

## FIRM NEWS

### Veronica Nannis Appointed to Ayuda Advisory Council



**Veronica Nannis** gladly accepted a position on Ayuda's Advisory Council. Ayuda helps struggling immigrant families from 104 countries by providing free legal, social work and interpreter services in D.C., Virginia and right here in Maryland. Veronica has been a sponsor and supporter of Ayuda's in the past. [Her acceptance of this official position with the group only deepens her commitment to this pro bono activity.](#)



**Steven Vinick** had a big night at the Prince George's County Bar Association annual meeting. He led a seminar on various tort law issues, [received the President's Award](#) and was reelected to the board of directors.

**Jerry Miller** will join him on the board. It will be his first term.



**Alexander J. Geraldo** was appointed as a Prince George's County representative for the Host committee of the

Young Lawyers division of the Maryland State Bar Association. The Young Lawyers division works to provide opportunities for networking, community service and representation for the next generation of attorneys within both the Maryland State Bar and the American Bar Association.

"Congratulations, Alex, on the appointment! It's great to see our up-and-coming attorneys taking an active role in guiding the future of our legal community."

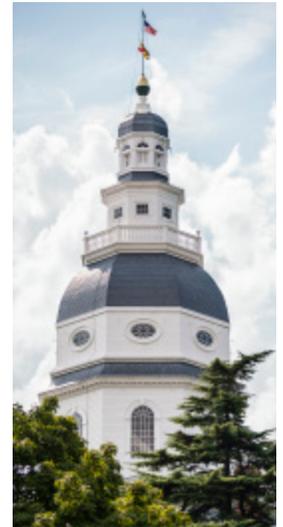
- **Burt Kahn, managing director, JGL**

## MARYLAND LEGAL NEWS



### Joseph Greenwald & Laake Files Maryland-Only Class Action Lawsuit Against Equifax

**Timothy F. Maloney** and **Veronica Nannis**, along with co-counsel Smith Gildea & Schmidt in Towson, have filed a class action lawsuit against Equifax in Maryland state court. While other lawsuits have been filed in federal courts around the country, this is the first Maryland-only class action lawsuit bringing state law claims against the company for its extensive failures to safeguard its consumers' personally identifiable information, and for failing to provide timely notice that their information had been stolen, as well as what type of information was stolen. The breach, which lasted from mid-May through July, affected up to 145 million individual accounts, compromising individuals' names, Social Security numbers, birth dates, addresses and, for some, driver's license and credit card numbers. Speaking to ABC 2 News, Maloney stressed the importance of their focusing on the millions of affected Maryland residents. "The number of people who have been affected by this breach is astounding," Maloney told ABC 2. "We feel that it is imperative to focus our efforts on Maryland residents who are now at risk of identity theft and other harms because of the sensitive personal information that was exposed at Equifax." Reach out to JGL for a free, confidential consult: <https://jgllaw.com/equifax-class-action-lawsuit>. You will be contacted to discuss the lawsuit and your potential claim.



### Grandparents Can Now Intervene in Child Custody Cases

On August 29, the Maryland Court of Appeals held in *Burak v. Burak* that there is no reason under Maryland law that a child's grandparents cannot intervene in a custody case as long as they can make a *prima facie* showing either that the child's parents are unfit or that exceptional circumstances exist. JGL's **Jeffrey Greenblatt** is among family law attorneys who believe Maryland's top court exceeded the appropriate bounds of an appellate panel with this landmark decision. [In an interview with The Daily Record](#), Greenblatt said, "The Court of Appeals engaged in judicial activism. Here we have an appellate court basically retrying this case on the record."

### Whistleblower Protections Extended to Public School Employees

On August 30, the Maryland Court of Special Appeals ruled in *Montgomery County Public Schools v. Donlon* that a public school teacher in Maryland did not enjoy whistleblower protections under Maryland law. The court based its ruling on its finding that the teacher's employer, the Board of Education for the Montgomery County Public Schools, was not an agency of the executive branch of the State of Maryland. State executive branch employees were the only ones protected by the State's whistleblower law. However, the state legislature passed a law in March that, for the first time, provides whistleblower rights to public-school employees, effective October 1.

## IN THE COMMUNITY

### Brian Markovitz and JGL Sponsor 102nd Annual MD PTA Convention



The convention was held at the Columbia Sheraton and was also attended by National PTA Representative Yvonne Johnson and Assistant State Superintendent Mary L. Gable. **Brian Markovitz** and **Brenda Adimora** are pictured here, but more than 10 members of the JGL community were on hand to meet PTA members and answer questions. The event also included two keynote speakers:

UMBC President, Dr. Freeman Hrabowski III, and Maryland's 2016 Teacher of the Year, Athanasia Kyriakakos.

### Keynote Speaker Timothy Maloney Celebrates Legal Services Director's Dedication to Prince George's County



The Prince George's County Community Legal Services gathered with members of the Maryland legal community to celebrate Neal T. Conway's commitment to making justice accessible for all. The event included a keynote presentation by JGL principal **Timothy F. Maloney** and was attended by a dozen JGL team members. Conway currently serves as the chief financial officer

of Community Legal Services, a nonprofit organization based in Prince George's County. He began working with the organization as an intake paralegal, before moving up the ladder to become executive director and eventually to attain his current leadership position. [Community Legal Services works directly with low-income members of the Prince George's community](#), providing legal advice, representation and education regarding civil law at little or no cost.

### JGL Hosts MSBA Executive Director Victor Velasquez



JGL attorney [Debora Fajer Smith](#) (left) spearheaded the effort to bring Victor Velasquez (right) to JGL for a lunch meeting on August 30. Velasquez addressed approximately 20 partners, associates and law clerks, using the theme of "change" to discuss evolution within the MSBA. Velasquez pledged a greater local presence from the association by providing more networking and learning activities in conjunction with county bar associations. He encouraged

members to join an MSBA committee, and stressed that [the association will be even more present locally](#). Patrick Tandy, director of communications for the MSBA, also attended the meeting.

### JGL Sponsors MCBF 25th Annual Golf, Tennis Event



Principal **Ann Grover** sponsored and participated in the Montgomery County Bar Foundation's 25th Annual Golf, Tennis Charity Classic & Silent Auction. JGL attorneys **Matthew Focht** and **Matthew Kreiser**

[teamed up and won their flight in the tournament](#). The event has a special significance, serving as the primary fundraising event for many of the bar foundation's community outreach programs.

## JGL BLOG

**A roundup of recent posts on the firm's blog.**

### Maryland Court Expands Defenses Available to Battered Spouses

[David Bulitt](#) reviews a recent decision by Maryland's highest court that opens a new defense avenue to battered spouses. [He points out](#) that while *Karla Louise Porter v. State of Maryland* was an extreme circumstance, the court's ruling takes into account the reality of what life can be like for an abused spouse who sees no other options.

### How #MeToo and Harvey Weinstein Shows Settling Out of Court Might be Making Things Worse

The confidentiality clauses of most out-of-court settlements for sexual assault and harassment cases allow harassers to remain in their positions of power for years. JGL associate [Jason Sarfati](#) [explores the issue](#) and points out that proposed reforms may also mean fewer companies will be willing to settle, reducing options available to victims.

### Make an Estate Plan, Keep it Current!

[Paul Riekhof](#) details the importance of not only making an estate plan, but also revisiting it as your life and the lives of those around you change. Some don't want to contemplate death, others think they have plenty of time, [but an estate plan can avoid potentially great financial and emotional costs](#).

### Expert Testimony is Changing in MD

[Matthew Focht](#) looks at two recent rulings from Maryland's highest court that clarify [the legal sufficiency of the data underlying expert causation testimony](#). This underscores the need for careful expert selection and preparation in complex causation cases, such as those involving lead paint exposure.

Visit [jgllaw.com/blog](http://jgllaw.com/blog)

### GO TERPS!

The University of Maryland announced new collaborations between its College Park and Baltimore campuses to address societal challenges including opioid abuse, health informatics, cochlear implants and more.



## FEATURED ARTICLES

### Thank You for Joining Us to Keep the Legacy of Fred R. Joseph Very Much Alive



*Pictured above, left to right: Michael Joseph, Stephanie Joseph, Hannah Rades, Paul Rades, Freddie Rades, David Joseph, Walter Laake, Andrew Greenwald, Holly Joseph.*

[JGL gathered family, friends, clients, attorneys and members of the bench for a reception](#) at our Greenbelt office last month to celebrate the life and legacy of our name partner, Fred Joseph, on the 20th anniversary of his passing. A talented trial lawyer and passionate defender of civil rights, his legacy continues in the work JGL does every day. Thank you for attending, for your kind words of remembrance and your generous

donations to the Fred R. Joseph Memorial Endowed Scholarship at his alma mater, American University's Washington College of Law. Our firm is pleased to contribute matching funds for all donations received.

### The Problem with Emojis



We may not all know the term “emoji,” but we have all seen them or used them. Emojis are small, digital images or icons used to express an idea or emotion online. Emojis are cute, fun . . . and can get you into a whole lot of legal trouble. JGL labor and employment lawyer **Jay Holland**, says “emoji law” is a growing factor in litigation, particularly in cases that

involve allegations of sexual harassment and discrimination: “Is that winky-face emoji friendly, flirtatious or an instance of sexual harassment?” Emojis are essentially slang, and they are open to a range of interpretation and can be gender or racially charged. The broad lesson is that workplace communications simply should not be the same as casual conversations with our friends; they need to be formal and businesslike.

[Companies must educate their employees and consider policies about emoji use.](#)

### Timothy Maloney Secured over \$500,000 for Young Girl Bitten by Pit Bull

A seven-year-old girl from Montgomery County was visiting her father in 2012 when she was bitten by a pit bull named Toro. [The dog had previously attacked a mail carrier in 2011](#), and the owner had a history of issues with animal control dating back to the 1990s. The pit bull's owner and the tenant of the house where the girl was bitten, Andrew Kaupert, was not at the house at the time of the attack. Kaupert was renting the house from his parents, and the court ruled that there was a landlord-tenant relationship between the parents and their son. The girl was bitten twice during the dog's attack, and as a result underwent multiple surgeries and was left with scarring on her leg and post-traumatic stress disorder. A team of JGL attorneys led by **Tim Maloney** tried the case to a plaintiff's verdict, with the victim receiving both economic and noneconomic damages at trial.

### Electronic Health Record Data Leading Attorneys to More Patient Wins



A recent Law360 article explores how more attorneys are poring over Electronic Health Record audit trails to reveal important behind-the-scenes information that can break a case wide open. JGL attorney **Andrew Greenwald** contributed to the story, saying, “My sense is that when people know that there is a more detailed medical record

that provides information that is not necessarily readily available, I think there is more of a tendency not to fudge around with it.” Sometimes EHR data can be game-changing; other times it can simply be great fodder for a deposition. Greenwald adds, [“Even if it doesn't help a case, a health care provider who knows that an audit trail exists may be deterred from any temptation of altering the record, which could boost patient safety.”](#)

## IN THE NEWS

### Highlights of JGL contributions across media and events.

**Joe Creed** explored the blurring of professional and personal communication in today's social media age for the Maryland Bar Journal in an article titled [“Political Speech in the Public Workplace.”](#)

**Jason Sarfati**, **Reza Golesorkhi** and **Timothy Maloney** attended the sixth annual Simon E. Sobeloff Award reception honoring [Senator Benjamin L. Cardin](#) for outstanding contributions to the legal and Jewish communities.

**Jay Holland** talked about corporate liability with [Variety magazine](#) amid the Harvey Weinstein allegations, saying, “The New York attorney general's investigation could be an impetus for others to come forward and file a claim.”

**Brian Markovitz** was interviewed by Bloomberg and Law360 for the Supreme Court forced arbitration case. [Markovitz told Bloomberg](#), “The National Labor Relations Act very clearly protects concerted activity and this digs right into that. It's kind of intellectually dishonest to think the other way.”

**Matthew Focht** presented a webinar titled “Expert Witness Discovery in Personal Injury Litigation,” which was produced for the [Strafford Education Company](#).

**Burt Kahn** was interviewed on the [Executive Leaders Radio Show](#), discussing how his life experiences have shaped him to be a trial lawyer and managing director of JGL.

**Jeffrey Greenblatt**, **Allison McFadden** and **Reza Golesorkhi** attended the American Academy of Matrimonial Lawyers Symposium in College Park, [presenting an advanced seminar and update on domestic relations practices and procedures.](#)

**Anne Grover** shared her family law expertise at the annual Montgomery County Bar Association meeting. Her presentation was titled [“Anatomy of Family Law Case: Process, Planning & Resources.”](#)

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## PRACTICE AREAS

For more than 40 years, Joseph Greenwald & Laake has worked with individuals and businesses in Maryland, the District of Columbia and Virginia taking on the most complex of legal issues with sophisticated counsel and a personal touch. JGL serves clients in virtually all areas of the law, including:

### Appellate

#### Business Law

Business Planning  
Business Tax Planning  
Corporate Business and Tax

#### Civil Litigation

Administrative Litigation  
Arbitration and Mediation  
Class Action Lawsuits  
Commercial and Business Litigation  
Constitutional and Regulatory Challenges  
Real Estate Litigation

#### Civil Rights

Excessive Force  
Wrongful Arrest  
Wrongful Incarceration

### Criminal Defense

#### Estates & Trusts

Estate Planning  
Estate and Trust Administration  
Estate and Trust Taxation  
Litigation of Estate and Trust Disputes  
Guardianships  
Special Needs Trusts

### Family Law

Alimony  
Child Custody, Support and Visitation  
Divorce  
Mediation  
Prenuptial Agreements  
Separation

### Labor & Employment

Job Discrimination  
Wrongful Termination

### Medical Malpractice

*Birth Injury*  
Cerebral Palsy/Birth-Related  
Brain Injury  
Delayed Delivery – Failure to Perform C-Section  
Shoulder Dystocia  
*Hospital and Physician Negligence*  
Anesthesia Errors  
Diagnosis Errors  
Nursing Errors  
Prescription Errors  
Surgical / Medical Procedure Errors  
Nursing Home Negligence w

### Personal Injury

Auto Accidents  
Product Liability  
Trucking Accidents  
Wrongful Death  
Catastrophic Injury  
Spinal Cord Injury

### Professional Negligence

Accounting Malpractice  
Attorney Malpractice

### Real Estate

### Whistleblower (False Claims Act, Qui Tam)

### Workers' Compensation

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