

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

Employment Law Update 2017: Sue M. Bendavid and Nicole Kamm will update employers regarding the latest changes to local, state and federal employment law on January 19 and January 26. We will provide parking, a light breakfast and MCLE or CPE continuing education credits. Contact Chris Podbielski for information and to RSVP: cpodbielski@lewitthackman.com.

DECEMBER 2016

Recent Professional & Community Accomplishments

Congratulations to **Barry T. Harlan** (Certified Specialist in Family Law) and **David Gurnick** (Certified Specialist in Franchise and Distribution Law) -- each named in **Los Angeles' Best Lawyers Magazine** for 2017. Barry and David have been selected for this award each year since 2012.

Barry Kurtz, Tal Grinblat and **David Gurnick** completed the experience, education and participation requirements to become **Certified Franchise Executives** under the auspices of the International Franchise Association (all three are already State Bar of California Certified Specialists). This distinction will be conferred on Barry, Tal and David at a ceremony at the International Franchise Association's annual convention in January, 2017.

Nicole Kamm and **Tal Burnovski Yeyni** negotiated a favorable settlement for our family restaurant client whose former employee alleged unlawful termination and sex harassment. Because they obtained numerous declarations from other employees refuting the claims, Nicole and Tal were able to convince opposing counsel to advise his client to provide a full release of any present and future claims in exchange for a fraction of the demand.

Paul C. Bauducco brought a successful motion for an award of attorney's fees and costs in favor of the Firm's client after successfully petitioning to clear the client's property of a wrongfully recorded mechanic's lien.

Kira S. Masteller represented the children of a Decedent who was unduly influenced into signing a death bed Will written by the son of a girlfriend within the last hour of his life. Kira, with help from **Stephen T. Holzer, Kyla A. Parrino** and Paralegal **Gina Aubry** presented evidence to the Court that Decedent was unduly influenced and did not have the capacity to make a Will in the last hour of his life. The estate will be distributed pursuant to a Will the Decedent wrote when he had capacity, for the benefit of his children.

John B. Marshall and **Paul C. Bauducco** defended a restaurant client in an alleged Americans With Disabilities Act violation. After negotiation, the customer agreed to settle for a nuisance sum, and our client did not incur significant damages or fees.

Sue M. Bendavid and **Nicholas Kanter** obtained the early dismissal of two clients from a lawsuit based on lack of personal jurisdiction. A plaintiff sued an individual and entity from Connecticut. In response, Sue and Nick filed a motion to dismiss. The motion demonstrated that our clients did not have contact with California sufficient for the court to exercise personal jurisdiction. The court agreed and granted Sue and Nick's motion.

Keith T. Zimmet recently represented a nationally known celebrity in the purchase of a personal residence. The almost \$13 Million transaction had numerous issues relating to zoning and easements.



Keith T. Zimmet represented a private equity fund in making a major investment in an industrial company. The commercial transaction involved the issuance of debt, new securities, and a complicated Shareholders Agreement.

Nicole Kamm, David Gurnick and **Amy I. Huberman** convinced opposing counsel to dismiss our franchisor client from a claim in which a former employee of a franchisee alleged retaliation, wrongful termination, and negligent hiring and supervision, among other claims. The former employee was attempting to sue the franchisor as a joint employer.

Kira S. Masteller is working with a couple who each have children from prior marriages as well as children from their current marriage. By utilizing life insurance and life insurance trusts, Kira is protecting assets by keeping them out of either spouse's taxable estate. Their residence, investments and retirement assets will continue to benefit the surviving spouse when the other passes, avoiding much family contention in a tax-positive manner.

Samuel C. Wolf and **David Gurnick** served as local counsel in Superior Court for an organization of franchisees of a national brand in a claim concerning terms of renewal of their franchise agreements. The franchisor then engaged in negotiation of terms with the franchisees which resulted in voluntary dismissal of the litigation.

Sue M. Bendavid and **Amy I. Huberman** represent a client that was accused of retaliating against an employee and violating meal and rest break and other wage and hour rules. The employee's attorney sent a letter threatening to sue the client for a variety of claims. After only a few weeks and after pointing out the employee's own documented performance problems, Sue and Amy were able to convince the employee's attorney to refrain from filing suit and to release all claims.

David B. Bobrosky of our Personal Injury Practice Group obtained a six figure settlement for a client who suffered ankle injuries when she fell on uneven pavement. Our client was attending an event on a third party's commercial premises. David took on the property owner, the company leasing the property, and the event host to obtain full restitution and future medical needs of our client.

David Gurnick addressed an audience of 800 lawyers on judicial developments over the past year at the annual American Bar Association *Forum on Franchising*. **Barry Kurtz, Tal Grinblat, Gabriel A. Wintner** and **Samuel C. Wolf** attended the program. David also co-authored a text summarizing several hundred court decisions in franchise, distribution and licensing over the past year. The text, entitled *Annual Franchise and Distribution Law Developments 2016* was provided to each attendee and is offered for sale by the American Bar Association on its website.

Veronica R. Woods, Hannah Sweiss and **Tal Burnovski Yeyni** will participate in the San Fernando Valley Bar Association's annual *MCLE Marathon*, an event designed to help bar members acquire needed continuing education credits. The seminars are also open to non-members of the Bar for a fee (full schedule and pricing for the event is posted in the online edition of *Valley Lawyer* magazine, page three). Veronica will present **Common Misconceptions: Marriage, Divorce and Cohabitation**; Hannah and Tal will follow up with **Employment Law Update**. Both are slated for the afternoon of January 13th.

PUBLICATIONS & MEDIA MENTIONS

Valley Lawyer

(San Fernando Valley Bar Association)
Reducing Court Congestion: Rules of Civil Procedure
Amy I. Huberman, author

Extra TV

Will Brad Pitt be Prosecuted for Private Jet Incident?
Lynn Soodik interview

Forum on Franchising

(American Bar Association)
Annual Franchise and Distribution Law Developments 2016 (book)
David Gurnick, co-author

Valley Lawyer

(San Fernando Valley Bar Association)
The SFVBA President's Circle: A Firm Foundation
Keith T. Zimmet, quoted

Valley Lawyer

(San Fernando Valley Bar Association)
How to Lead Your Clients to Purchase a Franchise
Barry Kurtz, author

BuzzFeed News

Brad Pitt and Angelina Jolie to Divvy Up Vast Estate During Divorce
Lynn Soodik quoted

Valley Lawyer

(San Fernando Valley Bar Association)
Taking a Different Path: Meet SFVBA's New President
Kira S. Masteller, featured

Super Lawyers

2016 Top Women Lawyers in Southern California
Sue M. Bendavid (Employment)
Kira S. Masteller (Estate & Probate)
Lynn Soodik (Family Law)
Nicole Kamm (*Up and Coming 50 Women*, Employment)
Vanessa Soto Nellis (*Up and Coming 50 Women*, Family Law)

SFV Business Journal

2013 Valley's Most Trusted Advisors
Barry T. Harlan, selected

The Franchise Lawyer

(ABA Forum Committee on Franchising)
The Franchise System's Role in Combatting Terrorism
David Gurnick, author

Best Lawyers Business Edition

2016 Best Lawyers, Family Law
Barry T. Harlan, selected