

## HARMON SIEFF

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### 1. Time Clock

a) Unlike federal law, California requires employers to pay minimum wages for all hours worked. So, while one court recently ruled that "exit inspection time" should be recorded and compensated, another court held that "walking time" from car to clock was not compensable.

### 2. Moonshine

Ending Prohibition did not give states unlimited authority to regulate alcohol sales, and Tennessee's two-year residency requirement for licensing retailers was unconstitutional.

### 3. Retirement

A state worker challenged her termination and offered to settle for an increased pension, but management refused to honor the arrangement, limiting her to the same pay and pension as before.

### 4. Bikers

A seriously injured motorcyclist won a substantial judgment against a negligent driver who sought to reduce future damages to "present value". Since there is "no definitive" method of calculating such value, a defendant must prove its method is accurate. Here it did not, and the judgment was not reduced.

### 5. Failure to Admit Discovery

During litigation discovery, one party may ask another to admit certain facts, but if no pretrial admission is received, and the facts are proven at trial, the recalcitrant party must reimburse the proving party for the cost of proving.

6. Congressional Districts

Federal courts cannot decide claims of partisan gerrymandering since such issues are "political" questions over which courts lack jurisdiction.

7. Bill Collecting

Just because a creditor stopped sending regular invoices when it deemed an account uncollectible did not waive its right to collect the debt.

8. College Athletes

Although the NCAA may benefit from revenue generated by sports competitions, it is not deemed an "employer" of student athletes and is not obligated to pay them wages.

9. Current Cases

This month our office worked on a boundary dispute and a sale of a business and continues to defend a shopping center lawsuit and pursue selected personal injury claims.

This practice serves as a "lawyer of first resort", or "primary care attorney," advocating for small businesses and individuals with disputes and transactions, including accident victims by referral only. We specialize in personalized client service. If we can be of any assistance with your legal issues, consider contacting us as soon as a question is identified. Your recent referrals have been greatly appreciated.

Remember: Preventative lawyering is the most effective kind.

Sincerely,

HARMON SIEFF