



## President's Message

The Thanksgiving season is a wonderful time to reflect on the joys and journey of the year past and to look forward to the opportunities and challenges that the New Year will bring.

2023 has been a very good year for NELF. We have retained our talented and seasoned staff and increased our team with new people and new energy. We have reached the halfway point in our fundraising to launch the Equalizer Institute, our social economic justice initiative to provide free corporate legal services to help underserved entrepreneurs start their new businesses. We created the first-ever Beantown Beanfest™ on Boston's Greenway as a new revenue stream for the Equalizer Institute to celebrate everything about "bean" in Boston and to reinvent our city's iconic and global moniker to represent the common love of beans that transcends races, ethnicities, cultures, and boundaries. Our annual Cabot Gala this year shattered all previous records for attendance and revenue.

Our core mission, of advocacy in the state and federal judicial branches to advance the foundational values of free enterprise, property rights, limited government based on rule of

law, and inclusive growth, continued to shine with compelling amicus advocacy in the United States Supreme Court and other federal and state appellate courts in New England. We have extended our voice in social media with more than 16,000 followers of our weekly podcast and more than 100,000 monthly views of our content. And we have amplified our thought leadership with op-eds and media coverage in The Boston Globe, Boston Business Journal, Banker & Tradesman, Fox-25 TV, WBZ-Radio, Massachusetts Lawyers Weekly, Rhode Island Lawyers Weekly, Providence Business Journal, New Hampshire Business Review, and other regional media outlets.

Everything we accomplish is a direct result of charitable giving by our sponsoring law firms, corporate legal departments, foundations and philanthropies, and individuals. As a non-partisan, non-profit organization, we are entirely dependent on your donations and charitable support. With Giving Tuesday just around the corner next week, we ask you to reflect on the value of having our voice stirring in the crucible of public debate. We rely on your charitable giving and this year we have multiple options for your seasonal giving:

**1. Double Your Donation to the Equalizer Institute.**

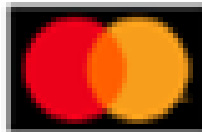
Thanks to the generosity of the Rappaport Foundation, every dollar you donate to support the Equalizer Institute will be doubled up to \$200,000. You can donate to this dedicated fund using the following QR code:



## **2. Stephen Faberman Fellowship Fund.**

In memory of our late Board Vice Chair, Progress Software CLO Steve Faberman, we have created a fund dedicated to providing a paid stipend to our law student interns. These “Faberman Fellows” will join us this Spring and Summer and assist our legal team with our legal advocacy and thought leadership. You can direct your contributions to this fund using the following QR code:

# Donate now with SparkVirtual



### 3. Monthly Recurring Donations.

As an alternative to a 2023 lump sum donation, you can have an automatic monthly recurring donation charged to your credit card to maximize your impact while reducing hassle in 2024. Monthly recurring donations have a *tremendous* value in leveling our cashflow during the course of the year. You can donate online on our [website](#) and then clicking the recurring donation option:

## You Can Help Us Advance Our Mission

Gift amount

One-time donation

Recurring donation

\$25

\$50

\$100

\$250

Other amount

#### 4. Donation of Stocks or Crypto.

If you own stocks, RSUs or stock options that have increased in value, the charitable deduction of the non-monetary donation is based on the value of the stock at the time of donation. Same too if you are one of the people currently holding part of the nearly \$1 trillion in cryptocurrency. You can use our [website](#) to donate both assets as non-monetary gifts to NELF.

## Donate Crypto/Stocks

**NE** New England Legal Foundation

### Make a Donation

Crypto

Stock

DAF

Stock Ticker Symbol

Stock Name

0

\$ Value

#### 5. Donate Now, Pay Later.

We have arranged with a company called B Generous to allow our supporters to make a lump sum charitable donation to NELF while paying that amount in smaller increments over time. This option will allow you to maximize the impact of your charitable giving without busting your budget. You can access the Donate Now, Pay Later option on our [website](#).

## Give with Donate Now, Pay Later™

When you give with Donate Now, Pay Later, we receive your donation upfront, but you can pay over time when its convenient for you.

[Donate Now, Pay Later!](#)



No amount is too small and every dollar donated helps lift us to do more and greater things to advance the cause of economic liberty. We'll resend this list on Giving Tuesday as an easy reference for your consideration. Thank you for whatever you can do to help us advance our work.

Happy Thanksgiving!  
Dan Winslow, President

## Upcoming Events

### Zoom Seminar: State Appellate Litigation Tips

**December 11, 2023**  
**4:00 - 5:00 PM via Zoom**

Join NELF for a conversation with Maine Supreme Judicial Court Justice Catherine Connors, Massachusetts Appeals Court Judge William Meade and appellate counsel Joshua Dunlap from Pierce Atwood LLP to discuss effective appellate litigation.

**This one-hour, free online webinar will provide CLE credit for CT, NH, VT, RI and ME attorneys** and will cover appellate advocacy, preparing persuasive briefs and oral arguments and the benefits of retaining appellate counsel.



Please **RSVP by December 10** to attend by emailing [eminer@newenglandlegal.org](mailto:eminer@newenglandlegal.org).

## InnoCrew Mix & Mingle

**December 14, 2023**  
**5:30 - 7:30 PM**

An evening of cocktails and community building with early-stage founders. Cohost InnoCrew is an organization fostering long-lasting relationships vital for sustainable growth and success for founders in the beginning stage of their ventures.

Come learn about the exciting work these startups are doing and hear from Christina Knowles, COO, Equalizer Institute, about the upcoming launch of this exciting initiative to support underrepresented entrepreneurs with legal services.

**RSVP** [here](#)



## Money, Politics, & The US Constitution

**January 17, 2024**  
**4:00 - 5:30 PM**

As we begin this new year being an election year, NELF takes on the timely topic of money in U.S. politics. This hybrid, in-person and online event will explore questions about financing campaigns, elections, the process of amending the U.S. Constitution to regulate money in politics and what impact it has on the business community.

Please **RSVP by January 12th** to attend by emailing [eminer@newenglandlegal.org](mailto:eminer@newenglandlegal.org)



**NE**  
**LF**  
New England  
FOUNDATION

cordially invites you to attend a civic briefing in-person or via  
Zoom  
as part of our  
Economic Liberty Speaker Series

### MONEY, POLITICS, AND THE U.S. CONSTITUTION

Seven out of ten Americans believe our democracy is threatened, and the number one reason (identified by 86% of Republicans and 86% of Democrats) is the "influence of money in politics." How did our country come to have a campaign finance system that everyone knows is dysfunctional, and what can be done about it?

In this session, we will explore a fundamental question: Who should decide whether and how to regulate money in our campaigns and elections? We will learn about the process of amending the U.S. Constitution to empower the States and Congress to choose whether and how to regulate money-in-politics. Join us to learn about this issue and why it matters to the legal and business communities.

#### PANELISTS



**Jeff Clements**  
President & Founder  
American Promise



**Brian Boyle**  
Executive Director  
& General Counsel  
American Promise



**Julie Brogan**  
Senior Legal Fellow  
American Promise



**Leo Sprecher**  
Principal  
Bul Finckle



**John Wass**  
CEO  
Profitable, Inc.

RSVP to:  
[info@newenglandlegal.org](mailto:info@newenglandlegal.org)

**EVENT DETAILS**

**DATE:**  
Wednesday, January 17, 2024

**TIME:**  
4:00 - 5:30 PM EST

**VENUE: NELF HQ**  
833 Washington St. Suite 800 Boston, MA 02108  
or  
via Zoom with link to be emailed before the event

\*Light refreshments will be served

specifying your desire to attend in-person or online.

## Massachusetts Tax Policy Conference: NELF Discount Admission.

The Massachusetts Taxpayers Foundation will be hosting a Tax Policy Conversation on December 1 in Cambridge. NELF members are eligible for a discounted admission by using the registration discount code **MTF23CPA**.



## Litigation Update

## NELF Files an Amicus Brief against the City of



# Hartford's Unlawful Attempt to Make a Blameless Landlord Pay the City's Bills

A Connecticut state law has language “hiding in plain sight” that should require the removal of a City of Hartford lien against an apartment building owner, whose property was severely damaged by arson. That’s the argument in a New England Legal Foundation (NELF – [www.newenglandlegal.org](http://www.newenglandlegal.org)) *amicus* (friend-of-the-court) brief filed with the Connecticut Supreme Court in the case of *PPC Realty, LLC v. the City of Hartford*. Representing NELF in filing the brief is Avon, CT Attorney Kirk Tavtigian.

One frigid morning in March 2019, a fire ripped through a 40-unit apartment building, rendering the building uninhabitable and sending ten people to the hospital. As required under the Connecticut Uniform Relocation Assistance Act (URAA), after condemning the building, the city provided the displaced tenants with housing and compensation for certain losses and expenses. The day after the fire, the city essentially sent a \$274,564.95 bill to the blameless building owner by recording a lien on the property for all such supposedly reimbursable expenditures.

PPC sued to discharge the lien, arguing that it could not be “liable” because it was not the cause of the displacement. The city argued that the lien was valid because the URAA reimbursement statutes do not recognize such a defense.

The trial court judge permitted PCC to invoke its lack of fault and discharged the lien. The City appealed, and the state Supreme Court transferred the case on its own initiative from the Appellate Court, a sign of the importance of the legal issue.

“The case is about whether the City’s lien against a blameless landlord should stand. We think that it should not,” NELF President Dan Winslow argued, emphasizing that, “This is an important case whose outcome will set a major precedent and affect all owners of residential rental property in Connecticut.”

In its brief NELF notes that while the statutes state that landlords “shall be liable for any [URAA] payments made by such town [or] city ..., and the town [or] city ... may place a lien on any real property owned by such landlord to secure repayment,” it is important to read that law in its full context. A related statute dealing with civil actions brought to compel such repayments says, “It shall be an affirmative defense for the landlord that the displacement was not the result of the landlord’s violation of [a statutory duty].” The city, NELF says, simply refuses to recognize that under the URAA a lien and a civil suit both deal with the identical underlying liability to reimburse, and thus the defenses must be the same. In fact, the reimbursement statutes are entitled in part “Landlord’s responsibility in certain cases,” whereas the city openly argues that all landlords are liable in all circumstances.

NELF also rebuts the city’s inaccurate account of the 1982 origin of these laws. NELF shows that Connecticut’s legislators were openly concerned to avoid saddling blameless landlords with the cost of paying for public expenditures under the act, exactly the outcome for which the city argues in this case. As one legislator observed presciently in 1982, “not every case in which a building is condemned is, in fact, the fault of the landlord.... So that, ... where there’s a fire and ... the landlord had absolutely nothing to do with it, [i]t would not

be fair under those circumstances to make the landlord pay the relocation costs.” NELF thinks so too, and that is why we filed an amicus brief in support of the landlord.



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