

adam vaccaroandwhite.com

From: steve vaccaroandwhite.com
Sent: Thursday, March 16, 2023 10:57 AM
To: adam vaccaroandwhite.com
Cc: adamlaw50@gmail.com
Subject: RE: Hiring a primary paralegal for you

OK. This email will serve as notice to you that our partnership is dissolved. I will send you a list of mediators later today that I propose we use to work out the details of the dissolution. I hope we will be able to dissolve the firm with a minimum of acrimony and damage to our respective reputations and good will in the community as solo practitioners. I extend to you the proposal I made some time ago, that we agree not to disparage each other in the community where we do business. I hope you will agree at least to that.

Please note our new address as of 1/2/2023:

Steve Vaccaro
Law Office of Vaccaro & White
150 Broadway, Suite 1703
New York, NY 10038
T. 212.577.3040
F. 212.577.9715
Steve@vaccaroandwhite.com

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From: adam vaccaroandwhite.com <adam@vaccaroandwhite.com>
Sent: Thursday, March 16, 2023 10:34 AM
To: steve vaccaroandwhite.com <steve@vaccaroandwhite.com>
Cc: adamlaw50@gmail.com
Subject: RE: Hiring a primary paralegal for you

Steve,

It seems like we are at an impasse. You are asking to put the cart (structural change to our firm) before the horse (hiring an employee). I'm suggesting a way of your getting your primary paralegal more expeditiously while we are working on structural change to our office that you propose. Telling me I have no say over who our firm hires is structural change. I can't agree to the structural change first as you seem to be demanding.

If you want to continue to work on implementing an interim plan for you to hire an employee we agree upon, I'm ok with that.

If you want to focus on structural change before we hire another one or two employees, I'm fine with that too and that will take time and I'm going away on vacation next week and not be dealing with work. I have not had a week-long vacation for well over a year and I need it for my mental health. You have taken time off for vacations and to deal with your health conditions (clavicle surgery and head surgery).

If none of the above is acceptable to you, then we will need to work on breaking up the practice.

While I continue to prefer to work something out with you Steve and try and save our law practice in one form or another, I'm fine with any of the above.

Sincerely,

Adam

From: steve vaccaroandwhite.com <steve@vaccaroandwhite.com>

Sent: Thursday, March 16, 2023 10:02 AM

To: adam vaccaroandwhite.com <adam@vaccaroandwhite.com>

Subject: RE: Hiring a primary paralegal for you

Adam,

Perhaps we can proceed on the basis you suggested below to move toward a "two silos, one roof" structure. I can't agree to give you a say in the hiring, salary or working conditions of a paralegal I hire to be primarily responsible to me, subject to the following:

I do not intend to do anything crazy salary-wise. I understand that Andrew is conscious of what other people in the office are making (just about everyone in every office is, this is not swipe at Andrew), and of his status as Senior Paralegal. Paying someone way more than him would create issues. I intend to hire someone with ***years*** of meaningful experience as a PI paralegal at a firm like ours. From having conducted many interviews in the current market for such services over the last few weeks, I am convinced that the salary I would need to offer to get that person would be more or less in line with what Andrew is getting. **I need you to agree to that.** The exact number, I am not going to negotiate with you. It is an invitation for us to fight. I am done fighting. If the issue is money, we can figure out a way to make the money work, I am sure.

I also agree with you that we need a generally applicable employee policy regarding punctuality, absences, working from home, that would apply to dedicated paralegal under the "two silos, one roof" structure. In fact, I drafted a policy years ago on this, I showed it to you, you approved it, and we have been giving it out to all of our employees, including with updates during covid to address working from home and the need to submit time sheets for that. Our employees don't follow the policy, to the point where you forgot we even had one. That is making our law firm more and more dysfunctional by the week.

In the current situation between us two, I am not going to enforce the policy on them until we have worked out a new "two silos, one roof" structure for HR and reporting responsibilities with dedicated paralegals. That is my commitment to you, as long as we are partners, regardless of whether you happen to be in the office. I am not going to discipline,

terminate, or if I can help it even counsel people with respect to our years-old employee policy that no one follows (absent something crazy like stealing, getting violent in the office, or acting inappropriate with clients, things that as far as I know have never happened in our firm before).

Any paralegal I hire to be primarily responsible to me would have to follow a generally applicable employee policy regarding punctuality, absences, working from home. I am hopeful we could reach agreement on such a policy, if we are in fact not in agreement on the current (unobserved) policy. I would be the person supervising my dedicated staff with respect to the uniform policy. I would be the person who would counsel my dedicated staff with respect to not following the policy, I would be the person who would ultimately discipline or terminate the dedicated staff over not following the policy. And you would have the same authority with respect to Andrew or whomever else you wanted as your dedicated paralegal staff. And I am hopeful that we can have shared responsibility in this regard with respect to Peter, Liam, Barbara and Steve Scofield, as we have never had a major problem collaborating with respect to those employees concerning those HR issues in the past.

If the issue is the money, I believe we can figure out a way so that you don't feel like you are subsidizing a salary for someone who isn't working for you and isn't delivering value commensurate with the salary I agreed to pay them. Please try to put that issue aside in your mind, if it is an issue for you, and think about a way to deal with it an economic item to be negotiated, not an interpersonal item that we will end up fighting over.

I have got to make this clear: I will not agree to stay in a partnership with you where you have the power to say "no" to a person I want to hire as a dedicated paralegal, or the power to say what their salary or other terms of employment should be (subject to the "rule of reasonableness" I have tried to outline above), or to discipline or fire them, absent serious malfeasance (of the type I have alluded to above, theft, violence, inappropriateness demeanor with clients).

I need your answer on this key point.

Steve

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Steve Vaccaro
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From: adam vaccaroandwhite.com <adam@vaccaroandwhite.com>
Sent: Thursday, March 16, 2023 7:25 AM

To: steve vaccaroandwhite.com <steve@vaccaroandwhite.com>

Subject: Hiring a primary paralegal for you

Steve, I had a mini brain storm to get you a primary paralegal ASAP without getting caught up in your other proposals that are a bit more complicated and will require more time to resolve.

For now, can we agree for us to work together to hire a primary paralegal for you. My only requirement is as it has always been for us both to meet and approve the candidate and the salary before hiring the person. We keep the status quo otherwise while we work on the rest of the issues including your proposals. (We need time to assess cash flow and iron out silo structure proposals.)

The only other things we need to decide at least sooner rather than later are 1) what to do with Julie and 2) what level of involvement in training you want from Andrew and our coming together to explain the split primary paralegal roles to staff.

Let me know how that sounds as interim plan. Thanks.

Adam