

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

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RESCHEDULED: 2018 Tax, Trust and Estate Planning Seminar. Michael Hackman (Certified Specialist in Tax Law) and Kira S. Masteller will present their annual Tax, Trust & Estate Planning in-house seminar on Tuesday, June 12th. (The webinar is still scheduled for Wednesday, May 16th.) Details are available at lewitthackman.com/events.

MAY 2018

Recent Professional & Community Accomplishments

Congratulations to **Tal Grinblat** named a **Legal Eagle** by the *Franchise Times* for the fifth, consecutive year. In addition to this designation, Tal is also a Certified Specialist in Franchise & Distribution Law, and a member of the Executive Committee of the Business Law Section of the California Lawyers Association.

Nicole Kamm resolved a Division of Labor Standards Enforcement matter in Oakland, California for three-figures in exchange for a full release of all claims. Our client, a former board member of a now dissolved entity, was individually named in a matter alleging failure to pay wages, unpaid vacation pay, and related penalties. Nicole's defense that our client was not properly named and not in fact the individual's employer resulted in the nominal settlement and a full release of claims for our client.

Kira S. Masteller settled a litigation matter for disputing siblings. The dispute arose because one sibling serving as Trustee failed to distribute assets after their parents' deaths pursuant to the terms of the Trust, and refused to provide financial accountings for assets, income, and expenses. Kira helped the disputing parties reach a fair settlement, which saved the Trust thousands of dollars in legal expenses and put a stop to the litigation.

Veronica R. Woods prevailed in Court in obtaining a denial of emergency protective orders requested by the opposing party and his team of celebrity lawyers. The famous opposing party attempted to prevent our client from exercising her rightful timeshare with the parties' minor child.

Tal Grinblat and **Samuel C. Wolf** identified a restaurant owner who adopted a confusingly similar name to our client's registered trademark. Tal and Sam resolved the issue by convincing the owner of the infringing name to change the name, thus bypassing any need for our client to engage in litigation.

Thomas Cecil and **Andrew L. Shapiro** of our Personal Injury Practice Group settled a challenging trip and fall case for over \$2.5 million. Our client lost her footing on a rainy day at the top of a staircase in a commercial building, because of loose "nosing" on the steps which caused her to break her ankle. A series of complications resulted from the injury and subsequent surgery. The seven figure settlement allows our client to obtain better medical care and peace of mind for the future.

Melissa L. Mayer (Certified Family Law Specialist) obtained a spousal support order of tens of thousands of dollars a month for her client in addition to being awarded substantial attorney's fees and forensic accounting fees. This was a highly contentious matter in the Los Angeles Superior Court with strong opposition from the other side.

Barry Kurtz and **David Gurnick** (both Certified Specialists in Franchise & Distribution Law) represented a franchisee who has been dissatisfied with the level of service and attention received from the franchisor. After informing the franchisor of our client's claims, the parties negotiated an agreement in principle for our client to acquire the franchisor company.

Paul C. Bauducco negotiated a favorable settlement in a construction defect case for a contractor client, saving the client many tens of thousands of dollars in attorney's fees and costs.

Keith T. Zimmet negotiated the acquisition of a major commercial property being developed as part of a new regional shopping center. The transaction, which took place over several years, included client meetings with local community organizations as well as a lengthy local government approval process.



Sue M. Bendavid and **Nicholas Kanter** defended an individual in a harassment case. The plaintiff alleged our client harassed him based on his race. However, our client actually recommended termination due to misconduct – the plaintiff himself had sexually harassed coworkers and was fired for that reason. Sue and Nick moved for summary judgment. The Court dismissed our client and granted the motion.

David Gurnick represented a public company with national product and service distribution arrangements in maintaining those arrangements without becoming accidental franchisees. The lines between licensing, distributing and franchising are blurred and vary state to state. When a business becomes a franchise, it is subject to additional federal and state regulations. In a separate matter, David worked with a client to identify franchise elements in their purchase and operation of a business, which will aid the client in negotiating resolution of business disputes.

Tal Grinblat worked with a financial industry client in negotiating a significant reduction in penalties demanded by the state of Minnesota for the sale of products to state residents without a license. As a result of these efforts, our client achieved a resolution on favorable terms, as well as permission to resume sales to Minnesota residents.

Tal Burnovski Yeyni obtained a full release of all claims for a client she represented in a Division of Labor Standards Enforcement proceeding. A former employee alleged our client failed to pay wages and meal and rest break premiums, and demanded liquidated damages and waiting time penalties. Tal obtained the release in exchange for a few thousand dollars.

Kira S. Masteller is working with the owners of a third generation family business in their succession planning efforts. The owners will transition management of the company to the next generation. Kira is helping our clients address differences of opinion and experience, as well as needed changes to help ensure successful outcomes for the business and all involved parties.

Nicole Kamm and **Tal Burnovski Yeyni** represented a client at a labor commissioner conference, who was facing claims for unpaid overtime, missed rest breaks, and waiting time penalties made by a former employee. During the conference, Nicole and Tal resolved the matter with a settlement of approximately one-fourth of the plaintiff's demand, and obtained a full release of all claims for our client. In separate matters, Nicole and Tal settled resolved discrimination and harassment complaints through state agency mediation process avoiding costly and prolonged litigation.

David B. Bobrosky obtained a favorable six figure settlement in a difficult liability case in which our client broke her toe when she fell down the stairs in her boyfriend's mother's house. David was able to prove that the size of each stair was not uniform and that caused our client to miss a step, even though she had been up and down those stairs hundreds of times before.

Veronica R. Woods participated in a complete settlement negotiation in a long-term dissolution matter in a private court setting involving one minor child and two adult college-age children, real property, spousal support, child support, property division, forensic accounting fees and attorney's fees and costs. The estate was valued at over \$3 million.

David Gurnick represented the longtime inventor/owner of a business selling a distinctive, patented office product in transferring majority ownership to a next generation owner, whose efforts will seek to take the business to a next level of sales and prosperity.

Nicole Kamm and **Hannah Sweiss** expeditiously resolved Private Attorney General Act and Labor Code class actions implementing cost-effective strategies, saving our client significant amounts in potential fees and expense.

Veronica R. Woods successfully settled a Dissolution matter in record-breaking time – from service of the Summons to entry of Judgment within the shortest statutory period of six months and one day. The dissolution included child custody, child timeshare, child support, spousal support, property division, attorney's fees and costs. The Court commended Veronica on resolving the case with the parties. The parties were very pleased.

We are growing! Please join us in welcoming **Peter L. Ente** to our Tax and Corporate Practice Groups. Peter earned his J.D. from the Antioch School of Law and an L.L.M. in Tax from New York University. He has more than 30 years' experience in tax planning and corporate transactions.

PUBLICATIONS & MEDIA MENTIONS

KPCC: Air Talk with Larry Mantle
Power in numbers? Or confidential black hole? A new website that connects sexual assault victims in the workplace
Sue M. Bendavid, participant

The Los Angeles Times
Visits by ICE Spooking California Businesses, Workers
Sue M. Bendavid, quoted

KPCC: Air Talk with Larry Mantle
California Legislature: The Latest on the Mendoza Investigation and More
Sue M. Bendavid, participant

Valley Lawyer
(San Fernando Valley Bar Association)
Product Liability Litigation Tests Jurors' Perspectives
Andrew L. Shapiro, author

San Francisco Chronicle
State Senator Bob Hertzberg's Accuser Says He Should Go
Sue M. Bendavid, quoted

San Fernando Valley Business Journal
California Employment Law Roundtable: What Owners, Executives Need to Know
Sue M. Bendavid, participant

Valley Lawyer
(San Fernando Valley Bar Association)
Book Review: Legal Ethics and Social Media: A Practitioners Handbook
David Gurnick, reviewer

Valley Lawyer
(San Fernando Valley Bar Association)
Mentoring New Lawyers Roundtable
Hannah Sweiss, participant

San Fernando Valley Business Journal
Franchise Companies Find Retail Room to Grow
Barry Kurtz, quoted

Valley Lawyer
(San Fernando Valley Bar Association)
Unconscionability in California: Contract Power Tool for the Powerless, Powerful
David Gurnick, author

Business Law Section e-Bulletin
(State Bar of California)
U.S. House of Representatives Passes Save Local Business Act
Matthew J. Soroky, author

Valley Lawyer
(San Fernando Valley Bar Association)
Stress Free Holidays: A Primer for Attorneys and Their Clients
Vanessa Soto Nellis, author