

Representative Law Firm Clientele and Litigation Matters

A. Civil Litigation:

1. Arter & Hadden (San Francisco):

- Retained by Plaintiff's counsel to provide expert opinions via deposition on the land entitlement process and the feasibility of a commercial condominium conversion

2. Baker & Hostetler:

- Retained by Defendant's counsel to prepare a private plan of reorganization for a homebuilding company with numerous secured and unsecured creditors where corporate assets were comprised primarily of land in the entitlement and development process

3. Baker, Kenner & Nahra:

- Retained by Plaintiff's counsel to review federal regulations and survey the market relative to "Greening"

4. Carlsmith, Ball, Wickman, Case & Ichiki (Hawaii):

- Retained by Plaintiff's counsel to provide litigation support with regard to construction loan administration, disbursement procedures, and standard banking practices in connection with disputed payment claims on a large commercial real estate project

5. Cappello & McCann (Santa Barbara):

- Retained by Plaintiff's counsel to provide expert opinions by deposition regarding wrongful foreclosure and damages relating to real property financing secured by a large, multi-tenant office building;
- Retained by Plaintiff's counsel to provide expert opinions by deposition and at an arbitration hearing regarding the benefits provided to borrowers and buyers by instruments which contain assumption clauses;
- Retained by Plaintiff's counsel to provide expert witness testimony with regard to factoring of a large clothing manufacturer and subsequent replacement financing;
- Retained by Plaintiff's counsel to provide expert witness testimony with regard to joint venture agreements and financing associated with a technology venture for the development of smart-card services;
- Retained by Plaintiff's counsel to provide expert witness testimony with regard to a \$22 million line of credit to finance construction of build-to-suit retail stores nationwide;
- Retained by Plaintiff's counsel to provide litigation support and expert opinions with regard to the financing of a Santa Barbara hotel

6. Cappello & Noel (Santa Barbara):

- Retained by Defendant's counsel to provide expert witness opinions relative to working capital financing and lender liability claims;
- Retained by Plaintiff's counsel to consult and advise on regulations governing the mortgage lending industry, and standard practices therein

7. Carroll, Kelly, Trotter, Franzen & McKenna:
 - Retained by Defendant's counsel to provide expert witness testimony related to financing of hospitals, title insurance coverage and issues in an insolvency proceeding
8. Castro and Associates :
 - Retained by Plaintiff's counsel to provide expert witness testimony regarding the ability of property owner to procure financing for seismic retrofitting of a commercial building
9. Chapman, Glucksman & Dean:
 - Retained by Plaintiff's counsel to provide litigation support services with respect to standard banking and credit union depository practices in a case involving embezzlement of funds
10. Cohen & Cotton (Arizona):
 - Retained by Defendant's counsel to provide assistance in discovery, consulting services and expert opinions by deposition on creditor's rights law and lender liability with regard to an aviation venture, along with inter-related business and personal loans;
 - Retained by Plaintiff's counsel to provide assistance in discovery, consulting services and expert opinions by declaration on behalf of a publicly traded communications company in litigation involving standard banking practices (*Mr. Rodriguez's testimony was cited in support of the Plaintiff in a published Arizona appellate decision*)
11. Cohen Kennedy Dowd & Quigley (Arizona):
 - Retained by Plaintiff's counsel to provide expert witness opinions with regard to the capital markets and working capital financing that involved a national equipment rental and storage company;
 - Retained by Plaintiff's counsel to consult and advise regarding industry standards in the administration of a construction loan on residential condominium towers
12. Cox, Castle & Nicholson:
 - Retained by Plaintiff's counsel to provide expert opinions by deposition involving the enforcement of a brokerage fee agreement
13. Ericksen, Arbuthnot, Kilduff, et al:
 - Retained by Defendant's counsel to provide expert opinions involving claims related to alleged fraud against a mortgage banking business
14. Fenigstein & Kaufman:
 - Retained by Debtor's counsel to provide consulting services in connection with the restructure of \$12 million in senior and junior debt secured by two retirement homes and a nursing center
15. Foley, Bezek & Komoroske (Santa Barbara):
 - Retained by Plaintiff's counsel to provide assistance in discovery, expert opinions via declaration and deposition on standard banking practices



- relating to acquisition and development financing for 250 acres of land zoned for residential use;
- Retained by Defendant's counsel to provide expert opinions relative to working capital financing and loan collection practices;
 - Retained by Plaintiff's counsel to provide expert witness opinions regarding loan administration and collection practices related to working capital loans
16. Ford, Walker, Haggerty & Behar:
- Retained by Plaintiff's counsel to provide expert opinions by deposition regarding standard banking practices and the appropriateness of draws under various letters of credit relating to infrastructure financing of a 4,000 lot residential development
17. Frاندzel, Robins, Bloom & Csato, LC:
- Retained by Defendant's counsel to provide expert opinions by deposition and at trial regarding standard lending practices for the financing of a forklift dealership guarantor obligations
18. Garrett & Tully:
- Retained by Defendant's counsel to provide assistance in discovery and litigation support for a case involving second trust deeds and other subordinate mortgage instruments secured by seven commercial properties;
 - Retained by Defendant's counsel to provide expert opinions regarding encroachments, feasibility and damages associated with the partial development of a \$6.5 million residential project;
 - Retained by Defendant's counsel to render expert opinions on underwriting and standard banking practices relative to \$8 million in accounts receivable financing and commercial credit to an aerospace parts manufacturer;
 - Retained by Defendant's counsel to provide expert opinions on industry standards in underwriting large acquisition and development loans for special use residential properties
19. Gibson Dunn & Crutcher:
- Retained by Defendant's counsel to provide expert testimony related to the construction financing of a large mixed use project
20. Gray, Cary, Ware & Freidenrich (San Francisco):
- Retained by Plaintiff's counsel to provide expert opinions in a case involving home loan financing and foreclosure proceedings imposed by a nationally recognized home mortgage provider (pro-bono)
21. Greenberg, Glusker, Fields, Claman & Machtinger:
- Retained by Plaintiff's counsel to provide expert opinions by declaration and deposition regarding real property financing, indemnity and guaranty agreements relating to financing on a large, multi-tenant office building;
 - Retained by Defendant's counsel to provide expert opinions in defense of a lender liability lawsuit involving financing for a multi-tenant office project
22. Hinshaw & Culbertson:
- Retained by Claimant's counsel to consult and opine on the accounting classification of a pool of mortgages



23. Homan & Lobb:
 - Retained by Debtor's counsel to provide consulting services and to negotiate the restructure of a commercial loan secured by a 154,000 square foot retail property with substantial toxic contamination
24. Howrey:
 - Retained by Plaintiff's counsel to provide litigation support and expert witness testimony in a case involving fraud through a foreclosure prevention scheme (pro –bono)
25. Howrey & Simon:
 - Retained by Defendant's counsel to provide consulting services and expert opinions in the defense of lender liability and fraud claims asserted with relation to a bulk loan sale and specifically regarding a \$25 million note secured by a multi-family property
26. Jeffer, Mangels, Butler & Marmaro:
 - Retained by Defendant's counsel to prepare a private plan of reorganization for a homebuilding company with numerous secured and unsecured creditors where corporate assets were comprised primarily of land in the entitlement and development process;
 - Retained by Owner's counsel to provided consulting services on a matter involving a major restaurant chain and the sale of a retail center subject to encumbrances
27. Jones Skelton & Hochuli (Arizona):
 - Retained by Defendant's counsel to provide expert testimony related to prepayment penalties and yield maintenance clauses in commercial real estate finance
28. Katten, Muchin, Zavis & Weitzman:
 - Retained by Defendant's counsel to provide expert opinions by deposition regarding a lender's enforcement of a guarantor's obligations subsequent to a bank's foreclosure on a 60,000 square foot office building securing a \$13 million loan
29. Kutak Rock:
 - Retained by Defendant's counsel to provide expert testimony relative to standard industry practices in consumer credit underwriting
30. Lamb & Kawakami:
 - Retained by Plaintiff's counsel to provide expert testimony related to standard practices in the banking industry relative to demand deposit accounts
31. Levene & Eisenberg:
 - Retained by Plaintiff's counsel to provide litigation support, consulting services and expert opinions by deposition regarding standard banking practices and a creditor's damages associated with an equity line of credit aggregating over \$20 million secured by fourteen real estate projects



32. Mahaffey & Associates:
 - Retained by Plaintiff's counsel to provide expert opinions by deposition and at jury trial related to standard banking practices, loan approval and the wrongful foreclosure on real property
33. Mathew & Mathew (Arizona):
 - Retained by Defendant's counsel to provide expert opinions by deposition and at trial related to standard banking practices, construction lending and the workout process for loans secured by a phased master-planned residential community
34. Law Offices of Michael Flynn (San Francisco):
 - Retained by Plaintiff's counsel to provide litigation support and consulting services in connection with lender liability litigation involving a \$13 million loan secured by an apartment building in San Francisco, CA
35. Miller Shackman & Beem (Chicago):
 - Retained by Plaintiff's counsel to provide expert testimony on standard practices in construction financing and the use of retentions
36. Miller, Star & Regalia (Walnut Creek):
 - Retained by Owner's counsel to provide consulting services in connection with a chemical company's efforts to procure financing for the acquisition of its plant
37. Meyer, Hendricks & Bivens (Arizona):
 - Retained by Plaintiff's counsel to provide expert witness testimony with regard to Off-Balance Sheet SPE financing provided to a national restaurant chain
38. Moss & Barnett (Minnesota):
 - Retained by Defendant's counsel to provide litigation support and expert testimony at jury trial involving fraud in mortgage warehouse lending and the warehouse lender's purported reliance on audited financial statements
39. Mullen & Henzell (Santa Barbara):
 - Retained by Defendant's counsel to provide litigation support and expert opinions regarding industry standards in the underwriting of construction loans on a high end residential development.
40. Munger, Tolles & Olson:
 - Retained by Owner's counsel to provide consulting services related to the workout of over \$20 million in senior and subordinate real estate financing and the restructure of a partnership agreement containing over 50 constituents
41. Owens & Goch Ray:
 - Retained by Plaintiff's counsel to provide expert opinions related to acquisition financing for convalescent and guest home facilities



42. Peterson, Weyand & Martin (San Francisco):
- Retained by Plaintiff's counsel to provide expert opinions in a case involving home loan financing and foreclosure proceedings imposed by a nationally recognized home mortgage provider
43. Pillsbury, Winthrop:
- Retained by counsel to a LLC Member in a dispute over a development of a residential master-planned community and related \$35 million revolving line of credit
44. Poli and Ball (Arizona):
- Retained by Plaintiff's counsel to provide expert opinions as it relates to standard banking practices in lending, work-out and exercise of remedies in connection with a construction loan on a multi use project
45. Roberts & Associates:
- Retained by Defendant's counsel to provide litigation support in a case involving working capital financing provided to a technology company
46. Ropers Majeski Kohn & Bentley (San Francisco):
- Retained by Defendant's counsel to provide expert testimony related to credit reporting associated with credit card fraud;
 - Retained by Defendant's counsel to provide expert testimony related to the charge off and credit reporting thereof in a consumer bankruptcy case;
 - Retained by Defendant's counsel to provide expert testimony in a case involving the repossession of a high end automobile
47. Rogers & Sheffield (Santa Barbara):
- Retained by Defendant's counsel to provide litigation support and consulting services surrounding the settlement of various judgments obtained by a major bank in connection with various loans aggregating \$5 million secured by real estate, crops and otherwise unsecured debt
48. Ross, Sacks & Glazier:
- Retained by Plaintiff's counsel to provide assistance in discovery, consulting services and litigation support with respect to the mismanagement of a testamentary trust which involved development, financing and management of various income properties
49. Roshka DeWulf and Patten (Arizona):
- Retained by Defendant's counsel to provide litigation support and expert testimony on commercial and consumer loan underwriting standards
50. Roshka, Heyman & DeWulf (Arizona):
- Retained by Defendant's counsel to provide expert opinions by deposition relative to lending and collection practices that involved financing secured by a private aircraft



51. Saltzburg, Ray & Bergman:
- Retained by Limited Partner's counsel to provide a feasibility analysis related to the proposed development of a \$50 million master-planned residential community
52. Sedgwick, Detert, Moran & Arnold (Los Angeles):
- Retained by Defendant's counsel to provide an expert witness report and testimony in federal court with regard to alleged losses in excess of \$150 million on eight acquisition and development loans secured by residential land in various stages of entitlements;
 - Retained to provide a litigation support services with regard to the evaluation of claims associated with foreign trade accounts receivable financing;
 - Retained to provide litigation support services with regard to the evaluation of claims associated with financial institution losses alleged to have stemmed from check kiting by a telecommunications company and manipulation of customer accounts by a branch manager;
 - Retained to provide litigation support services with regard to \$60 million in accounts receivable financing for a company involved in the sale of perishable goods;
 - Retained by Defendant's counsel to provide expert opinions regarding consumer lending and collection practices;
 - Retained by Defendant's counsel to provide expert opinions in arbitration related to the encashment of fraudulent checks;
53. Sedgwick, Detert, Moran & Arnold (San Francisco):
- Retained by Defendant's counsel to consult, advise and provide expert testimony in a matter involving commercial real estate finance
54. Sedgwick, Detert, Moran & Arnold (Irvine):
- Retained by Plaintiff's counsel to provide expert testimony on standard practices in construction financing and the use of retentions
55. Sheppard, Mullin, Richter & Hampton(Los Angeles):
- Retained by Plaintiff's counsel to provide litigation support services and expert witness testimony with regard to repurchase agreements triggered by mortgage fraud;
 - Retained by Plaintiff's counsel to provide litigation support services and expert testimony with regard to standard lending practices in the construction financing of a high rise residential apartment project
56. Sheppard, Mullin, Richter & Hampton (San Diego):
- Retained by Defendant's counsel to provide expert witness testimony by deposition relative to a yield maintenance provision in a commercial real estate loan agreement (San Diego);
57. Shughart, Thompson & Kilroy (Arizona):
- Retained by Plaintiff's counsel to provide expert witness opinions by deposition in a case involving the termination of a loan commitment issued for the acquisition of a 16-franchise restaurant chain



58. Smith & Rendon:
 - Retained by Plaintiff's counsel to provide expert witness testimony in a case involving the financing of contaminated real property
59. Stradling, Yocca, Carlson & Rauth:
 - Retained by Defendant's counsel to provide litigation support and consulting services related to a disputed sale transaction and \$2.5 million in real estate financing
60. Sutherland, Asbill & Brennan, LLP (Georgia):
 - Retained by Defendant's counsel to provide litigation support and expert testimony in a jury trial involving a fraud perpetrated by a Florida perfume distributor on a bank syndicate that had extended a \$60 million account receivable line of credit and the syndicates purported reliance on the company's audited financial statements
61. The Law Offices of Thomas. Kelly (Santa Rosa):
 - Retained by Plaintiff's counsel to provide expert witness testimony related to regulatory compliance issues in indirect automobile financing by a credit union
62. Weston Benshoof:
 - Retained by Plaintiff's counsel to provide expert opinions related to acquisition financing for convalescent and guest home facilities
63. Williams & Kilkowski:
 - Retained by Defendant's counsel to provide litigation support and consulting services in defense of a lender liability lawsuit in connection with financing on an automotive site
64. Wulfsbert, Reese, Colvig & Firstman:
 - Retained by Defendant's counsel relative to standard lending and collection practices on resort properties

B. Bankruptcy Matters:

1. Allen, Matkins, Leck, Gamble & Mallory:
 - Retained by Debtor's counsel to provide expert opinions via declaration and at bench trial regarding market rates of interest and feasibility for a reorganization including a \$1.8 million loan secured by a retail center. *Result: for Debtor, plan confirmed;*
 - Retained by Creditor's counsel to provide expert opinions via declaration and at bench trial regarding market rates of interest and opposition to a reorganization including a \$500,000 loan secured by an apartment project (*Result: for Creditor, relief from stay granted;*)
 - Retained by Debtor's counsel to provide expert opinions via declaration and at bench trial regarding market rates of interest in support of reorganization involving an \$8 million loan secured by land in the entitlement process with issues related to both the Coastal Commission and environmental remediation (*Result: for Debtor, rate confirmed*)



2. Foley, Bezek & Komoroske:
 - Retained by Debtor's counsel to provide consulting services involving the extension of commercial credit to, and corporate borrowings by, a construction company which had filed for Chapter 11 protection (*Result: jury verdict for Debtor*)
3. Gumport, Reitman, & Montgomery:
 - Retained by the U.S. Trustee to provide expert opinions at the bench trial regarding equitable subordination and other aspects of multi-party litigation asserted in *Real Estate of Bruce McNall* (*Result: judgment in favor of the U.S. Trustee*)
4. Jeffer, Mangels, Butler & Marmaro:
 - Retained by counsel for a secured creditor to provide expert witness testimony by declaration and at trial on a matter involving the repair and renovation of a condominium complex
5. Levene, Neale & Bender:
 - Retained by Debtor's counsel to provide expert opinions via declaration on market rates of interest and plan feasibility for the reorganization involving a \$5.9 million first trust deed secured by a 142 unit apartment building (*Result: for Debtor, plan confirmed*);
 - Retained by Debtor's counsel to provide expert opinions by declaration on interest rates and feasibility for a reorganization including approximately \$5 million in real estate and manufacturing assets (*Result: for Debtor, plan confirmed*)
6. Orrick, Herrington & Sutcliffe:
 - Retained by Creditor's counsel to provide expert testimony in opposition to Debtor's plan which involved a cram-down of a secured creditor with a \$30.7 million A&D loan on a former brown-field site which was in the process of being remediated and developed into 640 residential lots (*Result: Case settled prior to confirmation hearing*)
7. Sheppard, Mullin, Richter & Hampton:
 - Retained by Creditor's counsel to provide expert opinions on lender liability, damages and valuation in defense of lender liability claims and bankruptcy litigation surrounding the partial completion of a \$30 million apartment complex (*Result: settlement by the parties*)
8. Stutman, Treister & Glatt:
 - Retained by Debtor's counsel to provide expert opinions by declaration and at bench trial regarding market rates of interest, indubitable equivalent collateral and feasibility of a reorganization involving numerous commercial properties in New York (*Result: for Debtor, plan confirmed*);
 - Retained by Debtor's counsel to provide expert opinions by declaration and at bench trial regarding market rates of interest and feasibility for a reorganization involving \$10 million of financing secured by several retail automobile dealerships (*Result: for Debtor, plan confirmed*)



9. Law Offices of Michael Weiner:
 - Retained by Debtor's counsel to provide expert opinions by declaration in support of a reorganization involving a \$5.4 million first trust deed secured by a 135 unit apartment building (*Result: for Debtor, plan confirmed*)

10. Winston & Strawn:
 - Retained by counsel to trustee in bankruptcy to provide expert opinions related to commercial credit underwriting standards

