



SPRING NEWSLETTER



SPRING '09

HOGANWILLIG ATTORNEYS AT LAW

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FIRM NEWS: Milestone Commemoration

This March, HoganWillig and Iskalo Development Corp. celebrated the completion of the structural steel component at what will hopefully soon be our new office location, located at 2410 North Forest Road in Amherst. The event was commemorated by mounting an American flag to the last piece of steel as it was raised into place.

Scheduled for completion this fall, the building will be one of the area's first LEED-Silver certified, multi-tenant office buildings. HoganWillig will serve as the building's anchor tenant, occupying the entire third floor.

As we draw near our move-in date, we invite you to visit the Firm News section on our website for updates and renderings of the new office space.

With 27 attorneys and a total staff of over 75 employees, we look forward to the new space to accommodate our continued growth. ■

Corey Hogan and Paul Iskalo of Iskalo Development Corp. address the media at the flag-raising ceremony at 2410 North Forest in Amherst. March 18, 2009



NEWSLETTER CHANGES

We have found that many of our clients prefer the convenience of an email newsletter; therefore, beginning with our next issue, which will be published this summer, our quarterly newsletter will now be sent via email for those that desire this form of delivery. It is certainly more cost-effective, quicker and better for our environment.

We would encourage those of you who have this capability to take advantage of the electronic newsletter. For those who do not, we will continue to print and mail the newsletter as we have done in the past.

The newsletter will continue to be sent on a quarterly basis and will provide relevant, useful information and firm news.

We have also found that many people refer back to past issues of our newsletter. As a result, you can now view past issues online by visiting the Firm Profile page of our website.

Please contact Jessica at 716-688-9543, ext. 232, or email jhulbert@hoganwillig.com, with your email address to receive our newsletter electronically, or specify if you prefer to continue to receive the newsletter by mail. ■



AREAS OF PRACTICE

- Bankruptcy & Financial Issues
- Corporate & Business Law
- Criminal & Traffic Law
- Debt Collections
- Elder Law & Medicaid Planning
- Estate Planning, Wills & Trusts
- Guardianships
- Matrimonial & Family Law
- Personal Injury & Malpractice
- Real Estate Law

MEET OUR NEW EMPLOYEES!

HoganWillig is pleased to welcome the following new employees who have joined our team.



Lisa Stidham
Attorney - Business Law
 Lisa received her JD from the State University of New York at Buffalo Law School where she was a senior editor of the *Buffalo Law Review*. Since 1990, Lisa has focused her practice solely in corporate and business law. She has provided representation to many business owners on legal issues ranging from incorporation to mergers and acquisitions of publicly traded companies. Lisa also has many years of experience in drafting, reviewing and negotiating contracts and agreements.



Aaron MacDonald
Client Relations
 We are pleased to welcome Aaron as a member of the firm's Client Relations Department. It is our policy to ensure that every client receives the utmost care and concern in regard to their file. Aaron is available to help address any questions or concerns regarding services provided by HoganWillig, as well as any issues with legal fees.

CLIENT RELATIONS

At HoganWillig we take pride in our ability to provide clients with professional, high-quality legal representation, something we feel everyone is entitled to and deserves, regardless of their economic status. In an effort to ensure that no client is turned away because of their inability to pay, we have established a policy to satisfy our clients' need for flexible payment arrangements. As a client, the ability to set up flexible payment terms allows you to establish a monthly payment amount that you are comfortable with. This amount can be adjusted, depending on your circumstance, during any given month.

FAMILY BUSINESS: Effective Business Succession Planning

Business owners invest significant amounts of time and financial resources to make their enterprises successful. Quite often, succession planning becomes a low-priority task.

One logical solution for a succession plan, and one that most owners choose, is to turn ownership over to their children. However, despite its appeal, the Small Business Administration estimates that two-thirds of family-run businesses fail to make a successful transition into the second generation, and less than 15% survive into the third generation.

The best course of action may be either to identify strong candidates within your company or to look at the potential for selling the business to an outside party. Whichever course you eventually decide is right for your business, there are steps you can take now that will ease the transition.

1. Groom new management. Who is the best candidate to run the business in

your absence? Be sure that candidates are capable and interested in taking over.

2. Determine a value. Work with a valuation specialist to get a fair assessment of what your business might be worth. If you decide to transfer the business to your children, a professional appraisal is generally required to withstand IRS scrutiny.

3. Draft a buy-sell agreement. Depending on the structure of ownership, this document will be a binding agreement detailing the terms of ownership transfer between you and your successor.

4. ESOPs. If you have a large number of employees, another option is an Employee Stock Ownership Plan.

Planning for succession can be an unpleasant task, but it is extremely important to have a succession plan in place to safeguard your family's financial well-being, and to provide your business with leadership. ■

Article written by James M. Honaker CFP® CCPS, a registered representative of Lincoln Financial Advisors, a broker/dealer, member SIPC, and offers investment advisory service through Sagemark Consulting. This information should not be construed as legal or tax advice.

TRAFFIC TICKETS: Do I need an Attorney?

It almost always pays to fight a traffic ticket by appearing in court on your own or retaining an attorney. It is beneficial to consult with a lawyer, and a good idea to hire a lawyer, if you are charged with a criminal offense (e.g., drunk driving or driving with a suspended license).

It is also beneficial to retain an attorney for traffic tickets. The attorney can appear on your behalf in most courts, or handle the ticket by mail, and you may not need to appear in court at all. In many cases, the attorney can work to have your ticket reduced so that you do not accrue points on your license, which will also save you money on your auto insurance.

If you have any questions about a traffic ticket and/or criminal matter, please contact Jaclyn Wanemaker or Geoffrey Gismondi at 716-636-7600. ■

THE BOB LANIER CENTER

In January, an article in The Buffalo News highlighted several social programs in the Western New York area that were in danger of closing their doors due to dramatic state budget cuts that threatened to decimate programs for at-risk youths.

One of those programs is The Bob Lanier Center (BLC), located in the former Turner Carol High School near Schiller Park on Buffalo's East Side. Some 60 children once gathered for after-school guidance and after funding was cut, the program served just five children a day. The once free program, now costs parents \$25 per week per child.

BLC is a not-for-profit organization that offers special counseling to help young people with academic and life skills development and to avoid drugs, violence and unwanted pregnancies.

Following the state budget cuts, Executive Director Elaine Blyden was forced to lay off workers, as well as suspend her own salary to keep the doors open.

Since the January article, HoganWillig has contributed to BLC in an effort to help parents afford to keep their children in the program. Today, nearly all of the 60+ children that originally gathered at the after-school program are now able to participate again.

The state budget cuts have also affected the program's ability to pay for necessary repairs and operating expenses. Thus, BLC is beginning a capital campaign to keep the program and the school up and running. If you would like more information about BLC, or would like to make a donation, please contact Elaine at 716-834-2052. ■

CLIENT COMPANY PROFILE: Benestante Enterprises, Inc.



Robert Macaluso is the President and CEO of Benestante Enterprises, Inc., a corporation that owns several franchises in the Western New York area including Mrs. Fields, Dairy Queen and Pretzel Time franchises in the Galleria Mall, as well as Mrs. Fields and Pretzel Time franchises in the Boulevard and Eastern Hills Malls.

Today, Robert focuses on growing his business, including increasing business-to-business sales for his Mrs. Fields franchises. If your business is interested in purchasing Mrs. Fields products, Benestante Enterprises offers money-saving corporate discounts and convenient delivery. For more information, contact Robert directly at 716-361-2323.

Next time you are in the area, stop by and grab a treat! ■

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| Galleria Mall
Mrs. Fields: 716.683.2192
Dairy Queen: 716.685.8017
Pretzel Time: 716.685.3848 | Boulevard Mall
Mrs. Fields & Pretzel Time: 716.833.1077 | Eastern Hills Mall
Mrs. Fields & Pretzel Time: 716.633.1480 |
|--|---|---|

THE LAW LINE

The attorneys at HoganWillig frequently appear on The Law Line, a public education call-in series offered by the Erie County Bar Foundation. The show is hosted by Mike Desmond and airs on Saturdays from 10:00 to 10:30 a.m. on WNED-AM Buffalo (970 on the AM dial). If you have a law-related question, you can call 716-845-7044 during the show to speak with the guest attorney. Here is the upcoming schedule for appearances by HoganWillig attorneys. ■

- May 2, 2009**
Home Improvement Nightmares
Guest Attorney: *Geoffrey Gismondi*
- May 23, 2009**
Planning Considerations for Individuals with Disabilities
Guest Attorneys: *Linda Grear & Marianne Koenig*
- May 30, 2009**
Child Support & Visitation
Guest Attorney: *Elizabeth DiPirro*
- June 6, 2009**
Personal Injury
Guest Attorney: *John Licata*
- June 27, 2009**
Bankruptcy & Financial Issues
Guest Attorney: *Diane Tiveron*

NEWSWORTHY



On April 6, 2009, HoganWillig obtained a significant settlement* on behalf of our clients who lost four family members in a 2003 aviation accident in Florida. While this settlement cannot replace the lives of their loved ones, we hope that they can now begin to find peace and enjoy greater financial security. As stated by our client, "It has been a long road, but we can finally see the light at the end of the tunnel. It is important that we never gave up that we would be able to obtain justice. We will always miss our loved ones, but it is comforting to know our family is smiling down on us. Without the team at HoganWillig, these results would not have been possible." Our clients found comfort through a grief counseling program called ACCESS (Air-Craft Casualty Emotional Support Services). Given the recent aviation accident in Clarence, NY, it is important to know that many support services, such as ACCESS, are available. For more information, visit www.accesshelp.org.

*Prior results do not guarantee a similar outcome.

CONTACT INFORMATION

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Office Hours: Mon. - Fri.: 8am - 6pm, Sat. & Evenings by appt.
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HW'S SPRING HEALTH TIPS *Courtesy of Top Health®*

Work & Family: Ways to Take Time Out

Prioritizing time for yourself, your family and your hobbies is just as important as prioritizing your tasks and goals each day. Why? It's good for your overall health and productivity. Try these tips:

1. Start with an hour. Acting on vague intentions such as "I really should spend more times with my kids" can be tough. Try these ideas instead: One uninterrupted dinner a week... one hour playing in the park... or one Sunday picnic.

2. Add laughter. Studies have shown that laughing is good for you mentally and physically. It loosens you up and just might get you in the habit of enjoying yourself more often. Try these ideas: Tell jokes with friends... put on a funny play with your kids... rent a funny movie with your spouse or partner.

3. Find a hobby. Make something you are interested in a regular part of your life. Better yet, choose an activity that combines physical exertion with enjoyment. Try cycling, in-line skating, gardening or fly fishing. You'll feel better!



The members of the HoganWillig team for the 2009 Buffalo's Smartest Company competition on April 7th to benefit Cradle Beach Camp. HoganWillig placed 7th out of 39 teams!