



# Kelley Drye Represents General Growth Properties in Lease Dispute

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Kelley Drye secured a victory for Chicago-based General Growth Properties (GGP) in U.S. Bankruptcy Court in Oregon. In this matter, a company that purchased the right to market and sell the leases of a now-bankrupt department store chain, attempted to assign one of the leases to electronics retailer Best Buy Stores, L.P. The assignment to Best Buy would have violated GGP's lease with electronics retailer Circuit City, an existing tenant in the same mall. The U.S. Bankruptcy Court in Oregon agreed with Kelley Drye's argument that the assignment of the lease to Best Buy was impermissible because it not only violated the exclusivity provision in Circuit City's lease, but also violated the use restriction in the lease for the bankrupt chain store, which required the space be used as a department store.