

Workers' Compensation Newsletter August 2014

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The Top 5 List: Top Five Pieces of Evidence You Should Give Your Defense Attorney

By: Rich Lenkov Chair, Bryce Downey & Lenkov Workers' Compensation Department



When I get a file, it is often months or even years after the accident. By then, key witnesses & information frequently disappear.

Here are the five things that I ideally want with every new case assignment.

1. Cover Letter/Email

While I certainly don't want my clients to spend a lot of time bringing me up to speed, it is always very helpful and appreciated when an adjuster takes the time to quickly summarize the case and lay out their impressions.

2. Accident Reports

A completed, signed and dated Form 45 (the Illinois Workers' Compensation Commission official notice form) is critical. Additionally, I want to see any internal reports generated by my clients. It's important that all documents, especially accident reports, are signed and dated.

3. Claim Notes

An adjuster's claim notes provide a crucial road map of what has transpired before the file hits my desk. They are important in allowing me to quickly get up to speed on the case.

4. Photos & Films

Obviously, any film or photos depicting the accident are crucial. Not only is it important for your defense counsel to see, but it is crucial to preserve that evidence in order to avoid a spoliation of evidence claim.

5. Personnel Files

Some of my clients are reluctant to disclose Petitioner's personnel file. However, it is an invaluable piece of evidence that can turn an entire case. For example, disciplinary actions that occur shortly before an alleged accident are often red flags. Also, prior medical history contained in the personnel file can provide a valuable defense when causation is disputed.

As always, this is not an exhaustive list and we would like your tips on winning a workers' compensation claim. If you email them to me at rlenkov@bdlfirm.com, I will publish them in our September newsletter.

Rich Lenkov Named One Of 50 Most Influential People in Workers' Compensation



Thousands of attorneys, practitioners, case managers, disability specialists, nurses, physical therapists and physicians were sought out to help create this list. SEAK, Inc. is a continuing education, publishing and consulting company that was founded in 1980.

See You At The Orlando WC Conference



Rich Lenkov, Justin Nestor & Maital Savin are speaking at the 69th Annual Workers' Compensation Educational Conference and 26th Annual Safety & Health Conference in Orlando. Illinois is being added to the multistate discussion for the first time, and our team will lead the discussion.

BDL is co-hosting a **pool party** and **live band karaoke** at the conference. If you'd like to attend, email us rsvp@bdlfirm.com

Commission News

Commission Increases Certain Evaluation and Management Amounts

The Commission unanimously voted to increase fee schedule amounts for some evaluation and management procedures (e.g., office visits), effective for treatment on or after 7/16/14.

When the 30% cut in fee schedule amounts was implemented on September 1, 2011, it brought some procedures below appropriate levels. Section 8.2(b) of the Act authorizes the Commission to increase fee schedule amounts when it finds there is a significant limitation on injured workers' access to medical care.

The new amounts are posted here: https://iwcc.ingenix.com/IWCC.asp

2015 WC Rates To Drop 5.5%

On 7/30/14, Governor Quinn announced that the National Council on Compensation Insurance (NCCI) filed for a 5.5% decrease in voluntary advisory insurance rates, effective 1/1/15. If approved, this would be the third decrease in three years and is expected to save Illinois businesses \$143 million in workers' compensation premiums in 2015. Although Illinois workers' compensation rates declined more than 18% since the 2011 reforms, Illinois still has the fourth-highest workers' compensation rates in the nation. There is definitely still more work to be done. We will continue to keep you posted with the latest developments.

Legislative Update By: Maital Savin & Jessica Rimkus





Illinois' Workers' Compensation laws are constantly changing. Here is a brief summary of recent legislation

and proposed bills.

PA 98-0633: Effective 6/5/14, the Act no longer provides immunity to independent safety contractors and service providers that are not "wholly owned" by employers. This means that employers/carriers can pursue subrogation against independent safety contracts, such as ergonomic companies, so long as the company is not wholly owned by the employer.

HB 3738: This bill proposes that when an employee works for multiple employers, part time the AWW should be calculated by dividing earnings by the number of weeks worked. This would benefit employers and carriers by lowering the AWW, thereby reducing compensation due.

HB 3740: This bill proposes a number of items that would be very beneficial to employers and carriers, including:

- Defining "accident" and "injury," which are not currently defined in the Act. This would limit the scope of compensable accidents;
- Limiting cumulative PPD awards to 500 weeks;
- Providing that employers would not be required to pay TPD to an employee that it discharges for cause;
- Providing that injuries to the shoulder would be deemed to be injuries to the arm and injuries to the hip would be deemed to be injuries to the leg;

HB 4189: This bill would amend the Act to allow medical providers to have or claim a lien on any award, judgment or fund out of which the employee might be compensated by a third party.

HB 5792: This bill would require employers to file a "statement" with the IWCC regarding compliance with the Act prior to terminating a petitioner. The statement would need to document that Petitioner's claims have been settled, the right to be made whole has not been violated and if applicable, would need to document that Petitioner received all compensation, awards or other remedies. This effectively forces employers to settle or try claims prior to termination.

We will continue to monitor the progress of these bills and keep you posted. Please feel free to contact us with any legislative questions you may have.

Upcoming Seminars



- On 8/14/14, The CLM Greater Chicago Chapter will be holding an amazing networking event. Join us for patio dining and BBQ sauce tasting at Old Crow Smokehouse in Chicago's Wrigleyville neighborhood. For more info and to register, Click Here
- On 10/1/2014, the Foodservice Industry Risk Management Association will hold a conference in Fullerton, CA. For more info and to register, Click Here
- On 10/24/14, Rich Lenkov, Robert Baer will and Grant Dixon present "Point/Counterpoint: Workers' Kev from Compensation Issues Perspective of an Employee Attorney and an Employer Attorney" at the CLM 2014 Workers' Compensation Conference in Costa Mesa, CA. For more info and to register, Click Here
- On 11/19/14, Rich Lenkov & Jill Dulich, Senior Director of Marriott Claims Services, will present "Top 10 Ways to Reduce Legal Expenses Now" at the National Workers' Compensation & Disability Conference in Las Vegas. This seminar will give you real-world, practical takeaways to mitigate your litigation expenses. For more info and to register, Click Here



NOVEMBER 19 - 21, 2014 MANDALAY BAY | LAS VEGAS

FREE Webinars

Bryce Downey & Lenkov hosts monthly webinars on pressing issues and hot topics

Here is what past attendees have had to say:

"Very interesting material in a fun format." - 7/17/14

"As always, very informative."

- 7/17/14

"Valuable subject matter, some information I didn't know before."

- 7/17/14

"Interesting to learn about pain and how subjective it is."

- 7/17/14

"The speakers were very informative and had a good knowledge about CRPS."

- 7/17/14

8/25/14 - Rich Lenkov and Dr. Gary Shapiro will present "**Defending Back Pain Claims: A Medical & Legal Perspective.**" Click Here for more info and to register.

If you would like a copy of any of our prior webinars, please email Jason Klika at jklika@bdlfirm.com. Recent webinars include:

- Preferred Provider Programs
- Illinois vs. Indiana: 5 Key Issues & How Each State Deals With Them
- AMA Guidelines: A Legal And Medical Perspective
- Traveling Employees In Illinois Workers' Compensation
- Defending Repetitive Trauma Claims In Illinois Workers' Compensation Claims
- Employment Law Issues Every Workers' Compensation Professional Needs To Know

- Permanent Partial Disability
- Risky Business: Drugs, Sexual Orientation And Guns In The Illinois Workplace
- Workers' Compensation Negotiation Strategies
- Subrogation Basics for Workers' Compensation Professionals
- Defending Pain Claims: A Medical & Legal Perspective

Jack O'Grady Gets a "Zero" Arbitration Decision For an Employer

By: John O'Grady



Jack O'Grady recently secured an arbitration decision finding "no accident" at a hearing where Petitioner sought a substantial amount of disability benefits, as well as knee surgery.

Prior to the IME, Jack tracked down medical records from Petitioner's neighborhood clinic, indicating that Petitioner sought treatment for the same type of knee complaints several months prior to the alleged accident. At the IME, Petitioner told the IME doctor that he never had knee problems before the accident, which was inconsistent with the medical records. The medical records also indicated that Petitioner gave several inconsistent accident dates.

At trial, Jack presented testimony from Petitioner's supervisor and co-worker, proving that Petitioner actually said that he hurt his knee falling down stairs at home.

Practice Tip:

For a disputed claim, all roads lead to the arbitration hearing. If you can present evidence on several fronts (witness testimony, medical records, IME opinion,

deposition testimony, etc.), it makes it easier for the arbitrator to rule for the defense with a "zero" decision.

IME Strategy Is More Important Than Ever

By: John P. O'Grady

The recent case of *Alsaraj v. Taxi Affiliation Services, Inc.*, 22 ILWCLB 86 (III. W.C. Comm. 2014), shows us how important it is to choose the right IME for the claim, and provide all available medical records/information to the IME. Even when the employer decided not to use an IME report as arbitration evidence, the IWCC still held this against the employer, inferring that the IME report must have been unfavorable to the employer.

In Alsaraj, the employer obtained an unfavorable IME opinion (defense counsel was <u>not</u> Bryce Downey & Lenkov). At a Section 19(b) arbitration hearing, the employer naturally chose not to introduce the unfavorable IME opinion into evidence. When the claimant tried to use the IME report as evidence in support of the claim, the arbitrator allowed the IME report into evidence for the limited purpose of deciding whether penalties and attorneys' fees should be awarded. The arbitrator awarded penalties and attorneys' fees, based in part on the IME report that was unfavorable to the employer.

On appeal, the Commission modified the arbitration decision, finding that the IME report should have been excluded from evidence as inadmissible hearsay, but also finding that there should be a negative inference against the employer for not using the IME report as evidence.

Practice Tip:

Alsaraj shows us that an unfavorable IME opinion can come back to hurt the defense at arbitration, even when the employer chooses not to use it as evidence.

Therefore, employers should carefully consider whether and when to obtain an IME report. Furthermore, employers should always consider obtaining an addendum IME report if additional medical records/information might help improve an initially unfavorable IME opinion.

Sanctions in a Workers' Compensation Case?

By: Edward Jordan



In the recent case of Stephens v. State of Illinois/Illinois Veterans' Home, 22 ILWCB 87 (III. WC Comm. 2014), the Commission refused to apply a Supreme Court rule regarding sanctions against a party to

proceedings at the Illinois Workers' Compensation Commission.

At the arbitration hearing, the arbitrator awarded Petitioner benefits under the Act. After the hearing, Respondent filed a motion to reopen proofs or allow them to enter additional evidence into the record. Respondent alleged that Petitioner did not submit a complete set of medical records at the time of trial and Respondent sought to additional records. Respondent withdrew its motion at the hearing and Petitioner's counsel demanded sanctions pursuant to Supreme Court Rule 137 and penalties and attorney fees under the Workers' Compensation Act. Petitioner's counsel claimed that he spent eleven hours preparing for the hearing and traveling to Springfield and filed for costs and attorney fees.

The arbitrator denied Petitioner's petition for sanctions and penalties and Commission agreed. It ruled that the Commission does not have authority to impose sanctions for frivolous pleadings under Supreme Court Rule 137 since the rule only applies to courts and not the Commission. Neither the Workers' Compensation Act nor the Commission Rules allow the Commission to award sanctions for frivolous pleadings. Commission also denied Petitioner's penalty petition because there was no unreasonable delay in the payment of benefits.

Practice Tip:

The Commission strictly interpreted its own rules in finding that sanctions are not for frivolous allowed pleadings. The Commission is bound by its own rules, the Act and there is no language that would allow sanctions that were sought Petitioner. Additionally, this case teaches us that this whole issue likely could have been avoided if the attorneys communicated prior to the hearing. Also, Respondent's counsel should have carefully reviewed all medical records being introduced into evidence at trial and made an appropriate objection at the hearing, rather than in a motion to reopen proofs.

Time-Barred Claim Circumvents Exclusive Remedy By: Jessica Rimkus



In Folta v. Ferro Engineering, 2014 IL App (1st) 123219WC, the Illinois Appellate Court addressed the issue of whether an employee can sue his employer outside of the Workers' Compensation Act and Workers' Occupational Diseases Act when his claim is barred by the Acts' statutes of repose.

Plaintiff alleged that he was exposed to asbestos while working for Defendant-employer's plant. Plaintiff was diagnosed with mesothelioma 41 years after leaving Defendant's employ. The Workers' Compensation Act's 25-year statute of repose for asbestos-related injuries and the Workers' Occupational Diseases Act's three-year statute of repose for asbestos-related diseases time-barred Plaintiff's claim

Plaintiff filed a suit under common law. Defendant moved to dismiss, arguing that Plaintiff's claim was barred by the exclusive remedy provisions of the Acts. Plaintiff argued that his action was not barred by the exclusive remedy provisions, relying on the exception carved out for injuries that are "not compensable under the Act."

The trial court granted Defendant's motion to dismiss. Plaintiff appealed. In arriving at its decision, the Appellate Court analyzed the phrase "not compensable under the Act." Plaintiff insisted that 'compensable' should be broadly interpreted to mean any claim not recoverable under the Act. Defendant interpreted the phrase more narrowly as claims not arising out of and in the course of employment.

The Court held that Plaintiff's interpretation is more consistent with the purposes of the exclusivity bar— to prevent double recovery and prevent the proliferation of litigation.

Practice Tip:

Although this particular case was timebarred, it is very important to pay close attention to a case's timeline to determine whether the exclusive remedy defense is available.

Giving Back

YMCA National Judicial Competition





Bryce Downey & Lenkov attorney Maital Savin volunteered as a trial judge for the 7/31/14 YMCA National Judicial Competition. The competition brought some of the most talented, articulate and enthusiastic young leaders to Chicago for mock trial and appellate competitions. High school students from around the country gained a deeper understanding for our legal system and their responsibility within that system.

Race Judicata 2014



Each year, Bryce Downey & Lenkov proudly sponsors Chicago Volunteer Legal Services' Race Judicata 5K Race. CVLS is the first and pre-eminent pro bono civil legal aid provider in Chicago. In addition to our sponsorship, this year, Bryce Downey & Lenkov will be sponsoring the wine tent.

Meet the Team

Edward Jordan



I am a Chicagoland native. I grew up in Elmhurst and have spent most of my life in Chicago. The only exception is the four years I spent at Indiana University. While I loved going to IU, especially the year the

basketball team went to the NCAA Championship game, I always knew I would come back to Chicago. I now live in Lincoln Park.

After graduating from DePaul Law School, I practiced workers' compensation defense at a firm in the suburbs and insurance defense at a small firm in Chicago. I have been working at Bryce Downey and Lenkov for two years, focusing on workers' compensation and personal injury defense. I have really enjoyed my time here.

Outside of work, I like to play golf (although not well) and hang out with friends and family. I'm also a big sports fan. I follow most Chicago teams except the Cubs. My Dad grew up on the South Side of Chicago so I had to be a White Sox fan. Coming from an Irish-Catholic family in Chicago, I am also a big Notre Dame fan and go to a few football games a year.



Golfing with friends in Desert Mountain, AZ



Spending time with mom

Meet Our Clients: NEW FEATURE!

This month, we are excited to introduce a new monthly column to help you get to know our clients a little better.

Lisa Jurski,
Director of Workers'
Compensation Programs,
HCR Manor Care



1. What are your responsibilities?

I am responsible for all 60,000 employees of the company. We self-administer the bulk of the program.

2. Where are you originally from and where are you currently based?

I was born, raised and bred in Toledo, Ohio. workers' started my career in with Industrial compensation the Commission of Ohio Regional Board of Review. I then moved to the TPA side of the business and then to workers' administration compensation directly employer based.

3. What is the biggest challenge facing your workers' compensation program?

Claim resolution. Many states have inefficient systems that prevent or discourage claims resolution and return to work. With Medicare complicating this process it is becoming increasing more difficult.

Until a claim can be brought to resolution, injured workers are impeded from moving forward with their lives.

4. What is your biggest pet peeve about Illinois workers' compensation?

It that is bogged down and difficult to bring a claim to resolution in a timely manner in Illinois. It can take years to get a case through the litigation process. Also, employer control is limited.

5. What do you do for fun when you're away from work?

Tour the country on the back of my husband's Harley. To the surprise of many, I'm a biker chick!



Bryce Downey & Lenkov is Growing



We are pleased to announce the addition of Jorge F. Rovelo. Jorge represents clients in aspects of workers' compensation defense. Before joining the firm. Jorge gained considerable labor relations experience by representing Chicago Transit Authority management in labor relations matters. Prior to working for the Chicago Transit Authority, Jorge was an associate at Chicago law firm specializing representing Petitioners in workers' compensation matters.

Jorge also gained valuable litigation experience clerking for the Cleveland Metropolitan Bar Association, the Equal Employment Opportunity Commission and the Ohio Bureau of Workers' Compensation.

Jorge is a member of the Chicago Bar Association and also serves on the Young Professionals Board for Have Dreams, an organization dedicated to enhancing the lives of individuals with autism spectrum disorder.

ILLINOIS RATES AT A GLANCE

EFFECTIVE DATES	MAXIMUM TTD	MINIMUM PTD and DEATH	STATE AVERAGE WEEKLY WAGE
7/15/04 to 1/14/05	1034.56	387.96	775.92
1/15/05 to 7/14/05	1051.99	394.50	788.99
7/15/05 to 1/14/06	1078.31	404.37	808.73
1/15/06 to 7/14/06	1096.27	411.10	822.20
7/15/06 to 1/14/07	1120.87	420.33	840.65
1/15/07 to 7/14/07	1148.51	430.69	861.38
7/15/07 to 1/14/08	1164.37	436.64	873.28
1/15/08 to 7/14/08	1178.48	441.93	883.86
7/15/08 to 1/14/09	1216.75	456.28	912.56
1/15/09 to 7/14/09	1231.41	461.78	923.56
7/15/09 to 7/14/10	1243.00	466.13	932.25
1/15/10 to 7/14/10	1243.00	466.13	922.45
7/15/10 to 1/14/11	1243.00	466.13	925.08
1/15/11 to 7/14/11	1243.00	466.13	930.39
7/15/11 to 1/14/12	1261.41	473.03	946.06
1/15/12 to 7/14/12	1288.96	483.36	966.72
7/15/12 to 1/14/13	1295.47	485.80	971.60
1/15/13 to 7/14/13	1320.03	495.01	990.02
7/15/13 to 1/14/14	1331.20	499.20	998.40
1/15/14 to 7/14/14	1336.91	501.34	1002.68
7/15/14 to 1/14/15	1341.07	502.90	1005.80

EFFECTIVE DATES	MAXIMUM PPD
7/1/04 to 6/30/05	567.87
7/1/05 to 6/30/06	591.77
7/1/06 to 6/30/07	619.97
7/1/07 to 6/30/08	636.15
7/1/09 to 6/30/10	664.72
7/1/10 to 6/30/11	669.64
7/1/11 to 6/30/12	695.78
7/1/12 to 6/30/13	712.55
7/1/13 to 6/30/14	721.66
7/1/14 to 6/30/15	Will be posted 1/15

Minimum Rate Death & Total Permanent Disability: 50% of the Statewide Average Weekly Wage

Maximum Rate Death Benefit: The greater of \$250,000 or 20 years Effective 2/1/06 – the greater of \$500,000 or 25 years

Temporary Total Disability (TTD) Rate: 66-2/3% (.667) x AWW

Permanent Partial Disability (PPD) Rate: 60% (.6) x AWW

MINIMUM	SINGLE	MARRIED	1 DEP.	2 DEP.	3 DEP.	4+ DEP.
TTD & PPD 1/15/08-7/14/08	200.00	*	230.00	260.00	290.00	300.00
TTD & PPD 7/15/08-7/14/09	206.67	*	237.67	268.67	299.67	310.00
TTD & PPD 7/15/09-7/14/10	213.33	*	245.33	277.33	319.00	330.00
TTD & PPD 7/15/10-7/14/13	220.00	*	253.00	286.00	319.00	330.00
TTD & PPD 7/15/13-1/14/14	220.00	*	253.00	286.00	319.00	330.00
TTD & PPD 1/15/14-7/14/14	220.00	*	253.00	286.00	319.00	330.00
TTD & PPD 7/15/14-1/14/15	220.00	*	253.00	286.00	319.00	330.00

*number if children and/or spouse = number of dependents

SCHEDULE OF INJURIES FOR DISABILITY IMPAIRMENT

NOTE: New 2005 rates:

column indicates the rates for incidents that occurred before July 19, 2005, and for incidents that occurred from November 16, 2005, through January 31, 2006.

> column indicates the new rates for incidents that occur on or after February 1, 2006, and for incidents that occurred from July 20, 2005, through November 15, 2005.

BODY PART	WEEKS		BODY PART	WEEKS	
	4	>		4	>
Man as a Whole*	500	500	8c Disfigurements – Max	150	162
Eye	150	162	Thumb	70	76
Leg	200	215	Index Finger	40	43
Foot	155	167	Middle Finger	35	38
Arm	235	253	Ring Finger	25	27
Hand	190	205	Little Finger	20	22
Great Toe	35	38	Other Toes	12	13
Loss One Testicle	50	54			
Loss Both Testicles	150	162			
Hearing Loss One Ear	50	54	Hearing Loss One Ear	100	100
Accident			Occupational Disease		
Hearing Loss Two Ears	200	215	Hearing Loss Two Ears	200	200
Accident			Occupational Disease		

BODY PART	ADD # WEEKS		
	<	>	
Leg Amputation – above the knee	25	27	
Leg Amputation – at the hip	75	81	
Arm Amputation – above the elbow	15	17	
Arm Amputation – at the shoulder	65	70	
Eye Enucleation	10	11	

STATUTORY FRACTURES	MINIMUM AWARD
Vertebra	6
Facial Bone	2
Transverse Process	3
Skull	6
Nasal Bone	2

SETTLEMENT DAY

Close Dozens of Files NOW!

WHAT?

We invite opposing attorneys and their clients for claims that have languished to meet and discuss settlement

WHERE?

At the Illinois Workers' Compensation Commission in Chicago (and by conference call if they are not local)

WHO?

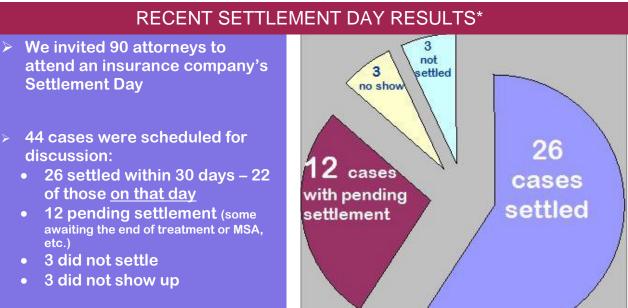
Decision-makers from the insured and/or TPA arrive with settlement authority. Bryce Downey & Lenkov attorneys consult together with them to present our best offers

WHEN?

Two or three cases scheduled for each 30-minutes block between 9 am and 5 pm, over one or two days

WHY?

From 3/1/12 - 3/1/13, we closed **99** cases through settlement days.



If you would like our assistance in closing your claims during settlement days

or through other innovative strategies, please contact

Rich Lenkov at rlenkov@bdlfirm.com



Advertisina Material

^{*} Past performance is not a guarantee or indicator of future results.

Free Seminars!

Our attorneys regularly provide free seminars on a wide range of workers' compensation topics. We speak to a few people or dozens, to companies of all sizes and large national organizations. Among the national conferences at which we've presented:

- Claims and Litigation Management Alliance Annual Conference
- Illinois Work Comp Forum
- National Workers' Compensation and Disability Conference® & Expo
- SEAK Annual National Workers' Compensation and Occupational Medicine Conference
- RFBFX
- RIMS Annual Conference

Some of the topics we presented are:

- Turning The Tables: Using An Employee's Own Actions As A Defense To Their Workers' Compensation Clam
- Closing The Nightmare Case
- Workers' Compensation 101
- Mandatory CMS Reporting Requirements: What You Need To Know
- Managing & Closing WC Claims In A Cost-Effective Manner
- Obtaining A Winning Medical Opinion
- The Mediation Process
- Balancing Aggressive Pursuit Of Lien Recovery With Associated Litigation Expenses
- Dealing With Difficult Claimants
- Health-Related Leave: Workers' Compensation, ADA, and FMLA

If you would like us to come in for a free seminar, please email Rich Lenkov at rlenkov@bdlfirm.com.

Bryce Downey & Lenkov is a firm of experienced business counselors and accomplished trial lawyers who deliver service, success and satisfaction. We exceed clients' expectations while providing the highest caliber of service in a wide range of practice areas. With offices in Chicago, Crown Point, IN, Memphis and Atlanta and attorneys licensed in multiple states, Bryce Downey & Lenkov is able to serve its clients' needs with a regional concentration while maintaining a national practice. Our practice areas include:

Business Litigation
Business Transactions & Counseling
Corporate/LLC/Partnership
Organization and Governance
Construction

Employment and Labor Counseling & Litigation Entertainment Law Insurance Coverage Insurance Litigation Intellectual Property Medical Malpractice Professional Liability Real Estate Transportation Workers' Compensation

The attorneys at Bryce Downey & Lenkov are committed to keeping you updated regarding the latest developments in workers' compensation law in Illinois and Indiana. If you would like more information on any of the topics discussed above, or have any questions regarding these issues, please contact Rich Lenkov at 312.327.0032, Storrs Downey at 312.327.0007, or any member of the Workers' Compensation team. © Copyright 2014 by Bryce Downey & Lenkov LLC, all rights reserved. Reproduction in any other publication or quotation is forbidden without express written permission of copyright owner. The content of this newsletter has been prepared by Bryce Downey & Lenkov LLC (the Firm) for informational purposes and does not constitute legal advice. This information is not intended to create, and receipt of it does not constitute, a lawyer-client relationship. You should not act upon this information without seeking advice from a lawyer licensed in your own state of country.

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