

CMDA Announces New Managing Partner



Christopher G. Schultz

The Firm is pleased to announce that Christopher G. Schultz has been selected to be the new managing partner of the Firm.

Concluding his tenure as managing partner after nine years, T. Joseph Seward explained, "I talked with the equity partners about my wish to step down as managing partner and go back and do what I love most about being a lawyer: going to court,

litigating files, and trying cases. I have no doubt that Chris will continue the core traditions of client service, attorney development, and community leadership that have been fundamental to our development over the years."

"I am pleased and honored to become CMDA's newest managing partner," said Mr. Schultz. "Joe has always championed CMDA as a growing Firm whose strength rests in the service

the Firm provides our clients, and I am delighted to be able to continue that tradition as the next leader."

Mr. Schultz joined the Firm in 1993. He focuses his practice on representing and counseling manufacturers, financial service institutions and businesses in many areas of the law, including entity selection, start-up issues, shareholder and owner relationships, employment matters, mergers, acquisitions, real estate and business succession planning.

Additionally, he assists a great number of clients with estate and elder law planning, including wills, trusts, charitable giving, estate administration, irrevocable trusts, gifting and special needs trusts.

Mr. Schultz received a Juris Doctor degree from the University of Detroit Mercy Law School and a Bachelor's degree from Wayne State University. He is also a Certified Public Accountant. He can be reached at (734) 261-2400 or cschultz@cmda-law.com.

Remembering a Dear Friend: Jim Scharret

The Firm was saddened to learn that a kind, humble and loyal friend passed away on January 9, 2014. James G. Scharret worked for the City of Southfield for nearly 40 years and was currently serving as their City Administrator. Additionally, he was a strong supporter of the Michigan Municipal Risk Management Authority where he served on the Board of Directors for 25 years.

T. Joseph Seward worked closely with Mr. Scharret over the years and said, "He was a tireless manager who worked with all the employees in the City who looked to him for guidance and counsel on financial matters, as well as other issues

throughout the City. He was a friend not just to the employees, but to the citizens and to all those who worked to make the City of Southfield the great city that it is today."

Prior to joining the Firm, attorney Elizabeth Rae-O'Donnell had the pleasure of working with Mr. Scharret at the City of Southfield for 23 years. She explained, "Jim was a determined and selfless advocate for the City of Southfield, its residents and employees. His work ethic and honesty is unsurpassed and he will forever be remembered as a leader, a kind man and a cheerleader for the City he loved."

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2013 Year in Review: A Successful Year for CMDA Attorneys

Happy New Year! As 2014 is upon us, we reflect back on 2013 and the successful year we had at the Firm. We hired a few attorneys, won numerous awards and celebrated some remarkable anniversaries.

Attorneys Elizabeth Rae-O'Donnell and Shannon Lozon joined the Firm in 2013.

Elizabeth Rae-O'Donnell focuses her practice on municipal law, and employment and labor law. Prior to joining CMDA, she served as the assistant city attorney for the City of Southfield where she practiced all areas of municipal law, including prosecutions, tax appeals, zoning and planning, Freedom of Information Act and employment and labor matters.

She can be reached at (734) 261-2400 or brae@cmda-law.com.

Shannon M. Lozon focuses her practice on municipal law, personal injury law, and employment and labor law. Additionally, she writes briefs and conducts research for all areas of law handled by the Firm.

She can be reached at (734) 261-2400 or slozon@cmda-law.com.

These attorneys are wonderful assets to the Firm, and I am sure you will hear much more about them in future newsletters.

In other news, **T. Joseph Seward**, a partner in our Livonia office, was selected as a 2013 Top Rated Lawyer in Insurance Law by American Lawyer Media and Martindale-Hubbell. Furthermore, Mr. Seward holds the AV Preeminent Peer Review Rating, which is the highest rating possible for legal ability and ethical standards.

Jeffrey R. Clark, a partner in our Livonia office, was selected as a 2013 Top Rated Lawyer in Land Use and Zoning by American Lawyer Media and Martindale-Hubbell. He was also selected to the 2013 Michigan Super Lawyers list. Each year, no more than five percent of the lawyers in Michigan are selected to receive this honor. Furthermore, Mr. Clark holds the AV Preeminent Peer Review rat-

ing, which is the highest rating possible for legal ability and ethical standards.

Timothy S. Ferrand, a partner in our Sterling Heights office, was selected as a 2013 Top Rated Lawyer in Labor & Employment by American Lawyer Media and Martindale-Hubbell. Furthermore, Mr. Ferrand has achieved the AV Preeminent Peer Review Rating, which is the highest rating in legal ability and ethical standards.

Nine attorneys in our Livonia office were named *DBusiness* magazine's 2014 Top Lawyers: **Gerald C. Davis** (Commercial Law); **T. Joseph Seward** (Insurance Litigation); **Timothy Young** (Insurance Law); **Robert J. Hahn** (Commercial Law); **Jeffrey R. Clark** (Municipal Law); myself (Corporate Law and Trusts and Estates); **Eileen K. Husband** (Labor and Employment Law); **Ethan Vinson** (Labor and Employment Law); and **Linda Davis Friedland** (Trusts and Estates).

Several attorneys from our Firm were selected as 2013 Michigan Super Lawyers, Rising Stars: **Karen M. Daley** and **Lindsey J. Kaczmarek** in our Livonia office; **Haider A. Kazim** and **Gregory R. Grant** in our Traverse City office; and **Andrew Brege** in our Grand Rapids office. Each year, no more than 2.5 percent of the lawyers in Michigan are selected to receive this honor.

Haider A. Kazim was selected by readers of Traverse City's newspaper, *The Record-Eagle*, as the Top Lawyer in the Grand Traverse Area.

Gregory R. Grant was selected as one of the region's leading attorneys in the area of Litigation by Traverse City Business News magazine. Additionally, he was awarded Boss of the Year by the Grand Traverse Association of Legal Professionals.

Several employees celebrated impressive anniversaries with the Firm in 2013. **Joseph Nimako**, an attorney, and **Julie Callahan**, a paralegal, celebrated their 25th anniversary with the Firm; attorneys **Jeffrey R. Clark**, **Gregory A. Roberts** (and myself) celebrated 20 years with the Firm; and **Laura Helfer**, a legal assistant, celebrated her 10th anniversary

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2013 Year in Review (cont.)

with the Firm. We are fortunate to have such a wonderful group of people working at the Firm and thank them all for their dedication.

Lastly, please note our **Traverse City office** is now located at 400 West Front Street in downtown Traverse City. Attorneys Haider Kazim and Gregory Grant, along with their outstanding support staff, have moved into a remarkable imposing brick edifice that was constructed in 1904. The

impressive building was formerly the Big Daylight Candy Factory.

We are honored and appreciative for the trust our clients have placed in our Firm over the past 49 years. Thank you for your support in helping us to continue to be one of Michigan's premier law firms. Have a great 2014.

Christopher G. Schultz, Managing Partner

A New Trend: Service Dogs Expected to Take on Expanded Role in Public Places

Recently, a Southern California school district settled a case brought in the Federal District Court where a minor plaintiff sought to enjoin the school district from denying his service dog access to the classroom. The minor plaintiff was not visually or otherwise impaired, but diagnosed with a form of autism. The school district objected to having the dog in the classroom after learning of several persons who had allergies to dogs. It also appeared as though the plaintiff's dog was "a comfort animal with a certificate."



Developments in the law suggest service animals that assist autistic individuals are growing in popularity and school districts throughout the country should be aware of their potential obligation under the law to allow them. To ignore these trends is to expose a school district to greater risk.

A school district's defense based on allergies, fear of dogs, or risk of dog bites are

not enough to outweigh the perceived benefits for the disabled student. When a person who is allergic to dog dander and a person who uses a service animal must spend time in the same room or facility, for example, in a school classroom, they both should be accommodated by assigning them, if possible, to different locations within the room or different rooms in the facility.

The Central District of California addressed this issue in the 2010 case of *C.C. v. Cypress School District*. Student C.C. sought to prevent the district from denying him and his service dog access to the school and its programs. It was argued

that C.C.'s service dog prevented the student from running away; comforted the student by providing "deep pressure" upon command by a third-party handler; read the student's anxiety and nudged him upon command by a third-party handler; and carried the student's materials for him.

Despite the school district's argument that the functions the service dog provided were "emotional support, well-being, comfort, or companionship," roles specifically excluded for service animals in the Americans with Disabilities Act, the Central District Court issued the preliminary injunction, requiring the school district to allow the service dog to go to school with the student. The ruling is telling as to how the courts may interpret the definition of "service animal" for students with emotional, developmental, and/or neurologic conditions, especially since effective treatment for autism is not well established, making it difficult to measure anything but the actual behavior of the individual afflicted with it.

Entities that maintain places of public accommodation, including schools, should be vigilant in ensuring all appropriate accommodations for disabled persons are available.

Ryan D. Miller and Maurice S.Kane

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Our Vision

To meld our legal expertise, professional support staff, technical resources and variety of locations to deliver first rate legal services at a fair value to a full range of business, municipal, insurance and individual clients.



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