



Trial-Think ['tri(ə)l θɪŋk] *noun*

1. An approach to dispute resolution and risk management that brings trial experience, preparation and effectiveness to everything we do for our clients.

Kenney & Sams, P.C. News & Updates

June 2016

As we reflect on our 10th year of serving our clients, Kenney & Sams, P.C. thanks you for your support and friendship. We look forward to a partnership of continuing success.

Please take a few minutes to view our new video!



Kenney & Sams, P.C. 2016

Happenings

Thank you for joining us!

A great evening was had in early May to celebrate the Firm's 10 Year Anniversary. Thank you to all who were able to join us and make the evening a great success!

To view event photos, visit our [Facebook page!](#)



Excellence in the Law

Congratulations to Lindsay Manning Burke on being chosen as an honoree at the annual "Excellence in the Law" event presented by Massachusetts Lawyers Weekly.



Lindsay was chosen by the Massachusetts Bar as someone who has distinguished herself in the practice of law.

"Thinking Outside the Box"

Trial practice in state and federal court has evolved to include innovative techniques to enhance advocacy and assist the jury in understanding the evidence. Jurors are no longer passive observers to the trial process. In fact, in state and federal court jurors frequently are permitted to question witnesses and begin discussing the evidence from the moment the first exhibit is introduced or the first witness testifies.



Chris Kenney

[Read Full Article Here:](#)



Mike Sams chairs the Defense Research Institute's Construction Law Committee, which recently held its annual seminar in June in New Orleans. Industry personnel and construction lawyers discussed current and future thinking and practices in construction, and offered valuable insights in the areas of construction law, risk management, and insurance coverage in construction matters.



Mike Sams

DRI's Construction Law Seminar is renowned as one of the foremost gatherings of construction industry professionals. This Seminar provided a compelling discussion of anticipated legal and construction trends, including in the energy sector and regarding catastrophic loss generated by evolving

geophysical processes. Join us in Las Vegas at the Cosmopolitan March 1-3 for the next one!



Ryan Menard

Ryan Menard named Co-Chair of the Mass Bio Human Resource Committee.

MassBio is a not-for-profit organization that represents and provides services and support for the world's leading life sciences supercluster. MassBio represents more than 700 life sciences companies and organizations involved with the industry.



Roddy Ames

Perspectives & Advice on Practicing Civil Litigation from Both Sides of the Bar

Roddy Ames recently spoke as a representative from the Massachusetts Defense Lawyers Association offering practical and career advice to Northeastern Law School students. The panel discussion focused on exposing law students to the opportunities and benefits of a career in civil litigation. Other representatives from the Massachusetts Academy of Trial Attorneys also spoke.

"The Massachusetts Independent Contractor Law: Sorting Out The Three Prong Test"

Mike Sams and Ryan Menard co-authored, with Jared Fiore, a chapter of Massachusetts Continuing Legal Education's Wage and Hour Handbook. Anyone who hires independent contractors must gain a strong working knowledge of this important law.

For more information, please read ["Taken for a Ride"](#) by Lindsay Burke.



Articles of Interest

Overtime Pay Now Required For Salaried Employees Making Less Than \$47,476 Per Year

Who: Employers with salaried workers making less than \$47,476 per year

When: As of December 1, 2016, overtime pay is required for any employee making less than the 40th percentile of weekly earnings in the country's lowest-earning region.

What Do You Need to Do? Though December 1 seems far away now, it will be here before you know it. Employers should start planning now to prepare for the regulation, which the federal government is anticipating will require overtime pay for about 110,000 Massachusetts employees who do not currently receive it.

[Read Full Article Here:](#)



Who Owns The Float?

By: Mike Sams and Ross Wecker

Experienced contractors know that time always is of the essence on a construction project, regardless of what the contract says.

As a general matter, float can be defined as an amount of time that a project activity can be delayed without affecting the project completion date. If a project activity is said to have zero float, any delay to that activity will result in a corresponding delay to the project completion date unless recovery measures are taken. If a project activity has positive float, that activity can be delayed until the float reaches zero, without delaying the project completion date. Thus, float can be a valuable asset to the extent it can be used to absorb or offset a delay in a zero float activity and can serve to recover the CPS completion date.

Understanding that float is a valuable asset, the question becomes, which party to the construction project is entitled to control or use the float?

[Read Full Article Here:](#)



Congratulations to our intern Pascal on his recent graduation from Cristo Rey High School! Thank you for all your hard work this past year. Good luck at Lasell!

Litigation - Construction Law - Employment Law - Business Law - Insurance Law - Risk Management

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