



BELL NUNNALLY'S KARTIK SINGAPURA AND LAURA LAVERNIA SUCCEED AT TRIAL ON BEHALF OF COMMERCIAL LANDLORD IN CASE STEMMING FROM COVID-19 SHUTDOWNS

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Bell Nunnally Partner Kartik R. Singapura and Associate Laura K. Lavernia represented Bitters JSEL, a commercial landlord and real estate investor, in a lawsuit against one of the largest franchisee operators (tenant) in the country and its owner (guarantor) in a breach of lease case. After the defendants abandoned the operation of an El Pollo Loco restaurant in San Antonio, Bitters JSEL signed a replacement tenant for the location and sought recovery of the difference in value between the two leases. The defendants claimed Bitters JSEL's decision to sign a replacement tenant rather than agree to a rent abatement during COVID-19 shutdowns constituted a failure to mitigate damages. After a bench trial in the 224th Judicial District, Bexar County, Texas, the court found the tenant and guarantor in breach of contract and held them jointly and severally liable for damages and attorneys' fees, totaling over \$1.1M. The name of the case is *Bitters JSEL, LLC v. AA Pollo, Inc. d/b/a El Pollo Loco and Anil Yadav, individually*.

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Litigation

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