

HARMON SIEFF

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1. Law Dogs

Effecting an arrest with a police dog is not necessarily unconstitutional so accused officers are entitled to qualified immunity from lawsuits.

2. Software Theft

Copying only 0.4% of a copyrighted computer program can be considered an allowable "fair use".

3. Product Liability

A person injured by a product defect can sue any entity in the "stream of commerce" [from the manufacturer to the final seller] for strict liability, including a major Internet marketplace.

4. Rights of Way

A City acquired the right to construct a water pipe under private property, but the landowner reserved surface rights for pastureland and an access road. This "secondary easement" did not include the right to build a paved surface parking lot.

5. Third Party Beneficiaries

Lenders to a tenant were entitled to recover their attorney's fees in a landlord-tenant lawsuit, which the tenant won, because they were third-party beneficiaries of the rental agreement.

6. Statute of Limitation

However it is labeled, a claim for fraud must be brought within three years from the time the plaintiff should have suspected that an injury was caused by wrongdoing.

7. Veterinarians

Pet owners and vets challenging a law prohibiting tele-health animal services claim that the doctors should be able to determine whether an animal needs to be physically examined or not.

8. Religious employment

Employment laws do not apply to Catholic school teachers because their duties included religious instruction.

9. Trials

A litigant seeking a postponement must show why "needed" discovery could not have been completed sooner.

10. Current Cases

This month our office is reorganizing a limited liability company; defending a Superior Court lawsuit against a real estate corporation; advising on a boundary dispute; and representing a property owner with a claim against a real estate broker.

This practice serves as a "lawyer of first resort", or "primary care attorney," advocating for small businesses and individuals with transactions and disputes, 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

HS: lm
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