



HALEY WEINBLATT  
& CALCAGNI, LLP



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## ABOUT THE FIRM

Established in 1994, Haley Weinblatt & Calcagni, LLP is one of Long Island's more experienced law firms. The firm has a reputation for providing excellent representation by concentrating its practice in elder law, estate planning, business succession, probate and estate administration, business law, Internet law, personal injury, estate and commercial litigation, criminal defense, and commercial and residential real estate matters. The firm's litigation partners have extensive trial and litigation experience. Its partners have been elected to leadership positions in the Bar and are frequently called upon by their colleagues to lecture on various areas of the law. Each of the firm's partners has received an AV®\* rating from Martindale-Hubbell, an independent agency that rates attorneys nationwide. According to Martindale-Hubbell, an AV®\* rating shows that a lawyer's peers rank him or her at the highest level of professional excellence.

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# PRACTICE AREAS

## ELDER LAW

Elder Law has become increasingly important to our aging population. It addresses the concerns of the elderly, their family members and life partners should a person become disabled or face catastrophic medical expenses. It includes planning and making applications for Medicaid benefits to cover the cost of long-term medical care. It also includes guardianships for those persons no longer able to make their own personal needs or property management decisions. An elder law attorney helps elderly clients and their families deal with the legal issues involved in growing older. The attorneys at Haley Weinblatt & Calcagni, LLP can develop a comprehensive plan to protect your rights and assets, represent you in applying for Medicaid benefits and in proceedings for the appointment of a guardian.

## PLANNING FOR PERSONS WITH SPECIAL NEEDS

Years ago, people did not provide an inheritance for their disabled children or other relatives for fear that these disabled persons would lose their entitlement to government benefit programs until the inheritance was depleted. Fortunately, times have changed and a disabled person may now be the beneficiary of a supplemental needs trust and still be eligible to receive government benefits to pay for the cost of their medical care. This allows the disabled person to use the inheritance for expenditures that will enhance the quality of his or her life while receiving government benefits to pay for medical care. Similarly, a disabled person may protect his or her own assets by having them placed into a special needs trust. Haley Weinblatt & Calcagni, LLP can develop a plan to permit disabled persons to spend their assets in a manner that will enhance the quality of their life (e.g., vacations, entertainment and purchase of electronics) while receiving government benefits to pay for medical care.

## ESTATE PLANNING

It may be unpleasant to think about how your family would deal with your affairs and finances after you pass away, but it is essential to do so. Estate planning allows you to impact the future by directing how you would like your property and assets distributed upon your death. Without proper planning, your estate could go to people who you did not choose and you may lose many tax savings opportunities. Haley Weinblatt & Calcagni, LLP will work with you to create a plan that will assure that your assets are distributed to the people and in the manner that you choose, while minimizing taxes.



## PRACTICE AREAS

### BUSINESS SUCCESSION

Business owners have special considerations when planning for their futures, including concerns like: Who will manage the business in the event of my death or incapacity? How can I ensure that my family will be supported by business income after retirement? With concentrations in elder law and estate planning, as well as business law, Haley Weinblatt & Calcagni, LLP is experienced in working with its business clients to develop business succession plans to protect their families and businesses.

### PROBATE AND ESTATE ADMINISTRATION

When a loved one dies, in addition to questions regarding funeral and burial arrangements, a grieving survivor is often overwhelmed by the paperwork involved in transferring the assets to the survivor or other persons to whom the decedent chose to leave his or her property. Haley Weinblatt & Calcagni, LLP handles simple and complex administrations and will work to settle an estate expeditiously to help minimize the financial burden of survivors.

### ESTATE LITIGATION

Although most estates are processed by the Surrogate's Court without opposition and the estate assets are properly distributed according to either the decedent's will or intestate law, a challenge to the provisions of a will or to the proper accounting of estate assets is a matter which requires effective legal representation. Of all forms of litigation, will contests, estate asset recovery proceedings and fiduciary accounting proceedings test the knowledge and skill of the lawyer and Haley Weinblatt & Calcagni, LLP is well versed in the substantive law and evidentiary rules associated with this specialized area of practice. The firm has represented at various times the "petitioner" who seeks to admit the will to probate or the "objectant" who claims some entitlement to all or a portion of the estate assets. Due to the professional background of its attorneys who have been featured speakers in continuing legal education programs in this area of practice, Haley Weinblatt & Calcagni, LLP is uniquely situated to deal with the complex issues associated with this type of litigation.

### PERSONAL INJURY/WRONGFUL DEATH

When you or a loved one suffers serious physical injury due to the negligence of another person, your thoughts are immediately focused on proper medical care and treatment or, in the event of a death, the overwhelming grief. Haley Weinblatt & Calcagni, LLP has the knowledge and experience to advise you concerning your legal rights and pursue your personal injury or wrongful death claim for monetary damages against the responsible party. Your case is given individualized attention by our firm's trial attorney, Rick Haley, who will personally handle every aspect of your case in an effort to maximize the value of your claim through trial or settlement.

## BUSINESS LAW

From the initial start-up to dissolution or sale of the company, it is important that business owners have legal counsel. One of the first steps in starting a business is to determine what type of business structure is best for the business and the interests of the entrepreneur. Once a business is formed and begins operating, business owners face legal issues and concerns on a daily basis. Among the issues for which Haley Weinblatt & Calcagni, LLP provides legal counsel to business owners are:

- Outside General Counsel
- Business Formation
- Buy-Sell Agreements, LLC Operating Agreements and Partnership Agreements
- Purchases and Sales of Businesses
- Business Succession
- Business Litigation
- Strategic Alliances/Joint Ventures
- Employment/Consulting Agreements
- Purchases and Sales of Professional Practices
- Business Financing
- Licensing Agreements
- Professional Entities (LLPs, PLLCs and PCs)
- Contract Drafting and Negotiation
- Internet and Computer Contracts
- Business Dissolutions
- Franchise Purchases
- Non-Compete and Non-Disclosure Agreements
- Structuring and Documenting Business Transactions

## REAL ESTATE

As volatility in real estate markets has increased, so have the problems and potential for litigation when buying, selling or leasing commercial or residential property. It has never been more important to have an experienced real estate attorney help guide you through the process. Haley Weinblatt & Calcagni, LLP has over fifteen years of experience in handling commercial and residential real estate transactions.

## CRIMINAL LAW

Everyone makes mistakes. Sometimes our mistakes result in criminal prosecutions. At times, we may have been wrongly accused or the prosecution does not have enough evidence to convict. At other times, we may admit we have made a mistake and want to limit the damage to ourselves and our loved ones. Haley Weinblatt & Calcagni, LLP represents clients in federal and state criminal court proceedings. As noted in his firm profile, Rick Haley is a former state prosecutor and maintains an active federal criminal defense practice in the United States District Court for the Eastern District of New York.



## RICHARD D. HALEY

Richard D. Haley has spent his entire career as a trial attorney and has been the senior litigation partner for our firm since its inception in 1994. Rick's practice encompasses contested Surrogate's Court proceedings, including will contests, accountings, and guardianship proceedings, as well as personal injury and other negligence actions, and the defense of major felony cases in Federal and State Courts. While primarily a trial attorney, Rick's experience also includes appearances before New York State and Federal appellate courts.

Rick received his undergraduate degree from the College of the Holy Cross and his law degree from Western New England School of Law. He is a member of The Association of Trial Lawyers of America and is admitted to practice law in New York and Massachusetts, as well as in the United States District Courts for both the Eastern and Southern Districts of New York.

From 1981 to 1987, Rick served as an Assistant District Attorney in Nassau County, New York, where he was assigned to the Homicide/Major Offense Bureau. From 1987 to 1990, Rick first served as an Assistant District Attorney in Suffolk County, New York, and later as a principal trial attorney in the Federal/General Litigation Unit of the Suffolk County Attorney's Office. After leaving the County Attorney's office in 1990, Rick entered private practice until he helped found our firm in 1994.

Rick has been a presenter in several continuing legal education programs on a variety of litigation-related topics, including his participation in mock trials involving the challenge to the admission of a will in Surrogate's Court and a contested guardianship proceeding in New York State Supreme Court.

Martindale-Hubbell has awarded Rick a rating of AV®\*, its highest rating. As a member of his school's law review, Rick authored "Constitutional Law-Massachusetts Statute Imposing a Different Penalty for Jury Convictions Upheld as Not Violative of Due Process or Equal Protection," *W. New England Law Review*, Vol. 1, No. 4 (1979).

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## RICHARD A. WEINBLATT

Richard A. Weinblatt, a partner in the firm, concentrates in the areas of Elder Law, including Medicaid planning, representing clients before Departments of Social Services, and guardianship proceedings; estate planning and estate administration; and contested Surrogate's Court proceedings.

Richard received his undergraduate degree in accounting from New York Institute of Technology and a Master's degree in taxation from C.W. Post College. He received his law degree from St. John's University, from which he graduated magna cum laude and where he received numerous academic awards, which included the Prentice Hall Award in Taxation and American Jurisprudence Awards for excellence in Advanced Personal Income Tax and Gift and Estate Taxation. Upon graduation from law school, Richard entered private practice and joined our firm as a partner at its inception in 1994.

Richard is an adjunct professor of taxation law at Touro Law Center and is a frequent lecturer in the areas of Medicaid planning and trusts and estates for the New York State Bar Association and the Suffolk County Bar Association. Richard has also lectured on various Elder Law and estate-related topics for the Queens County and Nassau County Bar Associations, as well as for numerous community and religious organizations.

Richard has held offices in several professional organizations, including serving as President of the Suffolk County Chapter of the Long Island Estate Planning Council, District Delegate to the Elder Law Section of the NYS Bar Association, Associate Dean of the Suffolk Academy of Law, and Director of the Suffolk County Bar Association. He has chaired the Elder Law, Surrogate's Court and Tax Committees of the Suffolk County Bar Association. Richard has received an AV®\* rating from Martindale-Hubbell, its highest rating.

Richard is a member of both the National Association of Elder Law Attorneys and of its New York chapter. He is a Certified Public Accountant and served for many years both as trustee and as President of the Board of Education of the Smithtown School District.

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## JOHN R. CALCAGNI

John R. Calcagni, who is a partner in the firm, practices in the areas of business law, purchases and sales of businesses, business successions, commercial real estate law, Internet and e-commerce law, securities law and software licensing.

John received his undergraduate degree from St. Joseph's College, a Master of Arts degree from City University of New York, and his law degree from St. John's University, where he was Articles Editor of the St. John's Law Review. Upon graduating from law school, John was employed as an associate at the Wall Street firm of Willkie Farr & Gallagher. He subsequently became Assistant General Counsel to the Allen Group, Inc., a former NYSE traded company. John entered private practice in 1989 and joined our firm at its inception in 1994.

John is an adjunct professor of business law in the graduate management studies program at St. Joseph's College and has lectured for the Suffolk Bar Association, the Queens Bar Association, the New York State Society of CPAs, the Hauppauge Industrial Association, and Suffolk County BOCES on topics ranging from business law and privacy law to legal writing and law office technology. John is a past Dean of the Suffolk Academy of Law, where he had ultimate responsibility for the presentation of over 225 Continuing Legal Education programs to members of the Suffolk County Bar Association. He also served as a member of the Board of Directors of the Suffolk County Bar Association and was the recipient of the Board's 2006 Directors' Award. John has also served as Chair of the Commercial and Corporation Law Committee of the Suffolk County Bar Association. He has received a rating of AV®\* from Martindale-Hubbell, its highest rating.

In his spare time, John pursues his interest in computer technology and has received the designations of "Cisco Certified Network Associate" from Cisco Systems, Inc. and of "Certified Professional" from the internationally based Computing Technology Industry Association in the fields of computer security, computer networking, Internet technology, server technology, computer repair, and Linux operating systems. He also serves as President of the Board of Directors of Hands Across Long Island, Inc., a not-for-profit corporation that provides services and support to recipients of New York State and Suffolk County funded mental health services.

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## CINDY RASKIN ROCCO

Cindy Raskin Rocco received her law degree from Touro College, Jacob D. Fuchsberg Law Center, where she graduated cum laude. After receiving her undergraduate degree from Stony Brook University in Cardiorespiratory Sciences, Cindy practiced as a respiratory therapist and later served as Assistant Professor and Program Director in Long Island University's undergraduate program in respiratory therapy. Ms. Rocco brings to our firm a strong background in health care delivery, education and administration. She is a member of the National Academy of Elder Law Attorneys, the Suffolk County Bar Association, and the Nassau County Bar Association. Ms. Rocco's areas of concentration are elder law, estate administration and guardianship proceedings.



## SUSAN COZZOLINO

Susan Cozzolino joined our firm as Medicaid Benefits Administrator. Although not an attorney, prior to joining our firm, Sue spent over 28 years in the Medicaid Services Division of the Suffolk County Department of Social Services (DSS). There, she held various management positions, including five years as Director of Chronic Care Services. In that position, she was charged with the supervision of over 75 employees in the Chronic Care Eligibility, Chronic Care Undercare, Medicaid Overage, Hospital Waiver, and Medicaid SSI Units of DSS's Medicaid Services Division. Prior to becoming Director of Chronic Care Services, Sue served as Supervisor of DSS's Chronic Care Eligibility Unit. Sue brings with her an extensive knowledge of federal and state Medicaid regulations, as well as of Suffolk County policies and procedures, as they relate to Medicaid eligibility. She has developed and presented various training programs on Medicaid eligibility for DSS staff, as well as both hospital and nursing home employees. She has also lectured on Medicaid issues for the Elder Law Committee of the Suffolk County Bar Association. Sue holds a Bachelor of Arts degree in Accounting from Empire State College of the State University of New York.



## ROBERT K. HOWARD

*Counselor at Law*

Robert K. Howard counsels clients in the areas of estate planning, trust and estate administration, elder law and charitable organizations, with a particular emphasis on all tax-related concerns. He advises families in various personal legal matters, including business succession and planning for incapacity and long-term care. Mr. Howard's practice includes matters involving litigation in Surrogate's Court and representing clients before the Internal Revenue Service.

Mr. Howard continues his practice on Long Island, having received his training and experience as a practitioner in Manhattan. Before commencing his practice as a private attorney, Mr. Howard was a trust officer at a major New York City private bank.

Mr. Howard graduated with honors from Harpur College of Binghamton University and received his Juris Doctor degree from Fordham University School of Law. He is admitted to practice in the states of New York and Connecticut and is a member of the bar association in each jurisdiction.

Mr. Howard is very active in several local bar associations and serves on various committees concentrating on all facets of estates practice. He is formerly a Co-Chair of the Surrogate's Court Practice Committee of the Suffolk County Bar Association and President of the Estate Planning Council of Suffolk County, Inc. Mr. Howard has also served as Associate Dean of the Suffolk Academy of Law, the continuing legal education arm of the Suffolk County Bar Association.

Mr. Howard is also a past president of the board of directors of a charitable organization dedicated to reducing the isolation and improving the quality of life of the elderly.

Mr. Howard grew up in Northport, Long Island and now resides in Southampton with his wife, Joanne, and his three young children.

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