

HARMON SIEFF

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March 2023

1. Covid

When the pandemic began, California prohibited evictions for nonpayment and imposed a rent moratorium. When a gym was shut down, it stopped paying, but the landlord sued for the rent and won because rent was not extinguished, only temporarily excused.

2. Roof Leaks

A building owner sued a roofer when leaks developed after an installation. The owner lost, and yet when more leaks occurred, it sued and lost again. The first case precluded the second.

3. Third Party Violence

A construction subcontractor attacked by criminals on a job site sued the owner for failure to provide security, and was entitled to a trial to determine if the security was inadequate.

4. Settlement

A car manufacturer sued by a customer for selling a defective vehicle offered to settle before trial for a specific amount, but the customer did not accept it and eventually recovered less than the offer. Though the customer won, the company was entitled to its costs incurred after the rejected offer.

5. Zoning

Neighbors in a prosperous community sued to stop construction of an elder care facility based on various zoning laws. After receiving several government approvals, the project was approved by the court.

6. Usury

A California company borrowed money agreeing that Arizona law would apply to any dispute. After the borrower failed to repay, the lender sued in Arizona, but a California Court ruled the

borrower was entitled to the protections of the California Usury Law which prohibited the agreed interest rate.

7. Insurance

A restaurant lost income because of a pandemic shutdown and sued its insurer. It was entitled to a trial because the virus physically changed the restaurant sufficiently to constitute an "alteration" of the premises.

8. Trustees

After beneficiaries contested a Trust, the Trustee hired lawyers to defend the Trust, but was required to reimburse the beneficiaries' legal expenses ("surcharged") because the defense did not benefit the Trust.

9. Current Cases

This month our office is defending a state court suit for fraud and a federal suit for construction defects; advising a company about legal regulations; modifying a shareholder agreement; and representing other commercial 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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Sieff-Newsletter-Mar2023