

# KJK<sup>®</sup> + TODAY

YEAR-END 2018



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"Creation of an innovation economy in Northeast Ohio is essential for economic growth."

## Innovation.

It's a word that's easy to throw around, but tough to truly achieve.

I've spent the last several months publicly advocating for the creation of an innovation economy in Northeast Ohio, which I believe is essential if our region wants to reverse the discouraging trends of population loss and sluggish economic growth.

After speaking and writing on this topic over the last several months, I have seen an overwhelming response from this region. I am seeing a renewed civic enthusiasm to tackle these challenges.

An example of that enthusiasm can be found in Blockland, an effort that I'm proud to support, which has created an inclusive group of devoted leaders to establish Cleveland as an epicenter of blockchain innovation. That catalyst has fueled other new initiatives - namely the effort to create CityBlock, a new innovation hub here that will bring together startups and the innovators who support them.

Meanwhile, we've been doing some innovating of our own at KJK — we've spent the year refining and rolling out Connective Counsel, a mobile software platform. I invite you to read more about Connective Counsel on page 6. As always, thank you for your friendship and your support of KJK.

  
Jon J. Pinney  
Managing Partner

## Gillmore Security Navigates Generational Transition



L: Alan Gillmore III  
R: Alan Gillmore IV

When Alan Gillmore Jr. entered the residential security market in 1971, there wasn't much of a market to speak of. Most large security companies were focused on commercial clients, but Gillmore thought residential security systems would be the wave of the future.

"My grandfather was in commercial construction, working in the Hough neighborhood during the 1966 riots," says his grandson, Alan Gillmore IV, now the company's president. "He concluded that security would be the next coming thing."

So when Alan Jr. saw an ad in the Wall Street Journal for Westinghouse Home Security Systems, he signed on as its first franchisee in Cleveland. His son, Alan III, then teaching English in the inner city, soon joined his father's fledgling business, making cold calls to homeowners offering an in-home demonstration.

"I would hear 'why do I need that?'" recalls Alan III. "Then click. They'd hang up. It was a miracle we survived."

But Alan Jr.'s hunch that home security would be the next big trend proved to be accurate. Homeowner feelings shifted when high-profile

crimes started to occur in Shaker Heights and surrounding areas, where the Gillmore family lived, including heists in the 1970s by the man known as the "Silver Burglar."

In 1976, the growing company became Gillmore Security Systems, and began a trajectory of growth that turned Gillmore into one of the leading security companies in Northern Ohio. It has expanded into commercial security, fire monitoring, access control systems and digital video security, and now employs 45 people. Unlike other security companies, Gillmore maintains its entire staff in-house.

"Most companies subcontract their monitoring," says Alan IV. "We have complete control over the value chain. We empower our people to do what it takes to make the customer happy."

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# A Pathway to Successful Planning for Family Businesses

by Steve Bersticker

Emotional baggage. Most families have it to some degree, and it can get in the way of making plans for transitioning the ownership and management of family businesses to the next generation. KJK can help manage the drama that may arise in the context of discussion among you and your family members about the future of the family business through various steps and strategies, including:

## Facilitating Communications

Early in the process, it's important to identify the issues and goals of each of your family members whose participation is needed in order for a smooth transition of your family business. As your family legal advisor, KJK can help direct discussions that are not encumbered by perceived tensions and frustrations, and can promote a productive dialogue toward resolution. Establishing a culture of communication among family members is essential to harmonizing these goals and can go a long way towards reducing any rifts or fears.

## Educating Family Members

Often, misunderstandings arise because there is a lack of knowledge or experience necessary to understand principles of good

governance and wealth management, the effect of applicable laws or why ideas may not solve certain problems. KJK can find ways to reconcile conflicting goals, help your family members to understand why their goals or ideas may be unworkable, and why they may need to compromise for the good of the family.

## Establishing a Family Constitution and Governance

Many families, especially larger ones, have found it helpful to adopt a family "constitution" - a framework for keeping everyone informed about the business, establishing ownership rights, instituting a family code of conduct, providing family members with a voice in making decisions, and agreeing to a mechanism to resolve any related disputes. KJK can help determine whether adopting such a constitution or similar agreement would suit your collective needs, what it should contain, and how best to structure one.

Further, KJK can continue to facilitate good relationships among your family members, help resolve problems or issues as they arise, and address any new developments that may arise over time.

To learn more about the work that KJK does to help family businesses navigate generational transition, visit [kjk.com](http://kjk.com) or contact Partner Steve Bersticker at 216.736.7219 or [scb@kjk.com](mailto:scb@kjk.com).

“Steve Bersticker and KJK helped crystalize a succession plan for us that is allowing us to move forward with greater confidence and certainty. It has improved our overall communication.”

— Alan Gillmore IV, President, Gillmore Security Systems



# Could You Be a HIPAA Business Associate and Not Know It?

by Kate Hickner

We have all heard about HIPAA. It's a federal law designed to set a minimum floor for the privacy and security of protected health information. Over the years, HIPAA has been expanded and strengthened. It's now heavily enforced by the U.S. Department of Health and Human Services (HHS) Office of Civil Rights (OCR).

HIPAA directly regulates covered entities, including group health plans, health care clearinghouses (e.g., certain entities that process health information) and health care providers that conduct certain covered transactions electronically. But HIPAA also regulates many others, referred to as "business associates"- individuals or entities that provide services involving the use or disclosure of protected health information to the covered entities just mentioned. For example, law firms, accounting firms, billing companies, practice management companies, software companies, information technology consultants and others often qualify as HIPAA business associates if they provide services to a health care provider, group health plan or health care clearinghouse.

HIPAA requires that business associates themselves directly comply with numerous regulatory requirements, including for example the HIPAA Privacy, Security and



Breach Notification Rules. For example, HIPAA business associates are not only required to enter HIPAA Business Associate Agreements with their covered entity clients but they must also develop their own robust and active HIPAA compliance plans satisfying specific criteria.

As covered entities bolster their own HIPAA compliance and related contracting standards and as the federal government increases its HIPAA audit and enforcement activities with respect to business associates, we are encountering more and more organizations that are HIPAA business associates who are unaware of their HIPAA compliance obligations.

If you believe that your organization may be a business associate and you have not taken steps to assess or comply with your obligations under HIPAA, the time is now. It is less expensive to address these issues in a proactive manner than in a reactive manner after noncompliance has been identified by the government or a business partner. Strong HIPAA compliance programs can also be used as a marketing tool to differentiate business associates from their competitors.

2019 is a great year to take proactive steps to mitigate HIPAA associated legal, financial and business risk. The KJK Health Care Group provides HIPAA guidance to its clients on a daily basis. We are available to answer any HIPAA related questions that you have.

“If you believe that your organization may be a business associate and you have not taken steps to assess or comply with your obligations under HIPAA, the time is now.”

To learn more, please contact Partner Kate Hickner at 216.736.7219 or at [keh@kjk.com](mailto:keh@kjk.com).



# Introducing Connective Counsel: New technology exclusively from KJK

Technology is changing your business every day and KJK is committed to changing with you.



For the last several years, KJK has worked to become one of the most technologically advanced law firms in the world. As part of that mission, and to increase our efficiency and level of service, we looked for a software solution that would focus on your needs, providing you with access to your files and resources that you need to run and grow your business. When we realized it didn't exist, we decided to create it ourselves.

That's why we founded Connective Counsel, a technology start-up creating innovative solutions to your legal and business problems.

## Our firm at your fingertips.

Connective Counsel's proprietary platform and mobile app gives clients control of their legal universe. This first-in-industry technology gives you organization, automation, and clarity for your legal matters.

## With a Connective Counsel account, you receive:

- 24/7 access to your critical documents on the go
- A way to securely and instantly share files with your attorney
- Create and execute contracts in seconds
- An encrypted messaging platform for communication with KJK
- Legal deadline reminders with our legal calendar & push notifications



## An app based on your business.

Connective Counsel was created with a laser focus on clients like you. Coded by a leading Silicon Valley development firm, the cutting-edge mobile app puts you at the center of and completely in control of your legal universe.

Here are just a few of the features available from Connective Counsel:

- **Employee and project management tools**
- **Easy access to cap tables for all investments**
- **Access to competitive loan terms through our LenderConnect program**
- **Digital binders for your corporate records, estate plan, and intellectual property**

## Your legal matters securely stored.

When you choose Connective Counsel, KJK works with you every step of the way to guarantee an experience tailored to your specific needs, including:

- **Storing sensitive documents**
- **Restricting access to files that shouldn't be shared or accessible to others**
- **Automatically putting files you need into the Offline Space so they are always there when you need them**



We are pleased to announce that all KJK clients can now take advantage of Connective Counsel. Please contact your KJK attorney, visit [www.kjk.com/connectivecounsel](http://www.kjk.com/connectivecounsel), or email [cc@kjk.com](mailto:cc@kjk.com) to learn more about how Connective Counsel can help you and your business.



## Economic Development

As a firm with proud roots in Cleveland, KJK's Economic Development Practice is dedicated to supporting economic growth in communities here and throughout the state.

Led by Partner Laura Englehart, our Economic Development team serves businesses looking to establish, expand, consolidate or relocate; developers planning their next big project; or municipalities seeking to attract such businesses and developers. In 2018, that has included negotiating major headquarters expansions and relocations; helping clients access economic incentives and other funding; and start-to-finish project management of major deals.

Learn more:

[kjk.com/practices/kjk-build/economic-development](http://kjk.com/practices/kjk-build/economic-development)

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## Student & Athlete Defense

With allegations of campus sexual misconduct on the rise across the country, KJK's Student & Athlete Defense Practice defends and advises students, athletes and professors nationwide facing Title IX and other campus misconduct accusations.

Led by Partners Susan Stone and Kristina Supler, our Student & Athlete Defense team works with clients to ensure that they receive due process and protect their academic and professional careers and reputations. Susan and Kristina also advocate for students with disabilities to ensure that they receive equal access to education, with unique experience in representing individuals with autism.

Learn more: [studentdefense.kjk.com](http://studentdefense.kjk.com)



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## Get to Know... Steve Marrer

This year marked Steve Marrer's 35th year of legal practice, during which he's worked on hundreds of real estate transactions across the country, including shopping centers, apartments, pharmacies, residential development and more. That included such highlights as serving as lead lawyer on the transaction that made the Rock and Roll Hall of Fame and Museum a reality, and assisting Lucille Ball and Desi Arnaz on the purchase of a \$12 million Arabian horse.

But outside of his legal work, Steve can most frequently be found in his 800-sq.-ft. home workshop, where he crafts one-of-a-kind furniture pieces that can be found in friends' homes across the country. In warmer months, Steve can also be seen cruising in his restored 1961 Impala convertible or displaying it in about seven car shows a year.

**Q:** How did you get into woodworking?

**A:** I'm completely self-taught. Thirty years ago I needed to redo my kitchen and decided I was going to learn to make cabinets on my own. I would get up on Sundays and watch Norm Abrams on New Yankee Workshop and learn from him. I figured things out on the fly.

**Q:** Do you have a favorite piece that you've made?

**A:** I recently made a table that was crafted from flame birch, cherry and blackline myrtle. That piece is currently in my living room. I've made more furniture than would ever fit in my house.



**Q:** Any injuries?

**A:** Only one. I cut off the tips of two of my fingers with a router blade.

**Q:** What did you do to restore your Impala?

**A:** I restored it in the original 1961 colors – ermine white and midnight turquoise with a turquoise interior. It was hard to find the original parts because not many of this model were sold back then. I rebuilt the transmission, added a new clutch, replaced the drivetrain and gauges. I didn't use any reproduction parts except the shift console.

**Q:** What do you like most about practicing law?

**A:** Every day is different. Every project is different.



### Steve Marrer

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## KJK Proudly Welcomes:



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## Recent Happenings:

We're excited to grow and recognize additional members of KJK's hard-working and dedicated team, including:

- Valerie Valochik, who was promoted to Paralegal and Trademark Administrator
- New Client Service Coordinators Dayna Hloska, Angela Reed, Karen Truax and Cindy Vadino
- Billing Coordinator Amanda Hughes and Marketing Coordinator Lexi Giering
- Carey Rogers, who was promoted to Connective Counsel Client & Technology Specialist



KJK Partner, Brett Krantz, moderated the keynote address with retired Justice Alan Page of the Minnesota Supreme Court, at the Meritas Law Firms Worldwide Annual Meeting.



KJK hosted its first annual Women in Law and Leadership event where attendees discussed balance in the workplace with Radi8 author, Cindy Warren.

## Congratulations!

### 2019 Best Lawyers:

**Sarah J. Cabinet**  
Family Law

**Robert Gilmore**  
Employment Law - Management

**Jon Groza**  
Commercial Litigation

**Kate Hickner**  
Health Care

**Jim Lane**  
Family Law

**Steve Marrer**  
Real Estate

**John Ramsey**  
Family Law

**Susan Scheutzow**  
Health Care

**Susan Stone**  
Education Law

**Kristina Supler**  
Criminal Defense:  
White-Collar

**Matthew Viola**  
Real Estate

### 2019 Super Lawyers:

**Samir Dahman**  
Business Litigation

**Laura Englehart**  
Rising Star  
Business/Corporate

**Sarah Cabinet**  
Family Law

**Robert Gilmore**  
Employment & Labor

**Ari Jaffe**  
Business Litigation

**Brett Krantz**  
Business Litigation

**Jon Pinney**  
Business/Corporate

**Alexis Preskar**  
Rising Star  
Business Litigation

**John Ramsey**  
Family Law

**Alan Rauss**  
Employment & Labor

**Jim Sammon**  
Business Litigation

**Susan Scheutzow**  
Health Care

**Melissa Yasinow**  
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Business Litigation



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