

# Widely-respected labor law firm welcomes Howard with open arms

by Cynthia Price  
Legal News

There is unanimous excitement among members of the law firm Pinsky, Smith, Fayette, and Kennedy now that Sarah Riley Howard has joined them.

Says Katherine Smith Kennedy, "She's a perfect fit for our firm."

Michael Fayette says, "I'm delighted. Given her age and her reputation, I think Sarah will be a building block and pathway to the future for us here."

"If you look at her background and capabilities, it improves our reputation. She's quite a good lawyer," comments Rhett Pinsky.

And the feeling is mutual. "I'm really excited about this new challenge and the type of practice I'll be able to have here," Howard says.

Pinsky, Smith, Fayette, and Kennedy (PSFK) has carved out a niche in representing working individuals and labor organizations, earning a widespread reputation for success.

"The firm was based around plaintiffs, around workers, not around employers. That meant unions, and so it's based around that kind of a practice," explains Pinsky. "I occasionally represent companies, when they get involved in non-compete agreements, for example, and on rare occasion the employees I represent are at the management level, but you know, there are only so many presidents who get fired," he adds.

Pinsky does litigation to pursue individuals' claims, focusing on discrimination and wrongful discharge cases, while Fayette represents mostly labor unions, including class action suits. Kennedy litigates on behalf of and counsels employees on labor issues, and she specializes in Fair Labor Standards Act and Wage and Hour cases. Her father, Ned (Edward M.) Smith, represented unions in contract negotiations, as well as in grievance procedures.

It was Smith's December 1 retirement that opened the door for Howard to join the firm.

Kennedy comments about her dad, "I miss him so much after working with him for 20 years. I'm so excited he gets to hit this point in life but sad I don't get to see him and work with him every day."

PSFK's history more or less starts out in 1947. An attorney named Robert Kleiner, who was also involved with activism and the Democratic Party, started his own firm after graduating from law

school. In 1965 Ned Smith joined that firm, but in 1975 Smith left.

In the meantime, Rhett Pinsky was in practice with David Soet. Smith joined them in 1982, from which year the current firm dates its existence. Fayette joined in 1987 (the same year Robert Kleiner died), and David Soet left to become a Kent County Circuit Court Judge a year later.

Pinsky, a West Virginia native, says, "When I first came here I was with the firm that's now called Law Weathers for about six years. But I had a liberal bent — the Civil Rights Act of 1964 had recently been passed — and I wanted to do plaintiff's work, so I teamed up with David Soet."

Pinsky is well known for his success in two cases. In the first he sued Grand Rapids on behalf of minority applicants for the fire department, resulting in a settlement that included stated intention of the department to seek out African-Americans and Hispanics. "That's one of the cases I'm proudest of. One of the fellows I represented in that litigation ended up being the fire marshal, and that's an opportunity he would never have had."

In the other, "I was merely local counsel," he says, but the case had far-reaching consequences. Communities for Equity brought suit against several athletic associations to ensure that male and female sports seasons ran consecutively, which has been the case ever since.

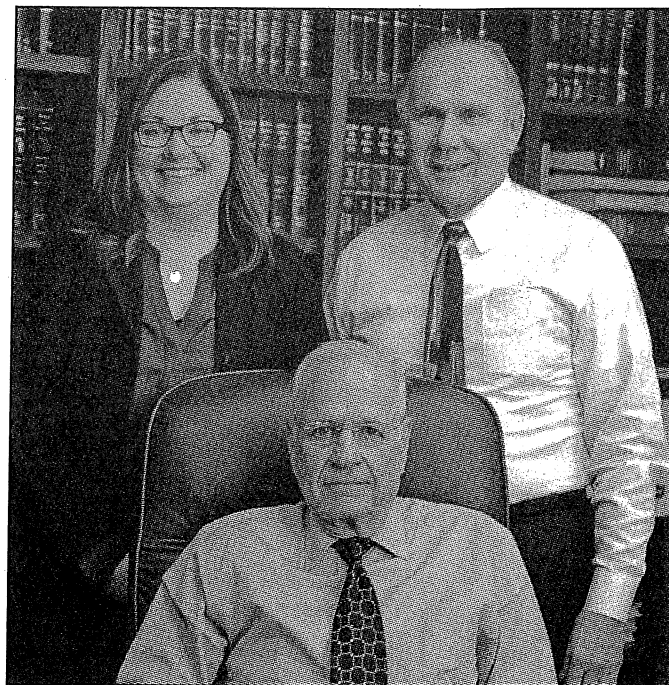
The pursuit of similar cases, with similar successes, by all of the firm's attorneys has contributed to its inclusion on many "best" lists, and Kennedy won the prestigious Respected Advocate Award in 2012.

Pinsky observes, "We all have a similar outlook, which over the years has been what really makes the firm go round."

Howard's outlook is likely to dovetail nicely. Her most recent adventure was as the Democratic candidate for the Michigan Senate in Ottawa County. Running against Arlan Meekhof, which no Democrat had done in the recent past, Howard did not prevail, but she says, "At least we put a dent, a small fender-bender size dent, in that race."

She outperformed the Democratic base voting in the 2014 election, earning support from Republicans and independents, and she actually won among City of Grand Haven residents. "I was happy with how we did but, you know, we're trying to change the conversation out there, and that takes time."

After an impressive undergraduate



LEGAL NEWS PHOTO BY CYNTHIA PRICE

Shown, left to right, are Sarah Riley Howard, H. Rhett Pinsky (seated) and Michael L. Fayette of the boutique law firm Pinsky, Smith, Fayette, and Kennedy. Katherine Smith Kennedy was in court and not available for the photo.

education at Western Michigan University, graduating *summa cum laude* with a B.A. in Public Policy, Economics and Marketing minor, Howard pursued her J.D. at the University of Michigan Law School, where she received the Carl Gussin Memorial Prize for student trial advocacy work. She followed that by clerking for U.S. District Court Judge Richard Alan Enslin in Kalamazoo, which is where she first ran into Pinsky.

The bulk of Howard's career prior to running for office was spent at Warner, Norcross and Judd, where she was made a partner in 2009. While there, she won the Rising Star designation, and in 2014 was both a Best Lawyer (as well as in 2013) and a Super Lawyer in litigation.

She built a viable practice in compliance service, including proactive review of and advice on company record-keeping to get a step ahead of what she calls "the enforcement issue du jour." She also had a small practice in criminal defense, including white collar crime.

Much of that will remain similar at PSFK. "I still have a very cooperative relationship with Warner, and I'll still be working with many of my friends and colleagues there," she says. "But the nice thing about a smaller firm is the increased

flexibility to work with small and mid-size businesses that may not be sizable enough for the really big firms. I'm really looking forward to that."

Howard will also litigate employment matters and other disputes at PSFK, and where she goes from there is somewhat open-ended.

"I'm just now getting used to someone who can help us so much with our heavy work load," Kennedy says. "We've been overwhelmed with the amount of work."

Howard is the president-elect of the Federal Bar Association for the Western District of Michigan, which is one of the places she first ran in to Kennedy, a former president. Howard has also been on the Grand Rapids Bar board of trustees, and chaired its Young Lawyer and Criminal Law sections. She also intends to remain on the executive committee of the Ottawa County Democratic Party, as well as chairing the Progressive Women's Alliance - Lakeshore this upcoming year.

"The plan is for me to work out of my home three days a week most weeks, which is great," says Howard, who lives with husband Kevin and two young daughters in Grand Haven.

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