



MATTACOLA

# Law Matters

LAW ■ LIFE ■ COMMUNITY

A NEWSLETTER THAT BRINGS IT ALL TOGETHER.



**By the time you all read this, we will be into our third month of the New Year. So I ask you - How is 2010 treating you?**

Is the year off to as good a start as you hoped? Are you sticking to those resolutions? I was thinking about those things the other day in the context of the condition of our nation and state. I don't think anyone would disagree with me when I say we are struggling (well, maybe not at the Olympics, where the U.S. was truly dominating!). But our nation and good old New York - well, boy oh boy, we have found ourselves in dire times. The debt is mounting. So is the jobless rate. The market is still very volatile. The government is as dysfunctional as ever. In New York, the budget gap is bigger than the Grand Canyon and we are talking about closing state parks and historical sites for lack of funding. Obviously, none of this is very encouraging and it makes one wonder how we got to this point.

Get ready for some oversimplification here - it seems to me that a lot of it comes down to plain old hard work. Generations before us - well, they worked harder didn't they? And by harder, I'm not talking about hours, really, I'm talking about honesty and substance and better decisions. They actually made things that were sold in other places and countries for money (That's an interesting concept right? What does our country actually make these days? I mean, besides bad decisions.) They didn't seem to spend what they didn't have nor did they sign on for debt they couldn't pay back. They didn't "visualize" what they wanted and hoped it came - they went out and worked for it and they were working for things that made sense, not for what you might see on MTV's "Cribs". You will read later in the newsletter about the Rome Chamber bringing Jay Rifenburg for a seminar. Jay speaks about leading and acting through core values. Honesty. Integrity. Accountability. Giving of one's self to others. These things ring true today more than ever. It appears to me that we need to get back to these things - they may just be the cure to what ails us.

Yet, the cure may not taste good and it won't come easy. Like anything, whether it be completing a race, getting organized, paying off your credit cards - living a life according to values and character, a life where you don't look for easy answers - requires diligence and discipline, every day. It requires getting up and going to work even when you don't feel like it. It requires the ability to say no to that vacation you know you cannot afford but really want. It requires not spending more than you earn. It requires doing for yourself and not expecting others to do for you. It requires damn hard work and it isn't easy.

Yet, you can take this paradigm, this absolutely simple and basic way of living - so simple that it's almost freeing - and you can apply it to an individual or the State of New York - and you can actually see a ray of light break through the clouds. So, as you shake your head at the plight of our government and you begin to feel frustration set in over your own state of affairs and the way 2010 is starting out for you - perhaps it's best if you take a step back and just breathe deeply. Because it's never as bad as it seems. And it can get a whole lot better - one day of hard work at a time. And along the way, remember to love, laugh and Enjoy The Ride. That is ever important.

THE MATTACOLA LAW FIRM

THE MATTACOLA FIRM  
CONCENTRATES ON:

LABOR/EMPLOYMENT

PERSONAL INJURY

CIVIL LITIGATION

WILLS/ESTATE PLANNING

and MUNICIPAL LAW

The Mattacola Firm's blog is  
in full swing. Check it out at

<http://blog.themattacolafirm.com>

Some of our recent  
postings include:

Guest Article On  
Better Health at  
[www.lawyerist.com](http://www.lawyerist.com)

NYS Labor Dept. Changes  
Its Mind on Notice for  
New Hires

Food and Twigs and  
Facial Hair - Oh My!

When a Virtual Facebook  
Poke Equals The Real Thing

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# A Good Food Family



In October, The Mattacola Law Firm sponsored the showing of the renowned Food, Inc. at The Capitol Theatre in Rome. 200 showed up for this important film about our nation's food supply and in the process, we raised \$1,000 for the Rome Rotary Children's Christmas Party - a party that served over 125 deserving children in the Rome City School District.



The event was a monstrous success on all accounts and I'm still feeling the positive effects in the community. Many have completely reexamined and revamped their eating/shopping habits as a result. The overall message? Eat Fresh. Eat Local. Know where your food is coming from. If you can't pronounce it, don't eat it.

# MoVember Madness



This past "Mo"vember, I teamed up with several friends to raise funds and awareness for men's health, the Prostate Cancer Foundation and the Lives-trong Foundation. No exercise involved this time. Instead, we all grew horrific moustaches, i.e., a "Mo" throughout the month of November. We raised nearly \$2,000 and horrified and alienated our wives in the process. All for a great cause. We finished in the top 400 of about 5,000 U.S. teams. Look out in 2010 as we gun for the top spot.

# What Do I Eat Now?

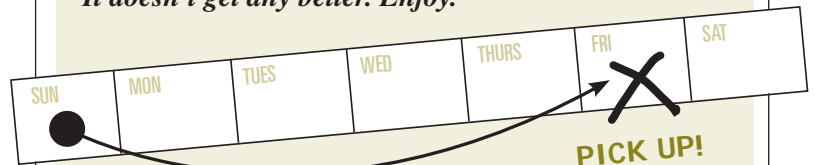
One question I've gotten over and over from people after they've watched Food, Inc. is "What do I eat now?" The question usually comes with look of complete agony and stress after the person just had their eating world blown apart by that film. And I agree, after seeing the conditions of where much of our food comes from, it really does seem overwhelming to try and figure out what to eat now. Yet, as is often the case, the answer to this seemingly complex question is really quite simple. Because the answer is to eat simply. As Michael Pollan writes in "Food Rules", a basic guideline is "Eat Food. Not too much. Mostly plants." Done. Okay, Okay - I know what's coming. You want more choices. You want meat. You aren't ready to go vegan/plant based. Your local grocery doesn't have enough healthy choices. It's too hard to decipher at the local mega store as to where the food actually came from. And you don't have the time to go to five different farms to get your family's food for the week.



Eat Food.  
Not too much.  
Mostly plants.

Well, I've got the answer to that too. Here it is: **The Foodshed Buying Club**. Started by Shulamis Giordani, right here in the Mohawk Valley, you can choose from a variety of local farms and produce growers to buy your meats, vegetables, bread, etc. It's all local, all organic. You pay a nominal \$15 annual fee to belong, put in your order by Sunday and pick up/pay for your food in Utica on Friday. It's simple, easy and you will be eating healthy and providing you and your family with fresh and poison free food. Here's the site: <http://www.foodshedbuyingclub.com/> The quality is fantastic, you are supporting local agriculture and you are doing the right thing for your health and the environment.

*It doesn't get any better. Enjoy.*



## ORDER!

### Categories

- \* Maple Syrup
- \* Snacks
- \* Meats
- \* Produce
- \* Dairy
- \* Eggs
- \* Baked Goods
- \* Honey

### Farms

- \* Maple Hill Creamery
- \* Wintersgrass Farm
- \* Mountain View Dairy
- \* Sunnybrook Farm
- \* American Buffalo
- \* Krugerrand Farms
- \* Mill Hollow Maple
- \* Rosemont Inn
- \* Halcyon Grange
- \* Ferris Farm

# Law Matters: at Work

NEWS ON EMPLOYMENT LAW

## COBRA Subsidy Extension

Recently, Congress and the President extended the COBRA subsidy which was originally a part of the American Recovery and Reinvestment Act of 2009 (ARRA), otherwise known as the stimulus bill. It was extended to individuals involuntarily terminated through February 28, 2010 (from December 31, 2009) and the length of the subsidy was extended from 9 months to 15 months.

This extension will mean that new notices must be sent to individuals involuntarily terminated who otherwise qualify under ARRA as an "assistance eligible individual" (AEI). The Department of Labor revised its General Notice to reflect the COBRA subsidy extension. This notice should be used for all AEIs who didn't already receive a General COBRA notice. The Department of Labor also issued a model Premium Assistance Extension Notice to be provided to:

Individuals qualifying as AEIs as of October 31, 2009 and individuals who experienced a termination of employment on or after October 31, 2009 and lost health insurance coverage (unless they were already provided a timely, updated

General Notice). This notice was to have been provided by February 17, 2010.

Individuals whose original 9 months of COBRA subsidy ended prior to December 19, 2009 and who are still eligible for some portion of the extended 15 months of COBRA subsidy and individuals whose 9 months of COBRA subsidy ends or ended after December 19, 2009. These individuals must be notified within 60 days of the termination of the 9 month COBRA subsidy period or, for individuals whose COBRA subsidy ended prior to December 19, 2009, prior to February 17, 2010.

**Both model notices are available at:**  
<http://www.dol.gov/ebsa/COBRAModelNotice.html>.

For employers, who may have had the obligation to send out notices to assistance eligible employees and who missed the deadline, you should send the notices as soon as possible, as AEI eligibility will be determined based on the date the notices are given.

## Truth in Advertising

Here and there, we will run ads to promote our services and we like them to portray us honestly. To the right is an ad we've run for our personal injury and civil litigation work telling it how it is - NO gimmicks, NO nicknames and NO annoying commercials. Just honest, hard work.

The same approachable guy and the same authentic tone that you see in our ads will greet you once you come through our doors. That's a promise.



THE MATTACOLA LAW FIRM

**No Gimmicks. No Nicknames.  
No Annoying Commercials.**

**Just straight forward, experienced  
legal services focused on you.**



We concentrate on personal injury cases and civil litigation. If you or someone you know has been injured, let's talk soon about how we can help you.

**GREGORY A. MATTACOLA, ESQ.**  
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Learn more: [www.themattacolafirm.com](http://www.themattacolafirm.com)  
[blog.themattacolafirm.com](http://blog.themattacolafirm.com)  
[twitter.com/mattacola](http://twitter.com/mattacola)

ATTORNEY ADVERTISING

# The Dr. is coming to Rome



Well, we all know I'm a Phillies fan – die-hard is an understatement. But above that, I'm a baseball fan. I love the game, as do so many others. I will again have the honor of moderating the Legends of the Diamond dinner this year, presented by the Rome Lions and the Lake Delta Kiwanis. It is taking place on May 4 at The Beeches and

our guest . . . none other than legendary pitcher Dwight "Doc" Gooden. I won't lie to you, as a Phillies fan, I couldn't stand this guy – but only because he was lights out and the Mets spanked the Phillies in those years. In his prime (1984-1988), there was no one better than Dr. K. In 1985, he turned in one of the most dominating seasons ever by a pitcher with 24 wins, 268 strikeouts and a 1.53 ERA and the Cy Young award. That is no joke. He was a four time all star, was a member of three World Series championship teams, pitched a no hitter, and was also the Rookie of the Year in 1984. And in the midst of all that, he battled some significant demons in alcohol and drug addiction and has fought those battles all his adult life. This dinner promises to be memorable – I relish the opportunity to talk with and interview interesting people and Doc Gooden is all of that. You don't want to miss this. See me for tickets.



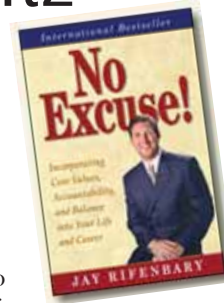
## Rome Chamber bringing in Jay Rifenbary/The Ritz

One of my hats is that of Chairman of the Rome Area Chamber of Commerce's Professional Development Committee. I know, it's a mouthful. But simply put, our job is to organize and put forth great professional training and development opportunities to the Rome business community. In the past, we've had the Disney Keys to Excellence and Jack Canfield come to Rome to present some truly inspiring seminars. And now we've got another phenomenal one coming up.

On March 19th, at the Rome Free Academy Auditorium, there is going to be a powerful doubleheader. In the morning, Jay Rifenbary will present his "No Excuse!" seminar that focuses on incorporating core values, accountability and balance into your life and career. Jay, a West Point graduate and former Airborne Ranger and sales professional and entrepreneur, blends his background of interpersonal skills, military training and business acumen and speaks all over the world to Fortune 500 companies, school districts and chambers of commerce. He has written the international bestseller, "No Excuse" and we are thrilled to have him present this program to us throughout the morning session. You can learn more about Jay at [www.jayrifenbary.com](http://www.jayrifenbary.com).

Our afternoon session is another dynamo – The Ritz-Carlton Leadership Center. We are thrilled to welcome Sue Stephenson who is the Vice President of Community Footprints at the Ritz-Carlton Hotel Company. Sue's job at the Ritz-Carlton is to expand the company's global efforts in hunger and poverty relief, child welfare and environmental conservation through a series of multi-faceted initiatives. She has also led the development of a company wide "voluntourism" effort – where the program "Give Back Getaways" allows guests at the 70 Ritz-Carlton Hotels and Resorts around the world to volunteer in the local community where they are vacationing. Sue will present the program "Adding Value Through Social Responsibility" where participants will learn how to connect social responsibility and community engagement strategies to their business practices which in turn builds trust with their customers and attracts and retain employees. You can find out more about the Ritz-Carlton Leadership Center at <http://corporate.ritzcarlton.com/en/LeadershipCenter/Default.htm>.

This day is going to be fantastic! One thing we continually hear at the Chamber is that there are not enough high level seminars and development opportunities in the area and that people always have to travel far to get to one. Well, we are bringing it right to your doorstep and it'd be just madness not to attend! Here is the Chamber website where you can register: <http://www.romechamber.com/professional-development.shtml>. The Mattacola Law Firm is also proud to be one of the sponsors of this great event. ***I hope to see you there!***



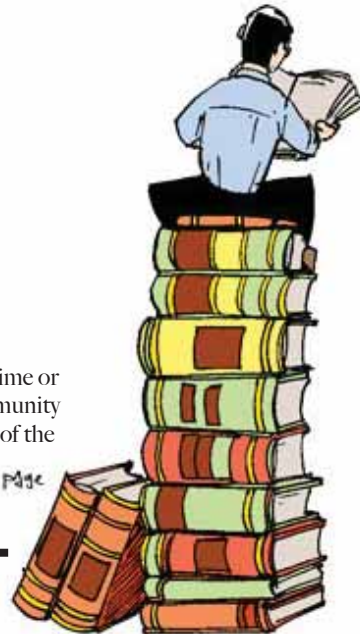
**What do you get when you combine Rome Rotary, Santa, gift packets of warm winter clothes and a toy and over 125 deserving children? A lot of hugs like this one. The Rome Rotary Children's Christmas Party makes you take a breath, count blessings and remember what Christmas is truly about.**

# Closing Argument

The other part of the March 19th Rome Chamber of Commerce seminar is the Ritz-Carlton, to talk about how your business can benefit from being socially responsible. At our shop, we can attest to this. We give our time and resources to a great number of local and national causes and it is by far worth every minute and penny we spend. We've been blessed with having work to do and as a result, we are able to give back. Just a few of who we support are:

**Rome Rotary**  
**Rome Area Chamber of Commerce**  
**Rome Memorial Hospital Foundation**  
**Michelle Adey Memorial Fund**  
**National M.S. Society**  
**Rome Youth Baseball**  
**University of Buffalo Law School**  
**RFA Football**  
**Rome Sports Hall of Fame**  
**Jervis Library**  
**Maureen's Hope Foundation**  
**National Center for Missing and Exploited Children.**

We support them by taking leadership roles and donating time or donating funds (or both!) Why? Because it makes our community a better place and helps those who need a hand. At the end of the day, there's not much better than that.



Follow me on Twitter: <http://twitter.com/mattacola>



Find me on Facebook: <http://www.facebook.com/mattacola>



Link to me on LinkedIn: <http://www.linkedin.com/pub/dir/greg/mattacola>

## Social Networking?! Who has TIME?!

I hear this question more often than not. People are afraid of social networking sites, have a feeling of overwhelming stress to learn it and keep up with it or just want to stand strong and "not have any part of the nonsense". Yes, there can be some nonsense on these sites, but if you keep it professional, it's definitely worth the small learning curve and the 10 minutes a day. Social networking is a discipline – the same as marathon running, carving out family time or eating better. You dive in, figure it out and find your comfort zone with it to make it a part of your daily routine. Sites like Facebook and Twitter have allowed The Mattacola Law Firm to extend its personality and its story virtually around the world. We use it to share good resources on law, life and community – from putting up Movember fundraising efforts to sharing a tidbit of law that one of our fans might not know, but very well might need. And how much do we spend a day on it? Maybe 10 minutes. Maybe five. That's all. Give it a try. It can definitely help you.

*This newsletter is designed to inform you of changes in the law and other legal issues that may be of interest to you. It is intended solely for your information and entertainment purposes and does not constitute legal advice and should not be relied upon without a discussion of your specific situation with Greg Mattacola. To speak to Greg, call (315) 334-5050.*

## Don't Mess With Texas!



How do you run 31 miles on some of the gnarliest Texas trails you'll ever find? One careful step at a time! This race in Bandera, Texas was supposed to be a reprieve from our Winter weather. It was 10 degrees at race time. So much for the reprieve. Despite the cold and a little blood, it was a fantastic day on the trails.

### The Mattacola Firm concentrates on:

- Labor/Employment Law
- Personal Injury/Civil Litigation
- Wills/Estate Planning
- Municipal Law

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