

Pre-Trial Legal Strategy and Expert Witness Experience

Tenant Dispute

Deposed as Expert Witness and participated in Pre-Trial Strategy on behalf of a national retail developer under a lawsuit initiated by tenant claims of disruption during suburban Virginia Shopping Center upgrade. Assessed Improvements in Tenant Mix, access and Design were multiple benefits –and Tenant claims to disruption of Parking refuted with specific customer sightline and turning preference analysis, along with a detailed analysis of Customer Satisfaction. Deposition credentials in mixed-use Retail were considered the principal reason for an immediate Tenant-induced settlement.

Anchor Dispute

Prepared Pre-Trial approach, assemble Courtroom-friendly exhibits, deposed as Expert Witness and Testified at Trial on behalf of Owner/Developer midway through a significant Retail component repositioning of an existing Arlington VA Mixed use project. Tenant initiated lawsuit over redevelopment rights and changes to parking, servicing and frontage. Strategy employed common-sense visuals and explanations, along with deep credentials and references to Urban Mixed-Use trends, and the significant opportunity presented to this tenant, as counters to claims of interruption and diminished sales. Court testimony was instrumental in resolving case outcome in client's favor.

Federated Bankruptcy

Participated in Pre-Trial strategy , was Deposed in New York City and appeared in front of main Bankruptcy Judge in Federal Court Cincinnati on behalf of LaSalle Partners in a dispute with Bloomingdales as Anchor replacement rights in Valley View Mall Dallas; Federal Court Expert Witness Testimony, and Deposition expository on the nature of Tenant Mix and Balance as important economic considerations for the owner and for other Mall merchants, were considered key elements in favorable finding.

Anchor Closing + Covenants

For TIAA/ CREF served as Expert Witness as was Deposed in an owner initiated lawsuit against the withdrawal of a Department Store Anchor in an Los Angeles urban Mixed-Use center, Credentials in Mixed-Use and experience permitted a deliberate strategy of stressing unique project design and dependency on Anchors –as well as an approach to quantify and describe important of Operating Covenants. Lawsuit settled after testimony.

Law Firm Mixed-Use Development

On behalf of a Washington DC Law Firm sued by an adjacent City for involvement with a failed Mixed Use project, was helpful in deciding a directed Deposition and Pre-Trial strategy to establish national trends and collapse of real estate lending markets as the prime drivers on the project failure. Deposition was followed by settlement.