

Real Estate

Disputes in the real estate industry can be pernicious—stalling progress on both development projects and core business goals. Companies need experienced real estate litigation lawyers on their side to protect their interests and give them the confidence to drive their business forward. Willenken has the industry knowledge and legal skill to transform even seemingly intractable disputes into winning results.

Since opening our doors in 2002, our firm has worked on a continuous stream of complex real estate litigation matters. We work hard to resolve issues at the earliest opportune moment for our clients—if possible before they become disputes. Where litigation is unavoidable, our creative attorneys develop strategies to meet the client's needs. Because of our extensive litigation experience, we can also provide companies with practical advice on how to lower their litigation risk through the revision of real estate agreements.

We have litigated and tried cases dealing with a wide range of matters including:

- Lease enforcement
- Contract disputes
- Licenses
- Easements and restrictive covenants
- Utility franchises
- Broker fraud
- Toxic torts
- Foreclosures
- Eminent domain and government takings

Team



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a few highlights from our history with real estate litigation

- We began our practice by representing the largest oil companies in the U.S. in environmental indemnity disputes related to landowners' inabilities to build on and develop land on both the plaintiff and defense side. These matters involved alleged violations of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).
- In 2008, when Starbucks announced it would close 600 stores worldwide, Willenken handled **the resulting litigation in California**.
- Starting in 2010, Willenken handled a six-year-long real estate battle for Walgreens regarding **a purported continuing operation clause**. Willenken won the Walgreens case on summary judgment and prevailed in the ensuing appeal.
- Over the last dozen years, Willenken has handled a variety of easement issues for investor-owned California utilities.
- Willenken is handling numerous real estate matters for the world's largest restaurant chain.