

Daily Record

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MORRIS COUNTY'S NEWSPAPER

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SCIL BASEBALL TOURNAMENT

Jefferson boys come up short in semifinal

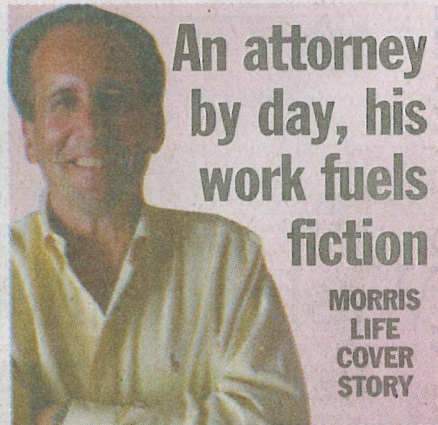
GIRLS LACROSSE PREVIEW

Can Mtn. Lakes get over a final hurdle?



METS DROP YANKEES

Woes mount for Bombers as another pitcher goes down with an injury in 10-7 loss, B1



An attorney by day, his work fuels fiction

MORRIS LIFE COVER STORY

POINTS OF PRIDE, PAIN

Picatinny honors those who made the 'ultimate sacrifice'



ASHLEY TWIGGS / DAILY RECORD

Members of the Old Guard Drill Team prepare for the Armed Forces Day events at Picatinny Arsenal on Saturday. A series of speeches, including one by Maj. Gen. Paul S. Izzo, the base commander, paid tribute to fallen soldiers and their families.

Armed Forces Day ceremony is first in 2 years at base

BY NICK LILOUDIS
DAILY RECORD



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"They made the ultimate sacrifice for our freedom," said Izzo, facing long rows of family members of the deceased wearing brown VIP badges with their loved ones' picture.

The occasion was Armed Forces Day at the base. The first in two years and only the second since the Sept. 11, 2001, terrorist attacks. Picatinny officials decided to go on with the celebra-

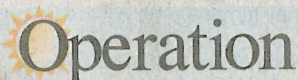
SEE PICATINNY / A8



Christina Dixon with son Rhyin-Anthony. Dixon's 20-year-old uncle was killed in Iraq in August 2004.

Effort to enrich young lives begins anew

BY LISA ARCARO
DAILY RECORD



receives very little financial support from her estranged husband. Caring for three active boys, who just started

activities, even for just a couple of weeks. That's where Operation Sunshine comes in. Today marks the beginning

Killed teen's mom: Don't wait on new driving law

She worries N.J. study stalling bill named after Long Valley daughter

BY ZENaida MENDEZ
DAILY RECORD

WASHINGTON TWP. — The mother of a Long Valley teen who died in a car crash in December is advocating for a proposed bill that would toughen the state's graduated driver license law.

Assemblymen Guy R. Gregg, R-Washington Township, and Joseph Pennacchio, R-Montville, sponsored Kyleigh's Law, which was introduced on Feb. 26.

The bill is named after Kyleigh D'Alessio, 16, who, along with Tanner Birch, 17, died on Dec. 21 following a single-car crash on Fairview Avenue. Two other teen passengers were injured.

Donna Weeks, D'Alessio's mom, wants the provisional license laws revised with the hope of preventing the type of tragedy that claimed her daughter's life.



Kyleigh D'Alessio of Washington Township, 16, died in a single-car crash in Long Valley with Tanner Birch, 17, on Dec. 21.

She also advocates quick action on the bill, which she said has stalled because a newly formed state commission on teen driver safety will take months to study the issue.

"We have proms, graduations and summer vacations beginning this month. To already have a bill as strong as Kyleigh's Law, one that could save lives right now, and not act on it swiftly is just plain negligence," Weeks said.

Authorities said the December

SEE DRIVING / A6

Affordable housing groundbreaking set for Morris sites

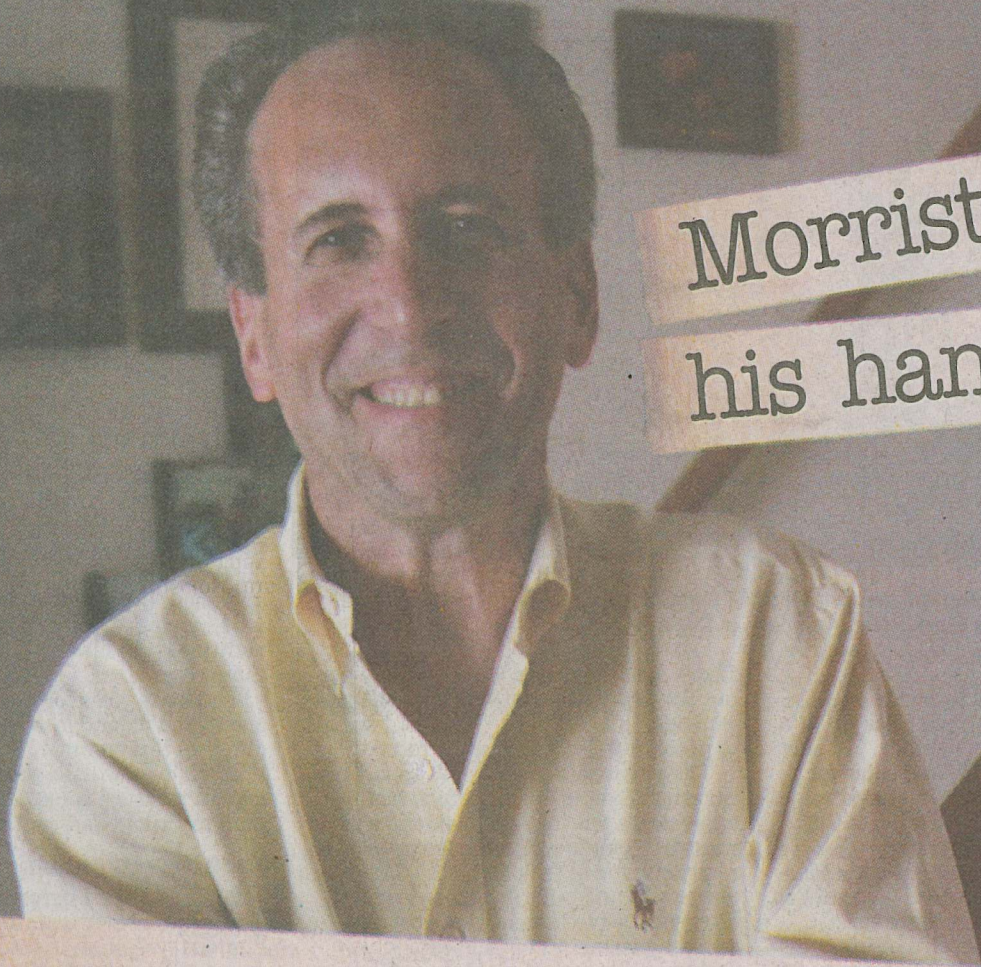
Nonprofit organizations planning to construct 12 units in Morristown, two houses in Denville

BY MICHAEL DAIGLE
DAILY RECORD

Two nonprofit housing organizations will break ground on projects this week that will expand the supply of housing for lower-

temporary housing that gives 145 people a night a place to stay, transitional housing and an apartment complex on Jean Street in Morris Township.

On Thursday, Morris Habitat for Humanity will kick off a pro-



Morristown attorney tries
his hand at a legal thriller

A matter of

privilege

BY ELLEN S. WILKOWE
DAILY RECORD

A hit-and-run. No witnesses. A phone-call confession by a driver who refuses to disclose his identity to his attorney. What's in a name, and is it protected by the sanctity of the attorney-client privilege?

Attorney Ken Isaacson of Morristown spins the imbalanced wheels of justice in his novel "Silent Counsel" (Windermere Press, \$24.95).

"I was reading about a real hit-and-run case in Florida that never actually reached the court," he said. "I wanted to take the situation one step further and explore what if a court held a name as privileged information."

A full-time attorney by day, Isaacson's "what if," took "many, many years" to complete, he said.

"It was always on hold, but I always went back to it," he said.

A first book for Isaacson, the 332-page thriller is chock full of painstaking scenarios that challenge the legal system and tug at the heart.

Case in point: Altman vs. John Doe.

The key players: Stacy Altman experiences a mother's worst nightmare when her 6-year-old son is run down outside her home with no witnesses in sight.

Attorney Scott Heller is hired by the driver, John Doe, to negotiate a plea arrangement with the prosecutor.

The driver instructs Scott not to reveal his name until an amenable agreement is reached.

The imperfections of the legal system come into play as the prosecutor refuses



John Doe a deal while the court rules that his real name is indeed protected by protected by the attorney-client privilege.

Is this really possible? Absolutely.

"Some exceptions are if the client tells the attorney he or she is going to commit a crime or harm someone. Other than that, the attorney may not reveal the information without the client's consent."

"Virtually everything that a client tells an attorney is subject to the attorney client privilege," said David Rosen, a professor at

Fairleigh Dickinson University in Florham Park. "So, if in this case the client told the attorney the name of the suspect or admitted that he/she was the suspect, or admitted that he/she had committed a crime, the attorney could not reveal it to anyone and certainly not a court, unless the client waives the privilege."

The privilege empowers the client, in this case John Doe, who gives the go ahead to reveal the information.

Governed by grief and frustrated with the attorney-client privilege "glitch," Stacy

takes matters — and Scott and Jody Heller's daughter — into her own hands: Anything to expose the identity of the man who ran over her only child and bring him to justice. Kidnapping. Threats. Suspense.

Primary ingredients of justice and injustice are served straight up against a Garden State backdrop.

Intrigued by the Florida hit-and-run case, Isaacson set out to explore situations where revealing the client's name exposes him or her to legal consequences.

"The driver hired a lawyer to negotiate a plea deal, but he instructed his attorney not to reveal his name," Isaacson said. "That got me thinking. What circumstances will the court withhold the name of a client as protected by the attorney/client privilege? In most instances, the name does not convey substance."

The Florida case was resolved when the driver came forward and revealed himself. The driver in "Silent Counsel" however may — or may not. (Apply spoiler protection clause here.)

The Garden State-based novel takes readers to familiar turf such as Englewood Cliffs, home of the Hellers, and Perth Amboy, home of the Altmans. It even gives mention to fictitious newspapers such as the Middlesex Herald.

References to Perth Amboy and Massachusetts Institute of Technology in Cambridge are drawn from Isaacson's real life.

Born and raised in Perth Amboy, he attended MIT for his undergraduate degree and Columbia University for his law degree.

Having practiced privately for 20 plus years, Isaacson never personally dealt with a case quite like Altman vs. Doe.

SEE LEGAL / 5

REN MANCINELLI / DAILY RECORD
Morristown attorney Ken Isaacson, top photo, is the author of legal thriller 'Silent Counsel.' He, he and his wife, Sylvia, was his initial reader, hold dog Oakley and cats Mia and Garth.

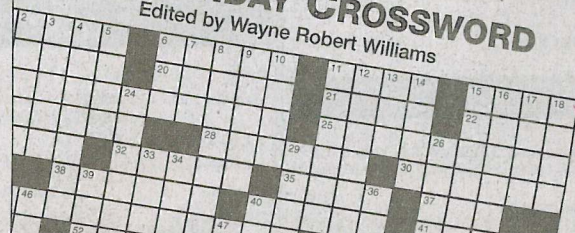


Island view

Principe island, just north of the equator, fits the bill of a tropical paradise, and

THE SUNDAY CROSSWORD

Edited by Wayne Robert Williams



Legal

CONTINUED FROM / 1

Now an in-house counselor for a transportation company, Isaacson gets to add published author to his resume.

"Silent Counsel" is available for pre-sale through amazon.com and will grace book stores in September.

Providing assists to "local talent," Mendham Books is one such book store that will carry "Silent Counsel," owner Tom Williams said.

"This book is right up my alley," he said. "I like the thrillers."

In a niche-oriented publishing world, legal thrillers are still thriving, Williams said.

"John Grisham really popularized the legal thriller, and they're still popular," he said. "These books are usually character-driven and you can visualize the plot. Plus there's a personal element to them. Everyone deals with the law."

Those who deal closely with Isaacson have advanced-digested the novel. The attorney-friend privilege benefited Dr. Wesley Bank of New York.

The duo met at MIT and forged a decades-long bond.

"I helped him with some of the medical aspects in the book," said Bank, an obstetrician and gynecologist. "I don't want to give away anything else, but it involves Stacy."

Having a weakness for mathematical reads, Bank swapped out numbers for words to critique Isaacson's finished product.

"It reminded me of 'The Firm,'" he said. "I was on the edge of my seat the whole time. The characters just come to life."

Isaacson's wife, Sylvia, could attest to that.

"The way he developed the little girl Alex," she said. "The way she (Alex) talks, I can hear my grandchildren talk like that. Then there's the relationship between her and Stacy..."

She recalls her husband's crack-of-dawn waking hour — 4 a.m., when he would hunker down and make use of his most creative time.

At the receiving end of his chapters, avid reader Sylvia would pore over each page and hunger for the next.

"If something captivates me in the first chapter I'll read it straight through," she said. "It was frustrating because after he finished each chapter I would want to find out what happened."

Stacy's character plucked at her maternal instincts as both mother and grandmother.

"As a mother the book challenges as to how far you would go for your child," she said.

To some extent, Stacy — the mother in mourning — mirrored the nanny, Peyton, in the 1992 movie thriller *The Hand That Rocks the Cradle*. (The film involved an OB/GYN widow who is hired by a family as nanny only to seek revenge for her husband's suicide.)

Isaacson, however, developed his characters from his heart and mind.

When he is not providing counsel or writing novels (yes, a second book is in the works) Isaacson may be found find riding — as in his-and-her Harleys — or walking his bichon.

Ellen S. Wilkove can be reached at (973) 428-6662 or ewilkove@gannett.com.



KAREN MANCINELLI / DAILY RECORD

Attorney Ken Isaacson of Morristown, the author of 'Silent Counsel,' brings three of his four cats to the living room. From left are Chelsea, Garth and Nipper.

To learn more or for a sneak peek

- www.kenisaacson.com
- www.myspace.com/kenisaacson
- www.amazon.com

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