

# MAY 20, 2021 SEMINAR

10AM-1130AM  
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## Free Seminar Hot Topics & Burning Questions: Commercial Lease Tenant Issues and COVID-19

*Possible steps to take to prepare for the survival of your business.*

In the face of the worldwide pandemic and resultant loss of business revenue, standard commercial lease practices and principles have fundamentally shifted in ways that may not necessarily favor commercial tenants.

The *Commercial Lease Tenant Issues and COVID-19* seminar will focus on common issues faced by Hawaii commercial tenants, and offer suggestions and potential solutions. What steps may a commercial tenant take when faced with unfavorable lease terms in the time of COVID-19 and beyond? What tools and/or defenses may a commercial tenant use to negotiate more favorable terms or a release?

Join us on May 20th, 2021, 10am-1130am via zoom. Please click here to register. FREE!

— Recording of this seminar is prohibited. —



Your Presenter

**STEPHANIE E.W.  
THOMPSON, ESQ.**

**DIRECTOR, STARN O'TOOLE  
MARCUS & FISHER LC**

Ms. Thompson is a civil litigation attorney with extensive experience representing both tenant and landlord clients involved in commercial lease agreement disputes.

Ms. Thompson has helped numerous commercial tenants thoroughly understand their lease agreements, identifying opportunities to improve their position when disputes arise.

Ms. Thompson is a Director at Starn O'Toole Marcus & Fisher, a Hawaii based real estate and business law and commercial litigation firm. She is rated *AV Preeminent®* by *Martindale-Hubbell®* the highest rating possible for legal ethics and skill.

Ms. Thompson's practice emphasizes civil litigation and ediscovery.

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### HOT TOPICS

Can I get out of my lease? What defenses or tools do I have under my current lease terms?

*Force Majeure* Clauses – What is an "Act of God"?

- What does a *Force Majeure* clause cover?
- How do I negotiate inclusion of a *Force Majeure* clause in the future?
- What arguments and/or tools do I have to help negotiate a release from such clauses?

Co-Tenancy Provisions

- What are Co-Tenancy Provisions?
- Will this defense work for my business? How?

Defenses under the Common Law – What is Common Law?

- Covenant of Quiet Enjoyment
- Frustration of Purpose
- Temporary Impracticability

If I cannot get out of my lease, what other options and/or defenses do I have as a commercial tenant?

- What is Business Interruption Insurance and how does it work?
- What are the Business Workout terms that a commercial tenant should always ask for and use?
- What is a Bankruptcy Lease Rejection and when should a commercial tenant use this option?
- What is a Declaratory Judgement? How can a commercial tenant use this tool to their advantage?
- What are Assignments? Do these make sense? Why/Why not?

Legislative Relief – What's on the horizon and why you should be actively involved.

Presented in Partnership • Free Seminar



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