

Adriene Plescia Lynch

Senior Associate

213.576.1023

adriene.lynch@alston.com

Los Angeles | 333 South Hope Street, 16th Floor | Los Angeles, CA 90071-3004



Adriene Lynch focuses on advising clients in every aspect of real property transactions, including negotiating, structuring, and closing purchases and sales; commercial, retail, and industrial leases; easements and other possessory interests; and foreclosures. Adriene also counsels clients on commercial matters and pre-litigation strategy, including drafting, reviewing, revising, and analyzing commercial contracts to ensure compliance with state and federal laws and alignment with clients' business plans. As an experienced litigator, she is well-positioned to identify risks and potential pitfalls with an eye toward avoiding unnecessary litigation.

Before joining the Real Estate Finance & Investments Group, Adriene was a member of the Litigation & Trial Practice Group, handling disputes in California state and federal courts. She litigated matters involving real estate and contract disputes, commercial and residential foreclosures, unfair debt collection issues (FDCPA, FCRA, Rosenthal Act, and others), consumer protection statutes, and economic espionage allegations. She advised clients on unlawful detainer and commercial leasing disputes, franchise matters involving the Petroleum Marketing Practices Act (PMPA), labor and employment disputes, and bankruptcy-related issues.

Adriene serves as chair of Alston & Bird's Los Angeles Women's Leadership Initiative. She also serves on the regional board of Read to a Child and is actively involved in the firm's pro bono and diversity initiatives. Adriene was named a Southern California Rising Star by *Super Lawyers Magazine* from 2013 to 2019.

Representative Experience

Transactional Matters

- Assisted a client in the purchase and leaseback of commercial space in Southern California.
- Representing a national financial institution in the negotiation, structuring, and closing of the sale of commercial property.
- Assisting in the negotiation and drafting of commercial lease transactions.
- Advising a governmental entity on all aspects of the transfer of real property assets throughout California.
- Represented various clients in the dissolution and acquisition of corporate assets.
- Assisted an industrial developer in its acquisition of properties nationwide.
- Represented a major oil company in connection with loans to franchisees for service-station construction and improvements and related default procedures.
- Advised a client's senior management team on the ramifications of the handover of 200+ leased properties to the landlord, resulting in significant cost savings and minimized risk.
- Drafted key operations documents, including vendor contracts, franchise termination agreements, construction performance agreements, and miscellaneous contract amendments and addendums, for a national petroleum company.

Litigation

- Represented a renewable energy company, under indictment for criminal economic espionage and conspiracy, against the U.S. Attorney's Office.
- Defended a national petroleum company in a four-day arbitration related to alleged breaches of a commercial lease agreement.
- Achieved a \$1 million verdict for a major petroleum company involving PMPA violations, antitrust violations, and breach of contract claims.
- Represented a client in a nationwide class action that included putative claims for fraud, unconscionability, violation of consumer protection statutes, and breach of contract, and that sought hundreds of millions of dollars in damages.
- Defended a number of national financial institutions in state and federal courts in debt collection cases, including defense of FDCPA, Rosenthal Act, FCRA, RESPA, TILA, TCPA, EFTA, and UCL claims; various contractual claims; and fraud.
- Defended a putative class action alleging unlawful electronic funds transfers, unfair debt collection activities, and violations of California's consumer protection laws. The district court dismissed with prejudice the claim for unfair debt collection and dismissed the remainder of the claims without prejudice.
- Counseled a major petroleum company in complex franchise disputes involving PMPA real estate disputes and general marketing, advertising, and commercial issues for branded gasoline stations and mini-market convenience stores in states west of the Rockies.
- Represented a solar panel manufacturer in a multimillion-dollar Commercial Code dispute.
- Prevailed on a dispositive motion defeating claims of more than \$9 million against a client by a major banking institution concerning alleged breach of a commercial loan agreement and enforcement of one-action rule.
- Advised a trucking company in labor disputes and employment claims of discrimination, retaliation, and harassment in state, federal, administrative, and arbitration venues.
- Represented a national petroleum company against claims of alleged violations of the Americans with Disabilities Act at numerous Southern California retail locations.
- Represented a major petroleum company against an attack on a bankruptcy asset sale through state and federal trial and appellate court proceedings.
- Defeated the assignment for benefit of creditors assignor in a \$2 million preference action. The lawsuit was dismissed at the district court level and affirmed by the Ninth Circuit, and the plaintiff's appeal was denied certiorari to the U.S. Supreme Court.
- Obtained a favorable verdict for a client seeking asylum from Honduras based on transgender status.

Publications & Presentations

Presentations

- "Power Up Your Diversity and Inclusion Committee: Best Practices and Innovative Approaches for Maximum Impact" moderator, California Minority Counsel Program 29th Annual Business Conference, San Francisco, CA, October 10-12, 2018.
- "#MeToo: What Do Corporate Counsel Need to Know Right Now?" moderator, ACColades: A Salute to Women Who Inspire Us!, Los Angeles, CA, June 14, 2018.

Professional & Community Engagement

- Judicial extern for the Honorable Audrey B. Collins, Central District of California, summer 2006
- Western District of Wisconsin
- National Association of Women Lawyers (NAWL)

Education

- Loyola Marymount University (J.D., 2008)
- Georgetown University (B.A., 2003)

Admitted to Practice

- California

Related Services

Real Estate & REITs | Financial Restructuring & Reorganization | Labor & Employment | Bankruptcy Litigation
| Bankruptcy Transactions