



"The Solution"



PRESENTED BY THE LAW OFFICE OF GREGORY P. LaMONACA, P.C.

755 NORTH MONROE STREET
MEDIA, PA 19063
Web: WWW.Lamonacalaw.com

PHONE: (610) 892-3877
FAX: (610) 892-5078
Email: GLamonaca@aol.com

WELCOME

Welcome to this edition of "The Solution." We hope that you find the information contained within highly informative. It was created to give all of our clients, friends and family an inside look into the firm while providing a resource to handle any of your legal needs that may arise. The title of the newsletter, "The Solution" was created from our Firm's belief in focusing on the "solution" and not the "problem."

Every day, our team of attorneys, paralegals and legal secretaries is confronted with calls, emails, letters, faxes and the like from clients, or potential clients, who have pressing questions, are in the middle of a crisis or simply need a question answered. Despite their unique levels of urgency, they all share one thing in common, they all need a "solution" to a problem they are encountering. When confronted with these issues, we need to make an immediate determination of what is the best "solution" to their problem.

The firm's attorneys and affiliate attorneys handle a variety of areas of the law including: Family Law (divorce, child custody, support, equitable distribution, alimony, spousal support, child abductions, protection from abuse, emergency custody matters, adoptions, prenuptial/antenuptial agreements), Personal Injury (automobile accidents, slip and falls, civil assaults, negligence), Criminal Law, Medical Malpractice, Defective Products, Business Law (contract disputes, business formation, entity selection), Driving Under the Influence, Probate and Estate (will preparation, estate administration), Workers Compensation, Motor Vehicle Violations (traffic tickets), Employment (wrongful termination, discrimination, whistle blower).

Imagine if you will, a funnel, which is wide at the top and gradually narrows to the bottom. When we get a call from a client who is

experiencing a problem, our analysis starts at the top of the funnel. We first determine what area of the law the problem involves. If it is something that can be handled by one of our attorneys, in a jurisdiction where we are licensed, the matter is given to the attorney best suited to handle the particular problem. If it involves a matter more practiced by an attorney outside of our firm, the client is referred to any one of the many affiliate attorneys with whom we have developed relationships over the years who has an expertise in the particular area of the law that best matches the "problem" the client is encountering. In some instances, we will partner with one or more of these affiliate attorneys for matters that may overlap into two or more areas of the law.

Once this initial determination is made, as the funnel narrows, we are often confronted with "emergency" situations (child abductions, abuse of a child or of the client, arrest of an individual, automobile accidents or any one of a number of exigent circumstances) that cannot wait. One of the firm's "mottos" is "Problems don't only occur Monday through Friday, 9 to 5." As such, when confronted with these situations, we react immediately to mobilize a team of individuals to address the client's imminent issue, fears and concerns.

Finally, as the funnel narrows to the bottom, our attorney(s) meet(s) with the individual to evaluate the client's "goals," to put a plan into effect, and to immediately address his or her fears or concerns. It is one of our primary objectives during the initial meeting to insure that the client feels at ease, confident and has a better understanding of his or her legal rights. "Knowledge is Power" and knowing the difference between fact (what the law actually says) and fiction (what the other side may be saying and/or threatening) goes a long way in lessening the fear and anxiety he or she may have had before meeting with us. At this level, we also determine what non-legal services the client may need to assist their particular

matter. This may involve counselors, psychologists, psychiatrists, accountants, forensic accountants, financial planners, insurance agents or any number of a host of outside specialists to assist the individual. In the end, we put together a "team" that is best designed to address the client's situation. We strive to impart a comfort level in the client by letting him or her know that he/she has someone on "their" side to assist them, and to navigate him or her through this most difficult time in their lives.

TERRITORY AND JURISDICTIONS

Our firm's territory extends throughout the State of Pennsylvania and we represent clients in many counties including Delaware, Chester, Montgomery, Philadelphia, Bucks, Berks, Lancaster and beyond. In addition, one or more of our attorneys have been admitted to practice in the State of New Jersey, The Superior and Supreme Courts of Pennsylvania, The Federal District Court for the Eastern District of Pennsylvania, the Third Circuit Court of Appeals and The United States Supreme Court.

FIRM MEMBERS AND AFFILIATES:

Gregory P. LaMonaca, Esquire: Mr. LaMonaca is the founding member of the firm, established in June of 1995. He is a lifelong resident of Delaware County and a Cardinal O'Hara High School graduate. Mr. LaMonaca continued his studies at West Chester University and ultimately at the Widener University School of Law.

While Mr. LaMonaca has previously represented individuals in many other areas of the Law, with an emphasis on litigation, his primary focus is in the area of Matrimonial "Family" Law.

Mr. LaMonaca has served as a member of the Zoning Board and Civil Service Commission for the Borough of Ridley. He is a former martial arts instructor, American Heart Association CPR Instructor, and previously sat on the Pell Grant Committee of the Delaware County Community College where he also taught a class for Paralegals.

He is currently a member of the American Bar Association, American Trial Lawyers Association, Pennsylvania Trial Lawyers Association and the Delaware County Bar Association.

Mr. LaMonaca was named in Main Line Today Magazine's "Top Lawyer" edition in 2002 and "Great Lawyer" edition in 2004 for the category of "Family Law Attorney" (See website for full article). Mr. LaMonaca was also selected in 2004,

2005, 2006 and 2007 "Pennsylvania Super Lawyer" for "Family Law" in Philadelphia Magazine.

Mr. LaMonaca's representation of each client is based upon a pro-active team approach incorporating the client's goals and objectives into an overall, comprehensive plan under the law. Mr. LaMonaca calls this process "Brutally Honest," referring to a book he co-authored (with a former custody client, now writing partner), which is nearing final preparation and publication - look for an announcement in future editions of The Solution.

Christopher R. Mattox, Esquire: Mr. Mattox, an associate of the firm, has lived in Delaware County all his life. After graduating from Monsignor Bonner High School, he obtained a Bachelor's degree in Psychology from Temple University where he graduated magna cum laude. He received a Dean's Scholar scholarship to attend the Widener University School of Law where he concentrated his studies in the areas of Civil Rights, Legislative and Constitutional Law.

Mr. Mattox, before becoming associated with the firm, spent approximately nine and a half years in the Civil Rights and Civil Litigation fields. He received a Master in Laws in Trial Advocacy from Temple University in 1999.

Mr. Mattox was elected Magisterial District Judge in Upper Darby, a post he has held since January 5, 2004. He continues to practice with the firm in the areas of Family Law, Civil Law and Civil Rights with particular interest in all litigation matters.

Mr. Mattox is a licensed member of the Pennsylvania and New Jersey Bar Associations. He is a member in good standing of The Federal District Court of New Jersey, The Eastern District Court of Pennsylvania, The Third Circuit Federal Court of Appeals and The Supreme Court of the United States.

Mr. Mattox attempts to serve each client in an effort to successfully resolve his or her goals within the framework of the legal system.

Lawrence C. Welsh, Esquire: Lawrence C. (Larry) Welsh joined the firm in 2003 after five years in the Delaware County Public Defender's Office, where he is still a member. Native to Lansdowne in Delaware County where he attended public schools, Larry graduated from St. Joseph's College and taught school briefly before entering the hospitality industry and working his way through hotels, restaurants and resorts in four states and the District of Columbia.

As a graduate of Villanova University School of Law, Larry now focuses primarily on the firm's family law practice along with his criminal defense work. Larry handles a full range of domestic relations matters throughout the five-county southeastern Pennsylvania area and looks forward to expanding the firm's practice, especially in the family-law field, into New Jersey where he is one of three members of the firm (along with Gregory P. LaMonaca and Christopher R. Mattox) admitted to practice.

Additionally, Larry is active in the immigration field representing a diverse group of clients on a wide variety of issues dealing with the Departments of State, Justice, Labor and Homeland Security. Larry is a member of the Delaware County, Philadelphia, Pennsylvania and New Jersey State Bar Associations, and the American Immigration Lawyers Associations.

Carol A. McDonald, Esquire: Carol McDonald joined the firm in 2006. She graduated magna cum laude from Rosemont College and then received her Juris Doctorate degree from Villanova University School of Law. She is licensed to practice law in Pennsylvania and has also passed the bar exam in New Jersey. Carol is a member of the Pennsylvania and Delaware County Bar Associations.

Professionally, Carol has practiced both civil and criminal law. In 2001 she joined the Legal Department at the Domestic Abuse Project of Delaware County (DAP) and served as the Director of the Legal Department for over three years. In her capacity at DAP, Carol represented thousands of victims of domestic abuse.

She is a native of Canada but has lived in Delaware County for the past 40 years. She is the mother of four sons and a daughter and has seven grandchildren.

Carol believes strongly in community service and has served in various capacities for the past 30 years, most recently as a commissioner in Haverford Township. In the past she has served as a member of the Haverford Township Planning Commission and the Ice Rink Advisory Board.

Carol concentrates primarily on Family Law and Employment Law issues. She is dedicated to thoroughly understanding each clients' individual situation and goals. With that in mind, Carol works with each one to get the best results possible under the law.

Lauren Stevens, Esquire: Lauren joined the firm in March, 2009. She graduated from the

University of Delaware with a Bachelor of Arts degree in Criminal Justice and then received her Juris Doctorate degree from the Widener University School of Law. She is licensed to practice law in the Commonwealth of Pennsylvania and is a member of the Delaware County Bar Association. Professionally, Lauren has practiced both Criminal and Civil law throughout the Commonwealth of Pennsylvania. Lauren's practice focusses on all general practice areas of the law with an emphasis on Family Law, Landlord Tenant, Real Estate, Personal Injury and Criminal matters. She is also an approved attorney for both Chicago Title Insurance Company and First American Title Insurance Company. Lauren is originally from New Jersey but has lived in Delaware County, Pennsylvania for the past 24 years. She is married and the mother of two children.

Kristy L. Keeley-Panella, Paralegal: Mrs. Panella grew up in Boothwyn, Pennsylvania and is a graduate of Chichester High School. Kristy attended the PJA School paralegal program in Upper Darby. She graduated second in her class and received an Associates Degree in paralegal. She began working for The Law Office of Gregory P. LaMonaca, P.C. in June of 2000 and continues to assist Gregory P. LaMonaca and the associates in their practice. Kristy earned a Bachelor's degree graduating cum laude from Chestnut Hill College in 2004 with a major in Criminal Justice.

Michelle L. Hemphill, Legal Secretary: Michelle Hemphill grew up in Clifton Heights, Pennsylvania and graduated from Upper Darby High School in 2003. After High School she attended Empire Beauty School in Philadelphia. She worked at a hair salon for a year and started working for The Law Office of Gregory P. LaMonaca in October of 2005. Since that time she has been a legal secretary for the firm.

Joseph Michael LaMonaca, Esquire (of counsel): Joseph Michael LaMonaca has been added as "of counsel" to the firm. Mr. LaMonaca is a long-standing, well-respected member of the bar who practices exclusively in the areas of Domestic Relations & Aviation Law. As an accomplished pilot and litigator, Mr. LaMonaca has appeared before the Pennsylvania Superior and Supreme Courts, and has lectured and appeared on radio & television.

LEGAL UPDATES

LIMITED TORT UPDATE

We continue to receive many calls from individuals who find themselves in similar situations:

- They were involved in an automobile accident;

- The other driver was at fault and negligent;
- They received injuries which caused them pain and suffering and required medical attention; - They wish to initiate an action against the other driver for his/her negligence. And
- They had : "LIMITED TORT" coverage under their automobile insurance policy.

As it turned out, because these cases did not fall into one of the few statutory exceptions, or failed to meet the very tough "Serious Injury" threshold, we regretfully told these callers that they could not maintain an action against the other driver to recover for their pain and suffering, because they had chosen "Limited Tort" coverage. All of these individuals fell into one of three categories:

FULL v. LIMITED TORT

A. FULL TORT OPTION

This form of insurance allows you to maintain an UNRESTRICTED right for yourself and other members of your household to seek financial compensation for injuries caused by other drivers. You and other members of your household covered under this policy may seek recovery for all medical and other out-of-pocket expenses and may also seek financial compensation for pain and suffering, or other non-monetary damages, as a result of injuries caused by other drivers.

B. LIMITED TORT OPTION

This form of insurance LIMITS your right and the right of members of your household to seek financial compensation for injuries caused by other drivers. Under this form of insurance, you and other covered members of your household under the policy may seek recovery for all medical and other out-of-pocket expenses, but not for pain and suffering or other non-monetary damages unless the injuries suffered meet the definition of "serious injury," as set forth in the policy, or unless several other exceptions noted in the policy apply.

One way for an individual who elected "Limited Tort" to maintain an action for pain and suffering is if their injuries are considered serious. Over the past several years, the Superior Court of Pennsylvania has written several decisions making the "serious injury" threshold very difficult to attain.

In one case, a Common Pleas Judge suggested the scope of injuries he would be likely to find as serious, and thus overcoming a consumer's election of limited tort, and he identified injuries such as blindness, brain damage, and paralysis.

These are serious injuries, no doubt, but they are not the only sorts of injuries for which you may want to pursue pain and suffering damages.

C. ANALYSIS OF YOUR TORT OPTIONS

When asked about tort options, most consumers reply, "I know that if I choose limited tort, I save money on my insurance premiums". This response is typical, and in fact, is quite true. What most consumers do not know, is that by electing the limited tort alternative, they are giving up a great deal in the way of personal rights.

I would venture to guess that for the majority of you reading this newsletter, the two tort options, as written in "A" and "B" above are being consciously read for the first time. In actuality, with few exceptions, the paragraphs written above are the same notices that each of you should have received with your insurance policy. Insurance companies are required to notify, in writing, each named insured of the availability of the two alternatives: full tort insurance and limited tort insurance.

CONCLUSION:

The realized savings to elect "Limited Tort" over "Full Tort" are minor compared to the rights you give up. If however, after fully reading and understanding the difference between the two, you consciously decide that the savings outweigh the risks, your fully informed decision is soundly made. Most individuals, however, do not make this decision with a full understanding of their rights. We sincerely hope that now you will be different and not find yourself in the unfortunate situation of many of the individuals described above. We are happy to answer any questions you may have.

THANK YOU

In closing this edition, on behalf of all of us at The Law Office of Gregory P. LaMonaca, P.C., I simply want to say "THANK YOU!" Over the years I have been blessed with having had the opportunity to meet thousands of individuals and get to know each of them, their families and friends. The ability to help others has been a blessing for which I am most grateful. I sincerely thank you for your patronage and many referrals over the years. It is by far the greatest compliment you can give us to refer your family, friends and associates to us. Please feel free to call me, or any member of the firm, with any legal question you may have, however slight.

In addition to this and future editions of the newsletter, please visit our website at www.lamonacalaw.com for further updates, information and articles about the firm.