



GEOFFREY M. GOLD

PARTNER

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Geoffrey M. Gold is a Partner in the Litigation, Real Estate and Land Use Departments.

Geoff is a trial lawyer specializing in business and real estate matters. Clients appreciate Geoff's ability and proven track record in obtaining significant arbitration awards, favorable mediation results and settlements, grants of summary judgment and trial victories while keeping costs under control. Geoff has litigated to successful conclusion hundreds of cases over the past 30 years, including those involving:

- Business divorces
- Business and personal injury torts, including negligence and defamation claims
- Complex shareholder battles and partnership disputes
- Conflicts between competitors, and concerning unfair business practices
- Commercial and general business litigation
- Contractual controversies
- Construction defect cases
- Corporate entity dissolutions and real estate partition actions
- Employment issues
- Failure to disclose cases
- Fraudulent conveyances, transfers and preferences
- Insurance coverage and recovery, and bad faith litigation
- Lease disputes
- Lender liability
- Land use litigation and actions against cities and municipalities

EDUCATION

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

B.A., University of Rochester, Rochester, New York, *summa cum laude*, *Phi Beta Kappa*

PRACTICE AREAS

Litigation and Alternative Dispute Resolution

Real Estate

Construction

Estate Planning, Probate and Trusts

Food, Beverage and Hospitality

Insurance Coverage and Recovery

Land Use and Environmental

ADMISSIONS

California

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Fifth Circuit

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

U.S. District Court, Northern District of California

- Professional liability and negligence
- Probate and trust litigation
- Proceedings in bankruptcy court
- Specific performance cases
- Unlawful detainers
- Real estate litigation of all kinds and matters pertaining to deal-makers and breakers, brokers, adjacent property owners, parties in lease, buy-sell or buy-out situations, and land use

U.S. District Court, Eastern
District of California

Geoff frequently acts as outside general counsel for small and medium size business clients and special counsel for large companies. He has expertise in working with developing businesses and assisting individual and corporate clients with their everyday legal affairs. Geoff has substantial experience negotiating, documenting and closing difficult real estate transactions, and counselling clients on how not only to win, but to avoid litigation.

Geoff is a member of the Executive Board of Directors of Bet Tzedek and is active in a variety of professional, charitable and community associations. He has a wife and three sons. He is originally from Washington, D.C.

Past Employment

- Davidoff Gold LLP, Los Angeles, California, Partner
- Rutter Hobbs and Davidoff Incorporated, Los Angeles California, Partner
- Lillick and Charles, San Francisco, California, Associate
- Brobeck Phleger and Harrison, San Francisco, California, Associate

REPRESENTATIVE MATTERS

Won 45 day bench trial obtaining judgment for plaintiff real estate investor, a limited partner and tenant in common owner senior, in the amount of \$4.3 million on financial elder abuse and unfair business practices claims, and judgment in the amount of \$4.6 million on separate derivative claims for limited partnership entities and \$1.5 million attorney's fee award—in addition to recovering \$4.7 million for plaintiff after filing of the suit and before entry of judgment by suing accountant for professional malpractice and general partner and tenants in common for breach of fiduciary duty.

Won \$6.5 million judgment on breach of contract, breach of fiduciary duty, and punitive damages claims in a three week jury trial.

Won \$1.8 million settlement for a plaintiff estate of an 84 year old decedent against a defendant real estate partner who had breached fiduciary duties and engaged in financial elder abuse. Case resolved at the final status and mandatory settlement conference five days before three week jury trial was set to start.

Prosecuted and successfully concluded complex multi-party real estate litigation, negotiating and securing for developer land settlement deal resolving writ proceedings and civil suit against the City of Los Angeles and adjacent landowners including major health plan provider and concerning 22-acre Marlton Square site, disputed development plan, and neighbor conflicts involving CEQA, zoning, CC&R and equitable servitude issues.

Conducted 30 court day bench trial winning favorable decision in excess of \$750,000 for 85 year old property owner in case involving manager who embezzled hundreds of thousands in rents but had the audacity to sue the owner for \$1.6 million in damages on various theories. The trial court found the property manager to have defrauded the owner and committed elder abuse.

Successfully defended majority owner in two restaurants against claims brought by minority owner who had alleged wrongful termination. Case settled favorably for majority owner in mediation.

Won jury trial defense verdict for a commercial machine shop sued by a trucking company for negligence, breach of contract, fraud and unfair business practices. Obtained award of costs and sanctions in excess of \$40,000 even though there was no contractual fee provision. Result affirmed on appeal.

Won arbitration award totaling over \$400,000 for expert witness accounting firm against lawyer who had hired the firm but failed to pay the fee. Arbitration award affirmed by trial court. Result affirmed on appeal.

Won dismissal on summary judgment of lawsuit seeking over \$25 million for alleged oral breach of contract by decedent to transfer shares of public company.

Successfully defended seller of real property against claims brought by listing broker. Won partial summary judgment and then judicial arbitration. Recovered over \$75,000 in attorney's fees after broker attempted to dismiss without prejudice the day of trial.

Won dismissal on summary judgment of claims for sexual assault and battery brought against physician. Won jury trial verdict in favor of doctor on his defamation cross-complaint for over \$2.35 million in compensatory and punitive damages. Case settled confidentially and favorably while on appeal.

Aided 40% owner of bakery business in shareholder dispute, successfully moved for appointment of receiver and obtained order for dissolution, then when 60% owner put company into bankruptcy, assisted with purchase of assets from the trustee so client won 100% of the business at discounted price.

Won arbitration award in favor of a neurologist in a medical practice dispute. Defeated cross-claims and recovered six-figure amount including attorney's fees.

Represented two orthopedic surgeons in a dispute with a third orthopedic surgeon over alleged partnership, division of accounts receivable, and cross-claims regarding rights to tangible and intangible property. Litigated the case to final decision in arbitration, defeating all cross-claims and winning award of over \$500,000, including attorney's fees, with clients obtaining full recovery.

Assisted major retailer tenant in a construction defect/breach of lease lawsuit against landlord relating to falling roof beams and structural issues at a large store in Orange County. Following mediation, obtained seven figure settlement and complete repair of the property by landlord.

Assisted contractor/developer in dispute with alleged partner regarding six real estate projects involving buildings worth several million dollars. Complex dispute centered on oral agreements and contributions of labor and capital. Obtained expungement of lis pendens on property. Moved for summary judgment and settled case favorably in mediation.

Represented partner/co-founder of music awards show regarding claims for breach of fiduciary duty. Resolved matter on terms highly favorable to the client with the client becoming the exclusive owner of all assets.

Defended seller of three-unit building in Manhattan Beach against specific performance action after lis pendens was filed by buyers. Moved to compel arbitration. Won dismissal of case in favor of seller on a motion for judgment following opening statements in arbitration with a final award providing full recovery of all costs and fees incurred including expert witness expenses.

Successfully represented post production studio tenant in North Hollywood against landlord in a suit regarding a leaky roof and resulting damages. Landlord property owner cross-claimed against contractors, turning suit into a complex, multi-party construction defect case. Following mediation, obtained settlement in mid six figures in favor of tenant as compensation and complete fix of the property.

Prosecuted specific performance complaint on behalf of prospective tenant-purchaser holder of a Culver City commercial real property lease option. Moved for summary judgment and with motion pending, matter settled in mediation with client recovering payment of attorney's fees and costs incurred as well as order granting specific performance and delivery of possession of real property.

Filed specific performance suit in support of lis pendens against landowner who made false representations to induce buyer to cancel escrow of industrial property in South San Francisco. Litigated case through arbitration based on fraud/breach of contract theory and won order by arbitrator mandating specific performance. Secured and enforced entry of judgment compelling specific performance and recovered over all fees and costs incurred, enabling buyer to successfully complete purchase of property at original price.

Won bench trial in commercial contract suit brought against printing business. Decision granted full recovery of attorney's fees and costs to client.

Defended developer against suit brought by a municipality for seven figure amount for charges allegedly due under a joint development agreement. Cross-complained for double the amount sought by the municipality and resolved case in mediation on highly favorable terms, with developer receiving net positive recovery.

Successfully represented seller of commercial property in compelling buyer to purchase according to contract. Obtained summary adjudication in arbitration allowing specific performance in favor, thereby forcing the sale at original price and requiring payment of costs incurred by buyer.

Brought suit against life insurance carrier and agent for fraud in connection with sale of vanishing premium policy. Obtained settlement in seven figures that fully compensated client and recovered attorney's fees in six figures.

Sued insurance carrier for failing to issue properly promised policy and agent who embezzled premium. Obtained settlement paying for client's attorney's fees and providing full coverage for defense and indemnity on a wrongful death personal injury claim where there had been an initial denial of coverage.

Represented family member in a dispute over ownership of four properties allegedly held in trust or partnership. Case settled favorably before dispositive rulings as court took summary judgment motion under submission three weeks before trial date.

Represented 50% owners of a travel company regarding dissolution of their business partnership. Litigated case to successful conclusion in arbitration with six figure award in favor of clients and dismissal of all cross-claims. Handled and negotiated residual break-up and regulatory issues.

Won bench trial verdict in favor of financial company seeking to collect fees for services, plus attorney's fees and costs.

Won full amount requested in jury trial for law firm suing to recover for professional services.

Won non-suit in jury trial in favor of defendant homeowner in action brought by contractor.

Obtained confidential settlement for plaintiff and cross-defendant in fraud and theft employment and partnership case third week into jury trial.

Successfully concluded partition action involving six properties in West Los Angeles. Obtained interlocutory judgment appointing referee.

Won summary judgment for plaintiff to recover possession of commercial property in unlawful detainer proceeding. Defeated challenges for motion of reconsideration. Prevailed on appeal.

Obtained favorable settlement for production company midway through arbitration resolving multi-million dollar claims brought by disgruntled executive based on fraud and breach of contract claims concerning termination and an earn-out.

Secured dismissal of fraud complaint against client during jury trial.

Won bench trial judgment dismissing action brought by plaintiff on a promissory note seeking in excess of \$1,000,000. Defendant received attorney's fees and costs award of approximately \$200,000.

Won Anti-SLAPP motion to strike vexatious complaint brought against community leader and over \$40,000 attorney's fees award.

HONORS & RECOGNITIONS

Top Litigator, *Los Angeles Business Journal*, 2018 & 2022

Best Lawyers in America, 2020, 2021 & 2022

Southern California Super Lawyers, 2013-Present

AV® Preeminent™ Rated, *Martindale-Hubbell*

COMMUNITY & PROFESSIONAL

Beverly Hills Bar Association

Bet Tzedek Legal Services, Member Board of Directors

Moriah Society, American Jewish University

Jewish Federation, Legal Services Division Cabinet

Jewish Federation, Real Estate Division Cabinet

Trial Advocacy Project, Volunteer Deputy Prosecutor for City of Los Angeles

AYSO Soccer, Division 70, Coach

ProVisors (Professional Association of Trusted Advisors)

CLIENT ALERTS

Ervin Cohen & Jessup Announces Launch of Insurance Coverage and Recovery Practice
06.30.2020

BLOG POSTS

New Case Demonstrates How Tricky Dissolving a 50%-50% Owned California Limited Liability Company Can Be
The Real Dirt, 10.11.2022

Unsettled Ground for Prescriptive and Equitable Easements
The Real Dirt, 08.26.2021

Not a Fraudulent Transfer...Even With Intent To Defraud?
The Real Dirt, 09.18.2020

What Lawyers Should Know (But Mostly Don't) About Financial Elder Abuse Claims
The Real Dirt, 08.06.2018

An Effective Way to Fight an Objectively Frivolous Lawsuit
The Real Dirt, 02.09.2015

PUBLICATIONS

Not a Fraudulent Transfer...Even With Intent To Defraud?
Daily Journal, 09.18.2020

Builders Beware! You Cannot Hide Behind SB 800!
Construction Chaos, Ervin Cohen & Jessup LLP, 03.24.2014

SPEAKING ENGAGEMENTS

Here & Now: Adjusting to the New Market
The Azzi Group of Marcus & Millichap and Ervin Cohen Jessup LLP, Live Webcast, 05.12.2020

SUCCESSES

10 Ervin Cohen & Jessup Attorney Named "Best Lawyers In America" And Two Named "Ones To Watch"

Ervin Cohen & Jessup's Randall Leff and Geoffrey Gold Named Top Litigators in Los Angeles

ECJ Partners Gold and Haas Obtain Victory For Client

Ervin Cohen & Jessup Obtains Complete Victory in Financial Elder Abuse Case

Justice Not Delayed in Zoom \$4.4 Million Arbitration Award