



# The Buffalo News : City & Region

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## VILLAGE OF WILLIAMSVILLE

### Village fires its legal firm over suit

By **Sandra Tan** NEWS STAFF REPORTER

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The Williamsville Village Board has fired its law firm for agreeing to represent a former employee in a high-profile suit against the village.

The board voted unanimously in a special meeting this week to terminate its contract with Damon and Morey, a major Western New York law firm that has been representing the village in most legal matters since late October.

“We just weren’t comfortable continuing with them,” said Trustee Basil Piazza.

Former Village Administrator Sally Kuzon filed a breach of contract claim against the village on June 30. She asserts she’s entitled to \$36,175 in additional severance pay beyond the \$72,875 the board voted to give her after she left her position last August.

Village officials said they were chagrined to find Damon and Morey was representing Kuzon.

When The Buffalo News contacted the firm early last week about an apparent conflict of interest, Managing Partner Peter Marlette said there wasn’t an issue because the village uses separate labor counsel. Village attorney Christopher Cardillo of Damon and Morey was appointed with the understanding that he would have no role in litigation involving Kuzon, Marlette said.

Village trustees didn’t see it that way.

“It was just inappropriate, at the time, for them to be our attorney and represent Ms. Kuzon as well,” said Mayor Mary Lowther.

She said she talked with Cardillo about how village labor issues would not fall under the standard legal responsibilities expected of Damon and Morey, but she didn’t expect the law firm to subject itself to any perception of legal impropriety. Damon and Morey did not ask for or receive any conflict-of-interest

waivers from the village prior to accepting Kuzon as a client, Lowther said, and it was the board's understanding in October that the firm does not generally sue municipalities.

The Jaeckle Fleischmann & Mugel firm was chosen Monday as the board's new attorney of record. The company will work under the same fee agreement as Damon and Morey, Lowther said.

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