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The Twentieth Annual Advanced Conference on

Commercial Real Estate Leases

Latest information on negotiating and enforcing commercial leases

December 4 & 5, 2008

Seattle, Washington

Westin Seattle Hotel

Credits: WA CLE 13 inc 1 Ethics | WA App & RE pending (call about others)

Quick when/where: 8:30 a.m., 1900 Fifth Avenue

Commercial Real Estate Leases Conference

December 4 & 5, 2008 | Seattle, Washington
Westin Seattle Hotel

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8:00 Registration and Continental Breakfast

8:30 Introduction and Overview

Jennifer Dunn Cobb, Esq., Program Co-Chair
Jameson Babbitt Stites & Lombard PLLC ~ Seattle, WA

Richard A. Moore, Esq., Program Co-Chair
GordonDerr LLP ~ Seattle, WA

8:45 **Owner Perspectives on the Status of the Market and Where It's Going**

A panel of experts discuss the current and future status of the commercial real estate market

Richard A Moore, Esq., Program Co-Chair, Moderator
Thomas B. Parsons, VP & General Manager Real Estate
Opus Northwest, L.L.C. ~ Seattle, WA

David Tye, VP Operations, Pacific Northwest
Arden Realty ~ Redmond, WA

Stephen Penn, RPA, Managing Director Asset Services
CB Richard Ellis ~ Bothell, WA

9:45 **The Dance of Negotiation**

Clauses you always spend time on; what you trade; cancellation clauses; tenant improvements; delays in delivery of the premises; exclusion from operating costs; assignments; subleases; indemnities; insurance; what you really care about

William H. Block, Esq., Director
Committee to End Homelessness ~ Seattle, WA

Ellen Conedera Dial, Esq.
Perkins Coie LLP ~ Seattle, WA

11:00 Break

11:15 **New Developments in Landlord/Tenant Relationships: Case Law Update from Washington and Insights from Other States**

Marni H. Wright, Esq.
GordonDerr LLP ~ Seattle, WA

12:00 Lunch (on your own)

1:15 **Special Issues in Retail Leasing: Use Clauses, Exclusives, Continuous Operations**

Landlord perspective

Anne DeVoe Lawler, Esq.
Jameson Babbitt Stites & Lombard PLLC ~ Seattle, WA

Tenant perspective

K.E. Love, Esq., Corporate Counsel
T-Mobile USA, Inc. ~ Bellevue, WA

2:45 Break

3:00 **Negotiating Key Lease Provisions**

Richard A. Moore, Esq., Program Co-Chair, Moderator
Landlord's point of view

Jennifer Dunn Cobb, Esq., Program Co-Chair
Tenant's point of view

Thomas S. James, Jr., Esq., Founder
Opus Law Group ~ Seattle, WA

4:15 **Estoppels, SNDAs and Other Tenant Borrowing Issues**

Douglas R. Prince, Esq.
Foster Pepper PLLC ~ Seattle, WA

5:00 **Continue the Exchange of Ideas: Reception for Faculty and Attendees Sponsored by GordonDerr LLP and Jameson Babbitt Stites & Lombard PLLC**



About the Conference

LAW SEMINARS INTERNATIONAL

We dedicate all of our efforts to producing high-quality professional education programs.

Our seminars provide an opportunity for lawyers to learn about their clients' businesses and for the clients to learn about the legal issues impacting their business.

www.lawseminars.com

This seminar will provide insightful, practical information for real estate lawyers, brokers, lenders, landlords and tenants in negotiating and enforcing commercial leases. Basic concepts will be explained to assure that those with less experience are not left behind, but the panel discussions and presentations quickly extend into more sophisticated nuances, often providing creative suggestions for complex lease negotiations as well as invaluable insight into the current state and future of the commercial real estate market. The use of examples will allow participants to apply the concepts to real world situations based on the knowledge of experienced real estate lawyers, leasing agents and other professionals in this field.

This program has been very popular in past years and its content continues to be updated and refined. A must for anyone who needs to make important decisions in commercial leasing.

~ Program Co-Chairs: Jennifer Dunn Cobb, Esq. and Richard A. Moore, Esq.



- 8:00 Registration and Continental Breakfast**
- 8:30 Special Issues in Construction and Improvement of Leased Premises**
Build-to-suit projects, tenant work letters; commencement dates issues and delays
Jennifer Dunn Cobb, Esq., Program Co-Chair
Dan Ivanoff, Managing Investment Partner
Schnitzer West, LLC ~ Bellevue, WA
- 10:00 Break**
- 10:15 New Climate Control Regulations and Their Impact on Real Estate and Leasing**
Hazardous substances and climate control effects on climate change
Brad Marten, Esq.
Marten Law Group ~ Seattle, WA
- 11:00 Remedies and Enforcement: Tenants and Landlords in Dispute**
Common areas of dispute, how to deal with them, the remedies available and tips to avoid the problems
Christopher I. Brain, Esq.
Tousley Brain Stephens PLLC ~ Seattle, WA
- 12:00 Lunch (on your own)**

- 1:15 Broker Perspectives: What Is or Is Not Successful in the Current Market**
Views from leading practicing brokers
Jennifer Dunn Cobb, Esq., Program Co-Chair, Moderator
Rick A. Osterhout, Senior Vice President
GVA Kidder Mathews ~ Seattle, WA
Stuart V. Williams, Principal, Co Founder
Pacific Real Estate Partners, Inc. ~ Bellevue, WA
Susan Zimmerman, First Vice President
GVA Kidder Mathews ~ Seattle, WA
- 2:30 Break**
- 2:45 Ethics and Strategies for Lawyers**
Rules and practical tips of particular importance in commercial leasing: Options for minimizing or allowing conflicts for current clients; duties to former clients; allocation of authority between client and lawyer; fairness, truthfulness, and candor
John D. Sullivan, Esq.
Short Cressman & Burgess PLLC ~ Seattle, WA
- 3:45 Broker Ethics: Dual Agency and Other Agency Issues**
Primary current issues in the real estate industry; update on broker ethics statutes and rules; impact of the Internet and resulting new business models; update on the DOJ antitrust case and its implications
Gordon K. Buchan, SIOR, CCIM, President and COO
GVA Kidder Mathews ~ Seattle, WA
- 4:45 Evaluations and Adjourn**

Upcoming Seminars:

Telecommunications in Distressed Real Estate October 6 & 7, 2008 Washington, DC

See more at www.lawseminars.com



Registration & Other Conference Information

To Register:

Call us at: 800-854-8009 or 206-567-4490
 Fax the registration form to us at: 206-567-5058
 Email us at: registrar@lawseminars.com
 Web site: www.lawseminars.com
 Mail the registration form on the front page.
 Walk-ins are welcome, subject to space availability.
 Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is \$995 with a group rate of \$845 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$695. For students and people in their job for less than a year, our rate is \$497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by

5:00 p.m. on Friday, November 28, 2008. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a \$25 cancellation fee for Course Materials orders and \$50 for Homestudy orders.

Seminar Location: The conference will be held at the Westin Seattle Hotel at 1900 Fifth Avenue in Seattle, WA 98014. Call Tracey Smith directly at (206) 727-5895 or email traceyj.smith@westin.com for reservations at the special negotiated rate of \$189 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 13 WA CLE credits including 1 ethics. WA Appraiser and Real Estate credits are pending. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the written course materials, is available for \$1005. The written course materials alone are available for \$100. We will ship your Homestudy order via UPS ground within two weeks after the seminar or the date we receive payment (whichever is later).

Faculty: Commercial Real Estate Leases Conference

Jennifer Dunn Cobb, *Program Co-Chair* and partner at Jameson Babbitt Stites & Lombard PLLC, represents clients in real estate and business transactions, including sales and acquisitions, commercial development, financing and leasing, as well as the day-to-day representation of real estate and business clients. She was named a “Super Lawyer” by *Washington Law and Politics* and “Seattle Best Lawyer” by *Seattle Metropolitan Magazine*, and listed in *Chambers USA*.

Richard A. Moore, *Program Co-Chair*, partner at GordonDerr LLP, represents landlords and tenants in the negotiation, administration and enforcement of commercial leases. He also represents owners and developers in acquiring and selling real property and negotiating design and construction contracts. He was named a “Super Lawyer” by *Washington Law & Politics*.

William H. Block is Director of the Committee to End Homelessness, the broad coalition of public and private entities implementing the Ten Year Plan to End Homelessness in King County. Previously, he was a partner at Buck & Gordon LLP in complex leasing transactions.

Christopher I. Brain, member at Tousley Brain Stephens PLLC, focuses on complex real property, business and class action litigation. He handles purchase agreement disputes, specific performance and foreclosure actions, restrictive use covenant and construction cases, ownership and management of closely held businesses.

Gordon K. Buchan, President, COO and Principal of GVA Kidder Mathews, has experience in both commercial brokerage and brokerage management and is on the Board of Directors for the Commercial Broker’s Association.

Ellen Conedera Dial, partner at Perkins Coie LLP, focuses on real estate development and financing, acquisitions and dispositions, leasing, land use and zoning. She was President of the Washington State Bar Association and is Chair Emeritus of the WSBA’s Real

Property Probate and Trust Section. She was listed in *Chambers USA* and in *The Best Lawyers in America*, and named a “Super Lawyer” by *Washington Law & Politics*.

Dan Ivanoff is founder and managing investment partner of Schnitzer West LLC, a real estate investment, development and property management company.

Thomas S. James, founder and leader of the Retail Practice Group and the Litigation Practice Group at Opus Law Group, pursues both a litigation and transactional practice. He represents regional and national retail chains in connection with retail leasing, mergers, operations and dispute resolution.

Anne DeVoe Lawler is Managing Member of Jameson Babbitt Stites & Lombard PLLC, focuses on commercial real estate transactions, hazardous waste and land use.

K.E. Love, Corporate Counsel for T-Mobile USA, Inc., provides legal support for T-Mobile’s commercial and retail real estate functions nationwide, including leasing transactions, design and construction services, real estate-related commercial contracts, facilities and energy management matters, lease compliance, and dispute resolution.

Brad Marten, founder and managing partner of Marten Law Group, has been recognized by *Seattle Magazine* as “one of the best lawyers in Seattle” and was listed in *The Best Lawyers in America* and other publications for his success in environmental law.

Rick A. Osterhout, Senior Vice President with GVA Kidder Mathews, is a real estate advisor to companies, both regionally and nationally, in acquisitions and dispositions; redevelopment and adaptive re-use; coordination of ancillary professional services and strategic facilities analysis.

Thomas B. Parsons, Senior Vice President and General Manager of Opus Northwest, L.L.C., is the senior officer for the Pacific Northwest. He oversees operations including profit and loss

responsibility, project development management, land acquisition, financial analysis, financing of real estate projects and investment sales.

Stephen Penn, Real Property Administrator (RPA) and Managing Director of Asset Services at CB Richard Ellis, has diversified commercial real estate experience in leasing, development, property and asset management. As Managing Director, he oversees all Seattle office operations for CB Richard Ellis.

Stuart V. Williams, Principal and Co-Founder of Pacific Real Estate Partners, has represented numerous local and national companies including Portage Bay Partners, Morgan Stanley, University of Washington and Schnitzer Northwest.

Douglas R. Prince, member, Foster Pepper PLLC, practices real estate and real estate finance, with an emphasis on commercial asset-based lending and residential, consumer loan program development and compliance on a regional and national basis.

John D. Sullivan, partner at Short Cressman & Burgess PLLC Chair of the Ethics Committee and Co-Chair of the Business and Real Estate Section, focuses on commercial real estate transactions. He was named a “Rising Star” by *Washington Law & Politics*.

David Tye, Vice President of Operations for the Pacific Northwest at Arden Realty, is responsible for operations and leasing.

Marni H. Wright, attorney at GordonDerr, represents lenders, borrowers, developers and property owners in the acquisition or disposition of commercial and public properties. She also represents landlords and tenant in commercial and retail lease negotiations.

Susan Zimmerman, First Vice President of GVA Kidder Mathews, specializes in retail properties and tenant representation. She represents Schnitzer West, Recreational Equipment Incorporated, Gene Juarez, Washington Mutual and Men’s Wearhouse.

December 4 & 5, 2008

Seattle, Washington

Westin Seattle Hotel

1900 Fifth Avenue
(206) 728-1000

Who Should Attend:

Attorneys, lenders, owners, managers, brokers, leasing agents, real estate developers and others who are involved in landlord/tenant relationships and who deal with lease negotiation, drafting, defaults and litigation

You Will Learn About:

- Assessing the market
- Making the deal happen
- Case law updates on landlord/tenant relationships
- Special issues in retail leasing
- Build-to-suits
- Managing the negotiation process
- Key lease provisions
- Climate control regulations
- Remedies and enforcement
- Ethical hazards for lawyers
- Broker ethics: Updates on statutes and rules

To Register:

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