



Garrett L. Hanken

Partner

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Garrett Hanken's practice focuses primarily on representing property owners in disputes or potential disputes related to investment in, acquisition or sale of, development of, or ownership and operation of real estate and real estate oriented businesses.

Gary has particular experience in disputes between owners of real estate oriented business entities and in land use, environmental review, and eminent domain litigation.

Charitable & Civic Involvement

- Co-chair of Church and Synagogue Associates (CASA), a non-profit corporation formed by St. Matthew's Church and University Synagogue to build, co-own, and operate a multi-family low income apartment building in the downtown Los Angeles area

Awards

- Listed, "Best Lawyers in America," Land Use and Zoning Law, 2017- 2021
- Rated, "AV Preeminent 5.0 out of 5," Martindale Hubbell

Bar Admissions

- California

Court Admissions

- United States District Court for the Central and Eastern Districts of California

Education

- Stanford University School of Law (J.D., *Order of the Coif*, 1973)
- University of Redlands (B.A., *summa cum laude*, 1970)
 - English Major

Real Estate Experience

- In a dispute with regard to controlling ownership of a hotel in Cabo San Lucas, Mexico, obtained summary adjudication against several key affirmative defenses, which resulted in an eight figure settlement on the eve of trial
- In a civil rights case against the Redevelopment Agency of the City of Carson and the City's former mayor, obtained a jury verdict which resulted in a judgment of over a million dollars based on the jury's finding that the Agency rejected our clients' redevelopment project because he refused to pay a bribe
- In ground lease interpretation litigation against the City of Redondo Beach, obtain a settlement that resulted in resolution of nearly all disputed issues in favor of our client, the operator of a large marina in Redondo Beach Harbor
- In a dispute between neighbors concerning the use of a residential property for commercial filming, used litigation and the threat of litigation to effectively end the commercial use of our client's neighbors property
- In a dispute among the partners in a low income development project, counseled the client in the pre-litigation posturing of the dispute, which resulted in a multi-million dollar settlement for our client without litigation even being filed
- In a dispute among the partners in a low income development project, ousted the general partner from control of the partnership and ultimately negotiated a settlement in which the general partner withdrew from the partnership
- In a dispute with the City of Indio with regard to a water project the fees for which would have severely impacted our clients' undeveloped land, filed judicial challenges to the city's project that resulted in a settlement granting significant development rights to our client

Environmental Experience

- In a series of environmental lawsuits by citizens groups opposing development of a big box retail store in the City of La Habra, obtained a settlement of the first round of litigation and then a judgment, affirmed on appeal, in our client's favor on the second round of litigation after one of the settling objectors reneged on the first settlement
- In environmental litigation controlled and financed by a neighboring property owner, successfully defended in the trial court and the court of appeal the approval by the City of El Segundo of a million square foot mixed use development
- Successfully defended in the Superior Court and on appeal against a challenge, on CEQA and zoning grounds, to the approval by the City of Los Angeles of a variance allowing our client's commercial development in a residential neighborhood
- Successfully defended in the Superior Court and on appeal against a challenge, on CEQA and zoning grounds, to the approval by the California Coastal Commission of a coastal development permit for our client's mixed use development

- Provided litigation counseling and assistance to the developer with regard to CEQA and land use challenges to approval of and with regard to eminent domain issues that arose in property acquisition for a major mixed use redevelopment project at Hollywood and Vine; the challenges to the project approval and to the use of eminent domain were all either defeated or settled
- In an action brought by the City of Culver City seeking to terminate oil and gas leases burdening a city park, successfully resisted the oil company's motion for summary judgment on grounds which induced the oil company to settle on a basis favorable to the city

Eminent Domain

- In an eminent domain case brought by CalTrans to take a pylon sign a portion of which was owned by our client to enlarge a freeway off ramp, worked with other aligned property owners in obtaining an order dismissing the case because of CalTrans's failure to comply with statutory notice requirements
- In an eminent domain case brought by the San Diego Metropolitan Transit Board to take land used by our client's big box retail operation, used the leverage of a challenge to the agency's right to take the property to obtain a settlement reducing to insignificance the amount of our client's land being taken and imposing on the agency work rules that eliminated any adverse impact of the agency's construction work on our client's operations
- In an eminent domain case brought by a pipeline utility, used the leverage of a challenge to the utility's right to take the property to obtain a settlement imposing work rules that eliminated any adverse impact of the utility's construction work on our client's operations

Insights

August 20, 2020

36 Greenberg Glusker Attorneys Named to 2021 Best Lawyers® List

August 15, 2019

29 Greenberg Glusker LLP Lawyers Named to 2020 Best Lawyers® List

August 15, 2018

26 Greenberg Glusker attorneys named to 2019 Best Lawyers® list

August 15, 2017

21 Greenberg Glusker Fields Claman & Machtinger LLP attorneys named to 2018 Best Lawyers® list
Best Lawyers

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Where the Law and the Environment Connect.

July 23, 2010

Pressure Testing — Court Temporarily Halts Offshore Oil Exploration in Alaska

The events relating to the BP oil spill in the Gulf of Mexico continue metaphorically to parallel the relationship between the courts and environmental review under the National Environmental Policy Act (NEPA) with regard to deep water oil drilling off the...

July 15, 2010

Keeping PACE – California Sues Fannie Mae

California yesterday commenced a lawsuit seeking to prevent the Federal Housing Finance Agency and its arms Fannie Mae and Freddie Mac from interfering with California's implementation of the PACE (Property Assessed Clean Energy) program for financing the greening of...

June 28, 2010

Property Rights: Carved in Stone or Written in Sand?

Property owners rely on the protection afforded by the Takings Clause of the Fifth Amendment to the U. S. Constitution to shield them against the government improperly interfering with their property rights. The Takings Clause requires "just compensation" to...

May 27, 2010

Are Current Judicial "Blowout Preventers" Sufficient?

As a BP oil well in the Gulf of Mexico continues to prove, at the rate of thousands of barrels of oil per day, that modern technology is no fail-safe against disastrous environmental mishaps, it provides a metaphor for...

May 27, 2010

Top Kill

Shortly after the preceding blog entry was posted, President Barack Obama announced that he was suspending exploration of two locations off the coast of Alaska and suspending for six months the issuance of new permits to drill deepwater wells. He also noted...