

## Practices

# Real Estate Litigation

Our changing economy has produced an active and increasingly turbulent commercial real estate market, leading players to unwind old deals to secure more profitable new ones. Given the complexities of the transactions and the parties jockeying for position, disputes are almost inevitable. Seasoned counsel play an integral role in both avoiding disputes and effectively and efficiently resolving them when they arise, in or out of court. Akerman's Real Estate Litigation Practice Group is recognized by *Best Lawyers* as a national tier one law firm for Real Estate, Construction, and Land Use and Zoning Law. Our lawyers have significant and unparalleled experience in all aspects of real estate litigation across major markets nationwide and in bet-the- company litigation for public and private entities, Fortune 500 companies, REITs, financial institutions, landowners, and some of the largest real estate investors and developers in the United States. We develop legal strategies that are driven by our clients' individual priorities and goals and, as such, approach and manage each case with a strong sense of ownership and commitment.

In addition to extensive experience in general real estate litigation, our lawyers are nationally recognized for successfully handling complex commercial landlord and tenant matters – from big box retailers to REITs – and serve as national, regional, and local litigation counsel on a wide and international range of commercial, industrial, retail, and mixed use disputes. We also handle disputes regarding the acquisition of property, regulatory approval of a development, construction of a project,

---

## Connect With Us



**Lawrence P. Rochefort**

Chair, Litigation  
Practice Group  
+1 561 671 3603



**Dana Clayton**

Partner, Litigation  
+1 305 982 5619

## Our Team

---

## Related Work

Commercial Landlord-Tenant Bankruptcy  
Construction  
Eminent Domain and Property Rights  
Environmental Litigation  
Litigation  
New York Land Use and Zoning  
Real Estate  
Water Task Force

management and leasing of buildings, environmental and regulatory compliance, government eminent domain and regulatory takings, foreclosures and restructuring of financial obligations, and the management and operation of business entities focused on real estate investments. We have represented clients with respect to disputes surrounding everything from premier office buildings, hotels, and condominium developments to citrus groves, golf courses, and undeveloped land, to specialty projects such as power plants, tunneling, pipelines, arenas, hospitals, airports, and transportation facilities.

To help clients achieve their objectives without the necessity and expense of litigation, we provide pre-dispute advice and guidance to anticipate and forestall disputes. If a dispute does ensue, we explore several alternative paths in lieu of potential lengthy and expensive court proceedings, such as pre-suit mediation, settlement discussions, and mock trials. We work closely with the parties to resolve the dispute, potentially salvage the relationship, and narrow the issues for litigation if necessary. When litigation or arbitration is unavoidable, we offer a deep bench of lawyers who routinely appear in federal and state courts, before regulatory agencies, and in arbitration proceedings.

## What We Do

- Access disputes
- Air rights litigation
- Acquisition disputes
- Brokerage and developer disputes
- Boundary disputes
- Commercial landlord-tenant litigation
- Commercial litigation
- Commercial mortgage foreclosures and receiverships

- Commercial real estate projects
- Condominium litigation
- Construction litigation
- Eminent domain and inverse condemnation litigation
- Encroachments
- Environmental litigation
- Hospitality litigation
- Industrial parks litigation relating to planning, development, and operating issues and potential litigation
- Interstate Land Sales Full Disclosure Act (ILSA) litigation
- Land use disputes
- Title issues
- Mechanics liens
- Monetary lease defaults
- Non-monetary lease defaults
- Nuisance matters
- Real property covenants and restrictions disputes
- Restrictive covenant disputes
- State deceptive and unfair trade practice acts litigation
- Surveying and boundary line disputes
- Title issues
- Trespassing
- Water rights litigation
- Historic structures and landmark property rights counseling
- Zoning issues