



JUNE 2019

Recent Professional & Community Accomplishments

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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Tal Grinblat (Certified Specialist in Franchise and Distribution Law) and **Matthew J. Soroky** consulted on franchise and compliance matters in relation to Papa John's bringing a well-known celebrity on board. The former professional athlete will act as the franchise's new spokesperson, director, and part-owner of nine system restaurants.

Kira S. Masteller, Jana G. Garrotto and **Kyla A. Parrino** represent several clients in converting Qualified Terminable Interest Property (QTIP) Trusts and A-B Trusts to Disclaimer or Continuation Trusts. The conversions will simplify and reduce costs of post death trust administration. Many of our clients with QTIP Trusts no longer require them since the 2018 Federal Tax Reform went into effect.

Barry Kurtz, David Gurnick (both Certified Specialists in Franchise and Distribution Law) and **Matthew J. Soroky** represented a local franchised dealer of automotive parts to formally demand the corporate office take action to stop a competing dealer from originating accounts with our client's customers at steep discounts. Barry, David and Matt's efforts prompted a corporate response, resulting in no further interference by the competitor.

Hannah Sweiss represented a Southern California travel company with nearly 200 independent contractors through an Employment Development Department (EDD) audit, and successfully obtained an assessment of \$0 owed. In a similar but separate matter, Hannah garnered the same result for an out-of-state pop-up museum company – the EDD found no reason to assess any amount against our client.

Keith T. Zimmet represented a client in the sale of ten of its commercial properties, and in facilitating an IRS 1031 Exchange in connection therewith. In an unrelated transaction, Keith guided another client through the sale of multiple commercial properties and thereto also facilitated an IRS 1031 Exchange.

Nicole Kamm and **Hannah Sweiss** worked with a client facing a class action to obtain individual releases early in the matter from the majority of current and former employees, narrowing the lawsuit and potentially eliminating the class claims.

David B. Bobrosky obtained two settlements for a client injured in a car accident. The first was obtained from the other driver's insurance carrier. However, our client had a significant underinsured motorist policy – allowing us to pursue an additional recovery. This insurer argued our client had pre-existing conditions that contributed to her current injuries, but David convinced the company to pay the policy limits without having to go through an Arbitration. This is another reminder of how important it is to carry as much uninsured/underinsured coverage you can afford.

Vanessa Soto Nellis (Family Law Certified Specialist) obtained a client's requested child support and spousal support amounts after the opposing party refused to discuss the issue without court intervention. In this matter, the wife was the primary breadwinner, and ignored settlement offers. Vanessa then took the matter to court, garnering a win for our client.

Kevin E. Rex, Peter L. Ente and **Barry Kurtz** worked with two, separate franchisor clients selling interests in their respective franchise systems to investors.



Keith T. Zimmet represented our client in its acquisition of a regional shopping center, which includes nationally recognized anchor tenants.

David Gurnick and **Samuel C. Wolf** represented the officers of our franchisor client who were individually named in a lawsuit brought by employees of a franchisee. David and Sam filed a successful demurrer, which enabled our clients to be dismissed from the case.

Barry Kurtz and **Samuel C. Wolf** are working with a craft beer importer to develop state-specific distribution agreements.

Vanessa Soto Nellis represented a client whose ex-wife claimed her ex-husband failed to disclose assets that should have been divided, five years after the divorce was finalized. The claims were based on internet search results, which were found to be false. Vanessa obtained a full dismissal and prevented the ex-wife from making future claims. In a separate matter, Vanessa resolved a dissolution of marriage matter within a few weeks. The parties had a prenuptial agreement which facilitated a prompt and amicable settlement.

Congratulations to **Jana G. Garrotto**, newly elected Vice-Chair of the Los Angeles County Bar Association's Trusts and Estates Section. Jana will begin her one-year term July 1, 2019, and will serve as Chair of the Section the following year.

Barry Kurtz and **Katherine L. Wallman** are preparing a Franchise Disclosure Document (FFD) for a client in the restaurant business, while also monitoring the client's current franchise transactions in Japan, the United Kingdom, the Middle East and South Korea. Barry and Kate are also preparing an FDD for a separate client in the baking industry.

Nicole Kamm resolved a long-pending claim filed with the Department of Labor Standards Enforcement by a former caregiver of our client's elderly family member in exchange for a release of claims. The resolution allowed our client to avoid the need for a hearing and associated fees, expense and potential exposure. This matter serves as a reminder to all clients of the importance of being aware of in-home caregiver laws, as those who engage such services are generally considered employers, required to comply with various wage and hour and other obligations.

Keith T. Zimmet negotiated the settlement of a longstanding dispute among shareholders. Pursuant to the Settlement Agreement, our client acquired enough shares to obtain a controlling interest in the entity.

Barry Kurtz, Tal Grinblat and **David Gurnick** attended the annual legal symposium of the International Franchise Association in Washington D.C. Barry, Tal and David are Certified Franchise Executives, a distinction granted by the organization in recognition of experience, continuing education and participation in professional activities.

PUBLICATIONS & MEDIA MENTIONS

Valley Lawyer

(San Fernando Valley Bar Association)
*New Harassment Laws: Balancing
Protecting Employees and Burdening
Employers*
Nicole Kamm, co-author

Franchise Times Magazine

2019 *Legal Eagles of Franchise Law*
Tal Grinblat selected

San Fernando Valley Business Journal

Legal Traps at Work
Sue M. Bendavid, interviewed

Super Lawyers Magazine

2019 *Southern California Super Lawyers*
Sue M. Bendavid, Employment/Labor
David B. Bobrosky, Personal Injury
Tal Grinblat, Franchise/Dealership
David Gurnick, Franchise/Dealership
Stephen T. Holzer, Environmental
Nicole Kamm, Employment/Labor
Barry Kurtz, Franchise/Dealership
Kira S. Masteller, Estates/Probate
Vanessa Soto Nellis, Family Law
Andrew L. Shapiro, Personal Injury
Lynn Soodik, Family Law
Keith T. Zimmet, Business/Corporate

San Fernando Valley Business Journal

*California Labor and Employment - A
Roundtable Discussion*
Sue M. Bendavid, participant

Valley Lawyer

(San Fernando Valley Bar Association)
*Class Action Lawsuits Roundtable:
Consult Early On*
Sue M. Bendavid, contributor

Bankruptcy Handbook for Franchisors and Franchisees

(American Bar Association Treatise)
Chapter 6: *Intellectual Property Issues*
David Gurnick, co-author

Franchise Law Journal

(American Bar Association)
Unconscionability in Franchising
David Gurnick & Samuel C. Wolf,
authors

Best Lawyers in America

2019 *Edition*
Sue M. Bendavid, Employment/Labor
Lynn Soodik, Family Law
David Gurnick, Franchise/Dealership
Michael Hackman, Tax Law
Kira S. Masteller, Trusts & Estates
Andrew L. Shapiro, Injury Litigation