



November, 2009

Upcoming Firm Seminar:

Our Firm conducts complimentary seminars for clients and friends on a variety of legal topics. The next seminar is **Wednesday, December 9, 2009** at 8:00 – 9:00 a.m., in the conference facility at our office. The topic will be **“Year-End Tax and Estate Planning.”** If you would like to attend, please R.S.V.P. to Michele Avnes, at (818) 907-3281.

Some Recent Professional and Community Activities of Our Lawyers:

- In a contentious matter, **Michelle S. Robins** helped a client obtain a court order requiring the other party to have a child custody monitor present during visits with the couple’s child.
- **Michael Hackman** and Paralegal **Gloria Schwartz** obtained a Court Order authorizing the transfer of approximately thirty bank and securities accounts to trustees for the trust of a deceased client, without a formal probate administration. Mike and Gloria obtained the Court Order on a rush basis to help the estate pay its estate taxes.
- **Sue Bendavid** and **Nicole Kamm** assisted a corporate client in settling a pregnancy discrimination and harassment claim for a small fraction of the plaintiff’s demand. Together with **Paul C. Bauducco**, Sue and Nicole assisted another client in settling, also on favorable terms, three related wrongful termination claims. In another matter, Nicole and Sue helped a client settle a claim for race and national origin discrimination by showing that over half of the company’s other employees were the same race and national origin as the plaintiff.
- **David Gurnick** and **Tal Grinblat** were contacted by a franchisor who terminated its New York franchisee and was sued in state court there. Working with New York counsel, David and Tal assisted the client in moving the case to federal court in preparation for further proceedings. In another matter, Tal and David, together with counsel in South America, assisted an international consulting firm in preparing notices to protect confidential manuals, and to protect copyright rights under laws of Brazil and other nations.
- **Paul C. Bauducco** assisted a construction company in settling two cases involving public construction projects. The client received substantial amounts of money in these settlements. In another matter Paul and **Nicholas Kanter** helped a client settle a case involving disputed ownership and liens in a condominium project. The Firm’s client was able to keep undisputed ownership of condominium units worth more than \$1 million.
- **John B. Marshall** and **Kevin E. Rex** assisted a client in negotiating and executing an asset sale agreement whereby the firm’s client agreed to sell substantially all of its assets, which includes two hospitals, for an amount which the Purchaser currently estimates to be approximately \$170,000,000. The transaction is subject to various conditions, including obtaining the approval of the voters who reside in the hospital district where these assets are located. Amy Bernardino, the firm’s paralegal, is assisting John and Kevin in preparing the schedules related to the transaction.



- **Keith T. Zimmet** assisted a client in restructuring a line of credit that involved a corporate client's real property and personal property assets. The decline in the general availability of credit in the marketplace, combined with the decline in value of California real property, complicated the large corporate finance transaction.
- **Nicole Kamm**, working with **Steve Mihalovits** and **Sue Bendavid** in a litigation matter, demonstrated that an opposing party's allegation seeking recovery of attorneys fees lacked merit. After reviewing a motion prepared by Nicole, opposing counsel agreed to remove the allegation, rather than have the matter heard and decided by the Judge.
- **Kevin E. Rex** and **Leon Lewitt** previously assisted a client in selling a majority interest in the client's business to a private equity firm. Approximately one year later, Kevin and Leon were able to assist the client in selling the client's remaining interest in the business on favorable terms.
- **Tal Grinblat** and Paralegal **Amy Bernardino** assisted a client in registering copyrights on an urgent basis so the client could bring an infringement action in federal court. The client's action concerned infringement of proprietary software and received substantial press coverage in the Wall Street Journal and other media. Usually copyright applications take 8 to 12 months for the government to process. Tal and Amy obtained these registrations in less than 2 weeks.
- **Barry T. Harlan** and **Vanessa Soto Nellis** won an emergency request in court to let the firm's client resume employment. In divorce proceedings, the other spouse tried to fire the client from the couple's business. Barry and Vanessa obtained a court order letting the client return to work with reinstatement of pay. In another matter, Barry and Vanessa obtained a court order letting a client return home after being locked out by a spouse. Barry and Vanessa also obtained a favorable custody order giving the client significant time with the couple's children.
- **Steve Mihalovits** and **David Gurnick** assisted a franchise client in ending an unsatisfactory franchisor-franchisee relationship, with the other party agreeing to make substantial settlement payments to the firm's client. In another matter, David assisted a client in negotiating a licensing agreement with a major cable network to promote and sell services using the cable network's brand.
- **Stephen T. Holzer** was installed for a second term as President of the Valley Community Legal Foundation. The Foundation is a charity that raises money and contributes to causes that support respect for law, adoptions, scholarships and other worthy causes.
- **David Gurnick** was elected and installed as Treasurer of the San Fernando Valley Bar Association. David also chairs the Association's Litigation Section.
- **Nicole Kamm** and **Vanessa Soto Nellis** hosted a women's networking and marketing group at the firm. The guest speaker was Suzi Weiss-Fischmann, co-founder of internationally known cosmetic line OPI.
- **Tal Grinblat's** article, "*Trademark Protection for More Than Your Name and Logo*" was published in the San Fernando Valley Business Journal. The article discussed unusual trademarks that can be protected, like sound, scents, motion and 3-D marks. The article can be accessed on the LewittHackman.com website.
- **Stephen T. Holzer** and **David Gurnick** spoke on "Litigating Advertising and Marketing Claims: *The 'Organic' Movement and More*" to the Litigation Section of the San Fernando Valley Bar Association.
- **Tal Grinblat** and **David Gurnick** attended the annual Forum on Franchising of the American Bar Association in Toronto, Canada.