



Seth Rubin

John DeMaro

Harold Berzow

SMART COUNSEL STRAIGHT TALK

The latest on the legal front from
Ruskin Moscou Faltischek, P.C.

**Ruskin Moscou Faltischek Successfully
Completes \$4 Million Transaction on
Behalf of Harvey Electronics, Inc.**

Partner Seth Rubin, assisted by associate Michael Schnipper, consummates complex investment transaction and reverse stock split

- ▶ Harvey Electronics, a publicly traded company (NASDAQ: HRVE) and a leading retailer of home theatre, audio and video products, sought a much-needed infusion of capital to fuel its growth and future plans
- ▶ Under Rubin's leadership, RMF team negotiated all investment documents, including a securities purchase agreement, registration rights agreement, consulting and employment agreements as well as warrants to purchase common stock
- ▶ RMF also represented Harvey before a NASDAQ panel in a successful effort to permit uninterrupted listing of the company's common stock on the NASDAQ Exchange
- ▶ As a result of the transaction's consummation, Harvey will now have capital to pursue a growth strategy designed to give its customers a superior service experience in the consumer electronics market
- ▶ Ruskin Moscou Faltischek will continue to represent Harvey Electronics as it executes its long-term goals

**John A. DeMaro, Esq. Tapped by
Suffolk County Executive for Long
Island Wireless Broadband Initiative**

De Maro serves as chair of the Public Policy/Legal Subcommittee, focused on the legal/regulatory aspects of the project

- ▶ The initiative's goals include the deployment of a wireless broadband network throughout Suffolk and Nassau counties that will make affordable Internet access available to all residents of Long Island, stimulate economic development and growth and improve the services provided by the counties
- ▶ DeMaro's background and experience in the fields of technology and intellectual property law have been a significant asset to the Committee
- ▶ The concept springs in part from advances being made by the State University of New York at Stony Brook's Center for Excellence in Wireless and Information Technology
- ▶ At RMF, DeMaro heads the firm's Intellectual Property practice group and is recognized in this area for his work on complex transactional matters and dispute resolution

**Team Strategy Leads to Exceptional
Outcome for RF Cunningham in Chapter
11 Bankruptcy Proceeding**

Partner Harold Berzow and associate Michael Amato devise novel plan that applies recently enacted law to clients' advantage

- ▶ R.F. Cunningham, a NY-based grain dealer, filed for Chapter 11 bankruptcy after facing insurmountable operational issues
- ▶ Berzow and the RMF team, with the assistance of the Creditors Committee, fashioned a settlement integrating Article 20 of the NY Agriculture and Markets Law into the bankruptcy plan, one of the first-ever applications of the new law
- ▶ As a result, creditors will receive an excellent recovery, with NY State agreeing to pay 80% of creditor payouts to the New York producers and subordinating its claim to those of other creditors
- ▶ A final hurdle was the principal shareholder's liability for a surety bond aggregating several hundred thousand dollars; RMF cited, in court, the principals' exemplary efforts to obtain maximum recovery for creditors
- ▶ The judge agreed, relieving the principal of this significant burden and allowing him to face a future free of crushing financial debt

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