



THU PHAM

Paralegal

949.252.2717

Thu.Pham@ffslaw.com

Office: Irvine

PRACTICE AREAS

Trusts and Estates

Trusts and Estates Administration

Trust and Estate Litigation

EDUCATION

B.S., University of California Irvine
Paralegal Certificate, University of
California Irvine

ADMITTED TO PRACTICE

Orange County Paralegal Association
National Notary Association

Thu Pham has more than 10 years of experience in the areas of trust administration and probate & trust litigation. Ms. Pham is well versed in fiduciary accountings, with knowledge and experience with real estate transfers and court proceedings.

Representative Clients and Matters

- » Represented international fast food chain in negotiating leases and purchase agreements for new stores in Florida, Michigan, Ohio, Georgia, and South Carolina
- » Represented “ghost kitchen” startup in leasing matters for national expansion
- » Represented medical technology company in connection with leasing matters in California and North Carolina
- » Represented landlord in leasing of office and retail space in portfolio of Orange County properties
- » Represented property investment firm in acquisitions and dispositions of retail centers in San Bernardino County and Riverside County
- » Represented purchaser of portfolio of 14 assisted living properties in Michigan
- » Represented developer in the negotiation of development agreements with a mass transit agency and a municipality in connection with mixed-use project in Los Angeles County
- » Represented international aircraft parts company in connection with leasing matters in North America and Europe
- » Represented the owner of a Miami hotel in connection with a lot split and sale of property for the development of apartments
- » Represented regional grocery store chain in connection with the acquisition of stores in California, Arizona, and Texas as well as leases and subleases of such properties
- » Represented investors in corporate matters related to 1031 exchanges of commercial properties in Los Angeles County and Riverside County
- » Represented the developer of a multimillion-dollar public/private mixed-use development in downtown Culver City, California
- » Represented a major brewing company in its acquisition of a craft brewery in Washington state and office leases in Wisconsin and Arkansas
- » Represented the co-founder of a technology startup in connection with his exit from the company
- » Represented an equity investor in the purchase of affordable housing complexes in California and Texas

Representative Clients and Matters

- » Successful plaintiff's verdict in a commercial lender liability and fraud trial.
- » Represented successor trustee in a dispute between trust and beneficiaries regarding beneficiaries' use of trust real property that was resolved through mediation.
- » Successful defense judgement in a complex commercial investment fraud trial involving the Investment Advisers Act of 1940 for a large brokerage firm.
- » Successful defense of a major insurance company regarding allegations of improper claims handling practices.
- » Successful defense of insurance company in coverage dispute relating to homeowners insurance policy.
- » Formation of HeritX, a 501(c)(3) public charity. Representative activities have included applications for state and federal tax exempt status, governance and organizational structure, domestic and international research grant contracts, protection of intellectual property, state fundraising registration and compliance, audit, preparation of annual IRS Form 990 and maintenance of tax exempt status, state corporate and tax filings and compliance, and employment contracts.
- » Successful consolidation of multiple investment fraud claims under the Investment Advisers Act of 1940 in multiple jurisdictions into a single class action removed to federal district court.
- » Successful pro bono representation of low-income tenants in an action against a landlord for dangerous premises that included pursuing return of defendant's fraudulently conveyed assets through bankruptcy court to enforce and collect a multimillion-dollar judgement.

Representative Clients and Matters

- » Achieved highly contested early dismissal of the LA Kings Hockey Club in a catastrophic personal injury matter, avoiding exposure in a case with far reaching vicarious liability implications.
- » Prevailed at summary judgment against an employee plaintiff on behalf of a prominent non-profit animal rescue organization in an action seeking substantial compensatory and punitive damages.
- » Obtained monetary and terminating sanctions in favor of a commercial trucking company in a high stakes wrongful death matter.
- » Negotiated numerous favorable settlements at private and court-sponsored mediation, mitigating risk and saving clients large amounts in trial costs.

Representative Clients and Matters

- » Represented purchaser in connection with proposed acquisition of 70 acre shopping center in Northern California including negotiating and documenting purchase agreement and advising client with respect to title matters and general

due diligence. Negotiated and documented acquiring entity joint venture agreement with institutional investor. Negotiated and documented management and leasing agreements.

» Advised client as primary equity investor of \$55,000,000 in various Southern California commercial developments and raw land acquisition in connection with restructure of interrelated joint ventures. Negotiated and documented amendments and agreements to accomplish restructure. Represented client in outright acquisition of commercial properties previously included as assets in joint venture ownership. Representation included extensive negotiation as to environmental matters including allocation of responsibility for potential environmental liability and placement of environmental insurance.

» Represented lender/seller in repositioning a foreclosed, high profile hotel/condominium property for sale in Northern California. The deal required completing construction, procuring permits, interfacing with City and County regulators, and negotiating and documenting sale agreement.

» Represented borrower in \$85 million syndicated loan for construction of student housing in Southern California.

» Represented lender in \$18.3 million construction loan for shopping center in Rancho Mirage, California. The transaction included negotiations with subordinated debt holder.

» Represented mezzanine lender in negotiating and documenting a \$14.4 million conveyance-in-lieu of foreclosure transaction, transferring to lender pledged membership interests in a multi-family residential development in Arizona.

» Represented lender in negotiating and documenting \$18 million deed-in-lieu transaction with contractors and home purchaser of partially constructed high-end residential development in Los Angeles. The transaction involved coordinating with the Department of Real Estate (DRE) on compliance matters.

» Represented lender in negotiation and documentation of \$100 million deed-in-lieu transaction of luxury fractional interest resort property. Coordinated, negotiated and documented settlement agreements with borrower, guarantors, contractors and adjoining land owner. Further coordinated matters regarding the Department of Real Estate (DRE) compliance, title coverage issues pertaining to mechanics' lien coverage and stop notice claims; negotiated and documented amended and restated easement agreements; documented and implemented assignment of loan to affiliate and foreclosure by affiliated lender; negotiated and documented sales and marketing management agreement, brokerage agreements and termination of various service agreements.

» Readied numerous residential projects in California for acquisition and development, representing managing member in structuring joint ventures and negotiating asset management and third party service provider agreements.

» Represented developer in purchasing a 15-acre industrial property in Los Angeles County, which included extensive analysis and negotiation of risk allocation associated with significant environmental contamination. Negotiated a holdback portion of the purchase price for post-closing remediation of environmental matters.

» Represented high profile charitable foundation in leasing 18,000 square foot

office space in Los Angeles. Transaction included many complicated issues such as termination rights and unique subleasing stipulations.

- » Represented national technology company as a tenant in a Silicon Valley 80,000 square foot office lease.
- » Represented lender in positioning 86 partially entitled lots/REO residential developments in Southern California for sale, including negotiating amendments to association documents with master homeowner association and modifying Department of Real Estate (DRE) applications.
- » Represented seller in sale of a \$25 million office tower and defeasance of \$10 million loan. This complex transaction included extensive negotiation regarding purchase price holdback for pending completion of extensive tenant improvements in multiple tenant premises.

Professional & Community Involvement

- » UC Irvine School of Law Alumni Association | President | 2017

Professional & Community Involvement

- » Ketchum Downtown YMCA | Executive Board
- » Will Rogers Palisades 10-K | Volunteer & Organizer
- » Semel Institute | Volunteer
- » Make A Wish Foundation | Volunteer
- » Serves various voting organizations for election oversight, and volunteers with nonprofits supporting underserved children.

Professional & Community Involvement

- » National Notary Association

Professional & Community Involvement

- » Cancer Prevention Initiative | Board of Trustees
- » HeritX, Co-Founder | Board of Trustees, Corporate Secretary | 2015-present | Senior Vice President & General Counsel | 2015-2019
- » Susan G. Komen for the Cure | Advocate in Science | 2009-2019
- » Patient-Centered Outcomes Research Institute | PCORNet Data Privacy Task Force | 2014
- » Facing Our Risk of Cancer Empowered – FORCE | Board of Directors | Vice President and Corporate Secretary | 2012-2014
- » Facing Our Risk of Cancer Empowered – FORCE | Los Angeles Outreach Coordinator | 2007-2013
- » Leo Baeck Temple | Board of Trustees | 2000-2003, 2011-2013

Professional & Community Involvement

- » Los Angeles County Bar Association, Litigation and Labor and Employment Sections
- » American Board of Trial Advocates (A.B.O.T.A.) Trial College Fellow

Professional & Community Involvement

- » Member of National Association of Patent Practitioners (NAPP)
- » Member of the Experimental Aircraft Association (EAA), Chapter 723

Professional & Community Involvement

- » California State Bar, Intellectual Property Section
- » Los Angeles Intellectual Property Law Association
- » Registered Patent Attorney, United States Patent and Trademark Office

Professional & Community Involvement

- » California Hotel & Lodging Association
- » Los Angeles County Bar Association
- » California State Bar Association
- » Orange County Bar Association

Presentations & Publications

- » LA Take-Off, Project Finance Magazine | October 1, 2012

Presentations & Publications

- » California Employers Can Still Require Employees to Sign Arbitration Agreements...For Now | FFS Insights | February 5, 2020
- » California Leads Nation in New Employment Laws for 2020 | FFS Insights | January 8, 2020
- » Newsom Enacts Several Pieces of Legislation Impacting California Employers | FFS Insights | October 30, 2019
- » Independent Contractors No More? | FFS Insights | September 17, 2019
- » City of Los Angeles Minimum Wage Set to Increase on July 1, 2019 | FFS Insights | June 26, 2019
- » Employers Cannot Ask About Criminal Backgrounds or Salary History | FFS Insights | June 17, 2019
- » "Arbitration in the Handbook?" | California Lawyer Magazine | April 1, 2013
- » "Senate Bill 1186: curbing abusive disability access suits." | Los Angeles Daily Journal | October 1, 2012
- » "DeLeon v. Verizon Wireless provides guidance on commission advances" | Los Angeles Daily Journal | August 1, 2012

Presentations & Publications

- » Time is Not on Your Side... When it Comes to Seeking Protection of IP Rights |

FFS Insights | October 1, 2019

- » Does Your Company Own its Intellectual Property Rights? Avoid this Common Misunderstanding | FFS Insights | June 26, 2019
- » Mark Mizrahi interviewed by Lawyer Monthly on Monetising Your IP | June 10, 2019

Presentations & Publications

- » Is Your Company Using “Trojan Horse” Evidence in Trade Secret Theft Cases? | FFS Insights | February 19, 2019