

Zupkus & Angell, P.C.

Winter
Newsletter

Zupkus & Angell, P.C.
Attorneys at Law



Dear Friends and Colleagues,

January is a great time to reflect on the accomplishments and changes that have occurred over the past year, and to set goals and resolutions for the year ahead. 2015 has started with a bang, and we are excited! We take this time to re-dedicate ourselves to our profession and clients, to renew or commitment to diversity, to plan opportunities to visit with our colleagues across the nation, and to be inspired by those who have gone before us.

In the inspirational words of Dr. Martin Luther King, Jr., "when you discover what you will be in your life, set out to do it as if God Almighty called you at this particular moment in history to do it. Don't just set out to do a good job. Set out to do such a good job that the living, the dead or the unborn couldn't do it any better. . . . Be a bush if you can't be a tree. If you can't be a highway, just be a

trail. If you can't be a sun, be a star. For it isn't by size that you win or fail. Be the best of whatever you are."

Whatever your plans may be for 2015, we wish you success. If we can be of any assistance in furthering your goals, please do not hesitate to reach out to one of us.

Happy New Year!

Sincerely,

Zupkus & Angell, P.C.

(303) 894-8948



WBENC Certified

Zupkus & Angell was recently certified by The Women's Business Enterprise National Council (WBENC) as a women-owned and operated business. The screening for certification is a rigorous, multi-part process. Zupkus & Angell satisfied WBENC's high standards to be awarded certification. We are very proud of this accomplishment and look forward to new opportunities and experiences to gain from our certification.

WBENC is an organization dedicated to fostering diversity in the world of commerce. Their mission recognizes that diversity promotes innovation, opens new channels of revenue and creates partnerships which provide opportunities that fuel the economy. To learn more about what this certification means for Z&A and for you, please contact Muliha Khan, mkhan@zalaw.com.



'Tis The Season

One of the many advantages of working in a historic mansion, is that we have the space and ability to host fantastic parties. Zupkus & Angell's Holiday Party was an exceptional event with all of our employees and their families in attendance. The photograph above is all of us on our gorgeous staircase showing off our banister that was shipped in from England in the late 1800's. Unfortunately it didn't make the picture, but the best White Elephant gift this year was a wearable, but ridiculous, horse head, thanks to our new paralegal, Ben Pritchett.

We hope you and your families had a wonderful holiday season!

Zupkus & Angell's New Year's Resolutions: Observations on the Practice of Law

Sometimes as attorneys we are under the misguided impression that "we've seen it all," in terms of opposing counsel advocacy tactics and lawyering "skills"—ranging from humorous to bizarre to unethical. The following is a list of our "Top 5" we witnessed in 2014 or recent history:

- Do push-ups and sit-ups or read a newspaper during a deposition;
- Play video games while actively asking the plaintiff questions during a deposition;
- Stoop to personal insult slinging when a dispute arises between the parties;
- Shopping online during witness testimony; and

- Pick your nose while court is in session.

As the New Year is upon us, it is a good reminder to the legal profession that we are “officers of the Supreme Court of Colorado . . . [who] must observe the highest standards of professional conduct.”[1] The Rules of Professional Conduct require lawyers to “demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials.”[2] “Many of a lawyer’s professional responsibilities are prescribed in the Rules of Professional Conduct as well as substantive and procedural law. However, a lawyer is also guided by personal conscience and the approbation of professional peers. A lawyer should strive to attain the highest level of skill, to improve the law and the legal profession, and to exemplify the legal profession’s ideals of public service.”[3]

While the above serves as sometimes comical, yet clear examples of “what not to do,” Zupkus & Angell attorneys affirmatively resolve in 2015 to:

- Be polite—to our clients, our co-workers, opposing counsel, judges, mediators, arbitrators, and to all others we encounter professionally;
- Keep our clients informed throughout each stage of the litigation;
- Seek the Court’s involvement only when necessary;
- To uphold the integrity of the Bar through self-education to the advantage of our Firm, our clients, our professional peers, and the justice system; and
- Provide educational opportunities for our clients in their areas of interest.

Wishing you a happy and fruitful 2015 from Zupkus & Angell!

[1] Colo. R. P. Regarding Attorney Discipline, Rule 251.1 (2014)

[2] Colo. R. Prof. Cond. Preamble at ¶ 5 (2014).

[3] Colo. R. Prof. Cond. Preamble at ¶ 7 (2014).

Zupkus & Angell Welcomes New Associate, Ms. Erica Olson Payne

Erica’s practice focuses on commercial and civil litigation. She has experience litigating a variety of issues, including premises liability, construction defect, insurance defense, appeals, product liability, personal injury, and water rights. Prior to joining Zupkus & Angell as an associate, Erica worked in both private practice and as in-house counsel for a rapidly growing nonprofit organization.

For two years following law school, Erica lived overseas and managed a consultancy practice specializing in nonprofit issues. She worked with organizations in Australia, Singapore, Brunei, and the U.S. on such diverse projects as risk management, 501(c)(3) certification, communications and networking strategies,

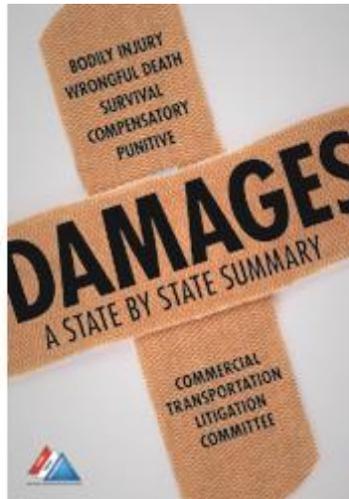


grant writing, Board member recruitment, and capacity-building. Erica graduated cum laude from Boston University with a Bachelor's Degree in English and Environmental Biology. She earned her J.D. from the University of Colorado-Boulder School of Law, where she received numerous legal writing awards and served as a Law Review editor. In Erica's time outside of the office she enjoys hiking with her two dogs, CrossFit, and completing not-for-beginners DIY projects in her new home.

Published

Partner, Kristi A. Lush, is the authority on commercial transportation litigation for Colorado in the American Bar Association's new book: *DAMAGES, A State By State Summary*. Chapter 6 focuses on Colorado and highlights Bodily Injury Damages, and Wrongful Death and Survival Damages.

Please click on the image below or contact [Kristi Lush](#) for more details!



Contest!

Erica Payne is our newest associate at Zupkus & Angell. Can you guess which of these factoids about her are two truths and which is a lie?

1. Erica's family is directly descended from Pilgrims who migrated to the New World on the Mayflower.
2. Erica has done 4 of the 5 highest bungee jumps in Asia.
3. Erica spent the summer after high school apprenticed to a polo pony trainer in Buenos Aires, Argentina.

Click [here](#) to complete the survey and win a \$25 gift card.

(winner will be chosen by random drawing in the event of multiple correct guesses)

555 East 8th Avenue
Denver, CO 80203
Office: (303) 894-8948
Facsimile: (303) 894-0104
www.zalaw.com