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1. Time Clock

Companies can round workers' time to the nearest 10-minute increment, but the workers sued for being shorted. After trial, it turned out they were actually overpaid and the company won.

2. Lunch

If denied a full 30-minute meal break, a wage earner can sue for a penalty equal to a full hour per day plus compensation for the actual lost lunch time, even if only 3 to 5 minutes prorated.

3. Rescues

Police owe an affirmative duty to persons with established "special relationships". When a long distance cyclist was lost in the forest, the County told the family they did not need to search because the County would. After the search was delayed and the cyclist died, the family could sue for wrongful death.

4. Fifth Amendment

The custodian of corporate records cannot refuse production based on "self-incrimination", as could a sole proprietor, because once he chose to accept the benefits of operating as a corporation, he could not avoid its obligations.

5. Loser Pays

An actor allowed a company to use his image for advertising for a certain time and sued when the campaign was continued. The actor sought \$2 million but was awarded only half, and the losing company refused to reimburse the winner's legal expenses. Reimbursement was compelled because the actor obtained "greater" relief and thus the "prevailing party".

6. Billboards

After a ballot proposition prohibited new billboards, the City Council extended an owner's lease for twelve years. A citizens group sued to enforce the proposition, and won, because residents can force a city to follow its own laws.

7. Vaccinations

Parents sued the state for violating their rights by requiring their children to be vaccinated, but lost, because mandating vaccinations promotes a compelling government interest in ensuring public health and safety.

8. Current Cases

This month we are, among other things, forming multiple new corporations; defending lawsuits against a construction company and real estate owner; prosecuting a personal injury claim; negotiating a foreclosure defense; and advising a material witness to a civil action.

This office serves as a "lawyer of first resort" counseling and 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

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