



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

Employment Defense 2019 Mid-Year Update: Sue M. Bendavid and Nicole Kamm will present our annual mid-year legislative update regarding employee compliance matters, on Friday, July 26, 2019. Attendees may qualify for one hour of CPE, MCLE or HRCI credits. We will provide a light breakfast and validate parking, details and RSVP link is available on our website at: lewitthackman.com/events/.

JULY 2019

Recent Professional & Community Accomplishments

Congratulations to our **2019 Rising Stars!** The honorees for Southern California are designated by *Super Lawyers Magazine*. **Nicholas Kanter** was selected for Business Litigation, **Hannah Sweiss** for Employment and Labor; and **Samuel C. Wolf** and **Matthew J. Soroky** were both named in the Franchise and Dealership categories. To be selected, each *Rising Star* was first nominated by attorney peers, then evaluated by independent third party research, and finally, further reviewed by *Super Lawyers'* "Blue Ribbon" panel of attorneys. Less than three percent of the initial nominees are selected.

Kira S. Masteller and **Jana G. Garrotto** prepared a petition for the reformation of a very complicated trust burdened by numerous amendments enacted during the trustors' lives that are confusing and contradictory. Kira and Jana worked with the family to determine the trustors' final wishes and intent. A new, clearer trust was submitted to the Court for approval.

Barry Kurtz (Certified Specialist in Franchise & Distribution Law) and **Matthew J. Soroky** counseled a franchisor on negotiations to regain developmental territory from a defaulting multi-unit developer. In a separate matter, Matthew was retained as local counsel by an out-of-state franchisor to commence litigation against a former franchisee that allegedly infringed our client's trademarks and also avoided post-termination covenants.

Keith T. Zimmet successfully guided our client through the acquisition of numerous commercial buildings in several states. Keith negotiated the purchase and sale agreements relating to properties which include nationally recognized anchor tenants. The transactions involved IRS 1031 Exchanges, negotiations with several sellers, major tenants, and institutional lenders.

Sue M. Bendavid worked with a client to transition out a long term employee who had been working for our client for decades. The employee had not been performing for some time, but termination posed risks of expensive litigation. Sue counseled the client on how to document the performance issues and how to communicate to convince the employee that a peaceful separation was better for all involved.

Tal Grinblat (Certified Specialist in Franchise & Distribution Law) worked with a client with over 4,000 outlets, to renew its franchise registrations in various states.

Hannah Sweiss expeditiously resolved a complicated commission dispute for our client, a Southern California food distributor.

David Gurnick, brought in by another firm, worked] with the owner of a popular online store in settling a consumer class action. The claim concerned contents of the store's popular website, and was settled on favorable terms, saving our client substantial expense as well as the distraction of ongoing litigation.



Sue M. Bendavid counseled a client regarding a mass layoff of employees due to financial reasons. Sue worked with our client in establishing protocols for the layoffs, and prepared the necessary documentation for the procedure, to minimize risk of potential discrimination or wrongful termination claims.

David Gurnick obtained a money judgment for a client in litigation several years ago, and had the judgment recorded as a lien against the Defendant's property. While the Defendant refused to pay, the judgment grew with interest at 10 percent per year under California law. Recently, the Defendant desired to sell the property encumbered by the judgment lien. David was able to obtain for our client a payoff of the judgment, plus the accrued interest.

Kira S. Masteller and **Jana G. Garrotto** successfully coordinated the transfer of real property in Alabama via a California Probate, to complete the settlement of a contested California Probate and Trust Administration.

Tal Grinblat and **Matthew J. Soroky** represent trustees of a historical cultural monument before the Trademark Trial and Appeal Board in a concurrent trademark use dispute with a junior user of an identical mark.

Jana G. Garrotto, at the request of a new client, was asked to create an entire estate plan within days before the client went into surgery to treat a potentially terminal illness. Jana created a distribution plan to deal with family assets, reflecting the client's dispositive wishes and elective decisions in the event of incapacity or death. Fortunately, the client survived surgery and is expected to make a full recovery, and now has an effective estate plan in place.

Kira S. Masteller and **Kyla A. Parrino** created a first party special needs trust to benefit a disabled client who receives public assistance and accumulated enough savings to potentially jeopardize her benefits. The first party special needs trust will allow our client to continue to receive benefits while the Trustee supplements those benefits from the savings in the trust. Upon death, the Department of Health Services will be reimbursed for the benefits they provided during our client's lifetime from the special needs trust.

Tal Grinblat and **Katherine L. Wallman** overcame a refusal from the U.S. Patent and Trademark Office (USPTO) that a trademark for cryptocurrency services was deemed generic. Overcoming the refusal meant that our client may now proceed with registration. In another matter, Tal successfully overcame the USPTO's refusals in registering a European client's trademarks that were filed based on the Madrid Protocol.

Matthew J. Soroky and **Taylor M. Vernon** are representing a multi-unit franchisee in its dealings with the franchisor's new management, to leverage handling of franchise agreements with different terms and expiration dates.

We are pleased to announce that **Neil J. De Leon** joined our Family Law Practice Group as an Associate. Neil earned his Juris Doctor from Loyola Law School in 2005.

PUBLICATIONS & MEDIA MENTIONS

San Fernando Valley Business Journal
Business Law Roundtable
Sue M. Bendavid, participant

Valley Lawyer
(San Fernando Valley Bar Association)
Colliding Apps: Analyzing Ride-Hailing and Scooter Share Services' injury Laws
Andrew L. Shapiro, author

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

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