



News & Views

November 2015

Dear Patty,

Kenney & Sams, P.C. focuses exclusively in risk management and civil litigation in the areas of construction law, employment law, tort and insurance law, and general business dispute resolution.

Thank you for entrusting us with your important work or valuable referral. We appreciate your friendship, trust and confidence in our firm.

New Associates



Roddy Ames

Roddy Ames joins Kenney & Sams, P.C. as a civil trial lawyer with a focus in commercial litigation, construction law and risk management, and tort related litigation.

Roddy is a graduate of Colby College and Suffolk University



Jaimeson Porter

Jaimeson Porter joins Kenney & Sams, P.C. as an associate focusing on civil litigation and trial work. Jaimeson has particular expertise in employment law, and also practices in the areas of business litigation, personal injury, premises liability and professional

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www.KandSlegal.com

**Kenney & Sams, P.C.
listed in Best Law Firms
in America**



NOTEWORTHY CASES AND MATTERS



**Kenney & Sams Wins First
Circuit Coverage Argument
for Contractor Client**

School of Law.

liability litigation.

Jaimeson is a graduate of the University of Massachusetts and Suffolk University School of Law.

Around the Firm



*Spotlight
On*

Lindsay Manning Burke

Lindsay Manning Burke is a senior associate at Kenney & Sams, P.C. with experience in complex civil litigation, investigations and intellectual property litigation. Before joining our firm, Lindsay practiced with Wilmer Hale in Boston and Sullivan & Cromwell in New York.

Most recently, the Women's Bar Association of Massachusetts selected Lindsay to participate in the 2015-2016 Women's Leadership Initiative, a program that provides mentoring and leadership development for women attorneys in Massachusetts who have been identified as the rising stars of their profession. WBA President Kimberly Dougherty said, "The WBA is proud that Lindsay Burke is a member of this new class of the Women's Leadership Initiative."

Lindsay also has been named Symposium Vice-Chair of the Massachusetts Bar Association's Complex Commercial Litigation Section Council. This section of the MBA provides information, contacts and educational programs for those attorneys whose practice is devoted primarily to representing clients in commercial litigation.

Lindsay recently participated in an MBA panel "How to be an advocate without being arrogant." The panel facilitates a discussion among attorneys on fundamental methods and approaches to resolving disputes rationally, efficiently and amicably.

In addition, Lindsay was selected to the 2015 Massachusetts Super Lawyers list. Only five percent of lawyers in the state were selected.

Mike Sams and Ryan Menard established that United States Liability Insurance Co. must defend Benchmark Construction Services Inc. in a personal injury suit brought by an employee of a painting subcontractor, the First Circuit ruled, finding that there are multiple ambiguities in the policy language that stop the insurer from applying an exclusion.

[Read Full Lawyers Weekly Article Here:](#)

Tony DeProspero successfully resolved a will contest with our clients, who were contesting the will, receiving a six figure settlement after having been excluded entirely from the will. Tony challenged the will based on evidence of the testator's incapacity.

Chris Kenney is being inducted as a 2015 Massachusetts "Construction Law Legend" at the Associated Builders and Contractors 23rd Annual Excellence in Construction Awards. This ceremony is part of the ABC MA Building Our Future Scholarship. The scholarship will provide financial assistance to children and employees of ABC members pursuing post-secondary education.

Lindsay is a graduate of College of William and Mary and New York University School of Law.

Ryan Menard attended the IADC 2015 Trial Academy at Stanford Law School. The Academy provides intensive, comprehensive and participatory education to young defense trial lawyers. Its faculty members are experienced, well-recognized trial lawyers with extensive trial experience who are selected on a national basis from different regions of the country.



Kenney & Sams, P.C. welcomes Pascal Bernard from the Corporate Work Study Program, Cristo Rey Boston High School.

Cristo Rey is a Catholic high school serving families of limited economic means. Cristo Rey Boston educates young people to become men and women of faith, purpose, and service. By offering a rigorous curriculum, a unique work-study experience, and the support of an inclusive school community, Cristo Rey prepares students to succeed in college and to lead fulfilling lives beyond the classroom. *Kenney & Sams, P.C.* is happy to participate in Cristo Rey's Corporate Work Study Program (CWSP) which generates 64% of the school's operating revenue and supports the students effort to earn a private, college preparatory education with minimal cost to the family.

Far more than a source of revenue for the school, the work-study program provides the opportunity for students to gain real-world experience, which motivates them to complete high school, earn a college degree, and join the workforce.



The Accountant, The Surety Broker, And The Lawyer All Walk Into A Contractor's Office....A Focused View of Risk Management Issues That Determine Liability, Bonding and the Bottom Line

Presented By:
Steve Zaremba, Feeley & Driscoll,
Nick Labbe, Alliant Insurance Services
Mike Sams, Kenney & Sams, P.C.

Gould Construction
Institute - Woburn
100 Unicorn Park Drive
Woburn, MA

Wednesday, February 24,
2016
8:00 a.m. - 9:30 am



Semi-St. Patrick's Day

Kenney & Sams, P.C. hosted its annual Semi-St. Patrick's Day Celebration September 17th at M.J. O'Connors in Boston.

The evening was topped off with live Irish step dancers. A good time was had by all.



Mike Sams named to the education Committee.



Kenney & Sams, P.C. Proudly Supports



MASSACHUSETTS BAR FOUNDATION
Keeping the promise of justice since 1964

Listen to what our clients are saying:



"I truly appreciate the superb attention. You have earned my strongest recommendation. I will certainly refer clients your way."

Articles of Interest



Who Says that There is No Risk for the General Contractor or Construction Manager

By: Michael P. Sams

A more accurate reality for contractors is one filled with grave risk. There is the risk of bad estimates, the risk that clients will not pay them, the risk that individuals associated with projects will suffer severe personal injuries, or the risk that they will bear the associated liability.....

[Read Full Article Here:](#)





Who Says Justice is Never Swift?

Chris Kenney & Ryan Menard recently forced the expedited dismissal of a slander of title lawsuit. On a recent Tuesday afternoon, our client, a real estate development company, was served with a lawsuit and a notice for an injunction hearing in Superior Court scheduled on an emergency basis for the next day. Working around the clock, our team analyzed the case, prepared a motion to dismiss the suit and an opposition to the motion for injunction. At oral argument, 24 hours later, the court adopted our argument and denied the injunction. The Plaintiffs then voluntarily dismissed the entire lawsuit. Our motion to recover our client's legal fees and expenses is pending.



A Review of the AIA 201 Consensus Docs

By: Michael P. Sams and Amanda J. Cox

Every ten years, the American Institute of Architects (AIA) updates its standard contract documents including the AIA A201, which governs the general

conditions of construction contracts between the owner, general contractor, and architect.

[Read Full Article Here:](#)



~ Committed to Excellence ~

WE WOULD LOVE TO HEAR FROM YOU! Please feel free to share with us your thoughts about this newsletter, questions about any of our activities and suggestions for future programs.

Kenney & Sams, P.C. | 617-722-6045 | events@kandslegal.com | <http://www.kandslegal.com>
Old City Hall
45 School Street
617-722-6045
Boston, MA 02108