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1. Stabbing Student

When a college student stabbed a victim, the school was liable because of "extensive evidence" of its prior knowledge that the perpetrator posed a foreseeable risk of violence.

2. Caustic Coach

A newspaper sued to obtain "public records" of a schoolteacher who had been accused of "yelling and belittling" his athletes. (No violence or sex.) The paper lost since "yelling and belittling" is characteristic of "every successful" coach, so the complaints were not substantial and the public's right to know was not significant.

3. Sniffing Dog

While a policeman wrote a traffic citation, his dog alerted him of an irregularity within the trunk. Based on the canine's special skills, the officer opened the trunk and discovered contraband. The search was constitutional because the "dog sniff" did not prolong the detention.

4. Fossils

A rancher sold an interest in his "mineral rights" while retaining the "surface rights" to the property. When dinosaur fossils were discovered underground, both owners sued each other for ownership. While ordinary sand and gravel are not "minerals", fossils have exceptional value and are, so they belong to the "mineral estate" owner.

5. Butter Knife

A child's stabbing her sister's leg with a butter knife was not considered an "assault with a deadly weapon" since the utensil was weak, dull, and unlikely to cause serious injury.

6. Parochial School

When a teacher terminated after requesting a leave to receive chemotherapy sued the school for disability discrimination, the school asserted the "ministerial exception" by which discrimination as to ministers is allowed under the First Amendment prohibition against government interference with religion. The teacher won because she is not a "minister" though working at a church school.

7. Current Cases

This month we are, among other things, defending a commercial property owner and a construction company; prosecuting claims for breach of contract and personal injury; and advising multiple clients regarding the sales of professional practices, landlord rights, and corporate organization.

This office serves as a "lawyer of first resort" counseling and 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