



ALBERT FLOR, JR.

Attorney

He/Him

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Oakland, California

Al practically grew up in court, with a father who was Clerk of the Court, he spent his summers observing trials and studying courtroom strategy. Today he's known for successfully resolving complex real estate, commercial, and financial disputes. Highly skilled in all facets of litigation, including trials and appeals, Al is most proud when he can craft a solution before litigation starts.

Al is experienced representing parties on all sides and in all stages of financial, real estate and commercial disputes. He advises clients regarding problematic real estate and commercial transactions, investments, secured transactions, loan defaults, corporate and partnership governance and dissolutions, and insolvencies. His clients range from Fortune 50 companies to individuals, including developers, property owners, businesses, financial institutions, venture funds, investors, and fiduciaries.

With broad experience in the real estate and finance markets, Al is skilled in the full cycle of a dispute, from the time of breach or default, through settlement, restructuring, and workout negotiations, to litigation and even bankruptcy. While many litigators have a sue-first mentality, Al works closely with clients to develop creative and aggressive strategies to quickly achieve their business objectives while minimizing the costs and risks of litigation.

Al counsels clients regarding deal terms and protections that help limit the risks and costs of future disputes. Al routinely advises clients and transactional counsel on deal structure and protections, as well as on the implementation of operational practices and procedures to prevent disputes or, at least, maximize a client's rights and remedies if litigation becomes necessary. This advice includes review and revision of deal documents, term sheets, standard contract forms, promissory notes, guarantees, operating agreements, invoices and vendor agreements.

Strongly involved in his community, Al volunteers at the Oakland Unified School and many organizations supporting the Oakland and greater East Bay communities.

Probably the only lawyer with not one, but two, meat grinders in his office, Al comes from a long line of sausage makers. He enjoys making his dad's recipes and creating his own, as well as teaching others to make sausage. Al is also a regular at the local CrossFit box. Above all else, he enjoys hanging out with his family.

EDUCATION

- J.D., with distinction, *Order of the Coif*, University of the Pacific McGeorge School of Law
- B.A., University of California, Berkeley

AREAS OF PRACTICE

- Business Litigation
- Real Estate
- Real Estate Litigation

REPRESENTATIVE CASES

- **Developer/Homebuilder Representation:** Represents national and regional developers and homebuilders in complex litigation, including disputes involving options, land acquisition and development, joint ventures and financing. Al also advises homebuilders and developers regarding the acquisition of lots from receivers, bankruptcy estates and other distressed sellers.
- **Real Estate Finance/Secured Transactions:** Al counsels borrowers, from individuals to developers, regarding disputes with banks over secured financing and their rights, protections and remedies under California's secured lending laws.
- **Real Estate Purchase & Sales/Broker Misrepresentation:** Successfully settled multi-party litigation concerning \$30 million purchase of commercial buildings including claims of fraud, breach of lease and breach of fiduciary duty amongst buyers, sellers, borrowers and prior owners.
- **Commercial Litigation:** Represented international manufacturer in action against defaulting distributor with no apparent assets for repayment. Through aggressive injunction and attachment practice, was able to fully secure indebtedness against insurance proceeds, resulting in full payment of principal obligations to client.
- **Financial Institution/ Secured Creditor:** Represented national bank with defective security interest in action against defaulting borrower. Through state and bankruptcy court litigation, obtained dismissal of Chapter 11 case and negotiated full repayment of all indebtedness, including attorneys' fees.
- **Corporate Dissolution:** Represented closely-held software company corporation in contentious dissolution that involved multi-layered litigation, numerous related entities and protection of valuable intellectual property and real property assets.
- **Venture Capital/Individual Investor:** Negotiated withdrawal of investor and lender in a contentious dispute with a closely-held company experiencing financial difficulties. Under settlement, client was able to recover full return on investment and obtain future protections not available under previous loan documents.
- **Real Estate Fraud:** Obtained defense judgment for national homebuilder in action for fraud and rescission in connection with sale of real estate. Successfully settled multi-party litigation involving alleged fraud by brokers and sellers in connection with the \$20 Million sale of two commercial buildings.
- **Writ of Attachment/Enforcement of Judgments:** Al has substantial experience securing prejudgment liens and post-judgment levies against complicated and hard-to-reach assets such as intellectual property, foreign property, LLC interests and intangible assets.
- **Bankruptcy Acquisition/Sales:** Has represented venture funds in the acquisition of assets, including LP interests and intellectual property from some of the largest bankruptcy estates

and receiverships in the United States. Represented venture capital firm and debtor-in-possession lender in acquisition of substantially all assets of operating technology company after auction sale before Bankruptcy Court.

AWARDS AND HONORS

- AV® Preeminent™ Peer Review Rated (the highest rating available), by Martindale-Hubbell

ARTICLES AND PRESENTATIONS

- Speaker: "Don't Fence Me In: Navigating Encroachment and View Obstruction Disputes," Wendel Rosen Webinar Series, February 23, 2021
- Speaker: "Real Estate Law: Lessons Learned from the Pandemic and Predictions for the Future," Wendel Rosen Webinar Series, December 2, 2021
- Speaker: "COVID-19: How Wendel Rosen's Real Estate Litigation Group Can Assist," Wendel Rosen Webinar Series, April 1, 2020
- Speaker, "CRE Legal Update," CCIM Institute Northern California Chapter, September 10, 2019

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, American Bar Association
- Member, Alameda County Bar Association
- Former Volunteer Clinical Attorney, Homeless Advocacy Project, Bar Association of San Francisco
- Volunteer Mentor, Externship Program, University of California Alumni Association
- Former Volunteer Clinical Attorney, Lawyers Committee for Civil Rights
- Past Member, Board of Directors, The Volunteer Center
- Past Board President, The Lake School

ADMISSIONS

- California
- All Federal Courts in the State of California