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| **AUTUMN NEWSLETTER** |

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| **DEAR FRIENDS AND COLLEAGUES,**November is a time when we give thanks. Thanks for our Veterans, thanks for our prosperous year, and thanks for our loved ones the world over.  Even in the face of unspeakable tragedy, we can find hope, support, and friendship for which to be thankful.  *“But friendship is precious, not only in the shade, but in the sunshine of life, and thanks to a benevolent arrangement the greater part of life is sunshine."**-Thomas Jefferson*Thank YOU, our readers, for your attention and support. We hope you have found our newsletter informative and, dare we dream, entertaining.  May the end of 2015 find you happy, healthy and wise, and may your cup runneth over with friendship. Happy Holidays,***Zupkus & Angell, P.C.*****(303) 894-8948**  |

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**NEW DEVELOPMENTS IN COLORADO'S LITIGATION PRIVILEGE**by Drew Gustus, ZALaw Associate Typically, lawyers are free to make otherwise actionable defamatory comments about an opposing party so long as the comments are related to the litigation.  However, while attorneys are free to make defamatory remarks during preparation for a judicial proceeding so long as the remarks have some relation to the proceeding, in Colorado it is unclear whether an attorney’s non-defamatory conduct is protected by the litigation privilege.  Where not protected, alleged defamatory conduct can give rise to claims against an attorney by the opposing party.               Colorado’s privilege is based on its adoption of Restatement (Second) of Torts § 586 (1977), adopted in Colorado in Renner v. Chilton, 142 Colo. 454, 351 P.2d 277 (1960). Section 586 states:An attorney at law is absolutely privileged to publish defamatory matter concerning another in communications preliminary to a proposed judicial proceeding, or in the institution of, or during the course and as a part of, a judicial proceeding in which he participates as counsel, if it has some relation to the proceeding. According to the Colorado Court of Appeals, this litigation privilege not only shields attorneys from defamation claims arising from statements made during the course of litigation, but it also bars other non-defamation claims arising from the same conduct. See Buckhannon v. U.S. West Communications, Inc., 928 P.2d 1331, 1335 (Colo. App. 1996).  (continued. . .)Read the full article [here](https://t.e2ma.net/click/pkn5jd/lpo2sk/l19azc). |

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**TEAM SERVICEPROJECT!**The Zupkus & Angell team had the exciting opportunity to donate their time and energy to Denver’s own SAME Café on August 14th and 15th."SAME Café’s mission of serving good food for the greater good says it all. Committed to presenting culinary delights to all who walk through the door, it is all about food and community, and not so much about price. SAME is the 1st nonprofit restaurant in Denver. Its patrons set the price for their mostly local, organic cuisine. It is the intent of SAME Cafe to build a healthy community by providing a basic need of food in a respectful and dignified manner to anyone who walks through the door. Our philosophy is that everyone, regardless of economic status, deserves the chance to eat healthy food while being treated with dignity."The Zupkus & Angell Team prepped melons, roasted tomatoes, chopped basil, made peach gazpacho, sliced cake, and generally played chef for a weekend. We will continue to participate in service projects that help better our city, our community, and ourselves. Stay tuned!To learn more about SAME Café, visit [http://www.soallmayeat.org](https://t.e2ma.net/click/pkn5jd/lpo2sk/1tabzc)[.](https://t.e2ma.net/click/pkn5jd/lpo2sk/hmbbzc)  |

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| **NEW ADDITION TO THE ZALAW FAMILY!!**On November 1st, 2015, ZALaw Partner [Kristi Lush](https://t.e2ma.net/click/pkn5jd/lpo2sk/xecbzc) gave birth to beautiful Esther "Etta" Maren Rose Lush.  She weighed 7 pounds, 13 ounces and is happy and healthy!Congratulations, Kristi!  |

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| **LEGAL MALPRACTICE PUBLICATION** ZA Law Partner [Dina Bernardelli](https://t.e2ma.net/click/pkn5jd/lpo2sk/d7cbzc) and Associate  [Drew Gustus](https://t.e2ma.net/click/pkn5jd/lpo2sk/tzdbzc%22%20%5Co%20%22about%20Drew) recently published an article in *A Survey of the Law of Legal Malpractice*, a compendium compiled by the International Society of Primerus Law Firms. The survey covers Legal Mapractice Law in most states (with Delaware soon to come, thanks to Drew), and is intended to be a resource for lawyers and their clients in every U.S. jurisdiction.Please [click here](https://t.e2ma.net/click/pkn5jd/lpo2sk/9rebzc) to view Wyoming, and [contact us](https://t.e2ma.net/click/pkn5jd/lpo2sk/pkfbzc) to receive a copy of the survey today!  |

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| **P.L.R.B EASTERN REGIONAL ADJUSTERS CONFERENCE**ZA Law Partner [Muliha](https://t.e2ma.net/click/pkn5jd/lpo2sk/5cgbzc%22%20%5Co%20%22About%20Muliha) [Khan](https://t.e2ma.net/click/pkn5jd/lpo2sk/l5gbzc) traveled to Atlanta, Georgia on November 10-11   to serve as a presenter at the Property & Liability Resource Bureau (“PLRB”) Central Regional Adjusters Conference.  Muliha was thrilled to be selected as a presenter at this prestigious conference. Presenting on the topic of “Effective Litigation Management.” Click [here](https://t.e2ma.net/click/pkn5jd/lpo2sk/1xhbzc) to learn more about the P.L.R.B. Regional Adjusters Conference.  |

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| **UPCOMING EVENTS**ZA Law Partner [Dina Bernardelli](https://t.e2ma.net/click/pkn5jd/lpo2sk/hqibzc) will be attending the DRI Insurance Coverage  Seminar in New York City this December 3-4.  Will you be there?  If so, Dina would love to connect with you!Contact her at dbernardelli@zalaw.com.   |

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**THANK YOU!** ZALaw Paralegal [Ben Pritchett](https://t.e2ma.net/click/pkn5jd/lpo2sk/xijbzc) is an active Staff Sergeant in the U.S. Army.  In honor of Veteran's Day, ZALaw would like to express our gratitude to Ben and all of his fellow service men and women for their bravery, dedication and service to our country.  |

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| **KNOW-VEMBER KNOWLEDGE**Think you know everything there is to know about Thanksgiving? Take our Thanksgiving Trivia Quiz! It's trickier than you think! |

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| [Play HERE!](https://t.e2ma.net/click/pkn5jd/lpo2sk/dbkbzc)  |

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| A winner randomly selected from among the correct submissions will receive a $25 gift card!Congratulations to August winner Deborah Snyder who responded to our "Swag" Survey with a well thought-out and helpful response!  Ms. Snyder, your ZALaw gift basket is on its way! |

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| Zupkus & Angell, P.C.The McCourt Mansion555 East 8th AvenueDenver, CO 80203Office: (303) 894-8948Facsimile: (303) 894-0104[**www.zalaw.com**](https://t.e2ma.net/click/pkn5jd/lpo2sk/t3kbzc)[**Contact us.**](https://t.e2ma.net/click/pkn5jd/lpo2sk/9vlbzc) |
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