

Business law firms see new trends in San Luis Obispo County

For two of the biggest business law firms in San Luis Obispo County, it's quite a different landscape these days. Sinsheimer Juhnke Lebens & McIvor and Andre, Morris & Buttery both focus their efforts from Santa Maria to Paso Robles, and both say they've got more work than ever – but they're spending more time in depositions and in the courtroom than around the negotiating table.

"Overall, the transactional side of the practice has slowed down and the litigation side is going gangbusters," said June McIvor, a partner at Sinsheimer Juhnke Lebens & McIvor.

Jim Buttery, chairman of the litigation practice group at Andre, Morris & Buttery, concurs.

"We've just seen more litigation now than over the last 15 years," Buttery said. "People's moods are affected by their perception of the economy. When they're not anxious to get into new deals, they start fighting over dollars from the last deal. It kind of feeds on itself."

Andre, Morris & Buttery has 15 attorneys, and Sinsheimer Juhnke Lebens & McIvor has 13 attorneys. Though big real estate deals have died down, some industries are still booming. Agriculture – big business in both Santa Barbara and San Luis Obispo counties – is still going strong, Buttery said.

"Agricultural land values have remained high and appear to be expanding

or growing. There are still a lot of active ventures going on in that sector," Buttery said. "We've gotten involved in a very large development project here in Santa Maria recently that's a greenhouse project with a lot of potential."

McIvor said her firm's wine and fruit-growing clientele has remained steady. "With wine, what we've seen is that some wineries are looking at price points. The high-end wines are finding that it's a little bit of a struggle. We've had wineries who've rolled out another label so they don't have to discount their top wine but have another price point to offer."

Both firms also said that technology deals are still going strong, as are intellectual property applications. At Sinsheimer Juhnke Lebens & McIvor, partner Tom Lebens also oversees West Coast operations for Fitch, Even, Tabin & Flannery, so he sees patent applications from Cal Poly grads and from all over the state.

"You'd think people wouldn't put money into R&D because they're hunkering down, but people are still being creative and still inventing things," McIvor said. "In SLO, people have to be reasonably creative, even in a good economy, just to live here. I don't think that stops in a down economy."

And both firms also said that seem-

ingly against all odds, fresh entrepreneurs are still walking in the door to incorporate and take the plunge into their own businesses. Often they've lost a job, have some savings and a good idea and figure they're just as well off taking the reins.

"Some people are taking stock," McIvor said. "In a tough job market, this is really the time to do it."

Both firms have taken on some work from the financial scandals that have rocked SLO County. Andre Morris & Buttery is representing Cuesta Title, which investors allege collaborated with bankrupt developer Kelly Gearhart, and Sinsheimer Juhnke Lebens & McIvor's litigators have been doing work for the trustees in the Estate Financial bankruptcies, an episode that spawned the criminal prosecution of the owners of Pasoliva, a Paso Robles olive ranch, over millions in allegedly stolen investor funds.

But the meat and potatoes these days remains litigation, the firms say. Businesses try to avoid it because it's expensive. The reason it's expensive is because it requires a lot of attorney hours to decipher the details of a complicated dispute.

Buttery has seen cases from contractors suing a subcontractor alleging soil

wasn't properly compacted before utilities were installed to a spat between an oil company and its investors.

"You don't have as many free hours as you used to," Buttery said. "We always try to mediate cases before they're filed to see if they can be resolved. But sometimes you have to go through a little bit of litigation in order to frame the issues and understand the strengths and weaknesses of their case."

DEFENSE BREAKFAST

Speaking of litigation, Jay Hieatt of Santa Barbara and SLO-based civil defense firm Hall, Hieatt, & Connely will give a breakfast presentation Sept. 10 about defending it. For more information or to register for the presentation, titled "Protect Yourself and Your Business From Legal Vultures," call Jamie Smith at (805) 687-7648.

MIND YOUR MANNERS

Hone your manners and earn some credits Sept. 4 with the Ventura County CPA/Law Society's presentation "Optimum Etiquette: Gaining the Successful Edge through the Magic of Manners" with Dr. Mitchell Perry. The cost is \$30 for members or \$40 for non-members, and the meeting is from noon to 1:30 p.m. at The Pierpont Inn in Ventura. E-mail Doug Kulper at dkulper@fcoplw.com to register.



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