



Craig C. Hunter

Of Counsel

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Craig Hunter's more than 40-year legal career has encompassed a wide range of litigation, corporate and real estate matters representing clients in traditional as well as emerging industries. Craig's dedication to learning a company's operations and developing an open line of communication with its principals enables him to effectively advocate on behalf of clients to resolve litigation challenges and capitalize on business opportunities.

Craig's wide-ranging transactional practice is focused on real estate transactions, corporate formation, mergers and acquisitions, and commercial agreements representing for-profit and nonprofit entities. These include the negotiation of two stock purchase and merger agreements representing the corporate seller, as well as many commercial and residential leases and contracts for the sale of businesses, corporate and partnership buy-sell agreements, private placement memoranda and commercial credit facilities. In recent years, Craig has developed a renewable energy transactional practice representing wind and solar developers in connection with utility-scale projects, including reviewing complex power purchase agreements, forming limited liability companies, securing entitlements, and drafting long-term leases and development agreements with land owners, most recently on tribal land. He also has developed a specialty in advising Indian tribes on prosecuting off-reservation gaming applications, including identification of suitable gaming sites.

Craig's civil litigation practice currently focuses on commercial and contract disputes, including energy- and utility-related claims, bank credit facility lawsuits and securities industry FINRA arbitrations. He also has a strong background in insurance coverage litigation as well as the defense of professional, employment practices and construction liability claims. Craig has significant jury and bench trial experience and has participated in numerous arbitrations. At the conclusion of litigation, Craig strives to identify lessons learned that the client can apply to its operations to help avoid future lawsuits.

Services

- Aviation & Aerospace
- Cannabis Law
- Commercial Contracts & Agreements
- Financial Services
- Insurance Agents & Brokers
- Intellectual Property & Technology
- Mergers & Acquisitions
- Real Estate Professionals
- Securities
- Securities Industry Professionals
- Engineered Stone

Early in his career, Craig was a principal in a real estate development firm responsible for projects ranging from luxury town homes to low- and moderate-income condominiums in the inner city. In his legal practice, Craig has appeared before state, city and local governmental agencies, including the California Coastal Commission, in connection with commercial and residential real estate projects and has negotiated major real estate purchase agreements.

Land Development

Craig has extensive experience representing residential and commercial real estate developers in purchasing land for development, and before local agencies in obtaining development entitlements, from conditional use permits, zone changes and specific plan amendments to final building permits. He has provided preliminary counsel to developers on regulatory and environmental restrictions on development. Having litigated major environmental coverage issues for carriers, Craig understands the thorny environmental issues that may arise in connection with the acquisition of commercial property. He has assisted condominium developers and homeowners' associations in forming associations and in preparing CC&Rs and complying with state department of real estate requirements.

Leases and Easements

Craig has negotiated and reviewed commercial leases and subleases for clients on both the landlord and tenant sides, and has resolved lease disputes arising between the parties to avoid litigation. Craig has litigated landlord-tenant disputes that have become intractable for his clients with the assistance of his Wilson Elser real estate partners. Recently, Craig has represented renewable energy developers in the negotiation and drafting of complex, long-term leases for development of utility-scale solar projects and long-term easement agreements for large wind projects. One such solar lease involved land that was part of an Indian reservation. He also has counseled railroads on protection of their rights-of-way in negotiations with telecoms. Craig has drafted easement agreements in resolution of right-of-way disputes between neighbors, and has litigated easement disputes between landowners.

Real Estate Litigation

Over the course of several decades, Craig has litigated the entire spectrum of issues related to real estate and real estate development, including partnerships and joint ventures, construction defect, land subsidence, easements, encroachments, deed restrictions, vested rights, title insurance, escrow and broker liability, architect malpractice and various state regulatory proceedings.

Indian Gaming

Craig has advised several tribes on development of "off-reservation gaming," that is, the development of Las Vegas-style gaming on land outside of a tribe's reservation to be acquired in trust for gaming purposes. This has included assisting tribes in identifying suitable land and negotiating preliminary option terms with landowners, and making preliminary environmental assessments of suitable land.

Mergers & Acquisitions

Craig has been involved in M&A negotiations, providing advice to the board and assisting with closings for a major western ski resort in sale of one of its ski areas and in an ultimate

stock sale.

Municipal Contracts

Working with his New York partners, Craig has assisted in advising a major aircraft and railcar manufacturer on issues arising in RFP submittals for railcar sale and rail management services for intergovernmental rail authorities.

Insurance Coverage Litigation

Stepping in to co-represent carriers with a firm serving as their national counsel, Craig helped defend against major coverage and bad faith claims.

Commercial Litigation

Craig represented creditors and debtors in UCC-related commercial loan, collection and credit facility litigation, including more recently, defense of class action litigation arising out of the Telephone Consumer Protection Act and Fair Debt Collection Practices Act.

Mass Tort Litigation

Initially representing plaintiffs in a firm prosecuting mass tort claims for plaintiffs, including large pharmaceutical and medical device companies, Craig was involved in settlements in excess of \$100 million, and then began representing defendants in several mass-tort cases.

Product Liability Litigation

Craig has defended a variety of product liability cases, including a vehicle manufacturer in rollover cases, and a valve manufacturer in a major gas explosion case.

Education

- University of the Pacific, McGeorge School of Law (J.D., 1976)
- Principia College (B.A., 1968)
 - cum laude

Bar Admissions

- California

Court Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California

Professional Affiliations

- American Bar Association
- Los Angeles County Bar Association

Representative Matters

Litigated a complex, \$100 million fire case involving the failure of utility poles in representing a telecom defendant, including defending the telecom against PUC penalty proceedings, resolving the case for a fraction of the demands of multiple plaintiffs.

Represented developers of a 175MW, \$300 million solar project sited on 450 acres of a Nevada Indian reservation in the preliminary work to identify major environmental issues, transmission requirements and limitations, BIA entitlement issues, financing options, and opportunities to sell power to various off-takers, including a nearby Naval base and California municipal and investor-owned utilities, and in negotiation of a complex 85-page solar lease.

Initiated litigation for property owners in northern California whose groundwater was contaminated with perchlorate from a nearby Air Force base, followed by joint venture agreement with major mass-tort plaintiff firm to prosecute the litigation.

Assisted managing partner in litigating \$100 million securities fraud claim by major financial institution against Big Five accounting firm arising out of the bankruptcy of a growing mid-level pharmacy chain in four-month trial in Pennsylvania federal court.

Worked with several partners in resolving claim against insurer client in major coverage litigation arising out of claims against plaintiff from asbestos claimants totaling \$1 billion determined in pre-packaged bankruptcy case.

Represented successful plaintiff mass-tort attorney in negotiating a complex “forward purchase agreement” with a UK hedge fund for the financing of major mass tort litigation.

Negotiated a joint venture for the marketing of a major artwork, followed by the prosecution of an arbitration to confirm the terms of the agreement, and assisted in the identification of potential purchasers and arrangements for showings of the painting.

Reviewed a businessman’s contract with a spaceflight company for him to attend its space camp and travel on one of its space flights.

Provided *pro bono* representation to a college-based, nonprofit think tank in obtaining 501(c)(3) approval from the IRS and advising firm on governance, fundraising and regulatory issues.

Defended insurance company against \$500 million claim by the State of California in a three-month trial to recover remediation damages arising out of the operation of a major southern California industrial waste disposal site.