



They must often change, who would be constant in happiness or wisdom ~Confucius

*New Year, New Changes*

Happy New Year to one and all! We hope that this year finds all of you with good health, happiness and success.

The word that would best describe the year 2010 for our firm is: CHANGE

In the last year, our firm has gone through quite a number of significant and exciting changes. In a nutshell, we reorganized our firm. In June 2010, Ms. Lange left the firm to pursue her own interests, which prompted Lundquist & Lange, LLC to change its name to Avanti Law, LLC. The firm decided to focus its practice areas on three specific fields: Business Law, Employment Law, and International Law. The firm also decided to create a niche in the legal market for businesses and specifically women-owned businesses throughout the Twin Cities and the state of Minnesota. We obtained our WBENC (Women Business Enterprise) certification in June, 2010. In the fall, the firm started to offer legal workshops and seminars for business owners and HR professionals in a variety of areas such as privacy and social media in the workplace and religious accommodations. Ms. Kristine Donatelle began working with the firm as an independent contractor attorney in July 2010; Felix Valanzasca has continued his collaboration with us as well. Kristine brings a strong background in products liability defense and through litigation and transactional law to the firm, while Felix brings unique expertise in Latin American law. In December 2010, we decided to officially change our name once more. We are now Attenza Law, LLC.

As we look forward to 2011, we envision that the word that we will use to describe Attenza Law, LLC is: PROGRESS.

We made many changes in 2010, and with those changes, we hope that we will progress and evolve into an even better law firm that will serve all of our clients' needs successfully.

**Passion for Law. Passion for Business.**



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Si parla italiano

Se habla español



## An Interview with Karen Lundquist

Many of you may be familiar with Karen Lundquist, the founder of Attenza Law. For those of you who do not know her, or for those who do but would like to know her better, here is your chance. We have asked her some questions about herself. Read on.

Q: Where are you from?

A: I was born and grew up in Edina.

Q: Where did you go to school?

A: I graduated from Edina High School in 1986 and then went to undergrad at Mt. Holyoke College in South Hadley, MA. I graduated in 1990 with a double major in Italian and Latin.

Q: What did you want to be when you grew up?

A: Not an attorney! That never even entered my mind until 2000. When I was younger, I wanted to run a restaurant (I loved and still love to cook and bake).

Q: What was your very first job?

A: I worked at JoAnn Fabrics as a sales associate. I think I had just turned 15 when they hired me. I used to sew a lot and even won some ribbons for my sewing projects, including a Sweepstakes ribbon at the MN State Fair when I was in high school.

*Without continual growth and progress, such words as improvement, achievement and success have no meaning. ~Benjamin Franklin*

### Lunchtime Legal Workshops

As part of our effort to educate our clients, partners and colleagues about the law, Attenza Law and HRTechies are organizing a series of lunchtime legal workshop this winter. The series is

#### **TATTOOS, TURBANS AND TWITTER: UNDERSTANDING HR AND LEGAL ISSUES IN THE MODERN WORKPLACE**

The seminar on January 11, 2011 is free, while the other seminars are \$35.00 each, or \$120 for the series of 4 workshops. To RSVP call 952-921-8322 or 612-414-4537 or at <http://lunchtimeworkshops.eventbrite.com> Space is limited to 24 attendees.

**January 11, 2011:** Religion in the Workplace

**February 1, 2011:** Hiring Employees

**March 1, 2011:** Language, Culture and Diversity

**April 5, 2011:** Employee Privacy and Monitoring

**May 3, 2011:** Defensive writing, documentation and performance evaluations

11:30am – 12:45pm  
Conference Room - Lower Level  
8500 Normandale Lake Blvd.  
Bloomington, MN 55437

Q: Apart from English, you speak both Italian and Spanish. How and why did you learn these languages?

A: I lived in Rome for 12 years. I was there for 11 years from 1990 till 2001 and also spent my junior year aboard in Rome studying at the University of Rome. I learned Italian because I fell in love with Rome and Italy when I went there for the first time during high school. I started studying Spanish when I returned to Minneapolis in 2001 and have spent nearly a year between living in Guanajuato, Mexico and Santiago, Chile. While in Chile, I was doing a research project on the Chilean criminal justice system with a Chilean NGO, FORJA.

Q: Why did you choose to go to law school?

A: I first decided to leave Rome in November 2000 and then was faced with the question of “what will I do in the United States?” I had never worked here except for summer jobs, had a degree in Latin and Italian, teaching experience but no education degree and no idea of what to do. The last two years in Rome, I was teaching English as a private law school, LUISS University. I saw that I liked law as I did research for class work and for exams. I knew that I wanted to do something more challenging and law school seemed to fit that.

Q: If you had not gone into law, what would you have done instead?

A: Stayed in Rome and continued teaching English.

Q: What is on your iPod right now?

A: Ricardo Arjona, a fabulous Guatemalan singer/songwriter whom I just discovered

Q: What is the last good book you read?

A: I am in the middle of reading “A New Deal for the World: America’s Vision for Human Rights” after seeing the author, Elizabeth Borgwardt, at a History Forum at the MN History Center last month. Very interesting and relevant to today’s political situation. That didn’t answer what was the last good book I read...the last really good book that I read was Inés del Alma Mia by Isabel Allende.

Q: What is your favorite food?

A: Pizza, but it has to be really good Italian pizza. Punch is the only place in the Cities where I will eat pizza. 12 years in Italy made me a food snob. I can be very picky, especially when it comes to Italian food.

Q: How would you describe yourself in 3 words?

A: Impatient, Motivated, Disciplined



## Religion in the Workplace

Religion and religious diversity can be very sensitive subjects to many people in a general setting, but what happens when these subjects enter the workplace? What happens when an employee brings a claim for religious discrimination? What must an employer do to accommodate an employee's religious practices and beliefs?

Most people have heard of the 1st Amendment of the Bill of Rights. This says that, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..." Most people also believe that everyone has these First Amendment rights in their employment. However, this is a common error because, although the First Amendment does guarantee free speech and the right to freedom of religion, it only applies to public employers and employees, such as those working for public schools and other government agencies and organizations. Therefore, it is necessary for employers and employees who work for private employers to seek other avenues to bring a claim for religious discrimination.

Title VII of the Civil Rights Act of 1964 applies to employers who have fifteen or more employees, including government employees, employment agencies, and labor organizations. This law bans religious discrimination in the workplace against employees or applicants for employment. Employers are prohibited from refusing to hire or to fire an employee or discriminate against an employee based upon the individual's religion. An employer must also try to reasonably accommodate an employee's religious practices without undue hardship on the business.

The Minnesota Human Rights Act, or MHRA, applies to employers who have one or more employees including government employees, employment agencies, and labor organizations. This act forbids employers from discriminating against employees in their hiring or firing practices, and in compensation and benefits based upon the employee's religion. Minnesota courts have said that employers must accommodate an employee's religious observances or practices.

For an employee to establish a prima facie case, that individual must prove three things: First, he or she had a bona fide religious belief, the practice of which conflicted with an employment duty. This means that the employee must show that the belief is sincere and genuine. The employee also has to show that the beliefs created a conflict between what the employer's practice or policy is in the workplace. Second, he or she informed the employer of the belief and conflict. Finally, the employee must be penalized in some way because of the conflict, such as termination. Once the employee proves these elements, then the burden shifts to the employer to show that the employer made good faith efforts to reasonably accommodate the employee and his or her religious beliefs or practices, or that it could not reasonably accommodate the employee without undue hardship.

The most common examples of accommodations that are requested are headscarves, skirts, piercings, tattoos, hair styles such as no beards, facial hair, holidays off, and prayer breaks. Courts have taken different views on these accommodations. To learn more about this interesting topic, please attend the Religion in the Workplace workshop on January 11, 2011. To RSVP, please visit our website <http://lunchtimeworkshops.eventbrite.com/> or call 952-921-8322 or 612-414-4537.



Attenza is a play on words, from the Italian word *attenzione* which means attention.

For us, it means paying attention to our clients' needs, to the trends in the legal industry, and bringing attention to the services of our firm: in marketing and in our practice.

Who is our ideal client?

- Italian company
- Manufacturer of goods
- With a presence in the United States (subsidiary, distributor, representative or exporting) or interested in expanding to US market

**Do you fit that profile? If so, give us a call and find out how we can work together.**

**And if you don't fit the profile but are a growing Minnesota business and have or think you might have employment or business law issues, give us a call too.**

**Disclaimer:** This newsletter might very well constitute legal advice. However, that does not mean that you should rely on it without consulting an attorney, whether us or another one, about your specific situation. That the newsletter is legal advice doesn't mean that an attorney-client relationship exists without a agreement signed by you and Attenza Law.

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# Upcoming Projects



## International Law Products Liability Seminar

When: February 17, 2011

Where: Bologna, Italy

Karen Lundquist will be flying to Bologna, Italy to speak on the topic of products liability in the United States. The seminar is organized by LexMeeting, an Italian firm owned and operated by Antonio Zama, who also practices at LGA Legal. More information can be found at [www.lexmeeting.it](http://www.lexmeeting.it).

## Attenza Training

Do you own your own business?  
Are you in charge of HR?  
Do you have legal issues that are related to employment?

If you answered **YES** to any of these questions, then Attenza Training is right for you.

Attenza Training can help make sense of it all in our legal workshops where we will answer the most challenging legal questions facing employers in the modern workplace such as:

- Do I have to accommodate requests for religious holidays and prayer breaks?
- Can I make my employees take a drug test?
- Can I fire an employee for making inappropriate comments on his Facebook page?

For more information about this and other trainings, please visit [attenzalaw.com/trainings](http://attenzalaw.com/trainings) or call 952-921-8322

## Attenza Training: Legal Boot Camp

Do you work for a trade or vocational school? Do you have students who want to be self-employed but don't know what to do?

Our Legal Boot Camp can complement the education your school has provided and prepare your students with the legal basic of operating a business.

Legal Boot Camp is held at your school and covers:

- Business entity formation
- Commercial leases
- Employment law
- Intellectual Property

It is available as a comprehensive overview or a mix-and-match series.

For more information about this and other trainings, please visit [attenzalaw.com/trainings](http://attenzalaw.com/trainings) or call 952-921-8322.



Attenza Law, LLC  
8400 Normandale Lake Boulevard  
Suite 920  
Bloomington, MN 55437

Recipient Name  
Address  
City, State, Zip Code