



**Gregory M. Gentile**  
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Gregory M. Gentile is a partner in the firm's San Jose office. Mr. Gentile's legal experience includes real estate, business litigation and construction defect. He has represented real estate agents and brokers, general contractors, subcontractors and a variety of other professionals in litigation. He has handled matters involving contract and business disputes, real property and commercial property disputes, and construction defect. Mr. Gentile has been a guest lecturer for the San Jose and Monterey chapters of the Real Estate Appraisal Institute, lecturing on issues surrounding professional liability within the context of real estate appraisers.

Mr. Gentile is a member of the California State Bar, the Santa Clara County Bar Association and the Association of Defense Counsel. He received his B.A. in both English and history from Rhode Island College, and his J.D. from Golden Gate University Law School in San Francisco.

## Practice Areas

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- ▣ Business And Commercial Litigation
- ▣ Construction
- ▣ Corporate Transactions
- ▣ ERISA
- ▣ Intellectual Property
- ▣ Product Liability
- ▣ Professional Liability
- ▣ Real Estate

## Education

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- ▣ Rhode Island College, 1979 B.A.  
magna cum laude
- ▣ Golden Gate University School of Law, 1989 J.D.

## Court Admissions

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- ▣ California
- ▣ USDC: Eastern District of California
- ▣ USDC: Northern District of California

## Memberships & Associations

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- Santa Clara County Bar Association

## Representative Experience

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**Practice Area:** Business And Commercial Litigation

**Key Issues:** Breach of Contract; Negligence

**Venue:** Santa Clara County Superior Court

**Client Type:** Plaintiff; Purchaser of Manufactured Home

Successfully arbitrated and obtained a judgment for a client attendant to claims against a general contractor for failure to relocate a manufactured home pursuant to agreement. The claims against the general contractor were breach of contract, negligence, and fraud (misrepresentation). The facts showed that the general contractor failed to perform as he was required, and in fact, abandoned his duties to the client.

**Result:**

The claims were submitted to binding arbitration and the client was awarded substantial damages, including attorney's fees as the prevailing party.

**Practice Area:** Business And Commercial Litigation

**Key Issues:** Real Estate Commission Dispute; Breach of Contract; Interference With Prospective Economic Advantage

**Venue:** San Mateo County Superior Court

**Client Type:** Defendant; Private Client

Successfully represented a commercial business broker in a claim for broker's commission. The claim was that the client and others interfered with another broker's business relationship and defrauded him from his commission. Plaintiff's lawsuit was fraught with a variety of legal issues involving statute of limitations and contractual defenses.

**Result:**

The firm brought a motion for judgment on the pleadings, which ultimately led the way to an expedient resolution of the matter for the client based on the available legal defenses.

**Practice Area:** Business And Commercial Litigation, Real Estate

**Key Issues:** Negligence; Misrepresentation

**Venue:** San Mateo County Superior Court

**Client Type:** Defendant; Home Inspection Company

Successfully represented a home inspection company and home inspector as to claims of negligence and misrepresentation. The claims against our clients were part of a group litigation filed by a homeowner against the various real estate agents, their brokers, and inspectors who were involved in the sale of the home. The homeowner claimed undisclosed and undocumented defects pertaining to their purchase of their home.

**Result:**

Successfully resolved the matter on behalf of our clients by bringing a motion for summary judgment.

**Practice Area:** Business And Commercial Litigation, Professional Liability

**Key Issues:** Breach of Contract; Breach of Loan Agreement

**Venue:** Santa Clara County Superior Court

**Client Type:** Defendants; Mortgage/ Broker

Successfully defended claims brought by borrowers against a mortgage broker and a lender, for fraud, breach of contract, racial discrimination, and invasion of privacy. The Plaintiff borrowers asserted that their loan was procured by the fraud of the mortgage brokers and lenders. The lawsuit commenced in Federal District Court and was then remanded to State Court. Following discovery, successfully brought a motion for summary judgment, removing our clients from the case.

**Result:**

The judgment was appealed by the Plaintiff borrowers, and I thereafter defended the appeal at the appellate level. The Sixth District Appellate Court affirming the judgment in favor of our clients.

**Practice Area:** Construction, Fraud/Non-Disclosure

**Key Issues:** Negligence; Misrepresentation

**Venue:** Alameda County Superior Court

**Client Type:** Plaintiff; Private Client/ Homeowner

Successfully represented homeowners in prosecuting their claims for construction defects against a general contractor and failure to disclose by the seller. Our clients alleged the general contractor failed to properly build exterior decks on a custom home, and the seller failed to disclose to my clients known defects about those decks, including water leaks into the home. The seller and the general contractor aggressively sought to have our clients' case dismissed, and brought several dispositive motions just prior to trial.

**Result:**

Successfully defeated both motions and obtained a large settlement for the clients.

**Practice Area:** Business And Commercial Litigation, Intellectual Property

**Key Issues:** Intellectual Property; Breach of Contract; Defamation; Fraud; Misrepresentation

**Venue:** Santa Clara County Superior Court

**Client Type:** Defendant; Private Client

Successfully represented a local business entrepreneur in a complex partnership dispute between two joint venturers, involving intellectual property. The claims were for breach of contract, defamation, and fraud. We prosecuted on behalf of our client those claims while defending claims of misrepresentation and conversion.

**Result:**

We defended those claims at binding arbitration, obtaining a large monetary award from the arbitrator.

**Practice Area:** Business And Commercial Litigation

**Key Issues:** Breach of Contract; Negligence

**Venue:** Santa Clara County Superior Court

**Client Type:** Plaintiff; Purchaser of Manufactured Home

Successfully arbitrated and obtained a judgment for a client attendant to claims against a general contractor for failure to relocate a manufactured home pursuant to agreement. The claims against the general contractor were breach of contract, negligence, and fraud (misrepresentation). The facts showed that the general contractor failed to perform as he was required, and in fact, abandoned his duties to the client.

**Result:**

The claims were submitted to binding arbitration and my client was awarded substantial damages, including attorney's fees as the prevailing party.

**Practice Area:** Real Estate

**Key Issues:** Trespass; Nuisance; Quiet Title as to Real Property; Property Lines

**Venue:** Santa Clara County Superior Court

**Client Type:** Plaintiff

Successfully prosecuted and defended a homeowner in a property line dispute with her neighbor. The claims made by our client were for trespass, nuisance, and quiet title.

**Result:**

Through expert opinion, we were able to secure the client's property rights and obtain appropriate resolution, returning the property to her

**Practice Area:** Business And Commercial Litigation, Intellectual Property, Real Estate

**Key Issues:** Negligence; Misrepresentation

**Venue:** San Mateo County Superior Court

**Client Type:** Defendant; Home Inspection Company

Successfully represented a home inspection company and home inspector as to claims of negligence and misrepresentation. The claims against the firms clients were part of a group litigation filed by a homeowner against the various real estate agents, their brokers, and inspectors who were involved in the sale of the home. The homeowner claimed undisclosed and undocumented defects pertaining to their purchase of their home.

**Result:**

Successfully resolved the matter on behalf of the clients by bringing a motion for summary judgment.

**Practice Area:** Construction, Fraud, Insurance Services, Real Estate

**Key Issues:** Negligence; Misrepresentation

**Venue:** Alameda County Superior Court

**Client Type:** Plaintiff; Private Client/ Homeowner

Successfully represented homeowners in prosecuting their claims for construction defects against a general contractor and failure to disclose by the seller. The clients alleged the general contractor failed to properly build exterior decks on a custom home, and the seller failed to disclose to the clients known defects about those decks, including water leaks into the home. The seller and the general contractor aggressively sought to have

the clients' case dismissed, and brought several dispositive motions just prior to trial.

**Result:**

Successfully defeated both motions and obtained a large settlement for clients.

**Practice Area:** Business And Commercial Litigation, Intellectual Property

**Key Issues:** Intellectual Property; Breach of Contract; Defamation; Fraud; Misrepresentation

**Venue:** Santa Clara County Superior Court

**Client Type:** Defendant; Private Client

Successfully represented a local business entrepreneur in a complex partnership dispute between two joint venturers, involving intellectual property. The claims were for breach of contract, defamation, and fraud. We prosecuted on behalf of the client those claims while defending claims of misrepresentation and conversion. We defended those claims at binding arbitration, obtaining a large monetary award from the arbitrator.

**Result:**

Defense case at binding arbitration and successfully prosecuted claims of client.

**Practice Area:** Construction

**Key Issues:** Construction Defects

**Venue:** Los Angeles County Superior Court

**Client Type:** Defendant; Fire Sprinkler Manufacturer

Successfully defended a fire sprinkler subcontractor in a large scale construction defect matter at binding arbitration. The claims involved construction defect with respect to a youth athletic club in Southern Los Angeles. The client was a subcontractor who allegedly had improperly installed fire sprinklers as part of the reconstruction of the club. Following an eight-week arbitration, the arbitrator ruled that the claims against the client lacked merit, and the firm obtained a judgment in favor of my client and against the general contractor.

**Result:**

Defended the claims and obtained a judgment in favor of our client.

**Practice Area:** Business And Commercial Litigation, Professional Liability

**Key Issues:** Breach of Contract; Breach of Loan Agreement

**Venue:** Santa Clara County Superior Court

**Client Type:** Defendants; Mortgage Broker/Chubb Insured

Successfully defended claims brought by borrowers against a mortgage broker and a lender, for fraud, breach of contract, racial discrimination, and invasion of privacy. The Plaintiff borrowers asserted that their loan was procured by the fraud of the mortgage brokers and lenders. The lawsuit commenced in Federal District Court and was then remanded to State Court. Following discovery, successfully brought a motion for summary judgment, removing clients from the case.

**Result:**

The judgment was appealed by the Plaintiff borrowers, and we thereafter defended the appeal at the appellate level. The Sixth District Appellate Court affirming the judgment in favor of clients.

**Practice Area:** Real Estate

**Key Issues:** Trespass; Nuisance; Declaratory Relief

**Venue:** Santa Clara County Superior Court

**Client Type:** Plaintiff; Private Client/Homeowner

Successfully prosecuted and defended a homeowner in a property line dispute with her neighbor. The claims by the client were for trespass, nuisance, and quiet title. Through expert opinion, we were able to secure the client's property rights and obtain appropriate resolution, returning the property to her.

**Result:**

Matter settled five days before trial with an agreement to return expropriated real property back to the client.