

TRAILBLAZERS

LITIGATION

JENNIFER RECINE KASOWITZ BENSON TORRES LLP

PIONEER SPIRIT Jennifer Recine has always been attracted to the problem-solving element of litigation, and the real estate industry is particularly fascinating. "Real estate is full of some of the most vibrant, interesting, pioneering characters you'll ever come across. They are passionate risk takers."

TRAILS BLAZED Recine's successes include representing the Beverly Hills Unified School District in ongoing environmental litigation challenging the proposed route for the extension of the Los Angeles subway. "It's a good illustration of how someone who has broad experience across a wide range of types of litigation can bring a fresh look. Traditional environmental lawyers told the district there was nothing they could do to stop the subway from going under a famously affluent school. On the other hand, I believed it was the story of a public agency having a school district take the brunt of a public project, instead of spreading it among a number of different constituencies. The agency decided where the subway would go first, then analyzed the options, which is the opposite of what they are supposed to do. The court ultimately made the agency go back and reanalyze all the alternatives." That didn't end the litigation, however. "They are starting construction soon, and we are hoping to stop it. It's been a hard-fought and worthy fight."

FUTURE EXPLORATIONS The long expansion in the real estate market is likely coming to an end. "That uncertainty is generating a lot of litigation. We will see a fair amount of activity around UCC foreclosures of real property. There is limited case law on the subject, and it will be an area of tremendous dispute." Opportunistic players will use litigation in a downturn to their advantage. "We are starting to see some hotly contested litigation already."

