

VALLEY LAWYER

JULY 2018 • \$5

A Publication of the San Fernando Valley Bar Association

THE Trustee Candidates



Effective Brief Writing

Earn MCLE Credit

Official Sponsors of the San Fernando Valley Bar Association

KRYCLER ERVIN TAUBMAN & KAMINSKY

FULL SERVICE ACCOUNTING FIRM

CONTACT MICHAEL J. KRYCLER, CPA, FCA | SCOTT R. ERVIN, CPA

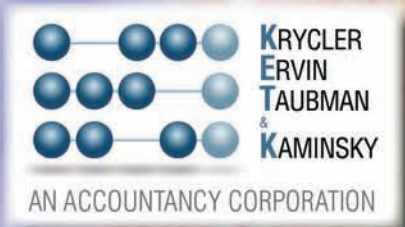
*When you need more than just numbers...
you can count on us...*

- LITIGATION SUPPORT
- EXPERT WITNESS
- FORENSIC ACCOUNTANTS
- FAMILY LAW MATTERS
- BUSINESS VALUATIONS
- LOSS OF EARNINGS
- DAMAGES

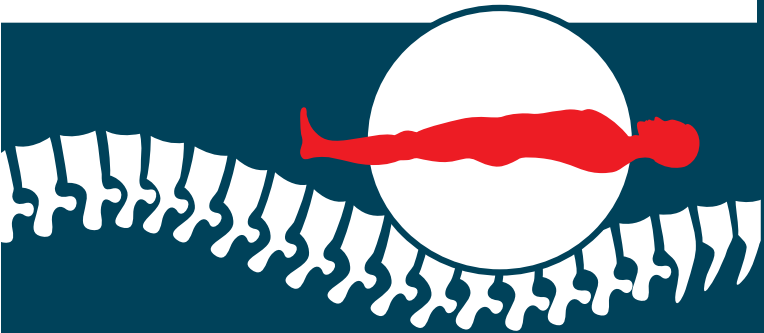
MEMBERS OF
American Institute of Certified Public Accountants
California Society of Certified Public Accountants

15303 Ventura Boulevard, Suite 1040
Sherman Oaks, California 91403

info@ketkcpa.com
t: 818.995.1040
f: 818.995.4124
www.ketkcpa.com



TRADITIONAL MRI HAS A HIGH MISS RATE



...when it comes to finding spine and ligament damage caused by an injury¹

POSITIONAL MRI OFFERS:

**VALUABLE
ADDED
INFORMATION**
where symptomatic
radiculopathy is
present without
any abnormalities
shown by
conventional MRI²



**LOCATIONS
THROUGHOUT CALIFORNIA**

EXPERTMRI
Technology | Science | Evidence

WE'RE CALIFORNIA'S LEADING DIAGNOSTIC IMAGING RESOURCE FOR INJURIES

- Expertise in neck, spine and traumatic brain injury (TBI)
- Positional, open and high field strength MRI
- Personal injury lien base expertise
- Familiarity with med-legal terminology and case reports
- Leading expertise in musculoskeletal pathology
- Digitally accessible reports/ images available within 48 hours

www.ExpertMRI.com | T: 877.MRI.8888 | F: 877.370.5458 | Info@ExpertMRI.com

1. F.W. Smith, et al (July, 2005). Positional Upright Imaging of the Spine Modifies the Management of Low Back Pain and Sciatica. Paper presented at the European Society of Skeletal Radiology (ESSR), Oxford, England.
2. Missed Lumbar Disc Herniations Diagnosed With Kinetic Magnetic Resonance Imaging Jun Zou, MD,* Huilin Yang, MD, PhD,* Masashi Miyazaki, MD,† Feng Wei, MD, PhD,† Soon W. Hong, MD,† Seung H. Yoon, MD,† Yuichiro Morishita, MD,†



Our Family Law Practice Group: *over 30 years of service in Southern California*



Vanessa Soto Nellis*
Chair, Shareholder



Lynn Soodik*
Shareholder



Veronica R. Woods
Senior Associate



Melissa L. Mayer*
Senior Associate



Susan T. Goldstein
Of Counsel

*Certified Specialist in Family Law, State Bar of California Board of Legal Specialization

16633 Ventura Boulevard, 11th Floor
Encino, California 91436-1865

lewitthackman.com
818.990.2120



LEWITT, HACKMAN, SHAPIRO, MARSHALL & HARLAN
A LAW CORPORATION



FEATURES

- 10 Effective Brief Writing | BY ALYSON C. DECKER
MCLE TEST NO. 117 ON PAGE 18.
- 20 The Trustee Candidates | BY MICHAEL D. WHITE
- 30 Growing a Small Law Firm | BY CAROL L. NEWMAN AND TINA M. ALLEGUEZ
- 34 Martins Beach and the Future of
Inverse Condemnation | BY ALICIA B. BARTLEY AND JASON M. SZEFTTEL

DEPARTMENTS

- 7 President's Message
- 8 Event Calendar
- 9 Editor's Desk
- 19 Social Briefs
- 38 New Members
- 38 Nominating Committee
Report
- 39 Attorney Referral Service
- 41 Valley Community
Legal Foundation
- 44 Classifieds

**SOUTHERN CALIFORNIA'S
PREEMINENT PROFESSIONAL
LIABILITY DEFENSE FIRM**

NEMECEK • COLE

Attorneys At Law



FRANK W. NEMECEK* JONATHAN B. COLE* MICHAEL MCCARTHY*

* Certified Specialist, Legal Malpractice Law, The State Bar of California Board of Legal Specialization

16255 VENTURA BOULEVARD, SUITE 300
ENCINO, CA 91436-2300
TEL: 818.788.9500 / TOLL FREE: 877.314.1177

WWW.NEMECEK-COLE.COM

HOEFFLIN • BURROWS

A Law Corporation

Personalized representation to attain client goals

HOEFFLIN • BURROWS delivers results by putting client interests first and using a team-based approach to creatively, intelligently, and effectively resolve legal matters. Specializing in disputes and litigation including:

- Real Estate
- Partnerships/LLC's
- Business and Corporate
- Trust/Estate Disputes
- Executive Employment
- Alternate Dispute Resolution
- Entertainment Disputes

Refer with confidence



Steven A. Meadville, of Counsel • Richard M. Hoefflin • Jason M. Burrows

2659 Townsgate Road, Suite 232 • Westlake Village, CA 91361
805.497.8605 • www.hoefflinlaw.com

VALLEY LAWYER

SAN FERNANDO VALLEY BAR ASSOCIATION

5567 Reseda Boulevard, Suite 200
Tarzana, CA 91356
Phone (818) 227-0490
Fax (818) 227-0499
www.sfvba.org

EDITOR

Michael D. White

GRAPHIC DESIGNER

Marina Senderov

BOARD OF TRUSTEES

President.....Alan E. Kassan
President-Elect.....Yi Sun Kim
Secretary.....Barry P. Goldberg
Treasurer.....David G. Jones
Past President.....Kira S. Masteller
Executive Director.....Elizabeth Post

TRUSTEES

Matthew A. Breddan	Joanna M. Sanchez
Michelle E. Diaz	Allan D. Sarver
Heather Glick-Atalla	George N. Seide
Peta-Gay Gordon	Steven M. Sepassi
Alexander J. Harwin	Hannah Sweiss
Amanda Marie Moghaddam	Toni Vargas
Kathy G. Neumann	Christopher P. Warne
Samuel R.W. Price	

STAFF

Director of Public Services..... Rosie Soto Cohen
Director of Education & Events Linda Temkin
Communications Manager..... Michael D. White
Member Services Coordinator... Sonia Bernal
Referral Consultant..... Catherine Carballo-Merino
Referral Consultant..... Miguel Villatoro

SECTION CHAIRS

Bankruptcy Law..... Steven R. Fox
Business Law & Real Property
Criminal Law..... David S. Kestenbaum
..... Berry F. Hammond
Employment Law Kimberly Westmoreland
..... David G. Jones
Family Law Sandra Etue
..... Amir Aharonov
IP, Entertainment & Internet Law... John Stephens
Litigation Christopher P. Warne
New Lawyers Hannah Sweiss
Probate & Estate Planning..... John E. Rogers
..... Nancy A. Reinhardt
Taxation Law..... Hrach J. Karakachian
Workers' Compensation Jeffrey S. Swartz

Valley Lawyer is published monthly. Articles, announcements, and advertisements are due by the first day of the month prior to the publication date. The articles in Valley Lawyer are written for general interest and are not meant to be relied upon as a substitute for independent research and independent verification of accuracy.

Printing Southwest Offset Printing

© 2018 San Fernando Valley Bar Association

Interesting Times

NEW S BREEDS CURIOSITY. With all the recent talk about the presidential pardon power, I had questions. Why does the power exist? How has it been used or abused over the years. And, at its worst, how dangerous could it be?

Though the power to pardon is set forth in the U.S. Constitution, it almost didn't make the cut. With the tyranny of King George III fresh in their minds, some of our Founders were opposed to the idea of granting the president such far reaching power. Alexander Hamilton felt otherwise, and was able to persuade his fellow patriots to incorporate the power into the Constitution at Article II, Section 2. The president, it reads, "shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment..."

It is worth noting that Hamilton's rationale seems a little different than how the power has been wielded in modern times. In No. 74 of his *Federalist Papers*, Hamilton expressed the power as an important peacemaking instrument—"in seasons of insurrection or rebellion, there are often critical moments, when a welltimed [sic] offer of pardon to the insurgents or rebels may restore the tranquillity [sic] of the commonwealth;" and further, "humanity and good policy" require that "the benign prerogative of pardoning" was necessary to mitigate the harsh justice of the criminal code. The pardon power would provide for "exceptions in favor of unfortunate guilt."

In 1833, Chief Justice John Marshall referred to the pardon as "an act of grace" in *United States v. Wilson*. By 1927, the pardon seemingly turned a corner, and was on its way to expanded application, when Justice Oliver Wendell Holmes observed in *Biddle v. Perovich* that "[a] pardon in our days is not a private act of grace from an individual happening to possess power. It is a part of the constitutional scheme."

“

Though the power of the pardon is set forth in the U.S. Constitution, it almost didn't make the cut.”

Still, pardons seem most fair and appropriate when used to advance the purpose of ensuring peace and tranquility, particularly after conflict, or to correct "unfortunate guilt," all as originally suggested by Hamilton. It was used this way, for example, when President George Washington granted amnesty to participants in the Whiskey Rebellion; President John Adams pardoned soldiers who had deserted during the Revolutionary War; Presidents Abraham Lincoln and Andrew Johnson issued amnesties to Civil War confederates; and Presidents Gerald Ford and Jimmy Carter both granted amnesties to Vietnam-era draft evaders.

ALAN E. KASSAN
SFVBA President



akassan@kantorlaw.net

As for "unfortunate guilt," President Kennedy famously pardoned 575 people convicted of crimes under the *Narcotics Act of 1956*, which carried with it very harsh penalties.

One might argue the purity of the pardon really started to degrade when President Richard Nixon pardoned Jimmy Hoffa in 1971. Other notorious pardons followed, including Gerald Ford's 1974 "full, free, and absolute pardon unto Richard Nixon for all offenses against the United States" and Bill Clinton's 2001 pardon of FBI-most-wanted tax evader Mark Rich, who had fled to Switzerland not too long after his ex-wife donated \$450,000 to the Clinton Library.

Though pardons have been litigated, the Supreme Court has consistently refused to limit the president's discretion. Yet reasonable limits do seem inherently just as, clearly, our three-branch system of government was intended to put a check on executive power. As Chief Justice Warren E. Burger noted in *Schick v. Reed*, the Court's restraint to pardons might be limited to "conditions which do not in themselves offend the Constitution."

That view is consistent with other fundamental notions in our Constitution, including that the president "... shall take Care that the Laws be faithfully executed..." (Article II, Section 3). Our system never tested Nixon's famous assertion that "when the president does it, that means it is not illegal." With recent developments, that test may well be imminent. We *do* live in interesting times. 🏴

SUN	MON	TUE	WED	THU	FRI	SAT	
1	2	3	 Happy 4th! SFVBA OFFICES CLOSED	4	5	6 7	
8	9	Board of Trustees 6:00 PM SFVBA OFFICE	10	11	Membership & Marketing Committee 6:00 PM SFVBA OFFICE	12 13 14	
15	 Time to Renew Your Bar Membership! Renew online at www.sfvba.org	16	17	18	19	 Fastcase Friday 1:00 PM WEBINAR See Page 38	20 21
22	23	24	25	 DINNER AT MY PLACE 6:30 PM Granada Hills See Page 44		6th Annual Seminar Cultural Competency in Family Law Practice 8:30 AM-4:00 PM UWLA LAX CAMPUS Visit http://iala.wildapricot.org/event-2910689 for details. Use registration code CCFP2018-Member for discount.	28
29	30	31					

SAVE THE DATE

SAN FERNANDO VALLEY BAR ASSOCIATION

INSTALLATION GALA

&

VCLF Scholarship Awards

SATURDAY
OCTOBER 6, 2018

EL CABALLERO
COUNTRY CLUB
Tarzana

RECEPTION
6:00 pm

Contact events@sfvba.org or (818) 227-0495 for sponsorships.



The San Fernando Valley Bar Association is a State Bar of California MCLE approved provider. Visit www.sfvba.org for seminar pricing and to register online, or contact Linda Temkin at (818) 227-0490, ext. 105 or events@sfvba.org. Pricing discounted for active SFVBA members and early registration.

Time to Exercise Your Franchise

METAPHOR ALERT: ANOTHER year has slipped by and the clock on the clubhouse wall says that it's time once again for all SFVBA members to answer the call, step up to the plate, exercise their franchise, and pick the pack who will race for the finish line and a seat on the SFVBA Board of Trustees. OK, alert's over.

Seriously though, the Bar does critically important work, not only on behalf of the Valley's legal community, but for all those who call the San Fernando Valley home. That work is a legacy that is the motive force propelling its impressive growth over the years.

Next month, each of you will have the opportunity to help craft the Board that will assist the incoming slate of officers in shouldering a myriad of duties, including setting policy, working closely with Bar staff to improve and develop programs for the public, and overseeing the Association's finances. The Board of Trustees Election begins the second week of August and culminates on Election Day on September 10. Invest some time, peruse the slate of talented and dedicated attorneys seeking a seat on the Board, vote, and place your stamp on the worthy work the Bar will accomplish over the coming year.

MICHAEL D. WHITE
SFVBA Editor




michael@sfvba.org

This month, Alyson Decker takes readers back to the basics with a well-written MCLE article on effective brief writing—what is, for some, a lost art that, when given some thought, can save the court precious time, and in her own words, “dominate tentatives and also shape the direction of oral arguments.”

Thanks also go to past SFVBA president Carol Newman and her law partner, Tina Alleguez, for their practical primer on how

to cultivate and grow a small law firm; kudos also to attorneys Alicia Bartley and Jason Szeftel who take us all the way to Martins Beach in Northern California to wade in the murky depths of inverse condemnation—a situation in which the government expropriates private

property, but fails to pay the fair compensation mandated by the Fifth Amendment of the U.S. Constitution.

The Bar was saddened to hear of the June 9 passing of Judge Richard G. Kolostian. Well known to the local legal community, Kolostian served as a Municipal Court Commissioner from 1974 to 1980 and Superior Court Judge from 1980 to 2006, including overseeing all probate and related cases for the entire San Fernando Valley. As Supervising Judge of the Northwest District, he developed the Probate Settlement Program. 

“
The Bar does critically important work, not only on behalf of the Valley's legal community, but for all those who call the San Fernando Valley home.”

ERISA LAWYERS

LONG TERM DISABILITY, LONG TERM CARE, HEALTH, EATING DISORDER, AND LIFE INSURANCE CLAIMS

WE HANDLE BOTH ERISA & BAD FAITH MATTERS

- California Federal and State Courts
- More than 20 years experience
- Settlements, trials and appeals

Referral fees as allowed by State Bar of California

Handling matters throughout California

818.886.2525



www.kantorlaw.net

Dedicated to helping people receive the insurance benefits to which they are entitled



By reading this article and answering the accompanying test questions, you can earn one MCLE credit. To apply for the credit, please follow the instructions on the test answer form on page 18.

Effective Brief Writing

By Alyson C. Decker

As the backlog of court cases continues to swell, state and federal judges don't have the time to invest in reading lengthy, poorly organized and overly-complicated briefs. It's critical then for litigators to keep briefs succinct, intelligently organized, and to the point.





AS THE BACKLOG IN OUR COURTS CONTINUES to swell, few judges have either the time or the staff to stay up to date on each of the numerous cases on their dockets. This means that when filing or opposing motions, it's critical to make sure that all of the essential points are being conveyed in the briefing and that the judge has more than sufficient information with which to make a ruling. Moreover, being an effective brief writer presents the opportunity to dominate tentatives and shape the direction of oral arguments if the motion is not simply taken under submission.

Laying the Foundation

The foundation of all effective brief writing is storytelling, that is, conveying a legal argument and relevant facts in a compelling and consistent manner, with an eye towards positive overall case goals. This means that before starting to write, it's essential to have a clear idea of the narrative—for example, is your client David taking on Goliath? Are the opposition's baseless claims being used to extort money? Is this a crusade for justice?

Once you have a narrative established, develop it throughout the case, gathering supporting evidence and weaving it into any briefs that need to be written. The more frequently the same story is told, the more others will come to believe it. Additionally, a story breathes life into an otherwise dry or dull legal brief. It can excite the reader and it can compel a judge to rule in your favor when the facts and the law are neither black nor white.

Building Blocks

While the foundation of a good brief is the story, the building blocks of a well-written brief are composed of the four elements of IRAC—Issue, Rules, Application, and Conclusion—the simple legal memorandum outline method taught in law school.

This is not by any means the order in which these four elements are necessarily found in a brief, or inclusive of all of the information included in a brief, but if any of these key building blocks are missing, the brief in question is not going to have the persuasive force it needs to be effective. And while good legal writing can sometimes seem repetitive as these same elements are replicated throughout the various sections of the brief, some repetition is necessary because of the need to make sure that the reader stays with the brief from the first page to the last and that they're not lost

in a convoluted series of case citations or tiresome legal maxims.

Introduction: Foyer

The Introduction sets both the tone of and general roadmap for a brief. The tone chosen depends on the story, the audience, and the overall goals for the case. For example, while some judges may appreciate a little sarcasm or humor directed at opposing counsel, others may balk, expecting a more professional dialogue.

Likewise, an aggressive tone from a defendant with vast financial resources could give the appearance of an uneven playing field. Also, it's important to remember that all the parties to the case are going to read everything and their reactions are likely to be much more emotional than that of opposing counsel. If the goal is to settle the case, provoking the opposing party in a brief—no matter how well written or intended—is unwise and could prove to be problematic.

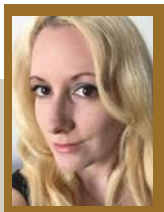
The Introduction should also be used to summarize, in a concise paragraph or two, what is at issue in the brief and provide an outline (but not in actual outline format) of the key arguments and the central supporting facts. This should be a greatly abbreviated CliffsNotes-style version of the brief and should never fill more than a tenth or so of your total number of pages.

Lastly, include a sentence or two describing the relief being requested. Although it may seem odd to put a conclusion in the introduction, the judge will appreciate knowing right away what you are asking the court to do.

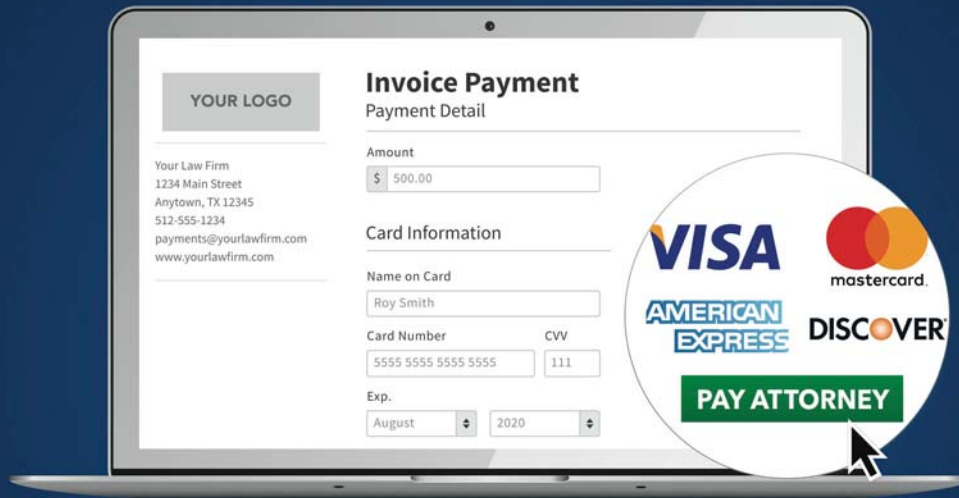
Statement of Facts: Ground Floor

The Statement of Facts section of a brief provides crucial support for the Argument section. Like the Introduction, the Statement of Facts should be brief. If a third or more of a brief is spent laying out the facts, the judge will probably conclude that either opposing counsel has a better understanding of the case or that there are factual issues that really should just go to trial.

First, at this point, there is no need to include every single little factual detail that might be used in later sections of the brief. Yes, the major points need to be addressed, but they can be summarized. All the minute details are going to be contained in supportive declarations, exhibits, and, in some cases, in uncontroverted statements of facts. Those can be relied on to support later factual statements made in the brief that are not laid out in agonizing detail in the Statement of Facts.



Alyson C. Decker is an attorney at Lowthorp Richards in Oxnard. She is a civil litigator and trial attorney specializing in employment law, business disputes, complex cases, entertainment and high-profile litigation. She can be reached at adecker@lrmmt.com.



EASY FOR YOUR CLIENTS, A NO-BRAINER FOR YOUR FIRM.

LAWPAY[®]

AN AFFINIPAY SOLUTION

THE PREFERRED CHOICE

For more than a decade, LawPay has been the go-to solution for the legal industry. Our simple online payment solution helps lawyers get paid faster. LawPay lets you attach a secure payment link to your email, website, or invoices so that clients can pay with just a click. Our solution was developed specifically for law firms, so earned and unearned fees are properly separated and your IOLTA is always protected from any third-party debiting. Simply put, no online payment processor has more experience helping lawyers than LawPay.



Bar-Approved
Member Benefit



SECURE credit card processing for law firms



IOLTA COMPLIANT



Approved Member Benefit of **47 STATE BARS**



Trusted by over **50,000 lawyers**



Powering payments for **30+ TOP PRACTICE MANAGEMENT SOLUTIONS**

Contact our legal payment experts at **866-751-8288** or visit lawpay.com/sfvba

My wealth. My priorities. My partner.

You've spent your life accumulating wealth.

And, no doubt, that wealth now takes many forms, sits in many places, and is managed by many advisors. Unfortunately, that kind of fragmentation creates gaps that can hold your wealth back from its full potential. The Private Bank can help.

To learn more, contact:

Doreen Berke, VP, Private Banker, 818-995-2222

Marina Greenberg, VP, Private Banker, 818-995-2224

Encino Branch, 16633 Ventura Blvd., Encino, CA 91436

or visit unionbank.com/theprivatebank



Wills, trusts, foundations, and wealth planning strategies have legal, tax, accounting, and other implications. Clients should consult a legal or tax advisor.



©2017 MUFG Union Bank, N.A. All rights reserved. Member FDIC.

Union Bank is a registered trademark and brand name of MUFG Union Bank, N.A.

DELIVERING
VALUE



Jenny Chen, Partner

Specializes in serving law firms and other professional services

- * Attestation/Accounting
- * Tax Planning and Compliance (Multi-State, International)
- * Audits of Employee Benefit Plans
- * Tax Credits and Incentives
- * Controllership
- * Business Valuation
- * Estate and Trust Planning
- * IT Systems Review and Consulting



HUTCHINSON AND BLOODGOOD LLP
Certified Public Accountants and Consultants
550 N. Brand Blvd., 14th Floor Glendale, CA 91203
t 818.637.5000 www.hbllp.com

An example would be stating in the Statement of Facts that your client was called several derogatory phrases at work and had insults hurled at him and then describing those specific phrases in the Argument section of your brief when you cite to cases, in your favor, where similar language or terms were used.

Second, often times there will be two different types of facts that need to be considered, namely procedural facts that relate to the case itself, and substantive facts which describe the incidents that form the basis of the underlying litigation. It is appropriate to break these types of facts up into two subsections. This makes it easier for a busy reader to flip back and find a fact or a specific date that they are looking for.

Third, the Statement of Facts is another chance to continue the compelling story laid out in the Introduction. Do not waste this opportunity by using an excess of bullet points or relying solely on a strict chronology, though a well-structured chronology can often help in putting complicated issues into a helpful context. While bullet points are sometimes useful to succinctly summarize a confusing fact pattern or lay out a long list of dates or findings, they are not memorable and can take up a lot of page space, which can be problematic if there is a page limit that is proving difficult to meet. Instead, keep readers engaged with a more traditional paragraph format.

Lastly, although this is yet another opportunity to tell a compelling story in this section of the brief, an attempt should be made to appear as an unbiased and reasonable neutral narrator simply laying out the facts as they are. Persuasive and compelling writing is one thing, but spinning the facts to the point where opposing counsel can make it appear untruthful, or if damaging facts are being hidden, that you are deliberately hiding bad facts that are going to come up instead of confronting and minimizing them, you are going to lose credibility with your judge and possibly run afoul of the law.¹ Do not editorialize or include opinions or commentary. And, never, ever, use exclamation marks.

Argument: Second Floor

Many lawyers avoid laying out the burdens for the specific motion at issue, assuming judges are already aware of them. Other lawyers spend a page or two setting out the pleading burdens and the weight that evidence is to be given. The best course is to strike a balance between these two extremes.

A paragraph or two explaining the burdens in the light most favorable to your case is helpful because it orients the reader as to how to evaluate the arguments and the facts laid out throughout the brief. Save room by placing it directly under the Argument heading, no subheading needed, and then move on to the first subheading for the first legal argument.

The Argument section of your brief combines all of the IRAC building blocks and is essentially a series of mini-briefs. Each different legal issue should be a separate subsection. And for each subsection you want to:

- Lay out the specific rule or rules at issue.
- Apply the facts or parts of the complaint at issue to the rules, taking into account the burdens needed to win the argument.
- Wrap everything up with a concluding sentence or two as to why that argument is strongest and what relief should be granted. If one issue is particularly complex, multiple rules are at issue, or there are alternative theories for relief, additional subsections for each sub-issue may need to be created. Remember, though, to stay consistent throughout your Argument section. If something is conceded in one subsection, do not argue the opposite in a different subsection or both arguments will be weakened.

In the Argument section, subheadings act as part of your argument and can be used to your advantage. The goal is to convey in a sentence why the legal rule or theory in play should be applied in your favor or against the other party. In other words, you want to summarize the next subsection, succinctly, in a one sentence “ruling.” For example, “Plaintiff has not met his burden to [insert relief requested] because [insert reason].”

Contrary to the general rule to keep a brief brief, the Argument section is the one section where adequate time should be taken to explain your positions. As many judges, particularly in federal court, form opinions and draft tentative orders before any oral argument has been heard, make sure that any potential weaknesses in your arguments are addressed up front in the brief. Do not wait for opposing counsel to raise them in their opposition or reply and do not assume that anything can be raised that was missed in a reply brief or at oral argument.² Instead, make sure that the best arguments have been made and the judge has been given enough information and legal precedent to rule in your favor based solely on your written brief.

Conclusion: Cupola

This section is usually the first to be sacrificed to page limits and, often times, this will end up being comprised of just one sentence that begins with the timeworn phrase “for the foregoing reasons, this court should [insert relief requested here].” But if there is space available, recap the key reasons why the judge should grant the relief requested.

In addition, if you are seeking something unique or complicated, you may want to devote a little more space to the Conclusion than normal to lay out what specific order



ADR SERVICES, INC.

ADR Services, Inc. Proudly Welcomes

HON. MICHAEL JOHNSON (RET.)

Available for:
Mediations, Arbitrations and Discovery References

AREAS OF EXPERTISE:

EMPLOYMENT • BUSINESS LITIGATION • CIVIL RIGHTS
WAGE & HOUR • REAL ESTATE • TORTS & PERSONAL INJURY

For scheduling, please contact **Christie Woo**
at christie@adrservices.com

310-201-0010
www.JudgeJohnsonADR.com



CISLO & THOMAS LLP
 Patent, Copyright and Trademark
 Litigation Attorneys at Law



**Successfully Won or Settled
 98% of Our Cases**

*"We have the best Intellectual Property
 Attorneys in Southern California,
 who litigate and protect IP."*



**Daniel M. Cislo, Esq.,
 Managing Partner**

Serving Businesses in California Since 1979

Office Locations:
 West Los Angeles/Santa Monica
 Westlake Village
 Santa Barbara
 Pasadena
 San Diego

www.cisloandthomas.com | (310) 979-9190

OVER 60 YEARS OF EXPERIENCE
IMMIGRATION LAW

Green Cards, Work Permits, U.S. Citizenship

**Law Offices of
 Tasoff & Tasoff**

(818) 788-8900

www.tasoff.com

Founded 1949



or orders you want the court to issue. Remember, the Conclusion is a quick way for the judge to easily review what each of the parties is seeking from their briefs.

Tools for Your Toolbox

Familiarize yourself with the relevant local rules. Many different courts have specific rules about formatting, including font type and size, word length, and even the type of paper permitted for courtesy copies.³ Some courts even go far beyond simple formatting rules and actually dictate the sections that needed to be included in a brief.⁴

Failing to follow any of these mandates can result in a brief being rejected or the judge not reading all of the arguments, in which case a client's case may be tanked and the attorney may be exposed to a malpractice claim.

Similarly, rely appropriately on the legal sources being cited. For example, for a brief being prepared for a court in California, unpublished California state appellate opinions cannot be cited or relied on. In federal court, however, an unpublished federal opinion can be cited if it was issued after January 1, 2007.⁵ Additionally, choose sources carefully, making sure that they are favorable and contain good language.

As to formatting citations, there is the generational divide of Team *Bluebook* vs. Team *California Style Manual* (CSM). Those who graduated law school in the past ten years, as well as junior research attorneys and law clerks, are likely on Team *Bluebook*. But while both forms of citations are permitted, California state court judges still utilize the CSM in their published opinions. In any event, a move toward *The Bluebook* would be advisable as it is probably more familiar to the court staff that is checking your citations and pulling cases.⁶

Regardless of which citation is utilized, make sure that it's used correctly and that your pincites line up with the language being relied on or quoted. Any power of persuasion or semblance of authority is lost if your pincites are not verified or are linked to headnotes or unidentified dissenting opinions.

Make sure that the brief is easy to read, which includes keeping the brief logically laid out. For example, if you are submitting the moving papers, the most persuasive ordering requires positioning the strongest arguments first and lumping similar claims or issues together. In an opposition brief, do not create extra work for the judge by tackling issues in a different order from the moving brief. Also, let the judge know up front if there are any undisputed issues or if any arguments are conceded.

Remember, pursuing frivolous arguments, even in an opposition, can result in sanctions.⁷ Additionally, if you use an outline, do it correctly. You cannot have a subsection A if you do not have a subsection B.

Likewise, do not rely on large block quotes because almost everyone stops reading them after the fourth or fifth line. Instead use them infrequently and only to highlight key legal rules or factual evidence that cannot be easily paraphrased or needs to be explicitly highlighted.

Do not try to impress by using big, fancy words or phrases when a smaller, more concise word will do. And last but not least, never '[sic]' the judge.


Final Coat of Paint

Once the brief has been finalized, it should be read with fresh eyes. Try reading the brief out loud or read a printed version instead of one on a computer screen. If something sounds awkward out loud, it probably is on paper too. Are the arguments easy to follow? Are the same phrases being repeated too often in one paragraph? Are all of the subsections concluding with the same sentence? All of these things can distract a reader from otherwise compelling arguments.

Most importantly, could someone who knows absolutely nothing about the case understand the key points at issue and your position just from reading the brief? Has there been a response to the arguments raised in the moving or opposition papers?

Often times a writer can get so caught up in an argument that they completely miss the point of opposing counsel's argument. So when finished with writing an opposition, go back and see if all the issues raised in the original papers have been addressed. For a reply, read the opposition, then re-read your moving papers, and look for any issues that were not addressed. Consider enhancing the moving arguments and better respond to the opposition instead of merely repeating what was previously presented.

Writing is an inherently personal process. Every writer has their own style and their own way of constructing an effective brief. Find out what works for you, and adapt that style to the basic guidelines and methods described above.

Remember that while being a skilled orator is important, being an effective brief writer is the most necessary skill for any modern litigator, as most motions and cases are lost long before anyone says a word in court. 

¹ See Cal. Bus. Prof. Code §6088(d) (stating that one of the duties of a lawyer is to "never [] seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law").

² See *Jay v. Mahaffey*, 218 Cal. App. 4th 1522, 1537-1538 (2013) (noting that arguments first raised in a reply brief are not normally to be considered by the courts).

³ See, e.g., Cal. R. 2.104 (requiring font no smaller than 12 point); C.D. Cal. R. 11-3.1.1 (requiring font of 14 point or larger); Cal. R. 2.105 (listing preferred fonts of Courier, Times New Roman, or Arial); C.D. Cal. R. 11-6 (limiting briefs to no more than 25 pages); Cal. R. 2.103 (describing the quality of paper to be used); C.D. Cal. R. 11-3.2 (same).

⁴ See FRAP 28(a) (listing numerous specific sections that need to be included in an opening appellate brief and the order for their inclusion).

⁵ Compare Cal. R. 8.115(a) to F.R.C.P. 32.1(a).

⁶ See Cal. R. 1.200.

⁷ See Cal. Civ. Proc. Code §128.5.

Hot Writs & Cool Appeals

Herb Fox, Esq.

Certified Appellate Law Specialist*
A Full Service Appellate Boutique



**Former Research Attorney, State
Court of Appeal**

29 Years Experience

**250+ Appeals and Writs of
Record**

Appeals and Writs

Petitions for Review and Certiorari

Post-Trial and Anti-SLAPP Motions

Appellate Opinion Letters

**Pre-Trial, Trial, and Post-Trial
Consultations**

310.284.3184

HFox@FoxAppeals.com

www.FoxAppeals.com

Hourly, Flat and Contingency Fees Considered
Referral Fees Paid in Accordance with State
Bar Requirements

Southern California Appellate Superlawyer®
AV[©] Rated / AVVO[©] Rating 10

*Board of Legal Specialization, Cal. State Bar



Test No. 117

This self-study activity has been approved for Minimum Continuing Legal Education (MCLE) credit by the San Fernando Valley Bar Association (SFVBA) in the amount of 1 hour. SFVBA certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

MCLE Answer Sheet No. 117

INSTRUCTIONS:

1. Accurately complete this form.
2. Study the MCLE article in this issue.
3. Answer the test questions by marking the appropriate boxes below.
4. Mail this form and the \$20 testing fee for SFVBA members (or \$30 for non-SFVBA members) to:

San Fernando Valley Bar Association
5567 Reseda Boulevard, Suite 200
Tarzana, CA 91356

METHOD OF PAYMENT:

- Check or money order payable to "SFVBA"
 Please charge my credit card for \$_____.

Credit Card Number

CVV code

Exp. Date

Authorized Signature

5. Make a copy of this completed form for your records.
6. Correct answers and a CLE certificate will be mailed to you within 2 weeks. If you have any questions, please contact our office at (818) 227-0490, ext. 105.

Name _____
Law Firm/Organization _____

Address _____
City _____
State/Zip _____
Email _____
Phone _____
State Bar No. _____

ANSWERS:

Mark your answers by checking the appropriate box. Each question only has one answer.

- | | | |
|-----|-------------------------------|--------------------------------|
| 1. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 2. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 3. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 4. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 5. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 6. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 7. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 8. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 9. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 10. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 11. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 12. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 13. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 14. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 15. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 16. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 17. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 18. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 19. | <input type="checkbox"/> True | <input type="checkbox"/> False |
| 20. | <input type="checkbox"/> True | <input type="checkbox"/> False |

1. Telling a compelling story with your brief can increase reader interest and help to persuade a judge.
 True False
2. IRAC stands for Introduction, Rules, Argument, and Conclusion.
 True False
3. The Introduction of your brief should be used to discuss all of the facts and arguments you intend to raise in your brief and will likely comprise a sizeable part of your brief.
 True False
4. If a fact was not explicitly stated in your Statement of Facts, you cannot rely on it later in your brief.
 True False
5. While bullet points may be useful to summarize complicated facts, they should be used sparingly.
 True False
6. Although you want to advocate for your client throughout your brief, you should not attempt to mislead the court by craftily spinning facts or misconstruing the law.
 True False
7. The Argument section of your brief includes all of the IRAC building blocks, except for the Conclusion element.
 True False
8. Each subheading of your Argument section of your brief should summarize the following subsection in a single sentence.
 True False
9. It is strategic to leave potential arguments out of the Argument section of your brief because you will have an opportunity to raise them at a later date and surprise opposing counsel with them.
 True False
10. It is acceptable to use 13-point font for briefs submitted to both a California state court and the United States Central District Court of California.
 True False
11. Arial is one of the preferred fonts of California state courts.
 True False
12. You can use any type of white copy paper when submitting hard copy briefs to courts.
 True False
13. Some courts regulate the sections, and the order of such sections, that must be included in a brief.
 True False
14. You cannot cite to an unpublished California state court opinion in California state court.
 True False
15. You cannot cite to an unpublished federal court opinion in federal court.
 True False
16. *The Bluebook* is an acceptable citation format to use in California state courts.
 True False
17. The order you arrange your arguments in your brief is immaterial.
 True False
18. It is a sign of weakness to concede arguments even when there is no legitimate response.
 True False
19. Repeatedly using block quotes instead of synthesizing the rules to your particular facts is a great way to quickly pull together a brief.
 True False
20. It is worth it to take the time after you finish drafting your brief to go back and read it with fresh eyes.
 True False

←  **MAY 18, 2018** ⋮



LOS ANGELES PRESS CLUB

The L.A. Press Club has announced that *Valley Lawyer* is a finalist for the Southern California Journalism Award for Best In-House or Corporate Publication. Winners will be announced at the 60th Annual Southern California Journalism Awards Gala on June 24. *Valley Lawyer*, the official publication of the San Fernando Valley Bar Association, won the award in 2015 and was a finalist in 2016 and 2017.

+ 📷 📱 ❤️

←  **JUNE 4, 2018** ⋮



Fun was had by all! More than 70 SFVBA members were on hand to celebrate Friday's annual **Membership Appreciation Dinner** at The Stand in Encino. Many thanks to President Elect Yi Sun Kin and Secretary Barry Goldberg for sponsoring the beer and wine and kudos to all those who turned out.

+ 📷 📱 ❤️

←  **JUNE 18, 2018** ⋮



SFVBA Past President's (L-R) David Gurnick, Alice Salvo, Patricia McCabe, Stephen Holzer, Sue Bendavid, Caryn Sanders and Adam D. H. Grant were on hand at the June 14 dinner event honoring attorney **Marcia Kraft** (fourth from right) for her years of exemplary service to the Valley Community Legal Foundation and the legal profession.

+ 📷 📱 ❤️



The Matloff Company has been a top insurance broker to Southern California attorneys, their firms and families for over 32 years.

**RATED A+ A.M.
BEST INSURERS.**

Life Insurance

Term, Universal Life, Survivorship, Estate Planning, Key-Person

Disability Insurance

Insure your most important asset—"Your ability to earn income"
 Insures you in your own occupation
 Benefits keep up with inflation

Long Term Care Insurance

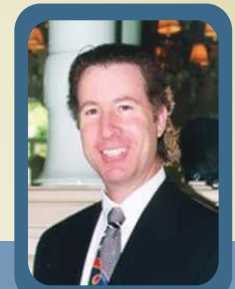
Several quality carriers for individuals and firms

Health Insurance

All major insurance companies for individuals & firms

MC **The Matloff Company**
 An Insurance and Financial Services Company

Phone: **(800) 468-4467**
 E-mail: elliott@matloffcompany.com



Elliot Matloff

www.matloffcompany.com

THE Trustee Candidates



Attorney members will have the opportunity next month to elect new Officers and Trustees of the SFVBA Board of Trustees, who together will navigate the Bar through the upcoming year. This article provides a glimpse not only into Trustee candidates' professional qualifications and expertise, but also offers a brief look into what makes each one of them uniquely suited to lead.





Kyle M. Ellis

Law School: Fordham University School of Law

Area of Practice: Civil litigation

Year Admitted to the State Bar: 2015

Why did you choose a legal career?

I chose a career in law because I was intensely curious about how the world is run, why we have the laws we do, and how to navigate the laws we have.

What would you be doing if you weren't an attorney?

Probably a history professor, although given the job prospects, I am lucky I chose to get into the legal field.

What do you do for fun?

I read history books, study languages, garden, and spend time with my family.

What's the best thing about the Valley?

The people who live here, who I have found to be engaged in their communities, honest, and hardworking.

What's your favorite Valley restaurant?

Joe's Café in Granada Hills

What's your favorite vacation spot?

Japan. I was lucky enough to be invited to a wedding there a few years back and I enjoyed my time there immensely, I hope to be able to go back in the next few years.

Despite being a relative newcomer to the law, Kyle Ellis has been a member of the SFVBA for the past two years and has taken an active role in the Bar with service on the Membership & Marketing Committee while working as a research attorney with the Los Angeles Superior Court.

Born and raised in San Diego, and before attending Fordham Law School, Ellis received his Bachelor's degree in History from the University of California San Diego and a Master's in the History of Science from Oregon State University.

Prior to his move back to California, he gained considerable experience working at several law firms in New York, served on the New York City Bar Association's Special Committee on Drugs and the Law, and received the Archibald R. Murray Public Service Award from Fordham University School of Law, where he served as Executive Editor of the school's Environmental Law Review.

While maintaining his membership in the New York City Bar Association, Ellis has served locally as a Board member, Secretary, and Chair of the Granada Hills North Neighborhood Council's Planning and Land Use Committee.

According to Ellis, his experience on the Council has given him "an understanding of the need to build consensus, work cooperatively and establish clear objectives with measurable results."

His work as a Research Attorney with the court, he adds, has led to an appreciation of "the need to carefully consider actions, differing points of view and the need to do substantial research before acting."

Service and voluntarism, says Ellis, "are an important part of membership in any organization, and becoming a member on the Board of Trustees will allow me to give back more to the SFVBA than just my membership does. It is my hope that during my time on the Board I will be able to help make the Association a more valuable and inviting organization to all professionals in the Valley."

The SFVBA "has a lot of potential to grow its membership, mission, and utility both within the legal community and the general public," he adds. "I want to start an initiative to begin using our sections and committees as means to interact with the public, policy makers, and fellow professionals by pushing for each section to host more MCLE events, events for the general public, and take policy positions on new and pending legislation."

Ellis would also "reach out to new members of the profession still in law school by having the Association begin hosting a trial advocacy competition, and undertaking additional outreach efforts in local law schools."



Heather Glick-Atalla

Law School: University of San Diego School of Law

Areas of Practice: Nonprofit law, estate planning

Year Admitted to the State Bar: 2009

Your most memorable career moment?

I will never forget the day that I received my first IRS approval letter for an application for tax-exempt status for a startup nonprofit organization that I drafted and submitted. Almost a decade later it still gives me great joy when I receive IRS approval letters in the mail, and I love sharing the news with the client, who is always equally delighted.

What would you be doing if you weren't an attorney?

I would be a real estate agent. I love searching listings and helping friends find their dream home.

What do you do for fun?

Spend time with my husband, Nabil, and our two sons, Nathan who is three, and Brandon who is eight months. We love going to the park and the beach!

What is your favorite sports team?

USC Trojan Football team. I went to USC for undergrad and watched our football team win two national championships. I'm hoping to get back to those glory days soon. Fight on!

What's your favorite Valley restaurant?

I'm always down to go to Iroha Sushi of Tokyo, in Studio City. I could eat sushi there for days!

What's the best thing about the Valley?

The people. Everywhere you go you will see friendly faces, and I love to chit chat with people in stores and restaurants. Born and raised in Encino, I often run into people I know when I'm out and about in the Valley, which makes this large town feel a lot smaller.

A State Bar Board of Legal Specialization-Certified Specialist in Estate Planning, Trust and Probate Law, Heather Glick-Atalla's Sherman Oaks-based practice focuses on estate planning and nonprofit law.

Glick-Atalla graduated from USC with a Bachelor's degree in Business Administration and, while attending law school at the University of San Diego on a three-year scholarship, served as a member of the San Diego Law Review, clerked at the USD Law Entrepreneurship Clinic, and assisted low-income entrepreneurs in drafting and filing necessary documents to start or expand their businesses.

After graduating from law school, Glick-Atalla volunteered her time at Bet Tzedek, primarily working on behalf of Holocaust survivors seeking reparations from Germany and other European countries. While there, she orchestrated a major survivor's reparations program, which included drafting all necessary applications, forms, and correspondence to hundreds of clients, as well as the attorneys in Bet Tzedek's nationwide volunteer network.

Glick-Atalla joined her father and law partner Marshall Glick's practice in 2010, and has since taken over the firm as the principal attorney. She enjoys working with startup nonprofits and assisting them with obtaining their federal and state tax-exempt status, and helping young couples and families with their wills and trusts.

Glick-Atalla currently serves on the SFVBA Board and, among other honors, was nominated in 2014 by the *San Fernando Valley Business Journal* as one of the Valley's Trusted Advisors.

She is admitted to practice before both the U.S. Tax Court and the U.S. Supreme Court.

"It has been a great privilege to serve as Trustee these past two years, and I hope to continue serving for another two-year term," she says. "During my initial term I enjoyed participating in the Membership & Marketing Committee, and I also spearheaded an overhaul of the Bar's bylaws. As a nonprofit law attorney I typically serve as outside counsel for my nonprofit organization clients and it has truly been an eye opening experience sitting on a board as an insider of the organization. If elected for a second term, I will continue to do my part to help the Bar grow and serve its members."

The SFVBA "has incredible resources available to its members, such as Fastcase, networking opportunities, MCLE offerings, and more, and I would like to see greater member involvement in the Bar," says Glick-Atalla. "Serving as Trustee has given me a unique perspective on all that the Bar has to offer, and my goal is to enable every member to take advantage of these fantastic benefits. In so doing, the members and the Bar as a whole would be greatly benefitted."



Gary J. Goodstein

Law School: Loyola Law School

Areas of Practice: Business and real estate litigation, insurance coverage

Year Admitted to the State Bar: 1993

Your most memorable career moment?

I represented the City of Compton at trial in a case brought pursuant to Government Code section 1090, which prohibits financial conflicts of interest in the formation of public contracts. After a six week jury trial we won a multi-million dollar verdict against the city's former trash collection vendor, which had bribed its way into a no-bid, \$100 million exclusive contract. The City Council gave us an official commendation for helping protect the community from a predatory contractor and corrupt politicians. Successfully defending on appeal the precedent-setting verdict, which involved a significant public policy issue, made this an even more memorable career highlight.

What is your favorite sports team?

In my opinion hockey is the ultimate spectator sport and having spent virtually my entire life in Los Angeles, I am loyal to the L.A. Kings. My favorite sports team stadium food, however, is still the Dodger Dog!

What's the best thing about the Valley?

The Valley has an undeservedly bad rep as the red-headed step-child of Los Angeles. We may not be beach-adjacent like Santa Monica, have the international notoriety of Beverly Hills or the trendy nightlife of West Hollywood, but the SFV is still the best place in Los Angeles to live a life of purpose without pretense. I love the Valley's less densely-populated neighborhoods, broad, tree-lined streets, and the quietude of the surrounding hills and mountains. But the best thing about the Valley is that it retains a real sense of community despite its size and diversity.

A long-time active member of the Los Angeles County Bar Association (LACBA), Gary Goodstein has served in a number of positions with that organization, including member of the Litigation Section Executive Committee and Co-Chair of Membership and Legislation Committees, as well as Programming Chair, vice-president and president of the Trial Practice Inn of Court, and delegate to the Conference of California Bar Associations.

"I have strong organizational skills, excellent verbal and written communication skills, broad leadership experience and a positive outlook," says Goodstein, who sees himself as "a creative problem solver with an extensive background in developing, organizing and presenting meaningful MCLE programs."

In addition to his broad legal experience, he has racked up considerable community service experience as a volunteer judge for several Constitutional Rights Foundation Mock Trial competitions; as a team coach for the Sierra Canyon Middle School mock trial team; as a Parent Council Board member of the Granada Hills High School Marching band; and as a Board member of Temple Ramat Zion in Northridge.

Goodstein is admitted to practice before the U.S. Supreme Court, the U.S. Ninth Circuit Court of Appeals, and the U.S. District Courts for the Central, Northern, Eastern and Southern Districts of California. He has also served as president and vice president of the American Inns of Court, Los Angeles Trial Practice Chapter, as well as chair of its Program Committee.

"Participation in professional organizations is a meaningful way to contribute positively to the profession and those who rely on the judicial system," says Goodstein. "SFVBA is the lone voice advocating for issues of interest and concern to Valley-based lawyers and is an important resource for information and legal services to the entire community. I would like to help support SFVBA in its important work on behalf of Valley area attorneys and clients."

His primary goal as a board member "would be to maximize the tangible value of SFVBA membership to its members through the delivery of programs and services. SFVBA can improve its MCLE programming. SFVBA also needs to work harder to develop and maintain relationships with the local judiciary, including more involvement in efforts to restore court funding through the state budget. A further goal is to establish SFVBA as a leading proponent restoring civility and professionalism in the practice of law."



Alexander S. Kasendorf

Law School: Villanova School of Law

Areas of Practice: Business, real estate and government affairs

Year Admitted to the State Bar: 2001

Why did you choose a legal career?

I was a Sports Management major in college at UMass and was eyeing a career in professional sports. I took a course in Sports Law and was hooked. I never made a career out of Sports Law, but spent some time in the field and learned a great deal about the world of sport.

Your most memorable career moment?

Assisting the Oakland Raiders in their trial against the NFL in 2001. I was living in San Diego at the time and the trial was here at Mosk. We all lived in the Marriott on Third and Fig for three months and I spent most of the trial days in court, watching Al Davis, Paul Tagliabue and many of the influential NFL owners testify about the Raiders plan to build a stadium at Hollywood Park.

What would you be doing if you weren't an attorney?

Working in player development for a sports team. Love the whole process of developing players.

What do you do for fun?

As you could expect, watch my kids play sports. My oldest just made the Sherman Oaks Little League 10-year-old All Star Team so will hopefully have plenty of baseball to watch this summer.

What's the best thing about the Valley?

The sense of community. I live in Van Nuys, work in Encino and my kids go to school and play sports in Sherman Oaks. I love the people and culture here in the Valley.

What is your favorite sports team?

This one is tough. Growing up in San Diego I rooted for all of the local teams. For whatever reason, perhaps because I used to attend all of their games with my father, the Chargers were number one in my heart. I moved to Los Angeles in 2003 and the team followed suit last year. It was hard to see the team leave my hometown but if I had to pick between them and the Padres, I would still go with the Bolts.

For the past ten years, Alexander Kasendorf has practiced with the Encino law firm of Alpert, Barr & Grant, focusing on litigation, advocacy, dispute resolution, and lobbying.

A registered lobbyist with the City and County of Los Angeles and the federal government, he advocates in areas such as business and commercial property transactions, real estate disputes, and sports and entertainment matters.

Kasendorf graduated from the University of Massachusetts with a degree in Sports Management. While in law school at Villanova, he was a quarter-finalist in both the Tulane University School of Law Sports Law Moot Court Competition and the Villanova University School of Law's Moot Court Competition. He also served as President of the law school's Sport and Entertainment Law Society, and as a member of the school's Trial and Litigation Society.

Admitted to practice before the U.S. District Courts for the Central, Northern, Eastern and Southern Districts of California, he currently serves as Secretary of the Valley Traffic Advisory Council and as Treasurer of the Valley Industry & Commerce Association.

In 2017, he was honored with the Attorney of the Year Award from the *San Fernando Valley Business Journal*, which also presented him with its Community Service Award, and over the past decade, has received similar top honors from the Santa Clarita Valley Jaycees and the San Fernando Valley Jaycees.

According to Kasendorf, he would bring "a broad-based knowledge of both the law and the Valley community to a position on the SFVBA Board," and work toward "increased participation from younger members and continued development of our diversity and mediation initiatives."

His goals would be to "follow in the footsteps of the four individuals from my firm that have served the SFVBA as President, and make my own mark as a trusted and valued member of our legal community."



Amanda Marie Moghaddam

Law School: Southwestern Law School

Area of Practice: Professional liability defense

Year Admitted to the State Bar: 2011

Why did you choose a legal career?

Like so many, I went to law school because I didn't know what else to do with a liberal arts degree. Luckily, I absolutely love litigation and my practice area. I would never have guessed when I entered law school that I'd end up representing lawyers for a living.

What made you decide on your particular area of practice?

I wanted to be in a practice area where the law is always changing. Because each case involves my client's underlying specialty, I'm constantly learning new areas, strategies, and emerging issues. It's never boring!

Your most memorable career moment?

Arguing and winning a complex legal issue before the California Second District Court of Appeal.

What would you be doing if you weren't an attorney?

I'd open a bakery.

What do you do for fun?

Make pies, hike, and spend time with my husband and son.

What is your favorite sports team?

Dodgers

Amanda M. Moghaddam has been a member of Nemecek & Cole since April 2013. Over the course of her career, she has represented plaintiffs and defendants in both state and federal courts in various areas of civil litigation, including a wide array of professional liability matters.

After graduating *magna cum laude* from Kennesaw State University, Moghaddam achieved the same distinction at Southwestern Law School, where she served on the Law Review's Executive Editorial Board, competed in two national moot court competitions and argued a prisoners' rights appeal before the Ninth Circuit Court of Appeals.

Moghaddam is active in both the American Bar Association and as a current SFVBA Trustee. She recently completed the American Board of Trial Advocates' National Trial College Program, which took place this year at Yale University Law School. She is admitted to practice before the U.S. District Court for California's Central District.

"I have absolutely loved serving on the Board for the last year," says Moghaddam. "I have met so many wonderful people and learned about all the various resources that the Bar provides to our members. I would like to continue working on behalf of the Bar to strengthen its ties to members and the community."

As a lawyer for lawyers, she says, "I feel that I'm very attuned to what practitioners expect from their profession and professional organizations. Because of my area of practice, I think I have a unique perspective to offer when it comes to innovations and modifications that can enhance members' interaction with the SFVBA."



Samuel R.W. Price

Law School: Boston College Law School

Area of Practice: Business litigation

Year Admitted to the State Bar: 2008 in California; 2005 in Massachusetts

What would you be doing if you weren't an attorney?

I have always been fascinated by architecture and I love construction, so I often wonder what it would be like to be an architectural engineer. But that's only because I am too tall to be a Formula 1 driver.

What do you do for fun?

I'm a bit of a sports fanatic, so I spend a lot of the time watching sports with my dog. I also try to attend live stand-up comedy shows, and enjoy carpentry and woodworking when I can get around to it.

What is your favorite sports team?

The 8-time World Champion Boston Red Sox

What's your favorite Valley restaurant?

It has to be Porto's Bakery. If there is anything better than a fresh cheese roll, I have yet to find it.

What's your favorite movie?

My favorite movie is *The Shawshank Redemption*, followed closely by *Fellini's 8 1/2*.

What's your favorite vacation spot?

I don't have one particular favorite spot—I generally seem to love anywhere I go on vacation. I'm still savoring my most recent trip, a 16-day trek around Ireland.

Samuel R.W. Price, a partner with Poole & Shaffery in Santa Clarita, represents clients in both state and federal courts throughout California, in mediations and arbitrations, and in administrative hearings before the Contractors State License Board and the California Unemployment Insurance Appeals Board, among others.

In addition to civil litigation, Price also has extensive experience in bankruptcy, having represented both business entities and individuals in proceedings under Chapters 7, 11 and 13. He continues to represent both debtors and creditors in litigation arising out of bankruptcy proceedings.

Prior to practicing law, Price obtained considerable experience in the construction industry while providing project management and skilled trade services for a general contractor. He also spent several years as the marketing coordinator for a multimedia production company and as a freelance audio/visual technician for many nationally- and internationally-televised sports broadcasts.

Price maintains memberships in the Building Industry Association of Southern California, the Association of Business Trial Lawyers, and the International Association of Defense Counsel.

He is active with the SFVBA's sister organization, the Santa Clarita Valley Bar Association, having served on that Bar's Board of Trustees for seven years, including two years as President. Price has also acted as an appointed member of the SFVBA Board for the past three years.

"I am greatly appreciative of the many benefits of being a member of the San Fernando Valley Bar Association, and want to help support the its mission," says Price. "What better way is there to support this great organization than to volunteer my time to assist as a member of the Board?"



Allan D. Sarver

Law School: San Fernando Valley College of Law

Areas of Practice: Business law

Year Admitted to the State Bar: 1982

Why did you choose a legal career?

I enjoy and have a passion for the law, the interaction with clients and opposing counsel and engaging in the courtroom process. It is mentally stimulating and constantly changing.

What made you decide on your particular area of practice?

I have been practicing bankruptcy (and commercial collection) law since 1982. It is the field I started in as a law clerk. It is challenging and in general most areas of the law come to rest for resolution in the bankruptcy arena. Bankruptcy law provides the opportunity to represent a variety of clients with divergent interests. My commercial collection process goes hand in hand with my bankruptcy practice.

What's the best thing about the Valley?

It would have to be the weather. The winters are mild and while summers can be hot, its conducive to outdoor activities. Practicing law naturally keeps one indoors, so when the work is through, it's easy to step outside for outdoor activities.

What's your favorite vacation spot?

Costa Rica stands out as a place to simply relax and explore the beauties of nature. The surroundings are intriguing, the people friendly and the food is good. There is plenty to see and to do, or just relax on a beach or fish. Recently, however, I was fortunate to travel to the Darien Jungle in Panama and fish at Tropic Star Lodge in Pinas Bay. That has to be my No. 1.

What would you be doing if you weren't an attorney?

This is a difficult question since I have been practicing law now for almost 36 years. I enjoy being outside and love baseball. Coaching a high school baseball team would have been a top choice. I coached a high school team years ago and thoroughly enjoyed it. I enjoy interacting with people and have always had an interest in sales and manufacturing which is the environment which I was raised in. I could easily see myself being engaged in a similar pursuit, but would probably at this juncture direct myself to industries which are directed towards preservation of the environment.

What do you do for fun?

I regularly play softball with a group of friends I have been playing with every Saturday for the past 35 years. I also enjoy fishing, golf and gardening.

A Los Angeles native, Allan Sarver currently serves on the SFVBA Board of Trustees. His practice is focused primarily on the areas of debtor/creditor relations, often working on cases involving Chapters 7, 11, and 13 of the U.S. Bankruptcy Code and in the prosecution and defense of commercial collection matters and out-of-court workouts.

Sarver earned his Bachelor's degree in Political Science from CSUN before completing his JD and being admitted to the State Bar. He is admitted to the U.S. District Court's Ninth Circuit, as well as the U.S. Bankruptcy Court's Central, Southern, Eastern, and Northern Districts.

In addition to his service on the SFVBA Board, Sarver is also active member of the Los Angeles County Bar Association, and the Business Law Section of the California Bar Association, and provides pro bono legal services through Public Counsel.

The SFVBA, says Sarver, "has a substantial presence in our legal community. I have already spent two years as a Trustee and enjoyed the time spent, meeting new people and helping to further the goals and presence of the SFVBA. I would like to continue in those efforts of community outreach which the Bar does a tremendous job of furthering."

He would also like to "increase the voice of the SFVBA and the legal community through participation in charitable programs and increased community outreach."



Steven M. Sepassi

Law School: Southwestern Law School

Areas of Practice: Insurance defense, personal injury, mediation

Year Admitted to the State Bar: 1995

Why did you choose a legal career?

Initially I was attracted to a legal career for its prestige. However, learning the law in law school, especially Constitutional Law, fascinated me. Being able to help those who need legal help gives me satisfaction now.

Your most memorable career moment?

While there have been many memorable moments in my career, perhaps the one that stands out was the day I received the court's Statement of Decision in my very first trial early in my career. It was a very complicated case involving an unmarried couple with ownership disputes in multiple properties, and I managed to handle it all on my own. Except for a small part of the case, I had managed to convince the court on all other aspects of my client's claim, and the judge had ruled exactly as I wanted. It made me feel grateful for the law, and happy for my client.

What do you do for fun?

Besides hanging out with my family and friends, I have been bitten by the golf bug! I am on the golf course any time I get.

What is your favorite sports team?

I was an avid Lakers fan until the team began to lose more games than win. I still like to see them get back to the old glory days of "show time."

What's your favorite Valley restaurant?

I like Café Bizou in Sherman Oaks. It's an old fixture in the Valley, the food is good, and you can bring your own wine. It's a good place to hang out with friends.

What's your favorite movie?

The Godfather, Parts I and II.

What's your favorite vacation spot?

Anywhere in Italy or the south of France.

Steven Sepassi's career has melded divergent professions—engineering, real estate and the law—into a single symbiotic endeavor.

Building on an undergraduate degree in civil engineering and a Master's in Structural Engineering from the University of Missouri, Sepassi went on to earn a Doctorate in civil engineering from USC in 1985.

Over the following decade, he worked in several positions of increased responsibility at Rockwell International's Space Division, the last in support of NASA space shuttle flights and related design work as Manager of the company's Computer Aided Design/Computer Aided Manufacturing Department.

While attending law school, Sepassi interned with the U.S. Attorney for the Civil Tax Division of the Central District of California, as well as Judge Arthur M. Greenwald of the U.S. Bankruptcy Court's Central District of California.

Admitted to the Bar in 1995, he worked as a solo practitioner representing clients in business litigation, contract litigation, debt collection, real estate matters, bankruptcy court, and personal injury cases, before helping found the firm of Sepassi & Tarighati in Encino. Along the way, he also found time to become a licensed real estate broker.

In addition to serving on the the SFVBA Board of Trustees, Sepassi also is a member of the Los Angeles County Bar Association; the Phi Eta Sigma Honor Society; the Tau Beta Pi Honor Society; and the Chi Epsilon Honor Society.

"I've served on the SFVBA Board for almost one year now, and have come to realize how dedicated the staff, the officers, and the Board are on the well-being and growth of the organization," says Sepassi. "I wish to continue to participate and serve the organization in any way I can. I would like to see a larger, more active membership. The old adage of 'Strength in Numbers' aptly applies to an organization like the SFVBA."



Benjamin E. Soffer

Law School: Loyola Law School Los Angeles

Areas of Practice: Business litigation, product liability litigation

Year Admitted to the State Bar: 1995

Why did you choose a legal career?

I had prior careers as a civil engineer, computer programmer, and project engineer for a large company that develops master-planned communities. In that last job I dealt with lawyers who were involved in the land acquisition deals for the development company, city attorneys, and attorneys for utility companies. Many of these lawyers often were surprised that I was not a lawyer and more than one told me “you would be a good lawyer. You should go to law school.” I was getting tired of engineering and looking for a new challenge, so this encouragement gave me the impetus to quit a great job and enroll in law school full time. I had no idea what I was getting myself into, but I never looked back.

Your most memorable career moment?

My most memorable career moment was a defeat I suffered very early in my career, decades ago. It was in a litigation matter in which the parties had filed cross summary judgment motions, which were heard together. The court’s tentative ruling was to grant my motion and deny my seasoned opponent’s motion, so I was elated. But in the course of oral argument, opposing counsel very skillfully convinced the judge to grant her motion and deny mine. The judge turned to me and said, “That’s why it’s called a tentative ruling.” My elation turned to stunned disbelief. I realized later that due to my inexperience I had overlooked an argument that could have saved the day. I don’t think I will ever forget the feelings of guilt and embarrassment. To this day, I cringe whenever I think about it.

What do you do for fun?

I like to garden. We have a large yard with lots of fruit trees and a few raised beds in which I grow vegetables year-round. It’s an activity that I find very relaxing, and it’s satisfying to see the plants grow and the fruits ripen. We eat something from the garden in almost every meal. I am also an enthusiastic follower of English Premier League soccer (in fact, there is a surprising number of like-minded local attorneys). And my wife and I enjoy going to the theater and concerts of the L.A. Philharmonic.

Benjamin Soffer graduated in the top 5 percent of his class at Loyola Law School, where he was an active member of the Order of the Coif and St. Thomas More honor societies. He received a Bachelor’s degree in Civil Engineering from Penn State University, and had careers in project and construction engineering, and computer programming, before embarking on his career as an attorney.

Before founding The Soffer Law Firm, he worked as a partner at Perkins Coie LLP and over the past 23 years, gained considerable litigation experience in various areas, including business and commercial disputes, contract law, products liability, and personal injury.

“We, as lawyers, are fortunate to have an influential and rewarding profession,” he says. “This is the reason why I am a firm believer in giving back to our communities. When I was a “Big Law” partner, I had lots of opportunities to give back by representing indigent clients, pro bono. As a solo, I am finding it much harder to do pro bono work, although I am presently representing pro bono an Ethiopian woman who is the victim of human trafficking. So I give back by devoting time and energy to the SFVBA.”

Soffer currently serves as Chair of the SFVBA Membership & Marketing Committee, “whose goal is to enhance SFVBA membership by providing services and programs that improve the quality of our members’ practices. I would bring civic-mindedness, a desire to grow the bar and member participation, and creative thinking to the Board.”

With a goal of growing the Bar’s membership by 20 percent over the next two years, Soffer says he would work toward that goal “by making the Bar more visible and relevant to Valley attorneys.”

By “creatively promoting the Bar’s wonderful professional development programs, many of which are free to members, business networking opportunities, and social events,” he says, “We can generate more interest among the many Valley lawyers who are not members. We need to organize fun activities for lawyers, and drives and events that benefit Valley residents in order to gain more publicity and visibility.”

Growing a Small Law Firm

By Carol L. Newman and Tina M. Alleguez

THERE IS NO SINGLE FORMULA to assuring the growth of a small law firm. Different strategies work for different people, depending on talents, connections, temperament, aspirations, risk aversion, and many other factors. No one can speak to what would work for someone else because what works for one person may not work for another.

Nonetheless, over the course of 30 years plus in practice, and almost 20 years in a small firm, the following eight approaches have consistently worked to keep business flowing and the pipeline full.

1. Join a networking group. While a website, a LinkedIn profile and other forms of online advertising are necessary

in today's day and age, because so much of our communication is done electronically via text message and email, the fact remains that the most effective marketing is still face to face. Networking groups such as Provisors, The Esquire Network (TEN), and the SFVBA's very own Valley Bar Network (VBN) are a wonderful way for other professionals and trusted advisors to get to know you and for you to get to know them.

Take advantage of all that the professional groups have to offer you. Try to attend at least five meetings per month—the groups' regular meetings followed up with smaller meetings of two or three people, enabling you to get to know more details about their businesses and vice versa.

The more that trusted advisors see you and get to know you, the more likely they will form relationships with you, by which they will refer business to you and you to them. The effort pays off. The more people who know you and know what you do, the better your referral network will be.

2. Keep your existing clients and tap into your clients as a referral source. Growing a small law firm is not just about finding new clients, it is also about keeping the clients you have, so get to know your clients. Find out about them as individuals and find out details about their loved ones. The personal touch is something that is lacking in the world today so if you can provide that personal touch, your clients will stick



Carol L. Newman and **Tina M. Alleguez** are Partners at Alleguez & Newman LLP in Woodland Hills. Newman focuses on the representation of unmarried couples in palimony cases, as well as business and real estate litigation. Alleguez practices business and commercial litigation and serves as outside general counsel for a myriad of businesses. They can be reached at carol@anlawllp.com and tina@anlawllp.com.

with you and will be one of the greatest sources of referrals you will have. Why? Because they have seen you in action. You fought for them. You solved their problem and that is not soon forgotten.

If on top of doing a good job for them you remember their birthday or their son or daughter's birthday and you send a card, a gift or a personal note, they will be loyal to you. They will send their friends and other family members to you, but if for some reason they don't, do not forget to ask. Sometimes clients do not realize that you could use a referral. In their mind, you have helped them and they view you as highly successful and more often than not, they simply do not think you need a referral, so do not hesitate to ask. Always remember to thank the people who have referred business to you, in person if possible.

Additionally, have a system in place for tracking the clients that do come to you. Obtain their personal information, the date they retained you, who they were referred by, and if possible, spend some money on email marketing like Constant Contact that will automatically contact the clients for you on a recurring basis so that you are on their radar.

3. Be responsive and always overdeliver. It goes without saying that you need to be responsive, not only to your clients but also to your trusted advisors. If you receive a call, an email, a text, a message in a bottle, always respond as soon as you can. At a minimum, respond within 24 hours.

There is nothing worse than a client who gets tired of calling. That person becomes a client who believes that in your mind he or she is not important, and a person who feels unimportant or ignored can become your worst enemy.

Remember that a client can just as easily give you bad press as good press. And while it goes without saying, remember to do not just a good job but a great job, each and every time. If you

do well by your clients, your business will flourish.

4. Manage your economics. Don't ignore the financial aspects of your firm. Without healthy finances your firm cannot thrive. Knowing your overhead will enable you to calculate what your firm needs to yield to generate positive income.

Based on the financial condition of your law firm, there may be some cases that you simply cannot accept. If, for example, your firm handles litigation cases, the fees and costs can skyrocket quickly because so much depends on the tactics employed by opposing counsel and what the client may demand, reasonably or unreasonably, so you need to have strict rules regarding the cases you will accept.

Additionally, make sure you communicate clearly to the clients the fee structure in your firm so there are no surprises, and most importantly, do not compromise. If in a particular month the bill is going to be higher than usual, prepare the client in advance for the higher bill.

By knowing your firm's overhead, you may be able to provide flexible or alternate pricing of services to your clients based on your prior experience with similar cases. In some instances, billing by the hour will be the only viable billing model for a particular case but in other instances, a flat fee may be workable and more appropriate. There might even be specific services that you know can always be billed on a flat fee basis.

Additionally, know when to cut a client loose. You are not a bank so do not allow unpaid fees to get to an insurmountable number. Make sure that you have a staff person stay on top of your unpaid bills since those should be kept to a minimum.

5. Create a niche practice. Do not be a generalist. Find an area in which to become a specialist if possible. Create



**112 WAYS TO SUCCEED
IN ANY NEGOTIATION
OR MEDIATION**

SECRETS FROM A PROFESSIONAL MEDIATOR

STEVEN G. MEHTA

Steven G. Mehta is one of California's premier, award-winning attorney mediators, specializing in intensely-difficult and emotionally-charged cases.

Steve's book, **112 Ways to Succeed in Any Negotiation or Mediation**, will turbo-charge your negotiation skills regardless of your experience.

To schedule your mediation or order a copy of Steve's new book, call **661.284.1818** or check with your local bookseller, preferred online retailer, or online at: **www.112ways.com** or **www.stevemehta.com**

Locations in Los Angeles & Valencia
Mediations throughout California



FlagshipEscrow.com

Official Sponsor of the SFVBA Probate & Estate Planning Section

We are an independent, full-service escrow company with years of experience in probate, trust sale and conservatorship transactions, along with all other types of escrows.

MARGARITA F. BILLINGS
Certified Escrow Officer
Margarita@FlagshipEscrow.com

ENID TOBIAS
Certified Escrow Officer
Enid@FlagshipEscrow.com

16101 Ventura Boulevard, Suite 324
Encino, CA 91436
PH # 818 990 3565

your niche and you will find it much easier to target your marketing.

Sometimes, the niche practice might present itself to you, or sometimes changes in the law may create the niche practice for you. As an example, because of the legalization of marijuana, law firms with a good marketing team saw that there would be a need for cannabis lawyers, and they seized the moment by creating a specialty group in their law firms dedicated to the practice of cannabis law.

So whether you decide to specialize in adoption law because you had a wonderful experience adopting your child or whether you decide to represent unmarried couples in their disputes over property when they end their relationship due to your own personal experience, create the niche.

6. Be a panelist, speaker or author.

Writing articles like this one and those specifically geared toward your specialty area are exceptional ways of staying in front of your clients and trusted advisors. Not only can you post the articles to your website, you can also send them to your clients as a way of keeping in touch even when they are not in need of your services. It is also an opportunity to share your expertise and connect with clients you are prospecting.

Sometimes if you are trying to develop a niche, writing an article or speaking at a trade association meeting geared toward that niche practice area is the best way to make the right

connections. There are many trade associations, business organizations and other groups that are not well attended by lawyers so you may find that you are the only lawyer in the room. Seize that moment.

7. Be involved in your community.

Being involved in your community, such as serving on your neighborhood council or serving on the board of a charity or a business organization, speaks volumes to others. It shows that you have a passion for service and your actions will sell themselves. Being in a leadership role will enable you to meet influencers in your community. Again, it is all about building relationships and becoming known.

8. Get in front of the press.

If you can share your expertise on the news, don't hesitate. That is publicity for you and your firm. Get to know a local reporter on whom you can call to interview you when your firm has a success story. Post press releases on your website and make sure to share them with your clients and others in your circle of influence. In short, become famous!

As you can see, there are many ways to develop a practice but one size doesn't fit all. Aim for what feels most comfortable for you. Remember that business is about building and maintaining relationships and always remember to smile!

WORKERS' COMPENSATION STATE CERTIFIED SPECIALIST
WILLIAM J. KROPACH
Over 35 Years Experience
All Workers' Compensation Injuries
Referral Fee Paid Per State Bar Rules
Chairman, Workers' Comp Section of SFVBA (1987 to 2009)
Director, Valley Community Legal Foundation of SFVBA (1980-2000)
Former Trustee of SFVBA
For Workers' Compensation Referral, call 818.609.7005
www.williamkropach.com • email:william@kropachlaw.com
Volunteer of the Year 2003

When Bankruptcy May Be the Best Solution...

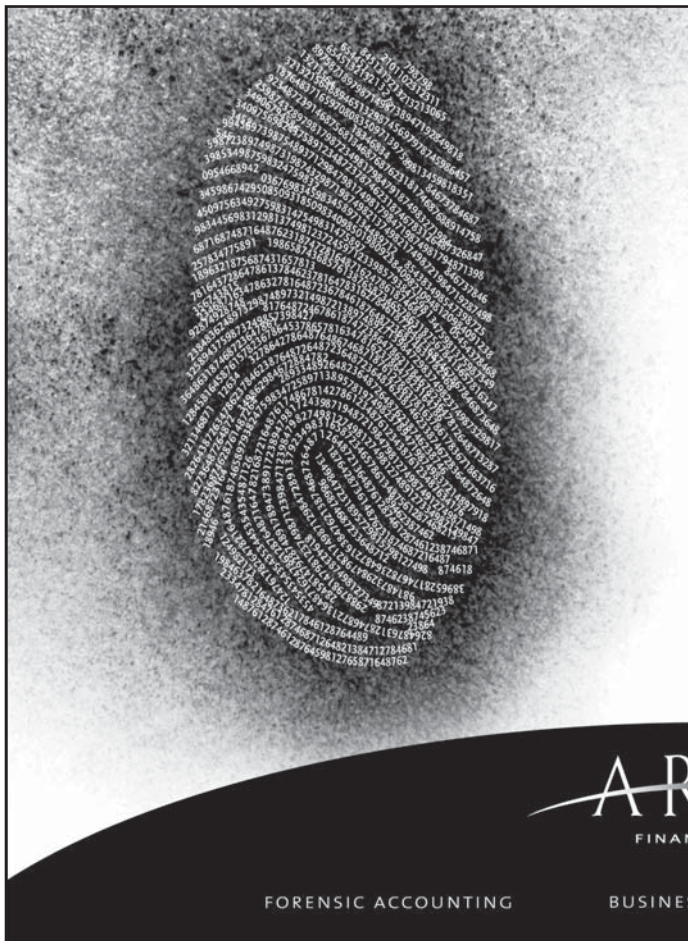
Choose an experienced & knowledgeable attorney who provides personal & timely attention and recommends bankruptcy only when it is the best solution.



Law Offices of Steven R. Fox
Bankruptcy & Related Matters

Debtor and Creditor Representation
Chapter 11 Reorganization
Bankruptcy Litigation
Developing and Rebuilding Companies

17835 Ventura Blvd., Suite 306
Encino, CA 91316 ■ (818) 774-3545
SRFox@FoxLaw.com



Sometimes numbers are the only prints left behind.

Arxis Financial is a proven forensic accounting and litigation specialist. We will examine the financial data and help you determine the "bottom line." Arxis provides financial and valuation analysis needed to resolve a variety of legal disputes from family court to civil, criminal, and probate courts. In many cases our experts can help you reach a settlement. If trial or arbitration is required we give you the support you need to win.


Chris Hamilton, CPA, CFE, CVA
805.306.7890
www.arxisfinancial.com
chamilton@arxisgroup.com



FORENSIC ACCOUNTING

BUSINESS VALUATION

FRAUD ANALYSIS



By Alicia B. Bartley and Jason M. Szeftel

Martins Beach and the Future of Inverse Condemnation

MARTINS BEACH IS A PUBLIC beach fronting of a private gated community south of San Francisco near Half Moon Bay. The beach is surrounded by high cliffs and farmland, so there is just one way to the beach—a gated road located on private property. For many years, the road was held open for beachgoers by the then-owner of the property, who charged a nominal fee for parking and operated a nearby convenience store. The property was later sold, the new owner locked the gate, and years of litigation in California state courts ensued.

Most recently, the property owner has petitioned the U.S. Supreme Court to take up the case, claiming that a

requirement that he obtain a permit to lock the gate under the California Coastal Act has resulted in a seizure (or taking) of his private property for public use, for which he is constitutionally entitled to compensation.

A decision by the Court in this case could have wide ranging implications on constitutional takings jurisprudence, as it could impact when it is appropriate, or ripe, for a property owner to sue for a regulatory taking, how long a physical seizure must last for it to be a *per se* taking, the compensation remedy accorded to different forms of regulatory takings, and the applicability of land use development conditions in cases where private property is used for public enjoyment.

History of Regulatory Takings Law

Nearly one hundred years ago, *Pennsylvania Coal v. Mahon*¹ established that land use regulations with restrictions denying private ownership rights violate the Fifth Amendment of the U.S. Constitution.² If a regulation goes “too far,” it can be in violation of the amendment’s prohibition against the taking of private property without just compensation.³

The Fifth Amendment does not deny the government the right to take property from a private property owner if it has an articulable public use for that property. Instead, it prevents the government from taking property without giving fair market value back in compensation. If the government fails to give just



Alicia B. Bartley and **Jason M. Szeftel** specialize in land use, zoning, environmental law and related litigation at Gaines & Stacey LLP in Encino. They can be reached at abartley@gaineslaw.com and jszeftel@gaineslaw.com.

compensation to a private property owner, the property owner has a claim against the government for their just monetary return by a legal action known as inverse condemnation.⁴

Inverse condemnation is the other side of the coin of the government taking private property by a condemnation proceeding. The power of eminent domain allows the government to condemn property outright, while the right to just compensation under an inverse condemnation claim allows a private property owner to demand a fair price for the public use of their property. The public policy behind this remedy mandates that private individuals should not be forced to bear the burden of the public use of their property.⁵

Further developments in takings law began to occur, with more explicit categories of partial, total, regulatory, and physical takings being developed through case law. Outside of cases of permanent physical occupation of land or a total loss of any viable economic use, whether or not a taking has occurred has been answered through a fact and situation specific multifactor test outlined in *Penn Central Transportation Company vs. City of New York*.⁶ The test uses an analysis of the economic impact of the regulation, the investment backed expectations of the property owner, and the capability of the regulation to assess the fairness of the action and the compensation remedy needed, if any.

Among the progeny of *Penn Central* are cases challenging what development conditions may be imposed by state and local governments upon private development projects. What can be referred to as “unconstitutional conditions” jurisprudence arguably began with *Nollan vs. California Coastal Commission*.⁷

In-lieu fees, exactions, inclusive zoning measures, workforce housing set asides, mitigation fees, community benefit agreements, and other development conditions frequently used

in the land development process gained their imprimatur of legality with the nexus, and later proportionality, standards that were first examined in *Nollan*.

In light of the enormous influence of that prior California Coastal Commission case on inverse condemnation law, the saga over access to Martins Beach is especially interesting.

Martins Beach Controversy

The road to Martins Beach is located on property purchased in July 2008 by Silicon Valley billionaire Vinod Kohsla, who also acquired surrounding property as well. Kohsla, having found that the parking fees and convenience store were operating at a loss, soon thereafter closed the access gate, painted over a billboard advertising beach access, put up a no-access sign, and hired security guards to prevent public entrance.

The San Mateo County Building and Planning Department asserted that Kohsla was obligated to maintain access to the beach at the same level as the previous owner, and that any change in access would require a coastal development permit from the California Coastal Commission.

Kohsla sued the county and the Coastal Commission, asserting that the public had no right to access the beach beyond any voluntary or permissive access granted by the owner to the public.⁸ He maintained he had total ownership of the property and the right to deny public access without any permit application or approval by the state. In March 2013, the Surfrider Foundation, a non-profit organization dedicated to the protection and enjoyment of California’s ocean and beaches, inserted itself into the dispute by filing an action asking the court to declare these actions “development” under the Coastal Act. The Foundation additionally sought an injunction to return public usage of the property for beach access.

The appellate court eventually ruled that the property owner’s actions to close off access constituted development under the Coastal Act affirmed the



PERSONAL INJURY PRACTICE GROUP

(nearly 40 years of service in the Valley)



ANDREW L. SHAPIRO
Chair & Shareholder
ashapiro@lewitthackman.com



THOMAS CECIL
Shareholder
tcecil@lewitthackman.com



DAVID B. BOBROSKY
Shareholder
dbobrosky@lewitthackman.com

lewitthackman.com
(818) 990-2120

LH LEWITT HACKMAN

LEWITT, HACKMAN, SHAPIRO, MARSHALL & HARLAN
A LAW CORPORATION

Referral fees subject to California Bar rules.

Struggling with rising costs of Employee Benefits?

CALL

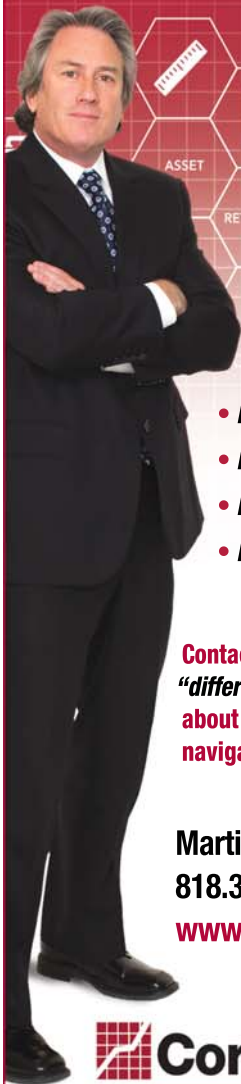
CorpStrat

One of Southern California's largest insurance brokers

INTRODUCING

21ST Century HR SOLUTION

Where modern technology meets the experienced broker



- **Employee Benefits**
- **HR Automation**
- **HR/Compliance**
- **Payroll**

Contact me to have a "different" conversation about how companies navigate benefits.

Martin Levy, CLU/RHU
818.377.7260 Office
www.CorpStrat.com

 **CorpStrat**
INSURANCE • EMPLOYEE BENEFITS • HR • PAYROLL

CA Lic. #0635793

trial court's injunction to cease this "unpermitted development," and decided that the injunction was not a per se taking due to its temporary nature.⁹

Legal Relevance

The two primary questions in *Surfrider* were whether removing public access in this case constituted development requiring a coastal development permit under the Coastal Act and whether the injunction was a per se taking ripe for a challenge by the property owner.¹⁰ The trial and appellate courts both found that under the Coastal Act, "development" is broader than the familiar understanding and includes "change[s] in the intensity of use of water, or of access thereto."¹¹

Therefore, the courts reasoned, closing access to the beach is a change in access to coastal water requiring a permit. The property owner's position is that this interpretation of the Coastal Act goes too far, charging that ...

"As a general matter, California is free to impose the Orwellian obligation to obtain a development permit to reduce the extent of coastal development. But when California demands a permit before a private property owner may exercise the fundamental rights to close or alter the terms of a business and exclude the public from private property, it crosses a constitutional line."¹²

This conflict over whether a property right is being usurped by over-expansive regulation or whether property development is merely being legitimately regulated under the valid statutory framework of the Coastal Act is the background for the petition for U.S. Supreme Court review. The property owner has maintained that the right to exclude is a fundamental right accorded to a property owner by ownership. The petition challenges the ability of the Coastal Commission to apply the Coastal Act to the act of removing advertising, closing off a road, and

prohibiting parking on private property, in an attempt to define the limits of what activities are subject to state regulation.

Interestingly, the petition does not allege a regulatory taking under the multifactor and situation specific test laid out in *Penn Central*. Instead, the argument hinges on the theory that the de facto easement created by the trial court injunction is a per se physical invasion of property where the only question should be the level of compensation required rather than an examination of whether or to what degree a taking has in fact occurred.

Examining this issue, the appellate court agreed that the property owner is presently subject to an injunction that compels a public-access easement over its private property.¹³ The court even agreed that a public-access easement ordinarily constitutes a per se physical taking.¹⁴ Yet the court concluded the physical taking is not compensable because it is not "permanent."¹⁵ This decision deepens a split among state and federal courts over whether a physical taking must be permanent to be per se compensable, stemming principally from the U.S. Supreme Court decision in *Loretto v. Teleprompter Manhattan CATV Corp.*¹⁶


Intimately connected to this substantive question of law is whether there is currently a claim against the government that is ripe for review by the court. *Surfrider* alleged, and the trial and appellate courts agreed, that, "Ripeness only arises following a decision on a [coastal development permit] application."¹⁷ Yet this conclusion concedes both that the activity in question is development that requires a permit and that this sort of development can only be challenged at the end of the permit process.

As such, *Surfrider* examines the fundamental questions of when a taking can occur. Is it when the Coastal Commission asserts jurisdiction over an area of activity? Is it when a judge has issued an injunction requiring the

property owner to maintain the status quo based on such an assertion of jurisdiction? Or is it only when a final decision is made on a coastal development permit application? If, as was found by the appellate court, a taking is ripe only at the time of a final decision on a coastal development permit, then many forms of physical occupation of land may never be regarded as takings regardless of a physical invasion or the occupation of private property. Therefore, the issue of ripeness is more consequential to the substance and categorization of takings than may be expected.

While a wealthy property owner attempting to close off public access to the beach is not the most sympathetic character, the current ideological makeup of the U.S. Supreme Court lends favor to his position should the case be taken up by the Court. If a majority of the Court are moved by Khosla's emotional claims of being compelled to provide, and even advertise, public access to his private property on the same terms as prior owners at a profit loss, it is possible that a decision limiting the regulatory power of agencies such as the Coastal Commission could result.

A decision resolving the deep divide amongst lower courts regarding whether a physical invasion must be permanent to be a compensable, per se taking would alter not only what government actions are subject to inverse condemnation actions, but how this constitutional method of seeking compensation could be used in many jurisdictions.

A decision focusing on the issue of ripeness could have a significant impact on the timing and frequency of filing of inverse condemnation actions. The ripeness doctrine may be viewed as limiting the rights of property owners. However, widening it could possibly result in a potentially drastic increase in partial or temporary takings claims.¹⁸ The stakes are high, and not just for visitors to Martins Beach. 

¹ *Pennsylvania Coal Co. v. Mahon*, 260 U.S. 393, 43 S. Ct. 158, 67 L. Ed. 322 (1922).

² See *Penn Cent. Transp. Co. v. City of New York*, 438 U.S. 104, 127 (1978) (“[P]ennsylvania Coal Co. v. Mahon, 260 U.S. 393, 43 S.Ct. 158, 67 L.Ed. 322 (1922), is the leading case for the proposition that a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to amount to a “taking.”).

³ U.S. Const. amend. V (“nor shall private property be taken for public use, without just compensation.”).

⁴ The California Constitution has an even broader takings clause. Cf. Cal. Const. art. I, §19(a).

⁵ *Armstrong v. United States*, 364 U.S. 40, 49 (1960).

⁶ *Penn Central Transportation Company v. City of New York*, 438 U.S. 104 (1978).

⁷ *Nollan v. California Coastal Comm’n*, 483 U.S. 825 (1987).

⁸ *Surfrider Foundation v. Martins Beach 1, LLC*, 2014 WL 6634176 (Cal.Super.).

⁹ *Surfrider Foundation v. Martins Beach 1, LLC*, 2014 WL 6634176 (Cal.Super.), 3, *aff’d* 14 Cal. App. 5th 238, 252, 267 (Ct. App. 2017), *review denied* (Oct. 25, 2017), *pending petition* (Feb. 26, 2018).

¹⁰ *Surfrider Found. v. Martins Beach 1, LLC*, 14 Cal. App. 5th 238, 221 (Ct. App. 2017).

¹¹ *Surfrider Foundation v. Martins Beach 1, LLC*, 2014

WL 6634176 (Cal.Super.), 3, *aff’d* 14 Cal. App. 5th 238, 221, 252 (Ct. App. 2017); See also *Pac. Palisades Bowl Mobile Estates, LLC v. City of Los Angeles*, 55 Cal. 4th 783, 795, (2012); *Gualala Festivals Comm. v. California Coastal Comm’n*. 183 Cal.App.4th 60, 67, 69, 106 (2010) (explaining the interpretation of P.R.C. § 30106).

¹² *Petition for Writ of Certiorari, Martins Beach 1, LLC v. Surfrider Foundation*, 17-1198, at 27.

¹³ See *Surfrider Found. v. Martins Beach 1, LLC*, 14 Cal. App. 5th 238, 265 (Ct. App. 2017) (“...the trial court’s injunction effected a physical invasion analogous to an easement...”).

¹⁴ *Id.* (Compulsory permanent easements that are not proper conditions on development are per se takings.)

¹⁵ *Id.* (“...the temporary nature of the injunction means it may not be treated as a per se taking.”)

¹⁶ *Loretto v. Teleprompter Manhattan CATV Corp.* 458 U.S. 419 (1982).

¹⁷ *Surfrider Found. v. Martins Beach 1, LLC*, 14 Cal. App. 5th 238, 221 (Ct. App. 2017), *review denied* (Oct. 25, 2017), *pending petition* (Feb. 26, 2018).

¹⁸ As courts cannot assess the compensation required without an inquiry into the loss, the ripeness standard is a powerful barrier to the accumulation of such claims. Cf. David L. Callies, *Through A Glass Clearly: Predicting the Future in Land Use Takings Law* 54 Washburn L.J. 43, 92 (2014).

Mondragon & Associates
Insurance Services

LAWYERS PROFESSIONAL LIABILITY
EMPLOYMENT PRACTICES LIABILITY
CYBER LIABILITY
COMMERCIAL/PERSONAL INSURANCE

SERVING ALL OF CALIFORNIA
(818) 351 5000
(LICENSE NO. 0L38536)

Michelle Mitchikoff
(818)351-5388
MICHELLE@MONDRAGONINS.COM

Debra Mondragon
(818)351-5308
DEBRA@MONDRAGONINS.COM

Contact Us Now to Ensure That You Are Receiving
The Best Coverage for The Lowest Premium

VBN
VALLEY BAR NETWORK

Join the Valley Bar Network the first
Monday of each month.

Contact events@sfvba.org for more information.

NEW MEMBERS

The following members joined the SFVBA in May 2018:

Mark Burnstein

Thousand Oaks
Business Law

Arezou Shahparnia Diarian

Sperling Diarian & McAllister
Sherman Oaks
Family Law

Cassandra Franco

Simi Valley
Workers' Compensation

Kelly Shawn Kernohan

Northridge
Law Student

Craig Curtis Lang

Feldman & Associates, Inc.
Van Nuys
Alternative Dispute Resolution

Samuel Layton

Layton & Lopez Tax Attorneys, LLP
Fullerton
Taxation

Patricia Mann

Westlake Village
Family Law

Amy Nashon

Boesch Law Group
Santa Monica
Civil Litigation

Asya Ovsepyan

Law Office of Shep Zebberman
Van Nuys
Criminal Law

Erin Prutow

Sherman Oaks
Business Law

Bruce Warren

Los Angeles
Insurance Bad Faith

REPORT OF THE NOMINATING COMMITTEE

Date: May 30, 2018

Place: Lewitt Hackman, 16633 Ventura Blvd., Encino

Present: Kira Masteller, Alan Kassan, Yi Sun Kim, Carol Newman, Matthew Breddan, Joanna Sanchez, Toni Vargas, Michelle Diaz (via phone), Elizabeth Post

Masteller called the meeting to order at 5:30 p.m. Post was elected to serve as Secretary of the Committee.

After a discussion, the Committee nominated the following for officers:

Christopher P. Warne	Treasurer
David G. Jones	Secretary
Barry P. Goldberg	President Elect
Yi Sun Kim	President (automatic)

After a brief discussion, the following incumbent Trustees who desired to be nominated to run again were approved by unanimous vote:

Heather Glick-Atalla
Amanda Marie Moghaddam
Allan D. Sarver
Steven M. Sepassi

After a discussion, the following four members who submitted applications for nomination to run at Trustee were approved by unanimous vote:

Kyle M. Ellis
Gary J. Goodstein
Alexander S. Kasendorf
Benjamin Soffer

Following the meeting, incumbent Samuel Price confirmed with Kim that he wished to be nominated as Trustee. The Committee approved his nomination by unanimous vote.

The meeting adjourned at 6:30 p.m.

ELIZABETH POST
Executive Director

KIRA S. MASTELLER
Immediate Past President

WEBINAR

SAN FERNANDO VALLEY BAR ASSOCIATION



FRIDAY
JULY 20, 2018
1:00 PM

WEBINAR

fastcase
Smarter legal research.

Fastcase vs. Google Scholar

A review of Fastcase and Google Scholar with emphasis on good research practices. Free to SFVBA members. (1 Hour MCLE)

Busy Summer for ARS

CATHERINE CARBALLO-MERINO
ARS Referral Consultant



catherine@sfvba.org

COMMUNITY OUTREACH IS A CRITICALLY important marketing strategy for any organization, but even more so for non-profits with limited resources to reach audiences through paid media, such as radio and television ads.

In May and June, fellow ARS Consultant Miguel Villatoro and I staffed several public events—the ONEgeneration Senior Symposium, Soberlink Sober Day LA, and the Valley Cultural Center Concert in the Park Highwayman Live show, with several additional ARS-sponsored concerts scheduled for this month.

Each event has a specific targeted audience, presenting us with a unique opportunity to share an important message about the ARS’s commitment to serve the Valley community with ready access to much-needed legal services.


Such an opportunity arose in May, when the ARS hosted the LA Law Library Lawyers in the Library event at the Van Nuys Public Library. A diverse group of volunteer attorneys

were on hand to assist the public with legal questions covering a variety of areas, including landlord/tenant issues, criminal defense, personal injury, family law, probate, and elder law.

The ARS would like to thank the following attorneys for volunteering for the event: James Bisnow, Howard Ekerling, Michael Florentin, Robert Kahn, Richard

Miller, Michael Rahm, Russell Thaw and Janeith Ward. We also extend our sincere thanks to the Van Nuys library staff and LA Law Library Librarian Janine Liebert for her help in coordinating the very successful event, and to social worker Shushanik Gaboian, who was available to assist when needed.

More than 40 people attended the

library event, with exit surveys showing many positive comments from pleased attendees, who left feeling more confident about their situations and the legal system as a whole. 



City National®

PROUD SUPPORTER OF THE

San Fernando Valley Bar Association

Anna Markarian | Vice President | (818) 487-7515 | Anna.Markarian@cnb.com





VALLEY COMMUNITY LEGAL FOUNDATION OF THE SAN FERNANDO VALLEY BAR ASSOCIATION

CHARITY BEGINS WITH YOU

THE SAN FERNANDO VALLEY LEGAL COMMUNITY

CHARITABLE ARM OF THE SFVBA

SUPPORTING LEGAL NEEDS OF VALLEY
YOUTH, DOMESTIC VIOLENCE VICTIMS,
AND VETERANS

WORKING WITH JUDGES AND OTHERS
IN THE VALLEY LEGAL COMMUNITY

SPONSORING TEEN COURT CLUBS
AND LAW MAGNETS AT 9 VALLEY HIGH
SCHOOLS

PROVIDING EDUCATIONAL GRANTS FOR
LEGAL CAREERS

SUPPORTING LAW-RELATED PROJECTS
IN THE VALLEY

ASSISTING VALLEY RESIDENTS IN NEED

FUNDED BY DONATIONS FROM PEOPLE LIKE YOU



VCLF SUPPORTS THE FOLLOWING ORGANIZATIONS



RECENT SCHOLARSHIP RECIPIENTS INCLUDE STUDENTS AT



To donate to the VCLF or to learn more, visit
www.thevclf.org
and help us make a difference in our community



Another Year to Be Proud Of

THE VALLEY COMMUNITY Legal Foundation has once again had a remarkable year of giving and community outreach. It is always nice when our efforts are recognized and appreciated, especially by our civic leaders. This past month, the VCLF—acting as the charitable

arm of your San Fernando Valley Bar Association—received the following proclamation from Los Angeles County Assessor Jeffery Prang on behalf of the County, recognizing the Foundation and the Bar for our hard work and positive community impact this past year:

TO THE VCLF OF THE SFVBA, FROM THE COUNTY OF LOS ANGELES:

WHEREAS, special recognition and sincere appreciation are deserving for the Valley Community Legal Foundation (VCLF) of the San Fernando Valley Bar Association for extraordinary accomplishments and tireless dedication in serving the needs of youth, victims of domestic violence, and veterans living in the San Fernando Valley; and

WHEREAS, VCLF sponsored and presented the play “The Defamation Experience” in an effort to educate students regarding race and gender bias. In addition, VCLF supports the Anti-Recidivism Coalition and Root & Rebound’s “Reentry” program, and it has doubled its scholarship giving over the previous year; and

WHEREAS, VCLF has awarded grants to worthy Valley institutions, including the YMCA, Boys and Girls Clubs, Haven Hills, K.E.N. Project, CASA, Settle-O-Rama (the Family Law Section of the SFVBA’s settlement program at Van Nuys Superior Court), and the DTLA National Championship Tournament for Collegiate Mock Trial:

NOW, THEREFORE, BE IT RESOLVED, I, Jeffrey Prang, Assessor of the County of Los Angeles, do hereby acknowledge and commend the Valley Community Legal Foundation and its President, Laurence N. Kaldor, for many years of outstanding and exemplary service. I extend my sincere wishes for continued success and prosperity.

LAURENCE N. KALDOR
President



phenix7@msn.com

Giving back to the community feels pretty darn good, and in this fiscal year YOU have so much to be proud of. In 2018, the VCLF more than tripled our 2017 scholarship giving; made a one-time \$50,000 grant—our largest single grant to date—to the Anti-Recidivism Coalition for the creation of a re-entry legal clinic in Sylmar; established an all-inclusive Memorial Fund to commemorate recently-lost loved ones; continued to provide financial support for Settle-O-Roma at the Van Nuys courthouse and the National Mock Trial Tournament; and sponsored the return of *Defamation: The Play*, for Valley law magnet and teen court students. Additionally, this summer we are looking forward to our annual Virtual Gala honoring the estimable legal career of our own VCLF family member, Marcia Kraft.

The Foundation’s relationship with the SFVBA continues to get stronger every year, with the two organizations working harmoniously together towards our common goals. As the Foundation continues to rebuild its own Board, our governing body continues to run leaner and more efficiently than it has in years and that everyone appears to be engaged, enthusiastic and committed to fulfilling our mission.

For my part, it is with the utmost optimism, enthusiasm and joy that I welcome incoming President Mark Shipow and President Elect Kira Masteller to lead the organization to years of further prosperity. For all of YOU who have participated and contributed both time, effort and money... THANK YOU!

Annual Membership Drive

The VCLF is always welcoming new members to our Board of Directors who share our love of the San Fernando Valley as well as our passion for community service. We currently have two open seats, one designated for a non-attorney professional and another for an active or retired bench officer.

We are always in need of community-driven, non-attorney professionals with diverse and specialized skills, including accounting, marketing, photography, computer graphics and web-design. Please reach out to friends and colleagues who you think might be interested in becoming a part of our Foundation family. To become a candidate for the Board of Directors for the upcoming 2018-2019 year, or to nominate a friend for potential Board

membership, please email a resume and CV to info@thevclf.org.


Check the Box

I would be remiss if I didn't take a moment to remind all members of the

just the minimum suggested tax-deductible donation, we would not have the ongoing and pressing need for substantial fundraising throughout the year. For those of you that faithfully and loyally donate every year... THANK YOU!



Lastly, to the myriad of people that have communicated words of encouragement for our monthly *Valley Lawyer* articles touting the Foundation's successes and the fruits of your generous contributions... THANK YOU! I am humbled by the opportunity you have bestowed on me to serve the community.

I look forward to working with all of you for the remainder of this fiscal year as well as the exciting and promising 2018-2019 year ahead. Thank you all so very much for your generous time, effort and support. We are all in this together! 

SFVBA to "Check the Box" and give to the VCLF and the scholarship fund when you renew your SFVBA membership this summer. If every member gave

ABOUT THE VCLF OF THE SFVBA

The Valley Community Legal Foundation is the charitable arm of the San Fernando Valley Bar Association, with a mission to support the legal needs of the San Fernando Valley's youth, victims of domestic violence, and veterans. The VCLF also provides scholarships to qualified students who wish to pursue legal careers. The Foundation relies on donations to fund its work. To donate to the VCLF and support its efforts on behalf of the Valley community, visit www.thevclf.org and help us make a difference in our community.

Need a Meeting Space for Mediations or Depositions?

- 600 square-foot conference room
- Spacious breakout room
- Ample free parking
- Coffee service

Reserve meeting space for only \$150 per day!



5567 Reseda Boulevard, Suite 200 | Tarzana, CA 91356 | Tel (818) 227-0490 | www.sfvba.org



**San Fernando Valley Bar Association
and Encino Library
Community Blood Drive
Tuesday August 14, 2018
1:30pm-6:30pm**

Encino Library
18231 Ventura Blvd
Tarzana, CA 91356

All donors will get discount passes for Knott's Berry Farm!

For an appointment, please visit redcrossblood.org and use the code:
"SFVBA" Or call 1-800-RED CROSS (1-800-733-2767).

Cedar Point

Worlds of Fun

**Kings
Island**

Valleyfair

**California's
Great America**

Carowinds

**Kings
Dominion**

**Michigan's
Adventure**

**Knott's
BERRY FARM**

**Knott's
SOAK CITY
WATER PARK**

**Dorney Park
& Wildwater Kingdom**

**Cedar Point
Shores
WATERPARK**

redcrossblood.org/cedarfair | 1-800-RED CROSS | redcrossblood.org | Download the Blood Donor App

©2017 The American National Red Cross | APL-2016-02696 | 140701-18

CLASSIFIEDS

ATTORNEY-TO-ATTORNEY REFERRALS

STATE BAR CERTIFIED WORKERS COMP SPECIALIST

Over 30 years experience-quality practice. 20% Referral fee paid to attorneys per State Bar rules. Goodchild & Duffy, PLC. (818) 380-1600.

SPACE AVAILABLE ENCINO

Encino Atrium office with view! 19'X12' approx. with secretarial booth. Ventura Blvd. and Hayvenhurst (south of boulevard). Reception, conference room, kitchen. (818) 788-5008.

SHERMAN OAKS

3 offices 14x10. Secretarial bay adjacent. Free parking. Executive suite with receptionist, conference rooms, kitchen and amenities. High speed internet available. Contact Eric (818) 784-8700.

WOODLAND HILLS

Sublease. Window office (17'x10') plus secretarial bay, full-service suite, receptionist, voicemail, copier, conference room. Call (818) 999-9397.

Warner Center Towers. 1-2 New Office(s), 24x15, 15x15, Secretarial, Conference Room, Kitchen, Copier. Available Immediately. (818) 719-8000.

SUPPORT SERVICES PROFESSIONAL MONITORED VISITATIONS AND PARENTING COACHING

Family Visitation Services • 20 years experience "offering a family friendly approach to" high conflict custody situations • Member of SVN • Hourly or extended visitations, will travel • visitsbyllene@yahoo.com • (818) 968-8586/(800) 526-5179.

HELP WANTED LITIGATION ATTORNEY

Nemecek & Cole is seeking candidates with 0 to 5 years litigation experience to handle professional liability defense claims. Superior writing skills and the ability to work independently required. We offer a highly competitive salary commensurate with experience and excellent benefits. Email resume to bcole@nemecek-cole.com.

SFVBA Inclusion & Diversity and Membership & Marketing Committees

DINNER AT MY PLACE

*A member benefit to help
members get to know each
other in an intimate setting
and spur referrals.*

July 26, 2018

**6:30 PM | Granada Hills
\$25 to attend one dinner.**



WANT TO ATTEND OTHER DINNERS?

August 30 | Woodland Hills
September 27 | Studio City

HAS YOUR CLIENT BEEN BURNED BY A STOCKBROKER?

SECURITIES LAW Claims Against Stockbrokers

Stock Market Losses Caused by:
Excessive Trading in Account
Unsuitable Investments
Misrepresentation • Variable Annuities

Highest AVVO Rating 10.0 out of 10.0

LAW OFFICES OF JONATHAN W. EVANS & ASSOCIATES

*41 Years in practice
Arbitrator for FINRA*

**NO RECOVERY – NO FEE
FREE INITIAL CONSULTATION**

**(818) 760-9880 • (800) 699-1881
(213) 626-1881
www.stocklaw.com**

Superlawyer – Securities Litigation

12711 Ventura Blvd., Suite 440
Studio City, CA 91604

SFVBA MCLE

Seminars on Audio

COULDN'T ATTEND AN IMPORTANT SFVBA SEMINAR?

Most SFVBA
seminars since 2013
available on
audio CD or MP3.

Stay current and
earn MCLE credit.



Versatape

Who is Versatape?

Versatape has been recording and marketing audio copies of bar association educational seminars to California attorneys since 1983.

**www.versatape.com
(800) 468-2737**



PRESIDENT'S CIRCLE

WE RECOGNIZE THE FOLLOWING PRESIDENT'S CIRCLE MEMBERS FOR THEIR DEDICATION TO THE SFVBA AND THE COMMUNITY.

Alpert Barr & Grant APLC

Brot & Gross LLP

Brutzkus Gubner Rozansky Seror Weber LLP

Goldfarb, Sturman & Averbach

Greenberg & Bass LLP

Kantor & Kantor LLP

Kraft, Miles & Miller LLP

**Lewitt Hackman Shapiro Marshall
& Harlan ALC**

Mirman, Bubman & Nahmias

**Neighborhood Legal Services of
Los Angeles County**

Nemecek & Cole

**Oldman Cooley Sallus Birnberg
& Coleman**

Parker Milliken Clark

O'Hara & Samuelian

Pearlman, Brown & Wax LLP

Pearson Simon & Warshaw LLP

Stone | Dean

- **SFVBA membership for every firm attorney and paralegal**
- **Prominent listing in *Valley Lawyer* and firm logo on President's Circle page of SFVBA website**
- **Recognition and 5% discount on tables at Bar-wide events, including Judges' Night**
- **Invitations to President's Circle exclusive events with bench officers, community leaders and large firms**

Contact SFVBA Executive Director Liz Post at (818) 227-0494 or epost@sfvba.org to sign up your firm today!



2017 LAUNCH

NEW FASTCASE 7

FLY THROUGH YOUR LEGAL RESEARCH WITH THE NEWEST VERSION OF THE WORLD'S MOST VISUAL SEARCH PLATFORM. FREE TO MEMBERS OF THE SFVBA!

LEARN MORE AT:

WWW.SFVBA.ORG/MEMBER-RESOURCES/FASTCASE

DOWNLOAD THE APP



Personal
COURT REPORTERS, INC.

**Grand Opening
Santa Ana**

Visit all 8 of our locations

Van Nuys Downtown LA Ventura Ontario ^{New!!!}

Santa Barbara West LA San Bernardino Santa Ana

www.personalcourtreporters.com

**Video
Conferencing**

**Mediation
Rooms**

**Court
Reporting**

**Trial
War
Rooms**

**8 Great
Locations**

**Jury Trial
Focus Groups**

**The road to
success starts
with us.**

800-43-DEPOS



LEWITT, HACKMAN, SHAPIRO, MARSHALL & HARLAN
A LAW CORPORATION



16633 Ventura Boulevard • 11th Floor
Encino, California 91436

www.lewithackman.com • 818.990.2120