Developers, commercial landlords, owners, real estate partnerships, limited partners, and REITs turn to McKool Smith for representation in a wide range of public and private real estate disputes. We handle matters concerning:

- Commercial office building appraisals
- Construction defects
- Contested easements
- Environmental, land use, and zoning disputes
- Disputes between lenders, owners, and developers of office buildings, hotels, shopping centers, and residential communities
- Real estate partnership interests

**Representative Matters**

Our attorneys’ real estate litigation experience includes the following matters, among others:

- **Alcoa.** Representation of Alcoa Power Generating, Inc. as lead trial counsel in defense of a case brought by the State of North Carolina concerning ownership rights to North Carolina’s second-largest river system and the right to control hydroelectric power in the Yadkin Valley.

- **Fontainebleau Litigation.** Secured settlements of $415 million from Bank of America as bank agent, directors and officers of Fontainebleau, and others on behalf of lenders in connection with claims arising out of the financial collapse of the Fontainebleau Resort and Casino project in Las Vegas.

- **Canyon Ridge Resort.** Secured a $36.5 million jury verdict on behalf of the developers of Canyon Ridge Resort against financial services firm Sterne Agee & Leach, Inc. and one of its former investment bankers, Edmund J. Wall. The developers of Canyon Ridge Resort, a planned hotel and convention center in Walker County, Georgia, accused the defendants of breaching various contractual and fiduciary duties by creating and promoting a development project that competed with the development project Canyon Ridge Resort had hired the firm to help promote. The trial is reported to be the longest and the verdict one of the largest, if not the largest, in Hamilton County, Tennessee history.

- **The Archdiocese of Los Angeles.** Representation of the Archdiocese of Los Angeles in litigation concerning the sale of the Villa San Giuseppe, a former convent in the Los Feliz area of Los Angeles. The Archdiocese entered into a
transaction to sell the property to international pop star Katy Perry. Before the sale closed, two nuns who formerly resided at
the convent, without authorization, attempted to transfer the property to another seller. The court granted our lawyers’
motion for summary adjudication in its entirety, clearing the way for the Archdiocese to move forward with the sale to Katy
Perry.

- **Lake Las Vegas Creditors Trust.** Lead counsel for Creditors Trust in an action for recovery of $470M fraudulent transfer
arising from transfers from real estate resort prior to bankruptcy.

- **Maguire Properties.** Served as the primary litigation counsel for Maguire Properties, one of the largest commercial office
developers in Los Angeles, in securing and maintaining valuable rights for Maguire with respect to a 1000-acre complex
development project. The firm has represented Maguire in three separate actions pertaining to the development project, the
first resulted in a favorable settlement, the second resulted in an award in Maguire’s favor on all issues, and the third action
resulted in a confidential settlement.

- **Commercial Landlord Dispute.** Represented a New York commercial landlord in a dispute concerning the tenant’s right to
invoke an early-termination provision of the lease. The matter settled before trial.

- **National Home Builders.** Served as lead counsel for defendants KB Home, Lennar, Meritage Homes, Pulte Homes, Ryland,
and Toll Brothers in a case brought by Wachovia Bank in New York. In its suit, Wachovia claimed the defendants and their
subsidiaries breached their duties to construct a master planned community in Las Vegas, Nevada under various “completion
guaranties” and sought to recover more than $500 million. The matter was settled on highly favorable terms for our client.