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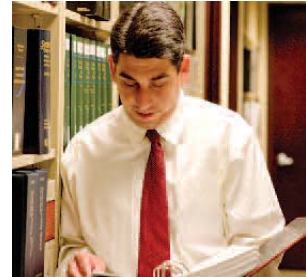
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# VALLEY LAWYER

A Publication of the San Fernando Valley Bar Association

## VALLEY LAWYER

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**TAMILA JENSEN**  
SFVBA President

**T**HERE ARE MANY BENEFITS TO MEMBERSHIP in the SFVBA, all of which may not be immediately apparent. There is FASTCASE, which is an open source legal research tool that our members get for free. Long trips to the central law library are no longer necessary for those big projects. FASTCASE was discussed at some length in the January 2009 issue of *Valley Lawyer*.

Members get discount rates on many other benefits, such as Section meetings, conference room rental and the member mailing list. The annual MCLE Marathon, held in January of each year, has been a popular benefit (especially if it is a reporting year for you and you have those last few units to take). We now offer professional liability insurance for SFVBA members through Wells Fargo Insurance Services. Because the SFVBA has relationships with other local bar associations, such as Los Angeles County Bar

Association, Santa Clarita Valley Bar Association, Mexican American Bar Association, and the Italian American Lawyers Association, members can participate in the events of our sister organizations, expanding the people we meet, the information we can share, and networking opportunities.

Membership in the SFVBA provides a great opportunity to meet other members, socialize, share war stories. Not only are there the annual Installation Dinner, Judges Night, and the Foundation Fundraising Gala, but also casual networking events are a great opportunity to meet and mingle. We recently held a networking mixer at Gordon Biersch Brewery in Burbank and met members from the other local bar associations.

The SFVBA advances jurisprudence and participates in the legislative process through our participation in the Conference of Delegates of California Bar Associations.



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(By the way, anyone interested in participating in this important activity should contact Delegation Co-Chairs Roger Franklin or Anne Adams.)

A long history of supporting the judiciary, the SFVBA especially supports our Valley courts and judges. Our Bench-Bar Committee meets regularly with judicial leaders to discuss issues relevant to the courts and to our members. This is a long tradition with the SFVBA, which got its start, in large measure, because Valley attorneys wanted to bring a courthouse to the San Fernando Valley. This last fall the first children's waiting room opened at the Van Nuys courthouse with the support of the Foundation and the SFVBA. We participate in the state-wide Bench-Bar Coalition which lobbies the state legislature on issues and legislation of importance to the courts.

The SFVBA also strives to serve the community. The Attorney Referral Service provides a way for people to find a lawyer suitable for their needs. Last year, SFVBA adopted the Maurice Sendak Elementary School and we are working with the school administration to help educate students (and their parents) about legal issues and legal careers.

We support an Explorer Post troop which focuses on the law. *Blanket the Homeless* has been a long-term program of the SFVBA which provides blankets to homeless and battered women shelters in the Valley. We have a long-standing relationship with Neighborhood Legal Services, the legal aid provider for Northern Los Angeles County.

We are in the process of preparing a strategic plan for the next three years to guide the SFVBA as it strives to serve the lawyers in the Valley. Anyone interested in contributing their ideas as to how the SFVBA can best achieve its goals should contact me at [tamila@earthlink.net](mailto:tamila@earthlink.net). Your input would be appreciated as we complete this important task. 🐾

## From the Editor

For question, comments or candid feedback regarding *Valley Lawyer* or Bar Notes, please contact Angela at (818) 227-0490, ext. 109 or via email at [Angela@sfbva.org](mailto:Angela@sfbva.org).



**ANGELA M. HUTCHINSON**  
Editor

Greetings Valley Lawyers!

Inside this month's magazine, the issue focus is Construction Law and Real Property. In the United States, foreclosures are the hot topic in the news. Millions of families face losing their homes, and now commercial properties are suffering a wave of foreclosures. Selling property is a rare solution in this continuous flooding real estate market.

Is our economy strangling the construction and real property pipeline? Financial institutions and lenders are modifying loans by the hundreds daily. Unfortunately, even after securing a loan modification or

refinancing a loan, some homeowners will still be unable to afford their home. As long as hiring and pay freezes occur simultaneous with exponentially increasing living costs, residents working in overpopulated major cities will be in trouble.

Nationwide, real estate construction has declined for commercial and residential property. This explains the ever so lack of demand for construction jobs. Almost everyone is hurting in one area or another. Even attorneys are having to restructure their legal fees in order to secure and assist clients in dire need. As an attorney, surviving this economic crisis requires knowledge

and resources, which the San Fernando Valley Bar Association provides for its members.

This issue of *Valley Lawyer* provides insight into substantive legal issues concerning foreclosures, mechanics' lien law and much more. 🐾

P.S. If you have article ideas that you'd like to write, please send them my way.

Have a constructive month!

Angela M. Hutchinson

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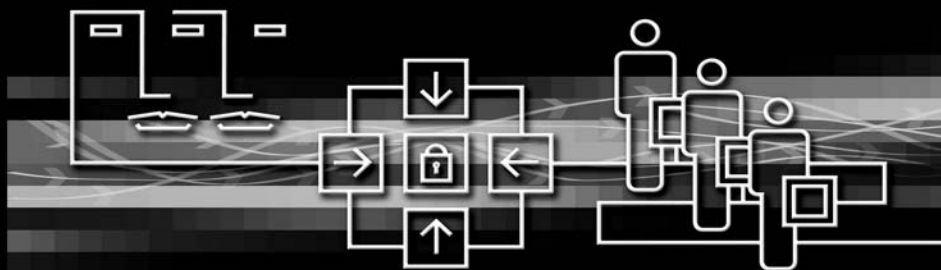
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By Dan Wise

# A Skeptic's Guide To Networking Some Assembly Required

*Originally printed by American Bar Association Bar Leader in March-April 2009.*

**N**IBBLING ON FATTENING food you don't really like. Squinting at name tags. Smiling so you look pleasant and chatting with people who are totally irrelevant to your association. Meanwhile, while you try to sneak a glance at your watch, people are yakking at you about services you could never afford. You've been standing around for what seems like hours, when you would rather be back at the office getting things done,

or padding around the house in your stocking feet.

## Ah, Networking

Thom Singer, a marketing consultant and professional speaker, made a persuasive argument at the 2008 NABE Communications Section Workshop in Austin, Texas, that networking is not just for the hopelessly extroverted or the desperately unemployed. It does involve more than just showing up at

"Business After Hours" receptions for the obligatory 45 minutes. Networking, properly understood, is important for just about everyone in your organization, and anyone can do it — with sufficient motivation, and a little bit of planning.

For those hardcore skeptics who disdain glad-handers as empty suits who are good only at promoting themselves, Singer dispelled a few networking myths and dismissed the most popular excuses for not doing it. However, if you like and believe in networking, skip ahead to the practical, how-to-make-it-work stuff.

## Excuses

"I am too busy." Sure, you are all about member service. You pour your energy into serving your members' current needs. But building up a professional network is an investment in the future for both you and your association that should not be neglected. To quote an old aphorism, it's important to dig a well before you are thirsty. Singer recounted an anecdote from working with one of his law firms. He asked the law firm to identify its five biggest clients, and then to compare that list to the firm's five biggest clients from five years ago. The lists were markedly different. The environment in which we operate is full of choices, and it is rapidly changing. "We can't get caught up in the folly of concentrating too much on today," Singer said.

"Marketing is something I delegate to others. Decision makers don't network." Wrong. Look at the truly

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successful people in any field. You will find that they are people who are not only credible, but visible. "Everyone claims credibility, and many people cannot tell the difference," Singer said. "But if nobody even knows you, you can't even get to credible." Networking will benefit you in your professional life, he added, and it also will benefit your association. The more people you know, the more effective you can be in many ways.

"People prefer to do business with people they know and like. And cultivating referral partnerships depends on you having valuable information," Singer said. Networking, he concluded, is not something you can delegate.

The flip side: "Only the senior managers need to network. They represent the organization." Like the proverbial chain, your organization is only as strong as its weakest link, and the more everyone in your organization is visible and involved in the community, the more your association will be perceived as effective and relevant. And make sure that if you are networking, you share information about those you've met with others in your organization. "I'm on the Internet a lot. I don't need to go out and meet people in person." That's not enough, Singer said. Exchanging emails, writing a blog, participating in social networks, or reading about others through their Web sites is not a substitute. Networking, he stressed, "is forming mutually beneficial relationships." Can that really happen solely through exchanges of emails or listing someone as your "contact" on LinkedIn?

### Toward More Effective Networking

Make the best use of your time at receptions and events. Arriving early can be important, Singer noted. Say there is someone in particular you want to meet. It may be more difficult to do that if you arrive late and that person is already engaged in conversation. The room is already warmed up — without you. Staying to the end also can allow you to actually accomplish the preset goals you've set for attending. Goals?

Yes, goals. Set a target for yourself of meeting three to five people at an event, Singer advised. Also, make sure to reconnect with people you have met before. Believing that one or two brief encounters with someone will generate business or referrals is expecting too much. Those brief conversations should be followed up with short notes — preferably handwritten ones, Singer said, although he did acknowledge that when truly pressed, he also uses email.

### Tips on Conversation

Singer is critical of the notion that you need to share your "three-minute elevator speech" with everyone you meet. Instead, he said, you need to be alert to opportunities to create common ground with those you meet. Asking them questions gives you that opportunity. Try to be a generalist and understand basic information about a lot of industries so you can always have a conversational thread to pick up on. Once you understand your companion's background and

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concerns, you can tailor your “elevator speech” to be especially relevant. Having first established a rapport by asking questions and listening to the answers, you are more likely to connect with the people you meet when you have something to say.

Have an others first mentality. In addition to asking questions, be alert for ways you can be useful to those you meet. Understand how other people get business. Remember, networking is about creating mutually beneficial relationships. If you have already helped someone else, he or she will be much more eager to help you.

Follow up beyond events. Networking is not just going to networking events; it is relationship building, and that means following up and nurturing those relationships so that the people you meet become more than familiar names on name tags. Singer said it is beneficial to reach out and connect with people from your past who were important to you. It can keep you grounded, and it will be good for them to be reminded of why they are important to you. Write thank you or congratulatory notes. Set a goal of 10 notes a week so that you can nurture and deepen your relationships, and check on those you already know. Keep records of those you meet — family information, birthdays, etc.

Keep business cards always handy. Put a few in your Saturday blue jeans. Stick some in the car glove compartment. Don't go anywhere without them, even on weekends, Singer recommended. While you shouldn't be inflicting your “elevator speech” on your fellow parents at the little kids' birthday party, you are always meeting people whom you could help, and who can help you.

**Tip for Women**

Dress for networking. Keeping those business cards on you can be difficult with certain clothing for women, Singer noted. Look for business wear that does have pockets. Those outfits can be what you wear to events where you might share or receive business cards. Or carry a small clutch purse that can hold your cell phone and a few business cards. (Singer also has a book that expressly addresses networking issues and pointers for women.)

Don't avoid people when they are down. If someone you know experiences a personal tragedy, there's nothing wrong with letting him or her know that you care, Singer said.

For more information about Singer, visit [www.thomsinger.com](http://www.thomsinger.com). He has written three books on networking and developed an interactive quiz, the Networking Quotient. 

*Dan Wise has overseen communications, media relations, marketing and the Bar's web site since he joined the New Hampshire Bar Association in 1996. Previously, he worked as a freelance public relations consultant and newsletter writer, editor of Business New Hampshire Magazine, and as a reporter for newspapers and magazines in New Jersey, Virginia, and Washington State. He also worked as an editor for Dow Jones Information Services.*





# Using the Science of Influence To Negotiate Better Deals in Mediation

By Myer J. Sankary, Esq., CMCT

**T**HE ABILITY TO PERSUADE others is one of the core competencies of effective advocacy when trying cases, negotiating deals and settling disputes. Most lawyers believe that the best way to persuade others is through well-reasoned, factually and legally documented presentations. It is true that a part of our brain is designed to process information logically. But the latest science of the mind and behavior reveals how persuasion requires much more than logic.

This belief is based upon the erroneous perception that people are rational creatures and will make decisions based upon analysis of the facts, consideration of options and objective economic factors. This understanding of human reasoning and decision making has been generally replaced with a vast new science of human behavior and influence that supports the view that people make decisions not so much on objective facts and rational analysis, but rather upon many subconscious factors that are influenced by our emotions, social relationships and intuitive judgments. In other words, to persuade others, you must know how

other people think, how they feel, how they make sense of their world, and how to interpret and respond to their perceptions and feelings by words and actions.

The work of Dr. Robert Cialdini, one of the world's most noted authorities in the field of influence and persuasion, provides a useful framework for understanding the psychological factors that cause other people to agree with your proposals, requests and recommendations. Understanding the theory and practice of the science of influence not only allows us to predict behavior but also enables us to shape and influence the behavior of others, including our clients, our colleagues, and our negotiating partners.

Dr. Cialdini discovered a systematic pragmatic approach to persuading others in every situation when you want to sell a product, seek compliance with your request, obtain acceptance of a proposal, or negotiate a favorable deal. This persuasion strategy is based on six principles of human behavior that are present in the influence context. Many of his findings were derived by observing "compliance professionals" in the market place,

such as salespeople, fund raisers, recruiters, advertising executives and negotiators.

He discovered a common thread that explained why professionals and business people from many diverse fields were successful and flourished or why they failed and went out of business. His conclusions are not simply based on personal experiences, but are confirmed by rigorous scientific studies, peer reviewed and have been well received in the scientific, academic and business communities.

## Understanding Behavioral Tendencies in Negotiating Disputes

The lawyer's role in negotiations, particularly when mediating disputes, is to satisfy their client's needs, goals and interests by maximizing benefits and reducing risks for their client. To achieve this objective, the lawyer must come prepared to the mediation with accurate information about the way people behave in negotiating sessions in order to get others to agree with their proposals and offers. Some of these automatic behavioral tendencies or shortcuts are as follows:

**Fixed Action Pattern.** People will act with automatic fixed action patterns when stimulated by certain cues. In a study by social psychologist Ellen Langer, people standing in line to make photocopies were asked for a favor to permit someone to go first to make their copies. One group of individuals were simply asked the question, "Excuse me, I have five pages. May I use the copier?" Only 60 percent of those asked allowed the subject to make copies. Another group of individuals were asked, "Excuse me, I have five pages. May I use the copier because I'm in a rush?" This time 94 percent (a fifty percent increase) of those who were asked for a favor granted the request because a reason was provided. What is most interesting is that in the third group, when individuals were asked for a favor, the reason given was in reality no reason at all: "Excuse me. I have five pages. May I use the copier, because I have to make some copies?" This time 93 percent of the individuals granted the request.

What increased compliance wasn't so much the reason given, but rather the use of the word "because" had triggered an *automatic compliance response*. The study confirmed the well known behavioral rule that when we ask someone to do us a favor we will be more successful if we provide a reason. People like to have a reason for what they do even if it makes no sense. Each principle of persuasion discussed below likewise can trigger such an automatic compliance response when applied appropriately.

**The Contrast Principle.** Cialdini observed that "there is a principle in human perception, the contrast principle that affects the way we see the difference between two things that are presented one after another. Simply put, if the second item is fairly different from the first, we will tend to see it as *more* different than it actually is." Sales people are masters of this principle. Real estate brokers will show a prospective customer a home that is overpriced and not desirable before showing a home that is more suitable in price and appearance. By comparison, the second home looks like a bargain and is more aesthetically pleasing. Car salesmen will show higher price models before showing a modestly priced car, and before the deal is closed, they will offer additional features and accessories that by comparison to the price of the car seem like a bargain.

Compliance (the sale) is easier when the subject is offered a comparison of choices, one more favorable than the other. Negotiators can benefit from this knowledge when making proposals and counterproposals, by offering multiple simultaneous offers, which permits the other side to make a choice. Another psychological principle that applies here is that people prefer to have choices rather than being forced to take the one proposal or demand offered by the other side. The more you can offer options for the other side to choose, the more likely they will agree to one of your suggestions.

## Final Thoughts

Lawyers who spend much of their efforts advocating for their clients in settling disputes, negotiating deals or trying cases can increase their effectiveness by understanding and applying the principles of persuasion based on scientific research and theory. Each of these principles activates automatic intuitive responses that evolved for human survival over thousands of years. Appropriate and ethical use of these principles can increase trust and confidence among negotiators and reduce fear. They can create mutually beneficial relationships with others.

Applying the scientific principles of persuasion to negotiation strategies in mediation can enhance the effectiveness of every lawyer and can lead to consistently better results. 📌

**Myer Sankary** is an expert negotiating coach with 42 years of experience in law. He is Chair of the SFVBA Mandatory Fee Arbitration Program and a member of the State Bar Committee on MFA. Sankary graduated Harvard Law School in 1965 and is now a full time mediator with ADR Services, Inc. Sankary can be contacted at (818) 231-2965 or [myerj@sankary.com](mailto:myerj@sankary.com).



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# Foreclosure Safety Nets Do They Exist?

By Steven D. Spile

**T**HE RESIDENTIAL REAL ESTATE MARKET IS inundated with short pay, foreclosure and loan modification issues. This might lead a person to think that loans, property value and foreclosures are the most common subjects of lawsuits in the residential real estate arena. While there has been a significant up-tick in lawsuits related to these areas, now as always, physical defects at the property are the most likely trigger for a lawsuit by a buyer.

This risk is even more prevalent under current market conditions. First, it is more likely that a property is suffering from deferred maintenance and is in a state of ill repair. Second, because money is limited for everyone, there is a lower tolerance for defects and a greater risk that the parties will go to battle over who should be responsible for the cost of repairs.

In many ways, the risk for a lawsuit in this area is like a bottomless pit. No matter how much dirt is shoveled into the pit, there still exists a hole into which any person involved in the transaction may fall. That risk cannot be avoided. It is possible, however, to put a series of safety nets in the hole to catch the unsuspecting person should he or she stumble into it.

One safety net is for buyers and sellers to use real estate brokers and agents who are members of the National Association of Realtors® and California Association of Realtors®. These real estate professionals are trained to navigate transactions through the maze of considerations

which confront buyers and sellers. In addition, they are required to abide by a code of ethical obligations. Should a problem arise, they are governed by professional standards bodies which can police their activities and address the concerns of the consumer.

Another safety net is to use the industry forms created by the California Association of Realtors®. These forms have been carefully structured to assist the parties in properly evaluating and documenting all relevant disclosure issues. One of the forms is the "Transfer Disclosure Statement." This is a statutorily mandated disclosure document for virtually all transactions involving residential properties of four or less units. A second document is the "Sellers Property Questionnaire." This document provides sellers with a thorough list of items for which they should provide disclosures. A third document is the "Agent Visual Inspection Disclosure." This document provides the real estate agent with a vehicle to provide meaningful disclosures which they must provide after they have performed their obligatory visual inspection of accessible areas of the property.

When properly completed, these three documents should provide a buyer with all the disclosure information required from the seller and real estate brokers. This in turn should minimize the risk of a dissatisfied buyer and the potential for a lawsuit.

Related to these disclosure documents is determining what issues warrant disclosure. As a general notion, if the



question arises as to whether something should be disclosed, the likely answer is yes. It is better to over-disclose, rather than under-disclose. The cost involved in defending a lawsuit by a disgruntled buyer can be very significant. For this reason, it is better to lose a bad deal than to make a bad deal by failing to provide adequate disclosures.

While disclosing all issues is critically important, diagnosing those issues can be very problematic. The diagnosis of the nature or cause of a defect should be made by the appropriate expert. This is another safety net for sellers, real estate brokers, agents and attorneys involved in residential transactions.

The initial diagnosis should be made by a home inspector who is properly trained and experienced in identifying and diagnosing defects. Depending on the findings of that home inspector, along with the location and features of the property, it may be advisable to also have the property further inspected by specialists, such as geological engineers, structural engineers, appraisers, pest control specialists, etc. In choosing these experts, their experience and references should be carefully considered. In addition, when possible, it is important that they have errors and omissions insurance.

Closely related to the foregoing, is the appropriate use of attorneys, accountants and other professionals to advise the parties about various legal, tax and related issues. The need for these professionals regarding physical defects is fairly limited. Nonetheless, it is important to defer legal, tax and other sophisticated issues to the proper professionals.

Despite the best efforts by all parties, certain defects will simply go undetected. A safety net to deal with these defects is a home warranty program which may pay for the repair of many standard items. With a home warranty in place, the buyer has an avenue to remedy many defects without pursuing a claim against the sellers, brokers or attorneys who may be involved in the transaction. These

policies are widely available and generally reasonably priced.

A last point of importance is that everything should always be fully documented. Through documentation, expectations and understandings are most successfully managed. In addition, in the event of a lawsuit, there is tangible evidence to accurately set forth what occurred.

While the foregoing safety nets will not prevent all lawsuits, they will minimize the number and severity of lawsuits by buyers against sellers, real estate brokers and attorneys. Equally

important, they will promote a better experience with respect to one of life's true joys – the purchase of a home. 🏡

**Steven D. Spile** is senior partner in the Encino firm *Spile, Siegal, Leff & Goor, LLP*, a full-service practice with a concentration on the various legal and business facets of the real estate and related industries. Mr. Spile can be contacted at (818) 784-6899 or [sspile@spile-siegal.com](mailto:sspile@spile-siegal.com).



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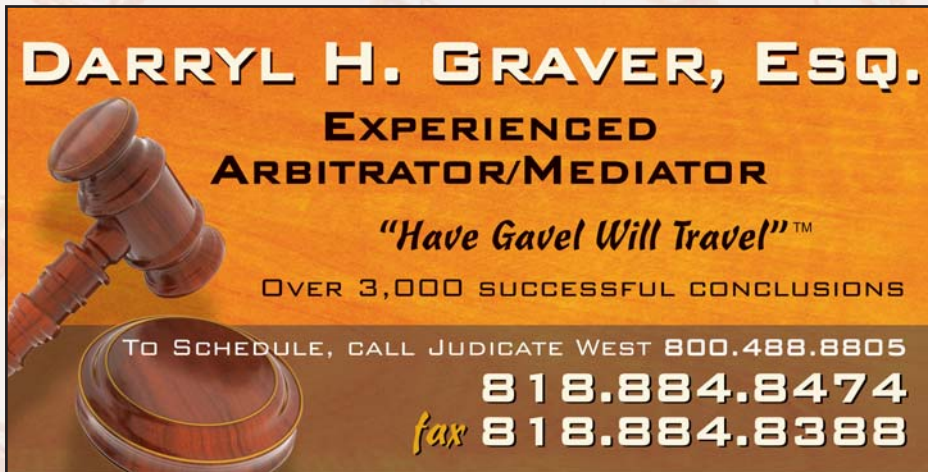
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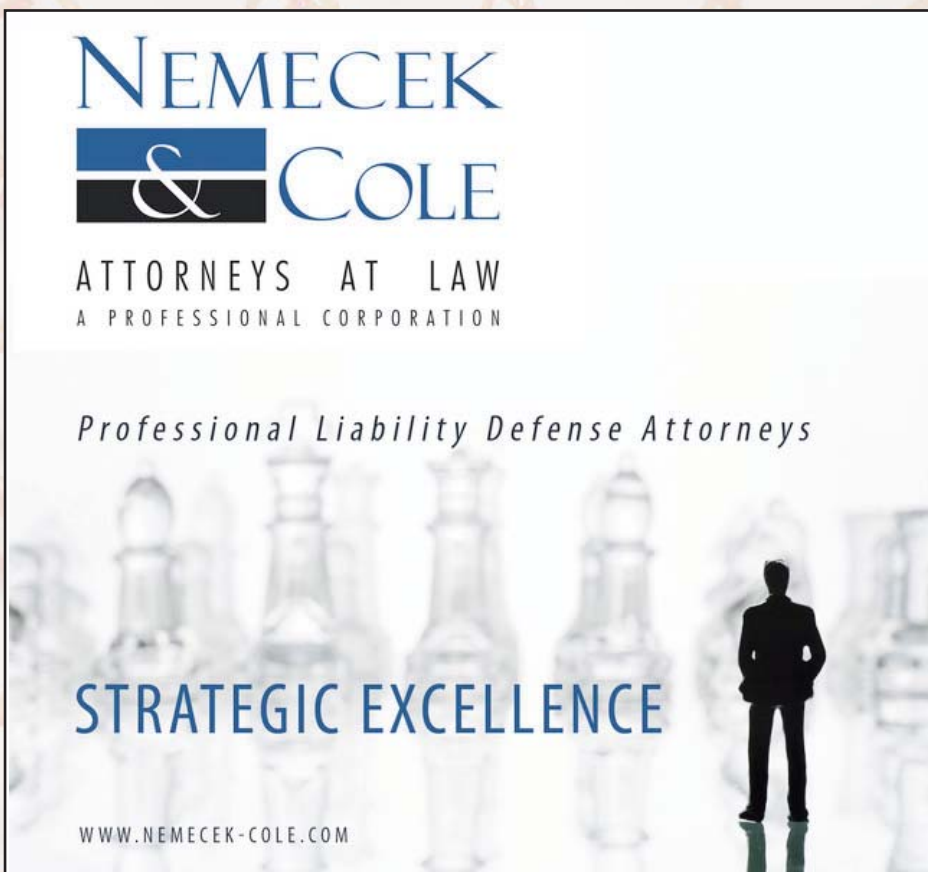
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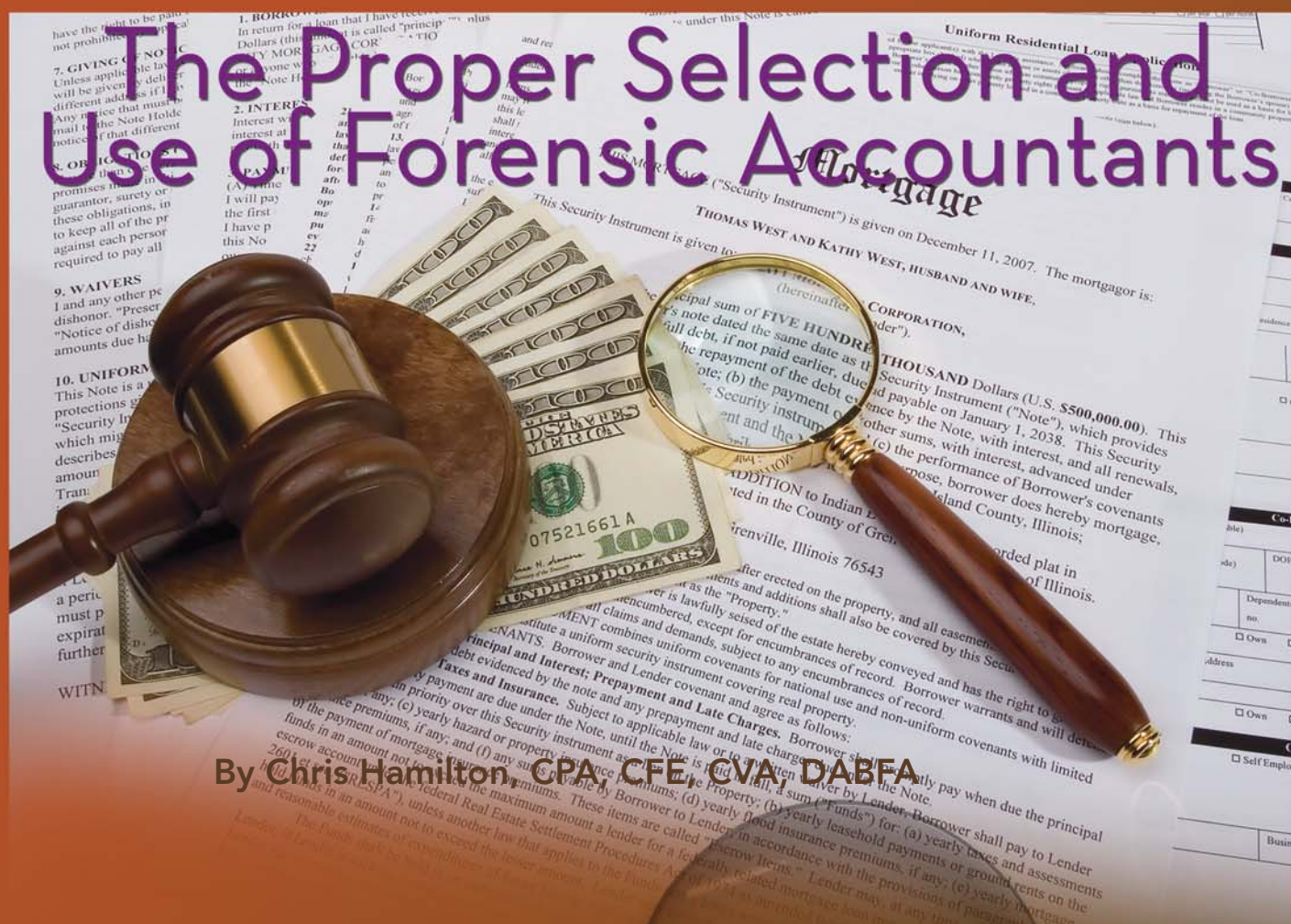
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# REAL ESTATE FRAUD LITIGATION

## The Proper Selection and Use of Forensic Accountants



By Chris Hamilton, CPA, CFE, CVA, DABFA

**R**EAL ESTATE VALUES HAVE FALLEN considerably, credit markets have frozen, and the general economy has slowed down severely. This series of events originated in the real estate market and arguably has affected the real estate market the most. The media has widely reported that the reason for the collapse in the real estate market is “fraud” and “easy credit.” There are several expected results from a severe economic event such as is being witnessed in our economy and in the real estate industry. One sure consequence is increased litigation alleging fraud. This litigation will be initiated primarily by regulators, lenders and investors – and has, in fact, already begun.

Real estate litigation usually involves large amounts of money and deep emotion. There is usually a sense of violated trust since investors often “rolled the dice” on a real estate investment with a material portion of their net equity. It is common that the investors know each other and/or are associated with the other investors based on common interests such as church, social club, employment, etc. The “operator” (general partner, managing member, etc.) is the center of the association and becomes the focus of intense scrutiny and accusation. The investors often struggle to remain unified

in their quest for “justice” and/or reimbursement and the lawyers often are pulled into the middle of this complex network of relationships and money.

Often it is the lawyer’s role to play gatekeeper (and referee) in real estate fraud cases. The attorney must assess the probability that fraud took place, the legal and financial viability of the case, and the best approach to move towards formal litigation. Real estate fraud litigation is expensive, complex, and usually dependant on the use of experts. The proper selection and use of experts is important in each phase of the litigation. But in the formative stages of the case it is critical to establishing the proper course in the most efficient manner. Experienced accounting experts can provide critical assistance in each phase of the case.

### Types of Fraud

It is important to understand the types of fraud generally associated with real estate transactions. The type of potential litigation dictates the evidence that may be needed, the role the experts may play, and the viability of the case.

Civil and criminal fraud litigation is already being initiated by banks and regulators against borrowers who



are defaulting on repayment obligations. Predictably, the allegations include false loan applications, appraisal fraud, misrepresentation of income, conversion of collateral, "shot gunning" (encumbering real estate multiple times), and diversion of loan proceeds for use other than disclosed to the lender.

Investor-generated litigation is generally initiated by non-control partners/investors who become unhappy or suspicious when the real estate investment does not meet expectations. In each case a determination must be made whether to initiate litigation and, if so, whether to involve law enforcement. Allegations often include:

- Assets were not purchased as disclosed to investors
- Financial transactions took place that were not authorized and/or disclosed
- Investor funds were used for the personal benefit of the control partner(s)
- Inaccurate or incomplete financial reporting to the investors
- "Ponzi" schemes where the operator pays promised returns to current investors with either borrowed money or contributions made by new investors
- Diversion of income from the real estate entity by the control partner

### Deciding to Sue

When real estate fraud is suspected, significant investigation is required prior to filing the lawsuit and in preparation for trial. A significant question is whether the operator simply made bad business decisions as opposed to intentionally misleading the other investors for personal gain. In most jurisdictions there is a threshold of proving some level of intent in order to get a verdict against the alleged fraudster.

There are two general types of investigators that plaintiff and defense attorneys can use to make the threshold determination about whether sufficient evidence exists to support the financial commitment of litigation. Private investigators are used to establish evidence of the lifestyle, possible motivations for the alleged fraud, and the assets of the person(s) suspected of fraud. Forensic accountants are used to evaluate documents that can be obtained and to synthesize the accounting record evidence with the evidence gathered by the non-accounting investigation. In short, private investigators gather evidence and forensic/fraud accountants evaluate, analyze, summarize, and present the evidence.

### Discovery

Accountants experienced in forensics and fraud are key to plaintiff and defense attorneys. They are experienced in developing a list of documents that will be needed, discovery approaches, and management of documents and evidence for complex litigation.

Documents that will be needed include partnership/operating agreements, entity bank statements and cancelled checks, escrow statements for all real estate transactions, copies of disclosures made to investors, entity tax returns, loan application files

(usually obtained via subpoena from the lender), title reports, and any available accounting records maintained by the entity or operator including bank statements, cancelled checks, etc. These cases are paper intensive and, depending on the activities of the operator, will involve a lot of tracing and detailed accounting work.

Teamwork between lawyers and competent accounting experts will result in efficient and effective assistance provided to clients in the upcoming period of real estate transaction disputes. It can also result in damaged investors recovering their losses and prevent unjust verdicts against organizers who happened to be managing real estate investments when the market topped out and contracted. ⚡

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By Christine C. Lyden

# The Case of the Missing Plumber



**H**OLLY HOMEOWNER IS IN THE MIDDLE OF A refinance of her home. She has locked in a lower rate of interest which is set to expire in 24 hours when she receives a panicked call from her mortgage broker. "You have a \$1,275 mechanic's lien from Golden Plumbing Supplies which was recorded in March 5, 2007. If it isn't off by tomorrow your lock in will expire," declares Larry Loanmaker.

Holly knows she paid XYZ Plumbing for the bathroom fixtures which were supplied by Golden Plumbing Supplies. After some searching, Holly finds her cancelled check and calls XYZ Plumbing. To her dismay XYZ Plumbing's phone is disconnected and she cannot locate them on the State Contractor's Board website. XYZ Plumbing has disappeared.

Holly then calls Golden Plumbing Supplies. Holly is informed by Golden Plumbing Supplies that XYZ Plumbing never paid them and they are unwilling to provide her with a lien release unless she pays \$1,275 plus interest. Holly calls her attorney Rebecca T. Rescue for help.

The situation on its face appears to be straightforward. Holly paid her contractor so all she need do is show the cancelled check to the lender and her loan should close. Unfortunately, when it comes to dealing with mechanic's liens, the remedies are not always so simple. Holly was only able to close escrow by holding back the \$1,275 from her refinance until her attorney had the lien removed. Had the lien been larger, Holly might have been required to post a bond.

Holly's problem began when she first hired a contractor to work on her property. XYZ Plumbing's sale representative came to her home and had her sign a contract on that same day, as well as pay the total contract price of \$5,500. The agreement was in violation of the code requirements for home improvement contracts.

Home improvement contracts are regulated by Business & Professions Code §7150, et seq. A home improvement contract is defined in Business & Professions Code §7159(b) as one between a homeowner or tenant and a contractor as one in which the home improvement project will exceed \$500.

Home improvement is defined in Business & Professions Code §7151. As Holly's project was a home improvement

contract, XYZ Plumbing was required to advise Holly that she had three (3) days to review the contract and cancel. The contract was also to have contained a warning about the contractor's right to record a mechanic's lien if the contractor is not paid in full. Holly was also to have been advised that the contractor could only charge a down payment of \$1,000 or 10% of the contract price.

Although Holly paid XYZ Plumbing for the materials, Golden Plumbing Supply had a right to record a mechanic's lien. Golden Plumbing Supply properly served a 20 day Preliminary Notice on Holly pursuant to Civil Code §3114. Any supplier or subcontractor who does not deal directly with the owner of the property must serve a preliminary 20 day notice within 20 days of starting work on the project or supplying materials. Holly received the 20 day notice and was told by XYZ Plumbing to ignore it.

Business & Professions Code §7159 requires that home improvement contract advise homeowners of their rights regarding preliminary 20 day notices. Had Holly been provided with the proper contract she would have known that the best way to avoid a mechanic's lien from a supplier is to write a joint check between the contractor and the supplier or to ask for a lien release. Holly took neither of these precautions.

Holly was ultimately able to have the lien removed because Golden Plumbing Supply's lien was void. Pursuant to Civil Code §3144, Golden Plumbing Supply was required to file an action to foreclose on the mechanic's lien within 90 days of recording of the lien. The lien was recorded on March 5, 2007.

Ms. Rescue wrote a scathing letter to Golden's attorney, Mel Practice, demanding that the lien immediately be released due to his failure to timely file a foreclosure action. Mr. Practice did not agree with Ms. Rescue and so Holly was forced to file a Petition to have the lien removed pursuant to Civil Code §3154. Ms. Rescue was able to have lien removed and was awarded attorneys fees in the amount of \$2,000 plus filing fee costs as provided in Civil Code §3154(g).

Although Holly wasn't so lucky with her choice of contractors, she was able to find the right attorney and her home was protected. 🐾

**Christine C. Lyden** is a partner in Lyden & Jackson, APLC which specializes in business and real estate litigation and has represented both homeowners and contractors in construction matters. She served as President of the SFVBA from 2000 through 2001. Lyden's email address is [clyden@lydenjacksonlaw.com](mailto:clyden@lydenjacksonlaw.com).





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# The Mechanics' Lien Law

## A Primer for Non-Construction Law Specialists

By Robert A. Weissman

**T**HERE ARE MANY FINE LEGAL TREATISES<sup>1</sup> which provide resource material for attorneys including case citations and detailed explanations. What this article intends to do is demystify the basic mechanics' lien law and provide the non-specialist practitioner with a basic foundation of how the mechanics' lien law works.

The mechanics' lien law is an umbrella term which includes construction law, contract law, sometimes the laws relating to open accounts and common counts, and, most importantly, the law relating to Preliminary Notices, Mechanics' Liens, Stop Notices, Payment Bonds as well as the myriad of releases, both statutory and non-statutory, which modify and waive those rights. The right to record a mechanics' lien originates in the California Constitution<sup>2</sup> and is codified in the California Civil Code<sup>3</sup>.

### Preliminary Notices

The engine which drives the mechanics' lien law train is the Preliminary Notice, sometimes also referred to as a "20 Day Notice", a "20 Day Preliminary Notice" or a "Prelim". Much like "attorney" and "lawyer", they are all the same. Let's start by examining the Preliminary Notice. A Preliminary Notice is a notice served on the property owner, construction lender and general contractor informing them that the sender will be providing labor, services, materials or equipment to the project. It is not a lien. It is required to be served in all projects exceeding \$400<sup>4</sup>.

### Who Must Serve a Preliminary Notice?

All claimants, that is any person who intends to improve or enhance the property of others and be protected by the

mechanics' lien law, except one working under a direct contract with a property owner who is paying for the construction or a person performing actual labor for wages, must give a Preliminary Notice or forfeit its mechanics' lien, Stop Notice and payment bond rights. In other words, a claimant providing services<sup>5</sup> on a privately owned project, working under contract directly to a property owner, who is paying for the construction, does not need to serve a Preliminary Notice. If a claimant contracts with a tenant or a property manager, the claimant must serve a Preliminary Notice. If a project is being financed by a third party (someone other than the property owner), a claimant must serve a Preliminary Notice in order to have the right to serve a Stop Notice.

A claimant providing services to a public project does not need to serve a Preliminary Notice if the claimant is contracting directly with the prime general contractor.

Laborers for wages are not required to serve a Preliminary Notice. This group includes employees of the general contractor or any of its subcontractors. Employees of a supplier are not included in this group, as neither the supplier nor they provide actual labor to the project.

Even though the claimant may not be required to serve a Preliminary Notice, the claimant should still serve a Preliminary Notice. The claimant should adopt a procedure of serving a Preliminary Notice on every project, whether or not the claimant is required to do so. By adopting this policy, the claimant will not have to worry if it did not serve a Preliminary Notice when it was required to do so. Also, when it's time to write the checks, it's nice to be on this list!



The bottom line with Preliminary Notices is that there is no penalty for serving one or a second or subsequent one (this is not necessary unless something changes, e.g., the scope of work or the party for who the labor, services, equipment or materials are being provided). While there is no penalty for serving a Preliminary Notice even if the claimant never provides anything to the project, there is a severe downside for not serving one when it is required — a complete loss of all mechanics' lien law rights!

### When Must a Preliminary Notice be Served?

Under Civil Code §3097, a Preliminary Notice must be served not later than twenty days after the claimant has first furnished labor, equipment or materials<sup>6</sup> to the jobsite. The Preliminary Notice can be given before the claimant commences work or delivers materials and must contain certain statutorily required information<sup>7</sup>. If a Preliminary Notice is not given within the first twenty days after the claimant initially furnishes services, the claimant will be limited to recovery for those services furnished within twenty days prior to the service of the Preliminary Notice and all services furnished thereafter.

For example, if the claimant begins work at the jobsite on May 1, 2009, a Preliminary Notice must be served no later than May 20, 2009. If the Preliminary Notice is not served until May 30, 2008, it will only cover those services provided after May 10, 2009. Any services provided from May 1, 2009 to May 10, 2009 would not be covered by the Preliminary Notice.

This is important for several reasons. A claimant should still serve a Preliminary Notice even when it failed to do so timely because it will be effective from the 20<sup>th</sup> day prior to the date it is served and reach forward thereafter and because most payment disputes and problems don't arise until the later stages of a project.

### Mechanics' Liens

Mechanics' lien is a lien against a *work of improvement* on real property or a structure<sup>8</sup> on the real property which makes the property responsible for the value of the unpaid services and allows the claimant to foreclose on that lien and cause the sale of the property to satisfy the lien.

### When Must a Mechanics' Lien be Recorded?

The *supplier*<sup>9</sup> and subcontractor must record a mechanics' lien in the county in which the property is located within thirty calendar days after the date of recordation of a Notice of Completion or Notice of Cessation. If no Notice of Completion is recorded, a mechanics' lien must be recorded within ninety calendar days after completion of the entire project. "Completion" is a bit of a moving target but is generally determined by occupancy of the building along with a complete cessation of labor other than punch lists, pick-up or warranty work or acceptance of the project by the property owner.

The general contractor, who contracts directly with the property owner, must record a mechanics' lien no later than sixty calendar days after recordation of a Notice of Completion or Notice of Cessation, or ninety calendar days after completion of the entire project.

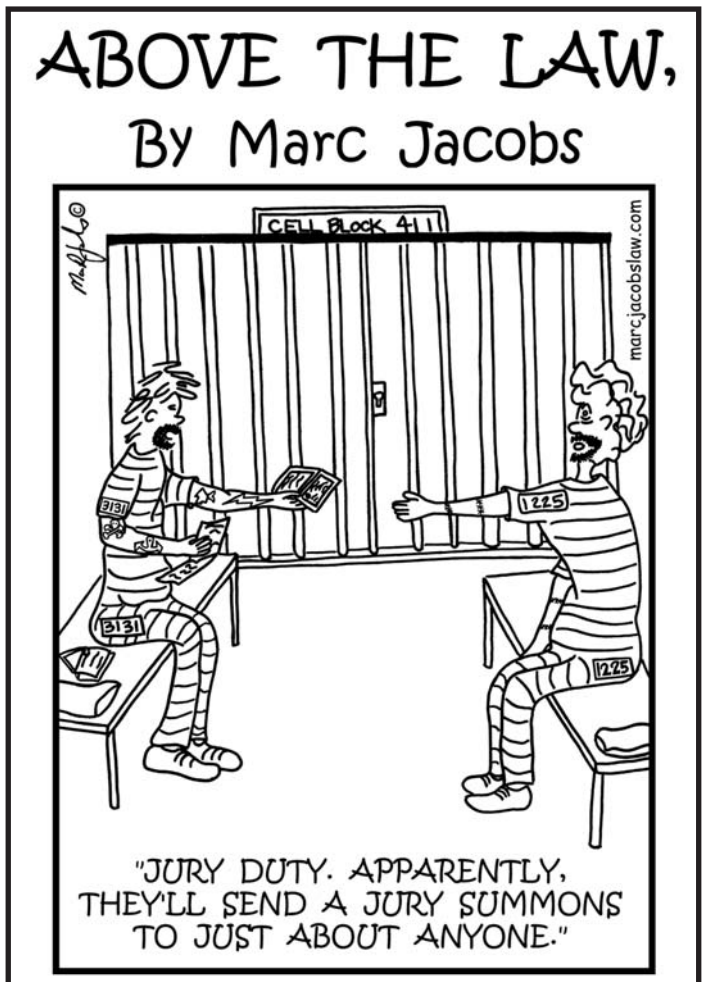
In privately owned projects, if there is a complete cessation of labor for sixty consecutive days, then the time for recording a mechanics' lien begins to run and the claimant has ninety days thereafter to record a mechanics' lien. This is a total of 150 days from the last work at the jobsite. A delivery of materials or an invoice after a complete cessation of labor to the jobsite does not extend the time period.

During the last day for recording a mechanics' lien falls on a holiday which is defined as a Saturday, Sunday or other day that the county recorder's office is not open for business, then the mechanics' lien may be recorded on the next day the county recorder's office is open for business.

### When Must the Claimant Commence its Lawsuit to Enforce its Mechanics' Lien?

An action to foreclose a mechanics' lien must be commenced within 90 days of the date of recording of the lien. If the claimant fails to enforce its mechanics' lien within this time period, the mechanics' lien will become null and void. The mechanics' lien may also be subject to a Petition to Release the Mechanics' Lien under Civil Code §3154 which carries a \$2,000 plus costs maximum statutory penalty assessable against the mechanics' lien claimant, even if the claimant has not been paid!

The lawsuit to enforce the mechanics' lien must be filed within ninety days in the proper judicial district. The proper judicial district is the judicial district in the county in which the property is located.



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## Stop Notices

Stop Notice is a notice served to the lender, which includes any party paying for the cost of construction, to "hold the money". If the Stop Notice is being served to an institutional lender including a bank, savings and loan, thrift and loan and even an insurance company, then the Stop Notice must be served accompanied by a bond. This is called a "Bonded Stop Notice". When a bond is required and the Stop Notice is served without a bond, the lender may, and will, ignore the Stop Notice.

### When Must a Stop Notice be Served?

Supplier or subcontractor must serve a Stop Notice within thirty calendar days after the date of recordation of a Notice of Completion or Notice of Cessation. If no Notice of Completion is recorded, a Stop Notice must be recorded within ninety calendar days after completion of the entire project or sixty days after cessation of all labor.

General contractor must serve a Stop Notice no later than sixty calendar days after recordation of a Notice of Completion or Notice of Cessation, or ninety calendar days after completion of the entire project.

If there is a cessation of labor for sixty consecutive days on a private works project or thirty days on a public works project, the time for serving a Stop Notice begins to run and the claimant has an additional ninety days thereafter to serve a Stop Notice. This is a total of 150 days from the last work at the jobsite. A delivery of materials after a complete cessation of labor to the jobsite does not extend the time period.

If the last day for serving a Stop Notice falls on a holiday which is defined as a Saturday, Sunday or other day that the courts are not open for business, then the Stop Notice may be served on the next day the courts are open for business.

### How Does a Claimant Enforce its Stop Notice?

A complaint to enforce a Stop Notice must be filed in a proper court no sooner than ten days after service of the Stop Notice and no later than ninety days from the expiration of the mechanics' lien recording period.

### Payment Bonds

Payment bonds are the piggy banks of the mechanics' lien law, particularly now with the onslaught of falling property values and foreclosures. Payment bonds are required on almost all public works projects and on such projects are the claimant's primary and best remedy. Payment bonds are infrequently, but occasionally, found on private works projects. A payment bond is essentially a guaranty by the surety giving the bond to pay the same class of persons or claimants having a right to record a mechanics' lien or serve a Stop Notice.

### When Must the Claimant file a Lawsuit under a Payment Bond?

If the surety does not voluntarily pay, the claimant must file a lawsuit to recover under the payment bond. A lawsuit must be filed not later than six months plus thirty days if a Notice of Completion was recorded or six months plus ninety days after completion of the project if no Notice of Completion was recorded. The lawsuit may, but need not, include many causes

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of action including (providing the statute of limitations has not run), foreclosure of a mechanics' lien, enforcement of a Stop Notice or breach of contract, or a single cause of action for recovery on the payment bond. Mechanics' lien law rights are cumulative and may each be pursued separately.

### The Right to Recover Attorneys' Fees

Attorneys' fees may not be included in a mechanics' lien<sup>10</sup>, but may be recovered from the contracting party if there is an attorneys' fee provision. Attorneys' fees are also not included in a Stop Notice but can be recovered from the lender if the Stop Notice is bonded<sup>11</sup> or from the contracting party. Most importantly, attorneys' fees can be recovered in an action to enforce payment under a public works payment bond<sup>12</sup> from the surety and the principal on the bond and from the contracting party. 🐶

**Robert A. Weissman** is a Past President of the SFBVA whose practice is located in Westlake Village. His practice specializes in and is limited to the representation of contractors, subcontractors, material suppliers, rental companies and others in the construction industry. Robert can be reached at [raw4law@earthlink.net](mailto:raw4law@earthlink.net) or (805) 371-0500, ext. 1.



<sup>1</sup> California Mechanics' Liens and Related Construction Remedies (3d ed Cal CEB 1998); California Mechanics' Lien Law (6th Ed Matthew Bender 2008) and California Construction Law (16th Ed Aspen Law Publishers 2000).

<sup>2</sup> See California Constitution, Article XIV §3.

<sup>3</sup> Commencing in Civil Code §3060 et seq.

<sup>4</sup> Civil Code §3097(h).

<sup>5</sup> "Services" is defined to include labor, materials, equipment or services.

<sup>6</sup> It is recommended to serve a Preliminary Notice at the time the claimant opens its file, obtains the signed contract, purchase order or otherwise begins the relationship with the project. As it both reaches back 20 days and goes forward indefinitely thereafter, the claimant will be protected even if it takes months before it ever sets foot on the site or provides labor or materials to the project.

<sup>7</sup> The information which must be included in a Preliminary Notice is not discussed in this article as there are many easily available forms which contain this information.

<sup>8</sup> "Work of improvement" is defined in Civil Code §3106.

<sup>9</sup> "Supplier" includes material suppliers, rental companies and other non-contractors who provide materials or equipment to a construction project.

<sup>10</sup> *Abbett Electric Corp. v California Federal Savings & Loan Association* (1991) 230 Cal. App. 3d 355, 281 Cal. Rptr. 362.

<sup>11</sup> Civil Code §3176

<sup>12</sup> Civil Code §3250

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# MCLE Test No. 12

This self-study activity has been approved for Minimum Continuing Legal Education (MCLE) credit by the San Fernando Valley Bar Association (SFVBA) in the amount of 1 hour. SFVBA certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

1. The right to record a mechanics' lien is a constitutionally guaranteed right.  
True  
False
2. A person performing actual labor for wages must give a Preliminary Notice or forfeit its mechanics' lien, Stop Notice and payment bond rights.  
True  
False
3. There are substantial penalties for serving a Preliminary Notice if the claimant never provides anything to the project.  
True  
False
4. A Preliminary Notice must be served not later than twenty days after the claimant has first furnished labor, equipment or materials to the jobsite.  
True  
False
5. A claimant who fails to serve a Preliminary Notice within twenty days after starting work is barred from later serving one.  
True  
False
6. A claimant who fails to serve a Preliminary Notice within 20 days of commencing work should still serve one because it will be effective from the 20<sup>th</sup> day prior to the date it is served and reach forward thereafter.  
True  
False
7. A mechanics' lien is a lien against a work of improvement on real property or a structure on the real property which makes the property responsible for the value of the unpaid services and allows the claimant to foreclose on that lien and cause the sale of the property to satisfy the lien.  
True  
False
8. If no Notice of Completion is recorded, a subcontractor or supplier must record a mechanics' lien within ninety calendar days after completion of its work.  
True  
False
9. An action to foreclose a mechanics' lien must be commenced within 90 days of the date of recording of the lien.  
True  
False
10. A lawsuit to enforce the mechanics' lien may be filed in any judicial district in the county in which the lien was recorded.  
True  
False
11. If the last day for recording a mechanics' lien falls on a holiday which is defined as a Saturday, Sunday or other day that the county recorder's office is not open for business, then the mechanics' lien must be recorded on the day prior to the last day.  
True  
False
12. A mechanics' lien which is more than 90 days old with no lawsuit filed to foreclose is subject to a Petition to Release the Mechanics' Lien under Civil Code §3154.  
True  
False
13. A Stop Notice is a notice served to the owner to stop work until the party serving the notice is paid.  
True  
False
14. A supplier or subcontractor must serve a Stop Notice within thirty calendar days after the date of recordation of a Notice of Completion or Notice of Cessation.  
True  
False
15. If there is a complete cessation of labor for sixty consecutive days on a private project or thirty days on a public works project, the time for serving a Stop Notice begins to run and the claimant has an additional ninety days thereafter to serve a Stop Notice.  
True  
False
16. A complaint to enforce a Stop Notice must be filed in a proper court no sooner than ten days after service of the Stop Notice and no later than ninety days from the expiration of the mechanics' lien recording period.  
True  
False
17. Payment bonds are required on almost all public works projects and on such projects are the claimant's primary and best remedy.  
True  
False
18. A lawsuit on a payment bond may not include other causes of action but must be brought separately.  
True  
False
19. Attorneys' fees may be included in a mechanics' lien.  
True  
False
20. Attorneys' fees can be recovered in an action to enforce payment under a public works payment bond from the surety and the principal on the bond.  
True  
False

## MCLE Answer Sheet No. 12

### INSTRUCTIONS:

1. Accurately complete this form.
2. Study the MCLE article in this issue.
3. Answer the test questions by marking the appropriate boxes below.
4. Mail this form and the \$15 testing fee for SFVBA members (or \$25 for non-SFVBA members) to:

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### ANSWERS:

Mark your answers by checking the appropriate box. Each question only has one answer.

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2.	<input type="checkbox"/> True	<input type="checkbox"/> False
3.	<input type="checkbox"/> True	<input type="checkbox"/> False
4.	<input type="checkbox"/> True	<input type="checkbox"/> False
5.	<input type="checkbox"/> True	<input type="checkbox"/> False
6.	<input type="checkbox"/> True	<input type="checkbox"/> False
7.	<input type="checkbox"/> True	<input type="checkbox"/> False
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16.	<input type="checkbox"/> True	<input type="checkbox"/> False
17.	<input type="checkbox"/> True	<input type="checkbox"/> False
18.	<input type="checkbox"/> True	<input type="checkbox"/> False
19.	<input type="checkbox"/> True	<input type="checkbox"/> False
20.	<input type="checkbox"/> True	<input type="checkbox"/> False



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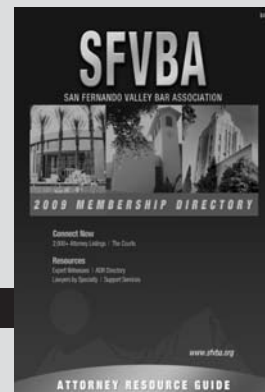
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*Change of Address; Also, correct page 60 (Membership Guide)*

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## What Does a Lawyer Do?



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**I**N THE EARLY MORNING OF MAY 19, 1995, representatives from the business community, local colleges and high school districts met in the offices of the Santa Clarita Valley Chamber of Commerce. The Chamber was responding to the need expressed by local businesses for better-prepared students who enter the workforce. The thought was that perhaps businesses could be of help to the schools who had established Career Planning Centers and were now mandated by federal and state governments to have career planning as part of the curriculum.

This past April, the Santa Clarita Valley Bar Association participated in the Santa Clarita Valley School and Business Alliance Career Day at College of the Canyons. The Santa Clarita Valley School and Business Alliance is a broad-based public-private collaboration working to design and implement a comprehensive school-to-career system for the Santa Clarita region.

"What do I want to be when I grow up?" To help kids answer this question, the Hart District Career Advisors, the Santa Clarita Valley School & Business Alliance, and College of the Canyons invited the Santa Clarita Valley Bar Association and many other organizations to participate in "Discovering Careers 2009!"

This was the second annual event in Santa Clarita – benefiting the whole community! Discovering Careers was created to give kids a hands-on opportunity to explore careers. Last year, this event drew in over 2,000 students and parents, as well as over 40 employers from 15 different industry sectors.

This was the first year the Santa Clarita Valley Bar Association participated. Approximately six lawyers plus local site Judge Graciela Freixes participated. Children from as young as 5-years-old all the way through their teens walked through the Student Center at College of the Canyons, learning about different careers.

The SCVBA banner was prominently displayed as the youth swarmed the table, eager to learn about what it means to be a lawyer. When asked why they wanted to be lawyers, most of the students said, "Well, I like to argue a lot!"

Argue. Is that what lawyers do? Well, certainly lawyers advocate points of view and argue zealously on behalf of their clients. An interesting discussion emerged at the SCV table during this career day.

The attorneys at the table were debating what lawyers actually do. No one could come up with a definitive answer. Some said, "Lawyers study the law." Others said, "Lawyers uphold the law and help maintain a civilized society." However, no one could really come up with anything better than the little kids who said they want to be lawyers because they like to *argue*. What then does a lawyer do?

A definition emerged from the discussion that most at the table could agree upon: Lawyers are problem solvers. Lawyers use the law to help their clients solve problems. For the rest of the afternoon, the children were advised that arguing was only part of being a lawyer. However, lawyers are best when they help their clients solve problems. The lawyers who attended that day felt very good about helping the kids and offering them guidance. Perhaps the best thing that happened was that a few lawyers who were sitting at that table went back home with a renewed pride in their profession.

In June, the SCVBA will welcome Judge Michael Hoff to discuss "Negotiation Secrets from a Judge's Viewpoint." Judge Hoff handles a great deal of mediations and will share his knowledge. In July, there will be a presentation on the latest courtroom technology that can help lawyers be more effective.

Mark your calendars for the SCVBAs Law Day event on October 2, 2009 at the Valencia Hyatt. For more information, visit [www.scvbar.org](http://www.scvbar.org) or call (661) 287-3260. 📍

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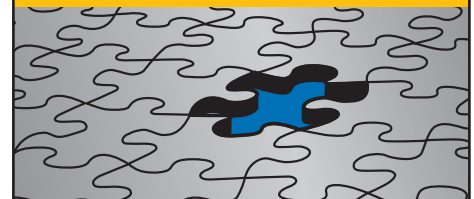
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## Probate & Estate Planning Section Medi-Cal Update

**JUNE 9**  
**12:00 NOON**  
**MONTEREY AT ENCINO RESTAURANT**  
**ENCINO**

Patricia L. McGinnis, Executive Director of the California Advocates for Nursing Home Reform, will discuss the latest Medi-Cal developments and long-term Medi-Cal planning.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$35 prepaid</b>	<b>\$45 prepaid</b>
<b>\$45 at the door</b>	<b>\$55 at the door</b>
<b>1 MCLE HOUR</b>	

## Intellectual Property, Entertainment & Internet Law Section Trade Secrets

**JUNE 19**  
**12:00 NOON**  
**SFVBA CONFERENCE ROOM**

Attorney Patrick Huston has analyzed every published opinion as to what constitutes a trade secret and is the author of an upcoming book on the subject. He will discuss his findings and offer insight into the body of trade secret law.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$30 prepaid</b>	<b>\$40 prepaid</b>
<b>\$40 at the door</b>	<b>\$50 at the door</b>
<b>1 MCLE HOUR</b>	

## Santa Clarita Valley Bar Association Secret Negotiation Techniques from a Judge's Perspective

**JUNE 18**  
**6:00 PM**  
**SFVBA CONFERENCE ROOM**

Judge Michael Hoff, Ret. discusses insider's negotiation techniques.

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<b>1 MCLE HOUR</b>	

## Family Law Section Now that You Got the Order, How Do You Collect It

**JUNE 22**  
**5:30 PM**  
**MONTEREY AT ENCINO RESTAURANT**  
**ENCINO**

Attorneys Ira Friedman and Raymond Goldstein and Commr. Keith Clemens, Ret. discuss Enforcement of Child Support, Spousal Support and Attorneys Fee Orders.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
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## Litigation Section Straight from the Bench: How to be More Effective in Court

**JUNE 18**  
**6:00 PM**  
**SFVBA CONFERENCE ROOM**

Judge Richard Adler will discuss how lawyers can save their own time as well as the court's by being more direct. This presentation is a must for attorneys and court personnel.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$35 prepaid</b>	<b>\$45 prepaid</b>
<b>\$45 at the door</b>	<b>\$55 at the door</b>
<b>1 MCLE HOUR</b>	

## Business Law, Real Property & Bankruptcy Section Drafting Tips Regarding the Boilerplate in Contracts

**JUNE 24**  
**12:00 NOON**  
**SFVBA CONFERENCE ROOM**

Attorneys Heather Stern and Larry Teplin address key areas such as recitals of fact, attorney fee clauses, jurisdiction and venue provisions, the use of covenants and conditions, and much more.

<b>MEMBERS</b>	<b>NON-MEMBERS</b>
<b>\$45 prepaid</b>	<b>\$55 prepaid</b>
<b>\$55 at the door</b>	<b>\$65 at the door</b>
<b>1 MCLE HOUR</b>	

The San Fernando Valley Bar Association is a State Bar of California MCLE approved provider. To register for an event listed on this page, please contact Linda at (818) 227-0490, ext. 105 or [events@sfvba.org](mailto:events@sfvba.org).





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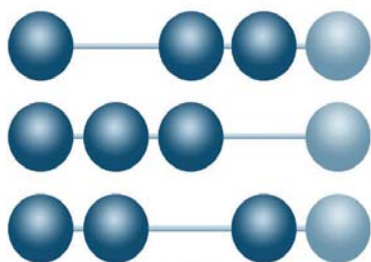
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