MILLER STARR REGALIA

Brian Shaffer

Shareholder

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Brian is a shareholder with a focus in complex commercial litigation. He has obtained favorable decisions for local and national clients in a variety of subject areas, including commercial lease disputes, quiet title actions, eminent domain, inverse condemnation, and general business litigation.

Brian Shaffer is a litigation shareholder in Miller Starr Regalia's Walnut Creek office and is the Chair of the firm's Litigation Department. He has significant experience litigating cases in federal and state courts. His practice focuses on real estate litigation and complex commercial litigation matters, ranging from commercial lease disputes, complex construction litigation, partnership disputes, eminent domain, broker liability litigation, non-disclosure disputes, title insurance and escrow matters, quiet title actions, easement disputes, lender liability, and general business litigation. His clients include Fortune 500 companies, real estate developers, property owners, retailers, financial institutions, and real estate brokers, among others.

Brian focuses on handling each case in a cost-efficient manner designed to obtain results consistent with each client's business and legal needs.

Brian also contributes to *Miller & Starr, California Real Estate, 4th Edition.*

Practice Areas

- Arbitration & Alternative Dispute Resolution
- Commercial & Business Litigation
- Commercial Lease Disputes
- Construction Claims & Litigation
- Eminent Domain & Inverse Condemnation

- Land Disputes, Easements & Lien Priority Claims
- Title Insurance

Education

J.D., *cum laude*, Santa Clara School of Law (2008)

- Order of the Coif
- Editor, *Santa Clara Law Review*
- Moot Court Finalist

B.S., Managerial Economics, University of California, Davis (2003)

Representative Matters

Represented global technology company with respect to complex design and construction defects at new multi-billion dollar headquarters facility.

Represented national retailer in a dispute over the exercise of a right of first refusal and priority of purchase interest in connection with large retail development property.

Represented real estate developer in litigation involving disputed ownership of a large shopping center property located in the Bay Area.

Represented prominent real estate developer in connection with claim by real estate broker over entitlement to a commission for listing of a $6.5 million property in San Francisco. Obtained favorable decision for client at arbitration, including an award of 100% of client's attorneys' fees.

Defended national homebuilder against claims by another builder for reimbursement of significant infrastructure costs pertaining to large development in Sacramento. Obtained dismissal of all claims against client through successful motion to dismiss.

Represented mortgage company in action for misappropriation of trade secrets, breach of fiduciary duty, and breach of contract.

Represent business owners, property owners, and tenants in eminent domain and inverse condemnation actions involving various public projects throughout the state of California.

Associations

Bar Association of San Francisco

California Mortgage Bankers Association

Contra Costa County Bar Association

Contra Costa Leadership Program (2013–2014)

Santa Clara University Bronco Builders Association – Board Member

Publications

Miller & Starr Newsalert, “California’s Anti-SLAPP Statute: A Potent, Yet Confounding, Weapon,” Volume 27, Number 6, July 2017

"UPDATE: Sifting Through the Ashes: The Demise of Redevelopment Agencies and the Scramble to Figure Out the Next Step," *Miller & Starr, California Real Estate Newsalert*, Volume 23, Number 1, September 2012

"Sifting Through the Ashes: Who Owns the Assets of a Former Redevelopment Agency and Related Title Concerns," *Miller & Starr, California Real Estate Newsalert* Volume 22, Number 6, July 2012

"The Demise of Fannie Mae and Freddie Mac: Housing Finance Reform and the Potential Impacts on the Real Estate Market,” Miller & Starr Newsletter, Fall 2011

"Employer Liability for Negligence of Notary Employees," California Escrow Association, *CEA News*, Volume 42, Number 3, July 2010

“The NBA’s Age Requirement Shoots and Misses: How the Non-Statutory Exemption Produces Inequitable Results for High School Basketball Stars,” *Santa Clara Law Review*, Volume 48, Number 3, 2008

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