



KIRSTEN A. WORLEY

HFM partner Kirsten Worley assists clients with real estate, construction and business litigation and transactions, as well as creditors’ rights and restructuring. She is admitted to the Ninth Circuit Court of Appeals and all U.S. District and Bankruptcy courts of California, and appears *pro hac vice* in other courts around the United States at the request of clients. Ms. Worley graduated from UCLA (BA) and UC Berkeley’s School of Law (JD, 2002). She was previously a partner at Watt, Tieder, Hoffar & Fitzgerald, LLP, a boutique construction and surety litigation firm, and owned her own firm, Worley Law, P.C. for a number of years before joining HFM. As such, she is aware of the benefits of both the larger and smaller law firm platforms, and offers clients the best of both worlds at HFM. Ms. Worley was recognized as a 2020 Super Lawyer® in the San Diego region.

In addition to Federal and State Court litigation, Ms. Worley’s practice covers the entire range of creditors’ rights and commercial law issues related to lending, collections, restructuring, insolvency and bankruptcy matters, including such areas as prosecution of creditor’s claims in connection with commercial loans and credit facilities including related guaranty and surety indemnity rights, representation of parties in claim objections and adversary proceedings, receiverships, collections actions, pre-insolvency planning, prosecuting claims in bankruptcy, litigating lien priority issues, representing creditor’s interests to minimize the impact of bankruptcy, transactional matters, and negotiated solutions and workouts.

Ms. Worley handles needs specifically for the real estate and construction industry, including everything from large-scale breach of contract litigation to mechanics’ liens, stop notices and bond claims. Ms. Worley is also uniquely situated to guide clients through such transactional matters as purchase and sale agreements, easements, tenant matters, construction licensing and corporate formation and governance matters.

PRACTICE GROUPS

- ▶ Bankruptcy, Insolvency & Reorganization
- ▶ Business Litigation
- ▶ Construction
- ▶ Real Estate

EDUCATION

- ▶ J.D., University of California at Berkeley School of Law (2002)
- ▶ B.A., University of California at Los Angeles (1999) *Summa Cum Laude*

ADMITTED TO PRACTICE

- ▶ Supreme Court of California
- ▶ Ninth Circuit Court of Appeals
- ▶ United States District Courts for the Northern, Southern, Eastern and Central District of California
- ▶ United States Bankruptcy Courts for the Northern, Southern, Eastern and Central District of California

AFFILIATIONS

- ▶ State Bar of California
- ▶ San Diego County Bar Association
- ▶ UCLA Real Estate Alumni Group (Executive Board Member)
- ▶ Associated General Contractors

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Ms Worley further provides expertise to clients in dealing with a surety given her vast experience representing industry participants from every angle including sureties.

Ms. Worley represents owners, general contractors, subcontractors, developers, lenders, sureties, private equity capital investors, suppliers and businesses of all sizes from large corporations to local small businesses, and business owners. She is equally comfortable with large firm institutional-sized litigation with hundreds of thousands of complex discovery documents as well as small vendor disputes.

Ms. Worley is Executive Board Member of the UCLA Real Estate Alumni Group/Ziman Center for Real Estate.

PUBLISHED WORKS

- ▶ **Bankruptcy Chapter of THE BOND DEFAULT MANUAL**, 4th Edition (May 2015), published by the Fidelity and Surety Law Committee of the Tort and Trial Insurance Practice Section of the American Bar Association (Co-Author)
- ▶ **"Analysis of Rights to Job Materials In The Event of Non-Payment or Insolvency - Buyer in Ordinary Course Status and Purchase Money Security Interests,"** *Thompson Reuters-West, Construction Briefings*, No. 2014-5 (May 2014) (Author)
- ▶ **"Letters of Credit and Bankruptcy Revisited: A Discussion of the Fourth Circuit's Ruling in *In re ESA Environmental Specialists, Inc.*,"** *Surety Claims Institute Newsletter*, Volume 26, No. 1 (January 2014) (Author)
- ▶ **"Construction Projects Funded With Future Money? Why Construction Law May Become a Finance Practice,"** *Thompson Reuters-West, Construction Briefings*, No. 2013-9 (September 2013) (Author)
- ▶ **"Chapter 9 Bankruptcy: Public Works Wasteland or Business As Usual?,"** feature article published in the *Fidelity & Surety Law Committee Newsletter of the American Bar Association*, Tort Trial & Insurance Practice Section, Winter Edition 2013 (Author)
- ▶ **"The Contractor's Dilemma in an Owner Bankruptcy,"** *Thompson Reuters-West, Construction Briefings*, No. 2011-9 (September 2011) (Author)
- ▶ **"Contract Setoff and Recoupment in Subcontractor Bankruptcies,"** *Thompson Reuters-West, Construction Briefings*, No. 2010-12 (December 2010) (Author)
- ▶ **"Recovery of the Surety's Costs Following Wrongful Termination,"** *The Construction Lawyer*, Spring Edition 2010 (Author)

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PRESENTATIONS

- ▶ **“When Up Is Down: Contractor Bankruptcy & Insolvency,”** *Orange County Bankruptcy Forum*, Costa Mesa, California, August 2013 (Co-Presenter)
- ▶ **“The Obligee May Be Broke, But You Can’t Sell City Hall: Chapter 9 Municipal Bankruptcy,”** *Pearlman Association*, Woodinville, Washington, September 2012 (Co-Presenter)

AWARDS & HONORS

- ▶ San Diego Super Lawyers® (2020)
- ▶ University of California at Berkeley School of Law
 - McBaine Honors Moot Court Competition
 - Berkeley Technology Law Journal Board, 2001-2002
 - Boalt Hall Certificate in Law & Technology
 - High Honors Awarded (Classes): Corporations; Remedies
 - Honors Awarded (Classes): Civil Procedure; Evidence; Depositions Practicum; Estates & Trusts
- ▶ University of California at Los Angeles
 - *Summa Cum Laude*
 - *Phi Beta Kappa*
 - Department Honors, English