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Kaplan Kirsch Completes Development Talks For Bob Hope Airport

Deal Settles 36-Year-Old

Litigation Battle

SPECIAL TO LAW WEEK COLORADO

DENVER -- The Denver firm of Kaplan Kirsch & Rockwell recently completed negotiation of a development agreement between the City of Burbank, Calif., and the Bob Hope Airport that will guide development at that Southern California airport for the next decade.

The development agreement is a settlement of a 36-year old legal battle between the city and the airport over growth and expansion. That battle has resulted in more than two dozen cases in state and federal court - including several state and federal appellate cases and a seminal case on federal preemption in the U.S. Supreme Court. Kaplan Kirsch Rockwell lawyers have represented the City in that litigation for the last 10 years.

The deal has been characterized as a "cease-fire" or "peace treaty" because it defers for at least 10 years the planning for a



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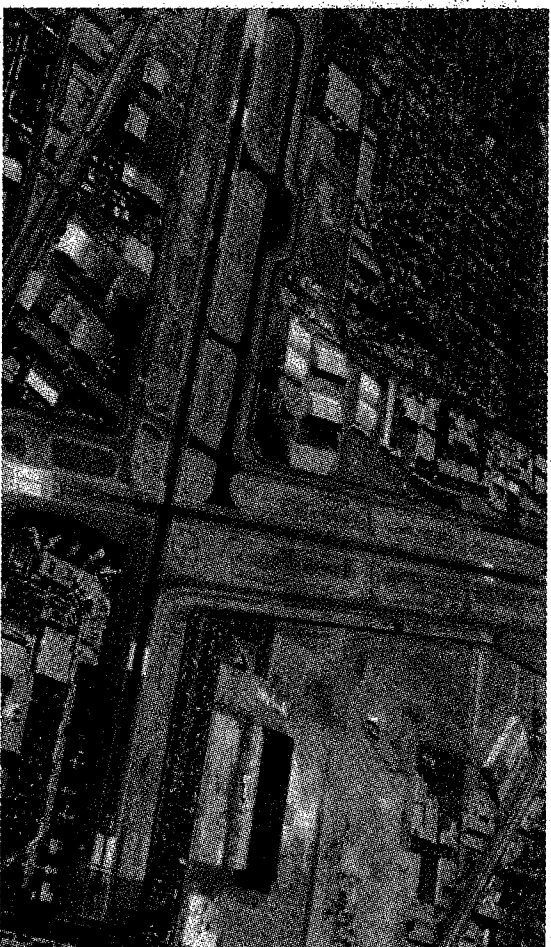


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new airport terminal and other new projects but allows the airport to purchase a nearby parking lot, to realign the airport access road and to build routine projects for the next 7 years. The agreement was the result of almost a year of negotiations led by Peter J. Kirsch and Daniel S. Reimer of Kaplan Kirsch & Rockwell. The city attorney is also being assisted in litigation needed to validate the development agreement by Lori

Potter and Joshua D. Fine of the firm.

The deal will settle litigation and threatened litigation over the land use powers of the city and the ability of the airport to expand to purchase a competing parking lot facility which was draining the finances of



AERIAL VIEW OF BOB HOPE AIRPORT, BURBANK, CALIF.

the airport. The city gains a commitment of cooperation over nighttime noise relief and insurance against litigation over Airport growth.

Kaplan Kirsch & Rockwell is a Denver-based firm which focuses on land use and transportation law with an emphasis on rep-

resenting local governments and developers in structuring complex private-public partnerships and litigation over development deals. The firm also maintains a national practice in aviation and airport law and has one the nation's largest airport regulatory and litigation practices.