

May, 2012

Firm Seminars:

Lewitt Hackman presents complimentary seminars in our Board Room for clients and friends on a variety of legal topics. The Chair of our Employment Practice Group, **Sue M. Bendavid**, and **Nicole Kamm** will present our next seminar: **Employer Defense: Preventing Employee Wage & Hour Claims and Litigation**, at 8 a.m., on Thursday, May 10th. A light breakfast will be served, and attorneys may earn one hour of MCLE credit. RSVP to Chris Podbielski: 818.907.3271, or cpodbielski@lewitthackman.com.

Recent Professional & Community Accomplishments:

- **John B. Marshall**, Chair of our Real Estate Practice Group, together with corporate **Paralegal Lisa Whiting**, assisted a well-known public company client in successfully completing a \$35 Million bank revolving credit facility. The complex transaction involved multiple types of collateral including receivables, inventory, patents, trademarks, copyrights, and stock of subsidiaries – as well as a number of domestic and foreign subsidiaries. **Tal Grinblat** assisted with issues involving trademarks and copyrights.
- **David Gurnick** was engaged as a franchise law expert in a case concerning gasoline station franchises. David provided an opinion on issues in the case, which was used in a summary judgment motion. Within one week after submission of briefs including David's opinion, the client's settlement demand was accepted by the other side.
- **Sue M. Bendavid** and **David Gurnick** persuaded another state to rescind a \$72,000 penalty on our California-based client. The state's Department of Labor ruled that our client's independent contractor was really an employee, and imposed the fine for not having workers compensation insurance there. Working with out-of-state counsel, Sue and David showed that the other state had no jurisdiction over our client.
- **Kevin E. Rex** represented a majority shareholder in structuring a buy-out of a minority shareholder's interest in a corporation. Kevin, with help from **Robert A. Hull**, prepared a purchase agreement in connection with the buy-out, along with a separation agreement/release of the minority shareholder's employment with the corporation.
- **Stephan Mihalovits** secured valuable location permits in downtown San Francisco for a food truck company. Stephan advocated for the client at contentious public hearings, where local restaurants and property managers opposed a food truck in the financial district. After several months and rounds of correspondence, Stephan persuaded the city to award the permits.
- **Tal Grinblat** assisted a music industry client in negotiating a buy-out of another company's trademark in Australia. The purchased trademark was cited against the client's own trademark application. With the buy-out, the client could move forward with its business plans in Australia.
- **Michelle S. Robins**, **Lynn Soodik** and **Elizabeth A. Erickson** of our Family Law Practice Group successfully defended a client in a restraining order hearing that would have kept a father from his son, after the mother made false allegations of abuse.



- **Kira S. Masteller** is working with a family with significant real estate holdings to pass the maximum exempt lifetime gift amount available in 2012 (\$5,120,000 per person) to trusts for adult children. Because they are only portions of the investment properties, the gifts will receive a minority discount for valuation purposes, which gets more property into the children's trusts and lowers the parents' estate tax exposure.
- A dissolution of marriage matter, in process since 2008, was resolved by **Barry T. Harlan** and **Vanessa Soto Nellis** two weeks prior to trial, preserving our client's significant separate property claims. Barry worked with a retired judge in mediation for three days to once and for all complete the matter.
- **Sue M. Bendavid** convinced opposing counsel to drop a potential class action involving claims that a Firm client failed to pay overtime and provide meal and rest breaks to all employees. Sue showed that the employees were exempt from overtime and that no meal/rest period penalties could be awarded. In another matter, Sue persuaded the Labor Commissioner's office to summarily dismiss a claim for overtime after demonstrating the employee could not sustain his burden of proof on his overtime claims.
- **Kevin E. Rex** represented a landlord in connection with the assignment and subleasing of various spaces which the landlord owned. In another matter, Kevin prepared an employment agreement for an executive of a client as well as an independent contractor agreement for the client's marketing company.
- **David Gurnick** wrote cease and desist letters for two clients. In one matter, a company published false statements about using a client's facilities for product testing. The company published a retraction and public apology. In the other matter, the recipient improperly used the client's trademark on an Internet website. The company removed the page from their website and also apologized to the firm's client.
- **Nicole Kamm** and **Sue M. Bendavid** stopped a potentially expensive and drawn-out litigation matter for a client whose employee made claims of wrongful termination in violation of public policy. The employee had a long history of suing former employers, and Nicole and Sue persuaded the worker to accept a mere fraction of the initial claim in lieu of proceeding with the matter further.
- **Stephan Mihalovits** and **David Gurnick** opposed a motion by a large insurance company, seeking publication of a judicial decision that would have been adverse to a client of the firm. The court sided with Stephan and David, declining to publish its opinion in the matter.
- **Kira S. Masteller** is representing a Trustee to defend the final wishes of the deceased Trustor and to prepare a Post Death Trust Accounting in a Petition which alleges the Trustee breached his fiduciary duty to the beneficiaries.
- **Michelle S. Robins**, a Shareholder in our Family Law Practice Group, co-presented a self-defense program for attorneys. The program was conducted with other members of the San Fernando Valley Bar Association.
- **Stephen T. Holzer**, Chair of the Los Angeles County Bar Association's Lawyer Referral and Information Service Attorney Advisory Committee, will receive the *Outstanding Committee Service Award* at the Association's June 14th Installation Gala.
- **David Gurnick** was appointed to serve on the Board of Trustees of the Los Angeles County Bar Association.
- Congratulations to **Nicholas Kanter** and his wife **Ashley**, who gave birth to their first child Elle on April 12th. Both parents and baby are all doing well.