

Jeffrey E. Essner

Managing Shareholder

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- **Industries**

- Banking & Financial Services
- Industrial & Manufacturing
- Retail

- **Services**

- Construction Law
- Litigation & Trial Practice
- Real Estate
- Business & Commercial Litigation

Overview

Jeff Essner is Hopkins & Carley's Managing Shareholder and former chair of Hopkins & Carley's Litigation Department. His litigation practice is concentrated on complex real estate, construction, business, and commercial litigation.

Jeff has extensive experience in jury and bench trials, and binding arbitration. He has exceptional skill for developing litigation strategy to win trials or resolve cases on terms advantageous to his clients, whether at mediation or at trial.

Over the past three years, Jeff has been lead counsel in a number of lengthy trials and arbitrations, and successfully tried to verdict numerous cases involving business fraud, securities fraud, unfair competition, easements, partition, breach of contract, breach of lease, and construction defects.

Experience

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Prevailed in three week binding arbitration before Judge McKenney (Ret.) of JAMS. The case involved the interpretation and effect of dilution provisions contained in various LLC agreements on a \$60 million real estate project.

- Prevailed in complex construction defect trial resulting in \$16 million award.
- Defended property owner in a \$15 million claim in a private enforcement action for alleged Coastal Act violations.
- Won \$14 million verdict for client following a five-week jury trial on a case involving complex loan transactions between two founders of a national mortgage bank. Affirmed on appeal.
- Successfully defended a property owner against claims for easements by prescription and necessity. Affirmed on appeal.
- Won \$14.8 million judgment for client, including \$10 million in punitive damages, after a two-week bench trial on a fraudulent transfer and malicious prosecution case.
- Successfully partitioned in trial, hundreds of acres of redwoods property resulting in the shaping of Butano State Park in San Mateo County.
- Defended a real estate fund manager during a three-week binding arbitration against a \$20 million fraud and concealment claim arising from a failed real estate project in East Palo Alto
- Prevailed in complex construction defect trial resulting in \$7.5 million verdict plus attorneys' fees and interest.

Professional Activities

- Santa Clara County Superior Court, Judge Pro Tem
- Santa Clara County Superior Court, Arbitrator
- American Bar Association

Bar Admissions

- State Bar of California (1985)

Court Admissions

- 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 Central District of California
- U.S. District Court for the Southern District of California

Education

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- J.D., University of California, Hastings
- B.A. Psychology, State University of New York (SUNY)