

WINNING ATTORNEYS - 2010

January 28, 2010

As the year 2010 begins, a new list starts of the "**winningest**" attorneys in workers compensation cases at the Appellate Court and the New York State Court of Appeals. To date there have been 18 cases and 18 attorneys, with all of these cases having had the Board's decisions affirmed by the Court.

From the beginning of this website in the fall of 2008, I have every Friday morning posted decisions issued the prior day by the New York State Appellate Court, 3rd Department. At that time I also post decisions issued by the 1st, 2nd, and 4th Departments as well as the Court of Appeals, various local courts, and some courts from around the U.S.

The following list shows the names of those attorneys who presented the prevailing arguments in 2010. This list, which will be periodically updated, can be used to settle cocktail party arguments and to answer various trivia questions but, in reality, is no way reflective of the quality of the attorneys listed (or not listed) or their arguments. As for those whose arguments did not prevail, they are not listed: many take on cases which they know have a very small likelihood of winning and they certainly should be neither criticized or publicized for that.

The "**winningest**" attorney in 2009 with the most Affirmance (five) is **David Faber** and the "**fiercest**" attorney in 2009, with three non-affirmance - all reversals, is **John Clennan**.

Although there are other attorneys in the list who were on the winning side in a number of cases, these attorneys from the Office of the Attorney General¹ – **Iris Steel**, **Estelle Kraushar**, and **Steven Segal**, and Special Funds Conservation Committee² - **Jill Singer** - are not included because they are automatically a party to a substantial number of cases. Since the Court affirms the NYS WCB over 80% of the time, whether these six attorneys represent the claimant or carrier or employer, they are automatically on the winning side 80% of the time. This does not take away, however, from a formal recognition of their skills.

Comments, suggestions, and criticisms can be sent to my attention at TheInsider@InsideWorkersCompNY.com.

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Carlton, Jason	3rd	01-07-10	Kane v Unger/Compton
D'Agostino, David	3rd	01-14-10	Domenico v United Way
Darling, Karen	3rd	01-21-10	Davis v Ready Labor
Duffy, Susan	3rd	01-07-10	Hassan v Ford Motor Co
Faber, David	3rd	01-07-10	Nothaft v Hawkeye Construction
Geyer, Robert	3rd	01-07-10	Jaquin v Community Covenant
Guy, Patrick	3rd	01-28-10	Shelley v Shelley Septic
Hill, Peter	3rd	01-28-10	Wilcox v Niagara Mohawk
Kraushar, Estelle ¹	3rd	01-07-10	Epp v Cortland City DPW
O'Neill, Kelly	3rd	01-14-10	Begor v Holmes
Riekstins, Janis	3rd	01-21-10	DiLascio v Tilden Glen Head
Segall, Steven ¹	3rd	01-07-10	Flores v Newstar Apparel
	3rd	01-21-10	Moysello v David
	3rd	01-21-10	Lew v Younger
Singer, Jill ²	3rd	01-21-10	Li v Southern Garden
	3rd	01-28-10	Shelley v Shelley Septic
Steel, Iris ¹	3rd	01-07-10	Hurlburt v Cortland County
	3rd	01-28-10	Wilcox v Niagara Mohawk
Sternberg, Ronald	3rd	01-07-10	Friedman v NYC DOT
Worth, Matt	3rd	01-07-10	Church v Arrow Elec
Zoladz, Jason	1st	01-12-10	Brook v Overseas

- ¹ Counsel to Andrew M. Cuomo, Attorney General
- ² Counsel to Steven M. Licht, Special Funds

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