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Recent Professional & Community Accomplishments

Congratulations to **Barry Kurtz** (State Bar of California Certified Specialist in Franchise & Distribution Law), recognized in *Business of Law: Trends, Updates, Visionaries & the In-House Counsel Leadership Awards*, a publication of the *Los Angeles Times*.

We are pleased to announce that **Sue M. Bendavid**, **Katherine L. Wallman** (State Bar of California Certified Specialist in Franchise & Distribution Law) and **Jessica W. Rosen** were named *Women of Influence: Attorneys* by the *San Fernando Valley Business Journal*.

Congratulations to five of our Associates, selected to *Super Lawyers' Southern California Rising Stars* this year. They include **Chrystal Ferber**: Employment Litigation: Defense, **Gayane Ghandilyan**: Employment & Labor, **Jessica W. Rosen**: Business Litigation, **Matthew J. Soroky** (Certified Specialist in Franchise & Distribution): Franchise/Dealership, and **Taylor M. Vernon**: Business/Corporate.

Vanessa Soto Nellis (Certified Family Law Specialist) represented a client in a prenuptial agreement where the parties split time between two states. Vanessa worked with counsel in the other state to insure the agreement would be enforceable in both jurisdictions.

Nicholas Kanter and **Tal Burnovski Yeyni** prevailed on a motion to compel an adversary to appear at deposition. During an initial deposition, opposing counsel ended the deposition prematurely based on frivolous objections. Nick and Tal filed a motion, asking the Court to overrule the objections, order the adversary to appear at deposition, and for monetary sanctions. The Court granted the motion and awarded the firm's client all of the relief requested, including monetary sanctions on opposing counsel.

John B. Marshall and **Paul C. Bauducco** negotiated a stipulation to move a Superior Court case to private mediation and binding arbitration, potentially expediting resolution of the matter and reducing the costs of bringing the matter to a conclusion.

Keith T. Zimmet, representing a lender, successfully resolved a dispute over a defaulted unsecured loan, resulting in immediate payment to our client without objection from other creditors.

Kevin E. Rex and **Taylor M. Vernon** completed a seven figure sale for a client in the waste container manufacturing industry. The transaction included assets from the client's U.S. based companies and, with the assistance of U.K. counsel, the stock sale of an affiliated entity located in the U.K. Kevin and Taylor negotiated several ancillary agreements, including a lease of company-owned real property, a capital lease for material assets, the sale of personal goodwill for a key employee, and guaranties by the buyer's parent company.

John B. Marshall and **Paul C. Bauducco** negotiated a stipulation to remove a seven figure mechanic's lien from a client's real property.

Kira S. Masteller negotiated a settlement between our client, the Trustee of an elderly individual's trust, and a neighboring family who were designated beneficiaries of the elder's trust, because the Trustee discovered the neighbors were receiving inappropriate gifts of cash during the elder's lifetime. Rather than litigate this issue, the trust benefitted from the settlement agreement by not having to spend money on time-consuming litigation, and the other beneficiaries did not have to wait for a lawsuit to be completed to receive their inheritance.

David B. Bobrosky was asked to handle a personal injury matter by an outside attorney. Our client was a passenger in a van hit by a box truck, who suffered a neck injury that ultimately required surgery. The driver of the box truck blamed the driver of the van, who did not have insurance. The insurance company for the driver of the truck made no offers to our client. Despite the disputed liability and issues in the Plaintiff's past, the case settled shortly before trial for nearly seven figures.

David Gurnick (Certified Specialist in Franchise & Distribution Law) represented an ex-franchisee of a well-known restaurant brand, to negotiate a settlement with the franchisor. A plaintiff filed a class action for an incident that occurred when our client owned the restaurant, and the franchisor sought indemnity for the class action. David provided the franchisor with legal analysis against the indemnity claim and negotiated a settlement favorable to our client.

Tal Burnovski Yeyni represented a small business that received a demand to pay a former employee nearly \$200K for alleged wage and hour violations. Tal negotiated with opposing counsel to significantly reduce the settlement, which resulted in substantial savings for our client and the additional expenses of continued litigation.

Kira S. Masteller resolved a matter in which two beneficiaries of a trust with numerous real properties did not wish to continue to own properties together. Kira negotiated a Settlement Agreement to fairly allocate the properties – taking into account available property tax exclusions, rental income, rent controls, sales values vs. appraised values, and the goals of each beneficiary – all while fulfilling the decedent's wishes.

Kevin E. Rex and **Taylor M. Vernon** represented a client in the physical therapy industry with a seven figure sale of his business. The transaction included a pre-sale restructuring and the negotiation of several ancillary agreements, including a management services agreement, employment agreement, and transition services agreement.

Nicholas Kanter represented a hotel in an unlawful detainer lawsuit against a hotel guest who refused to check-out. Nick filed a motion for summary judgment demonstrating the hotel was entitled to possession of the hotel room. The Court granted Nick's motion and entered a judgment for possession, thus avoiding the need for a jury trial.

Barry Kurtz and **Taylor M. Vernon** represent a franchisee client selling her business, in reviewing and preparing purchase and sale and transfer documents. In other matters, Barry, Taylor and **Caitlin Dillon** are working with other clients to review franchise disclosure documents related to the potential purchases of bakery and fitness franchises.

Nicholas Kanter represented a client in the appeal of a decision by an administrative law judge that held our client's former employee was eligible for unemployment insurance benefits. The client terminated the former employee for fighting with a co-worker and subsequently opposed the former employee's application for unemployment benefits. On appeal, Nick convinced the California Unemployment Insurance Appeals Board to reverse the decision by the administrative law judge and deny unemployment benefits to the former employee.

Steven L. Feldman successfully resolved an Administrative Enforcement Order issued by a California County Department of Environmental Health against our manufacturer client, alleging a violation of Hazardous Waste Control laws under Health and Safety Code.

Barry Kurtz and **Matthew J. Soroky** are working with two franchisee clients in different businesses whose franchisors are attempting to terminate their franchise agreements and deprive them of the opportunity to sell their businesses. In yet another matter, Barry and Matt represent a franchisee client who wishes to leave a franchise system because of the sale of the franchisor.

Jeffrey A. Kobulnick moderated *An Untold Story of a Child Holocaust Survivor* at the Woodland Hills Country Club. The program was hosted by The Executives of the Los Angeles Jewish Home.

Tal Grinblat (Certified Specialist in Franchise & Distribution Law), **Jessica W. Rosen** and **David Gurnick** attended the annual *Legal Symposium* of the International Franchise Association in Washington D.C. Jessica was a panel speaker who discussed the fundamentals of franchising. David facilitated at the symposium, and lead two discussion groups on Financial Performance Representations in Franchise Disclosure Documents.

Publications & Media Mentions

Valley Lawyer (San Fernando Valley Bar Association)

Proposition 65: Primer and Alert
Stephen T. Holzer and **Steven L. Feldman**, authors

FORUM, (a publication of the *Consumer Attorneys of California*)

Protecting the Brain Injury Survivor from Unscrupulous Defense Neuropsychologist Testing
Thomas Cecil, author

Valley Lawyer (San Fernando Valley Bar Association)

Ancient Legal Maxims: Still Alive and Still Useful
David Gurnick, author

San Fernando Valley Business Journal
Labor & Employment 2022: Roundtable Discussion
Sue M. Bendavid, participant

The Los Angeles Daily Journal
Tangled Rules for Modification of Revocable Trusts
Mark J. Phillips, co-author

Valley Lawyer (San Fernando Valley Bar Association)

The Rule of Law: No One is Above It
David G. Jones, author

San Fernando Valley Business Journal
L.A. Vaccine Mandate Starts Monday
Lewitt Hackman Client Advisory

Corporate Counsel
Restaurant Chains Fret They'll Be on Hook for Franchisee Transgressions
Barry Kurtz quoted

The Los Angeles Daily Journal
What to Know About LA's 'Proof of Vaccination' Ordinance
Tal Burnovski Yeyni, author

Valley Lawyer (San Fernando Valley Bar Association)

Confusing Trademarks: The Next Course of Action
Tal Grinblat, author

San Fernando Valley Business Journal
Employers Seek COVID Clarity: Business Awaits Federal Vaccine Rules
Sue M. Bendavid quoted