



FEBRUARY 2024

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

818.990.2120

lewitthackman.com

16633 Ventura Boulevard
Eleventh Floor
Encino, California 91436

We are pleased to announce that **Tal Burnovski Yeyni** has been promoted to Shareholder. Tal continues her work in our Employment Practice Group. Additionally, Shareholder **Nicholas Kanter** will now serve as Chair of our Business Litigation Practice Group. Nick continues to represent clients in our Employment, Real Estate, and Business Litigation Practice Groups.

Congratulations to our 14 attorneys named *Southern California Super Lawyers* by *Super Lawyers Magazine*, including: **Zane S. Averbach, Paul C. Bauducco, Sue M. Bendavid, David B. Bobrosky, Tal Grinblat, Stephen T. Holzer, Jeffrey A. Kobulnick, Barry Kurtz, Kira S. Masteller, Vanessa Soto Nellis, Mark J. Phillips, Andrew L. Shapiro, Lynn Soodik, and Keith T. Zimmet.**

Kira S. Masteller successfully settled a matter for a client who served as co-trustee for a disabled sister. Their brother petitioned to have our client removed as co-trustee. Kira worked with opposing counsel to come to a settlement, thus preventing a lengthy trial and significant legal expense.

Steven L. Feldman successfully resolved an Americans With Disabilities Act claim filed in Federal Court regarding access to our client's restaurant. The resolution proved favorable to our client, and prevented the unnecessary expenses of prolonged litigation.

Thomas M. Morrow and **Paul C. Bauducco** prevailed on a motion to compel, not only obtaining documents from the opposing party, but also gaining an award of several thousand dollars in monetary sanctions payable to our client.

Kevin E. Rex represented a client in a multi-million dollar purchase of various ownership interests of our client's deceased partner. The deceased partner's widow and our client disagreed over the interpretation of previous buy-sell agreements, the handling of entities not covered by a previous agreement, and the valuation of various interests. With additional counsel from **Peter L. Ente**, Kevin proposed a tax friendly, win-win solution for both parties which provided our client additional tax benefits.

Vanessa Soto Nellis (Certified Family Law Specialist) resolved a client's dissolution matter in which the sale of community assets comprised a large portion of their income, eliminating the need for support. The parties agreed it was mutually beneficial to remain business partners with equal distributions and an annual true up. This unusual and creative solution could only be reached by cooperation from both parties.

Jeffrey A. Kobulnick and **Heidy A. Nurinda** successfully resolved a dispute between a client franchisor against its former franchisee, and did so in early stages which allowed the parties to avoid more significant litigation costs.

Tal Grinblat (Certified Franchise & Distribution Law Specialist) represented a Belgium-based client with applications for restaurant services under the Madrid Protocol. The client was looking to address refusals claiming the marks were not registrable. After evaluating the refusals, Tal proposed a response strategy that successfully cleared the way for the marks to proceed to publication and registration.

Barry Kurtz (Certified Franchise & Distribution Law Specialist) and **Kevin E. Rex** are handling the franchise and purchase rights for a client forced out of his ownership interest of two multi-unit restaurant franchises by his co-owners.

Kira S. Masteller represented a client who had a joint tenancy account with her mother. Following the mother's death, our client's siblings objected to the account being distributed to the surviving joint tenant. Kira filed a petition with the court to obtain an order to distribute the assets in the account, resulting in a settlement between all siblings without further court involvement.

Matthew J. Soroky (Certified Franchise & Distribution Law Specialist) and **Thomas M. Morrow** negotiated a pre-litigation resolution for a client accused by a franchisee of making presale misrepresentations. Both the franchisor and franchisee sought monetary compensation from the other party. The resolution spared our franchisor client from incurring substantial litigation costs.

Tal Grinblat and **Thomas M. Morrow** represented a fitness client who discovered their own trademark incorporated in a competitor's domain name. The competitor incorporated the trademark into the domain, registered the domain, and linked the domain to their own website which led customers looking for our client's fitness studios to be directed to the competitor's studio. Tal and Tom sent a cease and desist letter to the competitor, demanding that they immediately stop using the domain and turn it over to our client. The competitor apologized and agreed to do so.

Heidy A. Nurinda and **Paul C. Bauducco** prevailed on a motion to consolidate two cases, saving the client attorneys' fees and costs, as well as putting the client in a better position to settle the case.

Barry Kurtz and **Jeffrey A. Kobulnick** represent a franchisor against a terminated franchisee who continues to use our client's trademarks in the operation of its business. In a separate matter, Barry is reviewing a Franchise Agreement for a client purchasing a fitness center from the franchisor.

Tal Grinblat and **Heidy A. Nurinda** overcame a difficult refusal to an application filed in the U.S. Trademark Office. The Trademark Office took the position that the client's mark for car accessories was highly descriptive and therefore not registrable. Tal and Heidy worked with the client to assemble over 20 customer declarations, who attested that the mark acquired distinctiveness due to its long use and recognition in the industry as the source indicator.

Kira S. Masteller worked with numerous clients, helping with gifts of assets to children during their lives to take advantage of the Federal Estate/Gift Tax exemption that is set to expire and be reduced by half at the end of 2025. The current Exemption is \$13,610,000 per person; it will be approximately \$6,800,000 per person in 2026 following the sunset of the present law.

Jeffrey A. Kobulnick hosted a program entitled *Moving Forward From Anti-Semitism* for The Executives supporting Los Angeles Jewish Health. The program featured Josh Stepakoff who was shot twice in 1999 during an antisemitic attack in Granada Hills.

Sue M. Bendavid gave a presentation for the Professionals in Human Resources Association (PIHRA) about leaves of absence. Sue provided practical advice to PIHRA members on managing myriad leave laws, which often overlap.

Jeffrey A. Kobulnick served as Chair of the annual International Trademark Association's *Saul Lefkowitz Moot Court Competition*. The competition was in Los Angeles at the U.S. District Court, Central District of California courthouse.

Tal Grinblat participated as a judge for the competition, and **Thomas M. Morrow**, **Jessica W. Rosen** and **Heidy A. Nurinda** also volunteered.

Vanessa Soto Nellis and Paralegal **Joni Davis** were recognized for their efforts in organizing the Settle-O-Rama program and coordinating the Family Law mediator program at an appreciation luncheon hosted by Family Law bench officers at the Van Nuys Court.

We are excited to welcome our new Associate Attorney **Wanjia "Olivia" Li**, who earned her Juris Doctor from Emory University School of Law in 2020. Olivia will represent clients as an Associate in our Tax Planning and Trusts & Estate Planning Practice Groups.

Publications & Media Mentions

Los Angeles Business Journal
Franchisers Fret
Barry Kurtz quoted

Los Angeles Daily Journal
Appellate ruling limits appearances by trustees and executors in pro per
Mark J. Phillips, co-author

Los Angeles Business Journal
Freedom to Own
Barry Kurtz quoted

Professionals in Human Resources
California Employment Law: Legislative Update
Tal Burnovski Yeyni, author

Best Lawyers Magazine
Best Lawyers in America 2024
Sue M. Bendavid, Michael Hackman, Barry Kurtz, Kira S. Masteller, Vanessa Soto Nellis, Andrew L. Shapiro, Lynn Soodik selected; **Jessica W. Rosen** named *Ones to Watch*, and **Jeffrey A. Kobulnick** named *Lawyer of the Year: Trademark Law*

Franchise Lawyer (published by the American Bar Association)
Remembering the Late David Gurnick, Franchise Law Specialist, Professor, and Much, Much More
Tal Grinblat, co-author

Los Angeles Daily Journal
Legal Implications of the Supreme Court's ruling in Adolph v. Uber
Sue M. Bendavid and **Tal Burnovski Yeyni**, co-authors

Valley Lawyer (San Fernando Valley Bar Association magazine)
Proposition 65: Primer and Alert
Stephen T. Holzer and **Steven L. Feldman**, authors

Los Angeles Daily Journal
Employers subject to stricter religious accommodation standards under Title VII
Tal Burnovski Yeyni, author

Reagan Foundation
Visiting Auschwitz: A Personal Story of Loss and Reflection
Jeffrey A. Kobulnick, interviewed