

LITIGATION TESTIMONY EXPERIENCE OF STEVEN R. FONTES, MAI, CCIM



VENUE

RETAINED ON BEHALF OF

CASE NUMBER

CASE NAME

PROPERTY LOCATION

TRIAL TESTIMONY & TYPE

EMPLOYING ATTORNEY

EMPLOYING ATTORNEY FIRM

RIVERSIDE COUNTY, CA SUPERIOR COURT

PLAINTIFF

INC 1200769

FRESH & EASY NEIGHBORHOOD MARKETS, INC. V.

WILKINS FAMILY PARTNERSHIP, L.P.

12975 PALM DRIVE, DESERT HOT SPRINGS, CA 92240

MAY 2013, BENCH TRIAL

AIMEE Y. WONG, ESQ.

MCKENNA LONG & ALDRIDGE, LLP

SUBJECT PROPERTY



PROPERTY APPRAISED

A FORMER CHIEF AUTO PARTS STORE

DISPUTE

PLAINTIFF ENTERED INTO A GROUND LEASE & WAS CURRENT ON GROUND LEASE PAYMENTS. DEFENDANT ASSERTED THE TERMS OF THE GROUND LEASE REQUIRED PLAINTIFF TO DEMOLISH THE EXISTING BUILDING & TO CONSTRUCT A NEW BUILDING ON THE PREMISES BY A CERTAIN DATE. PLAINTIFF ELECTED NOT TO CONSTRUCT A NEW FRESH & EASY STORE AT THIS LOCATION. DEFENDANT CONTENDED THAT IF PLAINTIFF HAD NOT CONSTRUCTED A NEW STORE BY A CERTAIN DATE, THEY HAD THE RIGHT TO DRAW DOWN ON A LETTER OF CREDIT, WHICH PLAINTIFF DISPUTED.

TESTIMONY

MR. FONTES TESTIFIED AS AN EXPERT WITNESS TO TWO RETROSPECTIVE DATES (07-19-10 & 07-01-12) & PROVIDED MARKET RENTAL ESTIMATES FOR THE BUILDING AS WELL AS THE LAND ALONE ON EACH DATE.

