

# Bond

Intellectual Property  
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E-Discovery

2013  
Annual Report

*“If you do not change  
your direction,  
you may end up where  
you are heading”*

*~ Lao Tzu*



**Management Committee**

Standing at left: Richard D. Hole - Chair; Seated: Gary S. Goodwin - Executive Director, Virginia C. Robbins;

Back row, left to right: Jonathan B. Fellows, Robert A. LaBerge, Gregory J. Champion, Robert H. Kirchner, Philip J. Zaccheo.

## Chairman's Message

Much has been written lately about changes in the practice of law that have occurred over the last decade and accelerated since the onset of the Great Recession in 2008. The traditional business model for operating a law firm has changed dramatically, causing law firms to change their methods of operation, lest the words of the Chinese philosopher, Lao Tzu, come to pass.

Bond is acutely aware of the forces impacting the practice of law. We listen to and hear what our clients are saying, and we are continually making strategic changes in our operations and considerable investments in our Firm in response. In 2013, we adopted a new, five-year Strategic Plan that places a heavy emphasis on investing in technology that will help us to analyze how we can become more efficient, with no compromise on our high standards for quality, value added service; investing in skills training focused on improving the way our lawyers communicate with clients, better understand their needs, and manage their work; and integrating further the operations of our 11 offices to optimize the delivery of our services.

Of course, people have always been and always will be our most important asset. During 2013, we continued to hire the best and the brightest from law schools and, at the same time, we welcomed experienced lawyers who brought diverse talents and skills. We filled needs in nearly every office, and, in particular, we greatly enhanced our ability to service our clients in the metro New York area by adding the lawyers from two outstanding firms, one in New York City and one in Garden City. This increased our presence in the metro New York area to nearly 40 lawyers and added considerable experience and depth to our already highly regarded practices in higher education, secondary education, tax-exempt law, litigation, real estate, and labor and employment law.

We enter 2014 mindful of ongoing challenges, but well positioned and optimistic about our ability to continue to meet our clients' needs and expectations in a rapidly changing environment.

I am pleased to present our 2013 Annual Report, which provides a look at our Firm over the course of a year and at the amazing people who make it go and contribute – every day – to our success. On their behalf, I thank you for the opportunities you provide, the insights you offer, and the trust you place in us.

Richard D. Hole, Chairman  
Management Committee

# Business/Economic Development

Advancing  
a project  
to create  
1,000 new  
high-tech jobs

## Making Something Tiny the Next Big Thing

Bond's Utica office is a key player and negotiator in an exciting project with the potential to transform the Mohawk Valley Region in Upstate New York. Our client, Oneida County Industrial Development Agency, is working with another Bond client, the local Economic Development Growth Enterprises Corporation, to further develop the Marcy Nanocenter at the State University of New York Institute of Technology (SUNYIT) campus. In December, Governor Andrew Cuomo announced that six leading global technology companies will invest \$1.5 billion to create "Nano Utica." This will be the State's second major hub of nanotechnology to expand the understanding and the manipulation of atoms and molecules for fabricating macroscale products. This public-private partnership will create more than 1,000 new high-tech jobs on the Marcy campus of SUNYIT. Additionally, Bond's Syracuse office provided tax, land use and zoning counsel to advance the project. ❄️





## Enhancing Bond's Business Law Resources Downstate

In December, Bond announced that the law firm of Kennedy & Gillen, a broad-based business law practice, would join our firm's Garden City office. Named partner Bernard Kennedy is general counsel to King Kullen Grocery Co., Inc., the oldest and largest Long Island-based supermarket company, with 43 stores and more than 4,000 employees. In addition to King Kullen's corporate transactions, Bernie handles real estate and leasing matters, as well as coordinating ERISA, intellectual property and employment matters. Named partner Megan Gillen's experience includes general business matters such as contract drafting and negotiation, as well as real estate transactions, and Title VII discrimination defense for a wide variety of clients including cooperatives and condos, an international IT company and a national graphics design firm. ❄️

*Millions of dollars  
of tax refunds  
to businesses...*

## Overseeing a High-Tech Manufacturer's Transition to the Next Phase

Publicly traded (NASDAQ) Anaren, Inc., based in Syracuse with locations throughout the United States and China, designs and manufactures radio frequency components and subsystems for the space, defense electronics and wireless communications industries. Bond attorney, David M. Ferrara has served as the company's Secretary and General Counsel since 1996. During this period, Bond has represented Anaren in numerous acquisitions and provided a host of additional legal services. In 2013, Bond served as transaction counsel in the acquisition of Anaren by an affiliate company of Veritas Capital Fund IV, L.P., in a deal valued at \$381 million. Bond also successfully defended two putative class action lawsuits filed against Anaren in connection with the Veritas acquisition. ❄️



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## Landmark Tax Ruling Benefits Businesses Across the State

On behalf of several health care, professional services, retail and other clients located in economically distressed New York State Empire Zones, Bond won a landmark ruling from the New York Court of Appeals. The Department of Taxation and Finance had imposed retroactive tax increases as a result of amendments to the Empire Zone tax incentive program. The 2009 amendments tightened the requirements for being a Qualified Empire Zone business, resulting in the decertification of hundreds of Empire Zone businesses. Although the amendments were adopted in April 2009, the Department of Taxation and Finance announced that it would apply the decertifications retroactively to January 1, 2008. Bond challenged the retroactive application, and the New York State Supreme Court agreed.

However, after this first victory, the state legislature as part of the 2010 budget bill, clarified its intention that the 2009 amendments be applied retroactively. Bond returned to the Supreme Court, asserting the retroactive application constituted an unconstitutional taking of property and a violation of due process. The Supreme Court agreed, and the Appellate Division affirmed. The state then appealed to New York's highest court, the Court of Appeals. The Court of Appeals held that the retroactive imposition of higher taxes on decertified Empire Zone businesses was unconstitutional, holding that the retroactive application "simply punished the program participants more harshly for behavior that already occurred and that they could not alter." The decision has resulted in millions of dollars of tax refunds to businesses across the state. ❄️

# Health Care

*Facilitating  
state approval  
for the first  
of its kind*

## Advancing the Delivery of Treatment for Chronic Pain

Bond's health care and business attorneys helped the New York Spine & Wellness Center gain New York State approval to establish an affiliate entity, the Heritage One Day Surgery Center. This is the first ambulatory surgery center devoted to pain management in Upstate New York. This consolidation of specialized medical expertise in one location optimizes the efficiency and effectiveness of both practices' technological and human resources. Beyond the expected organizational and business start-up legal issues, our firm helped the client clear a number of strict regulatory hurdles in order to secure a Certificate of Need and the necessary hospital agreement. ❄️



## *Setting new precedents in the health care industry*



## **A Remarkable Year of Accomplishments in Long Term Care**

In a time of great change in the health care industry, Bond attorneys set new precedents to assist clients in their shifting environment. These include winning the first major settlement in audits of Patient Review Instrument assessments by the Office of the Medicaid Inspector General (OMIG). (These results are now used by OMIG for settlement reviews statewide, with a reduction in impact of more than 50%.) By developing an integrated approach to the implementation of new initiatives, our firm is helping clients achieve compliance with mandatory Managed Long Term Care Plan participation and Medicare/Medicaid in dual programs. ❄️

## **Working at the Leading Edge of Health Care Delivery**

Bond's health care practice provided counsel and guidance in two major long term care matters that advanced the delivery and efficiency of health care in New York State. First, by winning approval to consolidate nursing home beds under a HEAL-21 grant, Bond helped ensure that long term care services will be preserved and streamlined in the Finger Lakes. This project combined the efforts of county government and local organizations for what will become one of the first regional integrated delivery systems in the state. Second, Bond spearheaded a proposal to implement a collaborative care model for home care in the New York City metropolitan area and Hudson Valley region that will combine systems capabilities to serve home health care patients across five counties. ❄️



# Higher Ed/ Collegiate Sports



*Clearing  
the way  
for a  
transformative  
force*

## Facilitating the Construction of a University's Off-Campus Art Center

Looking to enhance the visibility of its arts program and address space constraints with its existing facilities, Colgate University wanted to construct a new Center for Art and Culture in the heart of the Village of Hamilton. Colgate turned to Bond to assist with the municipal approval process, which necessitated a village zoning amendment and a SEQRA review. Bond helped Colgate effectively address public concerns such as parking and historic district impacts and demonstrate no significant adverse environmental impacts would occur. The Village Board adopted a negative declaration requiring no further environmental review and granted the change to the zoning code. The Center is expected to be a transformative force that will serve and create communities, and will provide a year-round economic engine for the Village. \*



## Higher Education Law Report Blog

Bond introduced its latest blog, the *Higher Education Law Report*, as a unique resource for colleges and universities in a wide array of legal areas. The Report will provide current information and insight on such issues as academic, business and student affairs; athletics; endowment administration; environmental matters; federal and state regulatory compliance issues; institutional advancement and development matters; intellectual property and technology transfer issues; and labor, employment, immigration and employee benefits issues. Bond serves more than 100 higher education institutions throughout New York State and nationwide by providing counsel from more than a dozen practice areas. The Report may be found at [www.higheredlawreport.com](http://www.higheredlawreport.com). ❄️

## Further Enhancement of Bond's Education Industry Resources

In December, Bond announced that the law firm of Kehl, Katzive and Simon, LLP would join our firm. Kehl, Katzive and Simon provides an array of services to colleges and universities, public (including charter) and independent private schools, as well as not-for-profit institutions. They will integrate their substantial expertise and experience into Bond's wide ranging higher education, school district and exempt organizations practices. The addition of these attorneys reflects Bond's commitment to the spectrum of educational institutions and the coverage of academic, business and student affairs issues; financing and construction matters; commercial real estate and environmental matters; labor and employment law, employee benefits and executive compensation; immigration and OSHA; charitable giving, development and related tax issues; and litigation, along with our firm's nationally known NCAA practice. ❄️

*Serving more than  
100 higher education  
institutions*





# Not-for-Profit

## Helping Realize a Vision with a \$30 Million Foundation

Before State University of New York at Oswego Chemistry professor, Richard Shineman passed away in 2010, he made a provision in his will for the establishment of a foundation to serve the broad needs of Oswego County and Central New York. Bond helped make that bequest a reality by guiding the establishment of the Richard S. Shineman Foundation. By the time the inaugural Board of Directors took their seats, Bond had addressed the organization's structure, its many tax issues and investment administration; conflicts and whistleblower policies; compliance with the Nonprofit Revitalization Act of 2013; branding and grant making policy; and the establishment of standards. The Foundation is on track to realize Professor Shineman's vision to become a "Catalyst for Change" by helping build relationships with not-for-profit partners to help them become more effective and create strong social bonds to bring the community together. ❄️

*Providing  
turn-key  
guidance to  
launch a new  
foundation*



*A victory  
with  
far-reaching  
implications*



# Municipalities

## Bond Secures Major Pension Victory for New York's Public Employers

On behalf of the City of Yonkers, Bond argued that police officers and firefighters, who are required by law to contribute 3% of their salaries towards their pensions, could not avoid such payment in a collective bargaining agreement. The Court of Appeals concluded that these employees are indeed required to make the 3% pension contribution and may not go to arbitration to avoid their obligation. This decision has implications for any similar public employer with a collective bargaining agreement that addresses non-contributory retirement plans. Further, it represents the efforts of public employers to resist union attempts to eviscerate any form of pension relief. ❄️



## A Real Win-Win Litigation Outcome

On behalf of a quasi-governmental organization, Bond successfully prosecuted a breach of contract claim involving the use of fiber optic lines against a major, multi-national telecommunications company. After winning partial summary judgment, Bond achieved a \$5.6 million settlement. In addition, Bond obtained a withdrawal, with prejudice, of all claims against our client concerning anti-competitive price structuring with the Federal Communications Commission. ❄️



# Real Estate & Development

Helping  
bring  
the city's  
downtown  
back to life

## Putting the Finishing Touches on a City's Rejuvenation Centerpiece

Transformation of the commercial and retail heart of the City of Syracuse took another giant step forward in 2013 as four large, vacant buildings were rehabbed and upgraded into a \$25 million modern complex of upscale apartments, stores, restaurants and office space. Aided by federal, state and local agencies, developer VIP Structures, with Bond's continued counsel in a variety of areas, brought the six-year-old community-inspired vision to fruition. One challenge for this project, based on the historic Boardwalk Hall Case in 2012, was overcome to satisfy stricter tax requirements for historic building rehabilitations. This bold project sets the stage for further ambitious endeavors of this nature and will help bring downtown Syracuse back to life. Bond also worked with the project's tenants as they built out their spaces and opened for business. ❄️



## Helping a Major Manufacturer Recover from a Flood

After Amphenol Aerospace's manufacturing facility in Sidney, New York was devastated by Tropical Storm Lee, efforts by multiple agencies – federal, state and local – kept the high-tech plant and its 1,000 jobs in New York's Southern Tier. A division of Amphenol Corporation, Amphenol Aerospace is one of the world's largest manufacturers of electronic products for the military, aerospace and industrial markets. Bond provided critical counsel in helping the company begin building its new manufacturing facility. This involved a range of legal issues such as industrial development agency leasing; implementation of governmental project funding; construction contracting; and environmental wetland issues. ❄️



## Finding a New Pathway to Refinance \$152 Million

In an effort to refinance the mixed-use Mercato shopping center in Naples, Florida, the lender's requirements for the securitized structured financing called for a creative approach. As lead borrower's counsel on the \$152 million loan refinance transaction, Bond spun off the residential portions of the project, and then formed separate single purpose bankruptcy remote entities for the closing of the loans. Bond's representation included negotiating loan documents and closing. The transaction contained both senior mortgage debt financing as well as mezzanine financing. The institutional lender was based in New York City and was represented by counsel in New York City; Washington, D.C.; and Miami. Bond utilized attorney resources in our Florida and New York offices to close the transaction. ❄️



## Saving a Neighborhood's Historic Architecture

Working with the University Neighborhood Preservation Association (UNPA) and Home Headquarters, a not-for-profit organization dedicated to revitalizing and stabilizing neighborhoods in Syracuse and Onondaga County, Bond provided counsel to assist the \$1.2 million restoration of the historic Babcock-Shattuck House. The mansion, a visual anchor for southeastern Syracuse, is listed on the National Register of Historic Places, which recognizes its cultural and historic significance to the neighborhood. Once threatened with demolition, the Babcock-Shattuck House will be repurposed as condominiums that will enhance the area's stability and property values. Bond's real estate practice group assisted UNPA in acquiring the property and in forming a joint venture with Home Headquarters, and is helping UNPA work through the attorney general's condominium approval process. ❄️



# School Districts

## A+ Grade on Behalf of a Local School District

In Rochester, New York, the Greece Central School District undertook a \$120 million capital improvement project for which the district hired an architectural firm to provide design and construction-administration services. Unfortunately, the architectural firm fulfilled neither its contractual obligations nor its obligations to exercise the standard of care and skill for such a project, resulting in millions of dollars in damages. The litigation involved extensive electronic and written discovery and the use of expert witnesses to address architectural, engineering and damages issues. On the eve of trial, the parties engaged in an intense mediation in which Bond attorneys fully resolved the dispute in exchange for a payment of \$5.2 million. Bond attorneys also identified a raft of overcharges by contractors and secured the repayment of more than \$200,000 to the district. The district will use the money to repair the deficient facilities and recoup expenses. ❄️

Settling a  
case for  
\$5.2 million





## Fighting Discrimination in New York State's School Funding Program

Bond filed a landmark complaint on behalf of the Enlarged City School District of Middletown with the Department of Justice, Civil Rights Division. It asserted that New York State has been discriminatory in its public school funding. In schools where English is most often a second language and students are primarily minorities, funding promised by the state has not been received. As a result, these challenged schools with the funding shortfalls are unable to meet the most basic educational requirements required by law. We await the state's response and consideration by the Department of Justice. ❄️



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## Landmark complaint asserts NY's discriminatory school funding



# Labor and Employment

Defending the most employers in Region 3 against unfair labor practice charges



## Study Details Organized Labor Activity in Upstate New York

In November, Bond published its first study of organized labor activity in Upstate New York, the *2013 Study of Labor Activity in Region 3 of the National Labor Relations Board*. The study reviewed union petition and election activity, as well as unfair labor practice charges brought by and against unions throughout the 51-county area from 2010 to 2012. The study found that, although union election activity increased sharply in 2012 compared to 2011, unions did not experience greater success in organizing employees.

The study also showed that, of the industries most vulnerable to union organizing, health care led the way. Further, the study confirmed that Bond represented more employers in election proceedings and defended more employers against unfair labor practice charges in Region 3 than any other law firm. ❄️



*Our attorney's  
expert testimony  
referenced in  
judge's decision*

### **Bond Attorney Tapped for Expert Testimony in \$2.5 Billion Litigation**

In June 2013, Apollo Tire signed a \$2.5 billion merger agreement with Cooper Tire. In August, the United Steelworkers Union (USW) obtained an arbitrator's decision indicating no merger could occur unless a new contract was negotiated between the union and Apollo. Though Apollo attempted to negotiate, an agreement was not reached, and the merger did not occur. Cooper sued Apollo for not closing the deal, claiming breach of the merger agreement. An expedited trial was held to see whether an injunction should be issued requiring the sale at the \$2.5 billion price because Apollo had failed to bargain in good faith with the union.

In this bet-the-company litigation, Cooper hired Dan Silverman, former NLRB General Counsel and Region 2 Director, as an expert witness to testify that Apollo did not bargain in good faith. (Silverman is best remembered for obtaining an injunction against Major League Baseball that ended the strike in 1995.)

Apollo's attorneys turned to Bond's Louis DiLorenzo, a nationally known labor contract negotiator, to testify as an expert that Apollo did negotiate in good faith. In the end, the judge, referencing DiLorenzo's testimony during oral argument and again in his decision, found that Apollo bargained in good faith, and he denied the injunction. In his decision, the judge stated, "I find these facts [favorable to Apollo] to be bolstered by the testimony of Apollo's expert, Louis DiLorenzo, persuasive that Apollo has, in fact, used its reasonable best efforts to reach an agreement with the USW." The judge's decision was upheld on appeal, and Cooper has since dropped its claim that the merger agreement was breached. ❄️





# Toxic Tort and Environmental Litigation Practice

## Concentrating Toxic Tort and Environmental Litigation Resources

In its ongoing effort to ensure effective client representation and create cross-practice efficiencies, Bond has established a toxic tort and environmental litigation practice to focus its experience and expertise in all facets of toxic tort, environmental and chemical exposure-related litigation. The new practice draws upon the knowledge of many firm attorneys already engaged in such matters who keep abreast of developments in toxic tort and environmental law, and collaborate with toxicologists, chemists, engineers and other environmental consultants to provide the resources for navigating this complex area of litigation. In 2013, the group was active in matters such as lead paint and asbestos exposure; groundwater contamination of private wells; CERCLA litigation prosecuted by both Governmental and private parties; and oil spills. ❄️

Representing  
clients in  
all facets of  
environmental  
litigation





*Our people  
give back in every  
Bond Community*

# Community Service



## Volunteering for the Greater Good

Many Bond attorneys and staff in the Albany, Buffalo, Garden City, New York City, Rochester, Syracuse, Overland Park and Naples offices took part in community service activities throughout 2013. Their contributions of time and talent reflect Bond's emphasis on giving back to the communities where we work, play and care for our families.



Following are some of the endeavors in which our people served as ambassadors for the firm:

- American Heart Walk
- Association for the Blind and Visually Impaired
- Bowling for Kids' Sake Event
- City Union Mission
- Community Day at Habitat for Humanity
- Duck Race to End Racism
- Food Bank of Central New York
- Friends of the Night People
- Hunter's Hope Walk
- Huntington Family Center Needy Family Program
- J.P. Morgan Chase Corporate Challenge
- Making Strides Against Breast Cancer Walk
- Marcum Workplace Challenge
- McKinley-Brighton Elementary Read Ahead Program
- Memorial Art Gallery's Family Day
- Operation Backpack
- Salvation Army Bell Ringing
- Second Chance Clothing Drive
- The Samaritan Center Food Kitchen
- United Way Campaign
- Vera House White Ribbon Campaign
- Veterans Outreach Center
- Volunteer Day at United Cerebral Palsy Facility

# Diversity



## Always Striving Toward Greater Inclusion

Bond has a standing Diversity Committee whose mission is to improve diversity and inclusion. The committee, consisting of members, associates and staff, directs the firm's internal and external diversity efforts, and reports directly to the firm's Management Committee. The Diversity Committee also works with the Recruiting and Associate Committees to enhance and expand programs that increase our ability to recruit diverse law students and staff, and to assist in their advancement.

Bond's efforts to attract, hire and promote minorities and women include:

- Recruiting at the annual Northeast Region of the National Black Law Student Association job fair;
- Serving as a member of the New York State Bar Association House of Delegates Representing Persons of Racial and Ethnic Diversity;
- Supporting the New York State Bar Association Annual Diversity Reception in New York City, and other local minority bar and minority student associations;
- Participating in the Minority Law Students Conference Day sponsored by the New York State Bar Association; and
- Providing financial support to Syracuse University College of Law Black Law Student Alumni Awards Program. ❄️



## *A regular participant in diversity programs*

### Far-reaching Efforts in 2013

Bond's commitment to diversity at our firm, within the legal profession and throughout our communities, is also highlighted by these initiatives, sponsorships and activities in 2013:

#### ***Diversity Reception***

Bond's annual Diversity Reception for first-year students at the Syracuse University College of Law which allows us to meet diverse talent and builds supportive relationships between law students and our lawyers.

#### ***Diversity Clerkship***

Bond participated in the Albany County Bar Association Diversity Internship Program, hosting a law student in our Albany office. We regularly participate in diversity clerkship programs as a means of providing valuable real-world experience to law students from populations historically underrepresented in the legal profession.

#### ***Speaker Sponsorship***

Bond was the platinum sponsor for the Greater Rochester Association for Women Attorneys (GRAWA) Law Day. Our financial support allowed the Rochester legal community to enjoy keynote speaker Verna Myers, a nationally acclaimed expert and author of *Moving Diversity Forward*. Ms. Myers also met privately with our firm's leadership to further our own diversity goals.

#### ***Black Law Student Association Support (BLSA)***

Seven Bond lawyers volunteered as panelists and provided career advice to law students during the BLSA Academic Retreat at Syracuse University. Additionally, three members volunteered as coaches for the Syracuse University College of Law student team participating in the national Frederick Douglass Appellate Advocacy Competition. ❄️



School  
He  
Liti  
Public  
Long  
Propert  
Intellect  
Construct  
and Develop

*Welcoming  
and retaining  
female  
attorneys*

# Bond's Women's Initiative



## Improving Opportunities for Women

Our firm is committed to maintaining a welcoming and dynamic environment for all to practice law, and is specifically committed to recruiting, developing, promoting and retaining female attorneys. The Bond Women's Initiative, created in 2008, sponsors meaningful interaction opportunities for our firm's female attorneys, and also supports programs for business women in the communities where our offices are located. These programs create opportunities for personal, professional and collaborative growth and are designed to highlight and address legal, social and economic matters of concern for women in business today. ❄️

## Internal Programs Include:

### *Mentoring Program*

In the Syracuse and Albany offices, female attorneys meet monthly in informal settings to get to know other attorneys outside their practice areas. Female members are available to address questions about firm policies, work relationships and legal/personal issues.

### *Quarterly Meetings*

Every quarter, the Women's Initiative meets to discuss our firm's policies and other issues affecting female attorneys including flex time, work-life balance, firm dynamics, customs, leadership and business development. In 2013, one meeting focused on the messages in Sheryl Sandberg's book, *Lean In: Women, Work, and the Will to Lead*. In another meeting, a firm member and our marketing director led a discussion on business development practices for female attorneys. ❄️

*Ongoing initiative  
improves the  
workplace for all*



## External Programs Include:

### *The Albany Women's Initiative*

Held its annual luncheon and ballet event at the Hall of Springs Jazz Bar and Saratoga Performing Arts Center where the group enjoyed a performance by the New York City Ballet.

### *The Buffalo Women's Initiative*

Hosted an evening networking reception at Choco-Logo Confectionery Design, which featured wine & chocolate pairings.

### *The Rochester Women's Initiative*

Hosted a luncheon, spa event and Continuing Legal Education program on legal ethics for women corporate counsel.

### *The Syracuse Women's Initiative*

Commemorated the 50th anniversary of Betty Friedan's *The Feminine Mystique* with a dinner and discussion led by local attorney Karen DeCrow on the topic: *Has Gender Equality Stalled?* Ms. DeCrow is a member of the National Women's Hall of Fame. ❄️

# Pro Bono

## Bond Attorneys Honored for Pro Bono Contributions

Three Bond attorneys – David M. Hayes, George H. Lowe and Thomas E. Myers – were honored at the 2013 12th Annual Justice for All Luncheon in New York City during the New York State Bar Association Annual Meeting. The honors were extended to those attorneys participating in the 2012 Empire State Counsel Program, which recognizes annual pro bono contributions in excess of 50 hours to expand “access to justice for low-income, vulnerable and disadvantaged individuals on behalf of individuals.” Typical matters include landlord-tenant cases, mortgage foreclosures, benefits, divorce, child custody, neglect and abuse cases, immigration, asylum, re-entry, debtor-creditor law and bankruptcy. ❄️



## James Holahan Receives Monroe County Bar Association Pro Bono Award

James Holahan, a member in the firm's Rochester office, was a Pro Bono Award honoree at the Monroe County Bar Association 2013 Law Day Luncheon. ❄️

## Thomas E. Myers Receives Onondaga County Bar Association Pro Bono Award

Thomas E. Myers, the firm's Pro Bono Program Coordinator and a member in the firm's Syracuse office, was a Pro Bono Award honoree at the Onondaga County Bar Association's 2013 Law Day Luncheon for leading by example and volunteering in the Central New York Say Yes to Education Legal Clinic; the Westcott Community Center Talk To A Lawyer Project; the Eviction Defense Program for indigent individuals and families in Syracuse City Court; as well as his efforts with the East Syracuse Justice Court. ❄️



Providing access to justice for all, regardless of income

*Honored for  
high-level  
client service  
and  
performance*



# Firm Recognition, Ratings and Accolades

## Independent Confirmations of Excellence

Bond is pleased to be recognized by a variety of organizations that identify firms, practices and individuals known for high levels of acumen and service.

### *Chambers and Partners USA*

Five Bond attorneys were listed in the 2013 edition: Kevin M. Bernstein (Environmental), Michael I. Bernstein (Labor & Employment), Louis P. DiLorenzo (Labor & Employment), Barry R. Kogut (Environmental) and Virginia C. Robbins (Environmental).

### *ALM 2013 Go-To Law Firms at the Top 500 Companies*

Bond was recognized for performing exceptional work in seven key areas: Contracts Litigation, Labor Litigation, Torts Litigation, Intellectual Property Litigation, Patent Prosecution, Securities Law and Labor & Employment Law.

### *2013 U.S. News - Best Lawyers "Best Law Firms"*

Bond was recognized with a National First-Tier Ranking in Litigation - Labor & Employment. In addition, the firm was recognized for the second year as having the most (35) First-Tier Metropolitan Rankings of individual practice areas in five major New York Metro markets.

### *BTI Client Service A-Team 2013*

Bond was named by clients as among the best firms in driving client service excellence.

### *2013 Best Lawyers of the Year*

Seventeen attorneys were recognized among Bond's ranks: John D. Allen, R. Daniel Bordon, Dennis C. Brown, Nicholas J. D'Ambrosio, Jr., Louis P. DiLorenzo, Stephen A. Donato, Thomas S. Evans, Hermes Fernandez, David M. Ferrara, Richard D. Hole, Edward P. Hourihan, Jr., Stephen L. Johnson, Peter A. Jones, James E. Mackin, Virginia C. Robbins, Thomas R. Smith, and Subhash Viswanathan. In addition, 64 Bond attorneys were listed in *2013 Best Lawyers*.

### *2013 Super Lawyers Top Lists*

Sharon M. Porcellio and Virginia C. Robbins were included in the *2013 Top 25 Female New York Super Lawyers* list; and John Gaal and Sharon M. Porcellio included in the *2013 Top 50 New York Super Lawyers* list. In addition, 47 Bond attorneys were listed in *New York Super Lawyers*, along with eight *Rising Stars*. ❄️

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Welcoming  
new members,  
laterals and  
associates

# Our Attorneys

## New Members



Christopher C. Canada  
*Syracuse*



Ingrid C. Palermo  
*Rochester*



Brody D. Smith  
*Syracuse*



Rebecca M. Speno  
*Syracuse*



Clifford G. Tsan  
*Syracuse*

## New Laterals



Jeffrey F. Allen  
Rochester



Matthew G. Brannen  
Rochester



Laurie Seal Coles  
Rochester



John F. Darling  
Rochester



Charles C. Dunham, IV  
Albany



Aaron D. Frishman  
Syracuse



Mark A. Mainello  
Albany



Katherine S. McClung  
Rochester



John F. McKay III  
Garden City



Joseph M. Noto  
Rochester



Sharon M. Porcellio  
Buffalo



Thomas K. Rinaldi  
Naples



David A. Ruffo  
Albany



Jeffrey B. Scheer  
Syracuse



Raul A. Tabora Jr  
Albany



Justin C. Tan  
Garden City



Eric J. Vasquez  
Naples

## New Associate Class



Michelle R. Billington  
Syracuse



Pamela C. Lundborg  
Syracuse



Kevin R. MacLeod  
Syracuse



Daisy A. Tomaselli  
New York

# Vision and Values

## Vision

Bond, Schoeneck & King PLLC will be a pre-eminent law firm. We will strive to attract and retain talented and diverse people, and to maintain and enhance the high quality of our legal work and client base, our reputation in the communities that we serve, and the esteem in which other members of our profession hold the firm. We will honor the firm's legacy, remaining true to a one-firm culture and commitment to each other.

## Values

In pursuit of our vision, we will adhere to the following values:

- A. We will maintain an unflinching commitment to understand our clients' needs and to provide them with comprehensive, practical, high-quality, innovative, and responsive solutions.
- B. We recognize that our dedicated, talented, and hard working people are, and will continue to be, our most valuable asset.
- C. We value our individual racial, ethnic, cultural, social, gender, sexual orientation, religious and other personal differences, and we are committed to the promotion of greater diversity throughout the firm, the legal profession and the communities where we live and practice.
- D. We will nurture the collegial, team-oriented, respectful one-firm culture that has been essential to our success, while not compromising our responsibility to ensure the welfare and prosperity of our firm.
- E. We will maintain the highest professional and ethical standards and continue the firm's historical commitment to, and leadership in, charitable and community activities, pro bono work, and service to the Bar.
- F. We will foster an environment in which debate is encouraged, ideas are shared, and opinions are valued.
- G. We will welcome change where there is a goal of improvement that is consistent with our values.
- H. We will accept reasonable risk in pursuit of well considered opportunities.

*Unflinching  
commitment  
to understand  
our clients'  
needs*

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# Representative Clients and Board Affiliations

## Clients

Albany Medical Center  
Amphenol Corporation  
Bechtel Corporation  
Benihana, Inc.  
Burrows Paper Corporation  
Chubb Group of Insurance Companies  
City of Naples Airport Authority  
City of Syracuse  
Colgate University  
Community Bank System, Inc.  
Conmed Corporation  
Diarylea Cooperative  
Endicott Interconnect Technologies, Inc.  
Gannett Co., Inc.  
Global Aerospace, Inc.  
Ithaca City School District  
Key Bank National Association  
National Grid PLC  
New York Chiropractic College  
New York State Electric & Gas Corporation  
Ozanam Hall of Queens Nursing Home, Inc.  
Pace University  
Rochester Institute of Technology  
Syracuse University  
Time Warner Entertainment-Advance/Newhouse Partner  
United Technologies – Carrier Division  
University of Miami  
Village of Port Chester  
Zotos International, Inc.

## Board Affiliations

Cayuga Community College Foundation  
Central New York Land Trust Inc.  
Children Awaiting Parents  
CNY Jazz Arts Foundation  
Community Foundation of Collier County  
Everson Museum of Art  
Foundation at Menorah Park  
Landmark Theatre  
Litigation Counsel of America  
Make-A-Wish Foundation of Central New York, Inc.  
March of Dimes  
Memorial Art Gallery  
Milton J. Rubenstein Museum of Science & Technology  
The Conservancy of Southwest Florida  
The National Museum of Dance and Hall of Fame  
Port City Educational Foundation  
Rescue Mission  
Rochester Museum and Science Center  
Seneca Park Zoo Society  
St. Elizabeth Medical Center  
Syracuse Opera  
United Way  
YMCA of Greater Syracuse  
YWCA of Syracuse and Onondaga County

*Being  
recognized  
for excellence  
across a  
variety of  
industries*

# Practice Groups and Industries

## Practices

- Business and Transactions
- Business Restructuring, Creditors' Rights and Bankruptcy
- Collegiate Sports
- Commercial Lending
- E-Discovery and Information Management
- Employee Benefits and Executive Compensation
- Environmental and Energy
- Government Relations
- Immigration
- Intellectual Property and Technology
- Labor and Employment
- Litigation
- Mergers and Acquisitions
- OSHA
- Property
- Public Finance
- Securities
- Tax Assessment, Condemnation & Property Valuation
- Tax Law
- Toxic Tort and Environmental Litigation
- Trust and Estate

## Industries

- Agribusiness
- Exempt Organizations
- Health Care
- Higher Education
- Long Term Care
- Municipalities
- Real Estate Development and Construction
- School Districts
- Small Business

Intellectual Property  
 Real Estate  
 Business  
 Trust and Estate  
 Bond

Collegiate Sports  
 Energy  
 Tax Law  
 Condemnation  
 Toxic Tort  
 Municipalities  
 Employee Benefits  
 E-Discovery  
 Health Care  
 School Districts  
 Higher Education  
 Environmental  
 Business Restructuring  
 Tax Assessment  
 Construction and Development

Litigation  
 Commercial Lending  
 Not-for-Profit  
 Public Finance  
 Long Term Care  
 Governmental Relations  
 Immigration

Labor and Employment



Commitment • Service • Value • Our Bond