

JENNIFER L. PRUSKI

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BANKRUPTCY AND LITIGATION



Jennifer L. Pruski is a shareholder in the Litigation, Property Management, and Bankruptcy Departments of Trainor Fairbrook. Her primary areas of practice are business disputes, bankruptcy, property management and real property litigation. She has also earned a specialty in Creditor's Rights. She regularly represents property owners in lease disputes, partners in business disputes and creditors in bankruptcy. Ms. Pruski also has extended her representation to international banks relating to real and personal property foreclosures, collection work and the sale of commercial properties. She manages and supervises the litigation and collection efforts for a local Sacramento Valley property owner and developer.

Ms. Pruski is a big believer in dedicating herself wholeheartedly to her work: "Be the best. We live and work by this mantra. Every attorney at Trainor Fairbrook invests in themselves to continually add to their education and experience, and invests time in the real estate community, including various trade organizations. Every attorney has a special interest or group they participate in. And I pride myself on being available every day for my clients, either as a sounding board, or to provide creative solutions to resolve disputes."

Ms. Pruski previously represented joint venture partners in a lengthy binding arbitration relating to land valued at \$52.5 million, which resulted in dissolution of joint venture. She also represented international banking corporation in obtaining possession of REO property from alleged tenant and others occupying said property. Ultimately, the court awarded possession of the property. In

addition, she has significant experience obtaining favorable pre-trial motions—she represented a national real estate development corporation in a lawsuit brought by former tenant alleging breach of contract, promissory fraud, negligent misrepresentation, rescission, reformation and declaratory relief. A summary judgment was granted on all causes of action.

CONTACT :

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REPRESENTATIVE MATTERS

Trial/Arbitration Experience

- Represented international banking corporation in obtaining possession of REO property from alleged tenant and others occupying said property. Court awarded possession of the property.
- Represented joint venture partners in lengthy binding arbitration relating to land valued at \$52.5 million which resulted in dissolution of joint venture.
- Represented Northern California medical corporation in obtaining possession of San Francisco parking garage. After a two-day trial, the court awarded possession of the premises to the medical corporation.
- Represented property owner in two-day trial on a claim of breach of lease against multiple individuals and entities where damages were awarded in excess of \$1 million.
- Represented property owner to evict service station operator for non-payment of leasehold obligations. Tenant sought protection of bankruptcy court on eve of trial which required motions in bankruptcy court to lift automatic stay. After a one-day court trial, the court awarded possession to the property owner.
- Represented Northern California medical corporation that purchased an industrial park and inadvertently acquired an elderly man residing in a trailer thereon for more than 20 years. Significant negotiations were undertaken to provide alternative living arrangements for this individual with the local legal aid office. Ultimately, the court awarded possession of the premises to the corporation at trial.
- Represented national real property development corporation in seeking possession of property used for off-site airport parking. After tenant undertook significant legal maneuvers, including bankruptcy, the court awarded possession of the premises to our client.

Trial/Arbitration Experience

- Represented international banking corporation in obtaining possession of REO property from alleged tenant and others occupying said property. Court awarded possession of the property.
- Represented joint venture partners in lengthy binding arbitration relating to land valued at \$52.5 million which resulted in dissolution of joint venture.
- Represented Northern California medical corporation in obtaining possession of San Francisco parking garage.

HONORS

- **Rated AV Preeminent** – Martindale-Hubbell
- **Best Lawyer** – Bankruptcy & Creditor Debtor Rights, Insolvency & Reorganization Law, Northern California's Best Lawyers: 2018
- **Best of the Bar** – Sacramento Business Journal: 2013, 2015-2017
- **Top Lawyer** – Sacramento Magazine: 2015-2017
- **Northern California Super Lawyer** – Super Lawyers: 2014-2017

MEMBERSHIPS

- **Member** – State Bars of California & Nevada
- **Certified Specialist, Creditor's Rights** – American Board of Certification: 2016
- **Judge Pro Tem** – El Dorado County Superior Court
- **Member** – Sacramento County Bar Association
- **Founding Member** – 100+ Women Who Care, Sacramento Chapter
- **Member** – Risk Management Association, Sacramento Chapter
- **Member** – Sacramento Valley Bankruptcy Forum
- **Member** – ACRE's Broker of the Year Awards (BOYA) Committee

EDUCATION

- **J.D.**, University of the Pacific, McGeorge School of Law
- **B.A.**, University of California, Santa Barbara

After a two-day trial, the court awarded possession of the premises to the medical corporation.

Significant Pre-Trial Resolutions

- Represented national real estate development corporation in lawsuit brought by former tenant alleging breach of contract, promissory fraud, negligent misrepresentation, rescission, reformation and declaratory relief. Summary judgment granted on all causes of action.
- Obtained dismissal of all claims asserted by medical doctor who alleged claims of racial discrimination against regional medical organization.
- Represented Western-region real estate developer in lawsuit against former tenant who asserted claims of fraud and breach of contract. Summary judgment granted in client's favor in all claims.
- Represented Lake Tahoe ski area in lawsuit brought by snowboarder that struck posted sign and was injured. Summary judgment granted based upon assumption of risk defense. Briefed and argued on appeal before the Third District Court of Appeal which affirmed the judgment.
- Represented school district against claims brought by student for dangerous condition of public property and negligence where student's brother stole denatured alcohol from a class and played with the substance at his home causing severe burns to his sister. Summary judgment granted on all claims with the court finding that there was no causation. Judgment affirmed on appeal.

Bankruptcy/Creditors Rights

- Routinely files proofs of claim and motions for relief from stay to pursue foreclosures and state court actions.
- Analyzes plans of reorganization with an eye toward maximizing creditor client's recovery in bankruptcy.
- Has pursued claims of non-dischargeability of debt when client has relied on fraudulent financial statements in contract transaction.

Significant Settlements

- Represented international banking corporation in settlement of post-foreclosure tenant issues, including a creative solution to obtaining a waiver of the statutory notice for the disposition of a tenant's abandoned personal property and business equipment.
- Represented national real estate company in breach of lease case resulting in stipulated judgment in excess of

\$2.9 million.

- Represented national real estate company in breach of lease case resulting in stipulated judgment in excess of \$1.6 million.
- Represented national real estate company in breach of lease case resulting in a stipulated judgment for \$40,000.