



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

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2019 Year-End Tax Planning: Please join us for our annual tax seminar, presented by Kira S. Masteller, Mark J. Phillips (Certified Specialist in Estate Planning, Trusts and Probate), and Alex J. Hemmelgarn on Thursday, November 14th. Attendees may qualify for 1.5 hours MCLE or CPE credits. We will provide a light breakfast and validate parking. Invitation details and RSVP links are available on the Events page of our website: lewitthackman.com/events/.

November 2019

Recent Professional & Community Accomplishments

We are pleased to announce that Lewitt Hackman has been named a **Best Law Firm** in Los Angeles by *Best Lawyers Magazine* in conjunction with *U.S. News and World Report*, in six different practice areas: Family Law, Employment, Franchise, Personal Injury, Tax, and Trusts & Estates. This is the third consecutive year in which we have achieved this ranking.

Barry Kurtz (Certified Specialist in Franchise & Distribution Law) and **Katherine L. Wallman** represent a nationally-known franchisor selling franchises again after several years of not doing so. Barry and Kate are working with the client to prepare its franchise disclosure and other documents required by several states. In a separate matter, Barry and Kate are preparing supply and distribution agreements for a US company importing plant-based, meat alternative products from an overseas supplier.

David B. Bobrosky of our Personal Injury Practice Group favorably resolved a case for a couple who was injured in a slow speed car accident. Despite the minimal impact, both clients aggravated prior spinal injuries requiring surgery. An outside attorney who could not generate any meaningful offers, brought David into the case. David aggressively litigated the case through expert depositions and multiple settlement conferences until the insurance company finally paid fair value on the eve of trial.

Vanessa Soto Nellis (Certified Family Law Specialist) successfully opposed a spouse's request to sell the former family residence. The court reserved the firm client's request for sanctions until trial.

Keith T. Zimmet guided our client through its sale of substantially all of the assets of over a dozen of its subsidiary companies. The various transactions included, among other assets, real property located in several counties, as well as substantial personal property and intellectual property. Because the sale related to ongoing businesses, the matter also required counseling our client through complex timing, employment and tax issues.

Kevin E. Rex and **Samuel C. Wolf** represented a client in a multimillion dollar acquisition of several competitors to facilitate the client's growth strategy. As part of the acquisition, Kevin and Sam guided the client on restructuring its bank debt to finance the deal. Additionally, Kevin and Sam strategized alternative routes to navigate third party consent issues to get the deal closed.

Kira S. Masteller and **Jana G. Garrotto** successfully settled a matter wherein they represented a Trustee in a Petition to Determine the Trusts Title to Property, as a significant asset had been inadvertently left outside the trust by an elderly Settlor and then improperly retained by a beneficiary to that account. The settlement of the matter was in keeping with the original Settlor's wishes that all property would be divided among all his beneficiaries.

David Gurnick (Certified Specialist in Franchise & Distribution Law) is serving as local counsel for a franchisee in federal litigation. The franchisor filed for bankruptcy protection. David helped obtain a Bankruptcy Court ruling granting permission for the franchisee's federal court claims to proceed against the franchisor's officers and against the franchisor itself.



Tal Grinblat and **Katherine L. Wallman** overcame a difficult refusal from the Trademark Office which preliminarily denied

our client's trademark application on the ground that the mark was confusingly similar to another registration. Through their creative arguments, Tal and Kate convinced the examiner that the marks had sufficient distinctions and that the parties services were sufficiently different as to avoid consumer confusion.

Kira S. Masteller and **Jana G. Garrotto** were granted a Petition for Modification of a Trust originally created in the 1960's which had been amended and restated multiple times with oppositional and conflicting provisions, established funded irrevocable trusts, marital trusts, disclaimers by some settlers, and included issues with regard to multiple unascertained beneficiaries. The Court granted Kira and Jana's Petition in its entirety.

Matthew J. Soroky represented an out-of-state service business franchisor in a post-termination dispute with a former California franchisee that resulted in the client recovering its customer accounts and ceasing its use of an infringing trademark.

David B. Bobrosky resolved a case for a client who was hit by a car while at work. The client's employer did not have workers compensation insurance. David obtained policy limits from the responsible driver, as well as policy limits from the client's underinsured motorist coverage. He then brought in a specialist to pursue the Uninsured Employers Fund through the workers compensation system. David navigated the complicated waters of all three layers of insurance coverage to maximize the recovery to the client.

Melissa L. Mayer (Certified Family Law Specialist) obtained a substantial attorney fee award in the Los Angeles Superior Court representing our client in a highly contested family law action. Melissa achieved this award while facing strong opposition from our client's spouse and opposing counsel.

Barry Kurtz, **David Gurnick** and **Samuel C. Wolf** represent a franchisee whose franchisor is making dubious claims it can refuse to renew our client's Franchise Agreement. In another matter, Barry, Kevin E. Rex and Matthew J. Soroky are working with a franchisee on the sale of its 15 year old business back to the franchisor.

Barry Kurtz and **Matthew J. Soroky** are representing an out-of-state medical business franchisor in registering their Franchise Disclosure Documents with the California Department of Business Oversight.

Sue M. Bendavid and **Tal Burnovski Yeyni** presented an update of new legislation going into effect January 1, 2020 for an insurance industry client. Sue has also been providing a number of harassment and discrimination prevention training for clients' employees in a variety of industries, as mandated by California harassment prevention laws.

Vanessa Soto Nellis co-chaired "Settlorama" at the Van Nuys Family Law Court. The program provides experienced family law attorneys and volunteers to help settle family law cases ready for trial.

Barry Kurtz, **Tal Grinblat**, **Katherine L. Wallman**, **Jessica W. Rosen**, **Taylor M. Vernon**, **Matthew J. Soroky**, **Samuel C. Wolf** and **David Gurnick** attended the annual *American Bar Association Forum on Franchising*. The program is an annual legal meeting on franchise law. At the program, David Gurnick chaired an annual meeting of lawyers who teach franchise law in U.S. law schools.

Tal Grinblat, Vice Chair of Legislation for the Business Law Section of the California Lawyers Association participated in the Association's annual meeting in Monterey. At the meeting, the Business Law Section presented several programs to attendees as well as an award to distinguished practitioners in the business law field.

We are pleased to welcome **David G. Jones** as a Shareholder to our Employment Practice Group. David is an experienced litigator with unique insight into employment defense, as he has represented both employers and employees in state and federal court and in adversarial proceedings against various governmental entities. With his varied background, he adds the special ability to defend claims while being able to understand the playbook of employee attorneys, to great advantage for his employer clients.

Publications & Media Mentions

Los Angeles Daily Journal

Adaptable - US Magistrate Judge Listens to Attorney Input on Case Management
David G. Jones, quoted

Valley Lawyer

(San Fernando Valley Bar Association)
Building New Bridges of Communication from Both Ends
Kira S. Masteller and **David G. Jones**, quoted

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

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