

# Creditors' Rights and Real Estate



We represent national and local financial institutions, loan servicers, commercial property owners, equipment lessors, title companies and creditors holding both secured and unsecured debt.

Our lawyers provide counsel on enforcing the rights of these parties in connection with loan transactions, lease transactions, real estate transactions, any transactions in which one party is indebted to another for any reason, and all associated litigation which may arise out of the foregoing.

We also create loan document packages, real estate documents including agreements for the purchase and sale of real estate and all related documents, and commercial and equipment lease agreements.

In terms of creditors' rights, our attorneys have substantial experience in foreclosures, workouts, bankruptcies, secured and unsecured debt collection, evictions, attachments and related litigation.

In terms of real estate, we handle all variety of commercial and residential real estate matters including quiet title actions, condominium issues, issues regarding lien priority, judicial tax sales and upset sales, condemnation issues, rights of buyers and sellers under Purchase and Sale agreements and rights of lessees and lessors under Lease Agreements.

## **Experience**

- Obtained full recovery of attorney fees and costs incurred by a department store client via contractual indemnification from a Mall owner/manager following extensive litigation, via a motion for summary judgment. The exact cause and location of the personal injury claim were hotly disputed, as were the terms and conditions of the series of complex leases and operating agreements governing the relationship between the client and Mall owner, some of which dated back 50 years. New Jersey indemnification law under these circumstances has been sharply curtailed by recent cases and the outcome, prior to completion of all discovery, was far from certain. This was the third successful indemnification result arising in three separate NJ Malls for Alex in the past year.