

## 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](http://www.lewitthackman.com)

16633 Ventura Boulevard

Eleventh Floor

Encino, California 91436

**Tax, Trusts and Estate Planning:** Michael Hackman and Kira S. Masteller will present their annual estate planning seminar on Wednesday, May 11th. The presentation will take place in our Boardroom and is complimentary for clients and friends. Attorneys and accountants may earn continuing education credits, and a light breakfast will be provided. To RSVP for either session, contact Chris Podbielski: [cpodbielski@lewitthackman.com](mailto:cpodbielski@lewitthackman.com).

---

### MARCH 2016

#### *Recent Professional & Community Accomplishments*

---

Congratulations to **Barry T. Harlan** (Certified Specialist in Family Law), designated one of the **Top 100 Super Lawyers in Southern California** for 2016. Barry has been named to the *Top 100* each year since 2013; and has been designated a *Southern California Super Lawyer* in Family Law annually since 2004. He is joined in the *Super Lawyer* ranks this year by **Michael Hackman** (Certified Specialist in Tax Law); **Andrew L. Shapiro** and **David Bobrosky** (Personal Injury); **Paul C. Bauducco** (Business Litigation); **Sue M. Bendavid** (Employment); **Barry Kurtz**, **David Gurnick** and **Tal Grinblat** (all Certified Specialists in Franchise & Distribution Law); **Stephen T. Holzer** (Environmental Law); **Kira S. Masteller** (Trusts & Estate Planning); and **Michelle S. Robins** and **Lynn Soodik** (both Certified Specialists in Family Law).

**Kira S. Masteller** is representing an individual in a contested Conservatorship matter where the initial appointed conservator is not acting in the best interests of the Conservatee parent and we have petitioned to have our client appointed to act.

**Barry Kurtz**, **Nicole Kamm** and **Hannah Sweiss** are working with a pizza franchisee with over 500 employees on reducing liability risks pertaining to hiring and firing, pay practices and other employment matters. This is especially important for both franchisors and franchisees as well as companies hiring temporary staff through an agency, given both the National Labor Relations Board and Department of Labor's intense focus on joint employer liability over the past year.

**Sue M. Bendavid** and **Nicholas Kanter** won an outstanding jury verdict on behalf of a company who sued a former vice president/employee for embezzlement, conversion, interference, breach of fiduciary duty, defamation and unjust enrichment. The former employee countersued for breach of implied contract, age discrimination, and wrongful termination among other claims, seeking a seven figure damages award. The jury returned a unanimous verdict in favor of our client for a high six figure amount, and denied the former VP/employee all relief requested against our client.

**Tal Grinblat**, as Co-Chair of the Franchise Law Committee, wrote an Affirmative Legislative Proposal (ALP) to enable franchisors wishing to test California markets to exhibit at trade shows without first registering as franchises. The ALP was approved by the Trustees of the California Bar and was introduced as a bill (AB 1782) in Sacramento by Assembly Judiciary Committee Member Brian Maienschein.

**Keith T. Zimmet** negotiated the acquisition by our client of a nationally known apparel company. The multi-state transaction involved a large equity owner acquiring all the issued and outstanding equity interests of the company. The complex transaction included numerous issues relating to intellectual property, real estate, manufacturing equipment, employment issues, factoring, and licensing.



**Tal Grinblat** has been recognized as a **U.S. Legal Eagle** by *Franchise Times Magazine* for the third, consecutive year.

*Legal Eagles* are nominated by the attorney's clients and peers as the best in the industry.

**Nicole Kamm** quashed several claims made by the former employee of a client. The employee claimed he was sexually harassed by a supervisor and terminated for complaining about the alleged harassment. An investigation revealed the former employee was the instigator, and engaged in other serious misconduct, including inappropriate workplace communications with a coworker. Nicole prepared a detailed position statement to opposing counsel advising them of the reasons the claims should not be pursued, and has not received any further response from the former employee or his counsel.

**Barry Kurtz** and **Tal Grinblat** represented a restaurant client in preparing a Letter of Intent for a prospective franchisee in the Middle East. The Letter of Intent would grant the franchisee rights to develop the client's restaurants in specified countries, including Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. In a separate matter, Barry prepared a Letter of Intent for a children's gymnasium client to expand into Malaysia.

**Tal Grinblat** and **Amy Huberman** represented a furniture manufacturer in sending cease and desist letters to infringers of its trade dress. Separately, Tal and Paralegal Marianne Toghia assisted a golf industry client in sending cease and desist letters to infringers of its proprietary and trademarked tagline.

**Nicole Kamm** resolved potential quid pro quo harassment and retaliation claims by the former employee of a client terminated for failure to perform. The employee claimed she was terminated because she complained about advances by a supervisor. Nicole settled the matter for four figures avoiding the need for costly and time consuming litigation.

**Kevin E. Rex** worked with a Colorado attorney in negotiating a multi-million dollar redemption of a stockholder's interest in a company.

**John B. Marshall** presented a seminar on "Laws Affecting Public Healthcare Districts" to the Board of Directors and senior management of Antelope Valley Healthcare District. John is General Counsel to several California Local Health Care Districts.

**Barry Kurtz** and **Samuel C. Wolf** negotiated selected rights to develop a chain of fast-casual restaurants for multi-unit franchisees in Arizona. Barry and Sam worked out favorable restrictions on royalty obligations and additional contractual protections which will remain in effect for the next decade.

**Kira S. Masteller** prepared numerous Separate Property Revocable Trusts for clients who did not utilize prenuptial agreements, but now want to protect their separate property in a trust that will be distributed differently than their married trust will be distributed.

**Vanessa Soto Nellis** (Certified Specialist in Family Law) obtained a judgment of divorce for a client in a matter of days, thanks to a sound prenuptial agreement drawn before the marriage. Though the couple will still have to wait the requisite six months mandated by the state of California before the divorce can be finalized, they were able to save themselves time and money by ensuring all possible outcomes unfolded as smoothly as possible.

**Hannah Sweiss**, **Tal Burnovski Yeyni** and **David Gurnick** participated in the San Fernando Valley Bar Association's annual Continuing Education Marathon. Hannah and Tal presented "2016 Employment Law Update". David gave a presentation entitled "Online Negativity: How to Fight Back." Both presentations sought to help members of the Bar Association better assist clients, while also earning continuing education credits.

**Barry Kurtz**, **David Gurnick** and **Tal Grinblat** attended the International Franchise Association's Annual Convention in San Antonio. This was the 56th annual conference, which drew thousands of global business leaders, franchisors and suppliers.

## PUBLICATIONS & MEDIA MENTIONS

### **Valley Lawyer**

(San Fernando Valley Bar Association)

Music Publisher Caught in Birthday Suit Agrees to Settle

**Tal Grinblat** and **Nicholas Kanter**, authors

### **The San Fernando Valley Business Journal**

Labor and Employment Roundtable: What Employers Need to Know

**Sue M. Bendavid**, panelist

### **The Los Angeles Business Journal**

Eateries Fed Up: Joan's on Third

**Barry Kurtz** quoted

### **The San Fernando Valley Business Journal**

Chain Offers Slice: PizzaRev in Growth Mode

**David Gurnick** quoted

### **Valley Lawyer**

(San Fernando Valley Bar Association)

Online Negativity: How to Fight Back

**David Gurnick**, **Tal Grinblat** and **Nicholas Kanter**, authors

### **Los Angeles Magazine**

2015 Top Female Attorneys in Southern California

**Sue M. Bendavid**, Employment

**Nicole Kamm**, Employment

**Kira S. Masteller**, Trusts & Estates

**Vanessa Soto Nellis**, Family Law

**Michelle S. Robins**, Family Law

**Lynn Soodik**, Family Law

### **The San Fernando Valley Business Journal**

2015 Trusted Advisors

**Nicole Kamm**, Trailblazer Award

**Barry Kurtz**, Trusted Advisor Award

### **Juris Publishing, Inc.**

Distribution Law of the United States - Second Edition

**David Gurnick**, book author

### **Law Practice Magazine**

(American Bar Association)

Firm Culture: Obstacle or Catalyst for Strategic Change?

**Keith T. Zimmet**, quoted

### **Valley Lawyer**

(San Fernando Valley Bar Association)

Fun With Trademarks & Copyrights: Parody, Satire and Lampoon

**David Gurnick**, author