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Legal Insights

Practical Legal Solutions

Our New Home



Effective July 1, 2024 Nicola Gudbranson & Cooper (NGC) moved our offices from the Landmark Office Tower to the 28th and 29th floors of the Terminal Tower.

"It's a homecoming of sorts," said NGC's Bruce Waterhouse Jr. "We occupied space in the Terminal Tower from the 1960s until the late 1990s."

NGC will occupy nearly 17,000 square on two floors for our 26 lawyers and 12 administrative staff. The move allows us to use our space more efficiently to accommodate changes in contemporary work patterns. The space even includes an internal staircase to facilitate easier movement for our entire staff.

"Terminal Tower ultimately stood out for its location and convenience," said Waterhouse. "It also reaffirms our commitment to downtown Cleveland which we have called home since our founding in 1933."

NOTE: Our phone numbers and emails have not changed, but our new mailing address is:

Nicola, Gudbranson & Cooper, LLC
Terminal Tower – Suite 2900
50 Public Square
Cleveland, OH 44113

Federal Court Invalidates Ban on Non-Competes

By Nick Dertouzos, Esq.

It was widely reported earlier this year that Federal Trade Commission (FTC) proposed a new rule which determined the vast majority of employee non-competition agreements would no longer be enforceable after September of 2024. The new rule would effectively ban new noncompetes nationwide. As NGC anticipated, several lawsuits challenged aspects of the FTC's new rule, including the FTC's authority to issue such a broad sweeping prohibition.

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How the Legal System Resolves Custody Cases Involving Multiple States

by Brian L. Bly

During the second half of the twentieth century, a problem began to emerge among the various state courts of America that hear child custody disputes: multiple cases, in different states, involving the same children. In some instances, two parents would file cases in different states, unaware of the other filing. Other parents knowingly filed duplicate cases, unhappy with the ruling in the first court, and hoping for a different result in the second. In a significant portion of these cases, judges in different states issued conflicting orders, unaware of the existence of the other case. The problem was getting worse, and action was needed.

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What Should Employers Do?

Adult Use Marijuana Sales Have Begun in Ohio

By Luke McConville

Adult use recreational sales of marijuana have begun in Ohio as contemplated by the passage of Issue 2 by Ohio's voters. The Ohio Division of Cannabis Control has issued licenses to 110 dispensaries that are now permitted to sell both medical and recreational marijuana. Many of these 110 dispensaries have already opened for business.

The connection between the legalization of marijuana for recreational use and the impact on the labor market should be of great interest to employers. Legalized

recreational use will likely prompt concerns about workplace safety, changes in productivity, and the impact on workers compensation cases. The true impact of recreational use may not be known for some time.

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NIL Is a Multi-Billion Dollar Industry Benefiting All College Athletes, Right?

International College Athletes Have Been Left Out in the Cold

As we enter the fourth year of the new world of college sports with Name, Image, and Likeness ("NIL"), has the NCAA failed a growing minority of international college athletes? Not every athlete celebrated the new NIL landscape, nor can all NCAA athletes benefit from it.

In July of 2021, the NCAA made a landmark change to the collegiate athletics model by allowing athletes to engage in endorsement deals through the use of their NIL. In its first year of NIL, college athletes earned an estimated \$917 million in NIL payments, with the industry netting over \$1 billion annually in the past two years.

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Attorney Recognitions

Welcome to the Firm — Brian L. Bly, Of Counsel



Brian Bly is certified by the Ohio State Bar Association as a Specialist in Family Relations Law. His practice focuses on divorces, dissolutions, legal separations, annulments and child custody and support matters. Brian also possesses significant experience in real estate, construction law, debt collection and general civil litigation. He has substantial experience in various Court of Appeals throughout the state. [READ MORE](#)

Ben Cooper was appointed to the Village Council of Kirtland Hills on May 20, 2024.



Annie Grove, an attorney in NGC's Immigration Law Group, was recently inducted into Cleveland's Saint Joseph Academy's ("SJA") Athletic Hall of Fame. Annie now serves as an assistant coach at her former high school where she relishes "giving back" something to the sport and the school.

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Attorney **John Moenk** and his wife welcomed their second child, Benno Asher Moenk, on April 16, 2024. Benno came out healthy and happy at seven pounds pounds ounces, 20-inches long, and a full head of hair!



Bryan Palmer has been accepted as a board member of the Lake County Historical Society.

Michael Bertsch (Worker's Compensation), **Karen Moss** (Immigration Law) and **Brad Ortman** (Immigration Law) all have been recognized as Best Lawyers for Ohio in their respective fields by www.bestlawyers.com.



Michael Bertsch



Karen Moss



Brad Ortman

If you have questions concerning any of the items discussed above, please contact your attorney at Nicola, Gudbranson & Cooper, 216.621.7227.

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