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1. Defamatory Pornography

After a tabloid published an adult performer's photograph next to a headline about HIV, she sued for implied defamation. Although she was a public figure, the proximity of the photograph and headline sufficiently suggested that she was HIV-positive. A jury will decide if the publication was malicious.

2. Un-speedy Trial

A court did not begin jury selection until three days before the five-year deadline [from case filing] to start a trial, and then postponed proceedings for a few days. The defense claimed the case should be dismissed for missing the deadline, but lost because assembling the jury panel constituted trial commencement within five years.

3. Karaoke Rip-off

After a music producer trademarked compact discs for karaoke machines, a performer "media shifted" the digital tracks to a music player and was sued for trademark infringement and unfair competition. The case was dismissed because the performer's audience would not have confused the music's origin and the cited statutes apply only to "tangible goods [not] communication embodied in those goods".

4. Nightclub Bathroom

A female patron who was followed by a busboy into a unisex restroom and assaulted was awarded \$5.4 million because the club owed a duty to provide reasonable bathrooms security, the assault was reasonably foreseeable, and minimal efforts (e.g. a security guard) could have ensured her safety.

5. Real Estate Brokers

A large brokerage distributed marketing materials negligently reciting square footage. While a broker can

represent buyer and seller (with consent), it owes, even through multiple salespersons, an equal duty to each party.

6. Careless Escrow

Although it provided incorrect insurance information regarding a business transaction, an escrow company is not liable to a non-party like the buyer's uncle whose LLC was the nominal purchaser.

7. Builders

Despite an indemnity agreement between a general contractor and subcontractors, the general can sue the sub for partial indemnity if the sub was partially negligent.

8. Garbage Man

A trash truck driver fired after 32 years of service may sue for age discrimination if he can show competent work performance and circumstances suggesting discrimination.

This office serves as a "lawyer of first resort" 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