



Land Use Group at Forefront of Heritage Fields Project in El Toro

Gilchrist & Rutter recently announced that three well-regarded land use attorneys have joined the firm. The attorneys—*Robert “Mac” McMurry*, *A. Catherine “Katie” Norian*, and *Elisa Paster*—have extensive experience in land use, entitlements and CEQA compliance, and bring to the firm a number of prominent clients.



Robert I. McMurry



A. Catherine Norian



Elisa L. Paster

The Land Use Group is currently spearheading the entire entitlement process for one such client, Heritage Fields, El Toro LLC (Heritage Fields), which owns an approximately 2,400-acre property located near Irvine, CA. The property is, most notably, part of the former U.S. Marine Corps Air Station El Toro (MCAS El Toro) that was shuttered in 1999. In 2005, after an extensive environmental clean-up, the U.S. Department of Defense auctioned the land for \$650 million to Heritage Fields, a joint venture of developer Lennar Corporation and several other firms.

[To read more about the proposed development of the former air base, please visit GilchristRutter.com]

Gilchrist & Rutter’s Land Use practice group will continue to represent Heritage Fields throughout the entire entitlement process (i.e., the application to the City of Irvine) for the Great Park Neighborhoods project. This includes ensuring compliance with the California Environmental Quality Act (CEQA) and various planning and zoning laws, along with meeting with City staff and officials, appearing at public hearings, and defending the project in court in the event it is challenged. It is in capable hands: the firm’s Land Use Group has a near-perfect record in producing accurate results, and has prevailed in every CEQA-related lawsuit against its clients.

Market Outlook from G&R Attorneys ...



Richard H. Close

We recently noticed that lenders, buyers, and property owners are more optimistic about financial conditions in 2011 than they have been for many years.

Lenders, believing property values have at last hit bottom, are not as concerned that the value of a property will fall below the amount of the loan. At the same time, they have more funds to lend, and in order to generate profits they need to make loans. As the competitive financial market continues, lenders are competing to make more loans.

Buyers, meanwhile, believe the market has stabilized, and that this is the time to buy. Property owners, too, are more confident, but often don’t realize that a property worth \$10 million in 2007 may be worth only \$7 million in 2011. The properties will eventually regain their initial values, but for some, it may take a few years.

Richard Close is a partner at Gilchrist & Rutter.

Super Lawyers® Recognizes Six Gilchrist & Rutter Partners



Six Gilchrist & Rutter attorneys have been ranked as 2011 *Super Lawyers* by Southern California Super Lawyers magazine in the areas of Real Estate and Environmental law: (from left to right) *Duane M. Montgomery*, *Frank Gooch III*, *Jonathan S. Gross*, *Richard H. Close* and *Donald C. Nanney* (not pictured: *Robert McMurry*). Only five percent of the lawyers in the state are recognized for their accomplishments by *Super Lawyers*.

Super Lawyers is an annual ranking of outstanding lawyers from more than 70 practice areas who have achieved a high degree of peer recognition and professional achievement.

Continued ...

Deals & Judgments



Gilchrist & Rutter regularly handles real estate transactions, litigation, and related matters for clients dealing with a range of issues. Below are recent representative deals and judgments. To talk with us about a similar deal or matter, contact the listed attorney.

\$58M acquisition of entertainment and office complex on behalf of an investor and co-promoter joint venture. (*Duane Montgomery* and

Jonathan Gross)

- 38,000 square foot office lease for a major architectural firm in downtown Los Angeles. The construction build out will involve substantial base building modifications pursued under a unique risk sharing model. (*David Lambert*)
- Obtained a very favorable settlement in a “failure to maintain” lawsuit against a mobilehome park client. The full amount of the settlement was paid by the client’s insurance company. (*Tom Casparian* and *Richard Close*)
- 9 Megawatt wholesale data center lease in Santa Clara, CA obtained for a major social networking business on behalf of the landlord. (*David Lambert*)
- Phase I and II environmental due diligence for successful acquisition of an industrial property in Los Angeles County. (*Don Nanney*)
- Obtained a writ of mandate against the City of Chino, overturning the city’s denial of the firm’s client’s 260-unit subdivision application. (*Tom Casparian* and *Yen Hope*)
- Telecommunications license extended for 5 years for REIT owner of prominent downtown Denver office/retail project. (*Steven Heller*)
- 37,000 square foot office lease in Alexandria, VA on behalf of the tenant. (*David Lambert*)
- Successfully defended a Proposition 65 claim by a bounty hunter alleging Di(2-ethylhexyl)phthalate (DEHP), a carcinogen, in a children’s toy product, without any payment to the claimant. (*Don Nanney*)
- Early dismissal of a class action before trial on behalf of the landlord. The landlord’s residents alleged unfair business practices. (*Tom Casparian* and *Christine Page*)

Gilchrist & Rutter provides updates on legal trends as a service to keep our valued clients and friends informed of the latest legal news. It is designed only to give general information on the developments actually covered. It is not intended to be a comprehensive summary of recent developments in the law, treat exhaustively the subjects covered, provide legal advice or render a legal opinion.

If you would like to obtain full text versions of any of the articles mentioned in our newsletter or would like to receive our newsletter via email, please contact us at the address and/or telephone number listed below, send an email to Gilchrist&Rutter@GilchristRutter.com, or visit our website: www.GilchristRutter.com and click the “Articles” link.