

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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Year End Tax Planning: Michael Hackman, Certified Tax Law Specialist, and Kira S. Masteller will present a 90 minute seminar in November. Attorneys and accountants may earn continuing education credits, and a light breakfast will be provided. More information will be forthcoming.

SEPTEMBER 2017

Recent Professional & Community Accomplishments

Paul C. Bauducco and **John B. Marshall** prevailed on a motion for protective order, prohibiting abusive and harassing deposition tactics against our Firm's clients. Additionally, Paul and John won monetary sanctions against the opposing party and their counsel.

Sue M. Bendavid worked with a client in handling a company layoff. In this process, Sue provided legal guidance regarding the steps our client should take in selecting the individuals to be laid off, including thorough documentation regarding the selection criteria and process, and in minimizing risk of other employee claims that may be generated when a business downsizes its staff.

Kevin E. Rex, **Samuel C. Wolf** and **David Gurnick** represented a software distribution company in negotiating a settlement of franchise law claims asserted by our client. The parties resolved a dispute with arrangements for our client to continue distribution of specialty industrial software and provide ongoing services to end users.

Veronica R. Woods successfully represented a client in a highly contested child custody case. A move-away was prevented and our client ended up with majority timeshare of her minor children.

Kira S. Masteller represented adult children in probate court proceeding, in which our clients have petitioned for the Court to compel the removal of a sibling as Trustee of their parents' estate due to mismanagement. The proceeding will require the current Trustee sibling to account for all the trust assets and potentially pay restitution for the gross mismanagement of those assets.

Michael Hackman (Certified Specialist in Tax Law) and **David Gurnick** worked with a prominent consumer product maker in negotiating a memorandum of understanding to acquire a substantial interest in a supplier. In other matters, **Barry Kurtz** and David Gurnick (both Certified Specialists in Franchise & Distribution Law), and **Samuel C. Wolf** prepared agreements for a well-known foreign manufacturing client to expand distribution of its products at retail stores across the United States.

Vanessa Soto Nellis represented a client seeking a prenuptial agreement. Our client is an entrepreneur with several business interests, set to marry a retail business owner. Because both parties knew ahead of time how best to protect their current assets and what they could reasonably expect from each other in the future, the couple came to terms smoothly and expeditiously.

Kevin E. Rex represented a client in the purchase of the interest of a minority shareholder. In another matter, Kevin assisted a client in establishing an exit strategy which will permit the client to sell his business to a third party upon the client's death, disability or retirement.

Nicole Kamm represented a company whose former employee voluntarily resigned after one month with the company. The former employee demanded more than \$25,000 for unpaid wages, missed breaks, wrongful termination, and retaliation. Nicole worked with our client to discredit each claim and obtained a full release of all claims for just a couple hundred dollars.



Tal Grinblat overcame a difficult objection from the Trademark Office in which the examiner claimed the client's trademark was generic. Despite the negative Internet references the examiner provided in support of her position, Tal worked with the client to provide overwhelming evidence that the mark was not generic and in any event acquired distinctiveness due to the client's large sales volume, advertising efforts and use of famous personalities in marketing its products and services. The massive showing persuaded the Examiner to approve the mark despite her insistence early on that no amount of evidence would change her views.

Veronica R. Woods prevailed in Court, obtaining a very rare decision for awarding both sole legal and sole physical custody of a child to our client. The Court granted the request based on substantial proof showing the father was using dangerous drugs while with the child – clearly not in the child's best interest, health, safety or welfare.

Matthew J. Soroky and **David Gurnick** won a motion before a panel of two arbitrators concerning interpretation of an arbitration clause in a Master Dealer Agreement. The opposing party sought to have the two arbitrators recuse themselves and appoint a third arbitrator to decide the case. Matt and David demonstrated to the panel that the parties' agreement required the existing panel to hear and decide the case.

Kira S. Masteller is working with several clients whose children are just heading off to college. Because the students are over 18, the parents no longer have access to their children's financial or health care information. By having the students sign Health Care and Asset Management Powers of Attorney, the parents are able to make critical medical and other decisions, or take actions on a child's behalf, should any accident or emergency incident occur, or if the child merely needs help addressing health insurance, appointment or personal and school business.

David B. Bobrosky worked with a firm client on a *pro bono* basis in pursuing an injury claim resulting from a car accident. Initially, our client planned to accept a low-ball offer from the responsible insurer. But with Dave's help, our client obtained a settlement that was five times greater than the amount offered.

Nicholas Kanter, Hannah Sweiss and **Tal Burnovski Yeyni** represented an international manufacturer client who faced a weighty discrimination complaint with 16 causes of action. Nick, Hannah and Tal demurred to each cause of action. The Court sustained the demurrer in its entirety as to all causes of action, effectively dismissing the entire case.

Barry Kurtz is working with a franchisee client in terminating a Franchise Agreement. Once the agreement is terminated, the client will become a franchisor of a competing system.

Melissa L. Mayer, representing the father, successfully negotiated a custodial timeshare order that gave both parents equal (50/50) custody of their two minor children. This negotiated custody order providing for an equal timeshare was made after the mother had filed a motion in the Family Law court requesting sole physical of the parties' two children.

Kevin E. Rex worked with a client in closing the purchase of property where our client's business currently operates. In another matter, Kevin represented a client's interests in obtaining favorable terms for a refinance loan for our client's apartment building.

Sue M. Bendavid presented a seminar for the clients of our commercial insurance provider client, regarding the latest changes to California employment law. The presentation is geared towards helping all in business stay compliant with ever-evolving legislation and government mandates.

Andrew L. Shapiro and **David B. Bobrosky** of our Personal Injury Practice Group attended the Consumer Attorneys Association of Los Angeles's ("CAALA") annual convention in Las Vegas. The convention is the largest trial lawyers convention in the country. The convention provides an opportunity for consumer trial lawyers to connect with sitting Judges, Mediators, Defense Counsel, and legal service providers – as well as attend professional continuing education seminars and training – all to better serve consumer law clients.

We are growing! **Katherine L. Wallman** joined our Franchise & Distribution, and out Corporate Practice Groups as an Associate. Most recently, Kate worked as senior counsel for DineEquity, the parent company of IHOP and Applebee's. She earned her Juris Doctor from The Catholic University of America, Columbus School of Law, where she graduated *cum laude* and in the top 20 percent of her class.

PUBLICATIONS & MEDIA MENTIONS

Valley Lawyer

(San Fernando Valley Bar Association)
Acquiring a Business: Ins and Outs
Kyla A. Parrino, author

Business Law Section e-Bulletin

(State Bar of California)
Beware the Entrepreneurial Landlord
Matthew J. Soroky, author

Valley Lawyer

(San Fernando Valley Bar Association)
Expert Witnesses: Who They Are and How to Vet Them
Vanessa Soto Nellis quoted

Los Angeles Daily Journal

New Accounting Rule May Lower Perceived Value of Franchisors
Barry Kurtz, author

Valley Lawyer

(San Fernando Valley Bar Association)
Confusing Trademarks: The Next Course of Action
Tal Grinblat, author

SFV Business Journal

Business Roundtable: How You Can Avoid Traps in New Labor and Employment Laws
Sue M. Bendavid, participant

Business Law Section e-Bulletin

(State Bar of California)
Recent Waive of Reprieves re Joint Employer Liability
Matthew J. Soroky, author

KHTS Radio AM 1200

Santa Clarita Valley Business Chamber Spotlight with Fred Arnold
Sue M. Bendavid, guest

Franchise Law Journal

(American Bar Association)
Teaching Franchise Law in Law Schools
David Gurnick, co-author

Valley Lawyer

(San Fernando Valley Bar Association)
The Evolution of the Private Attorneys General Act 2004
Hannah Sweiss, author

San Fernando Valley Business Journal

Curious Practices
Kira S. Masteller quoted

Courthouse News Network

Labor Secretary Nominee's Company Hit With Antitrust Class Action
David Gurnick quoted