

inside Benesch

MY BENESCH
MY TEAM

E-NEWS AND EVENTS FROM BENESCH FRIEDLANDER COPLAN & ARONOFF LLP

September 2011

Goldner Reelected as Vice Chair of the Federation for Just Communities



Allan Goldner

Allan Goldner has been reelected as Vice Chair of the National Federation for Just Communities.

The National Federation for Just Communities is a nationwide network of human relations organizations that includes The Diversity Center of Northeast Ohio. Federation members develop educational programs, conferences, training and consultation to meet the needs of the states and communities they serve. Programs include youth leadership programs, conflict resolution, public policy and research, and educational programs for the workplace.

Allan also serves as a Vice Chair of the Diversity Center of Northeast Ohio, a regional organization that Benesch has supported for many years. It is dedicated to eliminating bias, bigotry and racism.

Allan is a partner with the firm's Corporate & Securities Practice Group, which assists clients with transactions, financings and other business matters. He serves as Co-Chair of the firm's China Group, which assists clients with China-related transactions and business matters; and Co-Chair of the firm's Polymer Industry Team, a multidisciplinary group that focuses on the polymer, plastics and packaging industry.

Feldkamp Successfully Completes Certified in Healthcare Compliance (CHC) Examination



Janet K. Feldkamp

Benesch is pleased to announce that Janet K. Feldkamp has successfully completed the Health Care Compliance Association's Certified in Healthcare Compliance (CHC) Examination, thus earning the "CHC" designation.

Developed by the Compliance Certification Board, the CHC Examination was created to determine competence in the practice of health care compliance at a variety of levels and to recognize individuals meeting these criteria. A certification requires either a minimum of one year in a full-time health care position in which 50 percent of duties relate to health care compliance or 1,500 consecutive hours of work experience in a health care compliance-related position.

Since the CHC examination was released in June of 2000, over 2,500 individuals in fields including coding, medical records, nursing, medical practice, law and government have earned this professional credential. CHC-certified professionals are tasked with assuring that health care providers follow federal, state and local regulations that govern the delivery of health care.

Janet is a partner with the firm's Health Care Practice Group. She focuses her practice on long-term care survey and certification, state and federal regulation, physician and nurse practice, and fraud and abuse involving hospitals, suppliers, insurers and physicians. She retains active licenses as a registered nurse and a nursing home administrator and has extensive health care experience.

Gibson Accepted Into Indianapolis Bar Association Leader Series



Raegan M. Gibson

Raegan M. Gibson has been accepted into the Indianapolis Bar Association (IBA) Leader Series.

The IBA Leader Series helps lawyers improve leadership skills, gain insight into the community and learn how to communicate, motivate, inspire and succeed not only in their law career, but also in service to professional, political, judicial, civic and community organizations. The program begins with a two-day retreat in September followed by monthly sessions until May 2012, which include a luncheon discussion facilitated by a moderator, two to three hours of presentations by local leaders in their fields and an hour of leadership development.

Raegan is an associate with the firm's Litigation Practice Group. She represents corporate and individual clients in all trial-related matters concerning corporate, business, contract and employment issues.

Carsonie Named Chair of Health Care Practice Group



Frank W. Carsonie

Frank W. Carsonie has been named Chair of the firm's Health Care Practice Group.

Frank's practice focuses on counseling individuals and entities engaged in the health care industry on business transactions and regulatory matters. He is experienced in advising individuals and entities including public and private for-profit and non-profit companies on organization, reorganization, mergers and acquisitions, divestitures, strategic alliances and joint ventures, capital financings including private equity and venture capital funding, corporate governance, negotiation, drafting and enforcement of contracts and general business counseling. Frank has considerable expertise advising clients on compliance with applicable health care laws and regulations including the Anti-Kickback Statute, Stark Law and HIPAA. Frank is also a member of Benesch's Corporate & Securities Practice group, as well as a member of the firm's Executive Committee.

Blubaugh Elected Second Vice President of Transportation Lawyers Association



Marc S. Blubaugh

Marc S. Blubaugh has been named Second Vice President of the Transportation Lawyers Association (TLA). He will serve a one-year term, which began in May.

TLA is an independent, international bar association whose members assist providers and commercial users of logistics and transportation services. TLA is dedicated to keeping its members ahead of the constant changes in all aspects of the specialized legal environment affecting the transportation community, regardless of the particular legal discipline involved.

Marc is a partner with the firm's [Litigation](#) Practice Group and serves as Co-Chair of the firm's [Transportation & Logistics](#) Practice Group. Marc has litigated a wide variety of transportation and logistics-related cases in state and federal courts throughout the United States as well as before administrative bodies. Among other things, he has substantial experience in representing international and domestic carriers, freight forwarders, transportation brokers, warehousemen, other third-party logistics providers, shippers and consignees in a wide variety of surface, air and ocean disputes. In addition to litigating such matters, Marc also regularly consults with clients regarding contracting and regulatory issues and provides strategic advice to minimize liability for providers and commercial users of transportation and logistics services.

Mellott Appointed to Board of Directors of USO of Northern Ohio



David W. Mellott

David W. Mellott has been appointed to the board of directors of USO of Northern Ohio.

Established in 1941, USO of Northern Ohio provides morale, welfare and recreation services to thousands of military forces and their families each month. USO of Northern Ohio was originally housed in several locations around Cleveland, including the Salvation Army, the Standard Building and the Federal Building, where it served the needs of countless troops during World War II.

Today, with four facilities and numerous programs and services, USO of Northern Ohio and its volunteers serve the 29 counties of Northern Ohio.

Dave is a partner with the firm's [Litigation](#) Practice Group, and is also the firm's Practice Group Leader and an Executive Committee member. He focuses his practice primarily on complex commercial litigation, as well as directors and officers liability and insurance coverage matters. Additionally, he is experienced in all phases of litigation, including trial, appellate proceedings and alternative dispute resolution.

Gurbach Appointed to Ohio State Bar Association's Litigation Section Council



Matthew D. Gurbach

Matthew D. Gurbach has been appointed to The Ohio State Bar Association's Litigation Section Council. His three-year term began July 1, 2011.

The Ohio State Bar Association (OSBA), founded in 1880, is a voluntary professional association open to any person who has been admitted to the practice of law. The OSBA represents more than 26,000 Ohio lawyers and judges, nearly 70 percent of Ohio law practitioners.

OSBA's Litigation Section Council creates and promotes programming designed to keep its approximately 3,400 members aware of developments in the litigation field. Additionally, the Section Council strives to foster the development of strong relationships with the bench and among the practicing bar.

Matt is an associate with the firm's [Litigation](#) Practice Group. He is experienced in litigating issues involving covenants not to compete, trade secrets, breach of contract matters, employment discrimination, consumer sales practice claims, insurance coverage, catastrophic injury, leases, warranties and complex construction matters.

Taggart Appointed to Indianapolis Bar Association's Pro Bono Standing Committee



Krista S. Taggart

Krista S. Taggart has been appointed to the IBA's Pro Bono Standing Committee.

The Pro Bono Standing Committee is a unique division of the IBA, focused on promoting equal justice by developing, facilitating, coordinating, supporting and improving programs and services designed to serve the legal needs of the area's disadvantaged residents. Furthermore, the committee provides the IBA's members with opportunities to fulfill their professional duty and personal responsibility to provide pro bono services to those in need. Its ultimate goal is to promote equal access to justice by never rejecting the cause of the defenseless, the oppressed or those who cannot afford adequate legal assistance.

Krista is an associate with the firm's [Business Reorganization](#) Practice Group. She focuses her practice primarily on state and federal court commercial litigation involving creditor/debtor issues and the Uniform Commercial Code. She is also experienced in bankruptcy court representations, adversary proceedings, receiverships and out-of-court workouts.

Events

Navigating Transportation and Logistics' Legal and Regulatory Hurdles

Andi M. Metzel and Marc S. Blubaugh

Indiana Manufacturers Association/Benesch Risk Management Webinar Series

October 5, 2011

Survey Process

Janet K. Feldkamp

October 11, 2011 | Germantown, NY

The Executives Guide for Nonprofit Success

Co-hosted by Benesch, Howard Wershbae, First Merit and Beyond Fundraising

October 11, 2011 | Cleveland, OH

What Happens When a Deal Goes Bad? Strategies for Resolution

Peter S. French and Judy L. Woods

Indiana Manufacturers Association/Benesch Risk Management Webinar Series

October 19, 2011

Business Protection

Wendy D. Brewer and Samuel D. Hodson

Indiana Continuing Legal Education Forum: Asset Protection

November 2, 2011 | Indianapolis, IN

What's Personal, What's the Company's and What are the Risks?

Judy L. Woods and David E. Kress

Indiana Manufacturers Association/Benesch Risk Management Webinar Series

November 2, 2011

Elder Justice Act

Janet K. Feldkamp

Omnicare Fall Health Care Symposium

November 2-3, 2011 | Wilmont, OH

HIPAA Regulations Governing Protected Health Information Privacy and Security

Mark R. Waterfill

Lorman Education Services: Medical Records Law

November 4, 2011 | Indianapolis, IN

Benesch Doing the Deal Conference

In collaboration with GF Data Resources

November 15, 2011 | Cleveland, OH

General Financing Options for Small & Emerging Business

Tom C. Washbush and T. Ted Motheral

Columbus Chamber of Commerce Small Business Forum & Leader Awards

November 15, 2011 | Columbus, OH

Latest NLRB Developments/Top 10 Mistakes in Employment Law

Mark R. Waterfill and Peter N. Kirsanow

Indiana Manufacturers Association/Benesch Risk Management Webinar Series

November 16, 2011

Ethics, Professionalism & Substance Abuse Seminar

Continuing Legal Education Seminar

Thursday, November 17, 2011 | Cleveland, OH

Thursday, December 1, 2011 | Columbus, OH

Richardson and Voight Selected for United Way of Central Indiana's Leadership United Training Series



Caroline E. Richardson

Caroline E. Richardson

and Brandt R. Voight have been selected to participate in the 2011–2012 United Way of Central Indiana's Leadership United Training

Series. Caroline was accepted into the Executive Women's Leadership Series and Brandt into the Leadership and Diversity Training Series.



Brandt R. Voight

Leadership United is United Way of Central Indiana's comprehensive community leadership and board development program. Leadership United programs combine classes and

practical experiences to help participants develop their leadership skills, increase their knowledge of the community and acquire the skills necessary to be successful community leaders. This unique community development program is designed to identify motivated and aspiring leaders in Central Indiana, and is offered each year from September through May.

Caroline is an associate with the firm's Business Reorganization Practice Group. She focuses her practice on commercial litigation, bankruptcy, finance, insolvency and restructuring. Brandt is an associate with the firm's Intellectual Property Practice Group. He has experience dealing with intellectual property matters, including licensing and coexistence agreements, domestic and international trademark registrations and infringement claims.

New Attorneys

Cleveland



Malisheia Douglas

Associate, Intellectual Property Practice Group
(216) 363-4635

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B.S. *Georgia Institute of Technology*

J.D. *The University of Akron School of Law*

Malisheia Douglas Malisheia is experienced in patent and trademark litigation, including motion practice and strategic litigation planning.



Edward Gecovich

Associate, Intellectual Property Practice Group
(216) 363-4162

egecovich@beneschlaw.com

B.S. *The Ohio State University*

M.B.A. *University of Kansas*

J.D. *Cleveland State University, Cleveland-Marshall College of Law*

Edward Gecovich Edward's practice focuses on patent preparation and prosecution, patent litigation, and infringement and invalidity opinions. Additionally, he has represented a variety of clients including larger Fortune 500 companies and smaller start-ups.



Tamar Gontovnik

Real Estate & Environmental Practice Group
(216) 363-4658

tgontovnik@beneschlaw.com

B.S.E., *University of Michigan*

J.D., *Indiana University School of Law - Bloomington*

Tamar Gontovnik Tamar has experience handling complex compliance issues related to state and federal air, water and waste laws and experience with environmental remediation projects.



Daniel J. O'Brien

Associate, Health Care Practice Group
(216) 363-4691

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B.B.A. *Ohio University*

J.D. *The Ohio State University Moritz College of Law*

Daniel J. O'Brien Dan has experience advising hospital, physician and other health care professionals on matters including fraud and abuse laws, regulatory compliance, contract negotiation, Medicare/Medicaid reimbursement and structuring joint venture arrangements.

Columbus



Benjamin J. Parsons

Associate, Health Care Practice Group
(614) 223-9366

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B.A. *Miami University*

J.D. *The Ohio State University, Moritz College of Law*

Benjamin J. Parsons Ben has experience providing general representation to large physician practices and institutional health care providers in matters involving compliance, contract negotiation, managed care contracting and practice acquisition.



Katie Tesner

Associate, Labor & Employment and School Law Practice Groups
(614) 223-9359

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B.A. *Ohio Wesleyan University*

J.D. *Case Western Reserve University School of Law*

Katie Tesner Katie focuses her practice on labor and employment litigation, with particular experience litigating unfair labor practice charges and representing clients in various administrative appeals.

Strength in numbers.
Excellence in practice.



We're expanding our Indy team with more top-notch legal talent.

With nine new attorneys in the past year and plans to build our bench strength throughout 2011, Benesch is Still Growing For It.

To learn more about our firm or if you are interested in joining the Benesch team, please contact in confidence Indianapolis Partner-in-Charge **JEFF ABRAMS** at 317.632.0370 or jabrams@beneschlaw.com, or Chief Operating Officer **JOHN BANKS** at 216.363.4526 or jbanks@beneschlaw.com.

BENESCH
Attorneys at Law

Pictured (left to right) Litigation Partner PETER FRENCH; Business Reorganization Associate CAROLINE RICHARDSON; Business Reorganization Associate KRISTA TAGGART; Business Reorganization Partner WENDY BREWER; Intellectual Property Associate BRANDY VOIGHT; Litigation Partner JUDY WOODS; Business Reorganization Partner SAM HODSON; and Litigation Associate STEPHANIE PENNINGER.

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Not-for-Profit Spotlight

Cleveland Law Firms Compete in Race to Support The Gathering Place



In celebration of National Cancer Survivors Day, thousands of people crowded the Beachwood Place parking lot on Sunday, June 5, for The Gathering Place's eleventh annual Race for the Place. Among them was **Jayne E. Juvan**, an associate with Benesch's **Private Equity** and **Health Care** Practice Groups. After spearheading the Benesch team for four years, Jayne decided not only to invite other law firms to participate, but to challenge them in the first-ever Attorney Corporate Challenge.

Six local law firms participated to help fund the free services offered at The Gathering Place for those touched by cancer. They competed to be the team with the most members and most money raised. In addition to Benesch, those up for the challenge included Baker Hostetler LLP; Frantz Ward LLP; Kohrman Jackson & Krantz PLL; Taft Stettinius & Hollister LLP and Ulmer & Berne LLP. Baker Hostetler LLP and Ulmer & Berne LLP were also sponsors for this year's race.

Although this was the first year for the Attorney Corporate Challenge, Jayne's history with The Gathering Place began five years ago. During her first year as a lawyer, Jayne's mother Diane was diagnosed with an aggressive form of breast cancer. Jayne said that her mother soon recognized that the impact of cancer was more than just physical and began to look for more than conventional treatment. At that time, Jayne's colleague was participating in programs at The Gathering Place and suggested Jayne and her mother join a support group. After attending a few support programs with her mother, including "Look Good, Feel Better" and various breast cancer groups, Jayne said they encountered a positive, uplifting experience.

"When my mother walked into The Gathering Place, she was trying to find a way to cope with a frightening disease," Jayne said. "When she walked out, she was empowered and hopeful." As soon as Diane made her first visit to The Gathering Place, she recognized what a tremendous support system the organization offered, and it felt like a heavy weight was lifted.

"Meeting other cancer survivors was the real turning point," Jayne said. "It gave my mother inspiration at a time when being diagnosed with cancer seemed as though it could potentially be a death sentence. Meeting other survivors gave her hope while she underwent an intense, dose-dense chemotherapy regimen."

Jayne and Diane participated in their first Race for the Place while Diane was still undergoing chemotherapy treatment. Although

it rained, Jayne remembers it as a wonderful, elevating experience. Together they have participated in the race each year since. With 2011 marking Diane's fifth-year anniversary of her initial diagnosis, Jayne decided to launch the Attorney Corporate Challenge.

With the help of a "jeans day" held in the office, Jayne and the Benesch team exceeded their fund-raising goal by \$1,000 and won the challenge for the most money raised. Kohrman Jackson & Krantz had the most team members, with 36 participants. Altogether, approximately 90 people participated in the Attorney Corporate Challenge, raising almost \$6,000 for The Gathering Place. Jayne plans to hold the Attorney Corporate Challenge again next year.

"It's so great to see organizations come together to compete and have fun while supporting our programming and services," said Kris Austin, director of community relations and marketing for The Gathering Place. "We are so thankful to Jayne and all the law firms that participated in this year's Race."

Nearly 3,400 people attended The Gathering Place's Race for the Place and over \$300,000 were raised. Participants could either walk or run the one mile or 5K, which was chip-timed for the first time in the event's history. Lead sponsors included Medical Mutual of Ohio, University Hospitals Seidman Cancer Center and Anthem.

This article was written by representatives of The Gathering Place.



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<http://facebook.com/benesch.friedlander>



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