

VOLUME 32 NUMBER 7

WWW.MOJAILAWYERSMEDIA.COM

FEBRUARY 13, 2018 \$ 65.00

MissouriLawyers

WEEKLY

EXPERTLY FOCUSED. WIDELY ACCLAIMED. NATIONAL AND STATE NEWS, PHOTO AND DESIGN WINNER

## Rise in digital currency, blockchain provides new practice opportunities

BY JENNICA SHAWKES  
jshawkes@mojailawyersmedia.com

When St. Louis attorney Scott Sisk attended a local Bitcoin meetup event a few years ago, he found himself joining a small group.

"It was six software developers and me," he said.

In recent meetings, though, the same group has expanded to more than 100 participants — "people from all walks of life," he said.

That increase corresponds with surging interest in Bitcoin, a type of digital, highly decentralized currency that operates without a central bank, instead relying on encryption to generate and store currency and verify its transfers. A global network of computers records Bitcoin transactions in a digital ledger, or blockchain, in which transactions are organized into groups known as blocks.

In recent weeks, the value of Bitcoin has spiked, grabbing the attention of many

and with it, investors. A global network of computers records Bitcoin transactions in a digital ledger, or blockchain, in which transactions are organized into groups known as blocks.

In recent weeks, the value of Bitcoin has spiked, grabbing the attention of many

## Appeals court asked to curb investigation of jail recordings

By JENNICA SHAWKES  
jshawkes@mojailawyersmedia.com

An investigation to determine if recordings of inmates in a Kansas prison conforming with their attorneys violated their rights could hinge on a pending appeals court ruling.

The U.S. Department of Justice has asked the 10th U.S. Circuit Court of Appeals to end a special master's investigation of the U.S. Attorney's Office for the District of Kansas, which obtained video and audio recordings of attorneys' conversations with inmates at the Lawrenceville Detention Center.

In a Jan. 10 petition, DOJ attorney William A. Glaze said the investigation is "an impermissible intrusion upon the independence of the executive branch."

Although federal courts have authority to remedy constitutional violations in specific cases, the separation of powers prevents them from probing the internal workings of the executive branch," he said.

Attorneys for the inmates, as well as the Kansas Federal Public Defenders, say the investigation already has uncovered evidence of violations and should proceed.

The court has accepted briefs from both sides. There is no deadline for the court to reach a decision.

## Cooperation calls

At more an recordings discovered in 2016 during a separate criminal investigation to curb drug smuggling at the prison, which houses people awaiting trial in federal court in Kansas and Missouri. The U.S. Attorney's Office in Kansas charged 44 people, including inmates and prison staff, with drug and conspiracy charges.

During that case, the U.S. Attorney's Office said a separate in-house recordings investigation was ongoing with their attorneys.

## Western District finds no surprise in expert's testimony

By SCOTT LARCK  
slarck@mojailawyersmedia.com

A defendant's "surprise" witness wasn't much of a surprise at all, according to the Western District of Appeals/Potter District. The appeals court on Tuesday declined

to order a new trial for a man who suffered a stroke immediately after a chiropractor gave him a spinal adjustment. A City County jury in 2010 ruled with the defendant-chiropractor, Michael Walsh, and his practice, 3-Get Your Back Chiropractic in Kansas City.

An attorney for plaintiff Tim Berney argued on appeal that a key expert witness for the defense had offered opinions on the stand that he hadn't shared during his earlier deposition. The Western District, disagreed that a surprise occurred, ruling that the witness had merely elaborated on

things he'd said earlier — and that if the plaintiff's attorney had wanted more testimony, more precise questions should have been asked during the deposition.

Berney's attorney, David Thomas of

## INSIDE THIS WEEK'S EDITION

### Harassment and retaliation

Corrections officer wins \$9.1 million in case involving co-worker and supervisor.

Page 1

### Helicopter crash

Pilot nurse is worth \$100 million in what may be the largest ever U.S. pre-trial settlement for a single alleged plaintiff.

Page 7

[Attorney contact request](#)  
 To receive this e-mail you must be a subscriber to this publication.

Page: 1



*Missouri Lawyers Weekly* featured Capes Sokol and [the firm's new](#) Digital Currency and Blockchain Technology practice group on the cover of its Monday February 12<sup>th</sup> issue. The article, titled, "Rise in digital currency, blockchain provides new practice opportunities," highlights the origin of the firm's practice group and the promising future for legal work within the growing digital currency industry. Sanford J. Boxerman, Chair of the Digital Currency and Blockchain practice group and one of the firm's founders, and [Andrew W. Blackwell](#), Capes Sokol associate and member of the practice, were interviewed for the article.

### **An Excerpt from the Missouri Lawyers Weekly article:**

*In recent weeks, the value of Bitcoin has spiked, grabbing the attention of many in professions beyond the tech world. Seeing a natural area in which to expand its services, Boxerman's firm, Capes Sokol, launched a digital currency and blockchain technology practice in January. The practice is believed to be the first of its kind in St. Louis.*

To read the full article, please [visit the Missouri Lawyers Weekly website](#).



The choice of a lawyer is an important decision and should not be based solely upon advertisements.