

WINTER 2019/2020 HODGSON RUSS ATTORNEY & ALUMNI NEWS



Rick Kennedy



Mark Klein

Greetings from Rick Kennedy & Mark Klein

Hello and welcome to the Hodgson Russ Attorney & Alumni Newsletter. Thank you for your past contributions to our firm and for your ongoing friendship. We welcome the opportunity to reconnect and to share personal and professional news of mutual interest.

Rick Kennedy, Managing Partner

Mark Klein, Chairman

IN THIS ISSUE

	<u>Page</u>
Pro Bono Spotlight	1
Now and Then	2
Alumni News	3
Hodgson Russ in the News	4
Upcoming Events	4
In Memoriam	4

Hodgson Russ Pro Bono Spotlight

by **Joshua Feinstein**
Pro Bono Partner



From federal appeals involving novel questions of statutory interpretation, to the daily grind of housing court, our pro bono attorneys and professionals volunteer their services to clients and cases in order to vindicate their client's rights and, in some cases, truly change their lives. In this spotlight, I share one success story from our deep and varied pro bono experiences in 2019:

Hechavarria v. Sessions: A team led by Spencer Durland obtained a bail hearing and then the release of our client, Joseph Hechavarria, who had spent 5.5 years in immigration detention awaiting resolution of his case. A *Buffalo News* editorial denounced Mr. Hechavarria's treatment by the government – which Spencer and his team worked successfully to stop – as an “abomination and miscarriage of justice.” The Hodgson Russ team also represented Mr. Hechavarria on his substantive petition for review in the Second Circuit, including presenting oral argument and preparing a petition for rehearing en banc. This was one of three pro bono oral arguments that the Firm's attorneys delivered at the Second Circuit in 2019.

To learn more about Hodgson Russ's pro bono activities, contact Josh at josh_feinstein@hodgsonruss.com.

NOW AND THEN:

A Conversation with Michelle Daubert and Chris Fattey



Michelle Daubert



Chris Fattey

Michelle Daubert is Senior Real Estate Counsel at Wegmans. **Chris Fattey** is a Partner in Hodgson Russ's Real Estate and Finance Practice. They sat down to

talk about their lives and practices. These are some of the highlights of that conversation.

Chris: Hi Michelle. I can't believe it's been seven years since you joined Wegmans and moved to Rochester. **Tell me about your work at Wegmans.**

Michelle: Wegmans has a small legal department for such a large company. There are just six attorneys. I advise on all the company's real estate and development matters, including new store leases and property acquisitions, site development, construction, and property management. Wegmans owns most of their shopping centers in New York, so I also negotiate on the landlord side for leases with our tenants. Getting to be on the tenant side and the landlord side keeps things interesting. **What's new with your practice?**



Michelle and family

Chris: On a macro level, there's not been a lot of change in my job. I still do a wide range of finance work, from corporate finance to cross-border work. But as a Partner, I'm much more involved in strategy than I was as an Associate. One constant is that I never have a boring day. Never. My days fly by. **What did you learn at Hodgson Russ that has supported you in your career as an in-house lawyer?**

Michelle: I learned the foundations of lawyering at Hodgson Russ thanks to John Amershadian, Sujata Yalamanchili, and others— how to be a good lawyer, how to deliver sound legal advice. But also how to work both independently and on a team. Those communication skills are key for me, because as in-house counsel, I'm working with a lot of folks who aren't attorneys. **From your perspective, what's changed about how the firm as a whole operates?**

Chris: One change that I think actually continues to build momentum and is more true every year is that our offices and practices are more interconnected and interdependent. Our client teams, industry teams, and practice groups are critical, as they are responsive to our clients' needs. Rather than focusing on the practice similarities in our firm, we're looking at industry need and developing cross-disciplinary responses for our clients. **Wegmans has a reputation for being a great employer. What do you like best about working there? And about being an in-house counsel?**

Michelle: Taking care of its people is a big part of the Wegmans corporate culture, and something I really value. It's also an exciting time to be a part of the Wegmans legal team as the company grows. This past fall, we opened our 100th store, which was our first in North Carolina, and we also opened our first store in New York City at the Brooklyn Navy Yard. As in-house counsel, I get to know the business. I'm a lawyer with one client, and I enjoy being involved in both the legal and business decisions. And we have yoga at work! **What are you doing these days outside of work? How is your family?**



Chris and family

Chris: My family is great, and that's what I mostly do outside of work— kids' activities! Stephen is 10 and Eliza is 8, and we have hockey, swim, soccer, trumpet and trombone lessons ... my wife Leigh is as busy as ever, still teaching at Elmwood Franklin. **How about you?**

Michelle: Last year was an exciting one for me because I became a mom. My daughter Felicity is 9 months old and is crawling everywhere! My husband Austin (Houlding) is still at Merrill Lynch in Buffalo. We enjoy playing tennis and taking Felicity to music class on weekends. I'm also active with the Willow Domestic Violence Center, which provides domestic violence services and a housing shelter for survivors and their pets.

*Hodgson Russ thanks Chris & Michelle for taking part in this **Now and Then** interview.*

HODGSON RUSS IN THE NEWS



Wilks



Calvert



Hoover



Sandison



Saykin

David Wilks has joined the firm as a Partner in its Immigration Practice, resident in the Albany office. David concentrates on business immigration. He guides companies, nonprofit organizations, universities and entrepreneurs in preparing and submitting non-immigrant (temporary) and immigrant (permanent residence) petitions. David also assists foreign medical graduates in obtaining waivers and lawful status, as well as individuals in obtaining marriage-based green cards and U.S. citizenship.

Anna-Lesa Calvert has joined the firm as Manager of Professional Development and Diversity. She works with the firm's senior leadership to guide the firm's ongoing diversity projects and processes affecting attorney recruitment, development and promotion. She will create new initiatives that support a diverse and inclusive work place and strengthen the firm's commitment to diversity in the legal profession and the communities it serves.

Tim Hoover was installed as the President of the New York State Association of Criminal Defense Lawyers for 2020, at the Association's annual meeting on Thursday, January 30, in New York City.

Patricia Sandison is featured in an article appearing in the December 2019 alumni newsletter issue of the University at Buffalo School of Law. The article discusses the efforts of the law school alumni in the Albany area to attract attorneys to practice in the Capital District.

Aaron Saykin is newly appointed to the Dean's Advisory Council at the University at Buffalo Law School.

ALUMNI PERSONAL AND PROFESSIONAL NEWS

Roger Barth is practicing tax and corporate law in Washington, D.C. Through Buffalo Angels, he invests in new companies. He spends much of each summer on Lake Ontario in Medina.

Lisa Coppola is the Founder of The Coppola Firm, a New York State-certified WBE. Lisa was certified in the summer of 2019 as a federal court mediator.

Brian K. Duffey opened the Duffey Law Firm in 2009, continuing a family tradition of estate planning and probate practice in Boca Raton, FL.

Karl Kristoff's contract as General Counsel for the Rochester City School District was recently renewed for another three years.

Stephen McAndrew has earned a PhD in philosophy and is teaching philosophy at UB, Canisius College and Niagara University.

Craig McGrain is the President of Durham Funding in Rochester. Durham lends money to small businesses based on accounts receivable, also known as factoring.

Daniel Nauth started his own firm, Nauth LPC, which focuses on US/Canada cross-border corporate and securities law.

Bill Myers is fully retired and living in West Bend, WI, his old home country.

David Pfalzgraf is the Managing Partner of Rupp Baase, Pfalzgraf, Cunningham.

Seth Pullen is a shareholder in the firm of Richardson, Pullen & Buck, P.C., managing the firm's satellite office in downtown Buffalo. His firm works primarily in the areas of real estate, oil and gas, business, municipal and estate practice.

James Ritzel is in his 18th year in the poured playground surface industry. James is currently the Colorado and Wyoming territorial rep and installer for Surface America.

Kate Sellers is Vice President of Charles J. Sellers & Co. Her family-owned agency sells both personal and commercial insurance and is celebrating its 100th year in business. Kate's three kids (ages 17, 15, and 12) are all at City Honors High School.

Tim Sheehan is the CEO of Midwest, Inc., a specialized investment company that purchases and manages impaired commercial loans throughout the United States.

In Memoriam

John Barber



by **John Amershadian**

John Barber was one of our leading business lawyers until his retirement in 1995. He is probably best remembered as a visionary for our major Canadian presence and the most senior lawyer who spent countless hours in Toronto (and on the QEW) to

establish our office there. But for those of us who had the pleasure of knowing him, John was much more. His devotion to helping others, which was the foundation of his dedicated client service, extended far beyond that. His belief in our shared humanity shaped much of what he did.

John was always one of the first visitors to the office of any new associate who had failed the bar examination, assuring that young person that it was not the end of the world and that his or her long career was just starting. When in the middle of a heavily negotiated corporate deal, I asked him whether I should alert opposing counsel to an obvious mistake she had made in reading a set of document revisions I had made, even though that revelation could lead to continued negotiations on a material point, his look alone made it clear to me that he could not conceive of failing to do just that. To John, doing the right thing was non-negotiable. Nearly forty years later, I am still impressed by his consistent sense of fairness and professionalism.

My former Hodgson Russ colleague Pam Heilman and I attended his memorial service in Lake George last year. We were able to hear of all the ways in which he had worked to help his community there since his retirement and how much he had touched the lives of those around him. For us, knowing what John had always prized, this came as no surprise.

John's obituary may be viewed at
<https://buffalonews.com/2019/02/03/barber-john-clarke-jr/>

UPCOMING HODGSON RUSS EVENTS

2020 Florida Residency Seminar Series

Monday, February 24 - Palm Beach

Tuesday, February 25 - Naples

Wednesday, February 26 - Sarasota

For more information and to register,
visit our website at

www.hodgsonruss.com/newsroom-events-3403.html

Hodgson Russ Charter School Seminar

Thursday, March 12, 9:00 - 11:00 a.m.

Offices of Hodgson Russ LLP, Buffalo, NY

For more information and to register,
visit our website at

www.hodgsonruss.com/newsroom-events-3468.html

Hodgson Russ and EELS Earth Day 50th Anniversary Celebration

Wednesday, April 22, 5:30 - 7:30 p.m.

Offices of Hodgson Russ LLP, Buffalo, NY

Hodgson Russ is partnering with the Environmental and Energy Law Section (EELS) to host a complimentary networking reception, at the Buffalo office of Hodgson Russ, celebrating the 50th anniversary of Earth Day.

For more information and to register,
visit our website at

www.hodgsonruss.com/newsroom-events-3400.html

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716.848.1596**

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