



The Anne Arundel County BARRISTER

The Newsletter of the Anne Arundel Bar Association

April 2009

Dates to remember

April 15

AABA Board of Trustees Meeting

Attorneys' Lounge
Circuit Court for Anne Arundel County
5:00 pm

April 17

AABA ADR Committee

49 West St. Cafe
8:30 am

April 20

Charity Pub Quiz

Galway Bay, Annapolis

April 21

AABA Family Law Dinner Meeting

Loews Annapolis Hotel
6:30 pm

See the enclosed flyer for details

April 30

Opening Day

AABA Softball League
Truxton Park, Annapolis

May 2

Barristers' Ball & Silent Auction

Chartwell Country Club
Saverna Park

May 29

AACBF Annual Spring Golf Tournament

Compass Pointe



For meeting details, visit
www.aabar.org

Bar Weekend '09: A great success

On March 13–15, the AABA hosted Bar Weekend at Nema-colin Woodlands Resort and Spa in Farmington, Pa. More than 150 lawyers, spouses, and guests attended, this was the highest attendance in the past 10 years. Not only was it one of the best attended Bar Weekends but according to some longtime county attorneys, one of the best venues to ever host the AABA's biannual event. **Mark Snyder**, his wife Nancy, and daughter **Erin Snyder**, who is in the State's Attorney's Office, attended Bar Weekend. Mark, who is a past President of the AABA and has attended almost every Bar Weekend since the association began the tradition, commented, "The facilities were awesome and this was one of the best Bar Weekends we have ever attended."

The Nema-colin facilities were terrific. The resort is so large that all of the events and programs were held at various sites throughout the resort.

The weekend started off Friday evening with a welcome reception, in which the Maryland Terrapins assisted in boosting everyone's mood by winning the first round of the ACC Tournament. Saturday morning started with our keynote presentation, which was presented by Kate Kifer, the curator from the nearby Fallingwater, designed by architect Frank Lloyd Wright. Ms.

Kifer gave an excellent slideshow presentation, which explored the biography of Frank Lloyd Wright, as well as highlighted 10 of his major and most influential works,



AABA President Jonathan P. Kagan and Tom Fleckenstein ready to fly fish in Pennsylvania at Bar Weekend.

including Fallingwater. Following the keynote presentation, the educational programs were held on various topics, including Legal Malpractice hosted by **Kathy Meredith** and Natalie McSherry. Kurt Fischer from

DLA Piper gave a presentation on Potential Inverse Condemnation Claims Arising from the Application of Critical Area Law. **Carolyn Krohn**, **Stephen Krohn**, and **Susan Wyckoff** presented a program on family law regarding Advice to Clients in the Current Economy: Bankruptcy and Other Financial

Continued on page 4

President's Message by Jonathan P. Kagan

Barristers Ball

Please mark your calendars and plan to join us for the Barristers Ball: A Tribute to the Great Gatsby on May 2 at Chartwell County Club.

Contents

March Madness	3
It's a wrap....	
Bar Weekend '09	6
Pictures from the fun filled weekend.	
Practice Notes	2
Classified Ads	12

The Barrister

Anne Arundel Bar Association

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Home page:
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The Barrister Newsletter is published monthly by the Anne Arundel County Bar Association Inc., P.O. Box 161, Annapolis, MD 21404. Phone: 410.280.6950 FAX: 410.280.6966. Press deadline is the 15th day of the preceding month of publication. Subscription Rate: \$15.00/year.



Practice Notes...

Compiled by Hon. Philip Caroom

Civil procedure - deposition subpoena duces tecum - BOP to quash: Even though party subpoenaed high-ranking government official with little personal involvement, burden was on movant (govt. official) to prove subpoena d.t. was "unreasonable or oppressive." Md.-Nat'l. Park and Planning Com. v. Mardirossian, -- Md. App. -- (2/5/09)

Criminal evidence - excited utterance - "nonemergency": Facts- Police respond to a domestic call and find woman sitting at "threshold" of apartment, visibly upset, crying with red marks on her neck. Responding to officer's questions, woman identifies defendant as her attacker. Defendant promptly runs from police. Holding- Because woman was "protected by police and no longer under imminent danger," there was no "ongoing emergency" so police questions elicited impermissible testimonial

hearsay in violation of confrontation clause, rather than "excited utterance." State v. Lucas, -- Md. -- (2/19/09).

Criminal evidence - extrajudicial identification - tutorial: J. Moylan here provides another historic extravaganza, reviewing everything you might want to know about extrajudicial identification suppression. Turner v. State, -- Md. App. -- (2/4/09).

Real property - mortgage foreclosure - technical defenses: Md. Code, Real Property Art., sec. 4-106 requires an accurate "affidavit of consideration" to be provided for deed of trust. Where affidavit was false (stating that proceeds were disbursed at execution of deed of trust), deed of trust was invalid and defect could not be cured by subsequent amended affidavit. Ameriquet Mortgage v. Paramount Mortgage Services, -- Md. App. -- (2/3/09).

All Bar Association members are invited to contribute Practice Notes as to any legal points or information which might be useful to other attorneys. These should be sent to: Attn.- Hon. Philip Caroom, Court House, P.O. Box 2395, Annapolis, Md. 21404 or by email to ctcaro44@aacounty.org.

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March Madness

I realize that I've woefully neglected college basketball this season. It may be because Maryland is not all that great, or that local basketball in general wasn't all that great (was there a more disappointing team in the nation than Georgetown?). Whatever the reason, since the NCAA Tournament is upon us, it's probably about time to address the event. I will try to hold out on submitting this for as long as Denise will let me so it's not too dated, but as things stand we are down to the Sweet 16. And unlike most years, there are virtually no surprises, which I am fine with. One of the things that's allegedly so great about the tournament is all the upsets, the Davidson's of the world knocking off the Goliaths. I sup-

pose that's exciting, for a couple days. But then when Davidson faces another Goliath and Goliath wins by 25 points, it's not so exciting anymore.

THE WHEELHOUSE
Sports Commentary by
Jonathan Pasterick

So the field is littered with storied programs like UNC, Duke, Kansas, Louisville, and UConn, and some more recent heavy hitters like Pittsburgh and Memphis. I have Memphis winning it all, mainly because of their experience advantage (and by experience, I mean most of the team is in their mid-20's). But there is no shortage of storylines for this tournament even if Memphis doesn't make me rich. Will Kansas repeat? Will Tyler Hansbrough get his lifetime achievement

I suppose that's exciting, for a couple days. But then when Davidson faces another Goliath and Goliath wins by 25 points, it's not so exciting anymore.

Continued on page 5

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President's Message...

Continued from page 1

Issues Affecting Clients in Sour Economic Conditions. **Robb Cecil** presented a Torts Seminar, and **Judges Clayton Greene, Jr. and Timothy E. Meredith** gave an excellent presentation on Appellate Practice.



AABA Bar Weekend Chair Claire Buchner and Jonathan Kagan at the Bar Weekend Farewell Breakfast.

Saturday afternoon allowed for some personal time to enjoy the resort and spa. I was able to convince **Tom Fleckenstein** to put on some waders and try fly-fishing at a local creek outside the resort. Unfortunately, we did not fool any trout; however, we enjoyed the rare peace and quiet of being on the water for a few hours. The AABA organized a tour of Fallingwater, as well as a wine tasting.

On Saturday evening we enjoyed a cocktail reception and dinner at Horizon Point at Falling Rock, which is a separate facility on the resort campus. The dinner was excellent and everyone had an enjoyable time.

On Sunday morning there was a farewell breakfast at which **Claire Buchner**, the Bar

Weekend Committee Chair, hosted some light and fun activities. Claire and the entire Committee, including **Rusty Bergen, Katie Byrne, Matt Evans, Diane Littlepage, Maureen Quinn and Terri Spradlin-Dahn**, put on a terrific weekend. The resort had plenty of activities for all ages and they were very accommodating to our group. My guess is that the AABA will be back at Nemaquin for Bar Weekend again someday. If you did not have a chance to make it to Bar Weekend, please consider it next time. □

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March Madness...


Continued from page 3

award? Will Blake Griffin grab more offensive rebounds in a single game than Maryland got all year? Will four years of slapping floors finally pay off for Greg Paulus? Will Jennifer Aniston ever find true lo... my bad, that's another pool I'm in.

Anyway, in a couple weeks we will have a new champion and by the time you read this (both of you, that is) that champion will be crowned. Hopefully UConn doesn't win. Not because I dislike them, but it would be pretty embarrassing for the NCAA when they give Jim Calhoun the trophy, and he has to give it right back to them for their multitude of recruiting violations. Calhoun recently got into a dust-up with a reporter who challenged his salary in light of the whole economic crisis. And I sort of see his point, since he's more or less an escrow agent for a lot of that money before it goes to players. So between that and taxes, it's not like he sees ALL that money.

Fortunately, softball season starts soon, which is great for me, for two reasons. First off, I love playing, even though my manager, Ted Staples, is pretty much the Kobra Kai sensei when it comes to expectations. Secondly, it gives me something to write about, and you all get to read about folks you know. The alternative would be writing about the NBA playoffs, which ain't gonna happen. I encourage everyone to get involved with softball, especially young lawyers. It's a great way to meet other members of the bar in a relaxed atmosphere. Except on my team, where my manager beats his dog with our second place trophies. 

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Bar Weekend '09
*Nemacolin Woodlands Spa
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March 13-15, 2009



Above: Erin Gable and Jeremiah Chiopelli



Left: Steve and Ann Leitess, Tom Fleckenstein and Bill Turc

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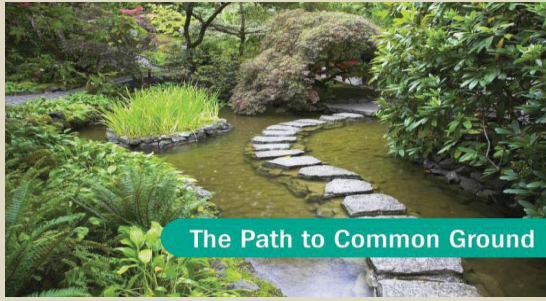


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Editor's Note: This notice was provided to The Barrister by the Circuit Court.

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An attorney who is appointed to represent a minor or alleged person with a disability in a guardianship case will be allowed a fee of \$175 per hour. Said fee will need to be approved by the Court before being paid to the attorney. An appointed attorney will need to submit to the Court, in the form of a motion, a request to be paid for his/her work. The motion must include, as an attachment, a breakdown of the work done. This breakdown must detail what was

done, the amount of billable hours for each activity, and the rate charged (\$175/hour maximum). This change is effective as of May 1, 2009.

Any attorneys who would like to be added to the Circuit Court's list for such appointments, should contact Jason Caton, Adoption/Guardianship Case Manager (AGCM) for details at 410-222-2327. If an attorney would like his/her name removed from the list he/she too should contact the AGCM. □



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The Legal Aid Bureau is a nonprofit organization, with offices throughout the State of Maryland, which provides free civil legal services to low-income individuals. Attorney members of the Board are expected to be supportive of the purposes of the Legal Service Act and to demonstrate an interest in and familiarity with the delivery of legal services to low-income individuals.

The Pro Bono Resource Center of Maryland serves as statewide coordinator and clearinghouse for volunteer attorneys providing free legal services to low-income individuals. The Committee seeks candidates who are committed to the delivery of civil legal services to low-income individuals through volunteer lawyers, and exhibit an interest in and familiarity with

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If you are interested in serving on either of these Boards, please send a letter of interest and résumé no later than May 2, 2009, to Thomas M. Meachum, Chairman, Committee on Appointments, Maryland State Bar Association, c/o Carney, Kelehan, Bresler, Bennett & Scherr, LLP, 10715 Charter Drive, Suite 200, Columbia, Maryland 21044, by fax to Thomas M. Meachum, 410-730-7729. ■

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TITLE SERVICES: Attorney owned title company available to assist w/ all commercial & residential transactions. Absolute Title Group 410-590-0404, catward@absolutetitlegroup.com

C.P.A. - Clients with back taxes, delinquent tax returns, audits and other IRS problems. MYOB and Quickbooks support. Call J.E. Leanos & Co., CPA's, 410-269-6640.

NSA, CIA, DOD/DOHA, & MILITARY SECURITY CLEARANCE APPEALS: Representation of federal employees, contractors and military personnel facing denial or revocation of security clearances or SCI access. Pre-application counseling and security questionnaire preparation assistance. Company security officer briefings by former Intelligence Community officer & instructor. Mark F. Riley, Esq., 410-280-9615, www.SecurityClearanceAppeals.com

POLYGRAPH EXAMINATIONS: Criminal/civil /pre-employment, APA/MPA Certified. Retired M.S.P. Kelley Investigative Security Services. 410-778-0531 or 410-708-3330.

BILLING/BOOKKEEPING: PCLaw, Quickbooks, Amicus Attorney and more. Flexible, experienced, on/off site. Call DataSure at 410-271-3976.

ADOPTION: Available to consult, assist in, and handle referrals in all types of adoptions. John Greene, Annapolis, 410-268-4500. www.familiesthruadoption.com

ECONOMIST: Lost income for personal injury, wrongful death, employment and discrimination cases. Valuations of small businesses and pensions for divorce and contract disputes. University Professor with extensive experience. Dr. Richard B. Edelman, 8515 Whittier Blvd, Bethesda, MD 20817. 301-469-9575 or 1-800-257-8626. Visit www.economic-analysis.com. VISA/MC.

INTELLECTUAL PROPERTY: Questions about Copyrights, Trademarks, Patents & Trade Secrets answered at www.copyrights-attorney.com or contact Douglas Clark Hollmann--LawEur@aol.com--410-263-6161--116 Cathedral St., Ste. D, Annapolis, MD 21401 -- admitted MD, NY & DC State & Federal Courts.

APPEALS: Court of Appeals, Court of Special Appeals, circuit courts and administrative agencies. Brief writing - oral argument. Unbundled services and appellate consulting. Teri Spradlin-Dahn at Rifkin, Livingston, Levitan & Silver, LLC, 225 Duke of Gloucester, Annapolis. 410-269-5066.

EXPERT WITNESS AND LITIGATION Support Services: Over 30 years experience in business, commercial and taxation matters. John P. McKim, Certified Public Accountant/Accredited Business Valuation 410-263-1204.

NATIONAL SECURITY, CLEARANCE APPEALS and Federal Contracts Matters. Representation of Clients in matters involving NSA and the Intelligence and Defense Communities including defense of security clearance/SCI revocation or denial; adverse personnel actions; Foreign Ownership, Control or Influence (FOCI) issues; Inspector General investigations; new business startup; and business issues. Contact Dennis J. Sysko, Esquire at 410-768-9300 or djsysko@henault-sysko.com.