

PRACTICE GROUP  
LEADER

**Shawn M. Kent**

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SUB-PRACTICES  
Real Estate Litigation

ATTORNEYS

**Adam T. Bolt**

Associate

**Anders L. Bostrom**

Associate

**David W. Creeggan**

Shareholder

**David A. Diepenbrock**

Shareholder

**Mark E. Ellinghouse**

Shareholder

**Josh H. Escovedo**

Shareholder

**Alison E. Geddes**

Shareholder

**Louis A. Gonzalez, Jr.**

Shareholder

**Shawn M. Kent**

Shareholder

**Michael A. Kvarme**

Shareholder

**COMMERCIAL REAL ESTATE ATTORNEYS**

Weintraub Tobin's Commercial Real Estate attorneys have played a critical role in the growth and development of the greater Sacramento Region and communities throughout the state, representing clients in many of the largest and most complex real estate transactions and related financing structures to date. Whether these matters have involved the birth of a project, early-stage development, asset management, financing or disposition, or active disputes in arbitration and before the state and federal courts, our attorneys excel in providing reasoned, tactful guidance to help achieve client goals and minimize risk throughout the process. Our clients include developers, investors, financial institutions, homebuilders, property managers, brokers, contractors, construction companies, public entities, and high-wealth individuals. Our real estate attorneys practice throughout California, assisting in matters involving a wide variety of industries and asset classes and ranging from small to multi-million dollar transactions.

Of the diverse collection of matters in which our real estate team provides legal services, we have extensive expertise in the following:

REAL ESTATE ACQUISITIONS AND DISPOSITIONS

The acquisition and disposition of real estate often involve significant risk, requiring experienced advisors who can highlight potential exposure areas and provide creative, time-tested solutions. Our attorneys provide counsel through the sales process, including the drafting and negotiation of purchase and sale agreements, due diligence, title and environmental issues, and facilitation of the financing and escrow process. We assist clients with sales, acquisitions and exchanges of land, office, residential, retail, hotel, industrial, mixed-use, and other properties.

REAL ESTATE DEVELOPMENT



**Darrin M. Menezes**  
Shareholder

**Julie E. Oelsner**  
Of Counsel

**Josiah M. Prendergast**  
Associate

**Zachary Smith**  
Shareholder

**C. Darrell Sooy**  
Shareholder

From idea to groundbreaking to occupancy, our attorneys represent developers in the acquisition and development of land and real estate projects, including design, construction and builder contracts, ground leases, easement agreements, CC&Rs, licensing and regulatory compliance including environmental compliance agreements, construction and permanent financing, and related development documentation. We also work with large-scale community developments to create, manage, and enforce governing documents. In partnership with our tax practice, we offer counsel on Opportunity Zone developments and Qualified Opportunity Fund investments.

## LEASING AND LEASE ENFORCEMENT

Even the most straightforward lease transactions present exposure issues for landlords and tenants alike. We represent landlords and tenants in negotiating leases, subleases, and assignments across all relevant industry sectors, including industrial, office, and retail properties. This includes crafting letters of intent to frame the key lease terms, overseeing commencement and tenant improvements, and advising on complex lease interpretation issues. Our attorneys also assist with lease enforcement, guiding landlords and tenants through default issues and ensuring that the unlawful detainer process is completed in accordance with applicable law and the parties' agreement. Where desirable, we help structure creative lease settlements to minimize risk to the owner's property while preserving the tenant's interest in it.

## SECURED LENDING AND FINANCE

The success of a real estate project is typically driven by the strategic acquisition, deployment and management of capital. We advise both borrowers and lenders in secured and unsecured credit transactions, including construction, bridge, and permanent financing and related lines of credit or operating capital. Our lawyers assist clients with all aspects of the loan process, participating in the structuring, negotiating, documenting, closing, and administering of loans and the restructuring and workouts of troublesome financing structures. With experience representing both borrowers and lenders, our attorneys can provide a unique perspective on the interests of both parties, helping minimize unnecessary delays.

## ENTITY FORMATION

The structure of a real estate transaction is critical to preserving the expectations and interests of all parties involved, from developers to equity investors or owners. We offer a wide range of services in this area, such as assistance in structuring development and investment entities, drafting business plans, and completing fundamental business formations. We have extensive experience with the considerable array of entity choices, including joint ventures, limited partnerships, limited liability companies, and corporations. Each of these entities has many variations to manage distinct financial, operational, and tax goals that must be carefully considered to avoid future disputes.

## RESTRUCTURES AND WORKOUTS

In the event that an investment, project, or partnership goes sideways, our team offers extensive experience in both transactional and insolvency/restructuring matters, including negotiation and pre-litigation counseling, as well as assertion of debtors' and creditors' rights or resultant bankruptcies. We provide the best strategies for our clients while maintaining flexibility should litigation or insolvency prove necessary.

## CONSTRUCTION

The construction process does not always flow seamlessly from the ground to the written word. It is therefore critical to have experienced counsel, capable of bridging the gap between project manager and contractor. We have a broad range of experience advising clients in the construction industry, including drafting and negotiating construction contracts, enforcing liens, and resolving complex construction disputes. We represent developers, homebuilders, engineering companies, contractors, design professionals, and owners in all phases of the construction process, including contract review and negotiation, design issues, construction defects, lien preparation, and dispute resolution, including mediation, arbitration, and litigation in state and federal courts.

## RENEWABLE ENERGY DEVELOPMENT



Our real estate team has experience and expertise with solar, wind, and battery energy storage system projects. We have successfully represented clients in multiple aspects of renewable energy project development and ownership. Our clients include a broad scope of parties, including landowners, project developers, owners, investors, and contractors. The scope of services that we provide includes all of the primary aspects of development and ownership, from site acquisition, project development, tax counseling, and financing, to the purchase and sale of completed projects and project-owning entities.

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