



# GREGGORY C. BRANDT

Attorney

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Oakland, California

Gregg provides timely and practical advice on a wide variety of complex real estate transactions. He helps clients purchase, sell and lease all types of commercial, retail and residential real estate. Informed by his background in engineering, experience at a multinational company, and time as a corporate legal client, Gregg's approach to client-service is highly responsive, practical and solution-oriented.

Gregg's practice focuses on helping his clients lease, purchase and sell retail, commercial and industrial properties. He has negotiated retail and office leases for both landlords and tenants and helps resolve lease disputes, particularly involving properties impacted by environmental contamination. Whether he is assisting a client with the sale of an office building, the purchase of retail property as part of a 1031 exchange, the lease of a 150,000 square foot build-to-suite warehouse or negotiation of leases for nearly 200 hundred acres of agricultural property as part of a larger acquisition, Gregg's client-centered focus and timely legal work help his clients achieve their goals. For the last several years, Gregg has acted as an editor for various chapters of the Continuing Education of the Bar (CEB) *Retail Leasing* and *Office Leasing* treatises and has spoken at the National Retail Tenants Association annual conference on environmental due diligence and strategies for resolving lease disputes.

With more than 30 years of experience in the environment, health and safety industry, Gregg also advises clients on federal, state and local environmental requirements and helps clients resolve problems related to environmental contamination of real property. He assists clients in negotiations with private parties, government agencies, in administrative hearings and appeals, and with obtaining environmental insurance coverage. He has significant experience with environmental issues that arise during real estate transactions; identifying and addressing concerns during the due diligence period; efficiently resolving issues surrounding contaminated properties; and drafting and enforcing settlement agreements and contractual provisions that assign responsibility for investigation, cleanup, defense and indemnity.

Gregg has helped resolve contamination claims at former industrial properties, dry cleaners and gas stations. He is experienced in resolving tough environmental issues, including cleanup and cost recovery litigation, lease disputes involving hazardous materials issues through mediation, has experience with a wide variety of administrative proceedings and appeals, remediation of contaminated property, and environmental permitting and compliance. .

## EDUCATION

- J.D., *cum laude*, Loyola Law School

- B.S., Long Beach State University

## AREAS OF PRACTICE

- Real Estate
- Natural Resources

## REPRESENTATIVE CASES

- Negotiated dozens of leases for both landlords and tenants for retail, commercial, restaurant, warehouse and office / professional services uses.
- Negotiated eight separate leases for almost 200 areas of agricultural property in Southern California as part of the client's acquisition of a wholesale nursery business.
- Represented owner in the sale of a \$26 million single-tenant office building in Palo Alto, California.
- Represented the buyer of a \$15+ million multi-tenant office building in Pleasanton, California.
- Represented the seller of a \$9+ million industrial property in Oakland, California with historical environmental issues and corresponding purchase of a retail property in Phoenix, Arizona pursuant to a 1031 exchange.
- Represented the seller of an \$4 million office building in Monterey, California and the purchase of a retail property in Daytona Beach, Florida as part of the client's 1031 exchange.
- Represented the seller of a multi-tenant commercial building in Berkeley, California.
- Assisted the purchaser of commercial/industrial property in the San Francisco Bay Area with identification of potential environmental issues at the target property and the placement of environmental insurance to address the associated risks.
- Represented the former owner of an automobile dealership interested in selling the associated real property. Reviewed historical records and obtained insurance coverage to pay costs to investigate and remediate contamination at the property in order to facilitate the sales transaction.
- Successfully settled a case at mediation on behalf of a large land owner in a lease dispute with a tenant about financial responsibility for removal of contaminated soil encountered during development of the site.
- Represented the owners of a shopping center in Alameda, California, assisted with remediation of historical contamination on the property and regulatory closure plus recovery from the party that was responsible for the contamination of 100% of past environmental costs and indemnification for any future environmental issues.
- Represented the former owner of a shopping center in litigation related to the investigation and remediation of contamination from a dry cleaner and the enforcement of contractual provisions in the previous sales agreement regarding the responsibility for environmental costs. Worked to investigate and uncover insurance coverage for the defense of the litigation.
- Represented a land owner in Yolo County with the investigation and remediation at a scrap metal facility and the corresponding lawsuit to recover costs from the operators of the facility.
- Represented a Fortune 500 home builder in a lawsuit to enforce a contractual agreement with a major oil refiner that was responsible for contamination stemming from a pipeline release. Recovered lost profits and environmental costs incurred by the client associated with the investigation and remediation of the contamination.

- Assisted a nationwide warehouse and logistics management company with a number of environmental, health and safety compliance issues, including the appeal of a citation issued by Cal/OSHA with a potential multi-million impact on the company.
- Provided environmental due diligence nationwide for a major health club and assist in the evaluation, investigation and remediation of a number of properties to allow for the construction of the client's facilities.
- Worked with the trustee of a trust to meet difficult deadlines for the remediation and sale of a 1-acre parcel to a municipal transit agency for expansion of its maintenance facilities. Negotiated an agreement in which the former operator of the property conducted a significant portion of the environmental work so the transaction could close on time and without the need for litigation.
- Ongoing representation of the owner of commercial property in San Mateo County with efforts to investigate and remediate contamination from a former dry cleaner, to identify potentially responsible parties and to recover environmental costs from those parties.
- Represented a property owner in the emergency response efforts caused by a release from a petroleum pipeline and the resulting negotiations to allocate emergency response costs.

## AWARDS AND HONORS

- Best Of The Recorder, 2012

## PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, Alameda County Bar Association
- Member, American Bar Association
- Member, International Council of Shopping Centers

## ADMISSIONS

- California
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California
- U.S. Court of Appeals, Ninth Circuit