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June 2023

1. Nuts

An electrician who developed a serious fungus infection after working on a project at a nut processing facility sued the business and was allowed to present evidence that his illness was caused by inhaling spores created by accumulated bird feces.

2. Frivolous

A lawsuit for breach of contract was dismissed by a pretrial order that was appealed despite it being "indisputably without merit". The appealing party was ordered to pay \$10,000 to the prevailing party and \$5,000 to the court.

3. Dogs

A person bitten by pit bulls on a public street sued the homeowner where the dogs lived. The insurer denied coverage based on the policy's "animal injury exclusion", but although indemnity was not required, the insurer was ordered to cover the cost of defending the claim.

4. Statue

A City had acted within its legislative prerogative when it passed a law requiring the removal of a statue of Father Junipero Serra because the image had become offensive to the community.

5. Gas

Shareholders of a natural gas utility sued its directors for allowing a massive leak to continue and cause over \$1 billion in damage. The case was dismissed because the shareholders had not presented a formal demand to the board prior to filing the lawsuit, and it would not have been futile to do so.

6. Crime

Defendants who pleaded guilty to insurance fraud and were sentenced to repay the insurance company were also subject to civil judgments by which their assets could be seized.

7. Construction

When a landowner hires a contractor to work on its property and has no control over the work, it is not responsible for injuries to workers unless it knew, and failed to warn, and the contractor could not have known, of a dangerous condition.

8. Current Cases

This month our office is prosecuting one insurer for failure to cover a claim and another for wrongful death; representing a landowner in a partition claim; defending a claim for real estate fraud; 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

HS: SieffLaw-Newsletter-June2023

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