

HIGHLIGHTS OF REAL ESTATE AND FINANCIAL INSTITUTION EXPERTISE

Following six years of hard-fought litigation, BartkoZankel recovered more than \$115 million for a group of real estate developer investors ensnared in a mortgage fraud Ponzi scheme. This litigation originated in San Diego federal court and resulted in several separate suits against a major bank and several professional firms. In the course of the litigation, the firm won a landmark victory in the California Supreme Court that eliminated contract provisions waiving the right to jury trial.

In another success, the firm obtained a \$108 million jury verdict against a well-known investment bank for failure to provide takeout financing. The case was settled on appeal for \$36 million.

BartkoZankel also has extensive experience in all aspects of the real estate industry. We have represented many well-known developers, syndicators, and REITs as well as lenders in high-stakes litigation and workouts. The firm has successfully represented borrowers in suits brought by major lenders, including a jury trial seeking to enforce a guaranty signed by the developer of a failed housing project. We have also represented many real estate lenders in lender liability cases and, as a consequence, are well-versed in the tactics and strategies employed in such disputes from both a lender's as well as a borrower's or guarantor's perspective. The firm has appeared as counsel in courts throughout California as well as in New York and Nevada, including jury trials in the Sacramento federal and state courts. We have also worked extensively with bankruptcy counsel throughout the state in major bank debt restructuring efforts.

BartkoZankel formalized a long-standing Of Counsel relationship with Lovitt & Hannan, a firm that also has had extraordinary success in litigating large complex commercial cases.
