



## AMY J. FITCH

Partner

afitch@hodgsonruss.com 716.848.1384

Amy concentrates her practice in general commercial real estate, representing developers, landlords, and tenants in a wide range of commercial real estate transactions, including the acquisition, sale, development, and leasing of shopping centers and other commercial properties. She represents both landlords and tenants in negotiating and drafting leases, including land, commercial, office, and retail leases. She has significant experience with mortgage tax and real estate transfer tax matters as well as title insurance and survey examinations. She also has extensive experience representing lenders and borrowers in commercial real estate financing matters, including multistate mortgage loan arrangements, sale leaseback transactions, ground leasing matters, and industrial development agency projects. Amy has also represented clients with matters pending before the State Liquor Authority, including applications for retail licenses.

Before entering law school, Amy was a CPA at PricewaterhouseCoopers.

### Honors

- Listed, *Best Lawyers in America* (Real Estate Law) 2012 - 2024
- Listed, *Chambers USA: America's Leading Lawyers for Business*, (Real Estate) 2019 - 2023
- Licensed in New York as a certified public accountant (CPA)

### Experience

Over the course of her career, Amy has acted as lead real estate counsel to a supermarket chain in transactions involving more than 100 store locations, including sales, acquisitions, development, leasing, and sale-leaseback transactions; a hospitality client in the acquisition and financing of multiple hotel sites in various states; and to a lumber company in the acquisition and financing of numerous properties. More specifically, Amy has contributed significantly to the following representative matters:

The Guaranty Building  
140 Pearl Street  
Suite 100  
Buffalo, NY 14202

### Practices & Industries

Banking & Finance  
College & University  
Hotel, Hospitality & Lodging  
Real Estate Development  
Real Estate Leasing  
Retail Sector  
Wine, Beer & Spirits

### Admissions

New York

### Education

University at Albany, B.S., summa cum laude  
University at Buffalo School of Law, J.D., cum laude

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A team of Hodgson Russ attorneys represented an international hotel operator in the closing of a highly complex financing package involving \$226.6 million in new CMBS mortgage and mezzanine debt. The transaction involved 17 hotels in 11 states and included the defeasance of \$100 million of existing CMBS indebtedness, a major restructuring of the existing hotel owner and management companies, the formation of 20 new entities, the movement of 11 hotel franchises and 7 management agreements, and the buyout of a strategic partner.

Hodgson Russ closed a merger transaction on behalf of a long-time, NASDAQ-listed defense and aerospace products manufacturing client. As a result of the merger, the client became a wholly owned subsidiary in a deal valued at approximately \$275 million. The closing completed a four-month project in which attorneys from many of our practices contributed in significant ways under intense time pressures and opposite some of the largest firms in the country. Our work included advising our client's board in connection with its fiduciary duties; negotiating the merger agreement; preparing a proxy statement for the special meeting of shareholders and dealings with the SEC and FINRA; defending the company and the board in two shareholder lawsuits alleging, among other things, breach of fiduciary duty by the board; appearing in federal and state court and ultimately settling the lawsuits; advising management on directors and officers insurance matters; advising the board and management on certain options and other benefit matters; handling HSR filings; and assisting on financing related to the transaction.

Hodgson Russ attorneys represented senior management in their purchase of a leading full-service grocery retailer in upstate New York, northern Pennsylvania, and western Vermont. The grocery retailer operates 155 full-service supermarkets and has more than 15,000 associates. Hodgson Russ also represented the senior management group in the financing of this purchase.

Mr. Gilbride served as lead counsel to the owner of the medical office building in conjunction with the formation of a commercial condominium and sale of an entire floor of the building to a nonprofit corporation affiliated with the State of New York.

Mr. Gilbride serves as counsel to Buffalo 2020 Development Corporation, a nonprofit joint venture between the University at Buffalo Foundation and the Research Foundation of the State University of the New York. This entity has been actively engaged in various capital projects in and around the Buffalo Niagara Medical Campus, including development of a \$300-million clinical translational research facility and biosciences incubator for University at Buffalo. Through the utilization of a unique public-private partnership condominium structure, Buffalo 2020 Development Corporation was able to develop this facility by co-location with a working hospital, thereby maximizing operational efficiencies and substantially reducing duplicate costs for both facilities.

Mr. Gilbride served as lead partner to a team of Hodgson Russ attorneys representing the owner of the Key Center twin tower office complex in downtown Buffalo in conjunction with the Buffalo Information Technologies Innovation and Commercialization Hub. This project involved the formation of a commercial condominium and sale of over 100,000 square feet of space in the South Tower at Key Center to a nonprofit corporation affiliated with New York State. The space was developed as an information technology hub and leased to IBM.

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A Hodgson Russ team led by Mr. Gilbride represented global hospitality and food service provider Delaware North Companies, Inc. in conjunction with the negotiation of a long-term anchor tenant lease agreement for its new 110,000-square-foot world headquarters in Buffalo, New York. This representation included negotiation of a build-to-suit lease for this state-of-the-art office facility and related state and local economic development incentives, ensuring Delaware North's commitment to a long-term presence in Western New York.

Mr. Gilbride serves as real estate counsel to the Buffalo Niagara Medical Campus, a nonprofit corporation responsible for the development and operation of the Buffalo Medical corridor. This representation has included the acquisition and redevelopment of the former M. Wile and Trico industrial facilities located on the campus.

Hodgson Russ represented a premier U.S. hardwood lumber company in its acquisition of a privately held hardwood company with 11 saw mills in four mid-Atlantic and southern states. The acquisition involved extensive environmental, real estate, tax, and zoning issues at all locations. Our attorneys successfully structured the complex deal, including determining the type of purchase to pursue and its implementation. This acquisition required the client to obtain a new credit facility to finance the transaction. For this same client, Hodgson Russ performs five to six acquisitions of varying size and complexity every year. Hodgson Russ represented the family-owned specialty chemical manufacturer in connection with the sale of the company to a large private-equity fund. The transition included the sale in both the U.S. and Europe and included the use of representation and warranty insurance in connection with the purchase agreement.

## **In the News**

Cadence Bank Announces Agreement to Sell the Insurance Operations of Cadence Insurance to Arthur J. Gallagher & Co.  
*Cadence Bank (Press Release)*, October 24, 2023

Largest Buffalo commercial real estate law firms 2020  
*Buffalo Business First*, September 11, 2020

Fifty-Five Hodgson Russ Attorneys Named to *Best Lawyers* 2014  
August 28, 2013

Fifty-Four Hodgson Russ Attorneys Named to *Best Lawyers* 2013  
August 30, 2012

## **Press Releases**

83 Hodgson Russ LLP Attorneys Ranked in 2024 Edition of *Best Lawyers in America*  
August 17, 2023

Hodgson Russ LLP Receives Multiple Top Marks from *Chambers USA Guide* 2023  
June 6, 2023

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71 Hodgson Russ Attorneys Ranked in 2023 Edition of *Best Lawyers in America*  
*Hodgson Russ Press Release*, August 19, 2022

Hodgson Russ Receives Top Marks for *Chambers USA 2022 Guide*  
*Hodgson Russ Press Release*, June 2, 2022

55 Hodgson Russ Attorneys Ranked in 2022 Edition of *Best Lawyers in America*  
*Hodgson Russ Press Release*, August 19, 2021

Hodgson Russ Receives Top Marks for *Chambers USA 2021 Directory*  
*Hodgson Russ Press Release*, May 26, 2021

55 Hodgson Russ Attorneys Ranked in 2021 *Best Lawyers in America*  
*Hodgson Russ Press Release*, August 20, 2020

Hodgson Russ Receives Top Marks for *Chambers USA 2020 Directory*  
*Hodgson Russ Press Release*, April 24, 2020

52 Hodgson Russ Attorneys Named to Various *Best Lawyers* Listings  
*Hodgson Russ Press Release*, August 20, 2019

Hodgson Russ Receives Top Marks for *Chambers USA 2019 Directory*  
*Press Release*, May 1, 2019

## **Publications**

New York State Liquor Authority Moves to Tackle Backlog of Items  
*Hodgson Russ Wine, Beer & Spirits Practice*, November 29, 2023

Federal Court Invalidates NYC's COVID-Era Guaranty Law, Opens Door For Commercial Landlords To Recoup Unpaid Rent From Personal Guarantors  
*Hodgson Russ Real Estate Alert*, April 4, 2023

Warning: Don't Ignore Your Customers' Secured Lenders, You Could be Required to Pay Twice!  
*Hodgson Russ Banking & Finance Alert*, March 27, 2023

The Collapse of Silicon Valley Bank and Signature Bank and FDIC Receiverships Generally  
*Hodgson Russ Banking & Finance Alert*, March 13, 2023

Update on CARES Act Emergency Financial Aid Grants to Higher Education Students  
*Hodgson Russ College & University Alert*, July 31, 2020

NYC Local Law 1932-A May Allow Individual Guarantors of Certain Commercial Leases or Rental Agreements To Limit Personal Liability  
*Hodgson Russ Real Estate Alert*, June 25, 2020

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As the Economy Re-Opens, Landlords and Tenants will Confront Rent Defaults

*Hodgson Russ Real Estate Alert*, June 18, 2020

Relief from Some PPP Restrictions

*Hodgson Russ Banking & Finance Alert*, June 4, 2020

New York State Launches Forward Loan Fund Program – What Do I Need to Know?

*Hodgson Russ Banking & Finance Alert*, May 26, 2020

Paycheck Protection Program: SBA Releases Forgiveness Application – Some Questions Answered, Others Remain

*Hodgson Russ Banking & Finance Alert*, May 18, 2020

### **Professional Affiliations**

- New York State Bar Association
- Bar Association of Erie County