

HARMON SIEFF

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1. Tree Law

Ordinarily damaging the timber of another justifies treble damages, but where an owner's tree died because of digging on a neighbor's property, only ordinary damages were awarded because there had been no intentional crossing of boundary lines.

2. Dinosaur Law

Although a company may own the rights to subsurface minerals, dinosaur bones do not constitute minerals and belong to the owner of the surface real estate.

3. Coffee Law

A long running lawsuit against a major coffee shop finally was dismissed by a pretrial order ruling that coffee chemicals do not pose a risk of cancer and are exempt from safety label requirements.

4. Parking Tickets

A vehicle cited seven times for illegal parking was towed by the City. The owner sued the City and the tow truck for denying him judicial due process. An appellate court ruled that individualized notice is required before an illegally parked car may be towed absent "strong justification".

5. Piercing the Corporate Veil

a. A company which was sued as an "alter ego" of a judgment debtor successfully defended and was entitled to recover attorney's fees even though not sued for breach of contract.

b. Another party was sued, and lost, as an "alter ego" of a judgment debtor, but opposed paying the creditor's attorney's fees based on contract law, claiming the action was merely an

enforcement effort. The court disagreed and awarded fees based on the original contract.

c. A civil judgment can be amended to add as defendants the "alter egos" of the debtor either by subsequent complaint or motion in the original action.

6. Trusts

All trust income earned from California sources can be taxed by California regardless of the residency of the trust's fiduciary.

7. Current Cases

This month our office is representing two estate administrators settling the affairs of the decedents' companies, sellers of professional practices, and a stockholder selling its half of a small company; dissolving a private corporation; defending lawsuits against a building contractor and a real estate partnership; and representing an out-of-state corporation complying with local regulations.

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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