



CGS3
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Sean Gaffney

Partner

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A skilled and experienced litigator, Sean Gaffney has successfully represented both plaintiffs and defendants in all phases of trial work and alternative dispute resolution. He prides himself on his ability to settle difficult matters in a cost-effective manner, but he is equally adept at litigating aggressively where necessary to protect his clients' interests.

His expertise spans the breadth of California real estate law, including:

- Claims arising from failed real estate transactions and development projects
- Landlord/tenant disputes
- Corporate/partnership/LLC governance disputes
- Easements/adverse possession claims
- Construction and property management insurance coverage disputes
- Partition actions
- Fraud/warranty claims arising from residential real estate transactions
- Construction defect and delay claims
- Eminent domain and public/government construction claims

Prior to joining CGS3, Sean was a member of the commercial litigation group at Procopio Cory Hargreaves & Savitch LLP in San Diego. He began his career with the boutique litigation firm Davidovitz & Bennett LLP in San Francisco.

Education

- J.D., University of San Francisco School of Law
 - *Intellectual Property Law Bulletin*, Editor
- B.A., Political Science, University of San Diego

Bar Admissions

- California

Involvement

- San Diego Volunteer Lawyer Program (pro bono work)
- American Bar Association, Member
- Association of Business Trial Lawyers, Member
- San Diego County Bar Association, Member

Notable Deals/Cases

- Represented co-owner of family businesses and related real property in complex dispute that spanned criminal proceeding, civil restraining order, corporate governance issues, and forensic accounting. Obtained a favorable settlement on terms allowing businesses in operation for over 50 years to remain under family ownership.
- Represented managing members of LLC in dispute with passive investors involving claims of fraud and breaches of fiduciary duties and operating agreement arising from ownership and operation of commercial property. Prevailed on all defenses and obtained award in favor of clients including recovery of 100% of attorney fees and expert costs incurred over three years of contentious litigation.
- Represented seller in arbitration arising from sale of luxury residential property. Obtained judgment for client and attorney fee award in excess of \$150,000 after successfully defending seven-figure damage claims for alleged misrepresentations and concealment of material facts requiring expert testimony.
- Represented owner of Rancho Santa Fe estate in eight-figure palimony claim that spawned countersuit for unlawful detainer and foreign discovery. Terms of settlement included recovery of possession of premises and confidentiality and anti-disparagement obligations providing for restoration of client's privacy rights.

- Represented passive investor accused of participating in scheme to defraud fellow investor in development company specializing in La Jolla residential projects. Obtained defense verdict on all claims following three-week jury trial. The case was complicated by familial ties and separate disputes between the client and the lead defendant and manager of the development entity.
- Represented Taiwan-based factory owner/supplier in dispute with Washington-based sales agents claiming more than \$2 million in unpaid commissions. Favorable settlement involved release of all employment claims for no affirmative payments and recovery in excess of \$750,000.00 for client.

Accolades

- "Best Lawyers – San Diego," Litigation – Real Estate/Construction Litigation Law, *The Best Lawyers in America* (2022-2023)

Practice Areas

- Dispute Resolution & Litigation