

## HARMON SIEFF

A LAW CORPORATION  
15760 VENTURA BOULEVARD #1900  
ENCINO, CALIFORNIA 91436

Telephone: (818) 986-4563

Facsimile: (818) 986-4780

E-mail: SieffLaw@aol.com

Web: www.SieffLaw.com

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### 1. Tax Return Privilege

Arises only when litigation is actually contemplated in good faith as a means of resolving a dispute, and not before.

### 2. Workplace Time Records

When inadequately maintained, even a worker's "imprecise evidence" can provide a "sufficient basis for damages" for failing to pay overtime.

### 3. Settlement Offers

Statutes penalize litigants who decline "good faith" pretrial offers to settle and eventually receive a "less favorable" verdict, but such an offer cannot be made "too soon" for the offeree to "intelligently evaluate" it.

### 4. Damage Claim

A default judgment cannot be entered unless the complaining party provides a "clear and unequivocal" monetary demand.

### 5. Judgment Enforcement

A judgment creditor is entitled to subpoena relevant evidence of a debtor's finances, even if possessed by third parties such as bookkeepers, banks, or other institutions.

### 6. Vacation Rentals

Internet booking platforms sued a City which prohibits short-term rentals unless residents remain on-site. The City won because it did not violate the Communications Decency Act or First Amendment because implementing unlawful rentals is not "expressive" conduct.

7. Native American Law

An Indian community cannot commence gambling operations until it has been recognized as "a federally recognized Indian tribe."

8. Umbrella Insurance

A policyholder who self-insures up to a certain amount is entitled to umbrella coverage once that amount is paid by an "underlying" insurer.

9. Current Cases

This month, among other assignments, we counseled multiple business owners, defended civil lawsuits, implemented out-of-court settlements of two Superior Court actions, prosecuted an injury claim, met with a City Council member regarding tax policy, and incorporated a new company.

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