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BURKE, WILLIAMS & SORENSEN, LLP



Kara DiBiasio Martini

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Kara DiBiasio Martini is an accomplished litigator and trial lawyer, specializing in commercial litigation. Kara handles all types of commercial litigation, including breach of contract claims, partnership disputes, vendor and third party contract disputes, and corporate management disputes. She also litigates commercial real estate matters, including common area disputes, enforcement of ECR, CC&R, and other restrictive covenants, and disputes involving development agreements, leases, and purchase and sale agreements. Kara's real estate practice also encompasses CEQA litigation and eminent domain actions.

Kara has represented Fortune 500 companies, business owners, property owners, retailers, public utilities, public entities, private individuals, landlords and commercial tenants in matters involving shopping centers, mixed use projects, industrial properties, and master plan communities.

Kara has successfully resolved cases for her clients through jury trials, motion practice, and settlement, including mediation. She handles all aspects of litigation, including pre-lawsuit counseling, initial investigation, development and execution of strategic discovery plans, handling of complex e-discovery matters, and through depositions, motion practice, settlement discussions, ADR, trial preparation, and trial.

Kara earned her J.D. from UC Davis, where she was a member of the Negotiations Honors Board, Moot Court Board, and winner of the 43rd Annual Neumiller Moot Court Competition. Kara graduated as a member of the Order of the Barristers for excellence in oral advocacy. She has continued her commitment to her alma mater as an Adjunct Professor at UC Davis, King Hall School of Law.

PUBLICATIONS

Important Case Update: SCOTUS rules that private parties can condemn state-owned property under federal Natural Gas Act

PRACTICES

Commercial Litigation

Eminent Domain

Litigation

Real Estate and Business Law

EDUCATION

J.D., University of California, Davis School of Law

B.A., summa cum laude, California State University, Chico

ADMISSION

California State Bar

United States District Court for the Northern District of California

United States District Court for the Eastern District of California

United States District Court for the Central District of California

United States District Court for the Southern District of California

AFFILIATIONS

Commercial Real Estate Women San Francisco (Crew SF)

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Paired Sales Analysis: Should your appraiser consider more than just comparable sales?

REPRESENTATIVE MATTERS

- Co-chaired jury trial between major retailer and developer involving disputes over proposed further development in a power shopping center to intensify uses, and in defense of claims over use of common areas. Successfully obtained a temporary restraining order and preliminary injunction based on evidence of impacts to visibility, parking, and access. In the middle of jury trial, opposing party abandoned all claims and agreed not to pursue further development or alterations.
- First chaired a court trial to successfully obtain restraining orders and an award of attorneys' fees to protect business interests of a Fortune 500 Company client.
- Represented private landowners and a residential subdivision developer in litigation with neighboring homeowners' association over entitlement to road and utility access through HOA to a main highway, requiring interpretation of aged development agreement and CEQA documentation. Obtained settlement establishing easements for all required access and recompense for millions of dollars in damages caused by delay.
- Obtained favorable outcome for Fortune 500 retailer in dispute over common area use in a shopping center. Settlement included resolution of uncertainties regarding ECR and lease provisions, providing clarity to both parties on use and maintenance of common areas.
- Represented public utility in eminent domain actions to acquire easements for gas transmission lines.
- Represented public utility in eminent domain action to acquire fee interests, easements, temporary construction easements, and other associated rights for bridge expansion project.

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