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Recent Professional & Community Accomplishments

Congratulations to Lewitt Hackman's **Southern California Super Lawyers!** Fifteen of our Shareholders were recognized by *Super Lawyers Magazine*: **Zane S. Averbach** (Business & Corporate), **Sue M. Bendavid** (Employer, Employment Litigation), **David B. Bobrosky** (Personal Injury), **Steven L. Feldman** (Real Estate), **Tal Grinblat** (Franchise & Dealership), **David Gurnick** (Franchise & Dealership), **Stephen T. Holzer** (Environmental), **David G. Jones** (Employer, Employment Litigation), **Barry Kurtz** (Franchise & Dealership), **Kira S. Masteller** (Estate Planning and Probate), **Vanessa Soto Nellis** (Family Law), **Mark J. Phillips** (Estate Planning & Probate), **Andrew L. Shapiro** (Personal Injury), **Lynn Soodik** (Family Law), and **Keith T. Zimmet** (Business & Corporate).

John B. Marshall, **Jana G. Garrotto**, and **Kyla A. Parrino** successfully resolved a matter regarding the Assessor's potential reassessment of real property owned for decades by multiple family members, so that no current reassessment is needed.

David G. Jones obtained a dismissal of a lawsuit against an employer who hired a day laborer who was allegedly injured during their day of work with the company.

David Gurnick (Certified Specialist in Franchise & Distribution Law) represented multiple clients terminating franchisees for nonperformance, and notifying other franchisees of breaches that may result in termination. In another matter, David helped negotiate a mutual agreement for termination on behalf of our franchisee client. Our client was unhappy with the franchisor. The agreement relieves the franchisee of most post-term restrictions under the terminated franchise agreement.

Vanessa Soto Nellis (Certified Family Law Specialist) obtained a modification of spousal support for our client, several years after the spousal support order was made. Both parties needed to modify the order due to retirement. Vanessa resolved the matter without court intervention.

Keith T. Zimmet guided our client through a rarely occurring exchange of real property where the two parties actually exchanged several properties. In most 1031 Exchanges, there is no direct exchange of properties, but rather the parties use a third party accommodator to accomplish the exchange. In this matter, each party was interested in the other party's properties and therefore the actual exchange was able to take place.

Sue M. Bendavid and **Nicholas Kanter** obtained the early dismissal of a client in a lawsuit alleging claims for defamation. Sue and Nick challenged the defamation claims at the pleading stage, arguing the plaintiff failed to allege facts sufficient to state a cause of action against the client. The court agreed and ultimately dismissed the client from the lawsuit with prejudice.

Barry Kurtz (Certified Specialist in Franchise & Distribution Law), **Katherine L. Wallman**, and **Caitlyn Dillon** are preparing Assignment Agreements, Franchise Agreements and Amendments to Development Agreements for a food service client. In a separate matter, Barry, Kate and Caitlyn are preparing and registering a Franchise Disclosure Document for a prominent company that sold franchises in the past, stopped, and is now resuming franchise sales.

Kira S. Masteller and **Kyla A. Parrino** filed a probate for a surviving spouse whose wife owned a portion of a piece of real property in her name alone. Although the couple had a joint trust, that small portion of separate property will undergo probate to be confirmed as a trust asset. The trust will be administered in less than three months; the probate will take approximately one year to complete.

Kevin E. Rex worked with a client to sell his employee benefits business. The client had previously granted the buyer a right of first refusal to buy the client's business in connection with a previous deal for the buyer to manage the client's business.

Kevin E. Rex represented multiple client's in negotiating letters of intent to sell their businesses, two of which were franchise related. **Barry Kurtz** is working with Kevin as one of the businesses is being pursued by a private equity firm and consists of multiple franchised locations, while another deal consists of the purchase by the franchisor of multiple units. In a separate matter, Kevin is representing another client to sell his practice as well as a health care related network.

Sue M. Bendavid, Nicholas Kanter and **Chrystal Ferber** successfully brought three motions to compel against opposing counsel and were awarded sanctions for our client.

Tal Grinblat worked with a company specializing in productivity and time management, assign a trademark portfolio of over 20 U.S. registrations to a new company, and record the assignment with the U.S. Trademark Office.

Tal Burnovski Yeyni resolved a matter for a client who allegedly violated wage and hour and discrimination laws, for about a quarter of the claimant's demands.

Barry Kurtz and **Taylor M. Vernon** are reviewing and revising distribution agreements for a brewer with a nation-wide distribution program. In separate matters, Barry and Taylor are representing a buyer in the purchase of a hotel franchise; and are working with other clients in preparing the purchase and sale documents for several of their respective businesses.

Kira S. Masteller and **Jana G. Garrotto** had a petition granted by the Los Angeles Probate Court which appointed our client Trustee of a Trust which had no current living Trustees. This allowed our client to transfer an asset into another Trust where it should have been transferred many years ago, thus avoiding a very high cost and time consuming probate.

Matthew J. Soroky is working with a new service industry franchisor and its consultant from a reputable franchise consulting firm to prepare the Franchise Disclosure Document.

David Gurnick is working with several clients in reviewing websites and company practices to comply with the new California Consumer Privacy Act.

Tal Grinblat and **Katherine L. Wallman** overcame a difficult objection from the Trademark Office in which the Examiner refused registration of a client's mark, citing two registrations and one previously filed application. Through a comprehensive argument explaining differences in the parties' marks and products, the examiner was persuaded and agreed to approve our client's mark for publication.

We are pleased to announce the addition of **Lani Fu** as an Associate in our Trust & Estate, and Tax Planning Practice Groups. Lani earned her *juris doctor* from Loyola Law School.

Kira S. Masteller and **Kyla A. Parrino** successfully obtained a Court order for a surviving spouse who was married to her husband for over 60 years. Her husband opened multiple savings accounts without putting his wife's name on the accounts even though the funds were community property funds. One-half of the accounts were confirmed as the wife's property and the other half confirmed as the husband's property. Because the husband did NOT have a Will or Trust, his savings accounts deemed community property were also confirmed as the wife's (having inherited his half from him pursuant to California law). Obtaining legal advice regarding how to own bank accounts and to create a Will or Trust would have saved the surviving spouse considerable time and money.

David B. Bobrosky was associated in on a case by an outside attorney that was set for trial in 60 days. The other side disputed liability and had not offered to settle after more than two years. David immediately sent a demand for policy limits laying out all the facts and evidence, and allowed 15 days to respond or go to trial -- which could result in much more than policy limits for our client. On the last day, the Defendant's insurance company paid the full policy limits. David will now work with the original attorney to pursue additional funds through an underinsured motorist case under the client's own policy.

Barry Kurtz and **Matthew J. Soroky** are working with a food service franchisor to prevent termination of its Franchise Agreements by a disgruntled franchisee.

Sue M. Bendavid presented *2020 Update: Employment Defense* for our business insurance company client and nearly 200 of their own clients. The seminar focused on the latest employment laws that went into effect last month, new employer compliance requirements, and litigation trends affecting California employers. Sue, **Nicholas Kanter** and **Tal Burnovski Yeyni** have all been providing the same material to our own clients, and various business groups.

David Gurnick taught a course in Franchise Law to second and third year students at the University of California Irvine School of Law.

John B. Marshall, Paul C. Bauducco, David G. Jones, and **Chrystal Ferber** participated in the San Fernando Valley Bar Association's annual *MCLE Marathon*, in which the bar helps its members attain necessary continuing education credits to maintain their attorney licenses. John and Paul presented a one hour seminar entitled, *Real Estate and Construction Litigation: Preventive Measures, Rights & Remedies*. David and Chrystal's presentation focused on *Eliminating Sex Harassment, Discrimination & Bias in the Workplace*.

PUBLICATIONS & MEDIA MENTIONS

San Fernando Valley Business Journal

Parsing AB5's Impact

Sue M. Bendavid and **Tal Burnovski Yeyni** quoted

Valley Lawyer (San Fernando Valley Bar Association)

The Buck Stops Here: What You Owe Your Employees (MCLE article)

David G. Jones author

San Fernando Valley Business Journal

California Labor and Employment - A Rountable Discussion

Sue M. Bendavid participant

Franchise Law Journal (The American Bar Association)

Compelling US Discovery in International Franchise Arbitrations: The (F)utility of Section 1782 Applications

Matthew J. Soroky author

San Fernando Valley Business Journal

Flexibility for Franchisers in the New Economy

David Gurnick quoted

Valley Lawyer (San Fernando Valley Bar Association)

Attending to Medicare: What Clients Need to Know

Jana G. Garrotto author

Los Angeles Daily Journal

Adaptable - US Magistrate Judge Listens to Attorney Input on Case Management

David G. Jones quoted

KPCC's AirTalk with Larry Mantle

There's an Increased Market for Sexual Harassment Training Videos

Sue M. Bendavid interview

Santa Barbara Lawyer (Santa Barbara County Bar Association)

Accidental Franchises: What You Don't Know Can Hurt Your Clients

Barry Kurtz and **Katherine L. Wallman** authors