

## You Get to Control Your Own Destiny

In 1998, when Mathew B. Tully returned home from Iraq, where he was deployed for duty as a member of the National Guard, he expected to resume his old job as if he had never left, in accordance with USERRA, the Uniformed Services Employment and Re-employment Rights Act of 1994.

Certainly his boss at the New York office of the U.S. Department of Justice, which employed him as a corrections officer, would be familiar with a federal law assuring a veteran's job status. In a subsequent National Guard deployment to Iraq in 2005, he suffered a noncombat injury resulting in tinnitus, a long-term hearing impairment.

"At first, I didn't get my job back. But then I pushed and got it," said Tully, co-founder of the Albany-based firm of Tully Rinckey. "But whenever it snowed, they had me work outside.

Whenever it rained, I worked outside. I caught all the bad shifts."

Tully took action by enrolling in night courses at Brooklyn Law School.

"You feel empowered when you go to law school," said Tully, 36.

Upon graduation from Brooklyn Law in 2002, Tully filed suit against the Justice Department for violating USERRA, settling for an undisclosed amount that retired his tuition debt.

The year before he was working as a paralegal at Morgan Stanley at the World Trade Center. By chance, he was on an errand to Foley Square on the morning of Sept. 11 and was therefore spared death on the 65th floor.

Tully and his fiance decided they would move out of the city as soon as possible. In due time, they bought a ski condo in upstate Greene County, south of Albany.

One weekend in 2004, a pal from the city by the name of Greg T. Rinckey came to visit. Rinckey and Tully first met in 1991 as undergraduates at Hofstra University, where they were both members of the Reserve Officer Training Corps.

Like his partner, Rinckey entered the military, serving as an attorney in the Army Judge Advocate General's Corps. He, too, would return home as a disabled veteran, the result of a training mishap that limits the use of one of his arms.

Tully Rinckey was born that weekend, with the founding partners hashing out arrangements in the back bedroom of the ski condo. To be sure, the firm's practice areas include civil litigation, military law and federal employment law.

"Our first couple of cases, we hit huge," said Tully, who reports annual fees now ranging from \$10 million to \$15 million.

Tully Rinckey's roster of lawyers now numbers 30, with offices in Albany and Washington, D.C., and expanded areas of practice in matrimonial and family law and criminal defense.

Later this year, Tully Rinckey will have a presence in Manhattan thanks to association with Sonnenschein Nath & Rosenthal. Sonnenschein sought out the Albany firm as a qualified

candidate for assistance to businesses operated by disabled veterans under the Troubled Asset Relief Program.

"One of the perks of having your own firm is that you get to control your destiny," said Tully. "I don't like being controlled by other people."

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