BURKE, WILLIAMS & SORENSEN, LLP



Martin Kosla

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PRACTICES

Constitutional Law

Litigation

Public Law

Real Estate

Real Estate and Business Law

EDUCATION

Post Graduate Diploma in Legal Practice, Monash University, Australia 2001

Bachelor of Laws (Honors), University of Melbourne, Australia, 2000

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

State of Victoria, Australia

Pronouns: he, him, his

Martin Kosla primarily practices in the areas of litigation, real estate, and public law.

Martin has handled numerous judicial foreclosure matters for cities and districts in order to recover delinquent special taxes (under the *Mello-Roos Act*) and delinquent special assessments (under the *Streets and Highways Code*). This has included taking judicial foreclosure cases to trial, defending appeals filed by property owners, assisting with complex workouts, taking properties to sale, assisting with credit bids at foreclosure sales, and giving general advice on bond and CFD related matters.

He has experience in handling real estate transactions, including preparing agreements related to the purchase, sale, and lease of real estate. Martin has drafted various agreements concerning real property, including purchase and sale agreements, easements and deeds of trust, as well as affordable housing agreements. He has also provided clients with advice on surplus land issues related to the disposal of land by public entities. (Martin is also licensed as a real estate broker in California.)

Martin has experience in transactional work, including preparing documents associated with the formation of California corporations and limited liability companies. He also has experience in handling trademark registration matters for private and public clients.

Martin is an experienced litigator. In addition to prosecuting judicial foreclosure cases, he has defended government entities against alleged breaches of constitutional rights. In particular, Martin has successfully and efficiently handled numerous cases against prison staff, including defending prison medical staff against allegations of deliberate indifference to medical needs under the Eighth Amendment; defending correctional staff against alleged First Amendment retaliation claims; handling Fourteenth Amendment due process claims; defending prison officials against alleged First

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Amendment exercise of religion claims; defending custody staff against alleged excessive force and failure to protect claims; and handling various cases filed by inmates in state court relating to issues such as medical malpractice. He has worked on defending deliberate indifference to medical needs claims against counties and their staff. This has included defending *Monell* claims based on county policies and practices that allegedly resulted in the deprivation of the detainee's rights. He has also worked on state and federal cases filed against private jail operators and police departments based on alleged failures to protect.

Martin has also handled a broad range of business litigation cases ranging from defending companies for breach of contract arising out of the supply of goods and services to representing officers of private companies in disputes between their members. He has also represented public entities in real estate related matters, including lawsuits to extinguish easements and roadways.

Prior to relocating to California, Martin practiced as an attorney in Melbourne, Australia, where he specialized in all aspects of business litigation. During this time, Martin also handled various real estate and transactional matters for individual and corporate clients.

Before becoming an attorney, Martin served as a forward observer in the Royal Australian Artillery.

PUBLICATIONS

Burke Real Estate and Business Law Update

Real Estate and Business Law Update

Strategies for Curtailing Frivolous Lawsuits

Disciplined for 'Bringing a Sport into Disrepute' – A Framework for Judicial Review

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