Real Estate Litigation

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Overview

Lung Rose Voss Wagnild's Real Estate Litigation team provides skilled representation for individuals, businesses, and organizations involved in disputes related to property ownership, use, and transactions.

Our attorneys have extensive experience navigating complex real estate issues and are dedicated to achieving favorable outcomes for our clients.

What We Do

- Land use litigation
- Environmental litigation
- Commercial lease litigation
- Real estate partnership dispute litigation
- Title litigation
- Boundary litigation
- Complex foreclosure defense litigation

Experience

Select Results

- Represented CommonWealth REIT (formerly known as HRPT Properties Trust) in a lawsuit challenging the constitutionality of a bill passed by the Hawaii State Legislature that would have changed the terms of CommonWealth's long-term land leases. U.S. District Judge Susan Oki Mollway declared the law unconstitutional, as a violation of both the Contracts Clause and Equal Protection Clause. See HRPT Properties Trust v. Lingle, 715 F. Supp. 2d 1115 (D. Haw. 2010).
- Represented Big Island owner, Bridge Aina Lea LLC in a precedent setting lawsuit overturning the State Land Use Commission's unlawful down-zoning of a 1,000-acre Kohala Coast property planned for a major residential mixed-use development. The Circuit Court Order, finding that the LUC violated its own statute, was affirmed by the Hawaii Supreme Court in Bridge Aina Lea LLC v. State of Hawaii Land Use Commission, 134 Haw. 187 (2014).
- Represented Waikoloa Development Co. in obtaining a federal court order

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requiring Hilton Resorts Corp. to build the long-planned “north intersection” at the Waikoloa Resort on the Big Island. See Waikoloa Development Co. v. Hilton Resorts Corp., 2014 U.S. Dist. Lexis 103612 (D. Haw. May 22, 2014).

- Represented the Church of Jesus Christ of Latter-day Saints, Hawai’i division, in various land disputes involving their property in Lai’e, Hawai’i. The Court confirmed their land title rights and evicted the parties making claims against the property.
- Represented Aloha Tower Associates, the developers of Aloha Tower Marketplace, in a $710M case against Mitsue Bank and Trust for its misconduct in the development of the Marketplace.

Representative Clients

- Alexander & Baldwin, LLC
- Aloha Tower Associates
- Avalon Development Company LLC
- Aston Hotels & Resorts
- Big Island owner, Bridge Aina Lea LLC
- Blue Mountain
- Bridge Capital
- Capbridge USA
- Centinel Public Partnerships
- CommonWealth REIT
- Church of Jesus Christ of Latter-day Saints, Hawaiʻi division of Hawaiian Home Lands
- The Gentry Companies
- Hawaii Escrow & Title
- Hawaii Polo Inn
- Heide & Cook LLC
- Howard Hughes Holdings Inc.
- Hyatt Regency Waikiki
- Hunt Development Group
- Kalaeloa Ventures LLC
- Kapalua Bay Holdings LLC
- Ke Kailani Partners LLC
- Kennedy Wilson
- Kohala Coast Resort Assn.

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- Kupono Partners LLC
- Lend Lease Americas
- MFA Financial, Inc
- Moku Aina
- Old Republic Title Co.
- Outrigger Hotels and Resorts
- Palamanui Global Holdings LLC
- Queen Emma Land Company
- Select Income REIT/RMR Real Estate Services
- Sugar Mill Glen LLC
- The Michaels Organization
- Value Rock Realty Partners
- Waikoloa Development Co

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