

Kenney & Sams, P.C. News & Updates November 2017

Autumnal greetings from Kenney & Sams. Please peruse our newsletter for recent developments in the law and at our firm!

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About Us

Chris Kenney Named Director of IADC's Trial Academy

For more than 45 years, the IADC Trial Academy has served as the only defense-oriented national trial academy helping to develop critical trial skills of defense-minded trial attorneys. This week-long, intensive program at Stanford University School of Law blends faculty instruction and demonstration with individual student participation. The faculty consists of leading defense trial lawyers selected on an international basis from different geographic areas who possess diverse practices, styles and personalities. The Academy provides intensive, comprehensive, and participatory education to each student and transforms litigators into trial lawyers.



For up to date program information, or to register, please visit www.IADClaw.org

Mike Sams Named Secretary of MCLE's Board of Directors

Massachusetts Continuing Legal Education is a leader in providing both legal education in New England, through live programs by experts in the field, written and electronic publications, and through its data base of cases and other resources. Mike has served on the Board of Directors since 2012.



Kenney & Sams Proudly Welcomes Two New Associates



Jason Rogers

Jason Represents business owners, contractors and individuals as a litigator, risk management counselor and contract negotiator, Jason is a graduate of Syracuse University College of Law, Elisabeth Haub School of Law at Pace University and Hamilton College



Ashley Cook Healy

Ashley represents individuals and corporate clients throughout all stages of litigation. She is a graduate of Boston College Law School and New York University. Ashley is also fluent in Spanish.

Legal Issues You Should Know

Gender Identity Included in the List of Protected Classes in Massachusetts

By: David Kerrigan

As the human resources director at a medium sized construction company of 150 employees, you deal on a daily basis with all types of employee issues. One day, Jill, who works in the field as a carpenter, comes into your office and discloses that she identifies as a man and has begun the transitioning process. Jill lets you know that he will change his name to Bill in several months. After listening to him and being as empathetic as possible, you are concerned that Bill's co-workers in the field may not be as empathetic and open minded as you are. While you may be able to control most of your employees, you are also concerned of potential comments and attitudes of other companies' employees at the work sites. As a result, you recommend Bill return to duty in your company headquarters' workshop out of concern for the level of expected comments. Is this recommendation consistent with our state's discrimination laws?

[Read Full Article Here](#)

Home Improvement Contractor Statute

By: J. Nathan Cole

Does your residential construction or landscaping company perform home repairs, renovations, improvements, or alterations for projects of more than \$1,000? Does the work (or the work of your subcontractors) involve installing swimming pools, building sheds or decks, roofing, or exterior painting? If you answered yes, you are likely required to register as a Home Improvement Contractor ("HIC") with the Office of Consumer Affairs and Business Regulation ("OCABR"). For HIC's that are required to register but fail to do so, the consequences can be devastating in the event they find themselves in a dispute with a homeowner.

[Read Full Article Here](#)

New Employer Statute Requiring Accommodations for Pregnant Workers

By: Ryan Menard

Beginning on April 1, 2018, a new antidiscrimination law will punish employers discriminate against pregnant Massachusetts workers, including refusing to provide them with sweeping new accommodations for their pregnancy and pregnancy-related conditions. However, employers should start preparing now to comply with the statute, particularly where the law affirmatively requires employers to notify their employees of the new law's effects.

[Read Full Article Here](#)

Recent Successes

The Adventure of a Failed Joint Venture

Chris Kenney and Mandy Cox recently won an arbitration for our client, a real estate developer, who became embroiled in a dispute with his "partner" in a joint development project. The case was a messy business breakup between two entrepreneurs who developed and constructed high end residential properties in Metropolitan Boston.

After a two-day trial, the arbitrator (a retired superior court judge) ruled for our client on ALL claims AND counterclaims. The ruling adopted the themes and arguments we set forth in our case presentation (which was greatly enhanced by a compelling PowerPoint presentation that our legal assistant, Jaime Olivo, prepared for opening statements.

Noteworthy Events



We are excited to announce the selection of Kenney & Sams attorneys who have been included in the 2017 Massachusetts Super Lawyers list!

Rodney Ames
Lindsay Manning Burke
J. Nathan Cole
Mandy Cox
Tony DeProspo
Chris Kenney*

David Kerrigan
Sakib Kahn
Ryan Menard
Jason Rogers
Mike Sams*

****Also recognized as
Top 100 Lawyers in Massachusetts and Top 100 Lawyers in New
England***

MBA Presentation

Mike Sams served as a faculty member at the Massachusetts Bar Associations program on the use of experts at trial. Mike's presentation focused specifically on the effective cross examination of experts.



MBA



Leadership Academy Graduates

Sakib Khan recently graduated from the Massachusetts Bar Association's Leadership Academy's inaugural class. Throughout the year, the fellows attended programming focused on becoming compassionate, open-minded and thoughtful leaders. Congratulations Sakib!

David Kerrigan and Mike Sams will serve as faculty on the week long National Institute for Trial Advocacy Program (NITA). NITA is a nationally recognized provider of training skills which trains and mentors lawyers through intensive mock trial programming run by trial experts from around the country.

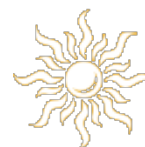


Mike Sams will serve as faculty presenter on mechanic's liens as part of the Massachusetts Continuing Legal Education's 19th Annual New England Bankruptcy Law Conference on December 6th.

Chris Kenney and Jason Rogers recently presented a mock trial of a product liability lawsuit at MCLE's annual program on "Trial Advocacy Basics-Plus."



Kenney & Sams proudly sponsors Razia's Ray of Hope Foundation. Razia's Ray of Hope Foundation is a nonprofit organization that educates young women and girls at the Zabuli Education Center in



**RAZIA'S
RAY OF HOPE
FOUNDATION**

Afghanistan. The K-12 school provides more than 625 girls free education as well as uniforms, shoes, warm coats and meals. As Afghan women continue to face oppression to secure their basic rights, including education, Razia's Ray of Hope is working hard to fulfill this need. We are proud to support this remarkable organization. For more information, or to help, please visit [Razia's Ray of Hope](#)

Congratulations Judy!

Judy Murray received her HR Specialist Certificate from the Association of Legal Administrators.



Boston
Chapter



Trial-Think ['tri(ə)l θɪŋk] *noun*

1. An approach to dispute resolution and risk management that brings trial experience, preparation and effectiveness to everything we do for our clients.

**Litigation - Construction Law - Employment Law - Business Law
- Insurance Law - Risk Management**

Kenney & Sams, P.C.

617-722-
6045

www.KandSlegal.com

