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1. Disability Accommodation

An overstressed County worker was denied a request to transfer to less stressful work, sued for disability discrimination, and was entitled to a trial because evidence of a neurological impairment would require the County to accommodate his needs.

2. Special Needs Trust

A disabled child received a malpractice settlement in a trust allowing her to qualify for Medicaid, but funds unspent at her death were payable to Medicaid as reimbursement for benefits paid.

3. Internet Trespass

An employee created a website but registered it to himself and changed jobs. The company won its claim for "trespass to chattel" (interference with its personal property) but lost its claim for unfair competition.

4. Amusement Parks

The exterior of an amusement park was sufficiently "public" to allow social protesting as a right of free expression.

5. Broken Sidewalk

A man tripped over a sidewalk edge lifted by 1.2 inches and sued the City for a dangerous condition, but the defect was deemed "trivial" and the City won.

6. Rental Cars

Customers sued an agency for excessive optional insurance costs, but lost, because the premiums did not need to be exactly what the agency paid for a discounted master policy.

7. Hostile Environment

a) A worker sued her employer for allowing intolerable working conditions which caused her to quit. She won the right to a trial where she might prove she was "constructively discharged".

b) Another employee sued the same company for a similar reason, and also won, because disrupting a worker's "emotional tranquility" also constitutes an unlawful hostile environment.

8. Gas Leak

A delay of a utility in announcing a major gas leak could be considered in determining if criminal negligence had occurred.

9. Current Cases

This month our office continues to defend claims for loan fraud, breach of contract, and workplace injury; finalized our successful settlement of a civil action; consulted with two estate plans, a business sale, and a building sale; and prosecuted a personal injury claim.

This practice serves as a "lawyer of first resort", or "primary care attorney," advocating for small businesses and individuals with disputes and transactions, including accident victims by referral only. We specialize in personalized client service. If we can be of any assistance with your legal issues, consider contacting us as soon as a question is identified. Your recent referrals have been greatly appreciated.

Remember: Preventative lawyering is the most effective kind.

Sincerely,

HARMON SIEFF