



## Real Estate Litigation

The Real Estate Litigation Practice Group provides litigation advice in the context of pre-suit analysis and alternatives to prevent and avoid litigation. It is not uncommon for the Firm's clients, whether developers, investors, real estate brokerage companies, or landlords to seek pre-litigation advice and planning.

The Firm's attorneys advise clients on a myriad of legal issues, from the most mundane to extremely complex partnership disputes relating to commercial real estate projects. The Firm's attorneys have expertise in the following types of matters:

- Ad valorem tax disputes (appraisal district litigation)
- Arbitration proceedings
- Asset management disputes
- Common area maintenance (CAM) chargebacks
- Complex settlement agreements (multi-property and complex control/ownership transfer issues)
- Condemnation proceedings (municipal code enforcement actions)
- Fiduciary duties of general partner to limited partnership and limited partners
- Forcible entry and detainer actions
- Fraudulent concealment of construction defects
- Investment fraud transactions
- Landlord/tenant disputes (retail and office)
- Lender liability
- Mechanic's, contractor's, or materialman's lien disputes
- Partnership disputes (post-separation agreements, "bad boy guarantor" provisions)
- Pre-suit mediation
- Property valuation disputes
- Purchase/sale agreements (earnest money, title commitment, and survey issues)
- Real estate agent liability
- Residential construction

In the real estate arena, Cowles & Thompson also works with clients in the areas of acquisitions, joint ventures, management, sales, financing and leasing. In addition to this the firm works with clients in the area of real estate development, commercial landlord representation, financing transactions and restructuring leases and agreements.

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