Judge Marjorie O. Rendell of the U.S. Court of Appeals for the Third Circuit has been announced as the recipient of the Philadelphia Bar Association’s 2004 Sandra Day O’Connor Award.

The award, presented by the Association’s Women in the Profession Committee, is conferred annually on a woman attorney who has demonstrated superior legal talent, achieved significant legal accomplishments and has furthered the advancement of women in both the profession and the community. The award presentation will be made during the Bar Association’s Quarterly Meeting on Oct. 21 at the Park Hyatt.

Borgata hotel reservations are now open and should be made separately at 866-MYBORGATA (866-692-6742). Mention “Philadelphia Bench-Bar 2004” to take advantage of the special rate of $210 per night plus taxes. You also can register online at www.theborgata.com. Reservations must be made by Friday, Oct. 1. Hotel parking is $5 per car, per in-and-out.

Please note that you must also complete the official Conference registration form that can be found on Page 4.

The Chancellor said that the Bench-Bar planning committee has already met several times and is “putting together a top-notch program that is designed to attract maximum interest while mixing substantive law workshops and social events in a relaxed environment that will allow attendees to earn up to 6.5 CLE credits over two days.”

“We’re enthused about this conference that appeals to everyone – every legal specialty, every age group and every segment of the Philadelphia legal community.”

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Calendar Says August, But Think November

by Gabriel L.L. Bevilacqua

August has a way of catching up with lawyers. We plow through the spring and before we know it summer is upon us. For many, the Memorial Day and Fourth of July holiday weekends pass in a blur. And then the perennial dog days are upon us. If we haven’t made vacation plans, we often scurry to find a week or two at the end of August to see if we can salvage what’s left of the summer before Labor Day looms.

What we sometimes forget is that autumn breaks and challenges us anew to review our priorities and prepare for the year ahead.

So, while you’re busy trying to save the final sands in summer’s hourglass, I want you to think for just a moment about November. I know it’s hard to think about November now. But try.

Because we’re going to be doing something very special this November. On Nov. 5 and 6, the Philadelphia Bar Association’s first Atlantic City Bench-Bar Conference in 17 years will give us all a chance to come together, examine the state of our profession, learn from one another and consider plans for the future.

This will be a Bench-Bar Conference for the ages. In every segment, age, every discipline and every law firm or legal department, every age group, every discipline for the entire profession: for every segment of the profession. And we have built social events into the Conference to give us plenty of time to interact with one another and exchange ideas in a relaxed atmosphere. Many of you have told me that you’ve made lifelong friends from the Association’s Bench-Bar conferences which were held at the shore through 1987. Now, these opportunities will be available once again.

It’s really not possible to underestimate the value of bringing lawyers and judges together in a setting away from the city for education, dialogue and camaraderie. The truth is that we don’t often get the chance to exchange ideas candidly with the judiciary: to really listen to one another and understand each other’s experiences, viewpoints and concerns. But our judges are enthusiastic about the conference and many of them have told me how much they’re looking forward to this.

So, the question of all of us is: Do we truly consider ourselves a professional community? Do we want to act as a community to achieve the goals and concerns that we share? Do we want to exchange information and help one another as any members of a community would? Can we come together as a community to make this happen — and will we reap special benefits by joining together in this way?

I think the answer is “Yes.” And I believe there is a special dividend in personal interaction among fellow professionals that cannot be matched in any other way.

Like a passing moment, the chance to connect with other individuals is unique. And, it’s fleeting.

We must haste toward the end of summer to experience all that life offers because we recognize that time is passing. There is something inherently bittersweet about summer. It makes us want to reconnect.

And so there is an urge in us to reconnect professionally as well. Respond to the urge. Get ready for Novem- ber. Register for the Bench-Bar Confer- ence and make your hotel reserva- tions today.

Gabriel L.L. Bevilacqua, a partner at Saul Ewing LLP, is Chair of the Philadelphia Bar Association. E-mail address is gbevilacqua@philabar.org.

Tell Us What You Think!

The Philadelphia Bar Reporter welcomes letters to the editors for publication. Letters should be typed. There is no word limit, but editors reserve the right to condense for clarity, style and space considerations. Letters must be signed to verify authorship, but names will be withheld upon request. Letters may be mailed, faxed or e-mailed to: Jeff Lyons, Managing Editor, Philadelphia Bar Reporter, Philadelphia Bar Association, 1101 Market St., 11th floor, Philadelphia, Pa. 19107-2911. Phone: (215) 238-6435. Fax: (215) 238-1267. E-mail: reporter@philabar.org.

And the Winners Are...

Regina M. Foley, Elizabeth O’Donnell and Merih O. Erhan were randomly selected as the winners of $50 gift certificates to local restaurants for completing the Philadelphia Bar Reporter reader-survey.

Thanks to the generous support of our members, the Bike-a-Thon Committee was able to purchase team jerseys and make a significant contribution to the American Cancer Society. The Committee encourages the entire Philadelphia Bar community to help reach the goal of raising $1 million toward the fight against cancer.

Pledges can be made online for the Philadelphia Bar Association team at www.acs bike.org.

Jeffrey Abramowitz is co-chair of the Bike-a-Thon Committee, along with Stephen T. Mills.

160 Take Part in ACS Bike-a-Thon Event

by Jeffrey Abramowitz

More than 160 members of the Philadelphia Bar Association family joined almost 4,000 bike riders in the American Cancer Society’s July 11 Bike-a-Thon from Philadelphia to Mays Landing, N.J.

This was the first year the Bar Association sponsored a team for the event and the support was remarkable. The Bar team included attorneys, spouses, children, judges, cancer survivors and friends. Each rider had a story to tell about why he or she was riding and how cancer touched his or her life. It was an emotional day filled with reflection and personal achievement.

The Bar team dedicated the ride to the colleagues, family and friends who have battled and continue to battle the disease.

For many, the Memorial Day and Fourth of July holiday weekends pass in a blur. And then the perennial dog days are upon us. If we haven’t made vacation plans, we often scurry to find a week or two at the end of August to see if we can salvage what’s left of the summer before Labor Day looms.

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And so there is an urge in us to reconnect professionally as well. Respond to the urge. Get ready for November. Register for the Bench-Bar Conference and make your hotel reservations today.
In all, nearly 20 dots are available for workshops in dramatic, new, state-of-the-art surroundings.

The Conference will open with a noon luncheon on Friday that will include a 1.5-hour CLE component. This will be followed by up to three additional CLE hours separated by breaks. A deluxé cocktail reception will highlight Friday evening. Saturday will begin with breakfast followed by one-hour CLE programs at 9:30 and 11 a.m. The Conference will conclude with lunch on Saturday.

Chancellor Bevilacqua has cited the impressive new location of the conference as one of the prime reasons for the return to Atlantic City.

"This is a place that truly stands apart in terms of its style, atmosphere, functionality and beauty," he said.

Since its opening last year, Borgata has quickly become an Atlantic City landmark and one of the most successful attractions of its type in the nation. Borgata features 2,062 guest rooms and suites, 11 destination restaurants, 11 retail boutiques, a 50,000-square-foot spa, 70,000 square feet of event space, 125,000 square feet of gaming and parking for 7,100 cars.

Borgata also boasts a state-of-the-art business center and a distinctive, finely appointed meetings area that operates much like a separate conference center. All meeting and meal function rooms are conveniently located on one level.
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Barristers’ President-Elect Stresses Advocacy

by Heather J. Holloway

George Gossett Jr., recently elected as president-elect of the Barristers’ Association of Philadelphia, wants his group to be an advocate for the African-American legal community and educate the African-American community regarding legal issues that will affect its members.

Even though Gossett won’t become president until September 2005, he wants to begin working on these plans immediately.

He also wants to increase the visibility of the Barristers. Gossett says he’ll assist in the planning of events that will be held during 2004-2005. In the coming year, he plans to utilize several public outlets, including radio and print media, in order to publicize the Association’s agenda and events. Currently, Gossett serves as host of a radio talk show on WURD-900 AM and he plans to incorporate publicity of the Association’s events into his program.

Gossett also envisions a partnership with several other highly visible organizations, such as the Urban League, the NAACP, the African-American Chamber of Commerce and several area chapters of African-American fraternities and sororities. In the meantime, Gossett encourages all who are interested in the Association to access the Association’s Web site at www.phillybarristers.org for day-to-day updates. He also invites anyone interested in the Association to contact him directly at (215) 568-2001.

Gossett said he plans to review the procedures and the impact of the Philadelphia Bar Association’s Commission on Judicial Selection and Retention. He said there is a perception that the majority of African-American candidates who appear before the Commission receive a “not recommended” rating when seeking a judicial position and this needs to be investigated.

Gossett intends to help educate the community regarding the purpose and procedures of the Commission in an effort to generate greater community involvement in the judicial selection process.

In addition to judicial posts, Gossett intends to work toward increasing the number of African-American attorneys who are promoted to management positions, especially those available in the various legal departments within the government. Gossett expressed his concern that more African-American attorneys are taking government positions but are not being promoted to higher ones.

Welcome to America

U.S. District Court Judge Gene E.K. Pratter (from left), Chancellor-Elect Andrew A. Chirls, Donald Monica of the U.S. Immigration and Naturalization Service and U.S. District Court Judge Eduardo C. Robreno listen to the remarks of Thuy Nguyen, a newly naturalized American citizen, during the Freedom Day naturalization ceremony on July 2 at the National Constitution Center. Chirls offered remarks on behalf of the Philadelphia Bar Association. Seventy-five people from 28 nations became new citizens at the ceremony.

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LET’S SIP, NOT GUZZLE. Let’s leave the off-road vehicles off road. Let’s stop pretending we live in the jungle. Let’s stop intimidating each other. Let’s not use the size of our vehicle to compensate for other shortcomings. Let’s reclaim our garage space. Let’s be nimble. Let’s be quick. Let’s be honest. LET’S MOTOR.
Volunteer Attorney Helps Reunite Brothers

by Kim R. Jessum

I always am touched by the stories I hear from lawyers who have volunteered with one of the many legal services organizations here in Philadelphia. Here is one story that might inspire you to take your first pro bono case.

Brothers Rashon, Alvin and DeShaun will always remember Valentine’s Day 2004 when, after years of effort, their loving foster mother adopted the three brothers. Through the hard work of volunteer attorneys and social workers at the Support Center for Child Advocates, the three brothers now face a brighter future.

In 2001, Child Advocates was appointed to represent the interests of the three boys. Katayun I. Jaffari, a corporate attorney at Saul Ewing LLP who received training from Child Advocates, was assigned the case. At that point, the three brothers had already been in the foster care system for more than four years. Rashon and Alvin’s mother had died from pneumonia and DeShaun’s mother had a habitual drug addiction problem. Their fathers were not involved in their lives. The three boys lived with their maternal grandmother for most of their lives, moving between New Jersey and Philadelphia with alarming frequency. Then, in 1997, the boys were abandoned by their grandmother and left in the care of their great-grandmother, a woman in her 80s. The great-grandmother tried to care for the boys, but the needs of three young, active children, ages 11, 8 and 4, were difficult to meet. Then, when things looked like they could not get worse, the great-grandmother’s house burned down. The boys were placed in the care of the Philadelphia Department of Human Services (DHS).

At that time, there were no family members able to take the boys, the grandmother was nowhere to be found and the great-grandmother was moving into a nursing home. Rashon and DeShaun were placed in a foster home together and Alvin was placed in a separate foster home. Jaffari teamed with Child Advocates social worker Tracey Thomasey to make home visits to meet the children and gather information from them. In speaking with Rashon and DeShaun, it appeared that the boys had bonded with their foster mother and wanted to remain in her home.

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During this process, the goal of DHS was for the boys to return to the grandmother who had previously abandoned them. Jaffari and Thomasey, however, did not believe that the best interests of the children would be served by returning them to their grandmother. It was clear that the boys wished to be adopted by their foster mother and that the grandmother was not prepared to take the children back into her home. Their foster mother was also willing to permit the relationship between the children and grandmother to continue even upon adoption, something that is not required under Pennsylvania law. Because the children were in the care of DHS longer than the 15 months allowed by the Adoption and Safe Families Act, and the children had a right to be in a permanent living situation and DHS had an obligation to find one, Jaffari and Thomasey challenged DHS.

Before the children could be adopted, however, parental rights had to be terminated. It was an uphill battle to get the termination of parental rights petitions to Family Court, but thanks to Jaffari’s diligent efforts, DHS finally agreed to file the petitions on behalf of the children. Although she is not a family law attorney, Jaffari was able to represent the children zealously with guidance from Child Advocates staff attorneys. Once termination of parental rights was completed, the adoption process began. The children and their foster mother were elated and waited eagerly for adoption day to arrive. Finally, in February 2004, the adoptions continued on page 9.
"One important key to success is self-confidence, and an important key to self-confidence is preparation."

-- Arthur Ashe, Hall of Fame tennis player

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The Philadelphia Bar Foundation recently concluded its inaugural Access to Justice membership campaign. Over 5,000 attorneys marked the first time individual attorneys were asked to become members of the Foundation and the response was overwhelming.

Last year, the Foundation conducted a similar campaign, and although no membership was offered, more than $52,000 was raised. Nearly $60,000 was raised through this year’s Access to Justice membership campaign. This was the first time individual attorneys were asked to serve as Bar Foundation “liaisons.” Min- gey said their efforts were key to the campaign’s success. These liaisons encouraged their colleagues to participate in the membership drive. Some firms encouraged participation by offering prizes (sports tickets, gift certificates to local restaurants) to those who encouraged their colleagues to participate.

The money raised will go directly to the grants that the Foundation makes each year to local organizations that serve as Bar Foundation “liaisons.” Min- gey thanked Jane L. Dalton, chair of the Access to Justice Committee, for her efforts.

At various law firms throughout the city, individual attorneys agreed to serve as Bar Foundation “liaisons.” Mingey said their efforts were key to the successful campaign.

The liaisons circulated Bar Foundation materials and encouraged their colleagues to participate in the membership drive. Some firms sponsored a membership drive. Some firms encouraged participation by offering prizes (sports tickets, gift certificates to local restaurants) to those who encouraged their colleagues to participate.

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Looking for a special way to remember someone?

- Births
- Deaths
- Marriages
- Anniversaries
- Making Partner
- Passing the Bar

Through the Special Way to Remember program, you can honor a colleague or loved one with a contribution to the Philadelphia Bar Foundation. Since 1964 the Bar Foundation has distributed millions of dollars in attorney gifts and other funds to public interest groups that provide counsel and assistance to the poor, disabled, elderly and children in our community.

Your gift will help serve the needs of Philadelphians who have nowhere else to turn for legal services.

If you would like to make a gift to the Foundation as a meaningful expression of respect, please call (215) 205-6575.
More than 150 golfers raised more than $80,000 for the Philadelphia Bar Foundation at the Foundation’s 16th Annual Golf Classic on June 28 on both courses at the Philadelphia Cricket Club in Flourtown.

"The 16th Annual Golf Classic was another successful event in the Bar Foundation's efforts to raise awareness and money for our grantees," said Rod E. Wittenberg, chair of the Bar Foundation's Golf Committee.

"Although there are many wonderful organizations to support, the constituents of the Golf Classic return every year because they have fun while making a difference in the lives of those who need our legal advice. We are part of a community making a difference through this first-class event," he said.

The tournament’s premium sponsor was USI Colburn Insurance Service, presenter of the team low net cup. Platinum sponsors were Citizens Bank, which presented the individual low net cup and LexisNexis, presenter of the team low gross cup. Gold sponsors included Hangley Aronchick Segal & Pudlin (raffle and auction sponsor) and Saul Ewing LLP (cocktail reception sponsor). Silver sponsors included Comcast Cable Communications, Inc. (cart sponsor), the Havertford Trust Company (luncheon sponsor), Huff Eganies, Real Estate Investment Strategies & Huff Real Estate and MICS (cart sponsor). Bronze sponsors included Blank Rome LLP, City Source, Inc., Cozen O’Connor, Esquire Deposition Services, Gay Chacker & Mittin, P.C., Kelly Law Registry, LandAmerica Financial Group, Inc., Lexus Champions for Charity, McCarter & English, LLP, Navigant Consulting, Inc., S.O.M.A., Inc., and Wilkie Lexus. Contributors included Exact Presentations, Inc.; Reliable Copy Service; and The Scullin Group, Inc.

This year’s winners, in both team and individual categories, on both courses at the Cricket Club:

- **Citizens Bank Cup** (individual low net score): Kevin Vesci (Wissahickon), Mike Finio (Militia Hill).
- **Colburn Cup** (team low net score): David D’Agostino, Mark Aronchick, Mark Aronchick, Murray Ulberg (Militia Hill).
- **LexisNexis Cup** (team low gross score): Francis Divine, David Federman, Richard Golomb, Steve Rosenfeld (Wissahickon) and Carl Everett, George Mann, Robert Koeber, Charles Zull (Militia Hill).
- **Closest to the Pin**: Bob Lane (Wissahickon), Steve Krajcer (Militia Hill).
- **Straightest Drive**: George Connell (Wissahickon), Harald Greve (Militia Hill).
- **Longest Drive, men**: David D’Agostino (Wissahickon), Mark Fontanella (Militia Hill).
- **Longest Drive, women**: Binney Wietlisbach (Wissahickon), Liz Lambert (Militia Hill).

**Contributors** included Precise Presentations, Inc.; Reliable Copy Service; and The Scullin Group, Inc.
Bar Foundation Acts as Umbrella to Fund Legal Services Agencies

by Edward F. Chacker

It’s a question that’s been asked and answered more than once: But it’s still a question that we cannot answer enough: “What is the Philadelphia Bar Foundation and what does it do?”

The Bar Foundation raises funds so that people in the region who need but cannot afford legal services can receive those services. We are the fund-raising arm of the legal community. Our funds support more than 40 law-related public services programs in the region—programs that help the least fortunate. The Bar Foundation is recognized as one of the leading foundations of its kind in the nation. Our grantees provide direct legal services to the disfavored and underrepresented of our community.

Many attorneys would like to support legal service groups that help guarantee an open society where citizens can participate without the unfair burden of not being represented by a lawyer. Some lawyers have favorite organizations that they support in addition to the Bar Foundation. But the Bar Foundation supports virtually all of these agencies. We are here to carry out the due diligence, which you require of any investment you would make— to investigate; to provide assistance and expertise; to make informed giving decisions. We have a terrific grants committee that reviews every applicant, conducts site visits and works to ensure that every grant we make is a wise investment. Quite simply, we do your homework for you when it comes to making donations to legal services organizations.

And let me tell you who “we” are. We have a very small staff—an executive director, an administrative assistant and a coordinator for the Delivery of Legal Services Committee. How can they get everything done? Well, they do it with the help of a great Board. Our trustees are all active, serving on committees, helping to get the work done. We have 11 men and nine women; fourteen of our trustees are attorneys and two of them don’t work at law firms. Six are not lawyers. They all bring energy and expertise that help us get the job done. We couldn’t do it without them.

But the bottom line is we simply can’t do it without you. You make the difference.

We often have non-trustees join us as working members of our committees, bringing with them their experience and perspective to make sure we’re looking at everything. If you would like to serve on one of our committees, let Maureen Mengey at the Bar Foundation know, and we’ll see how you might be able to help. We also have a group of Bar Foundation “liaisons” at more than 30 law firms. These great people serve as our eyes and ears, working with us to increase the visibility of the Bar Foundation and its many efforts.

So, as I’m always saying, please consider making a contribution to the Bar Foundation. We need your money—we definitely need each and every member of the Philadelphia Bar Association to become a member of the Philadelphia Bar Foundation. But in addition to a financial contribution—you’ll know what you see—to contact the Philadelphia Bar Foundation call Executive Director Maureen Mengey at (215) 238-6334.

Edward F. Chacker, president of the Philadelphia Bar Foundation, is a partner at Low, Chacker & Sethin, PA.
Women of Distinction

Citizens Pro Bono Nominees Sought; Deadline is Oct. 8

Nominations are now being accepted for the Citizens Pro Bono Award, which will recognize outstanding volunteer efforts to help provide legal services to those in need.

According to Bar Foundation President Edward F. Chacker, the Association, the Philadelphia Bar Foundation and Citizens Bank will present three awards recognizing pro bono public for (the good of the public) volunteer efforts. One award will be presented to an individual and two awards will be given to law firms or legal departments at the Bar Foundation’s Andrews Hamilton Ball on Saturday, Nov. 13.

Though the awards will contain a monetary component, the monetary portion will take the form of a grant to a law-related public service agency designated by the honoree. “In this way,” Chacker said, “we will acknowledge the good works of law firms, legal departments and individual lawyers while providing additional help for legal service agencies that assist those who need but cannot afford such services.”

Chacker stressed that the awards will recognize truly extraordinary work in the pro bono area. “With the generous support of Citizens Bank these awards are designed to recognize exceptional pro bono contributions - the type of volunteer effort that will serve as a model for others. The awards will evidence achievement worthy of emulation.”

Nominations from all quarters are welcomed and encouraged. Those who wish to nominate law firms, individuals or legal departments for the award should send a detailed letter explaining the reason for the nomination (including supporting materials) to: Audrey C. Talley, Esq., Chair, Citizens Pro Bono Award, Philadelphia Bar Association, 1101 Market St., 11th Floor, Philadelphia, Pa. 19107.

The criteria for award winners is as follows:

• Demonstrated dedication to the development and delivery of pro bono legal services in and around the City and County of Philadelphia;
• Significant contributions toward the development of innovative approaches to the delivery of volunteer legal services;
• Participation in an activity that results in satisfying previously unmet needs for legal services or in extending services to under-served segments of the population;
• Successful litigation of pro bono cases favorably affecting the provision of services to the indigent;
• Successful support of legislation contributing substantially to the provision of legal services to the indigent;
• Significant pro bono activity;
• Length and breadth of pro bono commitment and experience;
• Other significant accomplishments or activities that have improved access to justice for residents of the Philadelphia area impacted by poverty, abuse and/or discrimination.

All nominations for the awards must be received by the end of the business day on Friday, Oct. 8. For more information, contact Stephanie Krzywinski at (215) 258-6515 or by e-mail at skrzywinski@philabar.org.

O’CONNOR AWARD

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Philadelphia at the Bellevue. “My selection for this honor is really a tribute to the women who have mentored me, and it if means that I too have played a role in the advancement of others, I am humbled, yet very proud of that,” said Judge Rendell.

“It is a privilege to be considered alongside the previous honorees and, of course, to be associated with Justice O’Connor, who has led us all through her inspiration, example and intellect over the years,” the judge said.

“Judge Rendell’s career path from the ranks at Duane Morris up through the federal bench clearly exhibits her superior legal talent,” said Women in the Profession Committee Co-Chair Sayde J. Ladov. “She has truly juggled the roles of mother, attorney, judge, mentor, wife of the mayor and first lady of the Commonwealth of Pennsylvania with ease.” Ladov said the judge is married to Pennsylvania Gov. Edward G. Rendell.

“Her position as first lady results in the public recognition of her as a woman attorney who has been able to achieve significant career accomplishments and to be involved in extraordinary volunteer efforts such as the creation of the Avenue of the Arts and the development of the Kimmel Center for the Performing Arts while also fulfilling roles as wife and mother,” said longtime associate Jane L. Dalton.

After graduating from the Villanova University School of Law, Judge Rendell joined Duane, Morris & Heckscher, subsequently becoming the firm’s second woman partner. During her 20-year career as a practicing attorney, she specialized in bankruptcy law and commercial litigation, and served as a mediator for the U.S. District Court for the Eastern District of Pennsylvania. Judge Rendell was inducted to the U.S. District Court for the Eastern District of Pennsylvania in 1994 and the U.S. Court of Appeals for the Third Circuit in 1997.

The O’Connor Award was established in 1995 and has been presented to U.S. District Court Senior Judge Norma L. Shapiro; the late Justice Kidd Stout, former justice of the Pennsylvania Supreme Court; Deborah R. Willig, first woman Chancellor of the Philadelphia Bar Association; Professor Marina Angel of the Temple University Beasley School of Law; Third Circuit Court of Appeals Judge Dolores K. Sloviter (former Chief Judge); U.S. District Court Judge Anita B. Brody; Leslie Anne Miller, first woman president of the Pennsylvania Bar Association; Lila G. Rosenberg of Ballard Spahr Andrews & Ingersoll, LLP, the late Judge Judith J. Jamison; Ellen T. Greenspan, chief defender of the Defender Association of Philadelphia, and Immediate-Past Chancellor Audrey C. Talley.
Professional Responsibility Committee

Insurance Disclosure Debated at Meeting

by Asima Panigrahi

An American Bar Association proposal that would require practicing attorneys to disclose the status of their insurance coverage to their state bar was the topic of a recent meeting of the Professional Responsibility Committee.

In April, the Pennsylvania Supreme Court issued an order requiring all attorneys to complete a form on financial responsibility in conjunction with their annual registration. This form inquires as to each attorney’s professional liability insurance coverage, as well as any outstanding judgments that may exist against the attorney. The Supreme Court maintains that this information is for statistical purposes only, and that it will remain confidential. This ruling differs from the proposed ABA rule, but committee co-chair Jeffrey M. McCarron asked whether the court’s order was just a sign of additional requirements on insurance disclosure to come.

Carl H. Delacato Jr., chair of the Insurance Committee, then turned the discussion toward the consequences of making insurance coverage mandatory for practicing attorneys. If professional liability insurance were made mandatory, not every attorney would be able to secure it. “Should these attorneys be precluded from practicing?” he asked.

Board of Governors Chair Ronald A. Kovler pointed out that insurance coverage is required for doctors and drivers, and attorneys have both a fiduciary and ethical duty to their clients. Kovler said the Pennsylvania Bar Association has several options with the ABA proposal. It can do nothing with the information; it can make it available to the public; it can make financial disclosure mandatory to the client; or make insurance coverage mandatory. Oregon is currently the only state that has mandatory insurance coverage.

Committee member Richard Seidel spoke in favor of the idea of a mandatory level of minimum insurance coverage. He noted that there is no credible argument for non-disclosure, and there will not be an increase in litigation against attorneys solely because attorneys have liability protection. Seidel said that the public needs some form of guidance in redressing the mistakes of their attorneys, and they currently have no avenue available to protect themselves.

Harold M. Goldner spoke out against the idea of mandatory coverage, pointing out that half of the attorneys licensed to practice in Pennsylvania and Philadelphia are solo practitioners, and these attorneys will not be able to get coverage. He then noted that the Code of Professional Responsibility dictates behavior as attorneys, so mandatory insurance is not needed as a means to this end.

Kovler said the Pennsylvania Bar Association is a means to this end. Kovler emphasized that the Code of Professional Responsibility dictates behavior as attorneys, and these attorneys will not be able to get coverage. He then noted that the Code of Professional Responsibility dictates behavior as attorneys, so mandatory insurance is not needed as a means to this end.

Nominating Committee Formed


The committee has scheduled its meetings for Tuesday, Sept. 7 at 12 p.m.; Tuesday, Oct. 12 at 4 p.m. and Wednesday, Oct. 15 at 4 p.m. Officers for which candidates are being solicited are vice chancellor, secretary, assistant secretary, treasurer, assistant treasurer, and five seats on the Board of Governors, three of which are to be nominated by the Nominating Committee.

Each Board seat carries a three-year term. Individuals who wish to be considered for any of the above offices should submit a resume of their background and indicate the position for which they wish to run. Materials should be submitted to the Chair of the Nominating Committee, Audrey C. Talley, c/o Susan Schenk, Philadelphia Bar Association, 1101 Market St., 15th Floor, Philadelphia, Pa. 19107-2911, no later than 5 p.m., Thursday, Oct. 7.
Moore’s Latest Fans Flames of Discontent

by Marc W. Reuben

The immediate premise of Michael Moore’s hilarious burlesque of American foreign policy, “Fahrenheit 9/11,” is that the President and most of Congress are either cartoonish or flaming idiots. If this point were only true, it would be a lot easier to understand the rationale behind the war on terrorism and the war in Iraq, neither of which have been fully explained in terms of current reality.

This movie would not have been half as successful or funny were it not for the persistent prating of the federal government that the reasons put forward for invading were tied to mass destruction and terrorism — neither of which seems to have been on the screens at the time we decided to invade Iraq. There is a persistent droning from Washington to the effect that those who question the wisdom of sending soldiers to do for reasons unsupported by fact are being unpatriotic and disloyal. When government cannot explain exactly what it sent thousands to fight and die, the appearance of a mocking, hysterically funny pseudo-documentary that raises lots of absurd charges is the least punishment that can be dished out against the offending government.

Moore, who is famous for his documentary-style films like “Roger & Me” and the regrettable “Bowling for Columbine,” is a smartly-pasted prankster with a touch of populist thrown in for social relevance. His films touch on middle-class issues in the nation current and his style is anything but subtle: His subjects, in case you’ve been asleep for a decade, are the rich and their missions. He is no fan of the first family. His denunciation of President Bush at the Academy Awards in 2005 was rambling, arrogant and probably true. Had it not been for his nasty hysteria at the podium, he might have said something worth listening to Moore’s movies trace the slow destruction of the American middle class and the increasing divide between the very rich and the poor. Among the wayward implications of this movie is the canard that the Bush and bin Laden families are part of a muni tions combine that promotes terrorism and resulting war for their economic gain. His rantings in this regard are sterile. Yet the film does make the banal point that big money in politics is poison for democracy. He also makes the point that much of the big money that is spent bribing Congress comes from munitions makers. Both the Bush and bin Laden families are largely invested in munitions and oil, and much of the baksheesh (pardon me, campaign contributions) floating around Congress come from those two sources.

After documenting the implications that munitions buy in Washington, it is funny to note the various members of Congress (from both parties) candidly admit their funding and support of the war in Iraq and the Patriot Act without having much knowledge of the reasons for either. On the Patriot Act, Moore filmed enough representatives who had no knowledge of the Act to encourage the rental of an ice cream truck (happy jingle included) that drove around the Capitol while reading sections of the Act over a loudspeaker to members who were listening to the truck. When he discovered that only one member of Congress had a child in the service, Moore attempted to get members of Congress to sign a pledge that they would send their own children to fight. Watching congress men run like frightened squirrels when they were approached by Moore was a strong sign that government badly needs changing.

If there is a thread in the work of this filmmaker it is the idea that the American people are lazy, stupid and unobservant and that they usually settle for what they are told is good for them. His book Stupid White Men and his short-lived television program “TV Nation” were essays on how a nation with the most access to freedom of information displays as little intellectual curiosity as many under-developed civilizations. In order to show us his point, Moore has provided a better film than his two previous documentaries. “Fahrenheit” does not ramble or stretch itself out with outrageous digressions. This movie, about the curiously uninformed people who took this nation to war, is shamingly funny. Particularly funny was reference to the trucking drivers around the Capitol while reading sections of the Act over a loudspeaker to members who were listening to the truck. When he discovered that only one member of Congress had a child in the service, Moore attempted to get members of Congress to sign a pledge that they would send their own children to fight. Watching congressmen run like frightened squirrels when they were approached by Moore was a strong sign that government badly needs changing.

CALENDAR OF EVENTS

Note: While the following listings have been verified prior to press time, any scheduled event may be subject to change by the committee or section chairs.

Monday, Aug. 2
Public Interest Section Executive Committee — meeting, noon, 10th floor Board Room.

Tuesday, Aug. 3
Elder Law Committee — meeting, noon, 11th floor Committee Room South.

Wednesday, Aug. 4
Delivery of Legal Services Committee — meeting, 8:30 a.m., 10th floor Board Room.

State Civil Committee — meeting, noon, 10th floor Board Room. Lunch: $7.50.

Thursday, Aug. 5
Environmental Law Committee — meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Civil Rights Committee — meeting, 12:15 p.m., 11th floor Committee Room South.

Alternative Dispute Resolution Committee — meeting, 12:15 p.m., 10th floor Board Room. Lunch: $7.50.

Philadelphia Bar Reporter Editorial Board — meeting, 12:30 p.m., 10th floor Cabinet Room.

Friday, Aug. 6
Philadelphia Lawyer magazine Editorial Board — meeting, 12:30 p.m., 10th floor Board Room.

Tuesday, Aug. 10
Criminal Justice Section Executive Committee — meeting, noon, 10th floor Board Room.

Wednesday, Aug. 11
Medical-Legal Committee — meeting, noon, 11th floor Committee Room South.

Thursday, Aug. 12
Legislative Liaison Committee — meeting, 12:30 p.m., 11th floor Committee Room South. Lunch: $7.50.

Committee on the Legal Rights of Lesbians and Gay Men — meeting, 12:30 p.m., 11th floor Committee Room.

Monday, Aug. 16
Business Law Section Executive Committee — meeting, noon, 10th floor Board Room.

Tuesday, Aug. 17
Board of Governors Cabinet — meeting, noon, 10th floor Board Room.

Wednesday, Aug. 18
Workers’ Compensation Section Executive Committee — meeting, 10:30 a.m., 11th floor Committee Room.

Workers’ Compensation Section — meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Federal Courts Committee — meeting, 12:30 p.m., 10th floor Board Room. Lunch: $7.50.

Committee on Racial and Gender Bias in the Courts — meeting, 12:30 p.m., 11th floor Committee Room. Lunch: $7.50.

LegalLine — 5 p.m., 11th floor LRS offices.

Thursday, Aug. 19
Family Law Section Executive Committee — meeting, noon, 11th floor Committee Room South.

Friday, Aug. 20
Social Security and Disability Benefits Committee — meeting, noon, 11th floor Conference Center. Lunch: $7.50.

Wednesday, Aug. 25
Committee on the Legal Rights of Persons with Disabilities — meeting, 12:30 p.m., 11th floor Committee Room.

Thursday, Aug. 26
Board of Governors — meeting, 4 p.m., 10th floor Board Room.

Tuesday, Aug. 31
Young Lawyers Division Executive Committee — meeting, noon, 10th floor Board Room.

Criminal Justice Section — meeting, noon, 11th floor Conference Center. Lunch: $7.50.
to mediation. In Los Angeles County, Calif., Welge said 28,000 cases were referred to mediation. Welge also identified a series of issues affecting mediation such as the timing of the mediation; availability, selection, and training of qualified mediators; and the willingness of the parties to trust the mediators.

Ruddell said one of the issues in the context of medical malpractice mediation is focusing on why individuals bring suit. Ruddell said there is much research on the issue of medical liability and suit is often initiated due to poor communication between the health care provider and the victim and/or the victim’s family. As such, suits often arise to learn what happened; seek an acknowledgment and/or an apology for what happened; and prevent a recurrence of the incident. Mediation, therefore, is unique in that it allows parties to talk to each other and often reach a resolution with non-monetary remedies.

Welge outlined some of the significant differences between mediation and settlement conferences, including the availability of more time to resolve the matter in mediation; actual involvement by the parties in mediation; greater role for the facilitator beyond evaluation of the case; focus on the issue of ongoing relationships; focus on the surface issues as well as underlying issues; opportunity for more creative solutions; and a greater role for the attorneys beyond just advocacy.

Welge said the substance of Rule 1042.21 allows for mediation prior to the exchange of expert reports. Although the formulation of the rule was the Rush Model, the role does not mandate a particular form of mediation. As explained by Welge, the rule was deliberately drafted to leave open the form of mediation.

Gary W. Mackie, Robert T. Novick and Kathleen B. Wilder are co-chairs of the State Civil Committee.
**Duane Morris LLP, was sworn in as James J. Ferrelli at Klehr, Harrison, Harvey, Branzburg & Perlman LLP, has been appointed to the Pennsylvania Supreme Court.**

Paula J. Zimmerman was appointed to the Pennsylvania Supreme Court. **Jannie L. Blackwell's task force to study Philadelphia City Councilwoman Ellen Matloff's task force to study Philadelphia City Councilwoman Ellen Matloff's task force to study Philadelphia City Councilwoman Ellen Matloff's task force to study Philadelphia City Councilwoman Ellen Matloff's task force to study Philadelphia City Councilwoman Ellen Matlov.**

Paula J. Zimmerman was appointed to the Pennsylvania Supreme Court. **Jannie L. Blackwell's task force to study Philadelphia City Councilwoman Ellen Matlov.**

**Barry M. Ahelson, chair- man of the executive committee of Pepper Hamilton LLP, received the Philadelphia Chapter of the American Jewish Committee's 2004 Judge Learned Hand Award. Ahelson has also been elected to the Board of Directors of the Greater Philadelphia Venture Group.**

Lloyd Z. Remick was a featured speaker at the University of Nevada-Las Vegas International Hospitality and Convention Summit on June 7. He also discussed "The Changing Face of Entertainment: Its Impact on Advertising, Law and Technology" on June 8 in Hollywood, Calif., before a gathering of Temple University alumni.

Samuel H. Pond, of Martin, Banks, Pond, Lebovsky and Wilson, testified before the Pennsylvania House Labor Committee on May 4 about the late payment of workers' compensation benefits.

Bradley A. Krouse, a partner at Klehr Harrison Harvey, Beardsley & Eilers LLP, has been appointed to the Philadelphia City Councilwoman Sami L. Blackwell's task force to study issues surrounding historic preservation in Philadelphia.

Paula J. Zimmerman, an associate at Klehr, Harrison, Harvey, Beardsley & Eilers LLP, has been elected to the Board of Directors of Bucks County Planned Parenthood.

**James J. Terrelli, a partner at Duane Morris LLP, was sworn in as president of the Burlington County NJJ Bar Association on June 18.**

Nolan V. Atkinson Jr., a partner with Duane Morris LLP, received the Minority Corporate Counsel Association's "Rainbow Award" on June 16 in Washington, D.C.

**A. Grant Phelan, a partner at Klehr, Harrison, Harvey, Beardsley & Eilers LLP, has been elected to the Board of Directors of Art-Reach, a nonprofit organization that brings the arts to people with disabilities, the elderly and the economically disadvantaged.**

Andrew S. Miley, a partner with Duane Morris LLP, has been appointed as a Hearing Committee Member serving the Disciplinary Board of the Supreme Court of Pennsylvania.

**Alan L. Yatvin, a partner with Pop- per & Yatvin, has been appointed to the American Diabetes Association national Legal Advocacy Subcommittee.**

Steven N. Haas, a member of Cozen O'Connor, was recently elected to the Central Board of Trustees of Settlement Music School in Philadelphia.

**Hope A. Comisky and Jonathan Kane, partners with Pepper Hamilton LLP, have been elected to the College of Labor and Employment Lawyers, Inc.**

John W. Caldwell, a partner at Woodcock Washburn LLP, spoke at the Science Center's SmartTalk program on June 15. The topic was "Intellectual Property - Creating and Maintaining Value," reviewing the correlation between a new business' success and the strength of its intellectual property.

**Roosevelt Hairson Jr., vice president for government affairs and community relations and associate general counsel of Children's Hospital of Philadelphia, has been elected as a trustee of the American Icon's Court Foundation.**

Alain M. Sandals, principal of Sands & Associates, P.C., has been elected president of the Board of Directors of the Support Center for Child Advocates.

Cathryn Miller-Wilson, a staff attorney at the Law Project of Pennsylvania, has received the University of Pennsylvania Law School's Young Alumni Award. **E. Harris Baum, co-founder of Zarinbaum Devito Kaplan Schaefer Todd P.C., has been elected to the Board of Directors of Pegasus Riding Academy in Philadelphia.**

**William H. Brown III, senior counsel at Schnader Harrison Segal & Lewis LLP and former chair of the U.S. Equal Employment Opportunity Commission, participated as a panelist at the commission's celebration of the 40th anniversary of Title VII at the Georgetown University Law Center in Washington, D.C. on June 22.**

Lynn B. Morecele, a partner at Woodcock Washburn LLP, moderated and spoke in a panel on "Recent Developments in the Law of Inequitable Conduct" at the BICO 2004 international convention on June 9 in San Francisco.

David B. Pudlin, president of Handley Anochonic Segal & Pudlin, served on the panel of the Pennsylvania Bar Institute seminar "Managing Your Legal Workforce" on June 22.

David B. Marion, a partner at Montgomery, McCLOSkey, Walker & Rhoads, LLP, addressed the National Litigation Retreat in Chicago, an event sponsored by Quaude and Brady for litigators from its Wisconsin, Arizona, Florida and Illinois offices. Marion spoke on "Litigation Business Development: What Works, What Doesn't, and What Is In For You?".

Gary A. Zlotnick, a member of Zarinbaum Devito Kaplan Schaefer Todd P.C. recently spoke to a group of title insurers and real estate professionals on behalf of The Title Academy of New Jersey LLC.

William A. Stork, partner at Klausk, Ridon, Stock & Setzer, LLP, recently presented a training session on Asylum Law sponsored by the Philadelphia Volunteers for the Indigent Program.

**Bernard Eizen, a founding member of Eizen Fineburg & McCarthy, P.C., was inducted as the 41st president of the American Association of Attorney-Certified Public Accountants.**

Jason E. Reisman and Jacqueline S. Gallagher of Obermayer Rebmann Maxwell & Hippel LLP were featured speakers at the National In-house Counsel Forum on Wage and Hour Law on June 24 in San Francisco.

**Phyllis Horn Epstein, a shareholder of Epstein, Shapiro & Epstein, PC, has been elected secretary of the Commission on Women in the Profession of the Pennsylvania Bar Association. She has also written Women at Law, Lessons Learned Along the Pathways to Success, published by the American Bar Association Press.**

Shaun G. Teberman, a partner with Klehr Harrison Harvey, Beardsley & Eilers LLP was a speaker at the Loyola Education Services seminar "Advanced Judgment Enforcement in Pennsylvania."
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