

Robert G. Litt

Adam P. Silvers

Gregory J. Naclerio

SMART COUNSEL STRAIGHT TALK

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

Robert G. Litt Successfully Represents Suffolk Property Owner in Condemnation Suit Commenced by LI Municipality

Litt, chair of RMF's Tax Certiorari & Condemnation Practice Group, achieves settlement five times larger than original offer

- ▶ A commercial property owner filed an application to convert a parking lot he owned into a commercial office building
- ▶ At the time, the LI municipality in question was renting the lot for its employees and wished to continue to do so
- ▶ After rejecting the client's application, it subsequently condemned the property, compensating the owner for the original purchase cost – well under current market value
- ▶ Insisting "highest and best use" be applied as appropriate standard, RMF arranged for comprehensive appraisals and engineering reports to be prepared in support of the property owner's claim for additional damages
- ▶ In 2009, on the eve of trial, the municipality agreed to reimburse the property owner an amount that was more than five times larger than the original payout, which included all legal fees and costs associated with the claim

Adam P. Silvers Named Board Member and General Counsel to The Nexus Business Group

Appointment solidifies Silvers' leadership reputation, ongoing commitment to the LI business community

- ▶ Silvers is a member of Ruskin Moscou Faltischek's Corporate & Securities Department and Intellectual Property Practice, as well as chair of its Technology Practice Group
- ▶ The Nexus Business Group is a Long Island-based business organization whose mission is to provide members with the resources, strategies, referrals and networking opportunities that lead to increased profitability
- ▶ Over the course of his career, Silvers has successfully handled a wide range of complex transactions that include mergers and acquisitions, IPO's, software licensing agreements and partnership agreements for both public and private companies
- ▶ In 2003, Silvers co-founded the CFO Roundtable, a monthly gathering of CFO's from LI's leading private companies; he has helped to create a stimulating environment that helps attendees develop important business networks and relationships

Gregory J. Naclerio Garners Significant Victory For Doctor Banned from Medicare Program by Office of Inspector General

Naclerio, co-chair of White Collar Crime & Investigations Practice Group, ably aided by RMF attorney John Cooney

- ▶ A New York-based neurologist in private practice was "permissively excluded" from participation in the Medicare program due to a misdemeanor offense, which was deemed fraud-related by the OIG
- ▶ The doctor turned to RMF to assist him in his appeal, given that the exclusion would effectively put him out of business
- ▶ During an exhaustive investigative effort, Naclerio concluded the misdemeanor was not related to fraud, and asserted this in a hearing before the Department of Health and Human Services – despite the fact that, in the last nine years, only one other permissive exclusion appeal had been successful
- ▶ After a long review process, the Administrative Law Judge concluded the OIG had no basis to exclude our client and decided in his favor, restoring his rights and his livelihood

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Prior results do not guarantee a similar outcome.

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