

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

Complimentary Seminar: Tax & Estate Planning 2013

Michael Hackman, a Certified Specialist in Tax Law and Chair of our Tax, and Trusts & Estate Planning Practice Groups; **Kira S. Masteller**, and **Robert A. Hull** will present: **Tax & Estate Planning 2013: Stability at Last?** on February 13th. A light breakfast will be served, and attorneys may earn one hour of MCLE credit. RSVP to Chris Podbielski: 818.907.3271.

FEBRUARY 2013

Recent Professional & Community Accomplishments

Barry T. Harlan was named one of 2013's *Best of the Best – Top 100 Attorneys in Southern California*, by *Super Lawyers Magazine*. **Michael Hackman, Andrew L. Shapiro, Sue M. Bendavid, David B. Bobrosky, Tal Grinblat, David Gurnick, Stephen T. Holzer, Michelle S. Robins, and Lynn Soodik** also earned *Super Lawyer* designations for 2013.

Sue M. Bendavid worked with **Nicholas Kanter** to sue a client's former employee for making defamatory statements. Some of the statements were made to the client's business partner and others on websites visible to customers. The employee moved to dismiss the case, claiming her statements were protected by the 1st Amendment. Sue and Nick not only persuaded the court to reject the employee's arguments, the court's ruling also invited the client to seek recovery of the fees it incurred in opposing the employee's motion.

Paul C. Bauducco obtained a dismissal of a lawsuit against a client for lack of prosecution based on the plaintiff's failure to comply with court orders.

David Gurnick represented a physician in obtaining a release from a Physician Recruitment Agreement. Analysis of the Agreement revealed serious problems under the law, in forcing a physician to pay taxes on both the physician's salary, and on forgiveness of a loan that was used to pay the salary. A release from the other parties freed our client from restrictions under the Agreement.

Kira S. Masteller worked with **Stephen T. Holzer** in representing the Trustee of a Trust wherein the settlor died owning a commercial property with environmental issues. Kira and Steve advised the client with respect to the continued ownership of the property, its cleanup, reporting to the beneficiaries, and ultimately the transfer of trusteeship and ownership of the property.

Kevin E. Rex and **Leon Lewitt** negotiated the sale of a client's business to key members of management. The complex transaction involved the lease back of equipment, extension of a line of credit to the buyer, and a consulting agreement for the seller.



David Gurnick helped a client in the auto repair business to go independent, despite

the franchisor's objection that the Franchise Agreement was still in effect. An underlying real estate lease ended, and the client signed his own new lease. David showed that under the parties' agreement, this caused the Franchise Agreement to expire.

Tal Grinblat and **Stephan Mihalovits** convinced the Trademark Trial and Appeal Board to cancel the registration of our client's competitor, who revealed that they were not using their mark. The Board proceeded to cancel the registration, after which our client's pending application was cleared to proceed to publication.

Stephen T. Holzer defeated a client's adversary's attempt to move a case from arbitration to the civil courts – the adversary asked not only for such a move, but also for the issuance of a preliminary injunction. The civil court rejected the requests and sent the case back to arbitration as our client wanted.

Kira S. Masteller prepared a Revocable Living Trust for a couple with two adult children utilizing both spouses' estate tax exemptions and establishing a Protective Trust for each child so they will receive their inheritance in a protected atmosphere, keeping the parents' assets from being accidentally commingled with their child's community assets. A child's creditors cannot reach the protective trust assets, and the exempt Protective Trust assets will not be subject to estate tax again in the child's estate upon his or her death.

Vanessa Soto Nellis convinced a judge not to increase monthly spousal support paid by a Firm client, where the requesting spouse failed to show a valid reason for the increase.

Paul C. Bauducco obtained a favorable settlement in a legal malpractice claim against a client's prior counsel, avoiding the cost of trial. In another matter, Paul defeated a motion to allow third party claims in a bankruptcy adversarial action, substantially limiting the defendant's claims.

Stephen T. Holzer, serving as President of the Greater Mulwood Homeowners' Association in Calabasas, helped host a City Council candidates' forum. All of the candidates for the Calabasas City Council were present to address the community's questions.

Kira S. Masteller filed a Heggstad Petition with the Court to return a Decedent's home, which was re-financed and inadvertently not transferred back into the Family Trust, to the trust for distribution without the necessity of a Probate. This proceeding takes eight weeks, versus a costly 12-18 month probate proceeding.

John B. Marshall gave a presentation on the history of mass transit in Southern California, to a networking group of accounting, legal, real estate and investment professionals based in Los Angeles. The presentation focused on the area's old rail transit systems, past and current planning and development, and future mass transportation alternatives.

Keith T. Zimmet presented a seminar entitled, *Tax-Exempt Financing for Nonprofit Independent Schools*, at the annual conference of the California Association of Independent Schools.

PUBLICATIONS & MEDIA MENTIONS

Los Angeles Magazine

2013 Southern California Super Lawyers

Sue M. Bendavid, David B. Bobrosky, Tal Grinblat, David Gurnick, Michael Hackman, Barry T. Harlan, Stephen T. Holzer, Michelle S. Robins, Andrew L. Shapiro and Lynn Soodik named

Super Lawyers Magazine

Southern California Top 100

Barry T. Harlan designated one of the Top 100 Super Lawyers of Southern California

Los Angeles Magazine

2012 Top Women Lawyers in Southern California

Sue M. Bendavid, Nicole Kamm, Kira S. Masteller, Vanessa Soto Nellis, Michelle Robins & Lynn Soodik named

The San Fernando Valley Business Journal

Small Business Leadership Awards

Keith T. Zimmet, presenter

Valley Lawyer Magazine

Change of Ownership: What Triggers a Property Tax Reassessment?

by Michael Hackman, Kira S. Masteller & Robert A. Hull

The San Fernando Valley Business Journal

Supply & Demand: How a Construction Project's Cash Flow Can Leave You Strapped

by Paul C. Bauducco