

## STAYING IN TOUCH

At Rich Cassidy Law, we focus on representing individuals. We have great clients with whom we tend to develop personal relationships. We care about you and want to stay in touch. If we can be helpful, even if it's with a referral outside of our practice areas, please feel free to call—Rich

### PASSAGES

**“It is not the beginning or the destination that counts. It’s the ride in between... This train is alive with things that should be seen and heard. It’s a living, breathing something – you just have to want to learn its rhythm.” --David Baldacci**



Over many years I’ve been a passenger on various trains both on Amtrak and in life. The metaphor of the train ride rings especially and poignantly true to me as transition occurs at Rich Cassidy Law this summer. The clickety-clack of everyday work here at the firm has been a hallmark of our service to hundred of clients. Though I have been the engineer of this trip, my able founding associate, Matt Shagam, has been driving the train with me. Our partnership has included a thousand destinations and significantly good outcomes for clients.

When I opened Rich Cassidy Law after 35 years in a larger, downtown firm, Matt came with me, and our journey has been an extraordinary one. Those of us who love trains, embrace the whistle often heard in the night. Sometime this evokes loneliness. In the case of my long friendship and working relationship with Matt, the train whistle marks one more brief delivered, one more trial preparation completed, or one more filing deadline met.

David Baldacci mentions the ride “in between.” That is what matters most to me. Matt and I have had a significant and meaningful ride. From embarkation to arrival, our 10 years together have been filled with a great view out the windows of our train. We’ve talked, laughed, learned, argued, labored, and cared about each other. And the same is true for our wives, Becky and Courtney. Their loving friendship and working relationship have created this newsletter. So, we’ve lived and breathed (and sometimes gasped) together for a decade. And the rhythm has given us great satisfaction and reward.

Matt begins a new journey this summer as he becomes a lawyer for Vermont Legal Aid. His heart has always been with those who have the greatest need, and those of you lucky enough to be his clients, know that. I will miss his good humor, acute awareness of what is right and his skilled delivery of services to our clients. Most of all I’ll miss knowing we have one more ride together as the train reaches this station. Matt, Courtney, Becky, and I will remain the closest of friends. And the travels ahead for all of us will be fruitful and important. I’m grateful for the extraordinary rhythm of this ride. Thank you, Matt!

-Rich



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#### SPECIAL POINTS OF INTEREST

- Mushroom Pecan Tofu Burger Recipe!
- Carla’s Photos
- Transition at RCLaw

## Sunflowers for Ukraine



**Rich Cassidy** Law Administrative Assistant, Courtney Seale, helped friend and Swanton Arts Council Member at Large Barbara Brandt Finch create sunflowers out of mostly recycled materials that were displayed at Swanton Library. The purpose was to raise awareness about the war in Ukraine. Barbara will also be organizing an art auction to raise funds to help the people of Ukraine.

## RICH REAPPOINTED TO UNIFORM LAWS COMMISSION

Governor Phil Scott has reappointed Rich to be a Uniform Law Commissioner. The ULC is a non-profit, American unincorporated association. The Commission provides the country and territories with well-researched and drafted model acts of laws which bring clarity and stability to critical areas of statutory law. These model laws are taken by commissioners to their home states and provided to legislators for enactment. The concept of uniformity of law has benefited the country greatly.

Rich has been successively appointed by four governors of both parties. His original appointment came from Governor Howard Dean in 1995 and he has been reappointed every term by successive governors: Governor Jim Douglas, Governor Peter Shumlin and now Governor Scott. Rich especially embraces the fact that this is a non-partisan appointment.

This summer Rich and Becky will travel to Philadelphia for the 130<sup>th</sup> annual meeting of the ULC. Rich was President of the ULC from 2016-2018.



Be it Remembered, That

## State of Vermont

### Executive Department

Richard Cassidy

of 5 Lyons Avenue  
South Burlington, VT 05403

was duly appointed and commissioned

Member, Uniform Laws Commission

on December 1, 2021

By His Excellency, Philip B. Scott, Governor of the State of Vermont,

To serve from the date of this commission to January 31, 2026.

A true copy of record

Attest:

Brittny L. Wilson  
Secretary of Civil and Military Affairs

*Here's the recipe for Tofu Mushroom Pecan Burgers, Courtney's favorite vegan burgers, inspired by a recipe from Moosewood Restaurant Favorites cookbook*



Press the tofu for at least 15 mins to drain excess moisture. Tofu presses are great if you regularly cook with tofu, or you can get creative.



Here the block of tofu is wrapped in paper towels then placed between bowls with a heavy bottle on top.



Once the mushrooms release their liquid, put the cooked vegetables on top of the oats in a bowl big enough to hold the entire recipe (R) while you process the tofu.

## TOFU MUSHROOM PECAN BURGERS

### Ingredients:

- One 14-16 oz block firm tofu
- 1 tbsp vegetable oil
- 1 1/2 c minced onion
- 1/2 tsp salt
- 1 tsp dried thyme
- 4 c (approx. 16 oz) chopped white or cremini mushrooms
- 1 c rolled oats
- 3/4 c toasted pecans
- 3 tbsp soy sauce or coconut aminos
- 1/4 c chopped fresh dill
- 1/4 tsp ground pepper

### Directions:

1. Press the tofu for at least 15 mins to remove excess water. This can be done with a tofu press or by wrapping the tofu in paper towels or a tea towel, placing it between two plates, and placing a heavy can on top.
2. Preheat the oven to 350 degrees. Warm the oil in a pan over low heat. Add the onions, salt, and thyme. Stir occasionally until the onions are soft and translucent, about 10 minutes.
3. Add the mushrooms to the pan. Increase the heat to

medium and stir until the mushrooms release their juice. Reduce the heat, cover, and cook until the mushrooms are tender.

4. Put the oats in a large bowl. Pour the sauteed vegetables over the oats and let them sit. This will help soften the oats while the vegetable cool down.
5. Use a food processor to pulse the toasted pecans to a coarse meal. Add to the mixing bowl.
6. Use the food processor's large grater attachment to grate the tofu. Add to the mixing bowl.
7. Add the soy sauce, dill, and pepper. Mix well. Add salt to taste.
8. Lightly spray a baking sheet or line with parchment paper. Shape 8 burger patties, approx. 1/2 c each, and place on the baking sheet. Bake until browned, at least 35 minutes. Enjoy!



Serve with your favorite burger toppings and condiments.

## SOPHIE ON MY FEET

By Becky Cassidy



You may have looked at this headline thinking that I made a mistake and should have written, “Sophie at my Feet.” Not so! Our beloved mini golden doodle, Sophie Ann Cassidy turned 3 this spring. And though we marvel at her continuing learning curve, we underestimated her ability to firmly communicate. Sophie wants to be with both of us all the time, though her father, Rich, is her undeniable Alpha and favorite. But she loves me too and often curls near me mostly to ensure that if I move, she’ll move with me.

Recently Rich spent a week in trial. He was gone from early morning until late evening and Sophie, bereft without her dad, had to console herself with me. During this week, at the first indication that I might be leaving her, she sat **on** my feet. She placed her small but determined body squarely on my shoes and did not budge. The communication was clear. “Mommy, if you are going somewhere, I am going with you.” She often mimics human, childlike behavior and so it was on this day. I gently reached down to encourage her to move off my feet. No! Gradually, I moved her from her perch. Back

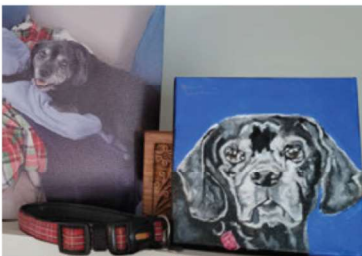
she came. Ultimately, the human mom must be in charge, and Sophie acquiesced, but barely. And through the week, this behavior repeated itself.

How many of us have thought, when leaving or being left by our human friends, that we’d like to sit on their feet so they wouldn’t go? Maybe not in those terms, but certainly the sentiment is real. Life is full of comings and goings and some of them have been extremely harsh in the last two years. Covid is no friend to humanity and the virus would be the last welcomed on our feet. Sophie can’t say, “Mom, don’t go, don’t leave me.” But we can all say it to each other. So how about one more hug, one more wave of the hand as you drop the kids at school? What about lingering at lunch to share a confidence that needs supporting? What about just one more swim with a buddy as the light fades into the mountains and the temperature descends?

Sophie, in the words of her dad is, “pretty smart.” I’ll echo that. And though I can’t always stay, I’ll welcome her little body sitting on my feet when I can. That kind of warmth feeds the soul.

## PUGS’ CORNER

By Courtney Seale

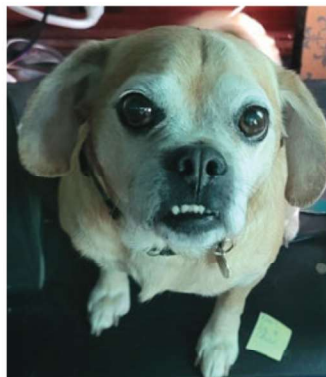


A condolence portrait of Dexter from Chewy.com

In late January of this year, that steady breath of 14 year-old puggle, Dexter, who brought his owners, Associate Attorney Matt Shagam and Administrative Assistant Courtney Seale, such comfort throughout the pandemic, started to change. Dexter began to pant heavily and faint more frequently, which was surprising because his early January cardiology visit showed that everything looked better than expected based on his prior visit. Courtney sought answers for her beloved companion, and was heartbroken with his final ultrasound’s results in early February. Dexter had fluid around his heart, most likely from a bleeding cancer. The emergency vet assured Courtney that she did everything right, and that this can become critical in a matter of days.

Courtney and Matt held hands and paws as the emergency vet at BEVS helped Dexter take his last breath. Dexter is at peace. Courtney and Matt are left with years of funny and sweet memories thanks to his puggle antics. He is sorely missed but lives on through photos and mementos throughout their home.

And sometimes the more things change, the more they stay the same. In April, just as Matt and Courtney were settling into a two dog routine, Courtney saw a posting for Oliver, a 12 year-old puggle at Elmore ASPCA in Peru, NY. When Courtney saw Peru was only 60 minutes from home, she decided to keep an eye on the older dog with an underbite and bald spots. When after a month no one adopted him, Courtney loaded puggle Gia and beagle Lemonade into the car to go meet their potential new brother. And it was meant to be. Introducing Oliver.



Oliver

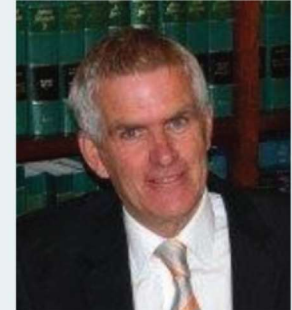


Dogpile with Lemonade on Oliver on Gia

### OUR FIRM:



Founding Attorney Richard Cassidy



Attorney Mike Brow



Associate Attorney Matthew Shagam



Associate Attorney Amanda Lee

Becky Cassidy - Marketing and Community Relations Director

Courtney Seale - Administrative Assistant

*Our attorneys are talented in many ways. Amanda Lee has been writing poetry since she was 10.*

#### BUBBLES

By Amanda C. Lee

Breathe soft through soap film  
fragile rainbow sphere floats off  
oh so fun to pop

#### SUMMER HEAT

By Amanda C. Lee

sweat oozes from every pore  
wish for a breeze and some shade  
cold treats bring big smiles



Rich and Becky's beloved niece, Carla Mazzariello, shares these gorgeous photos which she took out walking as summer danced into Vermont. We rejoice in sharing her talent, which compliments Amanda's lovely poems so beautifully.

## WHY MEDIATION IS A LEARNED PROFESSION

By Rich Cassidy

I belong to a LinkedIn Group, Alternative Dispute Resolution (ADR) Professionals. Recently, I read a question there that caused me to reformulate some old thinking in a new way. Here is the question, from ADR Group Member and United Kingdom Mediator Paul Whittle:

**“Is evaluative mediation just another version of an inherent injustice process whereby the decision is imposed by a third party?”**

And here is my answer:

Paul,

Your question begins based on a premise that I don't share. I don't agree that every decision imposed by a third party is by nature unjust. In fact, I don't really believe that mediation can regularly be successful outside a system in which the rule of law is functioning. The essence of the rule of law is a system in which there are readily ascertainable rules that have been fairly established, apply equally to all, and are fairly and honestly applied. Such an ideal is not easily attained, but I believe that it is the path to justice.

Without a good measure of the rule of law, tyranny or disorder reign. One cannot negotiate effectively with a corrupt and absolute dictator. Mediation in such a setting could not routinely be effective.

Of course, there is an underlying justice to a solution to a dispute that conflicting parties knowingly and voluntarily agree upon. Even imposed solutions must turn to agreement as an indicator of what is just. Consider one of the best definitions of justice I have ever come across, John Rawles' "veil of ignorance." As I understand it, it is the idea that a just resolution is one that the parties would agree to in advance without knowing their positions in society, and therefore ignorant of how the rule of decision would apply to themselves. [It might interest you to compare my adaptation of Rawles' idea with his own statement of it, from his book, *A Theory of Justice (The President and Fellows of Harvard College, 1971)*.]

That said, your question is really aimed at mediation technique. No, I don't agree that evaluative mediation is just another version of decisions imposed by a third party. The underlying essence of mediation is facilitating the parties in reaching their own agreement. There are lots of ways to do that. I try to match the technique to the circumstances. My usual first rule is to stay out of the parties' way until I can understand enough to try to find the right technique or techniques to help. Sometimes, once the parties have come together to communicate, they will reach agreement on their own. As the doctors say, first do no harm!

Of course, staying out of the way is not usually enough. Sometimes you can help improve that parties' communication and they can build a better relationship. Sometimes you can help generate some solutions that will satisfy all. Sometimes one party or another does not have a realistic appraisal of the likely outcome of the dispute if not resolved by agreement, and helping such a party understand the likely outcome will move towards agreement. Sometimes things need to go off in some other direction altogether.

That is why — to my mind — mediation is truly a learned profession. There is a lot to know about human nature, the law, and technique, among other things, that may improve our performance as mediators. That's one reason that it is a satisfying way to spend one's time and energy. I agree that your stated aim, "[T]o become a 'master' of mediation through constant learning, practice and gaining experience from the greats of the mediation world..." is a worthy one.

Thanks for a thought-provoking question.

## THANK YOU, LINDA!

Linda Jackman, our longtime Business Manager has retired. Linda and Rich have worked together for 15 years, and she was very instrumental in the capable financial management of Rich Cassidy Law. During our Covid isolation of mostly working from home, Linda faithfully trekked to the office, handled the mail, the money and other stray paintballs that came her way. Once we were all back in the office we could count on her good humor, business acumen and occasional storytelling.

We're grateful to Linda for her terrific contribution to the well-being of the firm in every way. Though we'll miss her, we're fortunate that Associate Attorney, Amanda Lee has taken over much of the firm's financial management. We wish Linda well and remain most appreciative of all her many contributions to the firm.



Photo by Alison Redlich

## HOME THOUGHTS—FORGET ME NOT

By Becky Cassidy



A walk through any woody path in Vermont's early summer showcases a lovely and gentle flower, the blue forget-me-not. My beloved niece, Carla sent me a picture she took and which you see by this article. It made me reflect on what I choose **not** to forget.

Throughout the very significant challenges of the last two years, I pause to acknowledge the postal carrier who transported a box containing live aquarium fish down 84 stairs to my neighbor, carefully explaining that she couldn't leave them to an uncertain fate by the mailbox at the top of the stairs. Forget me not.

I think of the 70-year-old cashier at the grocery store who shows up faithfully and with good cheer for an 8-hour shift on her feet every day. We've laughed and chatted together over the years as she deftly checks and packs my groceries. Long acquaintance provided her story – the widow of a police officer who has embraced hard work all her life. Forget me not.

A friend just returned from volunteer service in Ukraine where he wrangled food supply to the front lines. That was no easy assignment, nor is the hellacious conflict raining down upon the citizens of that country. Forget me not.

I think particularly of old friends, whose presence in my life through sunshine and shadow, has made the difference. A hand, a hug, an ear in time of need have provided that human connection that keeps all of us from the precipice. Forget me not.

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*Each new sunrise brings opportunity for change.*

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## TRANSITION AT RCLAW

In forty-two years of practice, I sometimes think I have seen it all. And I've seen at least my share of heartache, joy, anger and compassion. There's a lot of that in the practice of law. I've focused my time and skills on Personal Injury, Employment Law, and Mediation. I've been fortunate to achieve success in each of these areas. At this point, I'll be transitioning away from handling litigation while I concentrate on my work as a Mediator.

Mediation, the art of bringing people together who are involved in conflict, is something I believe in. Over the years, I have helped to resolve cases by agreement even when it seemed impossible. For example, some years ago, I was able to successfully mediate the City of Burlington/Burlington Telecom case to a very satisfying outcome.



Mediations often involve long days and nights of intense negotiation. Each party carries certainty that they are right and sometimes they are. But it is the job of the mediator to bring the conflict to resolution and fortunately, I have usually been successful.

I remain "your lawyer" despite the changes in my areas of practice. I'm always glad to talk with you if you have ever been my client. At this point, I may refer you to another attorney if your needs are outside the scope in which I currently practice, but you'll always have a "home" here at RC Law. And please pass the word that my mediator skills are sharp and available. Stay well and in touch.

-Rich

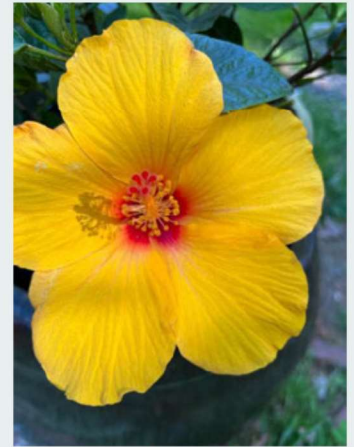


Photo by Carla Mazzariello

## VERMONT HAS LIFTED COVID-19 RESTRICTIONS!

At Rich Cassidy Law we are delighted that Vermont's Governor lifted all Covid-19 restrictions as of June 14, 2021!

We are aware that VT Public Health Officials still encourage unvaccinated persons to use facial coverings indoors and to continue social distancing. Our staff is fully vaccinated.

While many client meetings and conferences are still being conducted remotely by phone or video, many may prefer to meet in person.

We are conducting in-person meetings with persons who:

1. Have an appointment;
2. Are not experiencing symptoms of respiratory illness, i.e., fever, cough, and/or shortness of breath; and
3. Are fully vaccinated against Covid-19; or
4. Are unvaccinated but wear a mask covering the nose and mouth while in our office.

If you are unvaccinated, we will wear a mask during your appointment.

In good weather, outside meetings are another option. To confer with one of our lawyers, please call our office at 802-864-8144.

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## RICH CASSIDY LAW

Our firm represents people, not businesses or institutions. We focus on personal injury litigation and mediation. We represent people who have been injured due to the fault of others, and employees in disputes with their employers or former employers.

Justice is not given; it is achieved. Without help from a competent, experienced lawyer, you may get nothing, or you may get whatever pittance the insurance companies or employers choose to give you. We offer the very best legal counsel, advice and support available. The experienced staff at Rich Cassidy Law will assist you from the time you contact us through the conclusion of your case. You can count on being treated humanely and courteously throughout the course of your time as our client.



Photo by Alison Redlich