



PRACTICES

- Real Estate Transactions
- Common Interest Development
- Distressed Real Estate Assets
- Real Estate Finance

INDUSTRIES

- Real Estate
- Hospitality

BAR ADMISSION

- California

EDUCATION

- JD, University of Southern California, 1982
- M.Ed., Smith, 1973
- BA, Trinity College, 1970
cum laude

> WWW.LUCE.COM

> LOCATION / CONTACT INFO

Partner in the San Diego & Orange County Offices

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Nancy Scull's focus is on the representation of commercial, industrial, retail and residential developers in all real property transactions. She advises lenders, borrowers, and guarantors on loan documentation, workout and loan enforcement issues. Ms. Scull has developed a special expertise in mixed use projects, condominium projects and Department of Real Estate regulatory matters. She represents numerous publicly held developers, urban high-rise and mixed use developers, and developers of master planned communities in developing and processing projects and implementing programs to minimize liability. Ms. Scull has worked with many master developers of major communities and urban town centers, advising them with the planning, development and long-term governance of their communities and the sale of parcels for merchant builders. She also represents national, commercial, industrial and retail developers with high-rise office, commercial and industrial projects and retail shopping centers throughout the state of California and has created governing documents for major retail centers in Northern and Southern California.

> RECENT WORK / REPRESENTATIVE MATTERS

Civita – selected to advise the master developer on the governance and structuring for the “Civita” master planned community in San Diego. Civita involves more than 4,000 residences and 900,000 square feet of retail, commercial, hospitality, civic and other uses.

L.A. Live – lead counsel in establishing the governance structure for The Hotel and Residences at L.A. Live, a high-rise story mixed-use building consisting of a J.W. Marriott, a Ritz Carlton, and 224 luxury residential condominiums located within the dynamic and evolving L.A. Live project in downtown Los Angeles.

Pacific Station – represented the developer of an infill mixed-use project consisting of a Whole Foods Market, restaurants, office condominiums and residential condominiums, all in a single building. Involved since the project's inception, Ms. Scull created the associations, developed the sales documentation and processed the project through the DRE.

> **RECENT WORK / REPRESENTATIVE MATTERS** *CONTINUED*

Vantage Pointe – lead counsel representing the lender in the workout and ultimate disposition of more than 650 condominiums in a single building mixed-use project in Southern California.

Broken and Distressed Properties - represented numerous lenders and purchasers of notes in connection with the acquisition and disposition of distressed condominium projects.

> **MEMBERSHIPS**

Former chairperson - Downtown San Diego Partnership.

Executive Committee member - Downtown San Diego Partnership.

San Diego Center City Development Corporation - Educational Task Force.

Building Industry Association - Department of Real Estate Committee.

California Building Industry - Urban Council.

Committee for Downtown Education.

San Diego Building Industry Urban Council.

Department of Real Estate Committee - Condominium Conversion Taskforce Committee.

Former chairperson - California Building Industry Association - Department of Real Estate Committee.

Former chairperson - Department of Real Estate - Master Planned Communities Committee.

> **RECOGNITION**

Martindale-Hubbell® AV Rating.

The Best Lawyers in America® - First Year Listed: 1995 - Most Recent Listing: 2012 (Real Estate Law).

Selected as one of California's Top Women Attorneys for 2011 by the *Daily Journal*.

Super Lawyers: Corporate Counsel - Most Recent Listing: 2010 (Real Estate).

Super Lawyers: Business Edition - 2011 (Real Estate).

San Diego Super Lawyers - Most Recent Listing: 2011 (Real Estate).

Top 50 San Diego Super Lawyers - Most Recent Listing: 2009.

Top 25 Women San Diego Super Lawyers - Most Recent Listing: 2009.

Selected as one of the 500 lawyers in America as "New Stars" for 2006 by *Lawdragon*.

Selected as one of the "Top San Diego County Attorneys" for 2005-2010 by *The Daily Transcript*.

Selected as one of the "Women of Influence" for 2004, 2005, 2006 and 2009 by *Real Estate Southern California*.

> **PUBLICATIONS**

“Beware: ‘Broken’ Subdivision Pitfalls Will Linger for Years to Come: Top Ten Questions You Need to Ask”
Luce Forward Legal Update - October 2010.

“Making Mixed-Use Work: Add parts, people and patience and mix carefully”
Western Real Estate Business - September 2010.

“Fixer-Uppers: Getting a Broken Condominium Project Back on Track Requires a Multifaceted Approach”
Los Angeles Lawyer - January 2010.

“‘Broken’ Condominium Projects: How to Manage Their Acquisition and Develop a Viable Investment or Exit Strategy”
California Real Property Journal - November 3, 2009.

“Homeowners Must Prove Builder’s Noncompliance With Disclosure Obligations Under SB800 in Order to Defeat Right to Repair” – *Lexology* - August 19, 2009.

“Acquiring ‘Broken’ Condominium Projects: Top 10 Questions to Ask” - *San Diego Daily Transcript* - May 1, 2009.

“The Odd Couple: Learning to Live Together in a Mixed Use World” - ICSC Lease Conference Program Materials.

“Minimizing Liability: A Guide to Creating Your Liability Avoidance Program” - May 26, 2006.

“Insurance and Damage and Destruction Provisions for Condominiums and Planned Developments”
California Real Property Journal - Spring 1993.

> **PRESENTATIONS**

Panelist: Women in Real Estate Conference - Presented by the Burnham Moores Center for Real Estate - San Diego, CA November 9, 2011.

Panelist: “Condos & Multifamily: Working Out Rentals and For-Sale Housing” - Bank & Financial Institution Special Asset Executive Conference on Real Estate Workouts - Presented by Information Management Network (IMN) - Los Angeles, CA September 26, 2011.

Speaker: “What to Develop and Where to Develop” - PCBC 2011 - San Francisco - June 23, 2011.

Panelist: “Got Sunshine on a Cloudy Day: Navigating the Legal Maze of Implementing Solar Programs in Residential Communities” - Luce Forward Residential Development Roundtable (San Diego - May 5, 2011) (San Francisco - May 12, 2011).

Moderator: “New Home Financing: Understanding FNMA, FHA & VA Requirements” - Luce Forward Seminar (San Diego - January 27, 2011) (Los Angeles - March 2, 2011) (San Francisco - March 3, 2011).

Co-Presenter: “‘Broken’ Common Interest Development Transactions: Understanding the Challenges and Managing the Risks” Webinar - May 12, 2010.

Panelist: “Acquiring and Disposing of Broken Condominium Projects: What You Need to Know”
The State Bar of California Real Property Law Section 29th Annual Retreat - Napa, CA - May 1, 2010.

> **PRESENTATIONS** *CONTINUED*

Panelist: "Acquiring and Disposing of Broken Condominium Projects: What You Need to Know"
Luce Forward Seminar: Newport Beach, July 30, 2009 - San Francisco, September 23, 2009
Los Angeles, September 30, 2009.

Panelist: "Bulk Buying Opportunities: Single Family Houses & Condo Units" - Information Management Network's 2nd Western Symposium on Distressed Residential & Multifamily Real Estate - Los Angeles September 15-16, 2009.

Panelist: "The Benefits of Solar for Residential Developers" - Luce Forward Seminar - June 9, 2009.

Co-Presenter: "Broken Condominium Projects: Understanding The Challenges and Managing The Risks"
Luce Forward Seminar - May 12, 2009.

Co-Moderator and Co-Presenter: "Acquiring Distressed Land: Evaluating and Preserving Entitlements; Valuing Assets; Due Diligence; Structuring Financial Terms" - CLE International Conference - Los Angeles January 22-23, 2009.

Speaker: "Mixed-Use Development from the Ground Up: Using Reciprocal Easements, Cost Sharing Agreements and CC&Rs to Ensure a Successful Project" - CLE International Conference - Las Vegas December 3, 2008.

Co-Presenter: "Let's Mix It Up: What You Need to Know to Understand and Evaluate Mixed Use Projects"
League of California Cities Conference - September 2008.

Program Co-Chair: "Mixed-Use Development from the Ground Up" - CLE International Conference August 2008.

"The New World of Mixed-Use Projects: What You Need to Know to Develop, Design and Document Your Mixed Use Buildings" - Pacific Coast Builders Conference - June 2008.

Moderator: "Mixed-Use Development," IncreMentalAdvantage Seminar: "Commercial Real Estate Due Diligence" - March 25, 2008.

Moderator: "Legal and Sales Strategies for Urban Condos in Today's Market" - BIA Urban Council March 5, 2008.

"Residential Mixed-Use in California: Tip-Toeing Through the Department of Real Estate's Regulatory and Budget Process" - CLE International Conference - January 2008.

"From the Ground Up: Lessons Learned in Developing and Managing Mixed-Use Vertical Projects"
CLE International Conference - January 2008.

Program Co-Chair, "Mixed-use Development: From Breaking Ground to Cutting Ribbon"
CLE International Conference - January 2008.

"Mixed Use Projects: The Odd Couple: Learning to Live Together in a Mixed Use World"
International Conference of Shopping Centers Legal Conference - January 2008.

> **PRESENTATIONS** *CONTINUED*

“Making a Mixed-Use Building Work” - Law Seminars International Presentation: Development Agreements, Easements and CCRs - December 5, 2007.

“Buying or Leasing in a Mixed-Use Project: What You Need to Know” - Commercial Lease Conference November 2007.

“Suburban to Urban: Understanding the Challenges” - Pacific Coast Builders Conference - June 21, 2006.

Panelist: “1st Annual Hospitality Law Conference” - Topic: “Condo Hotels: The Product and the Plumbing” February 2, 2006.

“A Condominium Is Still A Condominium: Using Condo Techniques to Retain Control and Avoid Liability” February 2006.

Panelist: “Have Condos Gone Crazy?” - RealShare Conference Series: “RealShare San Diego Looks at Hot Condo, Investment Sales, TIC and Debt & Equity Markets” - October 27, 2005.

Real Property Section of the State Bar of CA - “Inside Counsel’s View of Outside Counsel: The Real Story” April 2005.

“Breakfast of Champions” - Forum presented by the Building Industry Association of San Diego March 15, 2005.

“Guide to Reducing Litigation Risk” - Pacific Coast Builders Conference - 2004.

“Bound by the DRE; The Business of Subdivision Sales” - Real Property Section of the State Bar of California Annual Retreat - 2004.

“Bound by Your Imagination; Advanced Topics in Subdivision Sales” - Real Property Section of the State Bar of California Annual Retreat - 2004.

Presentation to Centex Homes: “High-Rise and Mixed-Use Projects, Lessons Learned – Lessons Shared” February 2005.

Real Property Section of the State Bar of CA: Bound by the DRE: “The Basics of Subdivision Sales” April 2004.

Presentation to KB Home: “San Diego Division: Developing and Processing Condominiums and Single Family Projects Through the Department of Real Estate” - November 2003.

Presentation in Las Vegas: “HOA’s Start to Finish” - June 2003.