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Volume 91, Number 6

Friday, July 27, 2018

75 CENTS

under analysis

BY THE LEVISON GROUP

Mark Levison • Charles Kramer
Spencer Farris



Mark Levison

There may be an egg sitter in your future

By Mark Levison

My wife Cheryl's birthday is coming up. She tends to buy what she wants, which is a good thing, unless you're trying to buy her something she wants. Because this is a difficult task, it is wise to "listen" for clues concerning her current and unusual interests, or sometimes to straight out ask her.

She recently mentioned three things. The first was to convince our neighbors to sell us a third of their back yard so we could build a three-car garage. She was confident that, "given my legal expertise and powers of persuasion," I could convince them of the wisdom of that deal, get the land subdivided and replatted, and also convince the proper city officials and subdivision trustees that the building of the garage in an historic district would not violate any subdivision indentures or zoning restrictions. I was glad to do those simple tasks for her, except the neighbors didn't really want to cooperate.

The next thing I learned she wanted for her birthday was construction of a roundabout with a fountain at the intersection where we live. To her that sounded like a relatively simple thing for me to accomplish. It only took a buy-in from all of the neighbors, approval of the neighborhood association, endorsement by our alderperson, a traffic study by the City Street Department, an allocation of City funds, a vote from the full Board of Aldermen, and then calendaring of the construction. It might not get done by her birthday next month.

Another thing she wants is a train set, suspended in the air, running around the ceiling of one (or more) of the rooms in our house. I just don't know what to say about that.

Needless to say, I'm working on all of these things, but in the meantime I thought I would try to get some ideas of my own, so I started exploring the obvious place—TV infomercials. To my surprise, my review of current TV infomercials revealed there are many things offered—at prices far more reasonable than suspended train tracks—that, although not necessarily designed for, will be extremely useful in my law practice. The first thing that caught my attention was the Thunder Vest.

The Thunder Vest is a wrap-around dog vest billed as a common-sense apparatus to make our canines feel calmer and more secure. I immediately ordered four of them in the "Great Dane" size. This was not because I have Great Danes, which I do, but because I'm hopeful they will fit some of my smaller legal opponents. It just seems that lately, for some odd reason, I have been getting them all riled up, and they tend to go off half-cocked and do unproductive things. I'm thinking if I present them with a Thunder Vest, explain it will be good for them, and that they should try it on, it will improve their demeanor. But that's only the beginning. For \$19.95 each, TV also offers the Hurricane Spin Duster and the Lint Lizard. My desk at work is always full of stuff and it gets dusty. With the Hurricane Spin Duster, I'm figuring I can clean it without moving all of the papers around my desk, and I'm certain the Lint Lizard will come in handy to suck the Great Dane hair off my suits, or to clean the train tracks my wife wants for her birthday—these may not be Lint Lizard's intended uses, but creativity is part of being a successful lawyer.

Bell and Howell offers a lot of products on TV these days, and one of them is the Animal Repeller. In the event the Thunder Vests don't work, I'm thinking this particular item

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'Know' Fault

'Sensitivity' to client needs continues to drive attorney

By Tom Kirvan

Legal News

In his soft spoken and understated way, attorney Arthur Liss is a proponent of practicing law in "old-fashioned" terms, when a handshake created a bond and professional civility underscored every act of advocacy.

"It's the way I go about my business and how we as a firm operate collectively," said Liss, founder of the Bloomfield Hills firm Liss, Seder & Andrews, P.C., which specializes in no-fault insurance litigation involving catastrophic brain or spinal cord injuries. "We are focused on the principle of 'do the right thing by the client,' which guides us throughout every case we take."

And some of those cases can take more than a decade to resolve, whether in terms of a settlement or a successful trial outcome, according to Liss, a Detroit native who graduated from Wayne State University Law School in 1972, working his way through school as a process server.

"We have a very thorough case evaluation and selection process, and we as a team are committed to truly making a difference in the lives of the clients we represent," Liss explained. "We represent individuals and families who are dealing with accidents and injuries that have literally turned their lives upside down—physically, emotionally, and financially. They come to us for help, and for answers to their problems."



Attorney Arthur Liss and his partner Nicholas Andrews, the son of retired Oakland County Circuit Judge Steven Andrews, posed for a photo with members of the Hardrick family, whose lawsuit for attendant care benefits took 10 years to successfully resolve, according to Liss.

Which largely explains why Liss and his partners, Karen Seder and Nicholas Andrews, can be secure in their promotional claim that "We Know Fault," a statement with a dual purpose for a firm that has helped shape the no-fault litigation landscape.

"Many (Michigan) Supreme Court and (state) Court of Appeals cases are our own and have helped define the responsibilities of insurance companies when it comes to long term care for the catastrophically injured," said Liss, who spent the first 20 years of his legal career in practice with his brother before forming his own firm 25 years ago. "Michigan's No-Fault law for auto accidents was adopted in 1973, and we are proud to be part of the evolution of the case law in this area to help those dealing with life-altering injuries."

Liss said that his desire to "help make a difference" for such clients can be traced to his childhood when a cousin was severely injured after falling from a roof.

"From that fall he became a quadriplegic, forcing his family to provide round-the-clock care," Liss related. "Seeing how his life changed in an instant, and how his family dealt with his care, gave me a real sensitivity to the needs of people thrust into such situations. You can't fully appreciate the scope until you know someone who is catastrophically injured, then it becomes real and deeply personal."

Liss then related the story of a 13-year-old boy, Owen Hawkes Jr., who was biking to his home in Highland Township in the fall of 1979. His seemingly uneventful day suddenly turned tragic.



An alumnus of Wayne State University, Arthur Liss also earned his law degree from the downtown school.

"He was hit by a car and catapulted into a ditch, landing on his head," Liss said of the boy. "He suffered serious brain damage and was in a coma for more than six months. But that was just the beginning of the challenges for the boy and his mother, who spent the next 20 years

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— Get to Know Laurie D. Brewis —

Laurie D. Brewis is an attorney with the TGQ Law Firm in Ann Arbor. She received her law degree from Michigan State University School of Law and a certificate of completion in Estate Planning and Probate Administration from the Institute of Continuing Legal Education.

A member of the State Bar of Michigan since 2001, Brewis focuses her practice primarily in the areas of estate planning and consulting, probate law, elder law and business law. She is a member of the Probate and Estate Planning, Elder Law and Law Practice Management sections of the State Bar of Michigan and serves as vice chair for the Law Practice Management Section.

Brewis and her husband live in the village of Manchester with their two children and two dogs. She enjoys volunteering in her community where she is a board member and treasurer for the Manchester Area Historical Society, vice president of the Manchester Music Boosters, a member of the Manchester Ladies Society, and a board member of Diuble Family Vision. She also serves on Manchester's Planning Commission and Parks Commission and recently began delivering for Meals on Wheels out of Chelsea to help expand service to those in need in Manchester.

In her free time, she enjoys walking the dogs, yoga, cooking and relaxing with her family at their cottage on a small lake in Gladwin.

By Jo Mathis

Legal News

What is your proudest moment as a lawyer? When clients say, "Thank you" and I can see the relief in their faces. I love to find solutions for people.

When you were considering law school, what was Plan B? I had been out of undergrad and working for 10 years when I decided to pursue my master's in human resources and industrial relations. While I was taking classes in this program I decided to go to law school. If I didn't get into law school, I would have continued with my master's.

What would surprise people about your job? It gets dramatic, but it's nothing like portrayed on television.

If you could have witnessed any event in history, what would it be? The signing of the Declaration of Independence.

Who is on your guest list for the ideal fantasy dinner party? Ruth Bader Ginsberg, Thurgood Marshall, Robert Kennedy, Rev. Martin Luther King Jr., Anthony Bourdain,

Dan Rather, Tom Colicchio, Eric Ripert, Julia Child, Michelle Obama, David Sedaris, Oprah Winfrey, and our friend Mike Thomas, because he can make friends and talk with anyone.

What was always written on your grade school report card? "Laurie is a joy to have in class."

What is your happiest childhood memory? Sunday drives that stopped at Dairy Queen.

What do you wish someone would invent? A 100 percent self-cleaning bathroom.

What has been your favorite year so far? Honestly, all of them! Each one just keeps getting better and they are all a gift.

What were you doing in your last selfie? Boating with family and friends.

What question do you most often ask yourself? "What would you attempt to do if you knew you could not fail?"

If you could trade places with someone for a day, who would that be? Anthony Bourdain on any day he was traveling for "No Reservations" or "Parts Unknown." I love to cook, eat and travel, and I'd love to see the world the way he experienced it.

What's the most awe-inspiring place you've ever been? Any island in the Caribbean—the water is so blue it takes my breath away.

What's something you changed your mind about recently? Allowing my daughter to attend school at home through a virtual classroom.

What is one thing you would like to learn to do? Play the piano.

What is the best advice you ever received? Listen first to understand.

Favorite websites? Of course, tgqlaw.com! Also ted.com; IMDB.com; PamperedChef.com; and surlatable.com. And who doesn't love Google?

Favorite local hangouts? In Manchester: Exhale Yoga, Kellie's Restaurant (a.k.a. Stockwell's) for breakfast or lunch and The Village Tap for a really good olive burger.





May it please the palate

By Nick Roumel

Stuffed Dates

A law school classmate once visited England, and after a fine dinner, intended to compliment the chef. "I'm stuffed!" she beamed, leaning back to pat her belly.

Let's just say. . . it means something different across the pond.

To me, being stuffed is a good thing. Take a piñata, a plastic Easter egg, a Russian doll - and the happy surprise within. With food it's the same thing. You're eating a piece of fish, and all of a sudden it turns into crabmeat. Or that chocolate cake becomes molten lava.

But perhaps no food is as versatile as being stuffed as the classic Medjool date. On its own, it's tasty enough. Cleaved and stuffed, it makes an amazing harmony, no matter what it's paired with. Like the syncopated jazz line from Miles Davis' "In a Silent Way," or how the cast of "Pulp Fiction" manages to make sense together.

Only the imagination limits what a Medjool date can hold. From a spoonful of vanilla ice cream, dusted with pistachios; to a spicy sausage and a slice of bacon. There's something about the earthiness, subtle sweetness, and complex texture of the date that just gets along with everything. That's why I was able to take this chorizo stuffed date recipe from the New York Times, and

make it work with lamb sausage, as well as walnuts and feta. What really makes this Brunhilda sing is the red pepper sauce.

I adapted this Times' recipe, substituted lamb marguez for chorizo, and toned down the garlic and shallots with no ill effect. It was a big hit with everyone who tried it. The vegetarian versions were just about as good.

Ingredients

- 1 TBS olive oil
- 4 garlic cloves, thinly sliced
- 4 shallots, thinly sliced
- 8 ounces (about 1 cup) roasted piquillo peppers with any juices (or use any roasted red peppers) *I used Divina brand
- 2 cups whole peeled canned tomatoes *I used a good San Marzano
- Kosher salt and black pepper, to taste
- *Not a lot
- 16 Medjool dates (pitted)
- 8 ounces of fresh merguez or chorizo (not cured), casings removed *I used homemade merguez from Sparrow Market in Ann Arbor
- 8 slices bacon

Preparation

1. Heat oil in a medium saucepan over medium heat. Add garlic and shallots

and sauté until tender, about 5 minutes. Add whole peppers and tomatoes and cook on low heat for about 30 minutes to 1 hour, or until the liquid in the sauce has mostly evaporated. Season with salt and pepper to taste.

2. Let sauce cool slightly, then transfer to a blender and process until smooth. Thin with warm water to reach desired consistency if necessary. You want a thick sauce but not so thick that it mounds on the plate.

3. Heat oven to 350 degrees. Stuff dates with sausage, using about 1/2 tablespoon of chorizo per date. Cut bacon slices in half lengthwise and wrap a slice around each date.

Place stuffed dates on a small baking sheet and bake 15 minutes, or until chorizo is cooked through. Turn broiler to high and broil for 2 to 4 minutes, or until bacon is dark brown and crisp.

4. Spread sauce on each plate and place 3 dates on top. Serve warm.

Vegetarian Version

Stuff dates with various combinations of feta or goat cheese, walnuts and/or pistachios. Mix and match. Bake 15-20 minutes; no need to broil. Spread sauce on each plate and serve as above.

You will learn to appreciate being stuffed with this stuff.

Nick Roumel is a principal with Nacht & Roumel, PC, a firm in Ann Arbor specializing in employment and civil right litigation. He also has many years of varied restaurant and catering experience, has taught Greek cooking classes, and writes a food/restaurant column for "Current" magazine in Ann Arbor. Follow him at @nickroumel.

Under Analysis ... (Continued from Page One)

may have some application for my really overly aggressive opponents. Then there are Battle Vision Glasses. They are advertised as "combat ready," and what could be more important for a trial lawyer. Further, the maker claims that with Battle Vision Glasses, you will see things that are not detectable to the normal eye. That is the exact type of trial tool I've been searching for my whole legal career!

In a less aggressive vein, during family programming hours, TV offers some more practical lawyer tools. Take, for instance, the Climb Cart. It sports six rotating, stair-climbing wheels, so moving a bunch of documents up courthouse steps will be a whole lot easier than traditional brief cases with four or no wheels. Finally, I couldn't resist the Egg Sitter. What in the heck, you wonder, is an Egg Sitter? Well, it's some sort of weird, blue state-of-the-art cushion that, according to the advertisement, is named the Egg Sitter, because "you can put an egg on it, sit down, and it won't break." According to the infomercial, the result is the Egg Sitter makes your rear end feel "cool and comfortable," even after sitting all day, wearing Battle Vision Glasses, while responding to a motion for summary judgment. I immediately bought a carton of them for me and my associates.

So, as you can see, even when shopping for one's spouse, a creative lawyer can find lots of common sense things on TV that are useful in his or her practice. Oh, and by the way, I did recently order one more Thunder Vest. Cheryl's been getting a little irritated with me lately, and I'm thinking it might just be the perfect birthday gift for her.

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Victim compensation window closes Sept. 10 in Nassar case

While new laws may revive time-barred claims for victims of imprisoned Larry Nassar, these new legal claims must be filed by September 10, 2018 for victims to be eligible to assert claims against Michigan State University, according to a pair of Royal Oak attorneys.

Attorneys Michael Pitt and Megan Bonanni are currently representing five "new" claimants in the Nassar case who were not part of the initial group of 333 who will be compensated from the Original Nassar Victim Fund.

Any other new claimants who come forward before September 10, 2018 are eligible to receive awards from the \$75 million New Nassar Victim Fund.

"There are fundamental differences between the two funds," said Pitt. "Only those on an approved list at the time of the

settlement are eligible to receive an award from the Original Nassar Fund. MSU has sole control over the use and allocation of the New Nassar Victim Fund. No defenses have or will be waived. There is not an award allocation process and no one has been appointed to oversee the management of the new fund."

Pitt also said the unused portion of the New Nassar Fund will be paid over to the Original Nassar Fund 24 months after its establishment.

"Right now, it's extremely important for every Nassar victim eligible for a revived claim who is contemplating bringing a claim for damages against Nassar, MSU or others, to consult with a knowledgeable attorney as soon as possible," said Bonanni.

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'Know' Fault ... (Continued from Page One)



Arthur Liss and his wife, Beverly, who is the 28th president of the Jewish Federation of Metropolitan Detroit and just the third woman to head the organization.



In a photo from early in his legal career, Arthur Liss used a prop to drive home a point on the long-term consequences of a serious head injury.

taking care of her son at home instead of placing him in a nursing home."

For that act of compassion, the mother was paid a paltry \$2.08 per hour by the insurance company, a fraction of what the care cost and what a caregiver deserved, according to Liss.

"When we got involved more than 20 years after the boy's accident, we filed suit in Oakland County Circuit Court under the state's No-Fault Act, seeking greater compensation retroactively for the care the mother had provided and a higher rate of pay for future care. The result was a multi-million-dollar settlement for past benefits and a guarantee of significantly higher rate of pay for future care."

Then there is the "Villafior case," said Liss, as he begins to recount the legal odyssey involving plaintiff Ricardo Villafior and his insurance carrier.

In 1994, Villafior was seriously injured in an auto accident, to such a degree that he would require attendant-care benefits for the balance of his life.

"Over the past 20 years, we have been forced to sue the insurance company not once, not twice, not three times, not four times, but five times to have his benefits paid," Liss said in exasperation. "The case finally ended up in federal court in Detroit and then was appealed to the U.S. Sixth Circuit.

"That case should never have gotten to that stage, but

there is nothing simple about playing 'David' to the insurance industry's 'Goliath' when it comes to no-fault litigation," said Liss. "All we seek is rightful compensation for our clients, not a penny more or a penny less than what they deserve. Unfortunately, in the era of tort reform, plaintiff attorneys like us have gone from 'prosecuting' a case of liability to 'defending' the cause - and conduct - of our clients. It is just part of the insurance carrier's strategy to limit payments and to shield their overall financial exposure."

Liss credits a "team approach" for his firm's success, heaping praise on his partners, Karen Seder and Nicholas Andrews.

"They each bring incredible skillsets to the firm," said Liss. "They are each extremely talented, and are dedicated to the cause of the client. You probably couldn't find three more different personalities in one firm, but we are united in our legal approach and our desire to serve our clients, however much we have to invest in a case and however long it takes."

The ultimate payoff comes in the form of "thank you" notes and cards that Liss has collected and cherished since founding the firm.

"When I get a note of gratitude, I know it comes from

their heart," said Liss. "That makes all the hard work and the time we've invested in a case so worth it to me. I view myself in simple terms - a lawyer doing God's work."

A graduate of Mumford High School, Liss grew up in Detroit near 7 Mile and Livernois. His father, George, was a partner in U.S. Lumber Co., a family-owned business in Detroit. His mother, Rose, was a stay-at-home mom who placed "family, friends, and community above herself," said Liss.

"Both my parents died young, at age 67, but they left a lasting mark on the lives of me and my brother Robert," said Liss. "They each placed great value on the importance of education. In that day and time, you were told to seek a career as a 'professional.' So that's what my brother and I did."

The brothers were law partners for two decades before Liss decided to branch out on his own with a firm focused solely on catastrophic personal injury work.

"I really believe that I was somehow destined to do this kind of work," said Liss. "It can be demanding and exhausting, but the opportunity to represent people who have suffered great harm makes it all worthwhile."

Liss and his wife, Beverly, have been married for 46 years after meeting, some-

what fittingly, at a wedding reception in Houston.

"It was a case of love at first sight," said Liss. "That may sound like a cliché, but in our case it was true."

Beverly, a graduate of the University of Texas at Austin, earned her bachelor's degree in social work and nursing, and now serves as president of the Jewish Federation of Metropolitan Detroit.

"She is an amazing person who has devoted her life to

good causes," said Liss of the love of his life.

The couple has three children and nine grandchildren. Their son Jeremy is a lawyer in Chicago, while daughter Lindsey owns an art studio in the Windy City. The couple's youngest, son Zachary, is a pediatric urologist in Birmingham.

"We have been blessed with wonderful children and grandchildren," Liss said. "We are a tight-knit group and we find great joy in each family get-together."

THE FLINT-GENESEE COUNTY LEGAL NEWS

THE FLINT-GENESEE COUNTY LEGAL NEWS (USPS 113970) is published biweekly by the Gillett Publishing Company, 111 West Young Street, Clio, Michigan 48420. Second class postage paid at Clio, Michigan. POSTMASTER: Send address changes to THE FLINT-GENESEE COUNTY LEGAL NEWS, 111 West Young Street, Clio, Michigan 48420.

This newspaper serves the Courts and the Legal Profession, County and Municipal Governments, and the general public, by the publication of Official Court Calendars, Legal Notices, and other legal and public information. It is the only newspaper of its kind published in Genesee County.

This newspaper is qualified under all statutory requirements for public and legal notices including a paid circulation status, existence of over eighty-nine years (90 actual) and the statute requiring an average of 25 percent general and legal news content.

Clio Office Phone (810) 686-2080, Fax (810) 686-6850
111 West Young Street, Clio Michigan

- BAN IBRAHIM, Publisher -

PUBLISHED EVERY WEDNESDAY AND FRIDAY BY

DETROIT LEGAL NEWS PUBLISHING, L.L.C.

BRADLEY L. THOMPSON II, President

Second Class Postage Paid

at Clio, Michigan 48420

USPS 113970

Member of American Court & Commercial Newspapers

National Advertising Representative:

Weekly Newspaper Representative, Inc.

404 Fifth Ave., New York, NY 10018

2453 Guardian Bldg., Detroit, MI 48226

Subscriptions: \$80 Per Year in Advance, are non-refundable

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