The Pennsylvania Bar Association is an amazing institution that never ceases to work toward improving its services and opportunities for all of its members, and thereby improving the value and quality of the legal community all across the Commonwealth of Pennsylvania. While it sponsors a myriad of different kinds of activities, perhaps one of its most important activities is the spring meeting, which this year was held in Pittsburgh on May 4-6. This year’s annual meeting included: The Pro Bono Conference, The Real Property, Probate and Trust Law Section Spring Meeting and The Women in the Profession Conference. In addition, there was the annual dinner with the House of Delegates meeting and awards presentation.

The best part of the spring meeting is the opportunity to participate in many different aspects of the PBA and to learn about what is going on statewide in various areas of the law. It also provides an excellent opportunity to network and learn from lawyers from all over the commonwealth. We thank all members of the Government Lawyers Committee who participated in this conference. As one of the larger groups of the PBA, our numbers add weight to our ability to influence decisions of the PBA.

Also, we want to remind all of you that to be counted as a member of the Government Lawyers Committee, you must return your registration form to the PBA indicating that you wish to continue or become a member of the committee. You do not automatically continue your membership in this committee from year-to-year. Therefore, you must complete the form to confirm your membership. The Government Lawyers Registration form can be found online at www.pabar.org. Simply click on Committees Information and the committee registration form will appear at the top of the page.

We look forward to seeing you in various activities around the bar association.

Alexis Barbieri Receives “Outstanding Service Award”

In March 2005, Alexis L. Barbieri, executive deputy attorney general with the Office of Attorney General, Public Protection Division and co-chair of the Government Lawyers Committee was honored with the Widener University School of Law’s 2004 “Outstanding Service Award.” The “Outstanding Service Award” is presented each year to a graduate who demonstrates exemplary alumni service to the law school as a whole, to a particular concentration within the school, and/or to one’s profession where the Widener University School of Law is involved in the service. Barbieri was selected as this year’s winner based on her ongoing participation in the law school’s government service seminars and state politics presentations and programs. She has also served as guest lecturer on career development for women lawyers.

(Continued on Page 3)
The Government Lawyers Committee is going through a process of assessing its achievements and setting its goals. Nowhere was this more apparent than at the recent PBA Committee Section Day meeting held June 10. During the meeting, the committee co-chairs reviewed subcommittee assignments and evaluated what is working and what is yet to be done. A large turnout of government lawyers pitched in with ideas and suggestions for making the committee the best, largest and most productive in the PBA.

Committee members were encouraged to get involved in subcommittee activities as well as other PBA activities. Since its inception, the Government Lawyers Committee has always provided a voice for public sector lawyers, who for too long were an overlooked segment of the PBA community.

Below is a list of the current subcommittees and their chairs, whom you can contact if you want to get involved:

**Career Enhancement**
Chris Carusone (ccarusone@attorneygeneral.gov) and Tracy McCurdy (tmccurdy@state.pa.us)

**Membership**
Doreen McCall (dmcall@state.pa.us)

**Public Relations**
Susan Hensel (shenseljar@state.pa.us) and Doreen McCall (dmcall@state.pa.us)

**Services to Members**
Jerry Mackarevich (gmackarevi@state.pa.us) and Bob Shea (rshea@state.pa.us)

**Social**
Suzanne Hueston (shueston@state.pa.us)

By getting involved, you can do your part to educate lawyers on the valuable opportunities and experiences available through government service and help educate the public on the important and unique role served by government lawyers.

We look forward to working with new committee members throughout the year.

Have a great summer.
Alexis Barbieri Receives “Outstanding Service Award”

(Continued from Page 1)

“I’m extremely honored and thrilled to have been chosen as a recipient of this prestigious award,” Barbieri said. “I will always be deeply grateful to Widener University for the education that I received and the friendship, support and loyalty that I proudly share with fellow graduates.”

In her duties as executive deputy attorney general, Barbieri oversees the Public Protection Division, which includes the Bureau of Consumer Protection, Charitable Trusts and Organizations Section, Health Care Section, Antitrust Section, Tobacco Enforcement and Civil Rights Enforcement.

As executive deputy attorney general, Barbieri is the highest-ranking woman lawyer in the Pennsylvania Office of Attorney General and the first woman to have been appointed at this level. She has served in this capacity for nearly eight years.

Born in Philadelphia, Barbieri is a 1982 graduate of Widener Law School and earned her A.B. in French from the University of Pennsylvania. She is the daughter of the late Alexander F. Barbieri, who served as a judge on the Commonwealth Court and Pennsylvania Supreme Court.

Editors’ Note: The above text is taken from a press release issued by the Office of Attorney General earlier this year.

Are you missing something?

If you haven’t given the PBA your e-mail address, you’re missing out on one of the latest member benefits, the PBA E-News. This electronic publication features up-to-the-minute announcements of PBA legislative action, special events, member benefits and meetings. The PBA E-News also contains “Court Summaries” — a popular feature of the PBA Bar News — two weeks before the print version.

There are three easy ways to sign up:

1. Send an e-mail to jodi.wilbert@pabar.org with the words “Member e-mail address update” in the subject line.

2. Log on to the Pennsylvania Bar Association Web site at www.pabar.org, scroll down to the bottom of the left column on the front page and complete the e-mail address form.

3. Call the PBA Member Services Center at (800) 932-0311 or (717) 238-6715. A Member Services Center representative will add your e-mail address to your membership information and will e-mail immediate verification of it to you.

Member Input Vital to PBA Survey

During the summer months, surveys will be distributed by fax and e-mail to nearly one third of the PBA membership. The approximately 9,500 recipients will be selected randomly from the membership base.

Participants will be asked to give feedback on topics ranging from the quality of the PBA’s various programs to quality of life issues to level of service given by PBA staff to expectations for new or enhanced products and services.

Although more than 9,000 members will be asked to be part of this quantitative research exercise, a second information collection tool has been built into the project. To be sure all members have the opportunity to be heard, PBA Executive Director Barry M. Simpson has established a dedicated e-mail address – suggestions@pabar.org – for any member to voice his/her thoughts about where the PBA is today or in which direction it should consider moving in the future.

This information will be collected and plugged into the aggregate of information gathered for final analysis.

Surveying will begin in early July. Members randomly selected to receive surveys are strongly urged to take the few minutes needed to respond. The PBA’s planning process and its ultimate success will depend on member participation.

The PBA Government Lawyers Committee newsletter, News & Views, is distributed by electronic means only. Use the method above to supply your e-mail address for delivery of News & Views.

E-mail addresses will be used only for PBA communications and will not be sold or distributed to non-affiliated vendors.
Close Up

Fulfilling A Lifelong Desire

A Profile of Pennsylvania Gaming Control Board
Chairman Thomas A. Decker

By Cathy Nolan, Assistant Counsel, State Employees’ Retirement System

When Gov. Edward G. Rendell asked Thomas A. “Tad” Decker to serve as the first chairman of the Pennsylvania Gaming Control Board in October 2004, he accepted the challenge of the three-year appointment. Decker saw the offer as an opportunity to fulfill what he calls a “lifelong desire” to serve in the public sector on a full-time basis.

The seven-member independent Gaming Control Board (Board) was created by Act 71 of 2004, which was enacted last July. Under the act, the leader of each of the four legislative caucuses names one voting member and the governor names three, including the chairman. The current Board is composed of four members from the private sector and three from the public sector, including a former court of common pleas judge, former member of the Pennsylvania House of Representatives and former FBI Special Agent. In addition, there are three ex officio members: the Secretaries of Agriculture and Revenue and the State Treasurer.

Decker saw the offer as an opportunity to fulfill what he calls a “lifelong desire” to serve in the public sector on a full-time basis.

The Board is charged with issuing licenses for three categories of slot facilities. Potential facilities include up to seven racetracks, five stand-alone venues and two resorts. The Board is also responsible for overseeing the installation and operation of as many as 61,000 slot machines at those 14 venues; requiring licensees to submit financial reports; ensuring that slot machines are properly inspected and certified; ensuring that the Department of Revenue and the Pennsylvania State Police utilize their full enforcement powers to protect the citizens of Pennsylvania; and conducting open proceedings in accordance with Pennsylvania’s Sunshine Act. The Board has also adopted the Commonwealth’s Ethics Act as its own code of conduct.

Decker says that one of the biggest challenges he has faced so far is hiring a full complement of staff members. To date, the Board has filled three executive staff and several staff positions and anticipates hiring approximately 45 more employees in the coming months.

Another focus of the Board is promulgating regulations, with those applying to manufacturers and suppliers taking top priority. As provided in Act 71, regulations promulgated during the first two years are temporary and will expire no later than three years after the act’s effective date. Those regulations are exempted from the requirements of the Regulatory Review Act but are subject to the Commonwealth Documents Law. At its April meeting, the Board introduced draft regulations pertaining to manufacturers and suppliers of gaming equipment and general administration; at its May meeting, the Board opened a 30-day period for the public to comment on draft regulations pertaining to category 1 licenses.

Having spent most of his professional life in the corporate world, Decker brings a different perspective to his new post. Noting some obvious differences between the public and private sectors, Decker commented on some parallel aspects as well. For example, he notes the public procurement process, the purpose of which is to ensure fairness in the expenditure of public funds, is perhaps a more complicated version the purchasing practices in private business. While fairness in the public bidding and contracting process is based upon rules and regulations, in the private sector, the same practices are driven by the competitive market.

Decker, a 1968 graduate of the University of Pennsylvania and a 1971 graduate of the University of Virginia School of Law, brings a range of experience to this new position. Immediately prior to assuming his role as chairman, Decker served as managing partner at the Philadelphia-based law firm of Cozen O’Connor. Under Decker’s leadership, Cozen O’Connor experienced a period of major expansion, growing to nearly 500 attorneys with more than 20 offices throughout the United States and England. Before joining the law firm, Decker was a vice president and general counsel at Asbury Automotive Group, an owner of auto dealerships. His additional corporate and legal experience includes serving as an executive and company lawyer for Unisource Worldwide, a distributor of paper products, and Saint-Gobain Corporation, a multinational company that makes glass and building materials.

Last fall was not the first time Rendell tapped Decker’s knowledge and expertise. Since February 2003, Decker has served as a member of the Delaware River Port Authority, a regional transportation and economic development agency serving the people of Southeastern Pennsylvania and southern New Jersey. Decker is also a member of the board of directors of the Philadelphia YMCA, Philadelphia Zoo, and Internet Capital Group, a public company. In the past, he has been a board member of the American Music Festival, chair of the Pennsylvania Board of Law Examiners, member of the American Bar Association’s standing committee on professional discipline and a member of the National Association of Manufacturers and the Pennsylvania Business Roundtable.

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The Experience of a Lifetime

By Erin Verano, Assistant Counsel, Department of General Services

When we last left our intrepid government lawyer-cum-mountaineer Ed Flick, assistant counsel to the Department of General Services, it was 2001 and he had just accomplished the arduous feat of climbing to the summit of Mount Kilimanjaro in Tanzania. Not satisfied with that accomplishment, Ed and a friend decided to tackle an even more challenging trek to Mount Everest Base Camp in the Himalayan range in Nepal.

Mount Everest is probably the most storied and mysterious mountain on earth. While many may perceive that Base Camp is simply a starting point to climb Everest, getting to Base Camp is a challenge in and of itself as it is located at 17,600 feet above sea level.

Ed and his friend met up with a group of others in Kathmandu, the capital of Nepal. After spending some time touring the city and its beautiful temples, the group boarded a small twin engine Yeti Airlines plane to fly to Lukla, a small town located at 9,350 feet. The airstrip at Lukla is the closest airstrip to Everest and is located on the side of a mountain.

From Lukla, it was a 10-day hike to base camp, going up, down, and around mountains. There are no cars in this part of Nepal as there are no roads. The group, led by an experienced climber and accompanied by Sherpa guides and yaks as pack animals, hiked along ancient pathways used by the people of Nepal as trade routes. Along the way, Ed and his group were able to experience the beauty of the Himalayan range, with Everest coming in and out of view as the pathway twisted and turned. They also had the opportunity to meet with the people of Nepal as they passed through small trading towns located along the pathway. Nepal has some of the most beautiful Buddhist temples in the world and Ed was able to visit some of these as his group made its way to Base Camp.

As the group got closer to Base Camp, the air thinned as the altitude increased. On their approach to the town of Lobuche (16,175 feet), the group passed stone memorials erected for climbers who died on the surrounding summits. The day before making the attempt to get to Base Camp, the group climbed Kala Pattar (18,450 feet) and was “rewarded” the next day with the push to Base Camp. Only half of Ed’s group successfully made the climb. As Ed explained, it is not enough to have the energy and stamina to make it to Base Camp, but you must also be able to get back.

Base Camp was completely deserted, except for the remains of a crashed helicopter. According to Ed, November is not the time of year when climbers make the push to the summit of Everest due to weather. In May, Base Camp will be busy with climbers spending about five weeks acclimating to the altitude before going for the summit.

Ed was glad he made the trek to the other side of the world to see and experience something that many of us never will – the amazing sites of the Himalayas and Everest up close and personal. While he probably will never attempt the summit of Everest, the climb to Base Camp was definitely the experience of a lifetime.

Close Up

Fulfilling A Lifelong Desire

A Profile of Pennsylvania Gaming Control Board Chairman Thomas A. Decker

(Continued from Page 4)

Decker, a Philadelphia native and friend of Rendell since their days as students at the University of Pennsylvania, had declined opportunities for positions away from his home and family in Philadelphia. A husband and father of two, he wanted to stay close to home when his children were younger. However, now that his daughter is in college (studying at the University of Colorado) and his son is a senior in high school, Decker accepted the invitation that takes him away from home and to his Harrisburg office for several days each week.
In the Spotlight

By Carol Mowery, Assistant Counsel, Department of Labor & Industry

Awards

Darrel Vandeveld, senior deputy attorney general in charge, Office of Attorney General, Erie Bureau of Consumer Protection received the Global War on Terrorism Expeditionary Medal for his service in the Horn of Africa. Vandeveld is a lieutenant colonel in the Army Reserve and recently returned from a six-month tour of active duty with the Combined Joint Task Force where he served as Legal Officer. The mission of the task force is to combat transnational terrorism and build good relations with the countries of the Horn through civic action programs, such as building schools, wells, bridges, and hospitals.

Zella Smith Anderson, counsel, Pennsylvania Insurance Department, received the Cynthia Magaro Award from Preservation of Animal Welfare and Safety (PAWS), for outstanding service to animal welfare as the Founder and Director of the Central Pennsylvania Animal Alliance (CPAA).

Karen Y. Simmons, senior counsel to the Police Commissioner, Philadelphia Police Department received The Barristers’ Women of Distinction Award at the Annual Martin Luther King, Jr. Breakfast. The award was for her work in support of the Philadelphia community and the legal profession.

John Henderson, hearing examiner, Department of State, was presented with the Emergency Medical Service Provider of the Year Award for 2004 by the New Cumberland Fire Department. The award is made annually by the New Cumberland Fire Department and was made in recognition of Henderson’s contributions to the department and the Borough of New Cumberland during 2004, including participating in more than 80 emergency ambulance calls and ambulance standbys and for instructing local Boy Scout troops in first aid. Henderson is a life member of the New Cumberland Fire Department and has been a volunteer certified Department of Health Emergency Medical Technician since 1987.

Appointments/Elections

John Capuzzi, senior deputy attorney general-in-charge, Torts Litigation Section, Office of Attorney General in Norristown was elected president of the Board of Commissioners of Marple Township. Capuzzi also presented a lecture titled “History of Guiderails and Lawsuits” at the National Transportation Engineering and Safety Conference held at Penn State.

Earlier this year, Alexis L. Barbieri, executive deputy attorney general, Office of Attorney General became president of the Philadelphia Lawyers’ Club.

Jayne Blake, assistant counsel, Pennsylvania Infrastructure Investment Authority, recently was appointed chief counsel to the agency.

Kimberly Hummel, chief counsel to the Pennsylvania Infrastructure Investment Authority, has been appointed chief counsel to the Department of Conservation and Natural Resources.

Al Masland, chief counsel to the Department of Conservation and Natural Resources, has been appointed chief counsel to the Department of State.

Patti S. Bednarik, Disciplinary Board of the Pennsylvania Supreme Court, was recently appointed to the Board of Law Examiners.

Gladys M. Brown, deputy chief counsel to Senate Democratic Leader Robert J. Mellow, has been appointed to the Governor’s Task Force on Election Reform.

Amy J. Greer, senior trial counsel to the United States Security and Exchange Commission was promoted to district trial counsel for the SEC. Greer was also re-appointed to her second term as chair of the PBA Amicus Committee.

Jonathan W. Kunkel, assistant counsel, Department of Corrections, was recently appointed to serve a two-year term on the Board of Directors of the Dauphin County Bar Association.

Gerard M. Mackarevich, assistant counsel with the Department of Environmental Protection’s Southcentral Regional Counsel Office, has been appointed deputy chief counsel with the Department of Labor & Industry’s Office of Chief Counsel. Mackarevich will head the unit of attorneys who advise the Unemployment Compensation Board of Review.

Marilyn C. Zilli, former chief of staff to State Senator Allyson Schwartz, has been named executive director of the Senate Education Committee for the Democrats.

Pedro A. Ramos, solicitor for the City of Philadelphia, was appointed managing director for the city by Mayor Street in April 2005. The managing director serves as the chief operating officer for the city. As managing director, Ramos will be responsible for overseeing, supporting and assisting the thirteen operating departments to ensure they carry out the daily operations of the city and provide the proper level of services for citizens.

Nancy J. Kippenhan was appointed deputy chief counsel for prosecutions at the Department of State, Bureau of Professional & Occupational Affairs. Kippenhan will manage both the Prosecution Office and the BPOA Complaints Office for the Department of State.

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In the Spotlight

(Continued from Page 6)

Other Honors

J. Elsie (Lisa) Tourek, assistant counsel, Department of Transportation served as chair of the Gourley Competition for the Academy of Trial Lawyers of Allegheny County earlier this year. Gourley hosted 16 law schools from the east coast, including all of the law schools in Pennsylvania with a mock trial team. Eight federal judges presided over the mock trials in various federal courtrooms. There were more than 300 volunteers, including 16 doctors who volunteered to testify as expert witnesses.

Tourek has also been inducted into the American College of Trial Lawyers. Fellowship in the College is by invitation, extended only after careful investigation of those experienced trial lawyers who have demonstrated exceptional skill as advocates and whose professional careers have been marked by the highest standards of ethical conduct, professionalism and civility.

Marc Roda, assistant counsel, Department of Environmental Protection, and Susan Forney, chief deputy attorney general, were featured in an article about government lawyers published in the December 2004 issue of Harrisburg Magazine.

Speaking Engagements:

Recently, Basil L. Merenda, Department of State, Bureau of Professional and Occupational Affairs Commissioner, along with prosecuting attorneys Clifford D. Swift and Bernadette Paul, presented a one-hour continuing legal education program to the Cumberland County Inn of Court. The program focused on the professional licensure enforcement duties of the Department, with an emphasis on MCare (the Medical Care Availability and Reduction of Error Act).

Chief Deputy Attorney General Mark A. Pacella participated on a panel at the Council on Foundations’ Annual Meeting in San Diego, on April 11. The subject matter was “Ethical Investing and Shareholder Engagement: The Overlooked Power of the Proxy.”

Births

Amy and Gene Herne are proud to announce the birth of their first child Elizabeth. She was born on March 23, weighed 8 lbs., 9 ozs., and measured 21¼ inches tall. Gene is a deputy attorney general with the Office of Attorney General’s Western Regional Office.

Heather Vance-Rittman, deputy attorney general, Office of Attorney General, gave birth to Makayla Jeanne Rittman on Feb. 8. Makayla weighed 7 lbs., 8.4 ounces and measured 19 ¼ inches tall. Heather and her husband, Jody, also have a son, Jason.

L & I Citizen Soldier Meets with Governor Rendell


The photo was taken while Wogan was on active duty with the 358th Civil Affairs Brigade serving in Iraq and Kuwait between March 2003 and March 2004. The Pennsylvania flag flew over the military base where Wogan was serving.

Wogan was recently promoted to commander of the 416th Civil Affairs Battalion in Norristown. This is the same unit in which Gov. Rendell served earlier in his career.

In Memoriam

Thomas J. Blazusiak
1951 - 2005

Thomas J. Blazusiak was a senior assistant counsel with the governors office of general counsel. He represented the Pennsylvania Department of Public Welfare for nearly 25 years with great success. Prior to his employment with the state, Tom was in private practice and was an adjunct professor at Allentown College of St. Francis deSales, now DeSales University. He was a frequent lecturer on healthcare law. He was president of the American Association of Public Welfare Attorneys, a national association of attorneys who represent state government-operated human services agencies. He was also a member of the American Bar Associations Health Law Section, the American Health Lawyers Association, the Pennsylvania Society of Healthcare Attorneys, the Pennsylvania Bar Association’s Government Lawyers Committee and Health Care and Hospital Law Committee, of which he was past chair.