

PURCHASING, LEASING OR SELLING A HOME

INTAKE FORM: Litigation

Sometimes a real estate transaction goes sour, and the parties wind up in court. A realtor may have failed to provide the service you wanted. You may feel that he or she was more interested in profit than in your needs, or was trying to represent both you and the other party in a way that led to unfairness. The realtor may have mishandled your money, or refused to return earnest money. The other party may have made misrepresentations, or refused to close.

Often, a lawyer can help by explaining your options or by writing letters, but if the problem is serious enough, a lawyer can also help you sue to protect your rights. In order to do the best possible job on your behalf, your attorney needs your input and cooperation. At your first meeting with your attorney to discuss litigation, you should be prepared to provide the following information:

INFORMATION ABOUT YOU

Name: _____

Address, Including County:

Your Work Telephone Numbers: _____

Your Home Telephone Numbers: _____

Facsimile Number: _____

E-mail Address: _____

Web page (if any): _____

Former Name(s): _____

Your Employer: _____

Your Position: _____

Other litigation you *have been* involved in:

Other litigation you *are* involved in:

INFORMATION ABOUT THE OTHER PARTY

Name: _____

Is your opponent a business? _____

Form of Your Opponent's Business (corporation, partnership, sole proprietorship, etc.):

Place of Doing Business: _____

Is your opponent a realtor? _____

If your opponent is not a realtor, what does he or she do?

Address, Including County:

Length of Time at that Address: _____ years

Work Telephone Numbers: _____

Home Telephone Numbers: _____

Facsimile Number: _____

E-mail Address: _____

Web page (if any): _____

Former Name(s): _____

Related Business(es): _____

Your Contact Person at the Opponent: _____

Are you aware of any litigation you opponent has been involved in?

WHY YOU ARE SEEKING LEGAL HELP

Describe the problem that occurred:

Have you already purchased or sold the property at issue? _____

If so, how did you pay for it? _____

Are you still making payments? _____

If not, what stage are negotiations at? Pre-closing? Offer made?

What has the problem cost you (e.g., additional financing needed, lost earned money, cost of additional surveys, etc.)? Describe all expenditures and losses:

How much have you lost or expended? \$ _____

How much have you budgeted for if you have to sue? \$ _____

Are there written documents which relate to any agreements you have with your opponent? Listing agreements, purchase or escrow agreements, real estate agency agreements, or the like? Please describe:

Is there correspondence between you and your opponent? _____

Are you aware of any claims your opponent may have against you? If so, please explain them.

What outcome do you want from seeing the lawyer? Do you want to force the sale to take place, for example, or do you only need to recover money?

Has your opponent sued you? If so, explain, and attach all relevant documents:
