MILLER STARR REGALIA



Thomas McConnell

Shareholder

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Tom has almost 40 years of trial and arbitration experience in real estate and complex business disputes. Tom has been an attorney at Miller Starr Regalia his entire career, since graduation from UCLA Law School in 1987. He has been actively involved in the firm's management, including serving as a member of the firm's Executive Committee a total of 17 years and Compensation Committee for approximately a decade. Tom has also been an active member of the Risk Management, Mentoring, and Professional Development Committees at the firm.

Tom McConnell is a litigation shareholder in Miller Starr Regalia's Walnut Creek Office. His practice is primarily focused in the area of real estate law. Tom also handles complex business disputes. In particular, Tom's focus is in commercial lease disputes of all varieties. He represents property owners and managers as well as one national retail tenant who Tom represents in all of its commercial disputes throughout the State of California. Although Tom has nearly 40 years of trial and arbitration experience, he prides himself on engineering practical solutions to his client's problems, often leading to quick, cost-efficient results.

Tom assumed a leadership role at Miller Starr Regalia even before becoming a shareholder in 1994. Starting as an associate, he ran the firm's summer clerk program for more than a decade and was actively involved in recruiting new attorneys. For many years, Tom served as the firm's hiring shareholder. Shortly after becoming a shareholder, Tom served as one of the business leaders of the firm by being elected to serve on the firm's Executive Committee and at this point has been a member of the firm's Executive Committee for 17 years in total. In addition, Tom has served on the firm's Compensation Committee for a decade as well as the Risk Management Committee, Mentoring Committee, and Professional Development Committee. Tom is also the former head of MSR's Litigation Department.

When Tom is not practicing law, he enjoys spending time with his wife Stephanie and his three adult sons. Tom managed his sons' various baseball teams for over 15 years and was in fact honored with the Manager of the Year Award from the Orinda Baseball Association ("OBA") in 2004, an award he still cherishes to this day. As he eagerly awaits the potential opportunity to coach grandchildren, Tom spends most of his free time with Stephanie hiking or enjoying other forms of exercise and whenever possible, traveling.

Practice Areas

- Arbitration & Alternative Dispute Resolution
- Commercial & Business Litigation
- Commercial Lease Disputes

Education

J.D., University of California, Los Angeles (1987)

B.A., University of California, Davis (1984)

- Phi Beta Kappa

Representative Matters

GDT, Inc. v. Sycamore Canyon Farms, et al.: Represented defendant/landlord entities in an action filed by a tenant who asserted claims for millions of dollars of damages pertaining to landlord's alleged breach of the parties' commercial lease agreement. Tenant asserted that landlord's alleged breach terminated the parties' long term lease. In response, landlord filed a counterclaim for breach of lease against the tenant. The action was bifurcated, with tenant's affirmative claim to be tried first, followed by landlord's breach of lease claim in phase two if the court ruled in landlord's favor in phase one. Obtained a court decision in clients' favor on all grounds in both phases of the bifurcated action plus an award of all applicable attorneys' fees.

Tamsen Munger v. Mike Vukajlovic, et al.: Represented plaintiff in a claim for breach of an exclusive contained in a commercial lease agreement. Further, defended client against a cross-complaint filed by the defendant landlord for breach of lease. Obtained a court decision in client's favor on all claims and cross-complaints and received an award of attorneys fees.

Tracy Joint Unified School District v. Ernest Pombo, et al.: Represented the owner of unimproved land in Tracy in an eminent domain action brought by the Tracy Joint USD. The Tracy Joint USD's final offer for the 60+ acres in question was $3,181,500. In the end, the jury awarded land owner $7,985,150 in damages.

Sundby v. Metrix Corporation: Represented an individual plaintiff in a fraud and breach of fiduciary duty case against a Wisconsin-based corporation with whom the client joint ventured to sell a computer software program. This case involved over 20 depositions that were taken throughout the country. Ultimately, the case was tried to a jury in the Federal District Court in San Francisco, resulting in a damage award in favor of the plaintiff in excess of $1 million.

Business Ventures, LLC v. Mountain Slopes, LLC: Represented seller in an arbitration proceeding in which buyer breached the parties' underlying purchase and sale agreement and then subsequently sought to specifically enforce the purchase agreement despite seller's later efforts to sell the property to a third party. Defeated buyer's claim for specific performance and obtained an arbitrator's award in the full amount of buyer's deposit plus an award of attorneys fees.

Main Street Pleasanton v. Nazamy: Represented the plaintiff in a dispute involving the timeliness of the defendant's alleged exercise of an option to extend a commercial lease. Obtained a court decision in favor of the client confirming the termination of the parties' lease agreement and recovery of possession on behalf of the landlord.

Awards & Recognition

Martindale-Hubbell – AV Preeminent Rating (1998 – 2026)

Super Lawyers Northern California (2005)

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