

## Attorney Bio

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Tom Fama's practice focuses on all aspects of real estate including title insurance claims, boundary disputes, easements, mechanic's liens and broker professional liability. Tom regularly counsels clients navigating difficult agency disputes between brokers and sales associates as well as advising brokers on proper disclosures of a sales transaction during escrow. He devotes a significant amount of his practice to counseling real estate brokers in Northern California on emerging areas of exposure in real estate law and guides brokers through the preparation and formation of agency relationships.

Tom also brings his honed litigation skills to complex construction claims counseling and defending the nation's largest home builders against all facets of construction defect and construction accident litigation. He advises home builders on creative alternative strategies and proposals to litigation that have helped clients avoid multi-million dollar lawsuits. He has been recognized by judges and mediators as a creative lawyer that brings practical effective solutions to complex construction situations.

He has successfully defended professional and product liability matters, businesses against personal injury claims and counsels home builders in contractual matters with subcontractors. Tom secured favorable results for his clients in litigated matters, including receiving defense verdicts for lenders, general contractors and veterinarians. He is highly skilled in all facets of litigation, including trial and appeal. He is a licensed real estate broker and licensed to practice in Bankruptcy Court for the Northern and Eastern District of California.

Tom is an active CLM member and regularly speaks on panels at seminars across the nation, discussing new and emerging trends with insurance claims, management of claims and litigation in the construction and real estate industry. Tom is the president of the Sigma Chi alumni board at the University of the Pacific.

## Education

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University of the Pacific, McGeorge School of Law (J.D., 2008)

University of the Pacific (B.S., 2004)

## Licensed to Practice in:

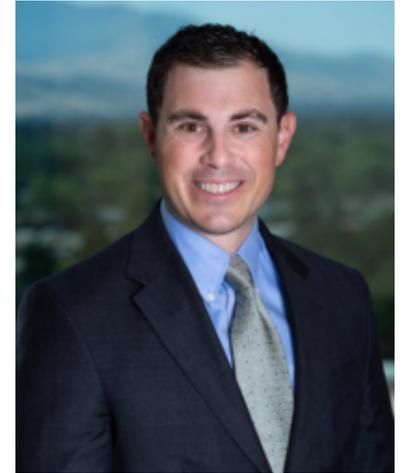
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California

## Thomas D. Fama

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### Partner



### Northern California

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## Practice Areas

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### ***Construction***

- Defense of several of California's largest builders and developers in complex construction defect matters, from single family homes to multifamily residential complexes.
- Prosecutes and defends claims related to Homeowners Associations, SB800 claims (Civil Code section 910, et al.), and Calderon claims (Civil Code section 1375).

### ***Employment***

- Represents employers in all phases of employment litigation, including trial.
- Defends employers against claims of discrimination, retaliation, and harassment.

### ***Professional Liability***

- Defense of brokers in professional liability litigation regarding real estate transactions including nondisclosures, breach of fiduciary duties and negligence.
- Defense of insurance agents and veterinarians in professional liability litigation.

### ***Property Management and Tenant Litigation***

#### ***Real Estate and Land Use***

- Regularly advises Northern California brokers on new areas in real estate law.
- Counsels brokers and sellers on the preparation of real estate documents including disclosures and inspections.
- Advises real estate brokers on the formation of agency relationships.
- Defense of developers and banks in title insurance matters including mechanic's liens, boundary disputes, easements and fraud.

### ***Toxic Tort and Occupational Exposure***

- Defense of mold actions and advising clients on non-litigated matters, including abatement issues.

## Trial & Appellate Results

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- Sierra Wes Drywall v. Platinum Development, et al., Placer County, SCV24840

## Awards & Accomplishments

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- AV Preeminent Lawyer by Martindale-Hubbell

## **Seminars, Events & Presentations**

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- “Caution! Ethical Complications with Pre-Litigation Investigation of Construction Claims,” CLM Annual Conference, Dallas, TX, March 19, 2020
- “Keeping up with the Techies: How Technology is Raising the Bar for Risk Reduction and Assignment of Liability,” CLM Extra-Contractual, Insurance Coverage and Claims & Litigation Management Conference, New York, NY, December 5, 2019

## **Community Activities**

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- President of the Sigma Chi Alumni Board at the University of the Pacific