

Barley Snyder Year in Review 2015

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Message from the Managing Partner

By: Jeffrey D. Lobach

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The past year was an exceptionally productive one for Barley Snyder and for our clients. By targeting our clients' needs and staying in tune with market demands, we experienced dramatic growth in our business, our professional forces and our practice offerings. Along with problem solving, litigation victories, complex business transactions, new ventures and services to our clients, our profession and the community, our growth made 2015 a memorable year for the firm.

We want to thank you - our clients and friends - for your continued confidence in us and for the affirming relationships we have developed with you. We value our partnership in positioning you for success in the coming year and beyond.

Our firm carefully added to its professional ranks in 2015. Eleven new lawyers and three paralegals joined us last fall, bringing us to more than seventy attorneys. Among these new faces we now have the complete capability to serve all the needs of public school districts. We have combined this capacity with our long standing higher education practice in a new Education Group.

We have also added greater depth in litigation, business, real estate, tax, trusts and estates, and public

finance. The firm increased the numbers of our recognized bond lawyers, our licensed patent attorneys (to 5) and our lawyers admitted in Maryland (to 3). Two fine associates, Troy Rider and Joe Falcon, have been elected to join our partnership.

In 2016, we expect to continue to grow our professional staff and enhance the diversity of the services we offer. As we expand to meet changes in the regulatory environment and address the evolving needs of our clients, **our goal remains to provide the capacity to offer all the services necessary to those we serve, while staying nimble enough to respond on a timely and cost-effective basis to their requirements.** Regardless of the inevitable transformations in our profession and our markets, one aspect of our firm's practice which will never change is our commitment to our clients and friends.

Our ability to provide the high level of service required by our Practice Excellence principles and expected by our clients depends on our receiving and responding to feedback from our constituencies. Please feel free to contact me at any time throughout the year to share any comments, observations or suggestions relating to your experience with Barley Snyder. We look forward to continued collaboration and shared successes in 2016.

[Jeff Lobach](#)

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Highlight from 2015

Education Law Expansion

Four highly regarded education law attorneys and a paralegal joined us in November, 2015. This addition complements our current higher education law practice, and adds a new focus on representing public school districts throughout the region. The group was previously part of the law firm of Hartman Underhill and Brubaker in Lancaster. We were pleased to welcome lawyers **Kim Smith, Robert Frankhouser, William Zee and David Walker and paralegal Aimee Kline**. With the addition of this group, we have one of the premier school law and special education practices in central Pennsylvania and are especially strong in Lancaster County. "The group has an unsurpassed reputation in the market and represents marquee clients in the public school arena," said Jeff Lobach, Managing Partner for Barley Snyder.

"The synergies between our team and Barley bring depth and breadth to our school law practice and will be a tremendous benefit to the school entities that we serve throughout South Central and Central Pennsylvania. We are excited and honored to join Barley," said Kim Smith, Chair of our Education Group.

The focus on education law, which includes legal services for public and private educational institutions at all levels throughout Pennsylvania, increases Barley Snyder's ability to effectively anticipate and respond to the increasingly complex needs of our public school and higher education clients.

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Barley Snyder Serving Our Communities

Barley Snyder values commitment to community leadership and volunteerism. Our attorneys contribute financially, serve on boards and volunteer for more than 100 organizations in the areas of education, social services, the arts, youth athletics and professional associations.

Each year during the holiday season, Barley Snyder employees raise funds to support local non-profits. In 2015, the group collected donations for the **Milagro House**, an organization committed to women and children experiencing homelessness. Barley employees purchased two washing machines along with many supplies from Milagro's Wish List including baby items and cleaning products. We received a note that the mothers were "beside themselves" to have machines that are in working order. One of the most touching gestures came from a partner's daughter whose only wish for her 10th birthday party was that her guests donate items from the Wish List.

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Our Litigation Practice Scores Major Victories for Our Clients

Although most disputes are settled prior to trial, one of the most effective messages that a litigant can send to the opposing party to obtain a favorable settlement is its willingness to proceed to trial and its attorneys' past successes in front of judges and juries. As set forth below, Barley Snyder clients enjoyed numerous courtroom victories during 2015:

Lauralee Baker defended a cardiologist in a wrongful death and survival action, where the patient suffered a laceration of a vein graft during a complex coronary surgical procedure. The case was tried over five days in Berks County, and the jury found in favor of the physician.

Lauralee Baker represented a family physician in Lycoming County in a complicated neurological case. The claim centered around an alleged failure to diagnose a spinal epidural abscess evidenced by increased pain, numbness and diminished mobility, that ultimately led to paralysis. Treatment of the plaintiff was extensive, with over 18,000 pages of medical records at issue. Ultimately, after considering the testimony of five experts over the course of five days of trial, the jury rendered a verdict in favor of the defense.

Lauralee Baker represented an appeal in a medical malpractice action before the Superior Court. Plaintiff argued that a non pros was improperly entered for failure to file a certificate of merit in a case where an expert report was filed instead. The Superior Court denied the appeal and ruled in favor of the physician. Plaintiff has now appealed to the Pennsylvania Supreme Court.

Paul Minnich represented a business against claims of breach of contract, breach of fiduciary duty, fraudulent conveyance, and civil conspiracy related to the dissolution of a manufacturing company. The plaintiffs sought damages in excess of \$1.6 million. Following a four day trial, a York County jury returned a verdict in favor of the defense as to all claims after only two hours of deliberation.

Paul Minnich represented a real estate holding company in the defense of a claim by a Colorado-based

bank that the company had fraudulently taken title to an apartment complex. The plaintiff bank sought \$300,000 at trial. Following a bench trial in York County, the presiding judge ruled entirely in favor of Paul's client as to all claims.

Matthew Hennesy represented a bank seeking damages for breach of a participation loan agreement. The complex dispute centered around how proceeds from the sale of collateral were distributed when a borrower defaulted and filed bankruptcy. After a multi-day bench trial in Dauphin County, the presiding judge awarded Matthew's client all of the damages they sought, totaling approximately \$200,000.

Timothy Dietrich and **Matthew Hennesy** effectively defended against a fraudulent conveyance claim within bankruptcy court involving the debtors' sale of an industrial facility. Facing a \$6.5 million uninsured claim, our firm negotiated a strategic settlement for just over 2% of the amount at stake. A calculated strategy and efficient first response allowed our client to settle the matter before engaging in substantial discovery.

Jeremy Frey and **Justin Tomevi** represented a company before an Adams County court where a local municipality challenged the company's zoning compliance. The municipality sought to enforce an overbroad and vague term of the municipality's zoning ordinance that would have made the use of the company's property impractical, rendering the company's significant investment in the property worthless. The court ultimately agreed with Jeremy's and Justin's argument on their client's compliance with the zoning ordinance and denied the municipality's appeal.

Justin Tomevi represented a client in an action to recover her interest in a property she owned with her ex-husband. The ex-husband refused to sell the property or make payment to his ex-wife. His attorney raised various legal defenses to the sale or liquidation of the property. However, a trial court rejected the ex-husband's defenses and ordered the property to be sold or the ex-wife's interest liquidated. In response to the court's order, the ex-husband made payment to the ex-wife in the amount of \$120,000.

Justin Tomevi represented a company against a claim that it owed a manufacturer \$130,000 for inventory it allegedly purchased. Based on the evidence and counterclaims presented at the arbitration hearing, his client was awarded judgment in its favor and the arbitrator actually awarded his client a monetary judgment against the manufacturer.

Justin Tomevi presented oral argument before the Pennsylvania Commonwealth Court in support of the favorable outcome that Paul Minnich and Jeremy Frey obtained for a York City industrial property owner in a tax assessment appeal. The trial court's conclusion on the value of the property represented a six-figure tax savings for the property owner over the next several years. After oral argument, the Commonwealth affirmed the trial court's tax reduction.

Michael Mixell and **Justin Tomevi** successfully represented a widow in a claim to obtain a share of her deceased husband's IRA account. The widow's stepchildren had contested her right to receive these funds. The stepchildren appealed the trial court decision to the Pennsylvania Superior Court where Michael Mixell, Justin Tomevi, and Alexander Puskar successfully defended the trial court's decision in a case of first impression at the appellate level. Their client will receive close to \$200,000 as a result of the victory.

Josh Knapp represented an individual client in resolving a breach of loan agreement and fraudulent transfer action in the amount of \$200,000. On behalf of the client, he pursued the debtor through proceedings in

Pennsylvania civil court and US Bankruptcy Court in New York, ultimately recovering a 51-foot commercial vessel to be sold in full satisfaction of the debt.

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We're Honored to Be at Your Service

U.S. News & World Report and Best Lawyers named **Barley Snyder** as a Tier 1 Firm on its **2016 "Best Law Firms"** list. The "Best Law Firms" list includes firms recognized for professional excellence with impressive ratings from clients and peers. Achieving a tiered ranking signals a unique combination of quality law practice and breadth of legal expertise.

Eight of our attorneys were named to the lists of 2015 [Pennsylvania Super Lawyers and Pennsylvania Rising Stars](#). Super Lawyers recognizes attorneys who have distinguished themselves in their legal practices. Our Pennsylvania Super Lawyers include: **Salvatore Anastasi, Jennifer Craighead, Jill Welch and George Werner**. The following were named Pennsylvania Rising Stars: **Joseph Falcon, David Freedman, Jeremy Frey and Alex Snyder**.

For the second year in a row eight of our attorneys were named to the [Best Lawyers 2016](#) list. The Best Lawyers In America is the oldest and most respected peer-review publication in the legal profession. Named Best Lawyers in America are: **Lauralee Baker, Kathleen Gray, Steve Lazun, Jeff Lobach, Christopher Mattson, Mike Mixell, John Reed and George Werner**.

Barley Snyder was crowned Best in Real Estate Law - Pennsylvania by the **Corporate America 2015 M&A Awards**.

Caroline Hoffer was named one of the **Central Penn Business Journal's 2015 Women of Influence** award recipients. Founded in 2010, the Women of Influence program is a regional effort by the Central Penn Business Journal recognizing female leaders who make a significant positive impact in our businesses and communities.

George Werner was recognized by [Best Lawyers](#) as the 2016 Litigation-Construction "Lawyer of the Year" in Harrisburg.

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Community Focus

Michael Mixell was elected to serve a two-year term on the board of directors for [Prospectus Berco](#), an organization dedicated to inspiring people with disabilities or other special needs to lead meaningful lives by providing innovative services that promote dignity and respect. Mike is a partner with Barley Snyder where he focuses his practice on business law and trusts and estates.

[Lauralee Baker](#) was elected to serve on the board of directors for [Contact Helpline](#). Contact Helpline is a 24-hour, 7 days-a-week, listening, health and human service information and referral service. Lauralee is a partner with the firm's Health Care and Litigation groups.

Scott Landis was named president of the board of directors for the **Court Appointed Special Advocates (CASA) of Lancaster County**. CASA's mission is to provide a qualified and compassionate court-appointed volunteer advocate to every child who is abused and neglected to ensure the fundamental human right of having a safe, nurturing, and permanent home is met. Scott devotes his practice to creditors' rights and bankruptcy and also counsels clients in the areas of trademarks, copyrights, and other intellectual assets.

Derek Dissinger was elected president of the board of directors for **The Literacy Council of Lancaster-Lebanon**. Derek will serve a two-year term in this role.

Justin Tomevi has been elected to serve on the board of directors for the **Gettysburg Community Theatre**. The Theatre's mission is to inspire creativity and confidence, provide cultural enrichment, and instill a love of the theatre arts in young and the young at heart through quality education, training and performing experiences in musical theatre. Justin is an associate in the firm's Litigation and Immigration practice groups.

William Zee was elected to serve a three-year term on the board of directors for **Leadership Lancaster**. Leadership Lancaster's purpose is to identify existing and emerging leaders, to prepare them for roles in shaping the future and to entrust them to guide the county in the years ahead.

Joseph Falcon was elected to serve on the board of directors for Newtown Square Petticoat League (NSPL). NSPL is a community softball league dedicated to helping girls enjoy the game of softball, developing their skills, learning about good sportsmanship, making new friends and having fun in a healthy, outdoor, athletic setting. Joe is a member of the firm's Intellectual Property Law group and the Business group.

John Reed has been named chairman of the board of directors for **Lancaster City Alliance**. He previously served as vice chair and founding director. The Lancaster City Alliance's mission is to identify & prioritize opportunities that foster collaborative solutions to empower the community in building a clean, safe and economically vibrant City of Lancaster. John is the chair of our Business group and serves as a general counselor to businesses and family owned entities.

Jennifer Craighead was chair of the board of the **United Way of Lancaster County** through June, 2015 and is currently serving as immediate past chair. She led the organization through a time of transformation with its focus on wider social change and problem solving. Through her leadership, the United Way of Lancaster County is striving to maximize its ability to truly impact complex community problems.

Daniel Desmond graduated from **Leadership Lancaster's Core Class** program. Dan's practice focuses on assisting clients with business transactions and representing a variety of public bodies including boroughs, municipal authorities and similar organizations. Leadership Lancaster challenges participants from diverse backgrounds to assume effective, more active volunteer roles in addressing community needs.

Christopher Naylor graduated from the **Leadership York Training Program**. In addition to being a member of the Leadership York Class of 2015, he was also elected a class representative. Chris is an associate in the firm's Real Estate and Business groups. Leadership York's more than 3,170 graduates provide leadership to over 250 nonprofit organizations and serve thousands of constituents in state and local government.

Matthew Hennesy was elected to serve on the board of directors for **Long's Park Amphitheater Foundation**. Matthew will serve a three-year term in this role.

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Trends in the Transactional Practice

In our 2014 year-end review, we noted that the volume of M&A transactions was relatively strong. The factors driving the M&A market continued in 2015, and we were fortunate to have the opportunity to participate in a number of significant transactions. Based on both our experience and from comparing notes with others who have been active in the M&A market, we have noted the following developments in the M&A markets:

representations and warranties insurance (R&W insurance) is now a feasible alternative to "full market" indemnification by sellers;

recent Delaware case law makes negotiation of post-closing covenants relating to earnouts even more important;

private equity buyers remain active in the market, although private equity transactions can present special challenges; and

preparing for an eventual exit transaction well in advance and, prior to actually embarking on an exit process, talking through key threshold issues with your advisors, remain important.

We would be glad to discuss our experience or approach to specific transactions; our approach is also described in our "M&A Resume" which can be found at <https://www.barley.com/mergers-acquisitions>. Also, on this same webpage, you can access an updated M&A representative transactions list. As you can see from a review of these transactions, we have represented existing clients on transactions and companies referred to us by investment bankers, accounting firms, commercial lenders and other law firms.

Key attorney involved: [Paul Mattaini](#)

Clients Barley Snyder represented in recent transactions include the following:

Benefit Planning Group.
Elite Sportswear, L.P.
GSE Power Systems, Inc.
Harrisburg Senators
Juniata Valley Financial Corp.
Lancaster Area Sewer Authority
Lancaster General Health
McClarin Plastics, Inc.
Penn Venture Partners, LP Pilot Benefits Group
Pine Street Capital Partners
Riverview Financial Corporation
Rock Lititz

Thermacore, Inc.
Stoudt Advisors
The Wolf Holdings Organization, Inc.
Vasont Systems

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Keeping In Tune with our Clients

It is important that our attorneys have a working knowledge of our clients' businesses and industries. Many of our attorneys and practice groups go above and beyond to gain specialized education and knowledge in a particular industry:

Banking Industry Focus

We were an active member in the [Pennsylvania Bankers Association \(PBA\)](#) in 2015, sponsoring the opening ceremonies of the PBA's 2015 Annual Convention in Baltimore, Maryland. Paul Mattaini was a featured speaker at the Pennsylvania Association of Community Banker's Annual Meeting in Colorado. We maintain an active involvement in the PBA and other banking trade organizations that provide us greater access to banking industry insights and knowledge from its leaders. Our participation in these organizations is one more way in which we leverage our legal knowledge and close relationship with the community banking industry's leading executives to go beyond mere reporting on the unprecedented number of new laws and regulations affecting the banking industry to actually pointing out practical implications and emerging trends as the banking industry continues to evolve. Key attorney involved: [Kimberly Decker](#)

Family Owned Business Focus

The firm is a proud partner of the [High Family Business Center](#). The High Family Business Center is one of the largest and oldest family business centers in the U.S., and we are proud to be one of the founding partners of the Center and have remained actively involved in the Center for over 20 years. As a resource to the Center's 80+ members, we assist them with issues such as succession planning, family meetings, family policies, governance and organization. We are involved in facilitating two peer groups at the Center, sit on the Advisory Board of the Center to help guide its future, and frequently speak at the Center's Breakfast Seminars. In our central Pennsylvania region, family owned businesses are responsible for the majority of employment and economic performance. Our experience with the High Center has made the firm a leading expert in counseling family owned businesses. Key attorney involved: [John Reed](#)

Four years ago, Barley Snyder became a co-sponsor, with Alvernia University and several professional and financial firms, of a new center to benefit family businesses in the Greater Reading area, which was then known as "Family Business Center at Alvernia". Since its inception, the center has evolved and has now come to be called the "[Center for Entrepreneurial Leadership at Alvernia University](#)". The Center serves as an educational and networking resource for families in business and entrepreneurs along with closely held

businesses and their owners and strategic level executives. In 2015 and going forward, Barley is proud to be a major sponsor for this valuable community resource. Key attorney involved: [Timothy Dietrich](#)

Construction Industry Focus

In order to stay current with issues, opportunities and challenges facing the Construction industry and all of its participants (owners, lenders, contractors, subcontractors and design professionals), we believe it's critical to be involved in the industry itself. Our memberships in organizations such as the [Building Industry Association \(BIA\)](#) and [Associated Builders and Contractors \(ABC\)](#) enable us to participate in the issues that matter to clients, to present and participate in educational opportunities, and to interact formally and informally with key players. Barley Snyder presents at BIA's Morning Mingle event series and sponsors ABC's member mixers. Key attorneys involved: **Ronald Pollock**, [Maria Elliott](#)

Education Focus

AICUP. During 2015, Barley Snyder was active in the [Association of the Independent Colleges and Universities of Pennsylvania \(AICUP\)](#). Our participation provided us with opportunities to network with college presidents and other high level officials of colleges and present education programs at AICUP events. Our Higher Education Group has presented a number of programs relating to Title IX and the recent amendments to the Violence Against Women Act. The membership keeps the Higher Education Group current on developments at Pennsylvania's private institutions of higher education and on their concerns. Key attorneys involved: **David Keller**, [Mike Davis](#)

NACUA. We are an active member of the [National Association of College and University Attorneys \(NACUA\)](#) and actively participate to keep abreast of new developments in the law of higher education. Key attorneys involved: **David Keller**, [Mike Davis](#)

Special Education. Special education is an area of law that continues to expand as more children are identified as either individuals with a learning/physical disability or as needing special supports as part of their educational program. We are one of the few firms in the region that provides full service, guidance and representation to school districts and intermediate units in all areas of student services and disability law both as general counsel and special counsel. Although we consistently negotiate satisfying and successful settlements of special education disputes, our attorneys have the skill, experience and technical expertise to efficiently litigate cases in this complex area of the law.

Key attorneys involved: **Bill Zee**, **David Walker**

Education Background. The wide-ranging expertise of our attorneys offers extensive knowledge in all aspects of representing school districts, intermediate units, independent schools and higher education entities. For example, three of our public school law attorneys either taught school or worked in education prior to attending law school. The fourth attorney, despite not having worked in public education, brings forty years of experience as a school law attorney to the team. As a group, we regularly counsel school boards

and administrators in diverse matters encompassing myriad issues, including general school law matters, labor relations and employment concerns, special education, public finance, construction, tax assessment and collection issues, employee benefits and school-related litigation of all kinds. We represent the interests of our clients before arbitrators, the Pennsylvania Labor Relations Board, the Pennsylvania Department of Education, the Office for Dispute Resolution, and state and federal courts. While our team has litigated numerous precedent-setting cases on behalf of School Districts and Intermediate Units, we strive to identify problems at their earliest stage and offer effective solutions that will resolve legal problems before they intensify. Key attorneys involved: **Robert Frankhouser, Kim Smith, Bill Zee, David Walker**

Student Rights and Discipline. Student rights and student discipline issues are on the rise. Our districts routinely face constitutional or statutory concerns such as student expression, privacy, search & seizure, truancy, and confidentiality. Reflective of the fact that courts across the United States are addressing more frequently the rights of gay, lesbian and transgender students, school districts and intermediate units within our region are facing those same issues. We continue to monitor developments in the law so that we can provide regular in-service trainings for staff and administrators, general legal updates on changes to the law and information on specific areas of interest, which allows us to assist school clients to solve legal problems before they devolve into litigation. We strive to enable our clients to focus on the important work of educating children. Key attorneys involved: **Bill Zee, David Walker**

Employment Focus

[Jill Welch](#) presented "The Year of the Standoff: The President v. Congress v. The Supreme Court on Key Labor and Employment Issues" as part of [McKonly & Asbury's](#) Collaborate 2015 Conference.

Maryland Focus

[Paul Minnich](#) and **Rick Hackman** have joined the Baltimore County Bar Association along with **Danielle Dolch** who previously practiced with another Maryland law firm. Paul, the chair of the firm's growing [Litigation](#) group, handles a broad range of litigation matters and heads the firm's office in Hunt Valley, Maryland. Rick is vice-chair of the firm's [Employment](#) group representing management and employers in all aspects of employment law issues. Both Paul and Rick are qualified to serve clients not only throughout Central Pennsylvania but in also in Maryland which is a great benefit to our clients with legal needs in both states.

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Transitions

[Joseph Falcon](#) has been named partner with the firm. He is an [intellectual property](#), U.S. Patent and Trademark Office registered patent attorney.

[Troy Rider](#) has been named partner with the firm. He practices in the areas of [Business](#), [Finance](#), [Securities](#) and [Real Estate](#) law.

[Maria Elliott](#) has been selected as the practice group leader for the [Real Estate](#), [Municipal](#) and

[Environmental](#) Law group.

Randy Moyer has been selected as the practice group leader for the firm's [Personal Planning](#) group.

Dorothy Rund was named Chief Administrative Officer in 2015. Dorothy has been with the firm for nearly 20 years and her main focus will be working with the firm's management committee on strategic planning, growth and other major initiatives and to manage the firm's professional administrative team.

Christopher Mattson is retiring from the firm in early 2016. For more than 40 years, he has been a highly regarded attorney in our [Health Law](#) group. He has tried to verdict more than 100 jury trials in federal and state court and has been involved in numerous civil litigation matters involving antitrust and securities litigation, accounting malpractice, contract disputes, employment law disputes, eminent domain and enforcing restrictive covenants through injunctions, among others. Chris continues in his role as a Veteran Mentor Coordinator for the Lancaster County Veterans Court. We will miss him and wish him well in retirement!

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Welcome to the Firm

Kevin Myhre has joined the firm as an associate in its [Intellectual Property](#) group. Kevin received his J.D. from Boston University School of Law and his B.S. with the University of Virginia (Aerospace Engineering). Kevin is a former Patent Examiner at the U.S. Patent and Trademark Office.

Lin Axamethy Floyd has joined the firm as a Senior Of Counsel member in the [Intellectual Property](#) group. Lin received her J.D. from Temple University Beasley School of Law and a B.A. from the University of Rhode Island. Prior to joining Barley Snyder, Lin was a corporate patent counsel with E. I. du Pont de Nemours and Company and a consulting patent attorney for FMC Corporation.

Danielle Dolch has joined the firm as an associate in its [Real Estate](#) and [Personal Planning](#) groups. Danielle earned her J.D. from the University of Maryland Francis King Carey School of Law. Danielle also served as a law clerk, and most recently as an associate, at a Maryland law firm where she gained significant experience in estate planning and estate administration.

Abby Medin has joined the firm as an associate in its Business and [Real Estate](#) groups. Abby received her law degree from Washington University School of Law. Prior to joining Barley Snyder, Abby was a law clerk to the Honorable Leonard P. Stark, U.S. District Court judge for the District of Delaware.

Peter Faben has joined the firm as an associate in its [Health Law](#) and [Litigation](#) groups. Peter focuses on the defense of health care facilities and physicians in medical malpractice litigation. He also represents medical service providers in state regulatory matters and helps his clients identify potential risks to mitigate future liabilities.

Kylie Madsen has joined the firm as an associate in its [Litigation](#) group. Kylie received her law degree from William & Mary Law School. Kylie worked as an appellate judicial extern and a law clerk at a civil law firm in Beijing, China. Most recently, Kylie gained extensive experience in general civil practice matters as an associate at a Lancaster area law firm.

David Walker has joined the firm as an associate in its [Education Law](#) group. David received his law

degree from Widener University School of Law in Wilmington, DE. David focuses his practice on the unique legal needs confronting educational agencies throughout Pennsylvania, including school districts, intermediate units and career and technology centers.

William Zee has joined the firm as an Of Counsel attorney in its [Education Law](#) group. Bill offers extensive experience representing public and private schools, intermediate units and institutions of higher education. William is highly respected for his expertise in the area of student services and special education.

Robert Frankhouser has joined the firm as an Of Counsel attorney in its [Education Law](#) group. Bob received his law degree from Dickinson School of Law. Prior to joining Barley Snyder he worked for a Lancaster area law firm.

Kim Smith has joined the firm as an Of Counsel attorney in its [Education](#) and [Employment Law](#) groups. Kim offers extensive experience representing public school entities and private sector employers.

William McCarty has joined the firm as an Of Counsel attorney in its [Finance & Creditors' Rights](#) group. Bill has served on the Board of Directors of the Pennsylvania Association of Bond Lawyers, and has also acted as a panelist on governmental obligations at the annual Bond Attorneys Workshop of the National Association of Bond Lawyers. Bill also serves as solicitor for municipalities and authorities.

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Our Practice Excellence Initiative

Since 2008, our [Practice Excellence](#) program has been enhancing client service throughout the firm. This initiative is an ongoing effort by all levels of our organization to constantly increase our capacity to provide excellent service, professional quality and outstanding value to our clients.

Our innovative approach incorporates elements of Lean Six Sigma and process improvement, creating a culture of continuous improvement that delivers real value to our clients. Although Lean wasn't typically associated with law firms, years ago we recognized the value that process improvement and formal training in Lean techniques could bring to our firm and to our clients. Now, all members of the firm-from the receptionists to the most senior partners-take courses in Lean and process improvement. In addition, one of our Intellectual Property partners and the head of IT function have both recently completed additional courses in Lean Six Sigma at a local university. By constantly evaluating and improving our processes, we are able to respond more effectively to the demands of the market and provide excellent service to our clients.

The firm's approach to client service and projects continues to generate a buzz in the legal press. In August 2015, Legal Management Journal interviewed Paul Mattaini for the article "Starting the Six Sigma Revolution at Your Firm." Paul currently heads up our Practice Excellence initiative.

"What surprised us was some of our clients were really intrigued, as well," Mattaini stated. "They appreciated the fact we are able to focus on critical issues as opposed to just doing things the way they'd always been done."

Our Lean training keeps us focused on delivering value as defined by our clients. As part of our Practice Excellence 2014 initiative, we designed a ticket system that allows one of our clients to access fixed-fee legal

services directly through a secure Internet portal. For the client, this ticket system has delivered tangible benefits in the areas of cost and timing. We expanded the system for this client in 2015 and we are looking to offer similar systems to our clients in the future.

We continue to partner with Gimbal, a leader in innovation and Lean practice management in the legal industry. Gimbal provides us ongoing training and supports our process improvement projects. Over the summer, one of our partners, David Freedman, joined Gimbal's Karen Dunn Skinner and David Skinner, in a webinar series on process mapping in employment litigation. David Freedman provided insight into how his employment team uses Lean and process mapping to deliver faster, more cost-effective service to clients at critical points in the litigation process. The series was extremely well-attended, with participants from leading law firms and Fortune 500 companies.

In today's market, clients expect more of their attorneys. At Barley Snyder, our Practice Excellence initiative ensures we deliver.

Practice Excellence allows us to respond to growing demands in the legal profession for increased value and efficiency. Recent projects include:

Expanding our use of detailed work plans. For complex matters, we work with clients to map out detailed work plans before work begins. For example, we use work plans to assist business owners in the sale of their businesses, and in complex banking and litigation matters. Plans help clients understand timelines, risks, and strategies, and ensure that lawyers and clients understand goals and budgets before starting work. You can never eliminate uncertainty from a legal process-especially in litigation-but our well-defined work plans help prepare clients for decision points during the project, and give them transparency and budget predictability from the outset.

Perfecting our Settlement Agreements. The employment group undertook a project designed to reduce the time and cost of settlement agreements in litigation. They analyzed existing agreements and created a strong template for the firm's attorneys to use during the settlement process. The result was a significant reduction in attorney time and cost to the client in one of the most common elements of litigation. The group continues to work on process improvements that allocate work more effectively and deliver better value to their clients.

Improving our Billing Process. With the help of Gimbal, we undertook a detailed examination and analysis of our billing process. Our improvement goals included reducing attorney time, eliminating errors, and creating an efficient process to deliver timely, accurate bills to our clients. As part of the project, we decided to transition to paperless billing. In response to client requests, we'll be offering electronic billing to more clients in 2016 as we roll this green initiative across the firm.

Expanding Second Person Review. We've expanded our quality control measures and now offer clients Second Person Review in a larger number of complex matters and projects. Having a second set of eyes reviewing complicated matters ensures we deliver the excellence our clients deserve and expect. Building this review into our work plans means increased cost transparency and predictability for clients.

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Events and Seminars

While Barley attorneys are dedicated to building and maintaining their own professional education and experience, we also strive to keep our clients informed of relevant industry information by providing them with regular updates in the form of alerts, newsletters, innovative guidance, counseling, training and seminars.

Our annual seminar include:

LendiCon 2016 Lending Conference

Location: Lancaster Country Club

Save the date: March 24, 2016

33rd Annual Employment Law Seminar

Location: DoubleTree Resort by Hilton Hotel Lancaster

Save the date: May 6, 2016

Business Seminar Series

This is a series of seminars covering a variety of business topics offered on three dates and in three locations. Details for these events will be available on our website (www.barley.com/news-events) later this year.

Lancaster - Reading - York

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