

## REAL ESTATE

Our Real Estate Practice has achieved national recognition for work in every sector of real estate. We are skilled in negotiating and documenting sophisticated real estate matters for clients ranging from Fortune 500 companies and multi-national banks, to developers, start-up businesses, and individual investors. With our diverse clientele, market knowledge, and extensive experience handling due diligence and governmental, environmental, and lending 'red tape', we know what it takes to close deals.

Our transactional attorneys frequently partner with our Real Estate Litigation team to handle alternative dispute resolution and all stages of trials. Our philosophy is to achieve the client's goals and objectives in the advocacy process and to explore all avenues of dispute resolution whenever possible.

We also advise clients owning, developing, selling, purchasing, or leasing contaminated properties. We assist with the environmental review of contaminated properties, including advice regarding environmental insurance.

Areas of Specialty Expertise:

- Acquisitions and Dispositions
- Commercial Leasing
- Construction and Development
- Distressed Assets
- Real Estate Financing

## Professionals



BRUCE M. SMILEY  
PARTNER



TRACEY A. STEELE  
ASSOCIATE



STEVEN L. ZIVEN  
PARTNER

## Representative Clients and Matters

- » Structured, drafted and negotiated hundreds of long-term complex commercial leases for clients located throughout the country.
- » Representation of developers, landowners and lenders in ground leases in mixed developments.
- » Drafted and negotiated numerous development agreements, including lease agreements, purchase and sale agreements for commercial real estate, construction agreements, distribution agreements, licensing agreements, employment agreements, partnership agreements, joint-venture agreements, stockholder and non-competition agreements.
- » Representation of lenders and borrowers on construction and permanent financings of commercial, office, industrial, and retail properties, raw land, mixed use projects, parking facilities, and apartment complexes ranging in size from in excess of \$70 million to under \$1 million.
- » Advise lenders and borrowers on mixed collateral, receivable, and other personal property financings.
- » Representation of a city in connection with development and operation of major public facilities.
- » Representation of a municipality in the construction and operation of major sports facilities and long term management and lease arrangements with MLB and NHL franchises.

- » Negotiation and documentation of loan sales, syndications, securitizations and participations among lenders.
- » Representation of lenders in connection with workouts and foreclosures of commercial properties and large residential tract developments.
- » Successful defense of nationwide mortgage loan servicer in eight different lawsuits, each on demurrer, between 2014 and 2015, involving allegations of improper securitization of mortgage loans and violations of California foreclosure law.
- » Representation of letter of credit issuer in \$100 million multi-state bond financing of a pool facilities.
- » Negotiation of joint venture between national golf-course owner/operator and local developer of resort complex.
- » Representation of buyers and sellers in commercial real estate acquisition transactions.

## Presentations & Publications

- » "Be Careful What You Wish For! Which Lease Terms Can You Live Without?" | Georgetown University Law Center | CLE | April 5, 2018
- » "In the Blink of an Eye: 'Pop Up' Leasing in an Evolving Retail Environment" | Georgetown Law's 19th Annual Advanced Commercial Leasing Institute | April 7, 2017
- » New Disclosure Required for California Commercial Lease | Real Estate Alert | November 2, 2016
- » "Single Tenant Build-to-Suit Leases: Creating Value for Both Developers and Retailers" | ICSC U.S. Shopping Center Law Conference | October 3, 2016
- » Issues Unique to Restaurant Leasing | ACREL Mid-Year Meeting | March 3, 2016
- » Issues Unique to Restaurant Leasing | The Practical Real Estate Lawyer | March 2, 2016
- » "Lying Clients and Inadvertent Disclosure: Addressing Intractable Ethical Dilemmas" | Georgetown University Law Center | CLE | April 2, 2015
- » "The Future of Culver City: LA's Next Big Submarket?" | Bisnow | October 2, 2014
- » "Beyond Bricks and Mortar: New Building Technology and Leasing" | Georgetown University Law Center | CLE | April 10, 2014
- » Bisnow SoCal Industrial Real Estate Summit | November 1, 2013
- » "Landlord Lease Remedies: A Closer Look" | Los Angeles County Bar Association - Leasing and Development | August 1, 2013
- » "Lessons Sandy Taught Us: Critical Elements in Drafting Insurance and Damage Clauses" | Georgetown University Law Center | CLE | April 3, 2013
- » "AB 1103 Energy Use Disclosure Program for Commercial Property Owners" | Real Estate Newsletter | January 4, 2013
- » "AIA Contracts: If Only You Knew What You Don't Know" | International Council of Shopping Center's (ICSC) Law Conference | November 1, 2012
- » "California Real Estate Law Update: AB 1103 Requires Energy Use Disclosures for Commercial Property Owners" | Lawrope International News | October 4, 2012
- » Ravid Law Group Dirt Report "Guarantor Avoids \$42 Million Liability" | June 7, 2012
- » "I Don't Think We're in Kansas Anymore: Leasing Across International Borders" | Georgetown University Law Center | CLE | March 7, 2012
- » "Top 10 Issues in Big Box Leasing" | Los Angeles County Bar Association | January 4, 2012
- » "The Real Estate Show" | KGIL | 1999-2000 | January 1, 2000
- » International Council of Shopping Centers (ICSC) seminars | July 6, 1995