

# LEGALLY SPEAKING

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## Firm Scores \$3.66 Million Verdict for Client in Whistleblower Case

**D**emonstrating that perseverance and patience do pay off, after three years of contentious litigation and eight days of jury trial, our firm scored a \$3.66 million verdict for a client in a whistleblower case. The client was represented by Charles Z. Schalk, partner with Mauro, Savo, Camerino, Grant & Schalk. According to the 2010 New Jersey Legal Almanac published by the New Jersey Law Journal in October 2010, this was the 10<sup>th</sup> largest verdict and the #1 largest employment verdict in the State of New Jersey in the past year.

The matter was tried in Essex County in the summer of 2010 before Judge Dennis Carey. The case involved a Vice President of a large national bank who was terminated shortly after he and four of his co-workers retained legal counsel and complained that the company was committing fraud and misrepresenting to employees in the process of implementing a newly-enacted commission plan that drastically cut compensation. Shortly after the complaint was apparently resolved, the client and 4 of the 5 whistleblowers were suddenly terminated without any notice, for their allegedly improper use of e-mails. Our client was terminated after 13 years of undisputedly spotless employment.

The matter was tried over the course of two weeks, and in the end, the jury found that the company had violated the Conscientious Employee Protection Act, and awarded the client \$442,624 in past lost wages, \$2,863,857 in future lost wages and \$50,000 in emotional distress damages. The trial judge then entered an additional \$87,476 in prejudgment interest and \$180,686 in litigation costs, along with \$4,870 plus \$872 in interest on a commission claim which was stipulated to by the company. The final judgment to date is \$3.66 million.

Please call us today for a free consultation if you believe that you believe that you have been treated unfairly by your employer.

**-Charles Z. Schalk, Esq.**  
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*Mr. Schalk is a partner with Mauro, Savo, Camerino & Grant who specializes in employment law.*

# Don't Put Off That Will Any Longer

**I**nertia is a hard thing to overcome. The laws of physics state that an object at rest tends to stay at rest unless acted upon by some outside force. These laws of physics seem to pervade our personal lives and it is extremely difficult to overcome that inertia and have your will drawn. However, now is the time.

There are many good reasons to do it now. The first one is the one you really do not want to think about. That is you do not know when you are going to die. If you die now without a will, you leave it up to the laws of the state to determine how your assets will be distributed. You want to make sure your surviving spouse and children are treated properly and a will is the best guarantee that your intentions will be met and your loved ones taken care of, and not left to the vagaries of whatever state laws are in place at the time.

The next reason is huge and it involves who your children end up with should you die. If you have children, you should put this at the top of your list. Otherwise, if you should die without a will, a court will appoint someone to take care of your children, and it may be someone whom you do not approve or who may not be the right person to take care of your children. Thankfully, we live in a day and age where we carefully monitor our children's lives on many levels. Why on earth would we do so much for our children and plan ahead for them in every way yet not give advanced thought and plan for this

scenario? A will is a must here.

Another reason is that to make sure our prized possessions and pets go to the appropriate people. Remember the family necklace that absolutely must go to your granddaughter? Or would be it incomprehensible that Uncle Joe gets your dog Pebbles when he is never home and basically loathes furry animals? The only way to ensure that your preferences will be followed is to have your will prepared now. You not only protect your kids, you can protect your dog when you make a will.

The following reason is no less, if not more important, than the ones before. Do you want that estate that you have worked all your life for to go to your loved ones or to Uncle Sam? The answer to this question is easy but getting there is not. As the tax and estate laws in this area are constantly changing both on the Federal and New Jersey levels, the advice of a knowledgeable estate planning attorney is invaluable in making sure that your loved ones get to keep your money and it is not unnecessarily lost to taxes.

The final reason is very important too. You may have many important charitable causes that you are determined to receive some portion of your estate. Unless you have a will properly prepared, those organizations may never see the money and may never benefit from your good intentions.

As you can see, there are many good reasons to create inertia and get your will prepared today. Please contact Ellen Gillespie, Esq. today (908-526-0707 or [gillespie@maurosavolaw.com](mailto:gillespie@maurosavolaw.com)), who not only brings a wealth of experience in the field of wills and estate planning, but also has an LLM in Taxation to even more help you.