

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

818.990.2120

www.lewitthackman.com

16633 Ventura Boulevard

Eleventh Floor

Encino, California 91436

Employment Defense - Legislative Updates for 2019: Sue M. Bendavid and Nicole Kamm will present their annual seminar for employers regarding the latest changes to California Employment Law in January. We will provide a light breakfast, validate parking, and Attorneys and Accountants may earn CLE or CPE credit, and human resources professionals may earn HRCI credits. Details will be available at lewitthackman.com/events/ soon.

DECEMBER 2018

Recent Professional & Community Accomplishments

Congratulations to **Michael Hackman** (Tax Law), **Andrew L. Shapiro** (Personal Injury Litigation), **Sue M. Bendavid** (Employment Law), **David Gurnick** (Franchise Law), **Kira S. Masteller** (Trusts & Estates), and **Lynn Soodik** (Family Law) – all named **Best Lawyers in America 2019**. Mike is a State Bar of California Certified Specialist in Tax Law, and David is a Certified Specialist in Franchise and Distribution Law. David has been named to this list each consecutive year since 2008.

Samuel C. Wolf and **David Gurnick** represent a franchisor and its executive officers, defending claims brought by employees of a franchised location. Sam and David persuaded a court to dismiss all claims against the franchisor's individual executives and obtained their dismissal from the lawsuit. Additionally, they persuaded the opposing lawyer to voluntarily dismiss some claims against the franchisor, and persuaded the court to eliminate various other claims. The case has been narrowed substantially.

Veronica R. Woods successfully submitted a judgment of dissolution being entered by the end of this year taking advantage of the taxation effects of deductibility to our client the payor spouse. This law is significant in that it was enacted this year.

Tal Grinblat worked with a client to negotiate changes to a reality television show featuring our client. Because of Tal's efforts, the episode that aired recently omitted certain aspects our client found objectionable.

Kevin E. Rex and **Taylor M. Vernon** worked closely with local counsel in several states to close a deal involving a private equity firm's purchase of three affiliated companies. Several employment agreements with key personnel, and various real estate issues with multiple affiliates, were all resolved. **Peter L. Ente** worked with the clients and their accountants regarding numerous tax implications, while local counsel assisted with state issues. Kevin spearheaded intense negotiations of the \$100 million stock sale over several months. The complex transaction included other incentives for the owners who originally pulled the deal off the table just prior to the original closing date, before finally coming to terms with the buyer and closing the deal.

Vanessa Soto Nellis (Certified Family Law Specialist) worked with a client to complete her dissolution of marriage matter, which had been pending for four years. With Vanessa's assistance, the parties were able to finally resolve their financial issues, divide property equitably, execute a Judgment of Dissolution and move on with their lives.

Paul C. Bauducco obtained a favorable settlement from a vendor who breached a contract to sell scrap metal to our client. The vendor agreed to the settlement shortly after Paul filed a lawsuit on behalf of our client. The settlement saves all parties time and expense of going to trial.



Paul C. Bauducco settled a case for an attorney client in litigation against a law firm our client had done contract work for, avoiding the expense of a five day jury trial.

Tal Grinblat and **Katherine L. Wallman** filed a number of Letters of Protest in the Trademark Office alerting the Examining Attorney of our clients' trademark rights, with favorable results. A Letter of Protest is an efficient, yet infrequently used mechanism to block a confusingly similar trademark application without the cost and expense of opposing the application.

Kevin E. Rex and **John B. Marshall** worked closely with a client to purchase a commercial property, adjacent to various other parcels the client currently owns. The acquisition of this corner property gives our client the ability to redevelop a very valuable tract of real property in Los Angeles.

Nicholas Kanter and **Tal Burnovski Yeyni** successfully challenged claims filed against our client. Nick and Tal filed a demurrer in response to discrimination and harassment allegations made by the company's former employee. The Court sustained the demurrer as to four out of five causes of action, requiring the plaintiff to amend her complaint.

Veronica R. Woods finalized a dissolution that has been going on for over the statutory time period of five years in family law, resulting in an extension of time negating the mandatory dismissal. The multiple day trial ended in an equitable resolution of our client receiving his business franchise interest and real property.

Barry Kurtz and **David Gurnick** worked with a longtime franchisee to negotiate an early exit from the franchise system. Uncovering an obscure but substantive exemption violation by the franchisor provided a basis to seek and negotiate the exit. In a separate matter, Barry, David and **Katherine L. Wallman** provided an analysis of a franchisor's current form of franchise agreement, to an association of franchisees.

We are pleased to welcome **Daniella Rubin** to our Employment Practice Group as an Associate Attorney. Daniella graduated *cum laude* from Loyola Law School in May and was selected as a member of the *Order of the Coif*. Daniella began working with our firm as a Law Clerk in September, and has just been sworn in to the State Bar of California. Before joining Lewitt Hackman, Daniella served as an extern to the Honorable Otis D. Wright in U.S. District Court, Central District of California, and as Law Clerk for litigation departments in the Los Angeles area.

Kevin E. Rex and **Taylor M. Vernon** worked with a franchisor and his investment banker to sell the franchise system to a private equity group for a purchase price in excess of \$50 million. The transaction involved more than 200 units across the country. As part of the deal, our client agreed to maintain a minority position in the company. **Barry Kurtz** (Certified Specialist in Franchise and Distribution Law) handled the franchise issues arising from the transaction and continues to represent the franchisor. **Peter L. Ente** structured the transaction and worked with the accountants on the various tax issues involved.

David B. Bobrosky of our Personal Injury Practice Group favorably resolved a client's case against a national grocery store chain. The client was burned by soup that splattered on her hand when she was filling her container. The specific location had closed since the incident, but Dave was able to settle the case without the need of litigation.

Tal Grinblat represented a client in negotiating a settlement of a business dispute that was pending in Alabama. The opposing side initially requested a six figure settlement to resolve the matter. Tal's efforts led to a favorable resolution for our client.

David Gurnick spoke on litigating the elements that make a business relationship a franchise at the American Bar Association's annual *Forum on Franchising*, which was held in Nashville, Tennessee in October.

David B. Bobrosky gave a presentation entitled *Beyond the Basics: A Case Study Analysis of Liability Issues in Complicated Cases* to members of the Los Angeles Paralegals Association (LAPA), at LAPA's annual convention. The presentation showed Paralegals how to explore all avenues of liability when litigating complex injury matters. During the convention, Paralegals **Marianne Toghia** and **Deborah Moreno** accepted a *Law Firm of the Year Award* from LAPA, on behalf of Lewitt Hackman.

PUBLICATIONS & MEDIA MENTIONS

Valley Lawyer

(San Fernando Valley Bar Association)
Class Action Lawsuits Roundtable: Consult Early On
Sue M. Bendavid, contributor

Bankruptcy Handbook for Franchisors and Franchisees

(American Bar Association Treatise)
Chapter 6: *Intellectual Property Issues*
David Gurnick, co-author

Valley Lawyer

(San Fernando Valley Bar Association)
A-B-C Test Not as Easy as 1-2-3 for California Businesses
Sue M. Bendavid, co-author

Franchise Law Journal

(American Bar Association)
Unconscionability in Franchising
David Gurnick & Samuel C. Wolf, authors

Valley Lawyer

(San Fernando Valley Bar Association)
Gas Station Franchises: Federal and California State Regulations
David Gurnick & Matthew J. Soroky, authors

San Fernando Valley Business Journal

California Labor and Employment - A Roundtable Discussion
Sue M. Bendavid, participant

KPCC: Air Talk with Larry Mantle

Implicit Bias: Starbucks temporarily closing 8,000 stores for employees' discrimination training
Sue M. Bendavid, participant

The Northern California Record

Indio, Coachella Aren't the Only Places Where Code Violations Can Lead to Huge Legal Bills, Lawyer Says
John B. Marshall, quoted

KPCC: Air Talk with Larry Mantle

Power in numbers? Or confidential black hole? A new website that connects sexual assault victims in the workplace
Sue M. Bendavid, participant

The Los Angeles Times

Visits by ICE Spooking California Businesses, Workers
Sue M. Bendavid, quoted

Valley Lawyer

(San Fernando Valley Bar Association)
Product Liability Litigation Tests Jurors' Perspectives
Andrew L. Shapiro, author