



# Legal Briefing

Fall 2002

**Firm now totals 40 attorneys**

## Growth in Response to Our Clients' Needs: Expansion of Practice Areas, Top Attorneys Added

Newmeyer & Dillion LLP is pleased to announce the addition of four highly qualified attorneys to our firm, whose expertise expands us into new practice areas and builds upon our existing strengths.

### Corporate Finance, Securities and Mergers & Acquisitions

**Timothy F. Silvestre** has joined Newmeyer & Dillion LLP to head a securities and M&A practice which will initially be based out of our recently established Los Angeles area office.

From 1984-85 Tim served a one-year appointment as a law clerk to Judge Robert J. Kelliher in the U.S. District Court for the Central District of California. Tim developed a securities and transactional practice at the Los Angeles law firm of Riordan & McKinzie, representing a host of public and private companies, private investment groups and entrepreneurs.

In 2000 Tim left Riordan & McKinzie as an equity principal to join Interpacket Networks, Inc., where he served as Executive Vice President of Business and Legal Affairs. After the successful sale of Interpacket Networks to American Tower Corp. (NYSE:AMT) in 2001, Tim managed a \$20 million private equity investment fund. He joined Newmeyer & Dillion LLP this year.

Mr. Silvestre earned his J.D. from University of California at Los Angeles in 1984, where he was on the Board of Editors for the UCLA Law Review. He graduated in 1981 from Tufts University, B.A. History, Magna Cum Laude.

### Land Use & Environmental Law

**Karen J. Lee** joined Newmeyer & Dillion LLP in August 2002. Her practice emphasizes eminent domain, land-use, California Environmental Quality Act, and other real estate industry related matters at administrative proceedings and in state and federal trial and appellate courts. She is a frequent speaker and author on these topics and authored the chapter on appeals in the ABA book "How to Litigate a Land Use Case."

Karen received a B.A. and a B.S. with distinction from the University of Minnesota in 1966 and a M.A. in 1971 from California State University at Long Beach, California, where she was a member of Phi Kappa Phi Honor Society. After serving for several years as Director of Educational Media in the public schools, she received her J.D., cum

laude, from Loyola Law School, Los Angeles, in 1981. She was a Note and Comment editor on the Loyola Law Review and a member of the St. Thomas More Honor Society. Upon receiving her law degree, she associated with Reavis & McGrath and then Memel, Jacobs, Pierno, Gersh & Ellsworth where she gained extensive litigation experience with an emphasis in land use entitlement and related litigation. In 1986, she became a founding partner of Hamilton & Samuels and chaired that firm's Land Use Department. On that firm's dissolution, she became of-counsel to Morrison & Foerster LLP. She has been the lead attorney on published cases of state-wide significance.

**Paul L. Starita** has also joined the firm as an associate. Prior to joining the firm, Paul served as a Judge Advocate with the United States Marine Corps for nine years. While with the Marine Corps, he served as a Military Prosecutor, a Special Assistant U.S. Attorney, and a Regional Environmental Counsel. Paul concentrates on environmental and land use matters, along with business and construction defect litigation.

Mr. Starita graduated from Thomas M. Cooley Law School in 1993. He furthered his legal education by earning a Masters of Law with a concentration in Environmental Law from the University of San Diego, where he was recognized with cum laude honors. He earned his B.S. in 1989 from the University of New Orleans. Mr. Starita is licensed to practice in California, Georgia and Hawaii.

### Commercial and Real Estate Lending, Mortgage Banking & Regulatory Compliance

**V. Alan Bergfeld** has been associated with the law firms of Wenke, Taylor, Evans & Ikola, Stradling, Yocca, Carlson and Rauth, and McKenna, Conner and Cuneo. For the past thirteen years, Alan served as Vice President and Senior Counsel to Downey Savings and Loan Association, F.A. From 1995 to 1998 he also served as a University of California, Irvine, Extension Instructor in the field of contracts. Alan joined Newmeyer and Dillion LLP in 2002, and practices in the fields of real estate and commercial lending, mortgage banking, and regulatory compliance. Alan also represents clients with respect to real estate acquisition, disposition, development and leasing.

Alan received his Bachelor of Arts degree with honors from the University of California at Davis in 1980, where he double majored in Economics and Psychology. He received his Juris Doctorate from the University of Southern California in 1983, where he received American Jurisprudence Awards in the fields of Contracts and Administrative Law, and where he served on the Southern California Law Review.

*(continued on reverse)*



(continued from front)

## Real Estate, Construction & Land Use

**Jane M. Samson** joined Newmeyer & Dillion LLP in 2001 from Morrison & Foerster LLP. Jane's practice focuses on acquisition, financing, entitlement, construction, management, leasing and disposition of real property, including multifamily and retail properties, industrial and office buildings, and hotels, as well as master-planned communities, undeveloped properties, and former military bases. Jane also handles a wide range of land use and public law matters, including zoning, subdivision, permitting, wetlands, redevelopment, initiative, referendums, and vested

rights matters. Jane is a perfect fit for the firm's established real estate practice.

Jane graduated in 1985 from the University of Notre Dame Law School, J.D., cum laude, where she was on the editorial board of the Law Review. She earned her Bachelor's degree from Saint Mary's College, Notre Dame, summa cum laude, in 1980.

Her professional affiliations include, member, Urban Land Institute; former President of the Orange County Chapter of WCRC; and Orange County Forum, Board of Directors.

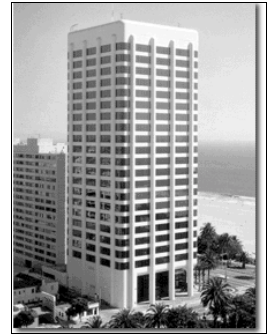
## Securities, M&A Focus

# Firm Expands Geographic Reach with New Office opened in Santa Monica

Newmeyer & Dillion LLP is pleased to announce that we have opened a Los Angeles area office in Santa Monica. The office was launched to better service our Los Angeles clients and to house the firm's emerging securities and M&A practice, headed by **Timothy F. Silvestre**. Tim has been joined by partner Craig Callahan and associates Jeff Dennis, Kevin McSherry, and Jeff Van Wagner. With the recent acceptance by Marissa Iasenza to work with Mr. Silvestre, the Santa Monica office already boasts six attorneys.

According to **Thomas Newmeyer**, founding partner of the

firm, to have a Los Angeles presence provides us with the opportunity to better service our existing clients while expanding our client base. "Despite recent challenges in the financial markets, we believe that an intelligent entrance in the areas of securities and mergers and acquisitions will benefit the firm over the long-term. Our firm is committed to responding to our clients' diverse legal issues, and these financial transactions will be one of our significant growth areas."



*Santa Monica office*

The office is located at 100 Wilshire Boulevard, Suite 1350, Santa Monica. The landmark 100 Wilshire is a 21-story office building in downtown Santa Monica.

While the office is currently staffed with six attorneys, we have leased space for additional future growth.

## About Newmeyer & Dillion LLP

Newmeyer & Dillion LLP, originally formed in 1984, is comprised of creative, highly motivated business attorneys who possess outstanding credentials, training and experience in their respective fields of practice. The firm represents a wide variety of clients, which include national and local financial institutions, real estate development companies, manufacturers and service organizations, as well as individuals.

### Litigation

- *Business*
  - Unfair Competition/Trade Secret Business & Profession Code § 17200
  - Partnership Dissolution
  - Lender Liability
  - General Business Disputes
- *Real Estate*
  - Construction
  - Real Estate Finance
  - Environmental Warranty
  - Title
- *Labor*
  - Wrongful Termination
  - Employment Discrimination
  - Sexual Harassment
- *Insurance*
  - First and Third Party Coverage
  - First and Third Party Bad Faith
- *Products Liability*
- *Appellate Practice*

### Real Estate Transactions

- Acquisition, Development, Option, Sale and Lease of Real Property (Residential, Retail, Multifamily, Office, Industrial, Agricultural)
- 1031 Like-Kind Exchanges
- Master Planned Community Developments and Community Associations

- Department of Real Estate and Other Regulatory Filings
- Construction Related Matters
- Military Base Reuse

### Business Arrangements

- Formation, Structuring, Maintenance and Evaluation of Business Entities (Corporations, Limited Liability Companies, General Partnerships, Limited Partnerships, Joint Ventures)
- Shareholder, Partnership and Stock Option Plan Agreements
- Purchase and Sale of Businesses
- Business Dissolutions
- Employment and Independent Contractor Matters
- Licensing and Franchising Arrangements

### Corporate Finance, Securities and Mergers & Acquisitions

- Venture Capital Financings
- Mergers, Acquisitions, and Leveraged Buyouts
- Public and Private Securities Offerings
- Federal Securities Law

### Lending & Finance

- Documentation of Real Estate, Personal Property and Unsecured Loans
- Coordination of Loan Transactions for Borrowers

### Land Use/Environmental

- Development Agreements
- Mitigation Agreements
- Subdivision Map Act
- Clean Air Act Issues
- Coastal Zone Management
- CEQA and NEPA
- Initiatives and Referendums
- Municipal Incorporations and Annexations