



**GAIL E. KAVANAGH**

**Partner**

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**BIOGRAPHY**

Gail Kavanagh's commercial litigation practice includes real estate title and contract disputes; eminent domain; commercial landlord-tenant matters; commercial tort actions; employment contract, discrimination and harassment actions; and trademark, copyright and trade secrets protection.

**REPRESENTATIVE MATTERS**

- Defended a sexual harassment claim against a city brought by its City Clerk.
- Successfully defended a county and its Sheriff's Office in a wrongful termination case before the Civil Service Commission.
- Represented a city in an action by homeowners regarding the terms of a city affordable housing program.
- Defended a gender discrimination case against a city and its fire department
- As part of Burke's Land Use Practice team, represents public agencies and developers in CEQA litigation in trial and appellate courts.
- Successfully defended a foreclosure trustee in federal actions alleging violations of debt collection statutes.
- Defended a local arts school in a multi-million-dollar lease dispute
- Defended an international commercial property developer and owner of a Class-A San Francisco office building against fraud, contract, nuisance and trespass in the trial court and on appeal.
- Successfully appealed a trial court's dismissal of a commercial landlord's breach of contract action under California's anti-SLAPP statute, reinstating the landlord's action and winning recovery of the client's attorneys' fees.
- Has represented a public utility in several eminent domain actions to acquire real property for the construction and operation of electrical and gas transmission lines in Northern California.
- Represents various property owners and users in civil actions brought under the Americans With Disabilities Act and California's Unruh Act
- Defended a major retailer against claims of consumer fraud, breach of contract and unfair business practices, obtaining dismissal and nonsuit of dozens of claims.
- Successfully defended a major retailer in against fraud and breach of contract claims arising from ground leases for properties on which the client had intended to build stores, but was prevented by political or market forces from doing so.
- Successfully defended an Academy-Award-winning director, the producers and distributors of the documentary film "Tabloid" in the trial court and on appeal against numerous claims of defamation, violation of privacy, misappropriation of likeness and infliction of emotional distress.
- Obtained favorable settlements for a landowner in eminent domain actions brought in Los Angeles.
- Successfully defended the developer of a Sonoma County condominium complex and two of its officers against



fraud, construction defect, breach of contract and breach of fiduciary duty claims.

## **BACKGROUND**

### **EDUCATION**

J.D., University of California, Hastings College of the Law, 1991  
B.A., cum laude, University of California, Los Angeles, 1988

### **PRACTICES**

Eminent Domain and Inverse Condemnation  
Employment Law And Litigation  
Environmental Land Use and Natural Resources  
Litigation  
Real Estate and Business Law  
Tort Claims and Products Liability

### **LOCATIONS**

San Francisco

### **ADMISSION**

State Bar of California  
United States District Court for the Central District of California  
United States District Court for the Eastern District of California  
United States District Court for the Northern District of California  
United States District Court for the Southern District of California

### **AFFILIATIONS**

Commercial Real Estate Women San Francisco (CREW SF)  
SF CASA, Court Appointed Special Advocate