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A LAW CORPORATION

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Recent Professional & Community Accomplishments

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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We are pleased to announce that **Sue M. Bendavid** and **Barry Kurtz** are once again included in the *San Fernando Valley Business Journal's Valley 200* for 2023. The Journal highlights "The 200 most influential leaders in the Greater San Fernando Valley region" each year. Sue chairs our Employment Practice Group. Barry chairs our Franchise and Distribution Practice Group and is a state bar certified specialist. Both have been named to this list each year, for the last several years.

Zane S. Averbach and **Alex J. Hemmelgarn** (Certified Specialist in Taxation Law) favorably resolved a years-long dispute between the estate of a wildfire victim and the family of the decedent's estranged spouse who claimed a share of the estate. Zane and Alex negotiated the seven-figure claim down to a low five-figure final settlement.

Steven L. Feldman successfully resolved a dispute between adjoining property owners concerning cross claims that surface water and subterranean drainage from each other's property was damaging structures on the other property. Steve utilized a drainage plan developed by a geotechnical engineer to forge a tacit agreement between the parties.

Kira S. Masteller created a gift trust for our clients' children wherein the parents' professional positions did not allow certain investments to be owned by the professionals. The clients were able to gift these unique investments to an irrevocable trust for their children wherein the Trustees can hold the assets until the children are a certain age, making distributions for the children's health, education, maintenance, and support; or, if not needed, accumulating the income to the trust's principal value.

John B. Marshall and **Paul C. Bauducco** resolved a multi-million-dollar construction defect dispute involving a client's light industrial building. The resolution provided the client funds to correct the defects, and avoid the costs of preparing for and trying the matter.

Sue M. Bendavid worked with an executive officer of a company in negotiating the terms of the executive's separation. The terms were very favorable to our client, and will allow the executive to receive the full benefits of his prior employment contract.

Barry Kurtz and **Katherine L. Wallman** (Certified Specialists in Franchise & Distribution Law) are reviewing cooperative documents, somewhat similar to franchise documents, for a client looking to renew a long-term relationship with a licensor. In separate matters and for separate clients, Barry and Kate are preparing franchise disclosure documents (FDD) for children's nature-based hiking camps, as well as FDDs for several casual restaurants.

Vanessa Soto Nellis (Certified Family Law Specialist) consulted with a firm's client in mediation and suggested the parties switch mediators after spending over a year without resolution. This suggestion led to the parties resolving their differences quickly and in the most cost-effective manner.

Stephen T. Holzer and **Heidy A. Nurinda** resolved a civil administrative action brought by the Environmental Protection Agency against our client for alleged violations under the Toxic Substances Control Act. Steve and Heidy vigorously negotiated with the EPA to defend our client's new business to quickly resolve the matter – reducing the penalty by 75 percent of the EPA's original demand.

Mark J. Phillips (California Bar Certified Specialist, Estate Planning, Probate & Trust Law) revised an estate plan to leave the balance of our client's estate on death to a selection of domestic and foreign educational institutions with which he is affiliated. On his death the assets will be used to endow a permanent professorship in his name, support future endowed internships, and fund scholarships for graduate students in Mathematics, Economics, Theology and History.

Barry Kurtz and **Matthew J. Soroky** (Certified Specialists in Franchise & Distribution Law) are preparing franchise disclosure documents for a specialty Mexican food restaurant concept.

Zane S. Averbach and **Alex J. Hemmelgarn** settled a dispute between our client and a sibling after several years of litigation over a family trust, preventing the expense of trial and providing finality to the family conflict.

Steven L. Feldman represented a tenant of an industrial property, in a commercial lease amendment that benefited the client. The negotiation was part of a sale transaction of the property to a new owner.

Paul C. Bauducco successfully brought a motion to dismiss pursuant to a settlement agreement after the opposing party refused to file a dismissal of his cross-complaint as required by the agreement.

Kira S. Masteller represents a client in the transfer of many investment properties to a Family Limited Partnership (FLP). Our client will maintain control of the FLP during his lifetime. The FLP will manage the investment properties, and limited partnership interests will be gifted to our client's children as they become limited partners. The gifts of limited partnership interests will receive a minority discount for gift and estate tax reporting purposes because limited partners lack control related to their ownership rights. This results in the FLP having a lower value overall for gift and estate tax reporting purposes.

David B. Bobrosky of our Personal Injury Practice Group represented a client injured in a rideshare accident. Our client initially engaged an outside attorney to represent her two years ago. The other firm's attorney attained a low five figure offer. The client fired the law firm and was then referred to David, who after reviewing the case, injuries and details, negotiated a settlement that was nine times more than what the other firm was able to achieve.

Kyla A. Parrino and **Kira S. Masteller** represented a local law firm in transferring shares of professional stock to two sons who have become attorneys and joined the family law practice. Kyla and Kira also updated the law firm's Corporate records.

Vanessa Soto Nellis drafted a termination of cohabitation agreement for a client whose relationship ended. Our client wanted to resolve any claims to her house, though both parties had contributed funds.

Kira S. Masteller and **Paul C. Bauducco** defeated the appeal of an attorney's fee award in a probate matter the Firm's client had prevailed on at trial.

Sue M. Bendavid has been working with multiple entertainment industry clients affected by the writer and actor strikes. Many of these companies have been forced to lay off or furlough employees, and reduce work hours.

Barry Kurtz and **Taylor M. Vernon** successfully closed the purchase of an existing national home care franchised business for our client. In separate matters, Barry and Taylor are reviewing documents for separate clients, looking to purchase hot exercise, home care assistance, medical care for patients with chronic, complex health conditions, and relocation services for the elderly.

Sue M. Bendavid represents several clients undergoing government audits pertaining to their compliance with the federal Fair Labor Standards Act, and state labor code provisions.

Publications & Media Mentions

Los Angeles Daily Journal

Legal implications of the Supreme Court's ruling in Adolph v. Uber

Sue M. Bendavid and **Tal Burnovski Yeyni**, authors

Los Angeles Business Journal

Fast Food Act Causing Indigestion

Barry Kurtz, quoted

Los Angeles Daily Journal

Employers subject to stricter religious accommodation standard under Title VII

Tal Burnovski Yeyni, author

Los Angeles Daily Journal

Revisiting the tangled rules for modification of revocable trusts

Mark J. Phillips, co-author

The Franchise Law Journal (published by the American Bar Association)

Maxims on Franchise Law

David Gurnick, author

Super Lawyers Magazine

2023 Southern California Rising Stars

Alex J. Hemmelgarn,
Jessica Wynette Rosen,
Matthew J. Soroky, and
Taylor M. Vernon selected

The Registry - SoCal Real Estate News

Lewitt Hackman Renews 23,404 SQFT Office Lease in Encino

Keith T. Zimet, quoted

San Antonio Lawyer

*The Trial of Sam Sheppard - Part 3
The Appeal*

Mark J. Phillips, co-author

Los Angeles Daily Journal

A Small Bright Line in the Murky Law of No Contest Clauses

Mark J. Phillips, co-author

Franchise Times Magazine

Legal Eagles 2023

Tal Grinblat, named

Los Angeles Times Business to Business Trends, Updates & Visionaries

Legal Visionaries

Barry Kurtz selected

San Antonio Lawyer

*The Trial of Sam Sheppard - Part 2
The Trial*

Mark J. Phillips, co-author