

Construction & Real Estate Litigation

A quick response to disputes affecting construction projects and real estate transactions is important to our clients' bottom line. Our experienced construction and real estate litigators help clients respond timely to resolve conflicts or defend their interests in litigation.

We protect clients' rights in projects and transactions troubled by insolvency or bankruptcy and pursue foreclosures and loan workouts involving real property. Our legal services to lenders, owners, developers and other clients include the full range of disputes.

- Claims resolution under construction contracts, including those involving delay, disruption, acceleration, and changed condition issues;
- Defective design and construction claims;
- Performance and payment issues, including addressing termination rights and pursuing performance bond claims;
- Bid protests;
- Surety claims;
- Mortgage-related claims;
- Landlord-tenant disputes; and
- Title disputes.

Representative Matters

Quasi-state agency—\$7 million judgment against construction loan guarantors

Represented a quasi-state agency in a suit against individual guarantors to recover \$6 million of construction loan proceeds. Obtained a \$7 million judgment and currently seek to recover assets fraudulently conveyed by guarantors to various family members to avoid satisfaction of the judgment.

National bank—Summary judgment against defaulted borrower

Asserted claims for declaratory judgment and mortgage reformation in title litigation case against a defaulted borrower, on behalf of a national bank. Moved for and obtained summary judgment on equitable subrogation grounds.

Real estate developer—Dismissal of implied view easement action

Defended a real estate developer against a claim of implied view easement asserted by a beachfront property owner who claimed that our client's renovation of a residential property blocked his view of the ocean. Case was dismissed on a successful Rule 12(b)(6) motion.

Consolidated Rail Corporation—Successful opposition to municipality's effort to condemn railroad property

Represented Consolidated Rail Corporation in the Superior Court of New Jersey (Middlesex County, Chancery Division) in opposing the Borough of Carteret's efforts to inspect and condemn railroad property by successful asserting preemption under federal law.

Speaking Engagements

Financial Fraud, 2016 NJ State Bar Association's Annual Meeting, 5.19.2016

Redevelopment in New Jersey: Strategies for Success, 4.3.2014

Quoted

Lawsuit Alleges Collusion, Inflated Commissions Among Realtors, Forbes, 3.19.2019