

Legal *update*

A publication provided for the friends and clients of QR

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QR Celebrates 25 years...

By Vincent J. Quatrini, Jr., Esquire



In 1987, Dennis and I formally created the law firm of QuatriniRafferty. However, the roots of QR go back to the first grade at Holy Family grade school (now Christ the Divine Teacher) in Latrobe. Each classroom was alphabetically seated. Rafferty came right after Quatrini. So, Dennis sat behind me from first grade through eighth grade and for another four years at Greater Latrobe High School. We both attended St. Vincent College. Dennis went on to Pitt Law School and I attended Duquesne Law School.

Neither of us had a job when we graduated from law school. So Dennis set up shop in Latrobe and I came to Greensburg. Tereasa joined me in Greensburg in 1983. It wasn't long before Dennis and Tereasa and I started to work on cases together and we put the name of QuatriniRafferty on the letterhead in 1987.

Ron joined us as a law clerk in 1993 and passed the bar in 1994. David closed

his private practice in New Kensington and joined us in July of 1994, followed by Joyce Novotny-Prettiman in 2000, Jim Horchak in 2001, Pete Gough and Brian Bronson in 2002, Michael Quatrini in 2007 and Jessica Rafferty in 2009.

Twenty-five years have passed. We have grown to 11 experienced and talented attorneys. We are supported by dedicated and hard-working staff. We have expanded our legal services to include:

- personal injury
- workers' compensation
- Social Security disability
- divorce
- custody/visitation
- business incorporation
- school law
- real estate
- zoning law
- will/power of attorney
- living will preparation
- estate administration
- veterans disability
- short-term/long-term disability
- adoption
- heart and lung benefits

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The LEGAL UPDATE is prepared by the staff of QR for its friends and clients. It sets forth general principles and should not be acted upon without specific advice.

Contact us at
news@qrlegal.com

Be sure to visit our website and blog often for the latest legal updates!



www.qrlegal.com



www.qrlegal.blogspot.com



Vincent Quatrini, founding partner of Quatrini Rafferty, was recently inducted into the College of Workers' Compensation Lawyers Class of 2012. Vince was administered the oath and presented a certificate at the annual meeting held in San Antonio, TX. The College of Workers' Compensation Lawyers has been established to honor those attorneys who have distinguished themselves in their practice in the field of workers' compensation. Members have been nominated for the outstanding traits they have developed in their practice of twenty years, or longer, representing plaintiffs, defendants, serving as judges or acting for the benefit of all in education, overseeing agencies and developing legislation. They have a commitment to fostering and furthering the objectives of the College and have shown significant evidence of scholarship, teaching, lecturing and/or distinguished published writings on workers' compensation or related fields of law.



Congratulations to QR attorney **David S. DeRose**, who was elected President of the Westmoreland Bar Association! David was inducted into the office at the Association's annual membership meeting at the Greensburg Country Club on April 2, 2012. David is proud to follow in his father's footsteps - his father served as President over forty years ago.

David is a graduate of Pennsylvania State University and the Duquesne University School of Law. He has been a practicing attorney in Westmoreland County since 1977 and joined QR in 1994. David concentrates his practice in the areas of estate planning and administration, family law, real estate and zoning.

Prior to assuming the Presidency, David served on the Association's Board of Directors for several years. Throughout his career, David has been committed to promoting excellence, education, service and professionalism among the members of the Bar. As President, he looks forward to the additional opportunity to serve his peers, the legal profession and the community.

Attorney **Vincent Quatrini** served as a moderator and panelist at the annual Current Trends in Workers' Compensation Management seminar held in Pittsburgh in March. This annual seminar is sponsored by Allegheny General Hospital. Vince was also a presenter at the annual Workers' Compensation Practice & Procedure seminar, which updates attorneys on recent developments and important issues in the area of workers' compensation law.

The 26th annual Westmoreland County Bench/Bar Conference was recently held in Bedford Springs. This conference provides an opportunity for continuing legal education and interaction between Westmoreland County judges and attorneys. This year the following QR attorneys attended the conference: **Vincent Quatrini, Dennis Rafferty, Ronald Fonner, Tereasa Rerko, David DeRose, Joyce Novotny-Prettiman, James Horchak, Peter Gough, Brian Bronson, Michael Quatrini and Jessica Rafferty.**

DID YOU KNOW...

By Joyce Novotny-Prettiman, Esquire

...that you are able to purchase wage loss coverage as part of your auto insurance coverage?

- This coverage provides you with an immediate source of income after you miss more than 5 days of work because you are injured in an auto collision.
- Income loss is reimbursed by your auto insurance carrier, usually on a monthly basis, and you do not have to wait to complete the process of obtaining a lump sum settlement from the insurance company for the at-fault driver.
- If you don't carry this coverage, be aware that you have to recover lost wages as part of a lump sum settlement, which takes several months to process even in the simplest cases.

TIPS TO HELP YOUR SS CASE

by Kellie Taylor, Paralegal

- Your attorney, paralegal and secretary work together on your case as a legal team. You can be assured that all information you provide is shared with all members of the team.
- You know important information about your symptoms and your health history. Tell us so that we can better help you!
- Even if something makes you feel embarrassed or uncomfortable, it is important that you relay all information related to your case.
- Please keep us up-to-date with any changes in your condition and/or treatment. It is not necessary for you to provide this information directly to the attorney or paralegal - you may provide it to the secretary.
- Remember to always bring an up-to-date list of your medications to all of your appointments.
- Bring to your appointments any information you have which is important to your claim such as copies of medical records, your resume or the statement you receive from the Social Security Administration setting forth your yearly earnings.
- We want to be sure we are handling your case to your satisfaction. If you don't understand what you are being told, please let us know. It is OK to ask.
- It is helpful to write down your questions before you come for an appointment and to take notes so you can refer back to them when you get home.
- If you need to leave a message, please be detailed and provide your full name, telephone number and details of why you are calling. For example, tell us "Dr. Smith ordered an x-ray of my back and it was done on June 1st at Westmoreland Hospital." This detail is incredibly helpful.

Continued from page 1

QR CELEBRATES 25 YEARS...

By Vincent J. Quatrini, Jr., Esquire

If we cannot help you, we should be able to find you an attorney who knows the answer to your question.

We have opened satellite offices in Latrobe at 816 Ligonier Street and in Pittsburgh at 941 Penn Avenue (close to the convention center) to make it more convenient to meet with you.

We have you - our clients and our friends and our lifetime relationships - to thank. Ninety percent of our new clients are referred to us by our existing clients.

In your honor and in appreciation of our good fortune, QuatriniRafferty has made contributions to the following organizations:

- **CASA** (*provides court-appointed help to children*) - **Michael Quatrini** is vice president of the Board and **Jessica Rafferty** and **Joyce Novotny-Prettiman** serve as volunteers
- **Laurel Legal Services, Inc.** (*provides legal services to low-income clients*) - **Brian Patrick Bronson** is a former member of the Board
- **Blackburn Center** (*provides services to abused women and children*) - QuatriniRafferty acts as pro bono solicitor.
- **accessAbilities, Inc.** (*provides in-home care for the disabled*) - **Tereasa Rerko** sits on the Board
- **YWCA** - **Jessica Rafferty** sits on the board
- **Faith in Action** (*provide assistance to the elderly to help them stay in their homes*) - **Joyce Novotny-Prettiman** sits on the Board
- **Union Mission of Latrobe** (*shelter for men*)

We are dedicated to serving you for the next 25 years. Thank you. Thank you.





Kelsey Sherbondy, daughter of Paralegal, **Brenda Sherbondy**, graduated *magna cum laude* from American University in Washington, D.C., with a Bachelor of Arts in Political Science. She minored in French. She was in University Honors in Political Science and was an Honors Capstone Research Conference

winner. Her research paper won the award for best presentation in the Education Policy Session of the School of Public Affairs Undergraduate Research Symposium.

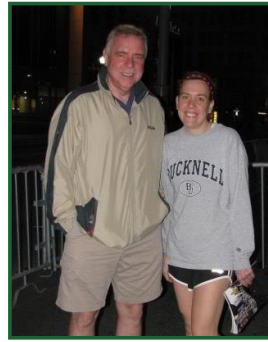
Patrick Grundy made the 7th Grade Honor Roll at St. John the Baptist School. Shelby Grundy just finished her junior year at Geibel Catholic High School, achieving highest honors. She was invited to participate in the Women in Science Day as a result of receiving an award for excelling in mathematics. During this event, she received a scholarship offer from Seton Hill University. Patrick and Shelby are the children of Attorney **Tereasa Rerko**.

The Third Annual Trooper Iwaniec Memorial Race was held on April 12, 2012, at St. Vincent College in Latrobe, PA. The mission of this event is to



raise awareness of the dangers of impaired driving to prevent other families having to go through the tragedy of the loss of a loved one. All profits go to the purchase of breathalyzers for various law enforcement agencies. This year, QR attorneys **Jessica Rafferty** and **Joyce Novotny-Prettiman** and Lydia Herrholtz, daughter of Paralegal **Angela Herrholtz** participated in the 10K race. Jessica won the prize for finishing second in her age group.

Elaine Tait, daughter of Legal Secretary, **Melaine Falbo**, is a current student in the MBA program at the University of Chicago. In June, Elaine began a 10-week summer internship at the Chicago branch of Prophet Consulting, a strategic brand and marketing consulting firm with offices around the globe. Prophet's leadership in marketing and brand strategy has led to successful outcomes for major clients such as BMW and Kellogg's. At the end of her internship, Elaine will be leading a school trip to Alaska for incoming MBA students.



Attorney **Jessica Rafferty** participated in the Pittsburgh Half Marathon on May 6, 2012. Out of 12,141 finishers in the half marathon, Jessi placed 724th overall and 30th in her division with a finishing time of 1:43:34. Jessi and her dad, Dennis Rafferty, are pictured at left.

Christopher DeRose, son of **David S. DeRose**, is working as a reporter for Chicago TV station WCIU. One of Christopher's reports was recently featured on the Today Show and Jimmy Kimmel Live because of Christopher's chance encounter on a downtown Chicago street with a woman who continued to spit while the camera was rolling. This wasn't exactly how Christopher envisioned making a late-night television appearance; however, he received a lot of publicity!

The Connellsville Indoor Colorguard, under the direction of Kelley Revak, Amber and **Terri Ross**, won the silver medal in the TIA Chapter 8 Championship.



They then went on to the national TIA All-Chapter Championship in Wildwood, New Jersey, where they placed 13th in competition with high schools from many different chapters. Terri is a client care representative at QR.

Lydia Herrholtz, daughter of Paralegal **Angela Herrholtz**, received the President's Award for Educational Excellence at the end of her fifth-grade year at R.K. Mellon Elementary School. Lyddie was chosen on the basis of grade-point average, initiative, leadership and exceptional judgment.



Max, Quinn and Preslee, children of **James Horchak**, played baseball this summer. Quinn, age 6, and Preslee, age 4, played T-ball and Max, age 9, played kid-pitch. Dad was a coach for both teams. QR was a team sponsor for the girls' T-Ball team.

COVERAGE TRAGEDIES: PREVENT THIS FROM HAPPENING TO YOU!

By Joyce Novotny-Prettiman, Esquire



It is amazing to us when we hear the suggestions in conversation and in the media that people "hit it rich" because they have a lawsuit. This concept is so far from the truth that it actually makes us cringe. In fact, it is more often the case that people come to our office for help only to find that there is not sufficient insurance coverage to compensate them for their losses. It is a fact that most lawsuits get settled before trial – however, it is a less known truth that many lawsuits get settled because the insurance coverage available is woefully inadequate to cover the damages suffered by someone injured in an accident.

Here's a true story to demonstrate such a situation:

Our office got a call from a father in late August of 2011. He was terribly worried about his daughter, who had been involved in an accident while traveling to work in East McKeesport. A drunk driver of an oncoming SUV had crossed the center line of the roadway and struck his daughter's car head-on, causing life-threatening injuries. He felt so lucky she was alive. They had to deal with the frightening news that her foot might need to be amputated. Over the course of 6 months, she underwent a total of four surgeries. He knew that, with these types of injuries, his daughter would not be able to work for some time. He contacted our office for assistance in taking care of the insurance and medical billing matters that she could not attend to while in the hospital.

When we met with this gentleman and his daughter in the hospital, we assured them that we would help. We learned that her injuries included severe abdominal injuries, a left forearm fracture and a severe right ankle fracture. After this young lady's inpatient stay of 10 days, she was released to a rehab facility because she could not care for herself at home. Her hospital bills alone were in excess of \$327,000.

The first step was to determine how much insurance coverage was available. The driver who caused this collision carried the minimum insurance coverage required in Pennsylvania, which is \$15,000 of liability insurance. That amount was offered to settle the claims against this at-fault driver. This coverage was of course inadequate to compensate our client for her injuries. Unfortunately, it is very unlikely that a person who is injured can make a recovery from an at fault driver for any money in excess of the insurance policy limits. Next, we turned to her auto insurance policy. We found that the underinsured motorist coverage in effect at the time of the collision was only \$25,000. Uninsured and underinsured motorist coverage is not required under Pennsylvania law, but is coverage you can purchase to protect yourself if injured by a driver with little or no liability insurance. The difficult news that we had to deliver to our client was that there was a grand total of \$40,000 of insurance coverage available.

After this woman recovered to the point that she could discuss her insurance coverage, she called her agent. She learned that adequate coverage would have been only a few dollars more per month. She could have afforded it. She wants us to tell our clients to be informed about their auto insurance coverage BEFORE they have an accident.

You should make a call and find out from your insurance agent how much uninsured and underinsured motorist coverage you have in place. After you learn that amount, think to yourself, "could that coverage begin to help me put my life back together if I was in a serious auto collision?" If your answer is no, get more underinsured motorist coverage immediately. You cannot control what other drivers do on the road — but know what you can control. You can control the amount of uninsured and underinsured motorist coverage that you purchase as part of your auto insurance coverage.

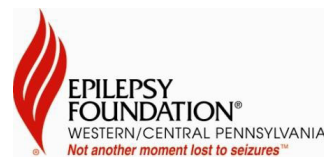
This situation repeats itself over and over again when we talk to clients about auto accidents. The attorneys at QR are happy to review your auto insurance coverage with you free of charge. Call for an appointment and prevent this type of situation from happening to you and your loved ones.



QR Attorneys **David DeRose** and **Joyce Novotny-Prettiman** participated in Law Day activities which are locally coordinated by the Westmoreland County Bar Association. Law Day is celebrated nationally on May 1 and is designed to educate the public about the legal system and to celebrate the concepts of liberty, justice and equality in America. The five third-grade classes at Stewartville Elementary School, which is part of the Norwin School District, talked with David and Joyce about rules at their school and homes and about how rules and laws are part of our society. They also discussed the "bigger picture" regarding how we have laws on a local, state and federal level and that all of these laws are under the umbrella of the Constitution. The students had great questions about the legal system and what lawyers do on a daily basis.

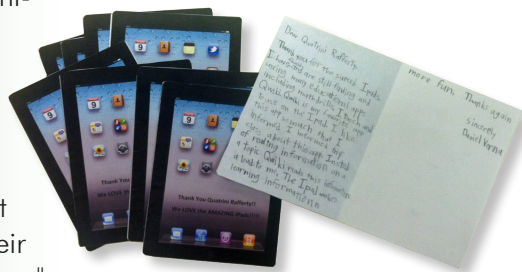
Attorney **David DeRose** recently served as a Judge of student projects at the Excelsa Health-Latrobe Area Hospital Heart Fair. Students from area high schools submitted projects promoting a greater awareness of the importance of immediate treatment for the signs and symptoms of a heart attack. Two student winners receive scholarships to the college of their choice. David is a long-standing member of the Hospital's Golden Hour Committee which sponsors this event each year.

The 17th Annual Westmoreland County Sports Dinner was held at Ferrante's Lakeview Restaurant earlier this year. Funds raised by this event benefit the Epilepsy Foundation of Western/Central Pennsylvania. The founder of the event, Dr. Louis Catalano, Jr., has spearheaded this event for many years in support of the Foundation. QR was proud to continue to support the event this year.



The Westmoreland Croquet Club sponsored its annual tournament which was recently held at the Greensburg Campus of the University of Pittsburgh. The funds raised at this event will be used to support The Community Foundation of Westmoreland County, affiliated with the Pittsburgh Foundation. QR supported this event by sponsoring a tent.

For the past several years, QR has made contributions to local schools under Pennsylvania's Educational Improvement Tax Credit Program. This past year, Greater Latrobe, Derry Area and Ligonier Valley School Districts were the recipients of grants under the program. Greater Latrobe's grant was directed to their "Outdoor Classroom" project. The grants to Derry and Ligonier enabled the districts to purchase iPads for classroom use. The students expressed their appreciation through handwritten thank-you notes in the shape of iPads!



*Jacob Taylor, pictured here with his mom, Paralegal **Kellie Taylor**, is a third-grade student at Derry Area.*



*Lydia Herrholtz, daughter of Paralegal **Angela Herrholtz**, is a fifth-grade student at Ligonier Valley. They are pictured with Attorney **Dennis Rafferty**, teacher Kristin Johnston, and students Kailey Johnston, Saylor Clise and Kendall Schandel.*



EQUAL OPPORTUNITY FOR PEOPLE WITH DISABILITIES IS THE LAW IN PENNSYLVANIA

This following article was provided by Shannon Powers, Director of Communications for the Pennsylvania Human Relations Commission. It is intended for general informational purposes and should not be construed as comprehensive or a statement of law or legal advice.

People with disabilities have a right to live, work and learn in Pennsylvania free from discrimination. Whether you are seeking a job or on a job, obtaining an education, accessing public buildings, businesses and services, renting or buying a home or commercial property, or living in your home, Pennsylvania law protects you from discrimination based on your disability.

Two Pennsylvania laws - the PA Human Relations Act, and the PA Fair Educational Opportunities Act - protect you in various kinds of situations.* The PA Human Relations Commission enforces both of these laws.

Different Treatment

You cannot legally be singled out for discriminatory treatment because of your disability. For example, you cannot legally be:

- denied a job, harassed, fired, demoted or paid lower wages;
- denied an educational program or privilege;
- denied housing rental or purchase; or
- charged a different price for a product or service.

Denied Access

If you cannot physically access a business, educational facility, government agency, apartment, etc., it could be illegal discrimination. Providing accessible parking is an important legal responsibility for businesses, educational institutions, employers, municipalities and housing providers. Barriers to access for people with mobility, visual or hearing impairments must be addressed in certain instances if the modification is readily achievable and doesn't present a financial hardship.*

Reasonable Accommodations & Modifications

There are differences in the legal responsibilities of educational entities and employers, but in general, both must provide reasonable accommodations for disabilities. This may mean providing an assistive device, interpreter or other tool or assistance that enables you to

work or learn. Public accommodations, such as health-care facilities, must also provide interpreters or other accommodations, within reason, to enable you to use their services.

Renters with a disability must be allowed to make or pay for modifications to rental property to enable them to use the facility. They must agree to restore the property back to its original condition, minus reasonable wear and tear. Landlords must make reasonable accommodations in policies, rules and practices to afford renters equal opportunity to enjoy the facility.

Service Animals

Service animals enable many Pennsylvanians with disabilities to go places and do things independently that they wouldn't be able to otherwise. Most employees must be allowed to use service animals in the workplace. In housing, education and public accommodations, handlers and trainers of service animals are also protected from discrimination.

Housing providers and accommodations such as hotels cannot charge extra fees for service animals.

Where to turn for help?

If you believe you have been discriminated against based on your disability, you have a right to file a complaint with the Pennsylvania Human Relations Commission, and we will investigate. Generally, you must file your complaint within 180 days of the discriminatory act.*

Find out how to file a complaint on our website, www.phrc.state.pa.us, or call our Pittsburgh office at 412-565-5395, or email us at phrc@pa.gov. We can also refer you, your employer or your landlord to resources for assistive devices, building modifications, and other means of achieving equal opportunity for people with disabilities.

**There are differences in jurisdiction, rights and responsibilities established under each of these laws and specific to the type of situation (i.e. employment, housing, public accommodations, education, commercial property).*

QR Super Lawyers®

Several QR attorneys have been recognized by the 2012 Pennsylvania Super Lawyers Magazine, which lists top attorneys as determined by peer voting and independent research. Attorneys **Vince Quatrini** and **Ronald Fonner** have been listed as Super Lawyers in the area of workers' compensation. Vince was also named in the Pennsylvania Top 100 List and the Pittsburgh Top 50 List. Attorneys **Brian Bronson** (employee benefits/ERISA, criminal defense, Veterans' Disability and Social Security Disability) and **Michael Quatrini** (workers' compensation, Veterans' Disability and Social Security Disability) have been listed as "Rising Stars."



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