

Reps and Warranties in Purchase and Sale Agreements

You Can't Always Get What You Want...But Can You Get What You Need?

Webinar

07.13.2016

1:00-2:30 pm ET (12:00 pm CT, 11:00 am MT, 10:00 am PT)

Parties spend a lot of time negotiating representations and warranties in commercial real estate purchase and sale agreements. But do they end up with what they need? Or is this an elaborate dance that falls short of affording appropriate protection to each party? This advanced program discusses issues that typically arise, but often are inadequately addressed, in negotiating representations and warranties and offers practical solutions, including:

- What exactly are a "representation" and a "warranty"? Do you really know the difference? Does it matter?
- Which reps and warranties are "market"? Does it depend on deal size, negotiating leverage, geographic area, or other factors? When is the other party overreaching or getting greedy?
- Which reps and warranties are "no brainers"? Which ones are within the bounds of reasonableness? Which ones are true outliers?
- Are mid-stream changes in the accuracy of seller's reps or warranties a seller default or a failure of condition? When should seller be allowed to modify its reps and warranties?

Panelists:

Pamela Westhoff, Sheppard Mullin (Moderator)

Kevin L. Shepherd, Venable LLP

Frederick L. Klein, DLA Piper

Tuition/Fees:

\$95 Section of Real Property, Trust and Estate Law Members

\$150 ABA Members

\$175 General Public

\$75 Additional Registrants Who Use the Same Phone Line

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CLE credit requested:

1.5 hours for 60-minute states

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Attorneys

Pamela L. Westhoff

Practice Areas

Real Estate, Energy, Land Use & Environmental