



**Earn up to 18.25
Hours MCLE Credit**
Includes Credit in Legal Ethics,
Elimination of Bias, and
Competency Issues

38TH Annual Real Property Law Section Spring Conference

May 2-5, 2019 | Hyatt Regency Newport Beach | Newport Beach



Schedule of Events

A leading educational conference for California real estate practitioners featuring continuing legal education seminars, networking receptions and entertainment activities

THURSDAY, MAY 2

- 3:00 PM – 5:30 PM **REGISTRATION – Plaza foyer**
- 5:00 PM – 5:30 PM **FIRST-TIME ATTENDEE ORIENTATION – PATIO ROOM**
- 5:30 PM – 7:30 PM **WELCOME RECEPTION – AMPITHEATER**
Welcome to the 38th Annual Real Property Spring Conference reception
Complimentary (hosted food and drinks)

FRIDAY, MAY 3

- 7:00 AM – 5:00 PM **REGISTRATION/EXHIBITS**
- 7:00 AM – 8:00 AM **WELCOME BREAKFAST – Plaza Arbor**
Complimentary. RSVP required on registration form.
- 8:00 AM – 9:00 AM **PLENARY—UNINTENDED CONSEQUENCES OF SCORCHED EARTH, ATTACK DOG TACTICS (1 HOUR LEGAL ETHICS MCLE) – Plaza Ballroom 1**
In this session, Justice Eileen C. Moore and Judge Kimberly A. Knill will review cases and decisions addressing attorney misconduct and resulting consequences, while providing an overview of guidelines of civility and professionalism expected of attorneys practicing law in California. One hour ethics credit.
- [1] **Speakers:** Hon. Kimberly Knill, Superior Court of California, Orange County
Justice Eileen Moore, Fourth District Court of Appeal, Division Three
- 9:00 AM – 9:15 AM **BREAK**
- 9:15 AM – 10:30 AM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**
- [2] **Advanced Planning Opportunities with 1031 Exchanges – Plaza Ballroom 3**
This panel will explore advanced planning opportunities with 1031 tax deferred exchanges including combined reverse improvement and forward exchanges, combined forward reverse exchanges, zero equity exchanges, acquiring promissory notes in a 1031 exchange, 1031 exchanges into improvements made on a property owned by a taxpayer, and non-safe harbor reverse 1031 exchanges with discussion on the *Bartel v. Commissioner* case.
- Speakers:** William Exeter, President and Chief Executive Officer, Exeter 1031 Exchange Services, LLC
Phillip Jelsma, Esq., Partner, Crosbie, Gliner Schiffman, Southard & Swanson LLP
- [3] **Is Artificial Intelligence Taking Over the Practice of Real Estate? – Plaza Ballroom 2**
This lecture will capture the way artificial intelligence is changing real estate practice from time saving innovations, marketing infiltration, security vulnerabilities and eliminating the real estate professional.
- Speakers:** Todd Sexton, MBA, President and CEO, Identillect
Holly M. Barberi, General Manager and In House Counsel, Vista Sotheby's International Realty
- [4] **Marriage Counseling: Sharing Income, Cohabiting, and Monogamy in the Retail Space – Patio Room**
This session will explore some of the livelier topics that arise during the negotiation of a retail lease from both a landlord and a tenant perspective. The panel will discuss how Percentage Rent, Co-tenancies and Exclusives are changing in today's leasing environment.
- Speakers:** Jennifer Schulz, Esq., Partner, Ravid Law Group
Krista Granger, Esq., Associate General Counsel, CenterCal Properties, LLC;



- [5] **The Places That Scare You: Mechanics Liens, Stop Notices and Litigation – Pacific Room**
A project fully shut down or delayed because of payment disputes. Unfortunately, many payment disputes simply arise from a misunderstanding of the contract documents, and whether valid or not, a mechanics lien or stop payment notice is a very powerful tool that can cause a lot of problems with the project. This course will review some of the common misunderstandings that arise concerning contract documents, how these can trigger mechanics liens and stop payment notices, and best practices for resolving these problems even before they start. The course will also cover the nuts and bolts of mechanics liens and stop payment notices, and what to expect in the litigation process.
Speakers: Steven Cvitanovic, Esq., Partner, Haight Brown & Bonesteel, LLP
Patrick Kirby, Esq., Vice President and Deputy General Counsel, WEBCOR
- 10:30 AM – 10:45 AM **BREAK**
- 10:45 AM – 12:00 PM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**
- [6] **When Adversaries Are Friends (1.25 Hours Legal Ethics Credit) – Plaza Ballroom 3**
The world grows increasingly adversarial, but what happens in real estate litigation when adversaries are friends? Attorneys David Fu, Rinat Erlich, and Jose Mendoza frequently oppose each other in the real estate broker litigation space, and will address the benefits and challenges when frequently in opposition, with the underlying conclusion that cases settle faster and with less expense when opponents cooperate.
Speakers: David Fu, Esq., David Fu and Associates
Rinat Erlich, Esq., Manning & Kass, Ellrod, Ramirez, Trester LLP
Jose Mendoza, Esq., Carlson Law Group
- [7] **Roads, Streets and Highways as Boundary: Fee or Easement, Reversionary Rights and Allocation of Vacated Public Street Rights of Way – Plaza Ballroom 2**
Review of statutory and case law rules of reversionary rights and allocation of portions of vacated public street rights of way to abutting properties on the basis of interpretation of descriptions and plat maps used for real property conveyance.
Speakers: Vit Liskutin, Esq., PLS, Liskutin Law Firm
John Perez, President, Inland Empire Division, USA National Title Company
- [8] **Barriers to Housing Production: Real and Perceived – Patio Room**
Disagreement remains over the causes of California's housing shortage. Recent legislation, such as SB 35, the housing accountability act, and other streamlining legislation attempts represent efforts to address the problem. CEQA and the CEQA Guidelines (including the new Guidelines) also provide tools for regulatory streamlining. However, cities continue to struggle to approve new housing developments and developers blame CEQA and regulatory delays for the limited housing production. This panel will explore the on-going challenges to the construction of new housing and whether those challenges are real or perceived, including reviewing data on processing times and regulatory hurdles to approving new development. Panelists will discuss options for addressing the challenges in order to speed the process for approvals of new housing.
Moderator: Karen Tiedemann, Esq., Goldfarb & Lipman, LLP
Speakers: Eric Biber, Esq., U. C. Berkeley School of Law
Terry Watt, Infill Builders
Christopher Calfee, California Natural Resources Agency
- [9] **Short Term Rentals: Surveying the Legal Landscape of AirBNB, VRBO, and Other Online Rental Housing Platforms – Pacific Room**
Given the ever-growing affordable housing crisis, many homeowners and tenants are now turning to short-term rental platforms to supplement their incomes and to help offset housing costs. As a result, numerous cities have enacted laws to regulate short-term rentals. This course will provide examples of different municipal regulations regarding short-term rentals; discuss potential penalties and damages for non-complying hosts; explain the appropriate remedies available to hosts in the event the short-term guest gains tenancy rights; and offer practical guidance regarding home-share compliance and stopping tenant home-sharing activities.
Speakers: Anna Liu, Esq., Partner, Steven Adair MacDonald & Partners, P. C.
Ashley M. Peterson, Esq., Principal, Law Office of Ashley M. Peterson



- 12:00 PM – 1:45 PM **PLENARY WITH PLATED LUNCH—WOMEN IN THE PROFESSION (1.25 HOURS MCLE) – Plaza arbor**
[10] Complimentary. RSVP required on registration form.
Keynote Speakers: Heather Rosing, Esq., Shareholder and CFO, Klinedinst
Timi Hallem, Esq., Partner, Manatt Phelps & Phillips, LLP
Krista Kim, Esq., Principal and Managing Attorney, Valence Law Group
- 1:45PM – 2:00PM **BREAK**
- 2:00PM – 3:15PM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**
- [11] **But I Only Had Two Beers! How Alcohol and Drugs Affect Your Body & The Laws That Govern (1.25 Hours of Competency Issues) – Plaza Ballroom 3**
This session will discuss various types and percentages of alcohol and how absorption can vary. We'll also discuss new DUI laws as they relate to drug impairment, both for legal and prescription drugs.
Speaker: Eric Ganci, Esq., DUI Trial Lawyer, Ganci, Esq., APC
- [12] **Keys to a Successful Real Estate Purchase Transaction in Mexico – Plaza Ballroom 2**
This panel will discuss the process for handling cross-border real property transactions in Mexico, and how persons in the U.S. can purchase an ownership interest in real property in Mexico. Given Mexico's restrictions on purchasing properties along the coast line and border, this panel will also discuss the technical process of establishing a real estate trust pursuant to Mexico's guidelines, as well as other legal issues in cross-border transactions.
Speakers: David Felipe Vallarino, Correduria Nueve
Juan Felipe Sanchez, Partner, RRQB
- [13] **Workspace for Hire: Office Co-Working and Workspace as a Service Leasing Issues – Patio Room**
The demand for co-working and flexible office space has increased dramatically and is expected to continue to grow. As a result, the volume of co-working and flexible office space lease transactions has increased exponentially. We will explore commercial leasing issues specific to negotiating these types of leases. While co-working and flexible office lease transactions have a lot in common with standard office leasing transactions, there are several specialized issues to address when negotiating these types of leases, including permitted use, licensing rights, tenant/guarantor structuring, maintenance and repairs, insurance, rights of first refusals, exclusivity rights, and more. We will explore these topics from the landlord and tenant perspective, as well as issues a company may want to consider when entering into a co-working or other flexible office arrangement.
Speakers: Krista Kim, Esq., Principal and Managing Attorney, Valence Law Group
Laura Drossman, Esq., Drossman Law
- [14] **Measure of Damages Against Real Estate Agents and Are They True Independent Contractors? – Pacific Room**
This program will cover the available damages in claims against sellers, buyers, real estate brokers and agents, and discuss pertinent case law impacting said damages. It will also cover the independent contractor status of real estate salespersons and whether recent case law has changed that status.
Speakers: Alan D. Wallace, Esq., Principal, Law Office of Alan D. Wallace
Fredric Trester, Esq., Partner, Manning & Kass, Ellrod, Ramirez & Trester LLP
- 3:15PM – 3:30PM **BREAK**
- 3:30PM – 4:45PM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**
- [15] **New Ethics Rules (1.25 Hours Legal Ethics Credit) – Plaza Ballroom 3**
This panel will review the updates on California's new ethics rules.
Speakers: Jean Cha, Esq., Associate, Manning & Kass, Ellrod Ramirez, Trester LLP
Zachary Wechsler, Esq., Law Office of Zachary D. Wechsler APC
Anthony Radogna, Esq., Law Offices of Anthony Radogna





- [16] Who Really Signed the Document? Liability Arising from Common E-Signature Practices – Plaza Ballroom 2**
This panel will discuss the Uniform Electronic Transactions Act, impersonation and forgery, wire fraud and wire instructions and best practices to ensure that the person claiming to sign a document was actually the one who signed it.

Speakers: Elizabeth A. Blair, Esq., Principal, Blair Law
Kyle E. Yaeger, Esq., Hickman and Robinson, LLP

- [17] Reducing Land Use Conflicts Through Collaborative Easements – Patio Room**
As land for new housing becomes scarce in many communities, developers push nearer to existing industrial, mining, rail and other non-residential uses, resulting in major battles over the development approvals. The collaborative use of simple easements can allow existing uses to be protected, new housing development to be approved, full disclosures to be made to buyers, and written rules of future engagement to be established.

Speakers: Geoffrey Etnire, Esq., Venable LLP
Douglas White, Esq., Managing Partner, Churchwell White LLP

- [18] The Wages of Subsidy: When Are Prevailing Wages Required in Publicly Assisted Development Projects? – Pacific Room**

Before accepting help from a public agency for a development project, developers need to know if a prevailing wage requirement is the price to be paid for that assistance. This panel will discuss how prevailing wage requirements pertain to government land sales and leases, Mello-Roos and other financing districts, projects in charter cities, affordable housing projects, and other common forms of public assistance. We will examine commonly used exemptions from the prevailing wage requirements, and the ways that government assistance is structured to eliminate or lessen those obligations.

Speakers: Gillian van Muyden, Chief Assistant City Attorney, City of Glendale
Jon Goetz, Esq., Principal, Meyers Nave
Jon Welner, Esq., Member, Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

5:00PM – 7:00PM

DIVERSITY RECEPTION – Plaza Ballroom 1
Complimentary. Hosted food and drinks.

SATURDAY, MAY 4

7:00 AM – 4:45 PM

REGISTRATION/EXHIBITS – Plaza Foyer

7:00 AM – 8:00 AM

BREAKFAST – Plaza Arbor
Complimentary. RSVP required on registration form.

8:00 AM – 9:00 AM

PLENARY (1 HOUR MCLE) – Plaza Arbor

- [19] PG&E Chapter 11—Burning Topics for Real Estate Lawyers**

Join us for an overview and update of the PG&E Chapter 11 case, currently the largest bankruptcy case in the country and destined to be one of the largest in history. We will discuss the catastrophic wildfires that led to the bankruptcy filing, and what the Chapter 11 is likely to mean for the people who lost their homes and businesses, the communities that were destroyed, the ratepayers who pay the bills, and the real estate issues that will play out in the case.

Speakers: Christopher V. Hawkins, Esq., Shareholder, Sullivan Hill Rez & Engel, P.C.
Gerald Singleton, Esq., Singleton Law Firm
Robert Harris, Esq.
Adam Lewis, Esq.

9:00 AM – 9:15 AM

BREAK



38TH ANNUAL REAL PROPERTY SPRING CONFERENCE | CALIFORNIA LAWYERS ASSOCIATION REAL PROPERTY LAW SECTION | MAY 2-5, 2019 | HYATT REGENCY NEWPORT BEACH | 1107 JAMBOREE ROAD | NEWPORT BEACH

9:15 AM – 10:30 AM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**

[20] **Ethics Rules: What Every Real Property Attorney Should Know (1.25 Hours Legal Ethics Credit) – Plaza Ballroom 3**

This panel will discuss and evaluate the ethical rules that real property attorneys should consider in real estate transactions involving multiple parties and which are initially non-adversarial. The panel will review the applicable California Rules of Professional Conduct, the State Bar Act, court decisions and practical tips regarding joint representation, confidentiality, conflict of interest, written disclosures, waivers, and when it is may be necessary for attorneys to withdraw from representation.

Speakers: Dianne Jackson McLean, Esq., Partner, Goldfarb & Lipman LLP
Celia Lee, Esq., Partner, Goldfarb & Lipman LLP
Robert C. Mills Esq., Partner, Goldfarb & Lipman LLP

[21] **An In-Depth Analysis of Section 1031 and Its Many Myths – Plaza Ballroom 2**

A comprehensive overview of the benefits of utilizing Section 1031 of the Internal Revenue Code as a means to build and preserve wealth through real estate investments. This course includes a review of the time deadlines, identification rules, like-kind requirements, vesting issues, debt replacement, tax rates and non-tax benefits. Additionally, this panel will cover the main issues that we see arising from the perspective of an attorney in regard to 1031 exchanges.

Speakers: James Callejas, Vice President, Major Accounts, Certified Exchange Specialist, Investment Property Exchange Services Inc.
Stephen D. Decker, Vice President, National Accounts, Investment Property Exchange Services, Inc.
Eric D. Tetrault, Esq., Associate, Higgs, Fletcher & Mack

[22] **How to Keep Your Ground Leases Well Grounded – Patio Room**

A discussion of critical issues in structuring both development and retail ground leases on private and public lands, including rental structures, construction issues, special default issues, taxation and condemnation. The discussion will include the nuances of financing a ground lease, and issues concerning the property subject to a ground lease as well as transfer and assignment concerns. This program should appeal to anyone who represents either a property owner considering a ground lease, or a tenant or subtenant on a ground lease.

Speakers: Michael Klein, Esq, Klein & Weisz
Adriana Vesce, Esq., Cox, Castle & Nicholson, LLP
Ira J. Waldman, Esq., Cox, Castle & Nicholson, LLP

[23] **Coastal Development Update – Pacific Room**

Development in the Coastal Zone is becoming more prohibitive. Access rights are being called into question as government agencies get public funds to buy more land in the Zone. Private access is being challenged both by the Coastal Commission and under Local Coastal Plans. Gated communities on the coastline may be a thing of the past. Discussion will include the Martins Beach cases, Hollister Ranch and the recent decision on short term rentals.

Speakers: Nancy Goldstein, Esq., Law office of Nancy B. Goldstein
Stanley W. Lamport, Esq., Cox, Castle & Nicholson, LLP

10:30AM – 10:45AM **BREAK**

10:45 AM – 12:15 PM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**

[24] **The Business of Law Workshop for Solo and Small Firms – Plaza Ballroom 3**

Solo and small firm managing attorneys need to understand more than the practice of law, they need to understand the business of law. Whether you are looking for new ways to streamline your existing practice, or are interested in switching to a solo or small firm, this interactive workshop will guide you in the right direction. Discussions will include best value products and systems to manage billing, practice management, client management, accounting, client intake, and marketing strategies.

Speakers: Tara R. Burd, Esq., Principal, TBurd Law Group, APC
Ashley M. Peterson, Esq., Principal, Law Office of Ashley M. Peterson
Elizabeth A. Blair, Esq., Principal, Blair Law





[25] **9th Annual Executives Roundtable – Plaza Ballroom 2**

Real estate executives from different sectors will discuss their perspective of what's happening in the market: geographic demographics and food groups—what's hot and what's not; Qualified opportunity zones—what's the verdict so far?; Where are interest rates going? Is construction financing still plentiful? What is the impact of dispositions by foreign owners? Is the market slowing and will there be a recession in 2020?

Moderator: William Bernfeld, Partner, Akerman LLP

Speakers: Lewis G. Feldman, CEO, Heritage Capital Ventures LLC, Chairman Emeritus, Goodwin Procter LLP; Chairman of The Board, UCLA Ziman Center of Real Estate
Jay Lybik, Vice President, Research Services, Marcus & Millichap
Bradley H. Mindlin, Founder & Co-Managing Partner, Oro Capital Advisors, LLC

[26] **Attorneys Fees in Bankruptcy Cases Post-Penrod: Expect the Unexpected – Patio Room**

In light of *In re Penrod*, 802 F.3d 1084, 1087 (9th Cir. 2015), creditors (real estate buyers/sellers, landlords, tenants, parties to contracts) litigating with a debtor in a bankruptcy case may be subject to attorney's fees awards by the Bankruptcy Court if the matter is "action on the contract." We will explore attorney fee award exposure in situations one might not expect such as lease assumption/rejection motions, preference actions, and relief from stay matters.

Speakers: Jeff S. Shinbrot, Esq., The Shinbrot Firm
Honorable Theodor C. Albert, United States Bankruptcy Judge, Central District of California
Thomas H. Casey, Esq., The Law Offices of Thomas H. Casey, Inc.

[27] **Common Interest Developments and Community Association 2019 Legislative and Case Law Update – Pacific Room**

The panel will discuss new state legislation and recent case law that impacts Common Interest Developments and Community Associations. Expect a lively discussion on, amongst other recent changes, SB 1173, AB 2912, SB 261 and the decisions in *Green ield v Mandalay Shores* (short term rentals) and *Dynamic Operations West v S. Ct.* (independent contractors).

Moderator: Marion A. Aaron, Esq., Associate Senior Underwriting Counsel, Stewart Title Guaranty Company
Speakers: Adrian L. O'Toole, Esq., Principal, Berding & Weil LLP
Katrina Solomatina, Esq., Berding Weil LLP

12:00PM – 1:45PM

PLENARY WITH PLATED LUNCH—"YOU ARE MORE THAN A LAWYER" (1.25 HOURS MCLE) – Plaza Arbor

In this presentation, Ms. Brown provides a more holistic approach to the legal profession, including: How to think of your practice as a business; Why emotional intelligence is an important key to success; Why introspection is an essential element of true confidence; and the difference between being a leader as opposed to a boss.

[28] **Keynote Speaker:** Janice Brown, Esq., Founding Partner, Brown Law Group

1:45PM – 2:00PM

BREAK

2:00PM – 3:15PM

CONCURRENT SESSIONS (1.25 HOURS MCLE)

[29] **Professors' Roundtable – Plaza Ballroom 3**

Professors discuss the most important decisions of the past year affecting the real property community.

Speakers: Professor Roger Bernhardt, Golden Gate University School of Law
Daniel Bogart, Professor, Chapman University, Dale E. Fowler School of Law
Christine Tour-Sarkissian, Adjunct Professor, Golden Gate University School of Law

[30] **Negotiating Title Insurance Coverage in the Context of Real Life Transactions – Plaza Ballroom 2**

This session will take you through two complex real property transactions while discussing appropriate title insurance policies, how to negotiate Schedule B exceptions, and obtaining the right endorsements in the context of the deal. In addition, the panel will discuss post-closing activities that may jeopardize coverage or require additional title insurance.

Speakers: Dena M. Cruz, Esq., Partner, Berding Weil LLP
Marion A. Aaron, Esq., Associate Senior Underwriting Counsel, Stewart Title Guaranty Company

- [31] **Commercial Landlord Tenant Disputes: Avoiding Traps for the Unwary – Patio Room**
The presentation will address potential pitfalls that arise in a variety of circumstances in commercial landlord-tenant disputes, including with letters of intent, tenant defaults, and evictions. The panelists will discuss practical and legal strategies and tactics to reduce risk by avoiding such pitfalls.

Speakers: Mark Seifert, Esq., Seifert Law Firm
Spencer McCann, Principal, Greenstone Realty Advisors, LLC

- [32] **The Rise of Autonomous Vehicles and Implications for Land Planning and Development – Pacific Room**
Artificial Intelligence is impacting our lives, both professionally and personally, greater than ever before, including how we commute to and from work. Learn from a leading authority in autonomous vehicles and a Planning Director of a major Southern California county about the state of the art of autonomous vehicles and how the increasing use of this technology is impacting long-range land planning and development of residential and commercial properties. This cutting edge panel will also analyze trends in how A. I. is likely to influence where development will occur and the nature of that development.

Moderator: Steven DeLateur, Esq., Steven W. DeLateur PLC

Speakers: Sarah Catz, Esq.
Ray Traynor, Director of Operations, San Diego Association of Governments

3:15PM – 3:30PM

BREAK

3:30PM – 4:45PM

CONCURRENT SESSIONS (1.25 HOURS MCLE)

- [33] **Green Leases: Regulatory and Contract Considerations for Commercial Cannabis Leases – Plaza Ballroom 3**
Speakers will give a brief overview of the 2019 cannabis climate, identify specific CA cannabis regulations affecting commercial leases, and practical advice for drafting cannabis commercial leases from both landlord and tenant perspectives.

Speakers: Neda Shapourian, Esq., Partner, Smith Shapourian Mignano, PC
Kimberly Simms, Esq., Principal, Law Office of Kimberly R. Simms

- [34] **Litigation Under the Housing Accountability Act: Zen and the Art of Objective Standards – Plaza Ballroom 2**
In 2017 and 2018, the Legislature added teeth to the Housing Accountability Act (HAA), a previously little-known statute that, thanks to recent amendments, has now roared into life. In strengthening the HAA, the Legislature's stated intent is to curb the ability of local governments to deny housing, whether affordable or market rate. The HAA has become a litigation favorite of developers and "Yes in My Backyard" (YIMBY) groups seeking to challenge cities' and counties' denial of or reduction in density of housing development projects throughout the state. In a nutshell, the HAA makes it difficult for cities and counties to deny or reduce the density of projects that comply with "objective" local standards. This panel will provide an overview of the HAA, and discuss the challenges and strategies involved in litigating under the Act. The panel will focus on the many open questions under the HAA, including the relationship between the HAA and CEQA, and the fundamental question of what constitutes an "objective" local standard.

Speakers: Dolores Dalton, Esq., Senior Counsel, Goldfarb & Lipman, LLP
Celia Lee, Esq., Partner, Goldfarb & Lipman LLP
Barbara Kautz, Esq., Partner, Goldfarb & Lipman LLP

- [35] **New Mandatory Disclosures Before Mediation and All the Key Confidentiality Issues (1.25 Hours Legal Ethics Credit) – Patio Room**
Effective January 1, 2019, a new California law will require practitioners to ensure that their client, before agreeing to mediation, understands the implications of California's legal protections for mediation communications. Join us for this program and learn the key concepts of mediation confidentiality, what type of information is protected under the confidentiality rules, the impact of confidentiality on discoverability and admissibility, exceptions to mediation confidentiality, and what practitioners must do to satisfy the new disclosure requirements.

Speakers: Ana Sambold, Esq., Mediator and Arbitrator, Sambold Law and ADR Services
Marc D. Alexander, Esq., Of Counsel, Alvarado Smith

5:30PM – 6:45PM

BOURBON TASTING – Plaza Ballroom 1

Networking Reception — RSVP required
* not included in conference rate



7:00PM – 8:00PM

COMEDIAN—JOSH SNEED – Plaza Ballroom 1

RSVP required
* not included in conference rate



Josh Sneed is a headliner in standup comedy clubs around the country and has performed at numerous private and corporate events. With his witty dry comedy, he will be sure to have you laughing off your seat.

SUNDAY, MAY 5

7:00 AM – 12:15 PM

REGISTRATION/EXHIBITS – Plaza Foyer

7:00 AM – 8:00 AM

BREAKFAST – PLAZA ARBOR

Complimentary. RSVP required on registration form.

8:00 AM – 9:15 AM

CONCURRENT SESSIONS (1.25 HOURS MCLE)

[36]

ADA Compliance in Existing Buildings – Plaza Ballroom 3

This panel will discuss current California Architectural Barrier Removal requirements for existing buildings, those converted to a different use or extremely modified, as well as the requirements for buildings with topography that is not conducive to access. Other discussions include why “grandfathering” is not allowed as a reason for non-compliance with Architectural Barrier Removal, and why religious facilities and private clubs are exempt from the Americans with Disabilities Act.

Speakers: Peter F. Millar, P. E., J.D., Executive Vice President, AEI Consultants
Glenn Dea, AIA, ADAC, CASp, Vice President, Creative Design Associates

- [37] **Effectively Litigating and Settling Wrongful Eviction Cases – Plaza Ballroom 2**
Panelists will discuss common and emerging causes of action and defenses in wrongful eviction disputes. Panelists will also outline effective litigation and settlement tactics in such cases, and address relevant insurance issues.
Speakers: Jethro Busch, Esq., Partner, Steven Adair MacDonald & Partners, P.C.
Stephanie Foster, Esq., Associate, Steven Adair MacDonald & Partners, P.C.
Kere Tickner, Esq., Tickner McCliman P.C.
- [38] **Into the Land of Oz: Exploring Opportunity Zone Funding and Real Estate Investments in Low Income Communities – Patio Room**
This panel will provide a summary of the Opportunity Zone tax incentive, summarize the applicable requirements and regulations, and explore how the funding can be used to make real estate investments in support of low income communities.
Speakers: Rafael Yaquian, Esq., Partner, Goldfarb & Lipman, LLP
Nicole Pinoli, CPA, Partner, Novogradac & Company LLP
- [39] **#MeToo: Where Are We Now? (1.25 Hours Elimination of Bias Credit) – Pacific Room**
In response to the #MeToo movement, laws went into effect this year impacting employment contracts, severance packages, and settlement agreements. Join the conversation with Seyfarth Shaw LLP employment attorneys to discuss how these new laws impact your business and how you can make practical changes to not only be in compliance, but to foster an inclusive and safe working environment.
Speakers: Chantelle Egan, Esq., Partner, Seyfarth Shaw LLP
Kristen Peters, Esq., Associate, Seyfarth Shaw LLP
- 9:15AM – 9:30AM **BREAK**
- 9:30AM – 10:45AM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**
- [40] **Lets Talk About Diversity: What Does It Mean Anyway? (1.25 Hours Elimination of Bias Credit) – Plaza Ballroom 3**
This panel will discuss the importance of diversity in the real property field and the ways for attorneys and others in the real property field to recognize and fight against their own internalized biases which may contribute towards systemic discrimination in the industry. The panel will discuss the importance of this issue, and provide concrete ways to make a difference and become both more diverse and inclusive in the real property field.
Speakers: Dianne Jackson McLean, Esq., Partner, Goldfarb & Lipman LLP,
Cosmos Eubany, Esq., Senior Legal Counsel, Realty Income Corporation
Bijal M. Patel, Special Counsel, Oakland City Attorney
- [41] **New Legislation Highlights for the Real Property Practitioner – Plaza Ballroom 2**
This panel will review significant new laws enacted by the California Legislature that became effective in 2018 and explain their importance for real estate practitioners.
Speakers: Robert M. McCormick, Esq., Downey Brand
Michael Maurer, Esq., Partner, Best Best & Krieger
- [42] **What Every Real Estate Attorney Needs to Know About Eminent Domain – Patio Room**
Find out what you need to know about how lease terms impact a landowner's or tenant's recovery in eminent domain, the initial steps a public agency must take before a case is filed which may impact your client's rights, and unique aspects of the eminent domain litigation.
Speakers: Jennifer Dienhard, Esq., Murphy & Evertz LLP
Emily Madueno, Esq., Murphy & Evertz LLP
Jennifer McClure, Esq., Murphy & Evertz LLP



- [43] **Comparing the AIR and CAR Commercial Property Purchase and Sale Agreements – Pacific Room**
The speakers will identify the most significant differences between the two widely used agreements for commercial real estate transactions in California and explain how each form came to its selected approach. A detailed paragraph by paragraph analysis will be provided in the meeting materials.

Speakers: Neil Kalin, Esq., Assistant General Counsel, California Association of REALTORS
Bryan Mashian, Esq., Mashian Law Group

10:45AM – 11:00AM **BREAK**

11:00AM – 12:15PM **CONCURRENT SESSIONS (1.25 HOURS MCLE)**

- [44] **Ensuring Compliance with Emerging Rent Control Laws – Plaza Ballroom 3**
As more California cities are enacting eviction and rent control measures in an effort to maintain housing affordability and to further prevent displacement of its residents, attorneys practicing in real estate and landlord-tenant law must be familiar with these new laws. This course will discuss what cities have adopted rent and/or eviction control laws and will analyze the commonalities and differences between those respective regulations. In addition, this program will cover the strict notice requirements that a landlord must follow to legally terminate residential tenancies and will also provide tips for best practices in litigating an unlawful detainer from both a landlord and tenant perspective.

Speakers: Olivia Dopler, Esq., Associate, Steven Adair MacDonald & Partners, P.C.
Tiffany Yee, Esq., Associate, Steven Adair MacDonald & Partners, P.C.
Brad Kane, Esq., Principal, Kane Law Firm

- [45] **State of Seismic Retrofit in CA – Plaza Ballroom 2**
This panel will discuss the current progress of local mandatory ordinances regarding seismic retrofitting of potentially dangerous buildings, including soft-story wood frame multifamily, non-ductile concrete construction, unreinforced masonry buildings (URMs), and pre-Northridge steel structures. The panel will also discuss the liability, transactional impacts, as well as potential impact to the resilience communities if retrofitting is not accomplished.

Speaker: Roy Anderson, P.E., National Lead Seismic Services, Building Assessments, AEI Consultants

- [46] **The Ins and Outs of Tenant Letters of Credit in Acquisitions and Dispositions – Patio Room**
The transfer of tenant letters of credit in a real property acquisition or disposition can be complicated and time consuming. This panel will discuss the importance of specific language related to transfers of such letters of credit in the purchase agreement and the mechanics and considerations related to such transfer. This panel will also discuss different forms and procedures for issuing and transferring letters of credit depending on the bank, the type and size of the property and tenants, fee structures, and other applicable noteworthy items.

Speakers: Rachel Holloway, Esq., Pennington Lawson LLP
Beth Pennington, Esq., Pennington Lawson LLP

- [47] **The Final Transaction—When a Fiduciary Sells the Property – Pacific Room**
Enjoy our panel discussion regarding the issues (practical, ethical, and financial) facing professional fiduciaries when conducting and managing real estate transactions.

Speakers: Marguerite Lorenz, CTFA, CLPF
Amber Anderson, REALTOR
Kyle E. Yaeger, Esq., Hickman and Robinson, LLP

Afternoon Newport Beach Excursions (Optional)

The Conference has ended but there are some great Newport Beach excursions we have planned for you on Sunday afternoon. Please see the Social Events/Excursions Section of the brochure for details and fees.



Newport Duffy Boats/Dock and Dine

[51] Renting a Duffy electric boat is the perfect way to enjoy an afternoon or evening with your friends and loved ones, cruising Newport Bay. All of the Duffy Electric Boats can accommodate 10 people comfortably (children of all ages included) 12 maximum. Each boat has a full canopy top, full window enclosures, and a full stereo with iPod hookup. **\$45 Per Person**



Dolphin/Whale Watching

[52] Southern California is home to some of the best waters to experience whale migrations year round! Catch a glimpse of dolphins, blue whales, or grey whales narrated by experienced professionals. Daily tours are offered for fishing excursions as well. **\$60 Per Person**





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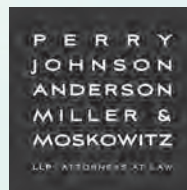
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