

McLane News

APRIL 2010

Colucci Norman Firm Joins McLane



John D. Colucci

We are pleased to announce that the Colucci Norman law firm, formerly located in Beverly, Massachusetts, has joined the McLane TradeCenter office in Woburn, Massachusetts. With the addition of **John Colucci**, **William Norman**, **Larry Plavnick**, all corporate lawyers, and **Andrew Botti**, a litigator, McLane is now a firm of more than 90 attorneys and more than 25 paralegals serving our clients in New Hampshire, the Boston area and beyond.

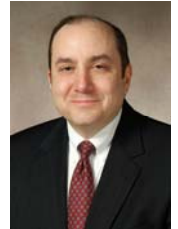
Commenting on the growth in our Massachusetts practice, Steve Burke, the managing partner of the TradeCenter office, said: "It demonstrates the breadth and depth of McLane's legal experience and our commitment to serving our clients affordably and effectively." McLane's Massachusetts office is conveniently accessible just outside the City of Boston.

To accommodate the Colucci Norman team and the additional associates and staff that will be supporting them, McLane is expanding its office space at the TradeCenter, the second expansion in less than one year. The TradeCenter office was first opened in 2008 and is McLane's fourth location.



William D. Norman

Contact details: **John Colucci** at (781) 904-2691 or john.colucci@mclane.com; **Bill Norman** at (781) 904-2690 or william.norman@mclane.com; **Andrew Botti** at (781) 904-2692 or andrew.botti@mclane.com; **Larry Plavnick** at (781) 904-2693 or lawrence.plavnick@mclane.com.



Andrew P. Botti



Lawrence R. Plavnick

Care Required When Retaining Independent Workers



Charla B. Stevens

In the current economic environment, businesses may choose to lay off workers and engage contractors or consultants to do the same work. The costs companies seek to eliminate or lower include payroll and unemployment taxes, workers' compensation premiums and fringe benefits. But retaining "independent" contractors can be fraught with difficulties because these service providers may be deemed to be employees for legal purposes.

Independent contractors may be determined to be employees under federal and state law depending on the terms and conditions of their service. Failing to carefully structure the relationships between a company and its contractors can result in significant liability for unpaid payroll taxes and income tax withholding, direct liability for injured workers not covered by workers' compensation, obligations to compensate workers for unpaid wages and overtime, and liability for unpaid unemployment taxes. Government authorities charged with administering and enforcing the laws that affect workers have significant power to bring actions to collect back taxes and wages, and to impose fines and penalties.

Companies using independent contractors can take measures to minimize the legal risk that these service providers will be deemed to be company employees. Easy steps include entering into written independent contractor agreements that create a relationship between the contractor and the company that satisfies applicable legal requirements for independence.

For more information on the factors that influence whether a worker is independent, contact Charla Bizios Stevens at (603) 628-1363 or charla.stevens@mclane.com.



Upcoming Events

Thu., Apr. 8, 2010 - "**Selling Your Business: What Should You Be Doing Now,**" sponsored by the McLane Law Firm and Tully & Holland, will be held from 8:00 –9:30 a.m. at the TradeCenter 128 in Woburn, MA. McLane attorneys **Steve Burke** and **Mike Tule** will be among the presenters. For more information or to register, contact Heather Wolcott at heather.wolcott@mclane.com or (603) 628-1482.

Fri., Apr. 9, 2010 - "**9th Annual Labor & Employment Law Update,**" sponsored by the NH Bar Association, will be held from 9:00 a.m. to 4:30 p.m. at the NH Bar Association Seminar Room in Concord, NH. McLane attorney **Linda Johnson** will be among the presenters. For more information or to register, contact the NHBA at (603) 224-6942 or visit <http://www.legalspan.com/nhbar>.

Tue., Apr. 13, 2010 - "**Non-Tax Choice of Entity - Choosing Among LLCs, Corporations and Other Entities on Non-Tax Grounds,**" sponsored by the National Business Institute will be held at 11 a.m. Eastern Standard time. McLane attorney **John Cunningham** will be the speaker. This teleconference is part 1 of a 6-part series on LLCs. Call NBI at 1-800-930-6182 or visit www.nbi-sems.com for more information or to register.

Thu., Apr. 15, 2010 - "**Negotiating Real Estate Loan Terms and Workout Options,**" sponsored by the National Business Institute, will be held from 9:00 a.m. to 4:30 p.m. at the Radisson in Manchester, NH. McLane attorney **Joe Foster** will be one of the presenters. Call NBI at 1-800-930-6182 or visit www.nbi-sems.com for more information or to register.

Wed., May 12, 2010 - **Boston Estate Planning Council Member Roundtable Breakfast**, moderated by McLane attorney **Bill Zorn**, will be held from 8:00 - 9:30 a.m. at the University of Massachusetts Club, 225 Franklin St., Boston. For more information, contact the Council at 617-266-1919.

Thu., May 13, 2010 - "**Immigration Law 2010,**" sponsored by the NH Bar Association, will be held from 9:00 a.m. to 4:30 p.m. at the NH Bar Association Seminar Room in Concord, NH. McLane attorney **Tom Hildreth** will be among the presenters. For more information or to register, contact the NHBA at (603) 224-6942 or visit <http://www.legalspan.com/nhbar>.

Tue., May 18, 2010 - "**Accounting and Finance for Lawyers - What the Numbers Really Mean,**" sponsored by Massachusetts Continuing Legal Education, Inc., will be held from 1:30 p.m. to 5:30 p.m. at the MCLE Conference Center in Boston, MA. McLane attorney **John Colucci** will be among the presenters. For more information or to register, contact the MCLE at (617) 482-2205 or visit www.mcle.org.

Fri., May 21, 2010 - "**Preuptial & Postnuptial Agreements in New Hampshire,**" sponsored by the NH Bar Association, will be held from 8:30 a.m. to 10:30 a.m. at the NH Bar Association Seminar Room in Concord, NH. McLane attorneys **David DePuy** and **Bob Wells** will be among the presenters. For more information or to register, contact the NHBA at (603) 224-6942 or visit <http://www.legalspan.com/nhbar>.

Jeanmarie Papelian Elected Chair of the Collaborative Law Alliance of New Hampshire



Jeanmarie M. Papelian

McLane is proud to announce that **Jeanmarie Papelian** has been elected Chair of the Collaborative Law Alliance of New Hampshire. The Collaborative Law Alliance of New Hampshire is a community of New Hampshire based attorneys trained in a special form of alternative dispute resolution known as collaborative law.

The collaborative law process involves a series of dispute resolution sessions, in which both parties and their attorneys meet together and work toward shared, as opposed to individual, goals. Information necessary to assist in this process is gathered voluntarily and with full cooperation of the parties. The process attempts to build stronger communication for resolving conflicts and reaching agreements using cooperative strategies rather than engaging in adversarial techniques and litigation. Jeanmarie has been an active member of the CLA/NH since 2000.

Coleen Penacho Named Board President of Seacoast Family YMCA



Coleen M. Penacho

McLane is pleased to announce that **Coleen Penacho** has been elected Board President of the Seacoast Family YMCA. Coleen is a member of McLane's Litigation Department where she practices in a variety of areas of civil litigation including commercial, real estate, bankruptcy, probate, landlord/tenant and family law.

The mission of the Seacoast Family YMCA is to put into practice the positive values of respect, caring, honesty, and responsibility through programs that build healthy spirit, mind and body for all. In addition to her involvement with the YMCA, Coleen is also a volunteer with the Domestic Violence Emergency (DOVE) Project that provides victims of domestic violence with emergency legal services. She is also a board member and chair of the nominating and governance committee of Optima Bank and Trust, a locally owned bank, in Portsmouth, New Hampshire.

For more information by telephone, call (603) 625-6464.