

Lawyers who really love Macs



HI-TECH

**LUIGI
BENETTON**

Special interest groups pop up around all sorts of things, so it isn't surprising that about 50 lawyers spent a recent weekend in Florida talking about how to run a law office using Apple Macintosh computers.

MILOFest, named after the MILO Google group (Macs In Law Offices), welcomed a gaggle of lawyers who "think different" from their Windows-using brethren.

Victor Medina, a New Jersey family lawyer with Medina, Martinez and Castroll, LLC, spearheaded MILOFest. Medina is what Apple calls a switcher. "I used to build my own PCs," says the Windows defector of his computer experience.

Defector may be too strong a word, since he runs Windows in emulation on his Mac in order to use the document assembly package HotDocs. "There's no decent document assembly software for the Mac," he admits.

Dealing with the Mac's limitations as a legal computing platform proved as important a subject to MILOFesters as lauding its strengths. Baltimore, Maryland's Scott Palmer, a former computer programmer aiming to start his own intellectual property practice, decries the performance of Remote Desktop on the Mac, calling its Windows sibling "screaming fast."

In his view, the Mac-only Microsoft Entourage compares poorly with the Windows-only Microsoft Outlook. "Entourage is not an enterprise product," he says. (Note: Several news outlets report that Microsoft will resur-

Thinking of switching to a Mac?



Want to know more about using Macs in a legal practice? Check out these MILO links:

- ➔ **MILO Chat Weekly (podcast)**
<http://www.milowebly.com>
- ➔ **MILOFest:**
<http://www.milofest.com>

BARBARA QUINN / DREAMSTIME.COM

“**[W]hat is out there that I can use to increase billable time or smooth out my workflow so that I don't have to repeat steps...?**”

rect Outlook for the Mac in 2010.)

Another switcher, Nashville, Tennessee entertainment lawyer Stephen Weaver utters the most common complaint: "I still miss the more sophisticated legal-specific practice management programs," he says.

But MILOFest was far from a gripe session. Lawyers shared tips on how best to deal with the dearth (both real and perceived) of software for the legal industry. In fact, MILOFest's Canadian presence consisted of two practice management solution vendors: Markham, Ont.'s Marketcircle Inc. and Vancouver's Themis Solutions Inc.

The two take different courses to delivering their systems to lawyers. Marketcircle's Daylite software, intended as a general-

purpose business management system and sold with a law office template, installs on Macs and iPhones. Its server component completes a Microsoft Exchange-type setup.

Unlike Marketcircle (a Mac-only shop), software developers tend to put off tailoring software for the Mac, so developers like Themis avoid that approach. Its product, Clio, resides on the internet (a.k.a. "the cloud") instead of individual computers. Subscribers need only possess a standards-compatible web browser (which ships with every operating system) to use it.

This software-as-a-service (SaaS) approach makes a lawyer's choice of computing platform irrelevant, so as SaaS grows, it erodes Microsoft's long-held dominance of business computing.

MILOFesters have moved their practices to the cloud to varying degrees. Some lawyers share files and other information using services like BaseCamp and Google Docs. Others use cloud-based time and billing applications.

Yet others, like Woodridge, Illinois public sector and employment lawyer Kevin Camden, are moving substantial parts of their practices into the cloud. For instance, Camden claims he is

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Agree on terms at the start of process to avoid issues

Expert

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and documents sent to the valuator so they can deal with concerns regarding the information provided at the beginning of the process rather than after a report has been issued.

Provisions for draft reports: It is typical to prepare a draft report prior to the final report for commentary by both parties. Provisions should be included for the manner, as well as the timing, in which comments are to be forwarded. In my experience, it is preferable to have comments forwarded in writing in the interests of efficiency and to ensure there is a record of issues raised.

Once the above decisions are

made, the valuation process can be clarified, including the timing of each step in the process, who will be responsible for providing the information, the number of meetings that will be held and who will attend. This will establish a timeline to complete the report. This step is usually performed in conjunction with the expert retained.

Provisions should also be made for the issuance of a final report. This will include clarification regarding the circumstances when the draft report will be updated based on comments received, or finalized without changes made.

While unanticipated issues often arise in the course of a mandate, if the parties can

agree on important terms regarding the process at the beginning of the mandate, the likelihood and the impact of these unanticipated issues can be reduced. This increases the chance that a dispute will be resolved to the satisfaction of both parties in an efficient and cost-effective manner.

Peter Weinsten is a chartered accountant, chartered business valuator and has specialist designation in investigative and forensic accounting. He is a partner at Stern Cohen Valuations Inc., the firm's specialist practice, which encompasses business and intellectual property valuation and litigation support services.

Top M&A trends for 2010

The top 10 mergers and acquisitions (M&A) trends for 2010, according to Torys LLP are:

1. Buying green will grow
2. Just saying no may get easier in Canada and harder in the U.S.
3. Canadians will go shopping
4. Carving out assets will get messy
5. Power to the people: heightened shareholder activism will continue
6. Private equity: baby-stepping its way back to the M&A table
7. Media and telecom assets will change hands
8. More biopharm M&A in 2010, but healthy or distressed?
9. Not a Pandora's box: national security review of foreign investment in Canada will be limited
10. Are we there yet? Expect a longer, bumpier ride in Canadian merger reviews

The full report is available at:

<http://www.torlys.com/Publications/Documents/Publication%20PDFs/MA2010-1.pdf>

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LINC ROGERS

New National Editor
Commercial Insolvency Reporter

LexisNexis Canada Inc. is pleased to announce that **Linc Rogers**, a partner in the Restructuring & Insolvency Group with Blake, Cassels & Graydon LLP in Toronto, is the new National Editor for the *Commercial Insolvency Reporter*.

Mr. Rogers is an experienced insolvency lawyer whose practice focuses on all aspects of commercial reorganizations, distressed acquisitions, debtor-in-possession (DIP) financing and security enforcement. As a key member of the Blakes U.S. initiative team, he helped establish the firm's Chicago office; while there he focused on Canada/U.S. cross-border transactions and gained familiarity with U.S. bankruptcy law. He was also primarily responsible for cultivating and maintaining business relationships with restructuring and insolvency professionals throughout the Midwest United States. Since returning to Toronto in 2007, Mr. Rogers has been involved in a number of high-profile engagements in a variety of industry sectors.

Mr. Rogers is a member of the Education Oversight Committee of the Turnaround Management Association and was appointed as program co-ordinator and executive member of the Insolvency Law Section of the Ontario Bar Association. He has published extensively in Canadian, U.S. and international periodicals and is a frequent invited speaker at conferences and seminars throughout Canada and the United States.

LexisNexis Canada Inc. wishes to thank **Virginie Gauthier**, of Ogilvy Renault LLP, for her editorial leadership and contributions during her past two years as National Editor of the *Commercial Insolvency Reporter*. She will continue her involvement with the Reporter as a member of the Editorial Board.

For further details of *Commercial Insolvency Reporter*, go to www.lexisnexis.ca/bookstore

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BUSINESS & CAREERS

Small firms, solo practitioners more likely to switch to Macs

Mac

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moving from location-based backup to cloud-based backup. "I don't store a lot of paper," he says.

It also helps him stay mobile, as does the 3-lb. MacBook Air he uses in court. "It holds every file for every case I try," he says, admitting that he gets odd looks when other people hear him say that.

Security remains the strongest argument against cloud computing, but Palmer pits security against equally weighty concerns. While admitting that a properly patched server controlled by a lawyer offers the greatest level of security, "we don't live in that world. I'm a lawyer. I have stuff to

do. I don't want to think about network security, virus protection and so forth."

"I either hire somebody else to do it or I do it myself," Palmer adds, noting that the second option is more likely amongst small law firms.

The conference featured more than practice management systems and adapting to the Mac. Experts ran sessions on things like marketing a law practice, reminding MILOFesters of the Mac's traditional strengths in creative applications.

Informal networking and tip-sharing abounded. "Any time you get a bunch of Mac users in a room, you learn about some program that you have never used

before," Palmer says of MILOFest's continuing legal education aspect. "Before this conference, I only knew two lawyers who use Macs," he adds.

Camden lauds the Adobe Acrobat presentation, which "made templates and other stuff look easy," he says. "I don't have the time to seek this knowledge myself."

"I ask, as a solo practitioner: what is out there that I can use to increase billable time or smooth out my workflow so that I don't have to repeat steps two and three times? To hear the answers from people who use Macs successfully on a daily basis was great."

Medina also welcomed a few recent converts as well as lawyers

considering the switch. Mac veterans claim to have held their "cult of Mac" enthusiasm in check. "You don't want to push too hard, you don't want to come off as a zealot," says Medina.

"People don't want to change once they learn a certain system," Camden says, adding "Lawyers of a certain age believe WordPerfect is the cat's meow."

"I mostly evangelize Macs when I hear PC users grouching about crashes," Weaver admits.

MILOFest primarily attracted solo and small-firm lawyers. Macs don't appeal to larger firms, whose IT departments generally cringe at the thought of bringing different platforms into already-complex computing environments.

IT staff also try to minimize the time it takes to integrate temporary or new hires into a firm's workflow, and given the preponderance of Windows computers in society at large, the Mac could theoretically add to that integration period.

While Weaver claims that training people to use Macs takes no time ("This is not an exaggeration"), Medina offers another take. "I screen for people who know the Mac," he says. "Our firm is not positioned to have a lot of support. People have to be self-reliant to fit the culture of the firm."

"The Mac lends itself to that. You don't need to be an IT consultant to fix it." ■

Announcements

Congratulations to Professor Richard Moon



Professor Richard Moon: Award-Winning Teacher

Windsor Law congratulates Professor Richard Moon on receiving the *Alumni Award for Distinguished Contributions to University Teaching*. Professor Moon is an internationally recognized scholar in constitutional law. The author of *Constitutional Protection of Freedom of Expression* and the editor of a collection of essays entitled *Law and Religious Pluralism in Canada*, Professor Moon is an exceptional teacher who cares deeply about his students and their success. He is noted for his outstanding course design and delivery but, especially, for the enthusiasm which he generates among his students.

Congratulations Dick!

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