



PULLMAN  
& COMLEY LLC  
ATTORNEYS

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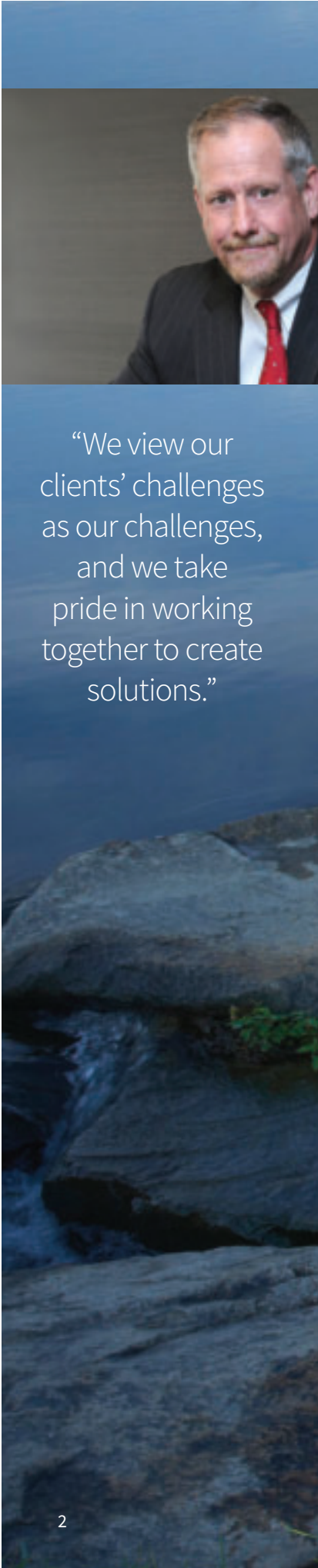
*Pulling Together. Succeeding Together.*

# Pathways to **Success**

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2014-2015 Annual Report





# A Message from our Chairman

“We view our clients’ challenges as our challenges, and we take pride in working together to create solutions.”

In 2015, many of you have put the recession, and some difficult decisions that came with it, in the rearview mirror. Businesses that once called us for advice on refinancing a debt or managing a corporate downsizing are now calling about financing acquisitions and hiring new staff. Things are looking up.

We have been listening to the market, and are well positioned to serve our clients in the improving business environment. As Connecticut announces its multi-billion dollar investment in infrastructure, our Government Finance and Construction practices stand ready to assist in all aspects of that undertaking. Our Health Care practice is a leader in helping clients navigate the changing landscape of consolidations and mergers, and advising on clinical trials of innovative new drugs and medical devices. And as intellectual property continues to be our country’s most valuable home-grown asset, we can assist at all levels of trademark, copyright, patent prosecution and infringement matters.

Across the region, industries such as the automotive sector, the clean energy trade and the real estate market have been enjoying the benefits of a strengthened economy. Employers that had considered leaving Connecticut are now expanding their operations and thriving. Stamford has seen the construction of 75 Tresser Boulevard, a multi-story luxury apartment building downtown, and towns between Hartford and New Britain are celebrating the arrival of CTFastrak, Connecticut’s first bus rapid transit line. Positive changes and renewals are taking place throughout the state and nationally. Each step of the way, we are committed to help guide our clients on the path to success.

That commitment is an easy one for us to make. For 95 years, we have built strong relationships with our clients by listening to their needs and providing exceptional legal services. We view our clients’ challenges as our challenges, and we take pride in working together to create solutions. We are proud to share our clients’ dedication to serving the communities in which we live and work, and often serve side by side in outreach efforts.

These are exciting, changing times, and we look forward to continuing to partner with you as you work toward new goals. Thank you for your business and your friendship, and on behalf of the entire Pullman & Comley team, I wish you all the best for success this year and beyond.



**James T. Shearin** | *Chairman*  
Pullman & Comley, LLC

# Remaking Bridgeport's Waterfront

The firm represents the City of Bridgeport and the Steel Point Infrastructure Improvement District in the development of one of Bridgeport's most significant economic development projects, that when completed, will transform Bridgeport's harbor and establish the city as a retail and recreational maritime destination. Adjacent to Interstate 95, the 50-acre, waterfront project is expected to contain more than one million square feet of retail, commercial, hotel and residential space and feature a marina.

Pullman & Comley represented Bridgeport in drafting the legislation to create the District, enabling the District to issue tax incremental financing bonds to fund public improvements within the District. A portion of the incremental property tax revenues generated by the project will repay debt service on the bonds. We represented the city in the negotiation of the Interlocal Agreement between the city and the developer providing for the split of incremental property taxes and use of bond proceeds.

After participating in the creation of the District, the firm now serves as its bond counsel. We assisted the city and the District in discussions with the developer and Connecticut Innovations for \$21 million in sales tax incremental financing and in discussions with the State Office of Policy and Management and the Department of Economic and Community Development for a \$9 million Urban Act grant to facilitate the construction of the retail facility for Bass Pro Shops, the initial tenant of the project. The Bass Pro facility is currently under construction and a number of national restaurant chains have been announced.

## Helping an International Company Expand its Reach in North America

Over the years, Pullman & Comley has been privileged to represent many well-known international businesses and their U.S. subsidiaries. 2014 was no exception, as we initiated representation of the North American subsidiary of Italy's renowned coffee company, illy caffè.

Founded in 1933 by Francesco Illy, this third-generation, family-owned business has developed a storied international reputation for its singular blend of coffee beans selected from around the world, as well as its commitment to quality, artistry, and technological innovation. With a presence today in 140 countries, illy caffè looks at the North American market as second only to Italy in its importance to the company.

Pullman & Comley attorneys have been called upon to assist illy caffè North America in a wide variety of matters, including equipment loan agreements with hotels, restaurants and casinos; distribution agreements; and franchise and real estate leasing agreements. In a number of cases, we have been pleased to collaborate with our Canadian Law Firm Alliance partner, McLean & Kerr, LLP, on matters that extend to north of the border.

Our attorneys were also asked to negotiate advertising, marketing and sponsorship agreements, including illy caffè North America's sponsorship of the USA Pavilion at Expo Milano 2015, a global showcase expected to draw more than 20 million visitors from May through October 2015. Additionally, attorneys from our Cybersecurity practice provided counsel to protect illy's world-wide presence on YouTube.



"We have been extremely pleased with the capabilities and professionalism of Pullman & Comley's attorneys, and particularly with their business savvy and timely response to our needs. We truly appreciate that they have invested the time to really understand our requirements, with the lead attorney even attending our new employee training. We look forward to continuing to work with Pullman & Comley as we expand illy's presence in the very important North American market."

**Carlo Badioli**

*Executive Vice President and Chief Administrative Officer | illy caffè North America, Inc.*



# Pullman & Comley Appellate Lawyers Garner Supreme Court Victories

During 2014, the firm's Appellate practice found itself in front of the Connecticut Supreme Court four times. In each instance, our lawyers were able to deliver victories on behalf of our clients that had a meaningful impact on Connecticut.

## Setting the Record Straight on Municipal Appointments

Pullman & Comley attorneys represented concerned citizens of Meriden in relation to the former mayor's appointment of various officials, including the city's corporation counsel. Our attorneys brought a writ of *quo warranto* action that successfully resulted in the removal of the improperly appointed corporation counsel and allowed the current mayor of Meriden to appoint his own selection to that post. On appeal, DeMayo v. Quinn, the Supreme Court unanimously upheld the trial court's ruling that the former administration for the City of Meriden improperly appointed Meriden's corporation counsel.

## Protecting the Development of Renewable Energy

The firm represented wind developer BNE Energy, Inc. in connection with an appeal by a citizens group of the approvals BNE received from the Connecticut Siting Council to build two renewable energy projects in northwestern Connecticut. The Connecticut Supreme Court heard the case of Fairwind CT, Inc. et al. v. Connecticut Siting Council et al., and unanimously re-affirmed the Siting Council's approval of the BNE project. The Supreme Court's opinion is of note not only for its impact on wind projects, but because it provides one of the few articulations of the limits of the Siting Council's jurisdiction over renewable energy projects. In issuing its decision, the court made clear that the Siting Council has jurisdiction over renewable, as well as traditional, energy projects, and that the methods the Siting Council has used in its approval process are in keeping with legislative intent.



Gregory M. Murphy

## Extending our Intellectual Property Services

Intellectual property (IP) is the lifeblood of many businesses. This year we welcome new member **Gregory M. Murphy**, a patent attorney who represents and counsels clients in all aspects of intellectual property law. Greg's practice focuses on patent prosecution; strategic counseling; due diligence work; portfolio management and related licensing and transactional matters. In addition to patent work, Greg files trademarks and prosecutes and responds to office actions and appeals before the Trademark Trial and Appeal Board.

Prior to joining Pullman & Comley, Greg established a full-service, IP firm that handled patents, trade secrets, trademarks, copyrights and licensing programs for clients across the country and internationally. Greg is admitted to practice before the U.S. Patent and Trademark Office, and in California, the District of Columbia, Maryland, New York and Virginia; his application to practice in Connecticut is pending.

We are proud to expand our Intellectual Property and Technology practice to include Greg's skills, and we will continue to assist our clients – from startups to holders of large patent portfolios – in promoting innovation while protecting valuable assets.

## Late Filed Claims Bar Recovery

In *Flannery v. Singer Asset Finance Co., LLC*, the Pullman & Comley team once again obtained victory before the Connecticut Supreme Court. Labeled a “fiduciary” by a claimant, our financing company client faced a claim of more than \$2 million by its former customer who alleged the company had assisted his lawyers in giving him faulty tax advice. The plaintiff argued that because the law firm and the finance company had occupied positions of trust, he was exempted from filing his case within time limits that normally would apply to his claims. Our commercial litigation attorneys convinced the trial court, by a pre-trial motion for summary judgment, that the claims were filed too late. The plaintiff appealed that dismissal order, unsuccessfully, to first the Connecticut Appellate Court and then to the Connecticut Supreme Court. Our team persuaded the Supreme Court that, even if the plaintiff had properly pled that the running of the statute of limitations has been postponed because of a possible “fiduciary” relationship between the parties, his claims still were filed too late and as such could not be brought against our client.

## A Significant Precedent for “Delay” Claims by Commercial Construction Contractors

This case involved our firm’s construction law team, which persuaded the Connecticut Supreme Court to rule for the Town of Bethel in a dispute involving renovations to the town’s high school in the matter of *C and H Electric v. Town of Bethel*. During the course of performing its electrical work at the school under an approximately \$3 million contract, the contractor interrupted its work due to ongoing asbestos abatement activities at the building site. Even though the contractor completed its work close to schedule, it demanded reimbursement from the town for what it claimed were extra expenses caused by the interruptions. The Supreme Court rejected this claim, agreeing with our client that the “no-damages for delay” provision of the parties’ contract governed, and that the town’s conduct did not amount to “active interference” within the meaning of the exceptions to the “no damages” provision.

Photo credit: Julia Carlson



### Adam S. Mocchiolo Named Member of the Firm

**Adam S. Mocchiolo** is a business lawyer in the firm’s Litigation and Labor, Employment Law, and Employee Benefits practices. He litigates sophisticated, high value commercial lawsuits, handles intellectual

Adam S. Mocchiolo

property matters, provides full-spectrum employment law counseling and advocacy to employers, and heads the firm’s business immigration practice.



### Robert C. Hinton Joins the Firm

**Robert C. Hinton** joined the firm as a member in the firm’s Labor, Employment Law and Employee Benefits practice. Bob has extensive experience in all phases of commercial and complex litigation and employment law counseling and has represented a wide range of clients from small business owners to Fortune 500 companies.

Robert C. Hinton



# Defending a Sports Facility's Right to Manage its Business

A common complaint of the business community is that the court system moves too slowly. But what happens when the system moves too fast? In 2014, our commercial litigators defended a large winter sports facility against just that risk. For several years, our client, Protec Hockey Ponds Ice Center, had leased its facilities – including its state-of-the-art ice rinks – to an amateur sports club. When the parties were unable to reach an agreement for the coming season, the sports club filed a court action demanding that our client immediately provide it the ice time it wanted – notwithstanding the facility's commitments to other patrons.

For our client, the stakes were high; a loss would allow the sports club to commandeer the facility's business while the litigation progressed. Facing tight court deadlines, our commercial litigators quickly gathered evidence and legal arguments contesting the sports club's demand for an immediate court order. On an expedited schedule, the trial court summarily denied the sports club's request for a preliminary injunction; Protec Hockey Ponds could continue to manage its business as it had chosen. Both the appellate court and state Supreme Court rejected the sports club's attempts to appeal that decision. Now, our client is on its way to a business season without the distraction of litigation.

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## Defending a School Employer in a FMLA Leave and Pregnancy Discrimination Case

In 2014, Pullman & Comley attorneys successfully defended a regional educational service center accused of violating pregnancy discrimination laws and the federal Family and Medical Leave Act, winning first at the United States District Court and then on appeal at the Second Circuit Court of Appeals. The decisions are notable for confirming that an employee (in this case, a teacher) who is unable to perform essential job duties cannot state a claim for discrimination and that the employer is not required by federal law to extend a leave of absence beyond the 12 week FMLA period when the employee is unable to return to work following the expiration of her leave of absence. The courts' decisions will give greater guidance to employers in assessing the circumstances in which an employee is entitled to leave and reasonable accommodations and also assist school administrators in balancing the needs of teachers with the needs of students.

## Providing a Wealth of Information to Connecticut's School Boards and Their Administrations



In early 2015, attorneys from our School Law practice held the first annual, "Key Trends in Education Law – What You Need to Know" statewide seminar which addressed developments in the Freedom of Information Act, trends in collective bargaining, legal issues involving student "sexting" and the demands of the Common Core Testing Standards. The addition of this seminar to the list of conferences, seminars and *Education Law Notes* blog provided by our attorneys ensures that school administrators and school boards have an array of sources to turn to for legal matters pertaining to Connecticut's public school districts, private schools, colleges and universities.



# Guiding Clients Through the Process of Clinical Trials

In 2014, Pullman & Comley's Health Care practice provided regulatory and contracting advice and assistance to our hospital clients involved in conducting clinical trials of new drugs and medical devices, prior to the Federal Drug Administration's (FDA) approval. A significant component of the firm's work in bioscience research includes ensuring that hospitals that perform clinical trials are compliant with FDA, National Institutes of Health and Federal Office of Human Subjects Research standards. In addition to working closely with hospital clients negotiating clinical trial contracts proposed by pharmaceutical companies and other study sponsors, the firm also evaluates and provides recommended revisions

to our clients' clinical trial policies and practices. Our attorneys also have served on, and acted as legal advisors to, our clients' institutional review boards that must approve proposed clinical trial research protocols prior to their initiation at the hospital, including in one most recent example, assisting one of our hospital clients undertaking a study in possible game changing oncology research.

## LFA Network Responds to Legal Needs Around the Globe

Through our membership in the global Law Firm Alliance (LFA) network, our attorneys offer immediate counsel to our national and international clients. We regularly work with our U.S. partners to serve our clients across the country, and beyond our borders as well. For example, in 2014, we formed a strategic relationship with Burns & Levinson to extend our firm's Property Tax and Valuation practice into Rhode Island. We also partnered with our LFA affiliate in Toronto, McLean Kerr, to assist clients with compliance with the Canadian laws relating to matters involving complex international corporate, contract and labor issues, and with Adsuar Muñiz Goyco Seda & Pérez-Ochoa, P.S.C., in Puerto Rico to ensure compliance with local tax rules for a client's pension plan. The LFA network extends throughout the Americas, Europe and China, allowing us to provide unparalleled support and advice and respond to our clients' needs in nearly every corner of the world.



Pullman & Comley is an active member of the Law Firm Alliance, an international affiliation of law firms, offering our clients the advantage of local legal knowledge and services throughout the world. [www.lawfirmalliance.org](http://www.lawfirmalliance.org)

# Driving Change in the Automotive Industry

It was an active year for the firm's Automotive Dealers practice as the automobile industry gained strength in 2014. Our attorneys continued to guide franchised dealers through a host of issues from floor plan financing and succession planning to dealing with hazardous waste handling and energy services procurement to facing future regulatory challenges and managing succession planning. Our firm's labor and employment attorneys also represented several dealerships before the Connecticut Commission on Human Rights and Opportunities and before the Connecticut Department of Labor regarding wage and hour questions and audits, and updating and modernizing clients' employment policies and programs. The firm and our clients continue to work together as catalysts for positive change in an industry that's rooted in resiliency and progress.

"Pullman & Comley worked with us when we needed advice regarding the complex laws associated with human resource and employment issues. Over the years, they've provided us with great insights into employment leave rights, return to work policies and human resource strategies."

**Michael Mauro**

*President | Mauro Motors, Inc.*

"This was a significant year for me given that I sold my interests in the automobile dealerships that I owned and operated. Over the years I have learned the significance of hiring the right counsel to represent me when I am undertaking major legal issues and the sale of my businesses falls into that category. Pullman & Comley was able to address all of the complex issues I faced in these transactions including merger and acquisition issues, real estate title issues, environmental reviews, contract negotiation and strategy planning. They were quite responsive and very knowledgeable about the auto industry. They really were a great partner to have throughout this entire process."

**David Calabrese**

*Former President/Owner | Middletown Nissan*



## Financing Connecticut's First "Household Model" Senior Living Facility

In 2014, Pullman & Comley served as bond counsel to the City of Bridgeport in connection with a major conduit bond financing for The Jewish Home of Fairfield County, a local 501(c)(3) organization, which is relocating its senior living facility to Bridgeport.

The newly constructed complex on Park Avenue will be the first "household model" senior living facility in the state, with residents enjoying private bedrooms and bathrooms but sharing dining, living and patio spaces. When completed, the 372,000-square-foot building will contain 46 assisted-living units, 18 skilled nursing households with 14 private units, two short-term rehabilitation households, and indoor and courtyard therapy centers. The facility

will also offer adult day programs, outpatient therapy, home care and hospice care and services for the surrounding community, including a fitness center, a four-lane indoor swimming pool, and a child care center.

In connection with the financing of the \$90 million project and under the authority of the City and Town Development Act, Bridgeport issued two series of conduit bonds totaling \$62 million in a direct placement to a consortium of local banks. Our attorneys participated in all facets of the bond transaction, including the approval of the bonds, due diligence and disclosures, tax qualification, including qualifying the bonds as draw-down bonds under current IRS regulations, structuring the security for the repayment of the bonds, and negotiations with The Jewish Home and People's United Bank.



# Restoring an Inheritance

In 2004, the owner of a Southington farm drafted a will that left the entire property to its longtime caretaker, Sam Manzo. As the owner was dying, the local probate court judge appointed a lawyer as conservator and approved his creation of trusts designed to redistribute the 90 acre farm and other assets – effectively a rewrite of the legacies. The eviction of Sam from the farmland he had tended for years and called his home was inevitable. Our Litigation and Trusts and Estates attorneys teamed up as co-counsel on the matter and initiated legal actions to unwind a series of transfers and recover damages from those involved. After several years of proceedings in the Probate Court and the Complex Litigation Docket, our

attorneys obtained rulings declaring all of the actions of the conservator – “*void ab initio*” (i.e., as if they had never happened) and other rulings that recognized a claim for intentional interference with inheritance and eliminated any defenses of immunity arising from the process. Not only was title to the farm restored to the decedent’s estate for ultimate transfer to our client but a different probate court judge also imposed a surcharge of \$1,607,463 on the conservator which is believed to be the largest surcharge in Connecticut Probate Court history.

## ADR Practice Expands and Receives High Honors

In 2014, Pullman & Comley’s Alternative Dispute Resolution (ADR) practice welcomed **Retired Superior Court Judge Lynda B. Munro**, who serves as a mediator, arbitrator and private judge in a wide range of family matters and civil disputes.

Judge Munro retired from the Connecticut bench in 2014 after 20 years of distinguished service in seven judicial districts across Connecticut. During her time on the bench, she assisted parties and counsel in resolving hundreds of high-conflict family and couple disputes. Judge Munro has extensive experience in civil matters and has tried and mediated a wide array of tort and contract cases including commercial disputes involving complex financial transactions, medical and legal malpractice, trade secrets matters and breakups of professional practice groups.

During the past two years, the firm’s Alternative Dispute Resolution (ADR) practice has continued to grow while counseling clients who seek to resolve business, employment, corporate and environmental disputes. The practice and its members were recognized several times during the past year. In 2014, **Retired Judge Robert Holzberg**, who leads the ADR practice at the firm, was inducted into the Connecticut Chapter of the National Academy of Distinguished Neutrals, an invitation only association limited to mediators and arbitrators who are well-established as trusted neutrals in the legal community within their state of practice. He was also presented with the Professionalism and Civility Award from the American Board of Trial Advocates, an organization committed to elevating the standards of integrity, honor and courtesy in the legal profession.

In 2015, the practice received the “ADR-Litigation Department of the Year” Award from the *Connecticut Law Tribune*. Recognized for its work in serving as mediators and arbitrators in a wide range of civil matters, the practice is increasingly looked to as a highly reliable and respected resource to conduct investigations into sensitive matters in both the public and private sectors. This year, Pullman & Comley’s ADR practice expands its market footprint as it offers a reliable means of resolving disputes in the breakup of medical practices, law and accounting firms and other business organizations.



Before being sworn in as a Superior Court Judge in 1994, **Judge Munro (Ret.)** spent 15 years as a private practice attorney representing municipalities, individuals and business entities in municipal, land use, civil and family matters.



# Building Communities Through Brownfield Redevelopment

Pullman & Comley continues to be a leader on brownfield development, closing deals that change non-productive property into commercially developed land that benefits entire communities. For years, several of our attorneys have been working on various aspects of a large brownfield site located in Waterbury, Connecticut, commonly known as WIC (Waterbury Industrial Commons). WIC was once a major supplier of armaments to the U.S. government and housed various manufacturing operations, including a brass rolling mill, a ball bearing factory, a casting shop, and – at 463 feet long – one of the longest draw bench machines in the world.

Since the City of Waterbury acquired the WIC property by eminent domain, our attorneys have assisted with various aspects of the short- and long-term property management. This includes guidance with grant applications (Department of Defense, EPA, DEEP and DECD); development and administration of required relocation benefits; negotiation with tenants; management of environmental issues, including contracting and agency interactions; and handling of local and state land use issues including subdivision, road and utility abandonment and reconstruction, and rail crossing relocations. Subsequently, our attorneys handled the sale of a portion of the site to King Industries, the world's leading technical specialists for industrial additives.

“We deeply appreciate the extraordinary role that Pullman & Comley played in helping the City of Waterbury transform WIC into a world class industrial park. Their efforts regarding the retention and attraction of thriving manufacturers will ensure that this site will provide meaningful jobs and positive growth to the Waterbury community for years to come.”

**Todd M. Montello**

*Chief Executive Officer | Waterbury Development Corporation*

## Promoting the Development Potential for Towns in the Tobacco Valley

Pullman & Comley attorneys partnered last fall with leaders from the Connecticut Business & Industry Association, the Connecticut Department of Transportation, Connecticut Department of Energy & Environmental Protection, the Connecticut Airport Authority and the Connecticut Department of Economic and Community Development to deliver the “Tobacco Valley Development Forum,” the first of its kind program focusing on state and private initiatives to encourage development in towns north of Hartford. The forum provided an array of opportunities and options available to landowners and towns along the Hartford – Springfield rail line regarding the best means to access state, municipal and private land and environmental databases, procure funding through private and public sources, and streamline land use procedures to foster development.





Campbell D. Barrett



Jon T. Kukucka

## The Firm Welcomes Two Family Law Attorneys

The firm welcomed two Family Law attorneys in 2015. **Campbell D. Barrett**, who will lead the Family Law practice, focuses on matrimonial and appellate matters and has participated in numerous trials in Connecticut's state and federal courts on complicated family, civil and administrative and criminal cases. A recipient of several awards for high standards of legal scholarship and ethics, Campbell lectures and writes frequently on appellate practice and family law. In addition, **Jon T. Kukucka** represents clients in cases involving dissolution of marriage, pre- and postnuptial agreements, property division, alimony and child custody matters.

## Keeping a Large Employer in Connecticut

In 2014, our Real Estate attorneys represented Delaware MMP Realty, LLC, of Danbury, Connecticut in the long-term extension and expansion of its lease to Cartus Corporation, a global provider of relocation services. Headquartered in Danbury, Cartus, and predecessor entities, had been tenants of our client's building for many years but were considering a move out of state.

After being courted by a number of other states, Cartus agreed to stay in Connecticut and expand and upgrade its Danbury headquarters building with the help of a loan and financial assistance from the State of Connecticut. The total projected cost for the upgrade was more than \$15 million.

We represented the landlord in negotiating its extension of the lease for the entire building. As part of the extension, the building was upgraded and expanded, and the lease was tailored to coordinate with the requirements imposed by the State of Connecticut on its financial assistance to Cartus. As an integral part of the extension and expansion of the Cartus lease, the firm also represented the landlord/owner in the defeasance of the building's existing debt and the long term refinance of the building's mortgage debt in the total amount of \$32 million.

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## Helping Retailers Control Expenses

In today's competitive retail environment, it pays for merchants to review their real and personal property taxes to ensure they are equitable. In 2014, our Property Tax and Valuation practice helped the owner of several regional malls achieve a multi-million dollar reduction in their property tax liability through an assessment appeal.

Our clients, including several national anchor department store chains, a regional grocery store chain and a national drug store chain, rely on us to work through complicated valuation issues that impact their property tax assessments. Our attorneys gather and effectively present the relevant data to help retailers consistently obtain more equitable assessments.

We also assist retailers faced with excessive assessments of their personal property taxes since these taxes are calculated by applying "one size fits all" depreciation schedules to assets used in the retailers' businesses. In 2014, we assisted one national discount retailer in obtaining a number of reduced personal property assessments and more advantageous depreciation schedules.



# Supporting Bridgeport's BGreen 2020 Initiative



In 2014, our attorneys were involved with two key projects that are part of "BGreen 2020," a plan to improve the environmental quality and livability of Bridgeport's parks, waterways and streets and to promote Bridgeport as a location for the development of green industries and green employment.

## Advancing a Green Energy Park from Concept to Development

For the past several years, the City of Bridgeport has been developing its Eco-Industrial Park, a renewable energy park that will consist of a commercial scale solar energy facility built on top of a former landfill and a fuel cell facility built next to the landfill. To accomplish the development of the park, Bridgeport has been working with United Illuminating in a public-private partnership for more than two years. The total electricity produced by the combined projects will be enough to power more than 3,000 homes.

The project faced fierce opposition from various factions and during the Connecticut Siting Council approval process, the firm's energy attorneys assisted the city in responding to this opposition, and ultimately in getting the project approved. The project is now on track to begin construction in spring 2015, and was praised by Senator Richard Blumenthal as a model to which the rest of the country should aspire. The project is only the third of its kind to be approved in Connecticut, and shows the depth of experience possessed by all the members of our regulatory and energy team in the realm of renewable energy.

## Improving the City's Emergency Preparedness

After Connecticut was slammed with three catastrophic storms in a two-year period, the state passed legislation which allowed the formation of "microgrids" for the purpose of ensuring uninterrupted power to critical infrastructure and emergency shelters within municipalities. One of the first cities to apply for funding under the new program was Bridgeport, which turned to Pullman & Comley to assist it with the implementation of its microgrid.

The city is installing two natural gas combined heat and power plants that will supply electricity and heat to the town hall, police station and the senior center. In addition to the power plants, the city is also replacing a backup generator at the police station with a state-of-the-art generator. As the project progresses, there is also a possibility of adding more buildings to take advantage of the program.

We negotiated the construction contract and power purchase agreement for this project as part of our continued work on energy projects in Bridgeport, including representing the city before the Siting Council on United Illuminating's siting of fuel cells and solar panels at the city's landfill and the city's placement of solar panels on municipal buildings.



## Diane W. Whitney Receives Two Distinguished Awards

Diane W. Whitney, long-time chair of the firm's Environmental practice and current chair of the Land Use section, was the recipient of two prestigious awards over the past year. Diane received the 2015 "Ladder Award" from the Connecticut Bar Association's Young Lawyer's Section, which honors a female attorney in Connecticut who has demonstrated exceptional leadership affecting women. Diane was also the 2014 recipient of the Charles J. Parker Legal Services Award from the Connecticut Bar Association. This award recognizes an individual who has a deep and abiding interest in and dedication to the delivery of legal services to the disadvantaged in Connecticut, and has given selflessly in advancing the goal of providing legal services to all Connecticut residents. In addition to Diane's impressive list of professional and civic accomplishments, Diane is often sought out by women business leaders and other attorneys throughout Connecticut and has been an invaluable mentor and role model to the firm's younger attorneys.



# Setting the Stage for Long-Term Success

One of the benefits of working with growing business clients is helping them face and successfully overcome new challenges. One such client is Global Scenic Services, Inc. (GSSI), a growing manufacturer and installer of theatrical and television scenery and sets whose work is routinely displayed on national TV shows, dozens of Broadway and off-Broadway productions, high-end fashion runways and cruise ship performances.

As GSSI's business has expanded, our work advising on employment matters has also broadened to include advising the company on day-to-day business operations including vendor disputes, intellectual property issues and customer agreements. In 2014, we helped GSSI in negotiations with unions representing its employees, and successfully resolved unfair labor practice charges before the National Labor Relations Board. We also represented the company in an insurance coverage action in the U.S. District Court, arising out of damage to company property sustained in the Blizzard of 2013. That matter, too, was successfully resolved.

In 2014, GSSI expanded its operation with new construction that more than doubled the physical size of its facilities. Our attorneys represented GSSI in obtaining an SBA loan to finance this expansion and are now working with the company to convert that loan to permanent financing. We especially value our ongoing relationships with long-term clients like GSSI, where we can work together for the success of their businesses.

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## Building a Residential Renaissance in Stamford

Beginning in 2012, we represented Greenfield Partners with its development, financing and sale of a newly-completed multi-story luxury apartment building in the heart of downtown Stamford. Located across from the Government Center at 75 Tresser Boulevard, the site formerly housed the printing presses for the *Stamford Advocate* and the *Greenwich Time* and now contains more than 300,000 square feet of rentable space, including a pool, fitness center, on-site garage and nearly 6,000 square feet of retail space located on the first floor.

To finance this project, we represented the client in closing a \$69 million construction loan from PNC Bank in July 2012. Development of the site entailed drafting and negotiation of multiple utility easements, construction staging licenses and environmental remediation. Early in the construction, we drafted and negotiated a build-to-suit purchase and sale agreement, which resulted in the sale of the project in August 2014 for \$120 million, upon issuance of certificates of occupancies for the residential units. Post-sale, we continue to represent the client in connection with construction completion matters, including administration of post-closing escrows.

## Two New Associates Join the Firm

Pullman & Comley welcomed two new associates this year: **Johanna S. Katz**, who practices in litigation, and **Kelly F. O'Donnell**, who practices in business organizations and finance, and trusts and estates.



# Animosity Bowl XLI

Although the game time temperature rose slightly above the freezing mark, the score for the partners never climbed above zero. An “imbalance of offensive highlights between members and associates” resulted in a victory for the associates for the fifth straight year, 20-0.



## Expressing the Spirit of the Holidays



The illustrations for the 2014 Pullman & Comley holiday e-card were created by artists from the Kennedy Center Maggie Daly Arts Cooperative (MDAC). Opened in 2014, the MDAC has become the first arts program of its kind for people with disabilities in Southern Connecticut and provides artists with a means to form bonds with neighboring artists, businesses, universities, museums and art councils. Artists are selected from Kennedy Center programs as well as other entities because of their interest and passion for the arts.

When asked the question, “What do the holidays mean to you?” the artists responded by working together on one canvas, each expressing a sentiment through his or her own ingenious illustration. The result was a collaborative piece that truly captured the festive and joyous spirit of the season.

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## Congratulations to Alex V. Hernandez

Pullman & Comley congratulates our former partner **Alex V. Hernandez** who was appointed by Governor Dannel Malloy to serve as a Superior Court Judge. While at the firm, Alex was a member of the firm’s Litigation practice and was chair of the White Collar, Criminal Defense and Corporate Investigations practice. We wish Alex well in his new role in serving the State of Connecticut.

*Special thanks to the artists of the MDAC.*





*Pullman & Comley's attorneys and staff worked together to refresh the Simpson Waverly Magnet School in Hartford, on a Day of Service in honor of Dr. Martin Luther King, Jr.*

## Raising Diversity Awareness throughout Connecticut

During 2014, the firm amplified its efforts to raise diversity awareness outside the firm with a second, highly-successful "Celebrating Diversity in the Greater Bridgeport Community" event, the organization of events in association with The Lawyers Collaborative for Diversity, Inc., and continued participation in programs for The Greater New England Minority Supplier Development Council. Additionally, firm members hosted a panel discussion for Connecticut employers, focusing on strengthening business through diversity.

## Susan L. Scott Named Counsel

We are pleased to announce that **Susan L. Scott**, an attorney in the School Law practice of the Labor, Employment Law and Employee Benefits Department, has been named Counsel to the Firm.

# Celebrating 50 Unforgettable Years of Rene McNeil at the Firm's First Alumni Event

Generations of Pullman & Comley alumni, staff and friends gathered in October at our inaugural alumni event held in Bridgeport, where the firm first opened its doors in 1919. The dynamic group of people who attended was a testament to past and present colleagues who have built our firm to what it is today, and the congeniality and friendships that make Pullman & Comley a special place.

A highlight of the evening was the tribute to honor Rene McNeil, Pullman & Comley's Bridgeport receptionist since 1964, who was celebrated by the Pullman & Comley family for her dedication to the firm for more than 50 years. Well-known to clients and staff alike, Rene's energetic personality immediately put guests at ease and long-time clients anticipated conversations with her upon each visit to Bridgeport. At the time of the event, Rene was one of six Pullman & Comley employees who worked at the firm for more than 50 years and lived through many generations of not only her own family, but the firm's family as well. Rene retired at the end of 2014 amidst numerous celebrations and events in her honor. The most notable, perhaps, was a firm-wide ice cream social, which combined two of Rene's favorite things: indulging in sweet treats and mingling sociably with fellow colleagues.



*"It has always felt like a family here. I am proud to say I worked at Pullman & Comley."*

*- Rene McNeil*

**Rene McNeil** with Pullman & Comley Executive Director **Martin Hochstadt**

## Women's Leadership Initiative

Pullman & Comley's Women's Leadership Initiative is a highly-regarded program that provides opportunities for our women attorneys to forge relationships and share information with a larger community of women. Our seminars, discussion programs and networking events support the careers of women and raise awareness of organizations that benefit women and families. May's event was held at Fairfield University and highlighted the work of the Norma F. Pfriem Urban Outreach Initiatives, which strives to better the lives of those in need in downtown Bridgeport. The Fall Tea, held at the Hartford Public Library's main branch, spotlighted the work of the Hartford Public Library and the support it provides for all age groups through an extensive variety of programs and services.



Pictured in photo, from left to right: **Nancy D. Lapera**, Partner, Pullman & Comley; Donna Haghghat, Chief Development Officer, Hartford Public Library; Cathy Amarante, Catering Sales Manager, Billings Forge Kitchen Café; **Nancy A. D. Hancock**, Partner, Pullman & Comley

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