

Erika J. Gasaway

Associate

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- **Services**

- Financial Institutions & Creditors' Rights
- Litigation
- Real Estate

- **Industries**

- Banking & Financial Services
- Food & Beverage
- Industrial & Manufacturing
- Retail
- Technology

Overview

Erika Gasaway, an Associate in the San Jose office of Hopkins & Carley, is a member of the Real Estate and Financial Institutions & Creditors' Rights Practice Groups.

She represents and advises clients on a range of complex high-stakes commercial litigation matters with a focus on banking, real estate, contracts, employment, and commercial matters, including:

- Easements
- Leases
- Purchases and options to purchase
- Real estate broker commission disputes
- Partitions
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Civil enforcement proceedings

- Prejudgment actions to recover assets or impose liens
- Judicial and non-judicial foreclosure of real property and personal property collateral
- Receiverships

A graduate of the Leadership San Jose class of 2015, Erika has been recognized by Super Lawyer Magazine as a Northern California Rising Star for the past four years.

Experience

- Succeeded in a bench trial on behalf of a lender against a commercial borrower and individual guarantors who defaulted on a Small Business Administration loan.
- Represented a homeowner in a dispute with his tenant-in-common regarding use of the property and cross-complaints for partition by sale. Successfully negotiated the installment of a referee to resolve the disputes over improvements and sale of the property.
- Represented a property owner against a commercial tenant's attempt to enforce an arbitration clause and exercise an option to purchase in a commercial lease. Assisted in negotiating a solution that avoided the arbitration clause, which enabled the parties to negotiate a sale price.
- Represented a lender against a commercial borrower and guarantors in default to sell multiple parcels of real property and apply the proceeds to satisfy a portion of the indebtedness. Successfully negotiated solutions with junior lien holders, escrow officer, and borrower that protected the client's interests while allowing the complex sales.

Insights

Publications

- "Full Credit Bid Causes Loss of Insurance Proceeds," Hopkins & Carley Creditor's Rights Advisory, November 24, 2014
- "Governor's Proposal to Shutter California's Redevelopment Agencies Warrants Review of Existing Agreements," Bingham.com, Co-author, February 9, 2011

Speaking Engagements

- "Commercial Leasing: Trends in 2016," Hopkins & Carley Real Estate Briefing Series, April, 2016

Professional Activities

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- Rotary Club of San Jose, Member
- Santa Clara County Bar Association Women Lawyers Section
- Historical Museum & Ainsley House in Campbell, California

Bar Admissions

- State Bar of California (2009)

Court Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. District Court for the Southern District of California

Education

- J.D. (Magna Cum Laude), Santa Clara University School of Law
- B.A., University of California, Davis