



Irvin Brum

Michael Faltischek

Ellen Kessler

SMART COUNSEL STRAIGHT TALK

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

RMF Leads Underwriting Effort Culminating in Successful Public Offering for CVD Equipment Corporation

Partners Irvin Brum and Adam P. Silvers lauded by client for "responsiveness, accessibility and in-depth knowledge"

- ▶ CVD Corporation (CVD), a Long Island-based public company and manufacturer of state-of-the-art equipment used in the development of advanced electronic components, sought to execute a follow-on public offering.
- ▶ In addition to quarterbacking the entire offering process, which included drafting the prospectus and filing the registration statement with the SEC, the RMF team simultaneously coordinated CVD's shift from the AMEX to the NASDAQ stock exchange. This was all done under difficult market conditions.
- ▶ RMF also worked with the underwriter, accounting firm and transfer agent to ensure all regulatory requirements were met within the aggressive time frame.
- ▶ CVD is now well positioned for the future, and intends to use proceeds of the offering for general corporate purposes, including possible future product development efforts and/or possible acquisitions or strategic alliances.

Unanimous Appellate Decision Rejects Opposition, Upholds Developer's Right to Build Rental Apartments in Rockville Centre

Legal effort, led by partner Michael L. Faltischek, culminates in definitive victory for RMF client, Chase Partners

- ▶ Appellate division rejected arguments by the Village of Rockville Centre in its appeal of Supreme Court decision which found that Village actions to limit multifamily residential development were in bad faith.
- ▶ Community opposition to the residences was improperly based on generalized fears of a development fully compliant with local zoning code and was insufficient basis to place limitations on density.
- ▶ Court found that the Village, in attempting to impose unreasonable conditions, acted in bad faith.
- ▶ Affirmance paves the way for the 349-unit rental complex to be built, which will provide housing with ready access to retail outlets and public transportation.
- ▶ Developer will continue a \$25 million lawsuit against the Village to recover increased costs attributable to the five-year delay.

RMF to Host Dinner Seminar on New State Law That Requires Accreditation for Office-Based Surgery With Anesthesia

Partner Ellen Kessler and guest speakers will offer insights at special presentation on November 29, 2007

- ▶ A new law was recently enacted that will require physicians who provide surgical or invasive procedures with certain types of anesthesia in their offices to become accredited by an approved accrediting organization.
- ▶ Failure to become accredited could result in charges of professional misconduct by the NYS Office of Professional Medical Conduct. The new law also imposes certain reporting obligations.
- ▶ Interested physicians are invited to attend and learn what the new law means for them and how to prepare for the new law's requirements.
- ▶ The dinner presentation will take place at the offices of Ruskin Moscou Faltischek, 1425 RexCorp Plaza in Uniondale from 6:00 - 8:30 pm.
- ▶ Attendance is free, but space is limited; to RSVP, contact 516-663-5353 or info@rmfpc.com

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RUSKIN MOSCOU FALTISCHEK P.C.

Smart Counsel. Straight Talk.

Prior results do not guarantee a similar outcome.