

## Chemerinsky's Next Gig: U.S. Supreme Court; Fast Growers Show Range

UCI Law School Dean **Erwin Chemerinsky** drew rave reviews for his humor while serving as emcee for the **Business Journal's** 4th annual **General Counsel Awards** last week (see story, page 7). He'll have a tougher audience and a chance to prove his versatility next month when he goes before the **U.S. Supreme Court** to argue for the 1st Amendment rights of a protester arrested at an Air Force base near Santa Barbara. The high court is hearing an appeal of a case won by a **Selwyn Chu** and **Matthew Plunkett**, who represented their client under Chemerinsky's tutelage as part of an Appellate Litigation Clinic in 2012, during their third year at UCI Law. Attorneys must have three years in practice under their belt to argue in front of the

Supreme Court, so Chemerinsky will handle the case in Washington. Chu, now with **Klatte, Budensiek & Young-Agriesti** in Newport Beach, will aid Chemerinsky, who's going before the high court for the fifth time. Plunkett is prohibited from working further on the case due to his obligations as a member of the **OC District Attorney's** office ... Chemerinsky's remarkable range has a match in our annual list of **Fastest-Growing Private Companies** based in OC (page 50) and the stories throughout these pages about how various entries made the grade. Who figures anyone would make the list by selling books in bulk amid all those mobile communications devices (see **BookPal**, page 48)? Then again, why not capitalize on that mobile trend (**NuCourse**, page 4)? You'll even find a Spanish accent in this year's crop (**Galegos**, page 42) ... **Warren Buffett's Berkshire Hathaway** has some range in OC, too, including the Irvine-based residential real estate brokerage that's getting rebranded as **Berkshire Hathaway HomeServices**. Buffett and his Omaha-based holding company count at least one other OC company in its fold, although the tie isn't so obvious. It's Laguna Hills-based **SidePlate Systems Inc.**, which "specializes in steel building designs." ... Don't know how much longer **Greenlight Financial** will need a parking valet to handle the headcount at its **Irvine Towers** HQ now that interest rates have risen and the mortgage market has cooled (see story, page 1). The trend has nonetheless caught on over at the **South Coast Collection** along the 405 in Costa Mesa. Owner **Burnham USA**, which bought the near-empty spot during the recession and revamped it as a culinary and design center, reports SoCo now faces a challenge on providing enough parking for shoppers on weekends. A valet is in place during peak hours, including its **Farmers Market** on Saturdays. No word on whether Burnham plans a valet at its newest property along **Westcliff Drive** (see story, this page) ... Here's an event where valet's just won't do: the **2013 Injured Warrior Appreciation Run**, produced by the nonprofit **Warrior Foundation-Freedom Station** and the **Orange Coast Harley Owners Group** to raise funds for military men and women who have been injured in Afghanistan and Iraq. The Nov. 1 ride is slated to start at **OC Harley Davidson** in Irvine and head to **Camp Pendleton**. Register at [injuredwarriorride.com](http://injuredwarriorride.com).

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# Burnham Buys on Westcliff, Plans Makeover

**REAL ESTATE:** Gets high-end office, shops; sells big-box retail

By MARK MUELLER

**Burnham USA Equities Inc.** has added a high-profile office and retail property in Newport Beach to its portfolio and sold off a big-box retail property in Laguna Niguel.

The separate deals combined for a value of close to \$25 million.

The Newport Beach-based commercial real estate investor said last week that its **Burnham-Ward Properties** affiliate closed on the purchase of 1617 Westcliff Drive, a two-story property near the boundary between Newport Beach and Costa Mesa.

The building, which runs about 34,500 square feet, has a number of high-end med-

ical and dental tenants, including **Terry Dubrow**, a cosmetic surgeon who is the husband of "Real Housewives of Orange County" cast member **Heather Dubrow**.

The property has also held other offices, shops and a number of popular restaurants over the years, including **The Arches**. The steak house closed its location there two years ago, and the space remains vacant.

**Burnham-Ward** purchased the building out



**Scott Burnham:** property's owner plans to invest "millions" in center

of bankruptcy. Court records show the building trading hands for \$9.4 million, or about \$272 per square foot.

**Mark Larson**, president of the **Lee & Associates'** investment services group in Los Angeles, represented the seller.

The property's prior owner, a Newport Beach-based entity operating under the **1617 Westcliff LLC** name, filed for bankruptcy in August 2012 after falling behind on about \$7.5 million of debt, according to court records.

The new owner plans to invest "millions" on a major overhaul of the center, according to **Scott Burnham**, chief executive of **Burnham USA**, one of the larger owners of offices and retail properties in and around Newport

► *Burnham 10*

## Knobbe Wants Resort Feel at Airport-Area Office

**REAL ESTATE:** Firm is partner, main tenant in 14-story tower

By MARK MUELLER

**Knobbe Martens Olson & Bear LLP**, Orange County's largest law firm by number of local attorneys, is looking to bring a touch of the resort lifestyle to the Irvine office tower that holds its headquarters.

Knobbe is the managing member of **2040 Main LLC**, which owns the 307,000-square-foot office tower at 2040 Main St. It recently announced plans for a bevy of changes at the 14-story property as part of a bid to increase its occupancy rates.

Among the more notable changes at the

building are plans to give tenants a resort-like experience in terms of amenities and customer service.

Expect to be treated to music and flavored spa-style water in the building's lobby, according to officials at brokerage **Stream Realty Partners**, whose Irvine office was recently selected to oversee the changes and provide leasing services.

Tenants also will have access to an executive assistant-style concierge, shuttles to nearby shopping areas such as **South Coast Plaza**, monthly tenant appreciation events, and other perks.

Even the scent of the office is expected to change, according to **Colby Annett**, co-managing partner of **Stream Realty's** Irvine office

► *Knobbe 12*



**2040 Main:** plans call for flavored water, fragrant air in lobby

## Biolase Works Out Waiver on Loan

**HEALTHCARE:** Deal follows hit from short, stock plunge

By VITA REED

Irvine-based **Biolase Inc.** has revised its credit agreement with **Comerica Bank** after falling out of compliance with loan covenants.

Comerica reduced Biolase's domestic credit line to \$4 million from a previous high of \$6 million, according to a Securities and Exchange Commission filing. The company, which makes lasers used by doctors and dentists in the U.S. and Europe, retains a \$4 million international credit line.

The SEC filing said the amendment to the loan from Dallas-based Comerica "revised certain financial covenants," including one that involved an undisclosed figure for Biolase's minimum earnings before interest, taxes, depreciation and amortization.

"Biolase is now entering what has traditionally been its strongest revenue period of the year—September to December—and finalizing [the amendment] provides us with the flexibility

► *Biolase 10*



**Pignatelli:** Biolase chief says short seller's comments were aimed at creating "uncalled-for anxiety" among shareholders

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