

ONE ON ONE

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A Message from the Chair

The closer we get to an Election Day, some people tend to become more heated and short-tempered. Every quadrennial, families and workmates grow divided by political ideology, and we retreat into the websites, publications and radio that reinforce what we already believe. Last year, even though New York State was largely spared ads for the Presidential campaign by the candidates and the outside groups supporting them, there were still plenty of negative ads for other races from Niagara to Suffolk counties, as well as a bombardment of ads from neighboring states. We always think that the election season we're in at the time is the nastiest and most corrosive ever, and with a seemingly endless supply of rancor, divisiveness and anger on all sides, 2012 certainly felt that way. But just when it got to the point where you couldn't even talk to your neighbor who had the temerity to put up a lawn sign for the other guy, the rancor stopped. A little over a week before the election, none of that seemed to matter very much.



It may sound like a cliché, but when Superstorm Sandy hit on October 29th, it did seem as though all our political differences momentarily evaporated. Sandy's powerful winds and attendant overwhelming waves were of a breadth that defied adjectives, destroying property and upending lives across the Downstate region and beyond. The inconvenience of lost electricity paled in comparison to the tragedy suffered by those who lost their homes or, in some cases, their lives. Within days, the New York State Bar Association mobilized to launch a program to train at-

torneys to assist Sandy's victims. The NYSBA Lawyer Referral and Information Service set up a dedicated phone number for victims to call and receive consultation from NYSBA volunteers. It was not surprising that NYSBA acted so quickly. The Association is really a tremendous representative for the profession, and its reaction to Sandy was but one example.

Every member of the General Practice Section I spoke with in the wake of the storm had a story to tell. One member of our Executive Committee told me that his Brooklyn home had become inhabitable. One of my predecessors as Chair, who works at a large firm in Lower Manhattan, told me that their building had been flooded, and that some employees were working out of offices in Midtown, but because of damage to the phone system near Wall Street, all their calls were

Inside

From the Co-Editors	3
(Martin Minkowitz and Richard Klass)	
Workers' Compensation Offset Against Federal Recovery	4
(Martin Minkowitz)	
The Crane Collapse and the Charging Lien	5
(Richard Klass)	
Suing Ourselves: How Our Need for Smartphones Allows Apple and Google to Act Like Big Brother.....	7
(Christy Foley)	
The Property Condition Disclosure Act Celebrates Its Tenth Birthday	13
(Andrew D. Brodnick)	
The State of Social Media in Civil Litigation— Where Do the Courts Stand Now?	16
(Emina Poricanin)	
Ethics Opinions 931-941	19-42

being routed through Los Angeles. One of our members sought advice on our invaluable listserv about what to do after learning that their storage locker had been flooded, destroying many files (consensus: get them freeze-dried). Before the storm hit, Manhattan-based Joyce Goldstein posted the following prescient note on the listserv: "My office is on Battery Place right opposite the Harbor. If the storm is as bad as they say it will be there will likely be tremendous flooding." A week after the storm, I e-mailed her privately to ask how she had made out. Her experiences are no doubt not unique to our members, and I'm sure there are dozens of you who had to make similar, if not far worse, accommodations last year. But her experiences do serve as a reminder of how our members persevere in their practice against adverse conditions.

On the Sunday before the storm, Joyce had the foresight to head to her office to pick up some files she might need, and left her work computer on so she could work remotely if need be. The next evening, the storm surge dramatically poured water onto the streets, into the tunnels of Lower Manhattan, half of Manhattan was plunged into darkness, and her office at the lower tip of the island was without power and otherwise inaccessible.

Lacking a scanner or fax machine at home, she was somehow able to do her work by turning her dining room table into an office, and having her legal assistant walk or bike the two miles to her home. During this unsettled period, Joyce was able to form a corporation for a client, arrange for signature on a contract for clients who were buying a condominium and even drafted a shareholder agreement, with a template she received over the listserv from a fellow member of the General Practice Section. Over a week after Sandy hit, the floodwaters had receded, and Joyce finally made it back to the eerie quiet of her office. Even though most all of Manhattan had power restored, her office was

located in a rare corner of the Island bereft of electricity. There was obviously no heat or hot water either, and she had been informed that the phone company wouldn't be coming by to restore phone and Internet service for over a month. Joyce showed up at her office equipped with a flashlight and five large duffel bags and suitcases, taking office supplies, active files, and the data storage system that would enable her to access electronic files from home (one lesson she believes we can all learn from this experience is to invest in off-site electronic data storage). By essentially taking her office home and improvising (she used her personal webmail account to send new contact information to all current clients), and the generosity of colleagues who let her use their conference room space, she was able to be up and running. It was essential to her that she keep her law practice going despite the difficulty, which involved keeping all her clients aware of her temporary circumstances. "Without that," she told me, "my practice would just shrivel up. Luckily, I am up for the challenge." But weren't we all.

Joyce's story was probably not unique under the trying circumstances faced by many in the General Practice Section last fall (of course, months later, difficulties still persist). But they remind us how resourceful we lawyers can be to remain accountable and accessible to our clients. Like the Postal Service, neither snow nor rain nor heat nor gloom of night stays us from being responsible and responsive to our clients and to our profession. In one respect or another, Sandy tested all of us. It is heartening to know that our Section rose to the challenge, not only through charitable efforts to assist those hardest hit, but also by persevering professionally, keeping our practices functioning as smoothly as possible.

Zachary J. Abella