

WILLIAM MAYER

Expert Witness — Real Estate

Development | Multi-Family and Retail Leasing and Property Management

Homebuilding | Public Infrastructure | Common Interest Developments

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Curriculum Vitae — Version 3.0 | August 2026

AREAS OF EXPERT OPINION

- **Developer obligations to municipalities and public agencies in the delivery of public infrastructure.** Development agreements, conditions of approval, subdivision improvement agreements, cost sharing and affordable housing agreements, performance and payment security, dedication and acceptance of public improvements, and the entitlement and permitting of infrastructure such as roads, bridges, utilities, navigable waterways, and marina facilities. Includes community facilities district financing, notices of special tax, and the obligations of a successor developer that acquires an entitled project subject to conditions of approval negotiated by a predecessor.
- **Common interest developments.** Declarant and developer obligations, preparation of articles, bylaws, and declarations of covenants, conditions and restrictions, public report and subdivision approval practice, transition from declarant control to association control, association governance and board practice, assessment and enforcement practice, and community management practice.
- **Residential construction defect, warranty, and disclosure practice.** Builder response to construction defect and warranty claims, pre-litigation procedures under the Calderon Act and the Right to Repair Act (SB 800), homeowner notification and repair offers, claim avoidance programs, homebuyer disclosure practice, and owner-controlled (wrap) insurance programs.
- **Production and master-planned homebuilding practice.** Land acquisition and underwriting, option and rolling takedown structures, subdivision mapping, entitlement and permitting, finished lot and land sales between developers and homebuilders, homebuyer purchase agreements and DRE compliance, sales incentive and marketing practice, and contracting with trade contractors and design professionals.
- **Environmental conditions in land development.** Identification and resolution of environmental conditions on development sites, including groundwater and soils remediation and mine reclamation; CEQA and related environmental documentation; stormwater management and construction site discharge practice; and the customary conduct of developers in addressing environmental conditions as a condition of development.
- **Commercial development joint ventures with institutional capital.** Sponsor and capital partner roles, capital contributions and capital calls, major-decision and consent provisions, manager conduct, and distribution structures.

- **Commercial property operations.** Commercial and residential leasing, property management, vendor and service contracting, and Department of Real Estate and accessibility compliance practices customary in retail, industrial, multifamily, hospitality, and mixed-use assets.

Mr. Mayer offers opinions on industry custom, practice, and standards of conduct. He does not offer opinions on questions of law.

EXPERT WITNESS ENGAGEMENTS

1. *Griffin v. Black Mountain Ranch LLC*, Superior Court of the State of California, County of San Diego, Central Division, Case No. 37-2015-00033538-CU-CD-CTL. Retained by defendant Black Mountain Ranch LLC through Jason A. Specht, Esq., Collinsworth, Specht, Calkins & Giampaoli, LLP, San Diego, California.

A putative class action brought by homeowners on behalf of themselves and all others similarly situated. Subject matter: the obligations of a developer to a municipality in connection with the design and construction of a 25-million-gallon water reservoir and related public infrastructure. Retained February 2025. Deposition testimony given in 2026. The matter resolved before trial.

2. Retained by plaintiffs. *Saunders v. Superior Court (California Reporting Alliance)*, Los Angeles County Superior Court No. BC072147; see 27 Cal. App. 4th 832, 33 Cal. Rptr. 2d 438 (2d Dist., Div. 7, 1994).

Testified on behalf of plaintiff Mark Saunders regarding the professional and ethical obligations of certified shorthand reporters, including standards of impartiality under Business and Professions Code section 8025. The published appellate opinion in the matter identified the question whether the challenged reporting practices were contrary to professional standards of impartiality as one requiring expert testimony at trial. While this took place outside the four-year disclosure period under Fed. R. Civ. P. 26(a)(2)(B)(v), it is listed here for completeness.

PROFESSIONAL EXPERIENCE

SUDBERRY PROPERTIES, INC. | San Diego, California and Las Vegas, Nevada

Chief Operating Officer and Chief Legal Officer | 2017 to Present

Senior executive of a privately held, vertically integrated real estate development, investment, and property management enterprise. Responsible for the legal function enterprise-wide and, as Chief Operating Officer, for operations, risk management, human resources, and information technology. The portfolio spans retail and shopping centers, mixed-use town centers, office and industrial, multifamily, hospitality, event venues, and two master-planned communities in Southern California.

- Direct entitlement, permitting, zoning, and public agency approval strategy, including negotiation with municipalities and management of discretionary approvals through public hearing.
- Negotiate development agreements, subdivision and public improvement obligations, land acquisition and disposition, construction contracts, easements, and infrastructure agreements.

- Structure and negotiate development joint ventures with institutional capital partners, including governance, capital, and distribution terms.
- Oversee the operating portfolio, including commercial and residential leasing, property management, construction, vendor and service contracting, environmental compliance, Department of Real Estate compliance, and accessibility compliance under the Americans with Disabilities Act and California law.
- Direct legal and operational strategy for the master-planned communities at Civita in Mission Valley, San Diego, and El Corazon in Oceanside, including phasing, public improvement obligations, and community governance.
- Negotiate the sale of finished land within the master-planned communities to production homebuilders, and negotiate the construction contracts for residential and retail vertical development within those communities.
- Led the legal and transactional work for institutional and entertainment uses at El Corazon, including Frontwave Arena and the SoCal Sports Complex.
- Negotiated hotel franchise agreements and engaged in the entitlement, development, and construction of the Hampton Inn in Imperial Beach, California.
- Negotiated the disposition of Bonita Point Plaza Shopping Center and other portfolio asset sales.
- Direct enterprise litigation strategy and outside counsel network; own the corporate insurance program, including claims and coverage.

McKINNEY CAPITAL & ADVISORY | San Diego, California

Consulting General Counsel | 2017

Advised an investment platform acquiring and redeveloping commercial real estate, hospitality, and resort assets, including value-add and off-market hotel, industrial, office, and multifamily properties and resort and entertainment venues, across the western and midwestern United States, together with a hotel project in Morocco.

D.R. HORTON, INC. (NYSE: DHI) | Western United States

Vice President and General Counsel, West Region | 2002 to 2016

First West Region General Counsel of D.R. Horton, a Fortune 500 company and the largest homebuilder in the United States by volume. Principal legal advisor to the region president, division presidents and chief financial officers, and corporate leadership. The West Region was the company's largest of four regions by homes sold and pre-tax income.

- Built the region's first in-house legal department and scaled it to eight attorneys and a paralegal as direct reports, supporting more than 10 operating divisions and more than 2,000 employees across California, Oregon, Washington, Hawaii, Nevada, Utah, Idaho, and Colorado.
- Held executive decision-making authority over land acquisition, option and rolling takedown structures, subdivision mapping, entitlement and permitting, development agreements, and joint ventures. Approved

land acquisition and transaction volume averaging approximately \$25 million weekly, at times exceeding \$100 million weekly.

- Processed and obtained entitlements for infrastructure construction, including roads, bridges, utilities, and navigable waterways, working with local, state, and federal authorities; participated in the preparation of CEQA and related environmental documentation; and addressed groundwater remediation, soils remediation, and mine reclamation conditions.
- Represented the company as an owner of property in the vicinity of the State Route 56 corridor in San Diego, which connects Interstate 5 near Del Mar to Interstate 15, in connection with the alignment of that corridor and its effect on company holdings.
- Participated in the company's acquisition from Oly Mandalay General Partnership of the entitled Seabridge project, a 135-acre waterfront community within the Mandalay Bay Specific Plan area in Oxnard, California, and thereafter in the construction of the project and in compliance with its conditions of approval. The project divided three parcels into 334 lots for 708 residential units and approximately 169,000 square feet of commercial space, and created roughly 32 acres of navigable waterways requiring excavation of approximately 1.2 million cubic yards, 503 boat slips, and more than 14,000 linear feet of dedicated public access. The acquired entitlements comprised a City of Oxnard coastal development permit carrying 133 conditions of approval, a tentative subdivision map, a development agreement, and a California Coastal Commission appeal resolved in 2003 with further conditions governing public access dedication, transfer of 436,568 cubic yards of prime agricultural soil to a non-prime recipient site under a ten-year monitoring program, and harbor water quality protection. Excavation and construction followed from 2006 to 2008, with sustained on-site involvement.
- Prepared, reviewed, and negotiated land development documentation, including development agreements, easements, cost sharing agreements, development declarations, and affordable housing agreements; drafted and reviewed notices of special tax in connection with community facilities district financing.
- Created the "Land Book," the region's cross-functional land acquisition protocol, which established underwriting benchmarks, defined the roles of executive, sales, marketing, accounting, and legal personnel, and standardized the acquisition process region-wide.
- Rewrote the region's homebuyer purchase agreements, warranties, and sales disclosures, and revised all subcontractor, professional services, purchase order, and independent consultant agreements, establishing the contracting standards and risk-allocation framework used region-wide. Reviewed sales incentive programs and media advertising for California regulatory compliance.
- Developed and managed the region's comprehensive construction defect litigation avoidance program, including direct homeowner outreach and repair offers in advance of claims; coordinated Calderon Act pre-litigation proceedings and construction defect litigation with outside counsel; attended mandatory settlement conferences and construction defect mediations; and trained divisions on response to Right to Repair Act (SB 800) claims.

- Implemented the owner-controlled (wrap) insurance program across all divisions; evaluated mechanics lien and foreclosure claims; maintained contractor and real estate licensing for all California entities; and responded to complaints before the Contractors State License Board, the Department of Housing and Urban Development, and the Department of Fair Employment and Housing.
- Directed a continuous portfolio of active litigation, which exceeded 100 active matters at any given time during the peak years, including construction defect, land contract, warranty, consumer, and employment matters, with proceedings extending to the United Kingdom.
- Resolved several hundred disputes through alternative dispute resolution, appearing as the company representative and lead negotiator in more than 200 mediations and managing more than 200 arbitrations.
- Integrated the Western Pacific Housing operating divisions in California following D.R. Horton's merger with Schuler Homes, Inc., which closed February 21, 2002 at approximately \$1.2 billion including assumed debt. Schuler had merged with Western Pacific Housing months earlier; the combined platform also carried the Melody Homes and Stafford Homes brands and added more than 100 communities and approximately 5,500 employees across California, Colorado, Hawaii, Oregon, and Washington. Integration of the California divisions was Mr. Mayer's first major assignment at the company.
- Advised senior leadership through the 2002 to 2008 expansion, the 2008 financial crisis and housing downturn, and the subsequent recovery.

DUKE, GERSTEL, SHEARER, LLP | San Diego, California

Partner | 1998 to 2002

- Practice group leader for the firm's common interest development and real estate group.
- Served as outside general counsel to more than 100 homeowners associations across San Diego and Riverside Counties. Prepared and reviewed governing documents, including articles of incorporation, bylaws, and declarations of covenants, conditions and restrictions; advised boards on community management, insurance, and liability; conducted board and association meetings; and managed association litigation and assessment collection.
- Represented business and real estate clients in transactions and disputes, including homebuilders and developers. D.R. Horton was a client of the practice before recruiting Mr. Mayer as West Region General Counsel.

COMMUNITY ASSOCIATION LAW GROUP | WILLIAM E. MAYER, ATTORNEY AT LAW | Encinitas and San Diego, California

Founder | 1992 to 1998

Founded and led a practice serving primarily as corporate counsel to common interest developments, together with a general business practice covering commercial transactions and litigation. The practice was acquired by Duke, Gerstel, Shearer in 1998.

NATIONAL AIR & ENERGY, INC. | San Diego, California

In-House Counsel | 1990 to 1992

In-house counsel to a commercial heating, ventilation, and air conditioning contractor. Responsible for construction contracting and mechanics lien practice, employment matters, and the defense of commercial disputes through arbitration.

WRITING AND EDITORIAL SERVICE

- Co-author, *Common Interest Development Reference and Guide* (2001), a practice reference prepared for and distributed to community association clients.
- Editorial Board, *Common Ground*, the national magazine of Community Associations Institute.

TEACHING

- Faculty Curriculum Chair, Graduate and Undergraduate Business and Management, University of Phoenix. Courses taught: Graduate Business Law, The Legal Environment of Business, Employment Law, Legal Aspects of Supervision, and Ethics and Management. Also served as Faculty Reviewer and New Faculty Evaluator.
- Adjunct Faculty, Business Law and Business Ethics, San Diego Mesa College, San Diego, California.
- Prepared and conducted seminars and workshops for executive management and for land use and planning, customer service, human resources, and sales departments at D.R. Horton on contract interpretation, company policy, and regulatory compliance.

SPEAKING AND PROFESSIONAL PRESENTATIONS

Mr. Mayer has spoken at industry, trade, and professional conferences since 2002 on real estate development and homebuilding operations, land acquisition and entitlement, common interest developments, construction risk allocation, litigation management, and legal and operational leadership. Beginning in the early 1990s, and arising out of his teaching of business ethics, Mr. Mayer spoke on the ethical and professional obligations of certified shorthand reporters, presenting at reporter conventions and conferences across the United States over approximately two years. Records of those engagements predate the general use of electronic documents and are not available. A contemporaneous log of speaking engagements is maintained from 2026 forward and is available on request.

EDUCATION, LICENSURE, AND CREDENTIALS

- Juris Doctor, California Western School of Law, San Diego, California. Dean's List.
- Bachelor of Arts, Government and Politics, minor in Economics, University of Maryland, College Park, Maryland. Dean's List.
- Member, State Bar of California (License No. 147592), active and in good standing.
- Chair, Common Interest Development Subsection, Real Property Law Section, State Bar of California.
- Certified Mediator, American Institute of Mediation — commercial and litigated matters.

- Certificate in AI-Driven Leadership, Stanford Engineering Center for Global and Online Education (2025).
- Total Quality Management (TQM) Certification, Management and Strategy Institute.
- Professional in Human Resources (PHR), HR Certification Institute (inactive).
- Member, Association of Corporate Counsel.

HONORS, BOARD SERVICE, AND CIVIC LEADERSHIP

- **General Counsel of the Year** — San Diego Business Journal, 2015 (nominee, 2014).
- **San Diego Museum of Us (formerly San Diego Museum of Man)** — Trustee from 2009 - 2024; Chair, Board of Trustees, 2014 to 2016; General Counsel since 2016.
- **San Diego Regional Chamber of Commerce** — Board of Directors; Management Council; Chair, Political Action Committee (2021 to present).
- **Episcopal Community Services** — Board of Directors; Chair, Audit Committee; Chair, CEO Evaluation and Compensation Ad Hoc Committee (2025 to present).

EMPLOYMENT DISCLOSURE AND CONFLICTS

Mr. Mayer is a full-time officer of Sudberry Properties, Inc. Expert witness engagements are undertaken outside the scope of that employment, with the knowledge of the company, and without the use of company confidential information. Before accepting any engagement, Mr. Mayer runs a conflict check against Sudberry Properties, Inc., its affiliates and joint venture partners, and its known counterparties and outside counsel, and discloses the results to retaining counsel.

FEES

Mr. Mayer's fee schedule is set out in a separate document and is applied uniformly without regard to the party retaining him or the side on which he is retained. He does not accept engagements on a contingent basis or on any basis in which compensation depends on the outcome of the matter or the content of his opinions.