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Mindy L. Zoghlin

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BAR MEMBERSHIP

New York State Bar, 1984

United States District Court for the Western District of New York, 1992

United States District Court for the Northern District of New York, 1996

United States Court of Appeals for the Second Circuit, 2009

United States Supreme Court, 2010

EXPERIENCE

The Zoghlin Group PLLC, Rochester, NY

Sole Member and Senior Attorney, July 2016 - Present

Bansbach Zoghlin P.C., Rochester, NY

Member and Senior Attorney, April 1990 – June 2016

Lacy, Katzen, Ryen & Mittleman, Rochester, NY

Associate Attorney, 1987-1990

EDUCATION

SUNY Buffalo Law School, Buffalo, NY

Juris Doctor, February 1984

Certificate of Specialization in State and Local Government

Baldy Fellowship in Law and Social Policy

Brandeis University, Waltham, MA

B.S., Sociology, *Cum Laude with Highest Honors in Sociology*

AWARDS

40 Under 40, Rochester Business Journal, 1998

COMMUNITY INVOLVEMENT

- Member of the Monroe County, New York State and American Bar Associations.
- American Diabetes Association 2013 Tour de Cure Executive Committee.
- Served on the Board of Trustees of the Monroe County Bar Association, was past chair of the Monroe County Bar Association Environmental Law Committee currently co-chairs the Monroe County Bar Association Environmental Law Committee, past President and Board Member of the Greece Chamber of Commerce.

SPEAKING ENGAGEMENTS

- 2017. Advanced Legal Issues Affecting Local Governments and Municipalities. Topic: "Drone Law."

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- 2015 Learning from Environmental Horror Stories. Topic: "Perils & Pitfalls of Environmental Practice."
- 2015 NYSBA Environmental Law Section 6th Annual Spill Symposium. Facilitator: "Site Management Plans and Oil Spill Cleanups."
- 2012 Joint meeting of the American Society of Safety Engineers, Genesee Valley Chapter and the Finger Lakes Chapter of the Academy of Certified Hazardous Materials Managers. Topic: "Vapor Intrusion Case Studies"
- 2010 Toxic Torts Seminar sponsored by the Monroe County Bar Association. Topic: "Causes of Action, Affirmative Defenses, Pleadings, Case Evaluation and Practice Tips"
- 2005 Zoning, Subdivision Et Land Development Law Seminar, sponsored by Lorman Educational Services. Topic: "Suing Public Entities"
- 2004 Zoning and Land Use in New York Seminar, sponsored by Lorman Educational Services. Topics: "State Environmental Quality Review Act (SEQRA)" and "Land Uses of Particular Environmental Concerns"
- 2002 Basic Administration and Enforcement of Land Use Controls Seminar, sponsored by the New York State Bar Association. Topic: "Statutory Basis of Municipal Land Use Control"
- 2002 Land Use Decision-Making Training Program, sponsored by the Monroe County Department of Planning and Development. Topic: "The Planning Et Zoning Process"
- 2001 Land Use Decision-Making Training Program, sponsored by the Monroe County Department of Planning and Development. Topic: "The Planning Process"
- 1999 Making Deals Happen Seminar, sponsored by the Monroe County Bar Association, Program Chair
- 1996 Toxic Torts Seminar, sponsored by the New York State Bar Association. Topic: "Toxic Tort Remedies in New York"
- 1996 Environmental Law Survey Course, sponsored by the Center for Environmental Information. Topic: "Toxic Torts"
- 1995 Environmental Law Survey Course, sponsored by the Center for Environmental Information. Topic: "New York State Superfund Law"
- 1993 Environmental Law Survey Course, sponsored by the Center for Environmental Information. Topic: "New York State Superfund Law"
- 1992 Environmental Law Survey Course, sponsored by the Center for Environmental Information. Topic: "Federal Superfund Law"

- 1991 Environmental Law Survey Course, sponsored by the Center for Environmental Information. Topic: "Environmental Considerations in Real Estate and Business Transactions"

REPORTED CASES

- *Chart v. Town of Parma*, 2014 WL 4923166 (WDNY 2014) (Court found that pesticide contaminated topsoil relocated from a former apple orchard to town park was solid waste under RCRA).
- *JWJ Industries, Inc. v. Oswego County*, 795 F.Supp.2d 211 (NDNY 2011) (Court struck county Flow Control Law as unconstitutionally vague).

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- *Oldfield v. Village of Dansville*, 583 F.Supp.2d 440 (WDNY 2008) (Rental property owners sufficiently alleged retaliation claim against municipal code enforcement officer).
- *Cleveland v. International Paper Co.*, 1997 U.S. Dist. LEXIS 8109; (Gender discrimination lawsuit).
- *Town of Ellery v. NYS DEC et ano*, 54 Misc. 3d 482 (Chautauqua Co. S.C. 2016) (Proposed expansion of solid waste management facility complied with substantive requirements of SEQRA).
- *Kindred v. Monroe County*, 119 AD2d 1347 (4th Dept. 2014) (Plaintiffs failed to establish standing to challenge County decision to relocate Fair).
- *Citizens for Aquifer Protection and Employment v. Town of Cortlandville*, 16 Misc. 3d 1121A (SC 2007) (Challenge to Town decision to accept SEQRA Findings Statement for construction of proposed Walmart Super Center).
- *Matter of Cerame v. Town of Perinton Zoning Bd. of Appeals*, 27 A.D.3d 1191 (4th Dept. 2006) (Challenge to Town ZBA decision to issue a negative declaration of environmental significance under SEQRA).
- *Cerame Irrevocable Family Trust v. Town of Perinton Zoning Bd. of Appeals (In re Concetta T.)*, 6 A.D.3d 1091 (4th Dept. 2006) (Challenge to ZBA administrative appeal).
- *Matter of Mari Properties, LLC v. Town of Parma Zoning Bd. of Appeals*, 21 A.D.3d 1381 (4th Dept. 2005) (Challenge to Town ZBA decision to deny variance applications).
- *Gilmore v. Planning Bd. of Ogden*, 16 A.D.3d 1074 (4th Dept. 2005) (Challenge to Town Planning Board decision granting site plan approval).
- *Landmark Society of Western New York v. Monroe County*, 4 A.D.3d 871 (4th Dept. 2004) (Challenge to County's decision to accept SEQRA Findings Statement for the Seneca Park Zoo expansion).
- *Wilcove v. Town of Pittsford Zoning Bd. of Appeals*, 306 A.D.2d 900 (4th Dept. 2003) (Challenge to ZBA decision to grant variances).
- *Wilcove v. Town of Pittsford Zoning Bd. of Appeals*, 306 A.D.2d 898 (4th Dept.

2003) (Challenge to ZBA decision to grant variances).

- *Noslen Corp. v. Ontario Co. Bd. of Supervisors*, 659, CA 02-00002, 295 A.D.2d 924 (4th Dept. 2002) (Challenge to County's SEQRA review related to proposed jail expansion).
- *Bergen Swamp Preservation Society v. Village of Bergen*, 294 A.D.2d 827 (4th Dept. 2002) (Challenge to Village decision to exercise eminent domain).
- *Tulley v. Bayfront North, Ltd.*, 286 A.D.2d 873 (4th Dept. 2001) (Action to establish the existence of an easement).
- *Lamendola v. Warner*, 181 Misc. 2d 1024 (SC, 1999) (Proceeding to challenge Town referendum petition).

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- *Hunter's Crossing Neighborhood Association v. Maul*, 267 AD2d 1036 (4th Dept. 1999) (Nearby homeowners lacked standing to challenge suitability of proposed group home site).
- *Allens Creek/ Corbett's Glen Preservation Group v. Town of Penfield Planning Board*, 249 AD2d 921 (4th Dept. 1998) (Letter "Notice of determination" from town planning board to developer was not a "decision" on site plan approval and did not trigger statute of limitations).
- *Cleveland v. International Paper Co.*, U.S. Dist. LEXIS 15557, September 30, 1998, Decided, September 30, 1998. (Gender discrimination lawsuit).
- *Edgewood Estates Homeowners' Association, Inc. v. Mark IV Construction Co., Inc.*, 221 AD2d 984 (4th Dept. 1995) (Homeowners' Association's payment of attorneys' fees in settlement with individual homeowner was authorized expense).
- *Henning v. Rando Mach. Corp.*, 207 A.D.2d 106 (4th Dept. 1994) (Action seeking damages for diminution in property value caused by contamination from an adjacent property).
- *Brookview Homeowners' Association, Inc. v. Mark IV Construction Co., Inc.*, 178 AD2d 967 (4th Dept. 1991) (Construction company's obligation to pay maintenance assessments was limited by Declarations to any deficit in plaintiff's operating expenses).