

Daniel C. Spurlock

Partner

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Practices

FOCUS: Litigation

Fiduciary Litigation

Real Estate Litigation

Industries

Construction

Education

JD, University of Virginia School of Law

BS, The College of William & Mary

Bar Admissions

Virginia

District of Columbia

Court Admissions

US District Court, Eastern District of Virginia

US District Court, District of Columbia

US District Court, District of Maryland

Successful litigators have many styles. Daniel Spurlock uses an aggressive yet flexible approach, combined with a knack for finding outside-the-box solutions for his real estate clients. Through creative problem solving, he puts clients in the best position to negotiate a favorable settlement, or when necessary, proceed to trial. Developers, landlords, contractors and condominium associations regularly rely on Daniel's ability to find business-oriented solutions.

Resolving property fights

Daniel concentrates in complex commercial litigation, with a focus on real estate, construction, and intracompany disputes among members, partners and joint venturers. Daniel represents commercial development and brokerage firms, landlords, contractors, limited liability companies and a wide range of other clients in Virginia, the greater Washington, DC metropolitan area and nationally in state and federal courts and in arbitration. He has significant experience handling all phases of sophisticated, multimillion-dollar cases, including disputes over easements, restrictive covenants and other land use issues; lease violations involving commercial tenants; "squeeze out" claims and other control and profit-sharing issues between co-investors; fiduciary and professional regulation violations; construction defects, hidden conditions and scheduling delays; and the full range of business claims, including breach of contract, fraud, breach of fiduciary duty, misappropriation, false claims and noncompete/nonsolicitation agreements.

The commercial real estate business is fraught with disputes that can mushroom into litigation. Daniel has successfully represented developers in conflicts with retailers over lease commitments, builders in battles over renovations and property owners in disputes with adjacent owners. In each case, he looks for a creative strategy that will produce the best result.

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Representative Experience

- Represent multiple major mall developers in disputes with anchor tenants over alleged violations of restrictive covenants. In one instance, obtained summary judgment in favor of client that dismissed multimillion-dollar claims brought by national grocery chain and won reimbursement of attorneys' fees and costs.
- Represented leading Washington, DC metropolitan-area developer in dispute with national retailer over its attempt to back out of its lease commitment to anchor new development. Leveraged potential claims for breach of lease, business torts and violations of SEC regulations to compel retailer's compliance, without resorting to litigation.
- Represented local development company in dispute with minority investors over control of company and sharing of profits. Defended counterclaims and obtained favorable settlement granting client sole ownership of company.
- Represented large real estate developer that owns landmark property in downtown Washington, DC in land use dispute with adjacent property owner, a national development company. Obtained trial verdict that adjacent landowner's proposed construction project would have violated client's easement rights.
- Represented building owner attempting to modernize and redevelop its building in downtown Washington, DC in a lawsuit with several tenants who sued to halt the redevelopment and recover millions of dollars in alleged lost profits damages. Obtained summary judgment dismissing all claims.
- Defend owner of a landmark development in downtown Washington, DC against a condominium association that sued for alleged breaches of reciprocal easement agreement. Also advise owner with respect to disputes with association that occasionally arise.
- Represented local developer in two litigations with business partner who attempted to force client out of valuable multi-property development joint

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venture. Favorable settlement of cases restored client's participation in the venture and dismissed counterclaims against client.

- Represented condominium association against an international developer in construction defect and unsafe conditions litigation regarding condominium building.
- Represent prominent national real estate development company in construction litigation against a state agency over the redevelopment of several state buildings and alleged hidden conditions. Represented client with respect to more than \$11 million in claims and counterclaims and obtained discovery sanctions award of \$90,000 against the state.
- Represent family member over the course of several years in trust and estate litigations regarding \$50 million estate.

Recognitions

- Katten Muchin Rosenman LLP Pro Bono Service Award
 - 2013

Presentations and Events

- The Future Viability of Retail (August 1, 2018) | *Presenter*