



BarNotes

A Publication of the
San Fernando Valley Bar Association

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Nominations Sought for SFVBA Board of Trustees

The San Fernando Valley Bar Association Nominating Committee is seeking nominations for candidates to the 2003-2004 SFVBA Board of Trustees.

The seven-member Nominating Committee will meet next month to fill six open trustee seats on the 19-member Board. The Committee also selects the SFVBA Treasurer, Secretary, and President-Elect. The Committee can nominate up to 12 candidates for Trustee and two candidates for each officer position. Current President-Elect James Felton automatically becomes President on October 1.

Interested Members may submit a Letter of Intent and resume to SFVBA Nominating Committee, 21300 Oxnard Street, Suite 250, Woodland Hills, CA 91367. All nominations must be received by Friday, May 23. Contact Executive Director Liz Post at (818) 227-0490, ext. 101 to obtain the SFVBA's Policy Statement Re: Board of Trustees Responsibilities.

"We are looking for candidates who are committed to the future of the SFVBA," announces SFVBA President Steve Holzer. "We want leaders who represent the diversity of our membership: sole practitioners, members of large firms, barristers, in-house counsel, public sector attorneys, lawyers from all areas of law and background."

The Committee must issue their report to the Secretary of the Association by June 25. Nomination by the Committee is not the only way for a member's name to be placed on the ballot. Additional nominations for any office (except that of President) or for Trustee may be made by filing a written nomination with the SFVBA Secretary, Alice Salvo, signed by at least 20 members of the SFVBA in good standing, no later than July 31. Ballots are mailed to attorney members in August and Election Day is September 10. 🗳️

SFVBA Seeks Volunteers for VAST

Attorneys with at least five years experience are invited to participate in the Valley Associated Settlement Team ("VAST") Project scheduled for October 20 to October 31, 2003 at the Van Nuys courthouse.

The VAST Project began in 1994 as a joint effort of the San Fernando Valley Bar Association and the Los Angeles Superior Court to help the Court reduce its backlog of cases caused by the Northridge Earthquake and then new "Three Strikes Law". The first year, 300 volunteer attorneys disposed of 975 cases, saving the courts an estimated 4,000 trial days. Since then, VAST has been conducted from time to time as requested by the Court.

Today the SFVBA has been called on to help the Court address the current budget crisis' impact on our justice system. Van Nuys Supervising Judge Sandy Kriegler has asked the SFVBA to provide the courts with 500 volunteers to serve as settlement officers during the last two weeks of October for a new VAST Project.

All thirteen civil bench officers of the Northwest District have committed to participate. The Bar will need to schedule two pairs of defense and plaintiff's attorneys for each courtroom each day. In addition, for three days Department A is being set aside to handle complex matters. Experts in the following specialized areas of practice are needed on the days noted: Medical Malpractice (October 28), Employment (October 29), and Construction Defect (October 30).

To schedule a convenient date to volunteer, contact Rosie at (818) 227-0490, ext. 100 or Rosie@sfvba.org. Members are also encouraged to spread the word through their firms and to colleagues so that the Court and Bar can reach their goal of 500 volunteers. 🗳️

Calendar of Events Page 23

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Bar Notes is published 11 times a year. Articles, announcements, and advertisements are due by the first day of the month prior to the publication date. The articles in Bar Notes are written for general interest and are not meant to be relied upon as a substitute for independent research and independent verification of accuracy.

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President's Message

Stephen T. Holzer

All-Section Meeting: June 10, 2003

Despite an otherwise rich calendar of events, the San Fernando Valley Bar Association has not had a "general" Bar meeting on its yearly schedule. Various Bar members from time to time lament the absence of a special occasion when they can get together simply as SFVBA members, without reference to their specific Committee or Section focus.

This year, that lament is being answered. On June 10, 2003, at the Calabasas Inn, the Bar will hold an "All-Section Meeting", the equivalent of a general meeting of the Membership. This will not be a "business" meeting, so hold off preparing your motions, points of order and parliamentary objections. Rather, this will primarily be a social occasion recognizing and promoting the sense of community among members that is a hallmark of our Bar.

Last year, Trustee Gerry Fogelman organized the first All-Section Meeting. While that meeting was certainly open to all members, in fact those attending were primarily Section and Committee Chairs and Trustees. This year, Gerry, working with your Programs Committee (Co-Chairs Patti McCabe and Susan Bendavid-Arbiv) and our Events Coordinator (Linda Temkin), is placing the attendance emphasis on our entire membership. Gerry is planning an entertaining program for part of this event for which you will, as a side benefit, even get MCLE credit!

To the extent you have questions or comments about Bar programs, benefits and events; to the extent you have an interest in becoming active in a Section or Committee; to the extent you would like to be a future Bar leader; to the extent you

continued on page 19



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Exempt or Non Exempt? That is the Question



BY CYNTHIA ELKINS HOGAN

One of the most common problems facing employers is the misclassification of employees as "exempt" when they are truly "non exempt". Numerous corporations have faced class action lawsuits by their employees on the basis of misclassification and have faced multi-million dollar settlements and judgments.¹

California employers should primarily be concerned with the regulations established by the Industrial Welfare Commission (IWC) and the Division of Labor Standards Enforcement (DLSE) and not the federal Fair Labor Standards Act (FLSA) as state and federal regulations conflict and an employer must comply with the more restrictive requirements - which in this case would be California's regulations.

The determination whether an employee is "exempt" or "non exempt" is not always clear. An "exempt" employee is not governed by either the FLSA or the IWC's regulations on overtime, minimum wage, meal periods and rest breaks. In basic terms, exempt employees are *not* entitled to be paid overtime for additional hours worked, nor are they required to be provided a meal period or periodic rest breaks.

A "non exempt" employee is governed by the FLSA and the California Wage Orders and is entitled to overtime, and regulated meals and breaks based on the number of hours worked.

To be considered "exempt" an employee must fit into one of three narrow and somewhat vague definitions: administrative, executive or professional. Other classifications may apply to artists, computer professionals or outside salespersons.

- A "professional" is someone who is licensed or certified by the state of California and is engaged in the practice of nine specific professions (i.e., law, medicine, dentistry, engineering, etc.)
- An "executive" must have duties that are directly and closely related to the daily operation of the business (some would consider these duties to be that of a "manager"). Examples are: interviewing and hiring, setting pay rates, directing work, disciplining and reviewing employee performance, etc. A "manager" must supervise at least two other individuals to qualify as exempt.

- An "administrative" employee is one who 1) regularly and directly assists an owner in the administration of the business; 2) performs work of a specialized or technical nature only under general supervision; 3) completes special assignments and tasks under general supervision and 4) devotes more than 50% of their time to such "intellectual" duties.

An exempt employee also is one who is engaged in work which is primarily intellectual, managerial, or creative, and which requires the exercise of discretion and independent judgment, and for which the remuneration is not less than two times the state minimum wage for full time employees (currently a monthly salary requirement of \$2,340).

A "non exempt" employee is essentially everyone else.

Job Titles Irrelevant

Assigning job titles with a "managerial" "supervisory" or "administrative" designation is not controlling, i.e., Executive Secretary, Administrative Assistant. It is the job duties and not the title that is determinative. As the California Supreme Court explained in *Ramirez v. Yosemite Water Co.* (1999) 20 Cal. 4th 785, 790 whether an employee is exempt from over-

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time under California law "turns on a detailed, fact-specific determination." Ramirez emphasized the need to look behind job titles and job descriptions to "how the employee actually spends his or her time."

"Working Managers" also create a challenge to meet the exempt status where the manager has managerial responsibilities and title, but are primarily engaged in non exempt duties such as Restaurant Managers, Retail Store Managers, Motel Managers, etc. In most circumstances, "working managers" are determined to be "non exempt". Law Clerks, Paralegals and Legal Secretaries are primarily non-exempt under California standards.

Pay Classifications also Irrelevant

Employers may classify employees for payroll purposes as either "hourly" or "salaried". However, this is an improper designation as not all "salaried" employees are "exempt". Exempt employees cannot be paid an hourly wage but non-exempt employees can be paid a salary, which is then subject to adjustment based on hours worked.

Exempt employees must be paid a predetermined amount constituting all or part of the compensation and the amount cannot be subject to reductions because of variations as to the quality or quantity of work performed.

Wage Claims, Audits and Civil Actions

Both the DLSE and/or the Federal Department of Labor (DOL) have the right to conduct an audit to determine if the employees have been properly classified as "exempt" or "non exempt". Individual employees also have the right to file

wage claims against their employer for failure to pay wages.

Employees also have the right to file civil actions for the non-payment of wages. If enough employees are affected by the misclassification, class certification may be sought. In a recent case against United Parcel Service, 6000 employees sued for overtime based on a misclassification as exempt instead of non-exempt argument. The case settled for \$18 million.²

Even if the misclassification was accidental or unintentional, liability can and will be assessed. Wage claims, audits and civil claims can seek to recover back pay for all employees improperly classified who worked additional hours but were not paid overtime compensation. In addition, the failure to provide proper meal and rest breaks can result in the assessment of penalties against the employer.

For each workday that an employer fails to provide a meal break as required, the employer is deemed to owe the employee one additional hour of pay at the employee's regular rate. Employers who fail to "authorize and permit" non exempt employees to take the required rest breaks will be determined to owe the employee one additional hour of pay at the employee's regular rate.

The Labor Commissioner can also assess "waiting time" penalties if there is a determination that the employer willfully failed to pay wages legally due and owing. Waiting time penalties consist of a continuation of the employee's daily wage for a period of up to 30 days. These amounts can add up quickly so that an employer's potential liability for misclassification can become substantial. The defense of these claims becomes difficult in that employers usually do not maintain time records for employees that have been classified as exempt.

In an effort to avoid wage claims based on the misclassification of employee status, and to avoid the potential overtime liability and penalties for missed meals and breaks, employers should conduct an audit of their employee classifications. Proper record keeping of hours worked, meals and breaks should also be reviewed to ensure that such documentation exists for compliance with state and federal regulations. ⚡

1. See generally, Bell v. Farmers Ins. Exch., 87 Cal. App. 4th 805, 105 Cal. Rptr. 2d 59, Sav-On Drug Stores, Inc. v. Superior Court, 97 Cal. App. 4th 1070, 118 Cal. Rptr. 2d 792.
2. George "Russ" Archie v. United Parcel Service, Superior Court of San Diego County, San Diego. Case No. GIC748880.

Cynthia Elkins Hogan represents employers. To contact the author, e-mail chogan@employer-law.com.

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It may be a sign of the times that attorneys are choosing a variety of marketing approaches. It may be that attorneys are choosing credible and professional approaches like LRIS to market their legal services. It may be that LRIS is considered an effective and cost-efficient marketing tool. Whatever it is, LRIS already has 28 new members this fiscal year. We welcome these new members and we value those attorneys who continue their membership year after year.

The LRIS has just placed an initial order for 1,000 copies of a 96-page booklet about the United States Constitution. The booklet contains the Constitution, The Bill of Rights, The Declaration of Independence, and descriptions of landmark Supreme Court cases. In addition, the booklet, published by Oak Hill Publishing Company, contains information and fascinating facts about the Constitution, the Supreme Court and the Founding Fathers.

The LRIS and the SFVBA will distribute the booklet at various events, at speaking engagements at schools and similar locations. The booklet is a convenient size to carry in a briefcase, backpack or purse and pull out to read while standing in line at the post office or waiting for your case to be called.

If anyone wants further information on how to order these booklets for gifts to clients or for other uses, please contact me and I will share the ordering information. To truly be officers of the court, champions of the law, and public citizens, we need to know and to share the Constitution, and the Bill of Rights. This is an outreach and educational effort that the LRIS and the SFVBA are undertaking by providing this booklet to the public.

Benjamin Franklin is quoted in the booklet as saying, "I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For having lived long, I have experienced many instances of being obliged by better information, or fuller consideration, to change opinions even on important subjects, which I once thought right, but found to be otherwise." 🐘

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Letters of Intent - Review and Developments



BY DAVID GURNICK

Sooner or later (hopefully sooner) the economy will emerge from its current ambiguous state and active deal-making among businesses will resume. Recently, the Court of Appeal noted that modern deals are rarely made in a single negotiating session. Rather, they involve a process in which agreements are reached piecemeal via meetings, phone calls, e-mails and letters. *Copeland v. Baskin-Robbins* (2002) 96 Cal. App. 4th 1251.

An early stage of many business deals is a written letter of intent. Usually these are drafted by lawyers. They are significant in several ways. Though not a final agreement, the writing gives some assurance to each party that the others are emotionally committed to working on the deal, even if not yet legally bound. The letter's terms are a starting point for further negotiations. And the terms may set parameters for how those negotiations will be conducted.

Here are some guidelines for working on a letter of intent, and some legal developments.

- Keep in mind which side of the deal you are on. In a sale or purchase, sellers have an edge at the letter of intent stage, but also a risk. At this early stage, a seller may have more meaningful information than a buyer. Buyers gain

information as negotiations proceed. But as word or rumor of a deal reaches customers, employees and suppliers, pressure on a seller can increase, and may even force the seller to accept less favorable terms.

- These dynamics mean sellers benefit from negotiating more detailed provisions in a letter of intent, while buyers benefit from general provisions that allow flexibility in later negotiations.
- Use letters of intent to outline key deal terms. This means an initial framework could include the key terms of any business contract: parties; nature of transaction, pricing and other consideration; and other terms. Use a definitive agreement from another transaction as a checklist of items to mention in the letter of intent.
- Use letters of intent to describe agreed procedures for future negotiation, locations, timing and target dates to complete negotiations.
- If some terms are agreed, the letter of intent can say so, and can provide that those agreed terms will not be negotiated further.
- Be informal, but not too informal. Even if nonbinding, the letter of intent is still a legal document. It is the main document parties will look to as a starting point for what follows, and lawyers may use it as a starting point to write final agreements. It should still be written with care.

It should still be written with care.

- You write it. It is usually better for your client if you draft the letter of intent. (Of course, issues of legal fees, workload, timing, and particular knowledge of a transaction, may militate in favor of letting the other side do the first draft).
- Decide whether to address confidentiality, exclusivity of negotiations, nonsolicitation of each other's personnel, and return of confidential information. It is often a good idea to address these, even if only to say there is no restriction in these areas. It is also possible to state that terms in these areas are binding, even if the rest of the letter of intent is not.

State whether the parties intend to be bound by the letter of intent, or intend that it be entirely nonbinding, or which parts are binding. In letter of intent disputes, the result frequently turns on whether the letter of intent shows clearly the parties' intent to be bound or not to be



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bound to its terms. Beazer Homes v. VMIF/Anden Southbridge Venture 235 F.Supp. 485 (E.D. Virg. 2002).

Typically, letters of intent are used because the parties are not ready for a final agreement. But a letter of intent also reflects a meeting of the minds on something. In some circumstances a letter of intent reflects an agreement. Ersa Grae Corp. v. Fluor Corp. (1991) 1 Cal. App. 4th 613, 624 n.3. Whether the letter of intent, or specific parts, is binding, or is just a nonbinding "agreement to agree" is a frequently litigated question.

In the Baskin-Robbins case cited above, a California court held that a cause of action exists for breaching an agreement to negotiate. The decision is important for letters of intent, because they often are considered agreements to negotiate, and may even say the parties will negotiate in good faith. Now in California, an agreement to negotiate is enforceable. An "agreement to agree" still is not. See also, Teachers Ins. & Annuity Ass'n v. Tribune Co. 670 F. Supp. 491, 499-503 (S.D.N.Y. 1987) (stating five factors to be considered in deciding parties intent to be bound by a written document: (1) language of the document; (2) context of negotiations; (3) existence of open terms; (4) partial performance; and (5) custom of such transactions).

By following the guidelines in this article, lawyers can prepare letters of intent that provide both greater benefit, and greater certainty, which will reduce the risk of disputes over the contents or effects of the letter, and increase the chance of prevailing if there is a dispute. ✎

David Gurnick is a partner in the Woodland Hills' office of Arter & Hadden. To contact the author, email david.gurnick@arterhadden.com.

All-Section Meeting & Dinner to Present Lintz Award

SFVBA Members frequently request a Bar event that will bring all sections together and this is it! Join us on June 10 to network with members in all areas of practice, honor colleagues for their community service, and enjoy an entertaining seminar on perception versus reality.

Our guest speaker is Robert Shomer, PhD, a well-known forensic expert who will entertain members with a seminar on Perception, Memory, and Suggestibility. Is a witness's testimony perception or reality? Whether you're a criminal lawyer or a litigator, this seminar will be valuable to you in your practice.

The Lintz Award honors an individual who has distinguished themselves in community service and the legal profession. Sharley Allen of Neighborhood Legal Services is this year's recipient. We will also pay tribute to a Section Leader who has gone above and beyond the standard to ensure their Section's continued success, William Kropach, who has chaired the Workers' Compensation Section for over a decade.

Tuesday, June 10, 2003

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THE PRACTICE

a series of essays on practice of law and life

Some of The Joys of Being a Lawyer



BY DAVID R. HAGEN

Recently a potential client came in to see me. I will call him Bob, even though this is not his real name. As Bob and I sat down, I could see that he had the weight of the world coming down on his shoulders. He proceeded to tell me that he was a dentist and had a relatively successful practice. He had been married 18 years and they had two kids. Apparently, he and his wife had not been getting along recently and went to see a marital counselor a year ago. Things were a bit tense, but seemed to be okay. Two days ago, and right out of the blue, Bob's wife informed him that she wanted a divorce. Bob said he wanted to know what his rights might be and what to expect. Bob's request struck me as a bit odd as I am a bankruptcy attorney.

I inquired once again as to his financial situation and was reassured that the dental practice was in relatively good order even though it had been extremely difficult to concentrate the past several days. He continued on by stating that at home the finances were in fairly good shape.

When I informed Bob that I was a bankruptcy attorney and not a family law practitioner, he was very disappointed and became even more glum. It had taken a great deal of courage to even come see an attorney and when he did, he saw the wrong person! As we discussed the situation, there apparently had been a miscommunication from the person that had referred him to me. The referral source, a prior client, simply told him that I was good at solving legal problems. He did not specify "financial problems."

I gave Bob a couple of referrals to some family attorneys and figured that the consultation was complete. This was not the case. Bob said he really needed some answers right away and pressed me for some help. I told him I really could be of little help in the family law area but told him I would see if I could make a few calls to get him in to see a family law attorney right away. I called an attorney in the building who does practice family law to see if I could get Bob an appointment. Fortunately, the attorney was available and the Bob went to see him.

Once again, I thought I had done my job and was done. I certainly never expected to see Bob again.

About two hours later, as I was walking to my car to leave for the day, Bob drove up looking much relieved and actually smiling. He told me that he had met with this family law attorney I sent him to and he felt much better. The attorney explained things clearly to him and had a great "bedside manner." (As attorneys, we don't often think of "bedside manner," do we?) Bob said that for the first time in several days, he felt he knew what he was up against and what actions he may need to take.

My experience with Bob caused me to reflect on two issues. First, what an honor it is to be an attorney to assist clients, sometimes at their darkest moments. It was personally very satisfying to see someone who only hours before had been incredibly glum, who now had a different outlook on life. The simple fact that he was now informed made him much happier. Even though Bob had been out of my mind for several

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hours, it occurred to me that several years from now Bob would appreciate the attorney that helped him at this difficult time. Perhaps he might also appreciate the lawyer who took a few extra minutes to help him find a good attorney.

This led me to the second area of reflection: there is almost nothing in the practice of law that is more satisfying than a good referral. In fact, the only thing more satisfying than a good referral is being able to render those legal services yourself. Since we live in an era of specialization, we should probably refer out a good deal of the work that comes to us. I have had many situations over the years where a client called and thanked me for the referral to another attorney. A client must be really, really pleased to take the time to call and thank you for the referral. It is so satisfying to get a call like this.

Sometimes in the business of practicing of law, we forget that many times we deal with real people with real issues. If we can solve these issues, we are being of significant service and certainly one of the satisfactions that we get, while not monetary, is the honor of helping someone through a difficult time.

By the way, Bob's story has a good ending. I found out from Bob's family law attorney that he and his wife have since reconciled! ↗



SFVBA President-Elect James Felton, Executive Director Liz Post, and Secretary Alice Salvo joined ABA President Alfred Carlton, Jr. and ABA President-Elect Dennis Archer at the American Bar Association's Bar Leadership Institute. Some 300 leaders of bar associations from across the county participated in the BLI held annually in Chicago.

Dave Hagen is a principal at Merritt & Hagen. The firm's practice focuses on representing individuals and small businesses in bankruptcy. He speaks to attorneys often on the areas of bankruptcy, the marketing of legal services, and the practice of law. He welcomes your comments to this series of essays.

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- 8:45 a.m. New Construction Defect Law:
Mandatory Mediation & Contractors' Right to Fix
Fred Gaines, Esq., Gaines & Stacey LLP
James Acret, Esq., Thelen Reid & Priest LLP
- 10:00 a.m. Litigation Strategy for ADR and Trial
Leigh Datzker, Esq.
G. Christian Roux, Esq., Weston Benshoof et. al LLP
- 11:00 a.m. Funding Resolution of Construction Defect Claims
Insurance Coverage
Stanley Shure, Esq., Zevnik, Horton et. al LLP
- 12:00 p.m. Lunch
- 12:30 p.m. Behind the Scenes:
How the New Construction Defect Law Came To Be
Nick Cammarota, General Counsel,
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Notice To Attorneys

Transfer and Assignment of North Valley Probate Matters to the Northwest District

Effective April 21, 2003, all new probate filings that are within North Valley District's jurisdiction shall be filed in the Northwest District. All pending cases in the North Valley District are ordered transferred to the Northwest District. Cases with previously published or noticed hearings in the North Valley District shall be heard at the time and place noticed and, thereafter, shall be transferred to the Northwest District.

Bankruptcy Court Transcript Fee Increase

Effective April 1, 2003, the Court approved the schedule of transcript fees show below. These rates conform to the maximum rates approved by the Judicial Conference of the United States. All other fees will remain the same until further notice.

PER PAGE MAXIMUM TRANSCRIPT RATES (ALL PARTIES)			
Type of Transcript Requested	Original Transcript	First Copy to Each Party	Each Additional Copy to the Same Party
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Local Bankruptcy Rules and Forms

Having been approved by the U.S. District Court for the Central District of California, effective May 1, 2003:

1. Local Bankruptcy Rules 1002-4, 3015-1, 4008-1, 6004-1, 9013-1, 9020-1 and 9075-1 have been revised.
2. Appendix IV, *Guidelines for Allowance of Attorneys' Fees in Chapter 13 Cases*, has been added.
3. Use of the following new Local Bankruptcy Rules forms becomes mandatory.

Please refer to the Court's website www.cacb.uscourts.gov for the revised text and redline version of the affected Local Bankruptcy Rules and new Local Bankruptcy Rules forms. Copies of the Local Bankruptcy Rules and Local Bankruptcy Rules forms may be downloaded from the Court's website. Printed copies will also be available for purchase from the copy service at each division.

FORM #	FORM NAME
F 1010-2	Summons and Notice of Status Conference in §304 Case Ancillary to a Foreign Proceeding
F 3015-1.4	Declaration Setting Forth Postpetition, Preconfirmation Deed of Trust Payments
F 3015-1.5	Notice of Motion Under Local Bankruptcy Rules 3015-1(n) and 9013-1(g) to Modify Plan or Suspend Payments
F 3015-1.6	Motion Under Local Bankruptcy Rules 3015-1(n) and 9013-1(g) to Modify Plan or Suspend Plan Payments; Trustee's Comments; Order Thereon
F 3015-1.7	Rights and Responsibilities Agreement Between Chapter 13 Debtors and Their Attorneys
F 4008-1.1	Reaffirmation Agreement
F 4008-1.2	Notice of Hearing Re: Reaffirmation Agreement
F 4008-1.3	Order Disapproving Reaffirmation Agreement with Notice of Entry
F 4008-1.4	Order Approving Reaffirmation Agreement with Notice of Entry

Judicial Participation – Electronic Document Submissions

Effective immediately, all Central District bankruptcy judges will accept electronically submitted motions for relief from stay from registered *eFile* attorneys. All bankruptcy judges in the Court continue to accept electronically submitted complaints. Only users registered in accordance with General Order 02-01 may utilize the *eFile* system. Registration is available from the *eFile* homepage located under the Electronic Services section of the Court's website at www.cacb.uscourts.gov. Please contact the *eFile* Support Center at (213) 894-2365 if you need additional information. ↕

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Membership Has It's Priveleges!

President's Message continued from page 3

are looking for MCLE credit and enjoyment at the same time; or to the extent you just would like to meet/network with more of your fellow members, you should attend the All-Section meeting. Also, please encourage non-members to attend, as we are always receptive to expanding our already 2,100 Member strong Bar.

As many of you reading this column know, the June Bar event has traditionally been the occasion of the Lintz Award Dinner, honoring an individual who has demonstrated the qualities of exceptional service to the Bar, to the legal profession and to the community in general. Rest assured that the Bar is not forsaking this important tradition—the Award will still be given out at this year's June event to Sharley Allen.

Rather, we are simply recognizing that the Bar and the Bar Foundation already have a full calendar of yearly events (Installation Gala, Judge's Night, Law Day Dinner, and the June event). On the one hand, in response to members' desire for a general meeting, we want to add an event like the All-Section meeting. On the other hand, we recognize how already burdened are our members' calendars, such that adding yet another evening major Bar event seems impractical.

Thus, with the June 10 All-Section meeting, we are intending to uphold our tradition of giving out the honor of the Lintz Award; to provide a meeting place and time for all of us to get together; and to accomplish these goals without further crowding your busy calendars. I am hopeful you will make note of the June 10 event and that we will see you there. ✎

The Bar Notes editorial staff is soliciting articles by new and varied writers. All submitted articles should be educational in nature, and can be tailored for the new practitioner or experienced lawyer. Feature articles should be 750 words minimum; the typical article is 1,000 to 1,500 words in length. Citations should be within the article's text (no footnotes). A byline must be included. Articles can be submitted electronically. For additional guidelines, contact Liz Post at (818) 227-0490 ext. 101 or epost@sfvba.org.

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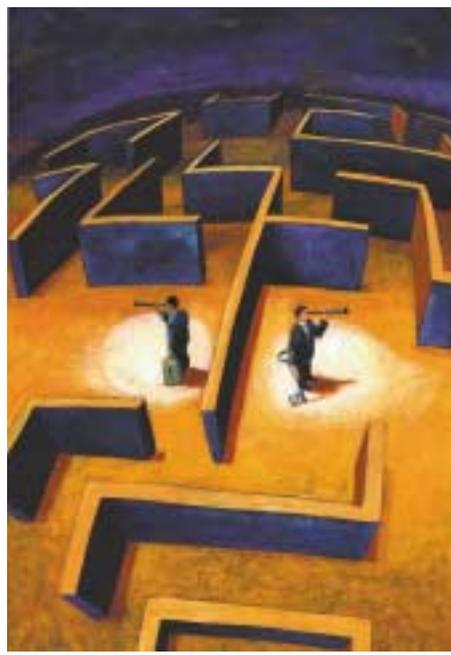
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CONTACTS: RICHARD ROSENBERG • JOHN GOLPER



May Events

calendar and MCLE event listings

Small Firm and Sole Practitioner Section

Topic: Small Firm Business Development on 27¢ Day
Speaker: Lisa Miller, Esq., Miller Consulting
Date: May 9
Time: 12:00 Noon
Place: SFVBA Conference Room, Woodland Hills
Cost: \$20 members prepaid; \$25 at the door
 \$25 non-members prepaid; \$30 at the door
MCLE: 1 Hour

Probate and Estate Planning Section

Topic: Update from the San Fernando Valley Court
Speaker: Virginia Sharpe
Date: May 13
Time: 12:00 Noon
Place: Radisson Hotel, Sherman Oaks
Cost: \$30 members prepaid; \$35 at the door
 \$35 non-members prepaid; \$40 at the door
MCLE: 1 Hour

Taxation Section

Topic: California Asset Protection Techniques
Speaker: Robert Klueger, Esq.
Date: May 14
Time: 7:30 a.m.
Place: Boldra, Klueger, & Stein LLP
 21031 Ventura Blvd, Ste 1010, Woodland Hills
Cost: \$10 members prepaid; \$15 at the door
 \$15 non-members prepaid; \$20 at the door
MCLE: 1 Hour

LexisNexis Complimentary Seminar

Topic: Online Discovery Tools:
Find the Good, the Bad, and the Ugly
Speaker: Chris Iles, Esq.
Date: May 14
Time: 12:00- 1:30 p.m. (Lunch will be provided);
 or 4:00 p.m. – 5:30 p.m.
Place: San Fernando Valley College of Law
RSVP: Stephanie Rowen at (323) 634-0877
MCLE: 1 Hour

Litigation Section

Topic: Data Hiding...and Finding
Speaker: Monique Bryher, Forensic Computer Consultant
Date: May 15
Time: 6:00 p.m. Dinner and Program
Place: SFVBA Conference Room, Woodland Hills
Cost: \$30 members prepaid; \$35 at the door
 \$35 non-members prepaid; \$40 at the door
MCLE: 1 Hour

Family Law Section

Topic: Move-Away Custody Issues in a Depressed Economy
Speakers: Commissioner Ann Dobbs and Child Custody Evaluators
Date: May 19
Time: 5:30 p.m.
Place: Encino Glen Restaurant, Encino
Cost: \$38 members prepaid; \$45 at the door
 \$45 non-members prepaid; \$50 at the door
MCLE: 1 Hour

Workers' Compensation Section

Topic: Penalties, Penalties, Penalties! Who's Got the Penalties?
Speaker: Judge Robert Sprott
Date: May 21
Time: 12:00 Noon
Place: Encino Glen Restaurant, Encino
Cost: \$30 members prepaid; \$35 at the door
 \$35 non-members prepaid; \$45 at the door
MCLE: 1 Hour

Business Law & Real Property Section

Topic: Your Client's Arrested - What Do You Do?
Speaker: Gerry Fogelman, Esq.
Date: May 28
Time: 12:00 p.m. Lunch and Program
Place: SFVBA Conference Room, Woodland Hills
Cost: \$25 members prepaid; \$30 at the door
 \$30 non-members prepaid; \$35 at the door
MCLE: 1 Hour

Information & Reservations 818•227•0490

SIGN ME UP!

SEND CHECK TO SFVBA
 21300 Oxnard St., Suite 250
 Woodland Hills, CA 91367

FOR MORE INFORMATION
 CALL (818) 227-0490

SECTION _____
 NAME _____
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 TELEPHONE # _____
 CHARGE IT! CC # _____ EXP. DATE _____
 SIGNATURE _____

Food and beverages served at every MCLE event!
 * Please note that no credit will be given unless notice of
 cancellation is provided 48 hours before scheduled event

Active members are invited to attend their SFVBA Delegation meeting on May 21 at 5:30 p.m. at the Law Offices of Tamila Jensen at 10324 Balboa Blvd, Ste 200, Granada Hills. Delegates are considering counter arguments to proposed resolutions for the 2003 Meeting of the Conference of Delegates of the California Bar Associations. Call (818) 363-6733 to attend.

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