

BUSINESS GROUPS

- Business & Civil Litigation
- Commercial Finance
- Corporate
- Employment
- Environmental
- Franchise & Distribution
- Health Care
- Intellectual Property
- Mergers & Acquisitions
- Real Estate
- Tax Planning

CONSUMER GROUPS

- Family Law
- Personal Injury
- Trusts & Estate Planning

818.990.2120

www.lewitthackman.com

16633 Ventura Boulevard
Eleventh Floor
Encino, California 91436

Employer Defense 2015: Sue M. Bendavid, Nicole Kamm and Hannah Sweiss will present our annual seminar regarding new State and Federal employment laws. We have presentations scheduled for January 22nd and 29th (both sessions are now full); and have added an additional session on February 4th. A light breakfast will be served, and attendees may earn MCLE or CPE credit. Contact Chris Podbielski to RSVP: 818.907.3271; cpodbielski@lewitthackman.com.

JANUARY 2015

Recent Professional & Community Accomplishments

Kevin E. Rex served as special counsel to work with a Missouri attorney in negotiating and revising documents in connection with the sale of our client's business. In another matter, Kevin worked with a client in the preparation of a letter of intent, to purchase a multi-million dollar company.

Stephen T. Holzer and **David Gurnick** represented a corporate executive accused of violating a noncompetition agreement. Steve and David took the initiative, bringing suit against the company, alleging the noncompetition agreement as applied in this particular case, violated California law. Steve and David helped the executive obtain assistance from an insurance company for defense of the company's counterclaim. The parties entered into a settlement agreement and all claims were dismissed, with the client now working in a similar capacity for another company.

Nicole Kamm resolved a long-running, multi-plaintiff lawsuit in which the plaintiffs conspired to lodge a series of wage and hour, wrongful termination, retaliation and battery claims, including this lawsuit, multiple workers' compensation claims, and multiple claims lodged with the Labor Commissioner.

Barry Kurtz and **David Gurnick** (both Certified Specialists in Franchise and Distribution Law) and **Samuel C. Wolf** represented a client who was accused by the State of California of selling unlawful franchises. Barry, David and Sam negotiated a settlement with the State in which the client will be permitted to register as a franchisor and offer and sell franchises under procedures administered by the California Department of Business Oversight.

Kira S. Masteller is putting a residential property through probate for a client whose parents died over 15 years ago, intestate. Kira has filed separate probates for both the mother and father, arranged for creditors to be paid and the property to be sold, and the proceeds to be distributed to the surviving child.

Tal Grinblat, Chair of the Franchise Law Committee of the Business Law Section of the State Bar of California and Certified Specialist in Franchise and Distribution Law, organized and met with Department of Business Oversight (DBO) members to discuss new franchise legislation proposed by the Committee. Tal chaired the meeting which was held in the DBO's office in San Francisco.



Barry Kurtz, Chair of the Franchise and Distribution Practice Group, successfully prepared the necessary documents and filed a complex master franchise program and obtained a registration order from the State of California for an Italian handcrafted gelato franchise concept in less than 30 days.

Kira S. Masteller is preparing a Buy Sell Agreement for partners in a service business who are preparing for the transition of retirement and bringing in the next generation of equity partners.

Kevin E. Rex represented a landlord in resolving disputes with various tenants regarding common area maintenance charges.

Sue M. Bendavid, Chair of our Employment Practice Group, successfully resolved a complex Private Attorneys General Act matter for wage and hour violations and wrongful termination.

Barry Kurtz and **Bryan H. Clements** filed initial franchise registration applications and obtained registration orders in multiple registration states for a unique road paving franchise concept. Bryan also completed the renewal of a large national floral franchisor's franchise registrations.

Michelle S. Robins, a Certified Specialist in Family Law, obtained an early marital termination date for a client. Early terminations usually go against the general time rules in family law matters but in this case, one was obtained to provide our client with significant tax savings.

Bryan H. Clements has been working with **Kevin E. Rex** and **Michael Hackman** (Certified Specialist in Tax Law and Chair of our Tax Planning Practice Group) on the corporate reorganization of a Mexican food franchisor's business structure to allow the Franchisor to recognize significant tax benefits.

Kira S. Masteller is completing estate tax planning for a family in which one spouse passed away and the assets are being divided between an Exemption Survivor's Trust to allow a discount on divided assets, achieving a lower estate value.

Barry T. Harlan, a Certified Specialist in Family Law and Chair of our Family Law Practice Group, convinced a Court to dismiss a claim against our client for a substantial debt in a contentious divorce matter. In a separate matter, Barry defeated a motion filed by an opposing party to set aside orders previously issued by the Court.

Andrew L. Shapiro, Chair of our Personal Injury Practice Group, and **David B. Bobrosky** successfully resolved a personal injury matter for a client who was struck by a slow-moving vehicle when the driver failed to see a pedestrian crossing when he backed out of a driveway. The accident resulted in moderate but life-changing injuries for our client.

Samuel C. Wolf and **David Gurnick**, representing a respected medical doctor who is a partner in a clinic, defeated a motion brought by the other partner, seeking to exclude our client from the medical practice. Sam and David's briefing helped persuade the Superior Court judge that there was no basis to grant relief requested by the other party.

Tal Grinblat worked with a post-production company to negotiate a co-existence agreement with another trademark owner whose registration was blocking the client's application. The parties realized that while the marks were similar, they functioned in different fields, thereby enabling both to co-exist with one another. In another matter, Tal Grinblat coordinated with local counsel in Mexico to file a petition to invalidate a Fortune 500 company's trademark registration that was blocking the client's registration in Mexico. Filing the petition required obtaining apostilled certifications from the Delaware, Arizona and U.S. Secretaries of States.

Nicole Kamm became a Shareholder in our Employment Practice Group, and **Tal Burnovski Yeyni** joined the group as an Associate. Our employment attorneys exclusively represent employers in wage and hour, harassment, discrimination and other claims.

PUBLICATIONS & MEDIA MENTIONS

CNBC

How to Steer Clear of Franchise Financial Disasters
quoted: David Gurnick

Valley Lawyer - San Fernando Valley Bar Association

Breastfeeding in the Workplace: A Mother's Rights, an Employer's Responsibilities
co-authored by Nicole Kamm

The Wall Street Journal

Best Lawyers in America 2015
Barry T. Harlan (Family Law) and David Gurnick (Franchise Law) chosen

Orange County Lawyer - Orange County Bar Association

Comparing Franchise Relationships and Beer Distribution Relationships
by Barry Kurtz & Bryan H. Clements

Los Angeles Business Journal

Is Franchising the Right Model for Your Business?
by Barry Kurtz

The Franchise Lawyer - ABA Forum Committee on Franchising

Finding Value: The Roles of Accountants in Franchising
by Tal Grinblat & David Gurnick

Valley Lawyer - San Fernando Valley Bar Association

Exciting Times for SFVBA New Lawyers Section
featured: Hannah Sweiss

Los Angeles Business Journal

Solo Shops Buy Into Franchises
quoted: Barry Kurtz

SouthernCaliforniaHomes.com

Expert Advice on Buying a Foreclosed Home
quoted: Nicholas Kanter

The Wall Street Journal

Top Ranked Law Firms in California
Lewitt Hackman designated