

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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Complimentary Seminar:

David Gurnick and **Tal Grinblat** of our Intellectual Property Practice Group, will present *OPIP: How and When You Can Legally Use Other People's Intellectual Property*, on Thursday, August 29th. The presenters will also discuss how to prevent others from using *your* Intellectual Property (IP), and policing your IP rights domestically and globally. A light breakfast will be served, and attendees may earn 1.5 hours MCLE or CPE credit. Please RSVP to Chris Podbielski, 818.907.3271, or cpodbielski@lewittackman.com.

AUGUST 2013

Recent Professional & Community Accomplishments

John B. Marshall and **Paul C. Bauducco**, by aggressively addressing a frivolous Fair Debt Collection Action claim against a collection agency client, were able to convince the Plaintiff's counsel to dismiss the case without our client having to formally appear. In another matter, **Paul** successfully defeated a motion for summary judgment in a federal case, allowing our client's claims for fraud, and willful and malicious conduct, to proceed to trial.

David Gurnick represented a client seeking to enforce a covenant-not-to-compete against a terminated franchisee. The ex-franchisee brought a motion in court seeking to strike that part of the lawsuit, arguing that in California, covenants-not-to-compete are not enforceable. David persuaded the Court to refuse the franchisee's motion, pointing out that in this case, the covenant would be governed by another state's law.

Nicole Kamm prevailed on a Demurrer to Complaint, by persuading a Court to dismiss several causes of action without leave to amend, and specifically convincing Court to dismiss claims alleged against the individual owners of client company, without leave to amend.

Lynn Soodik appeared on **CNN Entertainment News**, regarding Jason Patric's custody battle with his former girlfriend. The controversial case raises questions regarding paternal rights for sperm donors.

Nicholas Kanter prevailed on a motion to remand an unlawful detainer lawsuit to state court after the defendant removed the lawsuit to federal court as a delay tactic. In the motion, Nick argued the defendant filed the removal with no objectively reasonable basis and requested that the Firm's client be awarded attorney fees incurred as a result of the removal. The court granted Nick's request and awarded the Firm's client attorney fees. Further, after the lawsuit was remanded to state court, Nick prevailed on a motion for summary judgment, obtaining an award of possession for the Firm's client.

Andrew L. Shapiro and **David B. Bobrosky** of our Personal Injury Practice Group, represented a client who suffered a back injury after an auto accident, which required microdiscectomy surgery and several months of missed work. After a full day of intense negotiations at mediation, Andy and Dave secured a high six figure settlement for the client.



Vanessa Soto Nellis completed a trial in which she prevented the other side from presenting evidence they previously withheld. Due to unreasonable positions taken throughout the divorce case by the other side, Vanessa obtained sanctions of \$15,000 against the opposing party.

Sue M. Bendavid favorably resolved a dispute for a client who allegedly hired an employee away from a competitor. The competitor asserted that the employee stole trade secrets and was soliciting the former employer's clients. The competitor alleged this caused hundreds of thousands of dollars in damages. Sue asserted that the trade secrets weren't entitled to protection and weren't stolen – and that the claimant was infringing on our client's right to lawfully compete.

David Gurnick worked with a globally-known client in protecting their brands from misuse on internet websites. David aided the client in informing website operators of their need to limit use, and comply with usage guidelines, which will help protect the client's brands internationally.

Kira S. Masteller is working on an estate plan in conjunction with a divorce agreement/judgment, to insure that an ex-spouse will not be relieved of his duty to pay a child's expenses in the event of the Trustor's death. This will result in more funds for the child and not the prior spouse. In another matter, **Kira** is creating a Privacy Trust for a public figure who wants to acquire real estate privately.

Tal Grinblat resolved a trademark dispute for a self-storage company in San Diego. The competitor used trademarks and registered our client's name as a domain address. Tal persuaded the competitor to stop using our client's marks in the future, and to transfer the domain to our client, without having to resort to protracted litigation.

Michael Hackman and **Kevin E. Rex** were nominated for a *Valley's Most Trusted Advisors* award, to be given by the *San Fernando Valley Business Journal*. **John B. Marshall** and **Keith T. Zimmet** are both past recipients of this award.

Andrew L. Shapiro resolved a case prior to Mediation for policy limits in the low six figures, for a client who injured her back but did not yet have any surgery. This case is a good example of why everyone needs to have significant amounts of underinsured motorist coverage. Had the client procured such coverage she could have recovered additional compensation.

Robert A. Hull worked with a client distribution company and a French electronic accessories manufacturer on a Joint Venture Agreement, and to form a Delaware corporation, for the client to distribute the French company's products throughout the United States.

Nicole Kamm gave a series of mid-year legal updates about California's mandatory Leave of Absence rules, to members of Professionals in Human Resources Association (PIHRA), addressing HR representatives in Riverside, Los Angeles and Woodland Hills. **Sue M. Bendavid** participated in the Woodland Hills presentation. Nicole will present again at PIHRA's annual, state conference this month.

Stephen T. Holzer co-presented *California Environmental Concerns: Your Business, Your Property, Your Money*, to local business owners who may – as employers, manufacturers, distributors and property owners – need to post Prop 65 Warnings.

Robert A. Hull presented a roundtable seminar regarding California's new limited liability company law, the Revised Uniform Limited Liability Company Act set to go into effect on January 1, 2014, to the San Fernando Valley Trusts and Estates Council.

Kira S. Masteller is a candidate for the San Fernando Valley Bar Association's Board of Trustees' Treasurer, 2013-2014. The Trustees oversee the SFVBA budget, develop new programs and services, and set new policies.

Congratulations to **Sue M. Bendavid** and **David Klaparda**, who were married in July.

PUBLICATIONS & MEDIA MENTIONS

LA Talk Radio

Broad Topics with Laura Nickerson: Estate Planning

Robert A. Hull Interviewed

The San Fernando Valley Business Journal

Attorneys Say There is No Appeal to Budget Cuts

David Gurnick quoted

Los Angeles Daily Journal

Pre-1978 Works Require Diligent Record-Keeping

by Nicholas Kanter

Super Lawyers Magazine

2013 Rising Stars of Southern California named:

Elizabeth A. Erickson
Robert A. Hull
Nicole Kamm
Nicholas Kanter

The San Fernando Valley Business Journal

Employment Law Roundtable: What Owners & Executives Need to Know

Sue M. Bendavid & David Gurnick quoted

Valley Lawyer

Enforcement Before Adjudication: The Writ of Attachment

by Stephan Mihalovits

The San Fernando Valley Business Journal

Checking In, Checking Out: The Financial Issues in Buying or Selling a Hotel

by Keith T. Zimmet