

Real Estate Litigation

While strategic transactional representation can avert many disputes, the complex landscape of commercial real estate in New Jersey makes conflicts between stakeholders inevitable. In those instances, Greenbaum has a longstanding history of serving as a leading resource for resolving complex real estate disputes through negotiation, mediation, arbitration and when necessary, litigation at both the state and federal levels. The firm's real estate litigators have represented residential, commercial and industrial developers, property and business owners, contractors and builders, landlords and tenants, investors, lenders, brokers, community associations and property managers in the resolution of a broad range of real estate disputes, from intricate contractual matters to complex land use challenges.

Our team provides aggressive and strategic representation tailored to the unique demands of each case, guided by our expertise in the relevant statutes, case law and regulatory frameworks. We maintain a consistent focus on the client's underlying business objectives and the goal of achieving the appropriate remedy, including specific performance, monetary damages, injunctive relief, and declaratory judgments.

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Experience

Representative Matters

- Represented Hartz Mountain Industries in a litigation against a municipality related to a multi-million-dollar redevelopment project. Achieved highly favorable settlement after commencement of trial.
- Represented Capodagli Property Company as the developer of numerous large-scale redevelopment matters and in land use litigation throughout New Jersey. The firm's representation has included \$40 million lost-profit litigation in Toms River, securing redevelopment approvals in Rahway, and builders-remedy and redevelopment litigation in multiple municipalities, involving projects exceeding \$300 million in aggregate

value.

- Representing a commercial property owner in litigation and administrative proceedings challenging approvals for a \$400 million mixed-use waterfront development in Edgewater, including prerogative writ actions, appellate proceedings, and defense of related retaliation claims.
- Obtained a monetary judgment on behalf of a condominium association against a developer for nearly \$200,000 in damages related to unsold commercial units held by the developer in the association. After selling all of the residential units in a Cape May condominium, the developer of the condominium refused to contribute towards the expenses of the building while continuing to own three large commercial units within the condominium. This left the maintenance and repair of the building solely to the individuals that purchased their homes from the developer to pick up the developer's short fall for years. Steve filed suit and, in a lengthy written opinion from the judge, successfully obtained a judgment of nearly \$200,000, including attorney fees and interest, against the developer for the association.
- Represented a member of a real estate development LLC in fiduciary duty and oppression litigation involving a Morristown redevelopment project, uncovering concealed valuation discrepancies and securing a \$6.6 million settlement consisting of \$4 million in cash and real property valued at \$2.6 million.
- Represented a real estate developer in breach-of-contract litigation against a contractor for failure to comply with project design specifications and drawings.
- Represented the developer of the retail component of a ground-up mixed-use project in Essex County in a seven-day arbitration against the residential developer concerning disputes over construction general conditions and soft costs.

Insights & More

Announcements

Greenbaum Secures Significant Win as New Jersey Appellate Court Upholds Trial Court's Decision in Favor of Real Estate Brokerage Firm

4.28.26

Greenbaum, Rowe, Smith & Davis Recognized on 2026 "Best Law Firms" List by Best Lawyers

11.06.25

2026 Edition of Best Lawyers Recognizes 54 Attorneys in 41 Practice Areas: Eight Greenbaum Lawyers Recognized on "Ones to Watch" List

8.21.25

Greenbaum, Rowe, Smith & Davis Recognized on 2025 "Best Law Firms®" rankings by Best Lawyers®

11.06.24

2025 Edition of Best Lawyers Recognizes 56 Attorneys in 39 Practice Areas: Ten Greenbaum Lawyers Recognized on "Ones to Watch" List; Three Selected for "Lawyer of the Year" Recognition

8.14.24