

## 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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**Tax, Trust & Estate Planning 2017:** Michael Hackman and Kira S. Masteller will present their annual planning seminar on Tuesday, May 9, 2017. The presentation will take place in our Boardroom, and is complimentary for our clients and friends. Attorneys and accountants may earn continuing education credits, and a light breakfast will be provided. Contact Chris Podbielski: [cpodbielski@lewitthackman.com](mailto:cpodbielski@lewitthackman.com) to RSVP.

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APRIL 2017

### *Recent Professional & Community Accomplishments*

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Congratulations to **Tal Grinblat** (a Certified Specialist in Franchise & Distribution Law), named a **2017 Legal Eagle** by *Franchise Times Magazine*. This is the fourth consecutive year Tal has been selected. Designees are chosen via nominations from clients and peers.

**Lynn Soodik** (Certified Family Law Specialist) and **Kevin E. Rex** finalized a divorce judgment for a client. Kevin worked with Lynn and the client to resolve the extensive business and real estate issues involving the family business.

**David Gurnick** (Certified Specialist in Franchise & Distribution Law) brought an action in court as well as an arbitration proceeding on behalf of a prominent restaurant franchisor seeking to remove a noncompliant franchisee from the system. These steps saved our franchisor client thousands – as the actions prompted the parties to enter a settlement agreement rather than proceed to trial and arbitration. In the end, the franchisee agreed to list and sell its restaurant before a certain deadline, or have its business repurchased by the franchisor.

**Kira S. Masteller** prepared a Supplemental Needs Trust to benefit a disabled adult who could have been disqualified from receiving public benefits because of a direct inheritance from his parents' estate. By establishing a Supplemental Needs Trust, a Trustee will control distributions to supplement rather than replace public assistance, thus allowing the inheritance to go much further and provide the beneficiary a better quality of life.

**Keith T. Zimmet, David Gurnick** and **Paul C. Bauducco** settled a lawsuit for a client who was exercising its rights as a creditor in enforcing a seller takeback note in a prior asset sale transaction. To protect our client's interests under the settlement agreement which Paul and David had negotiated, Keith supervised on behalf of our client an orderly sale of the debtor's personal property assets, together with the restructuring of certain real property assets and leases relating thereto.

**Sue M. Bendavid** and **Nicholas Kanter** resolved a fiercely litigated trade secret misappropriation case. Representing multiple parties accused of conspiring to take trade secrets from an alleged competitor, Sue and Nick were able to reach a favorable resolution and despite objections by the clients' insurance carriers about coverage, persuaded the carriers to contribute the bulk of the settlement.

**Tal Grinblat** invalidated a Fortune 500 tech giant's software trademark in Mexico, based on our client's earlier rights in the identical mark. The proceeding lasted nearly two years and required assistance from local counsel. Tal succeeded in vindicating our client's rights in and to the mark. If upheld on appeal, the decision will pave the way for our client's mark to proceed to registration.

**Veronica R. Woods** of our Family Law Practice Group successfully negotiated an opposing party's initial support request of \$18,000 per month, down to zero.

**Paul C. Bauducco** and **John B. Marshall** successfully brought motions to compel discovery from an opposing party on behalf of a major clothing manufacturing client providing critical information and documents for an upcoming trial concerning alleged trespass and vandalism involving placement of posters in the Los Angeles area.



**Nicole Kamm and Amy I. Huberman** obtained a dismissal with prejudice from the Court, dismissing the firm's client entirely from a pending discrimination and wage and hour lawsuit. After obtaining the dismissal with prejudice, the plaintiff attempted to pursue her claims through the Division of Labor Standards Enforcement. Based on Nicole and Amy's arguments, the DLSE dismissed our client and declined to pursue the matter.

**Kevin E. Rex** worked with a client in acquiring the remaining portion of a business in which the client had previously purchased a majority interest. In other matters, Kevin negotiated and finalized the terms of a shareholder agreement for a privately held company; and assisted another client in reacquiring a portion of the business the client previously had sold.

**Barry Kurtz** (Certified Specialist in Franchise & Distribution Law), **Matthew J. Soroky** and Paralegal Caitlyn Dillon are replacing the Franchise Disclosure Document (FDD) and agreements for an international ramen franchisor. In other matters, Barry and **Gabriel A. Wintner** completed the preparation of an FDD for a startup automotive repair franchisor, and for a startup grilled cheese restaurant franchisor.

**Paul C. Bauducco** favorably resolved a residential lease dispute for a client prior to the initiation of litigation, providing the client with a settlement sum while avoiding litigation costs.

**John B. Marshall** and **Amy I. Huberman** successfully persuaded the Court to order the Clerk of the Court to sign Interspousal Transfer Deeds on behalf of the opposing party who refused to comply with the previous judgment. The Court also awarded sanctions to be paid to our client.

We are excited to introduce some new members into the Lewitt Hackman family: **Tal Burnovski Yeyni** and her husband Avichai Yeyni welcomed their first baby, Tom. We are pleased to report that Tal, Tom and Avi are all doing well. In addition, we have two new attorneys. **Melissa L. Mayer** is a graduate of UC Santa Barbara with a *juris doctor* from Tulane Law School, and joins our Family Law Practice Group as a Senior Associate. **Matthew J. Soroky** graduated from UC Berkeley and earned his *juris doctor* from Southwestern. He joins our Franchise & Distribution and Business Litigation Practice Groups.

**Tal Grinblat** worked with a client to negotiate an endorsement agreement from a former presidential candidate and member of Congress. The agreement permits our client to use the endorser's name, likeness, voice and autograph in advertising and marketing our client's business.

**John B. Marshall** and **Paul C. Bauducco** settled a breach of contract claim against a healthcare district client for a small fraction of the amount demanded, saving the client many thousands of dollars in litigation costs.

**Kira S. Masteller** is forming a Limited Liability Company for two business partners. One partner will contribute sweat equity, while the other funds the venture. Their agreement provides for equal ownership and specifics for dividing the company in the event the corporation is dissolved, with an eye to fairness for both Members of the LLC.

**Nicholas Kanter** prevailed on a motion for summary judgment in a lawsuit arising from a non-judicial foreclosure sale. By prevailing on the motion, our client was able to avoid the time and expense associated with having to proceed with the lawsuit through trial.

**Veronica R. Woods** was asked to substitute for an outside attorney on a disputed divorce matter that had been ongoing for two years. Veronica managed to trace out the discrepancy, reaching an equitable result for our client and foregoing further litigation.

The American Bar Association has announced publication of a new treatise on Franchise Law Exemptions and Exclusions. **David Gurnick** was acknowledged for serving as liaison between the book's editors and the ABA Forum on Franchising Publications Committee, which was responsible for preparation of the book.

## PUBLICATIONS & MEDIA MENTIONS

### **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

### **Super Lawyers**

*2017 SoCal Super Lawyers*

**Paul C. Bauducco** (Business Litigation)

**Sue M. Bendavid** (Employment)

**David B. Bobrosky** (Personal Injury)

**Tal Grinblat** (Franchise & Dealership)

**David Gurnick** (Franchise & Dealership)

**Michael Hackman** (Tax)

**Stephen T. Holzer** (Environmental)

**Barry Kurtz** (Franchise & Dealership)

**Kira S. Masteller** (Estate & Probate)

**Andrew L. Shapiro** (Personal Injury)

**Lynn Soodik** (Family Law)

### **The Los Angeles Times**

*Buy a Home Now, Move in After the Seller Dies*

**Kira S. Masteller** quoted

### **The Practical Lawyer**

(American Law Institute)

*How to Lead Your Clients to the Purchase of a Franchise*

**Barry Kurtz**, author

### **SFV Business Journal**

*Employment & Labor Roundtable*

**Sue M. Bendavid**, participant

### **BuzzFeed News**

*Angelina Jolie and Brad Pitt Taking Contentious Divorce Case Private*

**Lynn Soodik** quoted

### **Valley Lawyer**

(San Fernando Valley Bar Association)

*Post Prop 64: Keeping Employees Off the Grass*

**Amy I. Huberman**, author

### **Extra TV**

*Will Brad Pitt be Prosecuted for Private Jet Incident?*

**Lynn Soodik** interview