injury & Wrongful Death

Real Estate Services

Wills & Estate Planning

## Our Offices

*We work with you in an office close to you!*

### Rochester

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130 East Main Street  
Rochester, NY 14604  
585-454-5650  
800-676-5576  
TTY 585-454-1315

### Charlotte

4292 Lake Avenue  
Rochester, NY 14612  
585-663-4543

### Ontario

1276 Ridge Road  
Ontario, NY 14519  
315-524-5000

### Bergen

16 North Lake Street  
Bergen, NY 14416  
585-494-1382

### Greece

Country Village Center  
1100 Long Pond Road  
Suite 214  
Rochester, NY 14626  
585-225-2470

### Canandaigua

23 North Street  
Canandaigua, NY 14424  
585-395-5220

### Hilton

20 Main Street  
Hilton, NY 14468  
585-392-2990

### Linden Oaks/Eastside

110 Linden Oaks  
Suite E  
Rochester, NY 14625  
(By appointment only)  
585-454-5650

## Our website and e-mail

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**Legal Notes**

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