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1. Failure to Prosecute

Seven trial continuances were caused by Plaintiffs' lack of diligence, unrelated to COVID protocols, so a civil case was dismissed for missing the deadline to begin a trial.

2. Eviction

A studio licensed [not leased] to another an "exclusive right" to its premises. When the licensee defaulted, the owner sued for an expedited eviction, but lost, because licenses are not enforced by fast-tracked landlord-tenant procedures.

3. Malpractice

When a girlfriend won from her ex a half ownership of the house they shared, his lawyer tried to overturn the default judgment because he had "lost track of the case", but he failed to respond properly to the judgment, so it was upheld.

4. Usury

Homeowners borrowed from a finance company which they later learned was unlicensed. Instead of repaying, they sued the lender for collecting unlawful interest and violating licensing laws, but lost, because they had suffered no economic injury.

5. Injured Worker

A worker was injured by a building hazard and sued the owner. He lost because an owner who contracts with a laborer's employer is liable only if the owner controls part of the work which contributes to the injury or conceals the hazard.

6. Landlords

After landlords were found liable for wrongful eviction and tenant harassment, they demanded that the judgment be vacated because the tenants had moved out before trial. They lost because moving out did not matter.

7. Translators

In a real estate dispute, an arbitrator ruled against an Asian immigrant because he believed she had faked her need for an interpreter despite having lived in the state for decades. The immigrant appealed and won because presuming she was English-fluent revealed the arbitrator's bias for which his decision can be overruled.

8. Discovery

If a party fails to admit the truth of a statement when asked under the Discovery Law, and the requesting party thereafter proves the statement is true, the requesting party may recover its expenses of proving such truth.

9. Current Cases

Our assignments this month include: clearing an insurance lien; assisting foreign interests acquire a corporation; liquidating a law firm; defending an indemnification suit; and creating an agreement between joint screenwriters.

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