

BRIEFS

Tips to help with your legal issues, big and small.

Practice Makes Perfect



Gary Okin
Domestic Relations Law Specialist
440.352.3391
gokin@dworkenlaw.com

Gary Okin brings much more to practicing domestic relations law than handling divorce cases: he uses his 32 years of experience to help families through some of their most difficult times. "Going through a divorce can sometimes be like suffering a family death," Gary says. "Emotions can run high, yet I must separate the emotions of the case from the reality of the law."

Gary's domestic relations work encompasses divorce, custody, and support issues, but also includes complex dealings such as business and pension valuation. "Domestic relations is a type of litigation with so many intricacies," he says. Gary also does other litigation work at Dworken & Bernstein.

Gary is a cum laude graduate of Washington & Lee University in Lexington, Virginia, where he received his undergraduate degree in English Literature, and says he would be an English professor if he wasn't a lawyer. He received his juris doctorate, cum laude, from Cleveland State University's Cleveland-Marshall College of Law. He holds a certificate from the Ohio State Bar Association as a Family Law Specialist.

Make Us Laugh!

Submit your lawyer jokes to us! If we use your joke in an issue of *Briefs*, we'll send you a gift certificate to a local eatery.

E-mail your joke to:
Barbara Marlowe,
bmarlowe@dworkenlaw.com,
or mail it to Dworken & Bernstein • 60 South Park Place
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**So, did you hear about
the new sushi bar that
caters exclusively
to lawyers?**

"It's called, Sosomei"

More than \$20 Million Dollars to Charities and Counting! *Ohio Lawyers Give Back, the nonprofit foundation established by Dworken & Bernstein, directs more than \$20 Million Dollars to local charities.*

In spite of the tough economic times, we're doing something at Dworken & Bernstein that can forever change the way our nation's corporations and legal professionals give back to those who need it most: the sick, underprivileged and struggling in our society. Led by partner Patrick Perotti, Esq., a team of Dworken & Bernstein professionals are tirelessly meeting with Ohio's elected officials, nonprofit leaders, and legal colleagues to make more people aware of the use of cy pres; a little-used legal doctrine that allows unclaimed class-action money to be directed to charities instead of going back to corporations.

By using cy pres in Dworken & Bernstein's own class-action litigation cases, our efforts have redirected more than \$20 million in unclaimed class action settlements to nonprofits to date.

Deborah Foley, president of United Way of Lake County, has received \$500,000 in cy pres funds for her organization. "We have mobilized that money to engage the communities we serve in so many ways," she says. The funds have helped to fill



Cleveland Cavalier Zydrunas Ilgauskas (center) and his wife, Jennifer, (left) believe in our efforts to help struggling charities.



50 food pantries and provide other food programs with quality products, open a home for teens and support their continued education, provide transportation for after-school tutoring, reach out to seniors who normally would be isolated from programs, and much more.

Deborah explains, "Oftentimes when we receive funding there are very specific mandates for how the money can be used. But the cy pres donation allowed us to open new doors and make a greater impact on people in the way they need it most."

Imagine what can be done if more legal, judicial and business professionals used cy pres? To further the cause, we have founded a national 501(c)(3) called Ohio Lawyers Give Back (www.OhioLawyersGiveBack.org). You can help, too, by making a donation to support administration and efforts of the nonprofit, or by calling your local government representative to help make cy pres mandatory in class action settlements throughout Ohio.

STAR WITNESS.

“When my elderly mother was wrongly injured, personal injury attorney Irv Rosner, his paralegal, Gail, and the staff of Dworken & Bernstein helped to ease a formidable situation with efficiency and compassion. My mother, as well as our family, would have been completely overwhelmed with the enormous task of sorting through medical bills, insurance paperwork, and legal information. Instead, we were able to focus on the physical and emotional recovery process. The combination of superior legal knowledge and experience at Dworken & Bernstein yielded outstanding results. Although the legal settlement was much better than expected, it does not completely erase the trauma of injury. In the end, it is a qualified team of legal professionals who cares enough to take you through the process step by step that can make all the difference.”

-Phyllis Thomas

Dworken & Bernstein, Co. LPA, is a full-service law firm offering creative solutions for individual and business legal needs. For more information, visit

www.dworkenlaw.com or call 877-299-7708.

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Wrongful Death
Workers' Compensation
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Products Liability
Estate Planning, Wills, Trusts
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Consumer Law
Class Actions
Banking & Commercial Lending
Criminal, Traffic, Juvenile Law
Professional Negligence
Wage & Hour Law
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Painesville Office
60 South Park Place
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Cleveland Office
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BRIEFS

Tips from your law firm to help with your legal issues, big and small. Brought to you by the law firm of Dworken & Bernstein, with full service offices in both Painesville and Cleveland.

Lawyer Joke:

Did you hear about the new sushi bar that caters exclusively to lawyers?

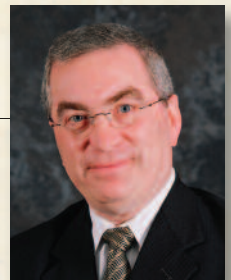
(See inside for the Punchline!)



Employment Law
by Ric Selby, Esq.

Q&A

Workers' Compensation Law
by Irving Rosner, Esq.



Q: If I have been terminated from my job, am I entitled to unemployment benefits?

A: If you have been terminated as part of a reduction in force, or lack of work, you will be entitled to unemployment benefits. If you have quit your employment or were terminated for some other reason, the Bureau of Employment Services will determine whether there was just cause for the separation from employment. They make the ultimate decision.

Q: What happens to my health insurance when I am terminated?

A: Depending on the reason for the termination and the size of the employer, you may be entitled to continue your health insurance pursuant to a federal law known as COBRA. You will be required to pay the premiums, but the insurance may be available to you for up to eighteen months. The cost of replacement health insurance and unpaid medical bills that you incur may be elements of damage in any wrongful discharge claim you pursue, so it is important to keep records of those costs.

Q: What information do you need to begin working on my claim?

A: Following an initial meeting, we will begin by gathering any important medical records, reports and test results. We may also request records, and/or wage information from your employer. Finally, we will review any documents that are already on file with the Ohio Bureau of Workers' Compensation. If an injured worker is disabled as a result of an industrial injury, I would review in detail the person's educational background, work history and interests, so that a better foundation for future entitlements can be planned in advance.

Q: What happens if I need medical treatment as a result of my injury?

A: Once we've gathered the initial information, we may need to secure approvals for the prescribed treatment or for the allowance of the claim. Further allowance of additional medical conditions that have been diagnosed by your doctor but have not yet been allowed in your claim may be needed to support your treatment plan.