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THANK YOU FOR YOUR REFERRALS!



We appreciate referrals from our friends, clients, and colleagues – they are the lifeblood of our business. We limit our practice to helping people in serious injury and employment matters, and you can be assured that we will treat your referrals exactly as we would want to be treated if we had a problem: with respect, empathy, sound guidance and strong advocacy. While we cannot help everyone, we do our best to dole out sound advice to those who take the step to contact a lawyer.

What We're Reading

If you're looking for a good winter book, check out Louise Penny's Inspector Gamache series. I finished the first book, *Still Life*, over holiday break, and I was hooked. These mystery novels take place in the fictional town of Three Pines, just outside of Montreal, and are wonderfully written and engaging. I'm a particular fan of the scenes that the author paints which involve meetings over food and drinks, often in front of a bistro or bookstore fireplace – exactly the way I enjoy spending cold days/nights (when skiing is not an option).

If you have questions, or would like to be removed from this list, just send an email to newsletter@doraziopeterson.com, or call the office.

*"So when you see your neighbor carryin' somethin',
help him with his load.
And don't go mistaking paradise,
for that home across the road."*

- Bob Dylan (The Ballad of Frankie Lee and Judas Priest)



OUR TAKE

Happy New Year!

It's safe to say that the #metoo movement was one of the top stories of 2017 (particularly the last six months of the year). Given our line of work (protecting the rights of individuals and small business owners), people (our friends and family included) often assume that we are, in some way, responsible for the feeling that "you can't even tell someone they look nice anymore." (Note: this is a direct quote, that we've heard on multiple occasions. Other variations include, "you can't give a co-worker a hug anymore" and "it used to be that you could rub the shoulders of your employee for encouragement").

A couple of points here. First, we receive several hundred calls per year from people who believe that they have been treated improperly at work. Much more often than not, while the situation may not have been handled in the way we would have approached it, the conduct was not illegal. *We have never – repeat: never – received a*

call from someone looking to sue his or her employer because someone told them that they looked nice, or because they received a friendly hug. Do these cases exist? Perhaps, but not in our world.

Second, regardless of whether you might get sued, it's probably not a good idea to rub the shoulders of a subordinate at work. No need to belabor this point.

It can be helpful to think about this from the perspective of raising a child. We have two young children and, among the lessons that we try to teach them are the following: keep your hands to yourself; be respectful to other people; if someone says no, leave them alone; don't show your private parts to others. This may seem trite, but if people followed these simple rules in the workplace, there is a pretty good chance that they would not end up a defendant in a lawsuit or, at a minimum answering some very uncomfortable questions from HR (and probably their spouse/significant other as well).



JANUARY 2018
NEWSLETTER



D'Orazio
PETERSON
ATTORNEYS

IN THIS ARTICLE:

Page 1:
Our Take

Page 2:
What's a property owner's obligation to keep a sidewalk clean during winter?

Page 3:
**Local Spotlight:
Dr. Adam Favro
– Turning Point
Chiropractic**



WHAT'S A PROPERTY OWNER'S OBLIGATION TO KEEP A SIDEWALK CLEAN DURING WINTER?

Property owners in New York are responsible to keep their property in a reasonably safe condition. The failure to do so, generally, can place them at risk if someone is injured because of their failure to maintain the property.

A property owner, for example, who is aware of a damaged step, has an obligation to repair that step. If the owner does not repair it, and someone gets injured because of the damaged step, the property owner will likely be responsible.

The same holds true in the case of snow removal. A property owner has a legal obligation to clear snow and ice from their property within a "reasonable" period of time following a storm. What is reasonable?

That, of course, is somewhat subjective, but generally courts say that a few hours, at a minimum, is reasonable. If, for example, a storm happens during the day, while the property owner is at work, it is likely that a court would say that it was reasonable for the owner to clear the snow when he returned from work in the evening.

The City of Albany recently passed an ordinance requiring property owners to clear sidewalks within twenty-four hours of a storm. Twenty-four hours to clear snow and ice is stretching it, however, and pedestrians in Albany should be aware that if they are injured because a property owner has not cleared a sidewalk for twenty-three hours after a storm, the property owner may very well be liable.



LOCAL SPOTLIGHT

Dr. Adam Favro
Turning Point Chiropractic



What do you do for work, and why?

I am a doctor of chiropractic with a focus on sports and rehabilitation. As a lifetime athlete, I was used to my body being beat up and sore. As I got into more competitive sports and started to push myself I realized I could not rely on Advil to get me through a game. I wasn't recovering any faster and my body still hurt after it wore off. There had to be a way to improve athletic performance and not be hurt. I was in the post

continued on page 2



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continued from page 2

office mailing my applications for dental school and ran into my old performance coach who is a chiropractor. We agreed to get lunch and he explained the basics of evidence-based chiropractic and sports performance. I work with more than athletes but everyone gets treated as if they are training for the Olympics.

What do you enjoy doing outside of work?

Staying active and fit are a huge part of my life. I enjoy anything that tests my body's ability. My fiancé and I are also in the process of renovating a 1903 Victorian in Saratoga Springs which challenges me mentally and physically (as well as my patience). It is also a big belief of mine that you get what you give. The Saratoga community has provided a great deal of support for my business and I try to give back as much as possible. I currently serve on the board of directors for the Saratoga County Chamber of Commerce and The Saratoga Springs Preservation Foundation.

Where do you live and what do you like most about it?

We live in downtown Saratoga Springs. When I first moved back to NY, I bought a house in Schuylerville and renovated it. It was a great little house, but I was spending most of my time in Saratoga Springs. In 2016, my fiancé and I decided to sell our house and look for one in the city. We wanted to be close to the action, be able to walk to work and the track and have a true sense of community.

New Year, New You?

I don't know about you, but between December 26 and January 2 my inbox was absolutely inundated with tips, strategies, "breakthrough approaches" and various other tactics to live a better life in 2018.

Don't get me wrong – I believe that we should make our best efforts to live a healthy and happy life; we've only got one after all. I also believe that we should always be learning and trying to improve ourselves. I once read an interview with the actor Hugh Jackman where he said, in effect, that he believes people are never the same, they're either getting better or getting worse, and I tend to agree (at least from personal experience).

What concerns me, however, is when I see friends and family set themselves up with resolutions that are extremely difficult to follow. Because if they make one mistake, they'll feel like they've failed. (Examples: I'm not

What's your favorite cause or charity, and why?

My approach in life has always been make the most of what you have and take care of things. That is true whether it's your health, your car or your home. Part of what makes Saratoga Springs unique is the passion for preserving the past and traditions. My favorite cause and charity is the Saratoga Springs Preservation Foundation. They do educational programs, advocate for the rich culture of the city and provide a resource for all of the residents of the city.

What's your favorite book or movie? Why?

This is a difficult question. I tend to read books that inspire me or challenge me to think. I loved Freakonomics for the authors' interesting way of assessing situations and challenging the reader to think outside the box. Any book that challenges me to think about the world or myself in a way I typically would not is a good book.

Bonus: How can our readers find you to learn more?

The best way to find us and learn more is through our website www.TPCwellness.com. We also have an active social media presence on Facebook and Instagram. If you are interested in discussing treatment options or learning more about our clinical practice, give us a call and we would be glad to set up a free consult.

eating any carbohydrates in 2018; I'm going to the gym 7 days a week).

Approximately 45% of Americans usually make New Year's resolutions (losing weight and getting organized the top two) and, of those, approximately 8% are totally successful in achieving their resolution.

Personally, I'm a fan of big picture process goals. So, for example, I might say, "During the week I'm not going to eat dessert." Or, "I'm going to work out at least three mornings per week." This allows some flexibility, and takes some pressure off of the extreme positions. Because the reality is that the small things, repeated over a long period of time, are what make the difference, and are much more sustainable. None of us are perfect, and the sooner we allow ourselves to understand that (and work within that understanding), the better off we'll be.