

ARTHUR L. PEARLMAN – LITIGATION SUPPORT

Selected Real Estate Litigation Support Assignments:

- Retained by project's owner on issues relating to a lawsuit filed by a major NY Stock Exchange tenant against the Owner's decision not to proceed with a multi-million dollars mixed use development in East Los Angeles. The matter required Pearlman's analysis of the suitability of proceeding with the development in today's real estate climate relative to the major tenant's desire and contractual commitment to expand their store. The case settled prior to trial.
Mark, Weinstein; MJW Investments
- Retained by counsel and owner of a major automobile dealership vs a competitor's desire to open the same branded automobile dealership within the same contractual trade area. Pearlman was focused towards the real estate issues related to the plaintiff's existing and future business model, ingress and egress and other real estate matters of the competitor's proposed location. This was settled before binding arbitration occurred.
Greg Ferruzzo, Esq; Ferruzzo & Ferruzzo , LLP
- Retained by the counsel to a municipal water district to provide an opinion of the viability of a proposed shopping center when the plaintiff claimed they were delayed due to a major pipeline construction project within this inverse condemnation action. Testimony was developed to refute plaintiff's assertion that the plaintiff's proposed project was not viable and could not have been developed even if the MWD pipeline project was never built. The case settled in favor of the MWD.
Niv Davidovich, Esq; Orbach, Huff, Suarez & Henderson, LLP
- Retained by the property owner's counsel to analyze and prepare testimony for trial that an existing oil easement thru the plaintiff's property, including buried vaults, impacted the value of plaintiff's ability to develop its property to its highest and best use. Pearlman was successful in presenting alternative plans and mix of uses that could be incorporated into the site if the defendant relocates its facilities to a location or locations where they would be less of an interference to the properties highest and best uses. The contractual easements were removed by the defendant. The case was settled prior to trial.
Tom Freiberg, Esq; Mitchell Silberberg & Knupp, LP
- Retained by counsel for Department of Water and Power regarding their suit against the owner, Cal Trans, City, and local water districts to recapture previously paid awards to the project's owners. Pearlman was retained to determine the impact of easements, freeway, water pipelines, retention basins upon the project's owners and tenants to open with certificates of occupancy subject to the impacts of these easements. Pearlman presented analysis of uses, tenants, easements and the project's viability; the case was settled.
Kevin Dorse, Esq; Theodora Oringher Miller & Richman, PC
- Retained by counsel to analyze and prepare testimony for trial of an existing mixed-use retail, office center. Expertise was focused towards existing uses vs proposed partial change to residential units. Pearlman was asked to prior vs proposed uses, zoning and ordinances as well as City entitlements. Proposed project was neither approved nor deemed viable by the City. The case was settled prior to trial.
Barry MacNaughton, Esq; Ervin Cohen & Jessup