



Business Practice Groups

- Business & Civil Litigation
- Commercial Finance
- Corporate
- Employment
- Environmental
- Franchise & Distribution
- Health Care
- Intellectual Property
- Mergers & Acquisitions
- Real Estate
- Tax Planning

Consumer Practice Groups

- Family Law
- Personal Injury
- Trust & Estate Planning

818.990.2120

lewitthackman.com

16633 Ventura Boulevard
Eleventh Floor
Encino, California 91436

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Recent Professional & Community Accomplishments

Congratulations to our *2020 Best Lawyers in America*, as selected by *Best Lawyers Magazine*: **Michael Hackman, Andrew L. Shapiro, Sue M. Bendavid, David Gurnick, Lynn Soodik, and Kira S. Masteller**. Mike, David and Lynn are all State Bar of California Certified Specialists.

Congratulations **John B. Marshall**, honored by the San Fernando Valley Bar Association with a *President's Award*. John is very active with the SFVBA, donating countless hours to assist with the Bar's real estate matters and fee arbitration services.

Congratulations to **Barry Kurtz** (Certified Specialist in Franchise & Distribution Law), named a *2019 Attorney of the Year Trailblazer*, by the *San Fernando Valley Business Journal* at the journal's annual *Trusted Advisors Awards* event.

Paul C. Bauducco obtained a non-dischargeable judgment in United States Bankruptcy Court for a client based on fraud claims against the debtor, which together with prejudgment interest, will be a high six-figure amount for our client.

Vanessa Soto Nellis (Certified Family Law Specialist) and **David Gurnick**, with Paralegal Debbie Moreno, settled a case in which an ex-spouse from a nationally prominent family failed to pay any spousal support to our client for three years and tried to end future support. Vanessa and David pursued significant discovery, including demands to a complex trust. Our discovery questions forced the opponent to invoke the 5th Amendment, admitting fear of criminal prosecution. Finally, at a proceeding addressing the 5th Amendment claims and failures to answer discovery, the matter was settled and within one week a cashier's check was received covering all past support, attorneys fees, and buy-out of future support.

David Gurnick and **Jessica W. Rosen** represented a consulting company in a Superior Court jury trial. Our client sued an aircraft maintenance and repair company for success fees based on sales and retainer fees for consulting services. The case involved written and oral contracts. The jury award was more than 10 times the opposing party's highest offer to settle, and our client is entitled to recover interest and attorneys' fees as well.

Kevin E. Rex and **Peter L. Ente** advised a family group in connection with the restructuring of a portfolio of commercial real estate properties valued in excess of \$350 million. Two hostile family groups owned the portfolio and wanted to separate their ownership so that each party could make independent business and investment decisions. Kevin and Peter worked with opposing counsel to craft a tax-advantaged structure to accomplish the restructuring, obtain lender consent, and negotiate the associated documents and instruments necessary. The client group was able to achieve its objectives without selling any of the underlying properties.

Andrew L. Shapiro, Thomas Cecil and **David B. Bobrosky** reached a seven-figure settlement for a client involved in an automobile accident. The driver at fault did not have sufficient insurance to cover our client's injuries. However, during the course of Andy, Tom and David's research, our attorneys discovered the highway itself was unsafe. Tom conducted additional research and extensive discovery, which enabled our attorneys to obtain a much higher settlement from Caltrans as the additional defendant.



Sue M. Bendavid counseled a client regarding a mass layoff of employees for financial reasons. Sue worked with our client in establishing protocols for the layoffs, and prepared the necessary documentation to minimize risk of potential discrimination or wrongful termination claims.

Barry Kurtz is working with a prominent company in the plant-based meat business in negotiating terms with a foreign vegan meat manufacturer. Under this transaction, our client would purchase and distribute food products in North America and develop franchises for retail units to sell vegan products.

Tal Burnovski Yeyni successfully prevailed on a demurrer on behalf of our clients who were alleged to have failed to pay minimum wage, to provide and maintain pay and time records, and engaged in unfair competition. The Court agreed with Tal's arguments that the allegations in the complaint do not support a conversion claim, a private right of action for failure to maintain records, and individual liability in regards to the unfair competition claim.

David B. Bobrosky resolved a case against the owner of a dog. The client, a surgeon, was bitten on the forearm while jogging through his neighborhood. The settlement was covered by the dog owner's homeowner's insurance policy.

Tal Grinblat and **Katherine L. Wallman** represented an e-sports client in filing a response to a Trademark Office refusal whereby they explained to the Examining Attorney why the client's mark should be permitted to proceed despite the Examiner citing a variant of the mark in the fitness area. The brief filed contained over 60 pages of evidence in support.

Sue M. Bendavid worked with several clients to transition employees who weren't performing to the employers' standards. This helps to reduce the risk of potential wage and hour, discrimination, wrongful termination and other claims.

David B. Bobrosky requested a number of records from one of the culpable drivers in a wrongful death case. The driver, represented by a national defense firm, objected to the production of several relevant documents. David pursued the matter, and the court instructed the opposing side to immediately turn over the documents or face significant sanctions. The documents were turned over in a matter of days.

Barry Kurtz and **Taylor M. Vernon** are representing a franchisor client with over 15 years in business, in winding down franchise operations and disposing of the system's assets. In separate matters, Barry and **Matthew J. Soroky** are reviewing franchise documents for two separate clients aiming to become franchisees.

Paul C. Bauducco was able to avoid costly litigation by obtaining the return of a large construction deposit for a homeowner client due to the construction contract being defective. In a separate matter, Paul successfully brought four motions to compel discovery from an opposing party, receiving a court order that responses to the discovery be served by the other side without objections and for monetary sanctions in the thousands of dollars. This will allow the client to bring a motion for summary judgment and possibly avoid trial.

Vanessa Soto Nellis settled a complex child custody matter in which the children of a dissolving marriage had differing needs and requirements of each parent. In resolving the problem, Vanessa worked with the client and opposing party to result in different custody schedules for each child. In a separate matter, Vanessa successfully obtained an order to modify child support, as one of the children became an adult who no longer needed support.

Tal Grinblat successfully removed an infringing Instagram account that was using a close variant of our fitness industry client's trademark without permission. Through Tal's efforts, Instagram removed the infringing account and notified the infringer of the client's rights.

Sue M. Bendavid spoke for a national travel industry cooperative regarding California's Assembly Bill 5 – a new law making it more difficult for companies to outsource work to independent contractors. Sue has also been presenting harassment and discrimination prevention trainings for a number of clients – each geared specifically for managers or non-managers, as required by California law.

We are pleased to welcome four new attorneys to our firm: **Zane S. Averbach** (Corporate, Real Estate and Trust & Estate Planning), **Mark J. Phillips** (State Bar of California Certified Specialist in Trust & Estate Planning), **Steven L. Feldman** (Business & Civil Litigation and Environmental) and **Alex J. Hemmelgarn** (Tax Planning and Trust & Estate Planning).

Publications & Media Mentions

Santa Barbara Lawyer

(Santa Barbara County Bar Association)
Accidental Franchises: What You Don't Know Can Hurt Your Client
Barry Kurtz and **Katherine L. Wallman**, authors

San Fernando Valley Business Journal

End of Indie Contractors Means Woes for Employers
Sue M. Bendavid, quoted

Best Lawyers in America

2020 Edition

Sue M. Bendavid, Employment/Labor
Lynn Soodik, Family Law
David Gurnick, Franchise/Dealership
Michael Hackman, Tax Law
Kira S. Masteller, Trusts & Estates
Andrew L. Shapiro, Injury Litigation

San Fernando Valley Business Journal

Trademarks Hinge on Cuban Embargo
Tal Grinblat, quoted

Valley Lawyer

(San Fernando Valley Bar Association)
Trial of Charles Manson: 50 Years Later
Mark J. Phillips, co-author

San Fernando Valley Business Journal

Anti-Gig Bill Passes California Senate
Sue M. Bendavid, interviewed

Franchise Times Magazine

Dog Haus Going With Flow in Virtual Test Kitchen
Barry Kurtz, quoted

Valley Lawyer

(San Fernando Valley Bar Association)
Member Focus
Leon Lewitt, featured

Valley Lawyer

(San Fernando Valley Bar Association)
How Do I Distribute: Let Me Count the Ways
David Gurnick, author

San Fernando Valley Business Journal

Business Journal Awards: Valley's Most Trusted Advisors (Attorney of the Year)
Barry Kurtz, selected

Valley Lawyer

(San Fernando Valley Bar Association)
Colliding Apps: Analyzing Ride-Hailing and Scooter Share Service Injury Laws
Andrew L. Shapiro, author

KPCC "AirTalk" with Larry Mantle

A Look at the Challenges of #MeToo in the High School Setting
Sue M. Bendavid, interviewed