A Newsletter by Attorneys, For Attorneys

The BOYK LAW REPORT

CHARLES E. BOYK LAW OFFICES, LLC

11 Offices >>> NW Ohio & SE Michigan

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Federal Courthouse Annex Equipped with Latest Legal Technology

The historic James M. Ashley and Thomas W. L. Ashley U.S. Courthouse on Spielbusch Avenue in Toledo is currently closed to the public while it undergoes extensive renovations.

The Neoclassical Federal courthouse opened in 1932 and was named after Republican James Ashley, NW Ohio's congressman from 1859 to 1869, who is credited with writing the 13th Amendment to the Constitution, abolishing slavery, and for his grandson, Democrat, Thomas W. L. "Lud" Ashley, who held Ohio's 9th District Congressional seat for twelve terms, from 1955 to 1981. When renovations are completed, the historic building will house the district bankruptcy court and offices.

However, the amazing new Federal Courthouse Annex housing the U.S. District Court for the Northern District of Ohio (OHND) is open. Its modern design and glass walls stand in stark contrast to the classical columns of its next-door neighbor. It is also brimming with the latest courtroom technology.

The Courthouse Annex has electronic kiosks near the entrance that display docket information. That information is also displayed on small digital signs positioned outside each courtroom and the Attorney meeting rooms. The walls of the courtroom may appear to be adorned in wood, but they are actually perforated acoustic panels. The ceilings of each courtroom are also covered in acoustic fabric and feature an impressive array of speakers.

All four of the courtrooms in the new James M. Ashley and Thomas W. L. Ashley U.S. Courthouse Annex are similarly equipped. There There are digital display monitors at each counsel table, a wall-mounted gallery monitor, another at the witness stand, and 8 monitors that are built into the jury box, with adjacent speakers. The courtrooms have HDMI connections at the attorney stations for displaying and presenting evidence to the court. USB-C to HDMI adapters are recommended for Apple products. A height-adjustable electric lectern also offers presenting counsel a monitor and HDMI connectivity.

The new presentation system is controlled by the Judge, bailiff, or courtroom staff. The Judge can preview exhibits before displaying them to the parties, gallery, or jury in the courtroom. Evidence for jury deliberations is presented through JERS (Jury Evidence Recording System). Wi-Fi is accessible to all attorneys admitted to practice in the U.S. District Court for the Northern District of Ohio, upon acceptance of the user agreement. IT professionals are available on-site to assist.

The new system is fairly intuitive, even for those less technically experienced, and connectivity should be relatively easy. Before the start of any trial, the court typically issues an order asking attorneys to contact the Judge's Bailiff to schedule a visit to the courtroom so attorneys can test their devices and ensure connectivity to their system.

The U.S. District Court Northern District of Ohio offers the Jury Evidence Review System (JERS), developed by the Western District of North Carolina, to capture evidence electronically during a trial and to make that evidence accessible in the jury deliberation room. For questions regarding the use of JERS, attorneys should contact their respective Judicial Officer for clarification.

The Electronic Filing Policies and Procedures Manual can be downloaded here, https://www.ohnd.uscourts.gov/sites/ohnd/files/-CivilRules_AppendixB.pdf

Boyk Law's tour of the Annex was coordinated through Judge Helmick's Chambers.

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From Shoemakers & Sellers to Hanging a Shingle

by Mike Bruno

Pizza Bros. shoe store on Western Avenue

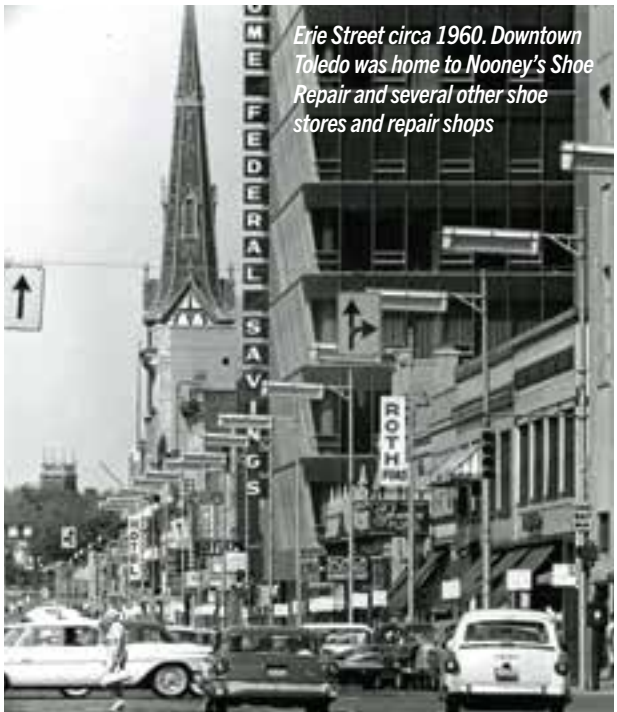
The law business of the 21st century is evolving. AI will change the practice even more. The early 20th Century was different. The Industrial Revolution had occurred. World War I devastated Europe. Immigrants were assimilated. A particular occupation at the time was the shoe business.

The connection between the Toledo shoe stores of the early 20th Century and the legal profession of the late 20th century and beyond, makes for an interesting story.

My grandfather, Liborio, an Italian immigrant, had a shoe store on Collingwood, near Rosary Cathedral. My dad, Dominic, helped him on weekends. I'm told my grandpa, who went to school through 6th grade, was cerebral, often talking politics with his customers.

Liborio died in 1955 at the age of 63. I was born two years later. My dad had zero interest in the shoe business, choosing instead to go to law school and become a lawyer. I followed my dad's lead and went to law school.

Jim Nooney had a similar upbringing before beginning a brilliant career at Eastman & Smith. Both his father, Robert, and grandfather, Roy, were shoemakers. Roy was known as the "Singing Shoemaker." Growing up, Jim Nooney worked Saturdays at his dad's shoe shop on North Erie Street, downtown. Nooney Shoe Repair also had branches in Point Place and the Colony. Jim Nooney also chose law as a career, instead of carrying on the family business. He jokes that he always had somewhere to go if the law business didn't work out.



Erie Street circa 1960. Downtown Toledo was home to Nooney's Shoe Repair and several other shoe stores and repair shops

Toby Pizza came to the U.S. from Italy in 1898. He later brought his father and four brothers with him to Toledo. The Pizzas were involved in shoe distribution. Their territory ran from Sandusky to Bryan, and south to Lima, Ohio. George Pizza, a brother, ran their shoe store on Cherry Street. George's son Frank found fame on the Gridiron and the law. He served as Toledo's Law Director for many years before joining Spengler Nathanson as a partner. George's granddaughter, Lisa, has been practicing at Spengler Nathanson for over 40 years. Toby's son Tony Pizza was another who declined to continue the shoe trade. Like cousins Frank and Lisa, he chose the law and served as Lucas County Prosecutor for many years.

George Gusses chose law because he wanted to be the next Perry Mason. He was well on his way to that goal after securing acquittals in his first two jury trials. The third one didn't end as well; his client was sent to prison. George didn't have the stomach for that. Instead, he found collection work and has no plans to retire after practicing for over 50 years.

I asked George where the work ethic came from. He was quick to answer. In the law, it was Harold Scheer, who hired George and trained him in collections. Earlier than that, George was influenced and learned a strong work ethic from his father Assad, who operated a shoe store on Erie Street in the North End for many years before moving it to Maumee until his passing in 1974. George recalls his dad being at the shop 6 days a week.


Jim Nooney

Unlike Jim Nooney and my dad, George was not typically at the shoe store on Saturdays growing up. Well, there was one occasion in the early 1970s. George's parents planned a weekend trip to West Virginia to visit family. Assad asked George to keep an eye on the shoe shop on the Saturday they were gone. So, George hung out and things were going smoothly, until a patron entered the shop in need of a shoeshine. George explained that his father was away, and the shine would have to wait until his father returned. The customer insisted on the shine. So, George went to work. The man entered the store with white socks under black shoes and left with shiny black shoes and black socks. Another Black Sox scandal!


George Gusses

History has not been kind to small shoe shops in Toledo. Pasquale and Sons on Upton is the last of its kind.

We can, however, be thankful for what came out of the Toledo Shoe Shops of the early 20th Century: a group of excellent lawyers who are good people.

The Gridiron Show Celebrates 90th Performance

The Gridiron Show, which debuted in 1933, held its 90th performance on May 22, 2025. It is traditionally produced and performed by the Toledo Junior Bar Association, by local attorneys who have been practicing law for 10 years or less. Their goal is to "lampoon the actions of lawyers, judges and local politics".

The founding principle of the Gridiron still exists: to place new and more established lawyers and judges together outside the office or courtroom to grow the legal community and foster the "Toledo Way" of practicing law, which promotes courtesy, congeniality, and camaraderie among area attorneys. It promotes the idea that disagreements resulting from the rigorous representation of a client or idea should be left behind once you leave the courtroom.

The Gridiron can best be described as a variety show of sketch comedy, parody songs, and dances that lampoon politics and personalities. It is performed with spirit and enthusiasm, regardless of the presence or lack of theatrical talent. Originally, it was more of a Stag Show, and women were excluded from participating and prohibited from attending the show. However, in the 1970s, as more women were practicing law, they were also invited to participate in the Gridiron.

Members of the Junior Bar Association also publish the "Bar Rag" before every performance, which humorously recaps the past year's events.

Since 1935, tradition dictates that "The Order of the Heel" is awarded to a member of the senior bar who has unselfishly given of their time to assist young attorneys. Occasionally, the Junior Bar also awards "The Order of the Sole" to an attorney who has given unselfishly to the development and presentation of the Gridiron.

Attorney Andrea Young recalls her time in the Gridiron spotlight. "Participating in the Gridiron was one of the best things that I got involved in as a new lawyer. It was a great way to meet other people in the local legal community, especially in a laid-back, no-frills manner. Throughout the years I've made many connections and built meaningful friendships while participating in Gridiron. It's a wonderful Toledo tradition that I hope will last for many, many years to come!"

Attorney Zac Shaffer represented Charles Boyk Law at the 90th Gridiron Show.

Zac Shaffer and Attorney Cameron Ervin of Churchill, Smith, Gonzalez & Kuhn LLP.

Co-Counsel Opportunities

Whether you have an injury case that is outside your core practice area, a case you do not have time or the resources to pursue on your own, or a case outside your geographic area, our firm would love to talk with you about a referral or being associated as co-counsel.

We are proud to work with co-counsel throughout the country. And when those cases resolve, we are honored to pay significant referral and co-counsel fees.

For more information about Co-Counsel Opportunities, contact Charles E Boyk Law Offices, by phone at 419-241-1395, email at referceb@charlesboyk-law.com or visit our website, www.charlesboyk-law.com/referral

ABOUT THE CO-COUNSEL NEWSLETTER

Charles Boyk Law was founded more than 20 years ago with the intent of helping people in need. Behind a team of outstanding lawyers, professional support staff, and state-of-the-art technology, our firm has grown to become one of the leading personal injury law firms in NW Ohio and SE Michigan.

We consider it an honor to be contacted by attorneys, both locally and across the U.S., who are seeking co-counsel to help litigate complex personal injury cases. It is an even greater honor when those attorneys refer us a case involving their loved ones or friends.

Our co-counsel newsletter is tailored to attorneys. It highlights examples of cases we are handling and provides updates on litigation. If you have a personal injury case you are looking to refer, we invite you to consider our firm. Our team of attorneys and professional staff have the experience, knowledge and resources to provide your clients with the best representation and maximize the recovery.

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In This Issue

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Small Case Delivers $300,000 Policy Limits

by Chuck Boyk

Not every case turns out the way you expect. Alex came into our office for a motor vehicle/workman's compensation claim in September 2023. He was a previous client for another small workman's compensation claim in 2018.

Alex was a CDL driver driving a powered broom vehicle used for road construction. He was rearended in the scope of employment. His initial injuries were small neck, back, and hip issues. My legal assistant questioned why we even took the case. He continued to work for several months before finally being forced off work for his injuries.

Insurance coverage was a big issue in the motor vehicle case. The defendant driver was uninsured. His employer's insurance had no uninsured motorist coverage. His personal auto uninsured motorist coverage of $300,000 had an "exclusion" for a vehicle "provided for the regular use of the employee."

The injuries got worse. We were able to go to workman's compensation hearings and win "additional conditions" for "substantial aggravation" of preexisting spinal stenosis, disc displacements, and osteoarthritis of the hip. Alex received a hip replacement and remained off work for the substantial back conditions.

At the insurance level, Allstate, the uninsured motorist carrier fought coverage. We prepared the client in detail on the status of the law and how we met the criteria for coverage before our client's in person examination under oath. We were able to show that our client had only driven the broom vehicle 6 times per year in the prior 5 years, he needed permission to drive it, he could only drive it for an express purpose, and only in a specific location. We finally got Allstate to accept coverage.

We attempted to get the treating doctors to write prognosis reports. Of course, they refused. We then hired an independent expert to review the medical file and wrote a report. He concluded our client could never return to work as a CDL driver and had numerous permanent limitations. After 3 levels of Allstate evaluation they finally coughed up the $300,000 policy limits the day before we were going to file the lawsuit. We further substantially negotiated down the workman's compensation lien to allow our client to have a good recovery.

Each case is different. Sometimes they get a lot stronger or weaker. It is our job to use our best judgment and strategy to maximize the client's full recovery.