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1. Pandemic

When the governor issued a "stay at home order" closing gyms and restaurants, several companies filed a class action alleging the order was improper. The governor won because his emergency powers permitted him to proclaim a "state of emergency" to combat a pandemic.

2. Marital Separation

After a separated married couple executed a detailed property division agreement, the wife died and the husband sought to enforce it. He won because deceased spouses may be bound by such a settlement.

3. Insurance Agents

After a man received a "free look" at an annuity policy to be issued by an insurer, the insurance agent forged a letter "buying" the policy even though the customer had declined. The insurer sued the customer for an "early surrender penalty", but lost, because an insurer is always responsible for its agent's misconduct.

4. School Liability

After a teacher had sex with a minor student, the family sued the school for negligently supervising the teacher, claiming the school should have foreseen the act because it maintained security videos of classrooms. The school won because it had no duty to foresee sexual misconduct whenever a minor is alone with an adult.

5. Boundaries (II)

Owners of adjacent properties agreed to a boundary adjustment to add 8 feet to one owner, but City approval was never recorded. A subsequent buyer sued for an "exclusive implied easement" over the 8 feet, but lost, because exclusivity is only granted when essential for a utility, safety, or an insignificant area.

6. Ride Hailing

A company had no duty to protect a potential passenger from sexual assault after she was induced to enter an imposter vehicle bearing an unauthorized company decal.

7. Subcontractors

A building contractor cannot recover compensation for work performed by its unlicensed subcontractor.

8. Surgery

A famous surfing photographer was awarded nearly \$4 million for the malpractice of negligent knee surgeons.

9. Current Cases

This month our office is representing a woman injured by a cosmetician; advising a corporation about complying with statutory regulations; defending Superior Court lawsuits; and representing other commercial and individual clients.

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

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