

# Real Estate, Zoning & Public Finance

We offer the depth of legal service and extensive business and legal experience needed to successfully represent real estate clients in projects and transactions including land development, regulatory challenges, public/private financing, title clearance, commercial sales transactions, commercial leasing, closings, and much more.

Our real estate tax capabilities include representing borrowers and creditors in debt-financing, and private equity funds and other real estate clients, including REITs, in joint ventures, entity structuring, and tax-planning around acquisitions and dispositions.

Our attorneys represent public and private clients, including land developers, residential and commercial builders, developers specializing in new urbanism and mixed-use projects, investors in real estate, banks and financial institutions in real estate lending transactions, as well as special purpose taxing districts. Real estate dispute resolution, including litigation and arbitration of contract disputes, construction defect cases, zoning matters, eminent domain, and representation in title disputes arising from adverse possession claims and other title matters, are all part of the variety of litigation services offered to our real estate clients.

## Litigation Services

Our diverse and experienced real estate attorneys have represented clients in both traditional litigation and alternative dispute resolution proceedings including mediation and arbitration relating to the following types of real property disputes on behalf of commercial, residential, and public clients:

- Abandonment
- Adverse possession and prescriptive easements
- Boundary disputes
- Breach of contract
- Brokerage commission disputes
- Commercial lease disputes (rent, premises violation, maintenance disputes)
- Construction and property defect cases
- Covenant violations
- Eminent domain and valuation

## PROFESSIONALS

Brad Goss  
Partner

Kelly Anderson  
Associate

Michael F. Cocciemiglio  
Associate

Michael G. Cortina  
Partner

John F. D'Jock  
Associate

Kevin L. Eismann  
Partner

Alan L. Farkas  
Of Counsel

Daniel Faust  
Senior Counsel

Timothy J. Feldhausen  
Partner

Eric M. Fogel  
Partner

Kyle Gally  
Associate

Constantine Gavrilos  
Associate

Lawrence J. Glusman  
Partner

Lynn M. Gompper  
Senior Paralegal & E-  
Discovery Specialist

Katherine M. Hampel  
Associate

Brandt N. Hardy  
Partner

Christopher J. Jaekels  
Partner

- Environmental contamination
- Fraud and misrepresentation
- Housing discrimination
- Nuisance
- Title defects
- Trespass
- Unlawful Merchandising Practices Act violations
- Zoning and subdivision disputes

### Transactional Services

Our attorneys have extensive experience working with real estate clients on transactional matters. Recent representative matters include:

#### Construction

- Preparation and negotiation of terms of commercial building contracts for office, restaurant, retail and mixed-use projects.
- Preparation and negotiation of terms of residential building construction contracts for both custom and residential tract builders.
- Preparation and negotiation of traditional design build contracts.
- Management of construction loan disbursements for purposes of title, including obtaining mechanics lien waivers and making disbursements.
- Preparation, filing and enforcement of mechanics liens in Illinois and Missouri.

#### Development Work

- Subdivision development from acquisition of the underlying property through construction; drafting of subdivision declarations or indentures; sale of homes; business entity formation for developers and homeowners associations, including advisory representation regarding administration and elections; addition of future phases to subdivisions; trademark and licensing issues related to real estate developments; use or sale of display homes; and management of common ground and subdivision amenities including water features, swimming pools and lakes, and drafting of documents related to liability issues arising from development amenities.
- Negotiation of annexation of property and development agreements with municipalities including zoning, development incentives and municipal services, as well as public/private development projects, redevelopment projects and tax incentive projects, including TIF, CID, TDD and TAD projects.
- Preparation and negotiation of easements required for purchase of real estate for development and for construction related to subdivision development and easements related to permitting limited use of client/owner's real property by

## Real Estate, Zoning & Public Finance

Lisa A. Johnson  
Partner

Lisa M. Kellermann  
Paralegal

Martin Kiernan  
Associate

Madalyn S. Kinsey  
Partner

Elizabeth H. Lum  
Partner

Raymond J. Melton  
Partner

Steven E. Miller  
Partner

Stewart J. Mizell  
Associate

Keith D. Mundrick  
Partner

Maddie Owen  
Paralegal

Brian C. Randall  
Partner

Allen M. Salomon  
Partner

Thomas P. Scherschel  
Partner

Julie A. Seno  
Partner

Ryan M. Spott  
Partner

Debra Theine  
Paralegal

Joseph E. Tierney IV  
Partner

others.

- Condominium development, including initial acquisition of underlying property, drafting Declarations of Condominium, certification of condominium projects for HUD approved (FHA) financing by purchasers, management and/or amendment of common elements or limited common elements during development of additional phases, and the design and formation of business entities for the management of condominium homeowners associations.
- Zoning and entitlement representation.

#### **Property Management and Leasing**

- Property rental contracts and property management, including extensive experience with complex lease negotiations with office and commercial tenants.
- Representation of both shopping center owners and retailers in lease negotiations, including percentage rent, expense stop, and other forms of lease transactions.
- Advice on risk assessment and management of property liability issues for a wide array of property types and users.
- Representation of clients in Missouri and Illinois in real estate taxation appeals.

#### **Purchase and Sale Transactions**

- Negotiation and preparation of contracts of purchase and sale, with due diligence investigation and inspection for investments.
- Closing of investment transactions, including commercial (industrial and mixed-use) and residential properties.
- Representation of clients in the purchase and sale of agricultural, mixed-use, commercial, and residential property and subsequent leasing and management.
- Handling of IRS Code Section 1031 exchange transactions, Illinois Forcible Entry and Detainer and Distress for Rent statutes, and Illinois Cook County and City of Chicago security deposit laws and ordinances.
- Representation of purchasers of real property at real estate tax sales, including subsequent perfection and clearance of title.

#### **Title Matters**

- Title examination and chain of title review for the purpose of issuing title commitment and policies for a title insurance company in Illinois.
- Examination of real estate title insurance commitments and policies in Illinois.
- Preparation and review of closing documents and conduction of closings of real estate transactions in Illinois and Missouri and issuance of title insurance

## Real Estate, Zoning & Public Finance

Karen A. Tobin  
Partner

Michael Van Someren  
Partner

Brittany Wilson  
Paralegal

Lisa Kleiner Wood  
Partner

Danielle M. Zimmerman  
Paralegal

#### **AREAS OF CONCENTRATION**

Homeowner Associations

policies in Illinois.

- Title examination in connection with representation of banks in foreclosure of commercial properties (some residential).
- Negotiation, review, and analysis of issues related to clearing real estate title, including purchase and sale, contracts, inheritance matter, estate and trusts transfers, easements, encroachment, and other title-related disputes.

#### **Workouts, Foreclosures, and Enforcement Actions**

- Negotiation and preparation of workout and forbearance agreements on behalf of both debtors and creditors in commercial transactions.
- Representation of debtors and creditors in foreclosure of real property related to deeds of trust, enforcement of judgments, and mechanics liens.
- Representation of lien holders in various enforcement actions, including judicial and non-judicial foreclosures, mechanics lien foreclosures, contract for deed enforcement actions and creditor proceedings including Chapter 11 reorganizations.

#### **FULL CAPABILITIES**

##### **1031 EXCHANGES**

- Negotiate and prepare bilateral exchange agreements
- Negotiate and prepare Starker Three Corner Exchange Agreements
- Negotiate and prepare Reverse Three Corner Exchange Agreements
- Prepare Escrow Agreements
- Advise clients on suitability of exchange structure

##### **BROKERAGE**

- Advise, negotiate and prepare listing agreements, including open listings, exclusive agency agreements and exclusive right to sell agreements
- Advise, negotiate and prepare Buyer's Agency Agreements
- Advise clients on statutory and regulatory requirements for real estate brokers and agents
- Coordinate preparation of related employment agreements

##### **INDUSTRIAL / CELL TOWER / OFFICE / WAREHOUSE LEASES**

- Prepare and negotiate leases for landlords and tenants, including sub-tenants
- Prepare environmental covenants / indemnity agreements
- Prepare documents related to collection and maintenance of security deposits

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Finance

- Enforce leases including removal of tenants upon default
- Cell tower agreements

## LAND DEVELOPMENT

- Negotiate and prepare annexation agreements
- Represent clients in contesting involuntary annexations
- Negotiate and prepare development agreements
- Advise clients as to applicability of statutes and ordinances and possible agreements to obtain exceptions to same
- Represent clients in subdivision proceedings before local governmental bodies, including re-subdivision within existing developments
- Represent clients in zoning proceedings before local governmental bodies
- Represent clients in variance proceedings before boards of adjustment and boards of zoning appeals
- Negotiate and represent clients in public financing transactions
- Negotiate, prepare and obtain easements of all kinds, including, ingress/ egress, utility, cross access, reciprocal easements
- Represent clients in site plan proceedings before local governmental bodies
- Prepare declarations of covenants and rules
- Work with engineers and surveyors regarding preparation of plat and other development drawings and coordinate submission
- Advise clients regarding compliance with applicable state, federal and local civil rights laws
- Work with engineers and surveyors to resolve environmental issues related to real estate development
- Work with engineers and surveyors in connection with traffic studies and the impact of new development in a community including traffic concerns
- Negotiate and draft builder agreements and subcontractor agreements
- Negotiate and draft documents related to dedication of roads, including agreements with government entities and other parties
- Hold meetings and initiate conversations with community members regarding the impact of developments to gain support for approval by governmental bodies

## PROPERTY MANAGEMENT / OWNER'S ASSOCIATIONS

- Negotiate and prepare property management agreements
- Form non-profit corporations or trust based owners associations, including obtaining EIN's

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- Prepare contracts, leases, releases, or other documents related to management of HOA's
- Prepare documents related to development amenities and advice regarding issues related to amenities
- Advise management regarding maintenance issues and disputes
- Prepare governing documents including declarations or indentures, rules, and restrictions
- Advise clients on owner's association governance issues and interpretation of governing documents
- Advise clients and conduct meetings for transfers of board control upon development conclusion
- Advise clients regarding change of or additional builders or developers
- Advise clients regarding elections and preparation of documents related to the holding of elections
- Prepare and file liens, and enforcement actions to collect liens, including foreclosures
- Prepare amendments for the purpose of updating or revising existing indentures, declarations, and restrictions
- Advise and prepare documents related to special concerns of mixed use developments
- Advise clients regarding compliance with applicable state, federal and local civil rights laws

## REAL ESTATE LITIGATION

Successful prosecution and defense of claims pertaining to:

- Adverse Possession, Prescriptive Easements, and Avigation Easements
- Boundary disputes
- Brokers' commissions
- Condominium Associations
- Contract disputes
- Defects and misrepresentation
- Easement disputes
- Eminent domain
- Foreclosures
- Landlord/tenant disputes
- Lien priority disputes
- Local code requirements

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- Mechanics liens
- Nuisance
- Partition
- Pollution
- Quiet Title (ownership disputes)
- Rescission sales by or to trustees, receivers, assignees, and debtors in possession
- Soundproofing
- Specific performance trespass
- Water and mineral rights
- Wills and estates
- Zoning

## REAL ESTATE TAX

- Advise clients on tax ramifications of acquisition structure
- Advise clients on alternative entities for acquisition of property
- Negotiate and litigate tax disputes
- Prepare related organizational documentation
- Assist clients with commercial real estate tax appeals

## SALE CONTRACTS

- Negotiate and prepare Purchase/Sale Contracts
- Negotiate contingencies and conditions to closing
- Arrange and review due diligence, including survey, title, soil tests, inspection of improvements, environmental site assessments
- Evaluate issues related to warranties
- Examine and approve legal descriptions of the property and any easements
- Prepare and review closing documents including deeds, financing documents, easements, tenant documents or leases, and closing statements
- Coordinate closing and issuance of final title policies
- Conduct and attend closings
- Pursue closing or other remedies in the event of default

## SHOPPING CENTERS

- Prepare and negotiate reciprocal easement agreements

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- Prepare and negotiate anchor lease agreements
- Prepare, negotiate, and coordinate tenant leases
- Advise clients regarding defaults and enforce/defend landlords and tenants in default situations
- Oversee and review plat and survey preparation related to legal issues
- Advise clients regarding compliance with applicable state, federal and local civil rights laws

## TITLE INSURANCE

- Ordering of title insurance commitments and satisfaction of Schedule B-1 requirements
- Examination of Schedule B-2 exceptions and negotiating and obtaining removal or waiver of exceptions to title
- Prepare objection letters based upon preliminary title reports
- Prepare closing instruction letters
- Review final title policy when issued for proper form and endorsements
- Negotiation and obtaining title insurance endorsements, including all ALTA endorsements
- Prosecution and defense of claims

## TITLE / SURVEY EXAMINATION AND REVIEW

- All aspects of examination of title including grantor / grantee index searches
- Torrens searches
- Surveys – ALTA, IL/MO Minimum Standards, Topographic: option selection, review and analysis, certification
- Resolve title issues appearing on surveys or plats

## Experience

Successfully Represented an Electric Utility Company in Litigation Arising Out of Easement Maintenance Work

Successfully Represented the Lender of a Hotel Property Being Renovated with Historic Tax Credit Funding, Traditional Financing and TIF Funding

Represented a Government Entity in Multiple Eminent Domain Issues Regarding Right to Take and Value of Award

Successfully Negotiated Commercial Leases on Behalf of a Corporation for Its Numerous Multi-Million Dollar Properties

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Represented a Government Agency as First Chair at Trial in Order to Acquire Easements Connecting Multiple Commercial Properties Adjacent to an Interstate Expansion

Secured a Favorable Settlement for an Owner in Its Dispute With the Architectural Firm Retained to Perform Design Work

Successfully Represented a Government Agency on a Motion for Partial Summary in an Eminent Domain Action

Successfully Represented a Group of Investors in the Purchase of a Local Golf Course

Successfully Represented the Seller of a Brownfields Property that was Subject to an Environmental Restrictive Covenant

Successfully Advised a Leading Midwestern Cold Storage Client on the Sale of Multiple Facilities Located in Several States

Represented a Municipal Entity in the Acquisition of Real Estate and Assets from a Local Business

Successfully Represented a Major Hotel Chain in the Purchase of a Historic Hotel Out of Bankruptcy and Advised on Real Estate, Franchise and Operational Issues

Represented a National Multi-Billion Dollar Financial Services Organization in the Financing of a \$145 Million Credit Facility

Successfully Represented a Condominium Association Against a Commercial Tenant at Trial

Represented a Community Based Lending Institution in Structuring, Documenting and Negotiating Multiple Multi-Million Asset Based Credit Facilities

Successfully Represented a Condominium Association Against Unit Owner at Trial

Represented a National Developer in the Development of an \$88,000,000 Medical Office Building Development

Secured Favorable Settlement for a Commercial Landlord

Represents a Private Commercial Real Estate Investment Company in the Documentation and Negotiation of Office, Retail and Industrial Leases

Successful Commercial Lease Negotiations for a Dentist Office

Represents a Publicly Traded Real Estate Investment Company in the Documentation and Negotiation of Medical and General Office Leases

Assisted in the Asset and Real Estate Sale of a Local Brewery Business

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Counseled a Self-Storage Facility with Respect to Land-Use and Zoning Matters and the eventual Sale of its Portfolio

Represents Multiple National Developers in Obtaining Financing for the Acquisition and Development of Multi-Family Complexes and Commercial Properties

Closed a \$30M Construction Loan on the Borrower's Side That Included a Number of Unique Deal Points

Provided Counsel to an Organization on the Ground Lease Structure and Eventual Sale of its Multi-Family Apartment Condominium Complex

Handled a \$27M Loan on the Lender's Side for the Acquisition of an Industrial Real Estate Project

Represented and Advised a Lender on Real Estate Matters Related to a Commercial Real Estate Loan Secured by Property Subject to Ongoing Eminent Domain Litigation

Led the Project Approval Team for a Major Expansion of a Specialty Brewery

Served as Lead Counsel and Investor in a 50 Acre Development in Wisconsin

Obtained Zoning and Related Approvals for a Live Music Venue Developer to Construct a \$50 Million Complex

Represented a Business in Disputes in the Purchase of Commercial Real Estate and Refusal to Pay Rent

Defended Developer in a Declaratory Judgment Action

Retained by a Real Estate Company Following an Injury that Occurred During a Showing of a Home

Defended and Prosecuted Claims Regarding \$12 Million Commercial Real Estate Sale

Handled the Acquisition and Development of a 61-acre Tract of Ground as a Part of a Mixed-Use Development

Represented a Fuel and Convenience Store Corporation in Multiple Acquisitions and Development Transactions

Handled the Acquisition for the Mixed-Use, New Urbanist Development in Independence, Missouri

Serves as Primary Outside Counsel to a Real Estate Brokerage and Management Company

Obtained a Conditional Use for the Operation of a Convenience Store and Liquor Store

Won Decisive Summary Judgment Motion For Sellers of High-End Real Estate in Case Involving Alleged Violations of the Illinois Real Property Disclosure Act, the Consumer Fraud Act, and Breach of Contract

Assisted Our Client in Acquiring a 40-Acre Tract of Ground in Unincorporated St. Charles County

Assisted a Client in the Formation of a Real Estate Private Equity Fund for the Purposes of Acquiring a Portfolio of Industrial Properties

Represented a Developer in the Redevelopment of a 582 Lot Subdivision

Assisted the Owner of a Retail Shopping Center with a Commercial Mortgage Backed Securities Refinance

Acted as Counsel for a Developer in the Acquisition and Development of a 234-Lot Residential Subdivision

Assisted a Client with the Acquisition and Development of a Vacant Parcel into a \$20,000,000 Senior Housing Facility

Represented a Client Who Sought to Create a New Urbanist Design Development

Established a Neighborhood Improvement District and Obtained \$4.72 Million of Bond Financing

Successfully Defended a Homeowner Against Defamation Claims Brought by a Candidate for Condominium Board President

Handled the Refinancing of a 36-Hole Golf Course

Won Summary Judgment Motion for Commercial Landlord Against Defamation Claims by a Former Tenant

Successfully Represented a Natural Gas Pipeline Company in Contentious Trial and Appeal

Advises Our Client on Capital Raising and Real Estate Transactions

Successfully Defended Client Against Declaratory Judgment and Breach of Contract

Represented a Landowner in an Unlawful Detainer Action

Secured an Order of Summary Judgment on Behalf of a Real Estate Developer in a Contractual Dispute

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Represents a Large Multi-National Bank in the Documentation, Review and Negotiation of Business and Commercial Real Estate Loans

Represented a National Real Estate Investment Trust Company Against Allegation of Tortious Interference, Violation of Right to Privacy, and Discrimination

Prosecuted Multiple Claims and Cross Claims on Behalf of a Real Estate Developer

### Firm News

Amundsen Davis Welcomes Attorney Stewart J. Mizell  
Firm News, April 9, 2024

Amundsen Davis Welcomes Attorney Martin Kiernan  
Firm News, January 22, 2024

Amundsen Davis Attorneys Included in 2023 Wisconsin Super Lawyers and Rising Stars Lists!  
Firm News, November 16, 2023

Attorney Kyle Gally Joins Amundsen Davis  
Firm News, November 6, 2023

Amundsen Davis Named in the 2024 Edition of Best Law Firms®  
Firm News, November 2, 2023

Amundsen Davis Welcomes Kelly Anderson to Milwaukee Office  
Firm News, September 5, 2023

92 Amundsen Davis Attorneys Recognized by Best Lawyers® in 2024 in America  
Firm News, August 17, 2023

Amundsen Davis's Real Estate Team and Attorney Joseph Tierney Recognized by Chambers USA for 2023  
Firm News, June 1, 2023

Tim Feldhausen Receives the Outstanding Eagle Scout Award from the Bay-Lakes Council and the Boy Scouts of America  
Firm News, April 18, 2023

Amundsen Davis Promotes Three Attorneys to Partner  
Firm News, February 21, 2023

Subscribe to Amundsen Davis's Litigation Nation Podcast for the latest legal updates!  
Firm News, February 10, 2023

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Mike Cortina Appointed to Illinois Supreme Court Committee on Character and Fitness

Firm News, January 27, 2023

Amundsen Davis Attorneys Included in the 2023 Illinois Super Lawyers and Rising Stars List

Firm News, *Amundsen Davis*, January 23, 2023

Amundsen Davis Attorneys Included in the 2022 Wisconsin Super Lawyers and Rising Stars List

Firm News, *Amundsen Davis*, November 15, 2022

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2023

Firm News, November 3, 2022

41 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2023

Firm News, August 18, 2022

Amundsen Davis Promotes Five Attorneys to Partner

Firm News, March 14, 2022

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2022

November 4, 2021

34 Amundsen Davis Attorneys Recognized by *Best Lawyers in America*© 2022

August 19, 2021

Attorney Michael Cortina Announces His Candidacy for ISBA 3rd Vice President

November 2020

U.S. News & World Report – Best Lawyers® “Best Law Firms” 2021

November 5, 2020

Attorney Madalyn S. Kinsey Joins Amundsen Davis's Financial Services Practice in Indianapolis

November 3, 2020

30 Amundsen Davis Attorneys Recognized in *Best Lawyers in America*© 2021

August 20, 2020

19 Amundsen Davis Attorneys Named to *Best Lawyers in America*© 2020

August 15, 2019

Brad Goss Participates in “Old Newsboys Day”

November 16, 2018

Amundsen Davis Ranks on Crain's Chicago Business' 2018 Largest Law Firms List

*Crain's Chicago Business*, October 25, 2018

Amundsen Davis's St. Louis Office Expands

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Public  
Finance

Amundsen Davis Promotes Attorneys to Partner  
March 15, 2018

Amundsen Davis Organizes "Planting and Gardening" Day in St. Louis for  
Epworth Children and Family Services  
October 13, 2017

Amundsen Davis Ranks on Crain's Chicago Business' Largest Law Firms List  
*Crain's Chicago Business*, September 15, 2017

Amundsen Davis Attorneys Included on the 2016 Missouri Super Lawyers and  
Rising Stars List  
Firm News, *Amundsen Davis*, November 3, 2016

Amundsen Davis Ranks on Crain's Chicago Business' Chicago Largest Law Firms  
List  
Firm News, *Crain's Chicago Business*, September 10, 2016

Attorney Elizabeth Lum Joins Amundsen Davis's St. Louis Office  
February 25, 2016

### In the Media

Brian Randall Mentioned by Ozaukee County News Graphic  
Media Mention, *Ozaukee County News Graphic*, April 9, 2024

Brian Randall Included on *Milwaukee Business Journal* Panel on Retail in the  
Commercial Real Estate Market  
Media Mention, *Milwaukee Business Journal*, February 22, 2024

*Columbia Missourian* Interviews Brad Goss Amid Short-Term Rental Debates  
Media Mention, *Columbia Missourian*, December 17, 2023

Brian Randall Quoted by *BizTimes* on \$450 Million Battery Storage System  
Proposed on Milwaukee's Northwest Side  
Media Mention, *BizTimes Milwaukee Business News*, October 2, 2023

Real Estate Attorney Brad Goss Representing KM Investment Group IV Cited on  
Residential Development  
Media Mention, *St. Louis Post-Dispatch*, June 22, 2023

Real Estate Attorney Brian Randall Representing FPC Live Cited on Bucks  
Proposed Road  
Media Mention, *Urban Milwaukee*, October 21, 2022

Attorney Brian Randall Quoted in *Milwaukee Journal Sentinel* Article After His  
Client Withdrew an Application Article  
Media Mention, *Milwaukee Journal Sentinel*, February 17, 2021

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Attorney Brian Randall Quoted in *Milwaukee Business Journal* Article Regarding Client's Withdrawal of Plan for Apartment Tower in Wauwatosa  
Media Mention, *Milwaukee Business Journal*, February 17, 2021

Joseph Tierney IV Discusses the Impact of Technology on Business Law with *Marquette Lawyer Magazine*  
Media Mention, *Marquette Lawyer Magazine*, Fall 2019

Attorney Brian Randall Quoted in the *Milwaukee Business Journal* Regarding a Lock Company's Plans to Expand Their Manufacturing Campus  
Media Mention, *Milwaukee Business Journal*, September 9, 2019

Attorney Brian Randall Quoted in the *Milwaukee Business Journal* Concerning the Current State of Development Projects in the Downtown Area Ahead of the 2020 Democratic National Convention  
Media Mention, *Milwaukee Business Journal*, June 13, 2019

Attorney Brian Randall Quoted in the *Milwaukee Journal Sentinel* Addressing Concerns of a Proposed New Restaurant  
Media Mention, *Milwaukee Journal Sentinel*, November 29, 2018

## Alerts

Forbearance Agreements: What Lenders Need to Know  
Article, *Amundsen Davis Banking & Finance Alert*, May 15, 2024

Preparing Your Bank for Possible Turbulence in Commercial Real Estate  
Article, *Amundsen Davis Banking & Finance Alert*, April 3, 2023

Can Homeowner Associations Regulate Political Signs?  
*Amundsen Davis Real Estate Alert*, October 14, 2021

Inflation is Back, Should You Consider Consumer Price Index (CPI) Rent Increases in Your Leases?  
Article, September 30, 2021

Residential Moratorium Redux: Has Anything Changed?  
Article, *Amundsen Davis Real Estate Alert*, August 11, 2021

Improper Service Puts Real Estate Title In Jeopardy  
*Amundsen Davis Real Estate and Financial Services Alert*, June 21, 2021

Post Pandemic Considerations - Real Estate Contracts  
*Amundsen Davis Real Estate Alert*, February 25, 2021

The Impact of Residential Evictions on Future Finances  
*Amundsen Davis Real Estate and Financial Services Alert*, November 24, 2020

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## Real Estate, Zoning & Public Finance

The Real Estate Market and the Impact of COVID-19

*Amundsen Davis Real Estate Alert*, October 29, 2020

Lenders' Risks Regarding Real Estate Leases

*Amundsen Davis Banking & Financial Services Alert*, September 30, 2020

CDC Issues National Moratorium on Residential Evictions: What it Means for Landlords and Tenants

*Amundsen Davis Real Estate Alert*, September 9, 2020

CDC Announces New Residential Eviction Moratorium Order Through End of 2020

Article, September 2020

Change in Missouri Merchandising Practices Act to Protect Home Builders

*Amundsen Davis Real Estate Alert*, July 28, 2020

City of Milwaukee Property Tax Notice of Assessment Objection/Appeal Deadline – May 18, 2020

Article, May 5, 2020

No Hidden Late Fees: Wisconsin Prohibits Residential Landlords from Charging Fees and Penalties for Late Rent Payment during the COVID-19 Pandemic

Article, May 5, 2020

Strategies for Landlords in Dealing with Tenants in Light of COVID-19

Article, April 20, 2020

The Rise of Real Estate Funds – How Real Estate Investors Can Efficiently Raise Capital to Facilitate Development and Acquisitions

Article, April 20, 2020

To Keep Your Real Estate Deals Moving, Consider a Pause Provision

Article, April 16, 2020

What is a Landlord to do When Their Tenants Can't Pay Rent?

*Amundsen Davis Real Estate Alert*, April 10, 2020

Governor Evers Orders Suspension of Evictions and Foreclosures for 60 Days During COVID-19 Crisis

Article, March 30, 2020

Credit and Housing Protections under the CARES Act

*Amundsen Davis Financial Services & Real Estate Alert*, March 26, 2020

Guidance for Businesses Resolving Multiple "Shelter in Place" Orders and Differing Definitions of "Essential Business"

Article, March 25, 2020



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SEC Emphasizes Anti-Fraud Protections During COVID-19 Pandemic  
Article, March 25, 2020

Landlords and Lenders Encouraged to Consider Creative Options (Updated  
March 27, 2020)  
Article, March 24, 2020

Emergency Use of Remote Online Notarization  
Article, March 20, 2020

Coronavirus Challenges for Commercial Landlords  
Article, March 17, 2020

Impact of COVID-19 on Supply Chain Contracts and Responding to Force Majeure  
Claims  
Article, March 13, 2020

What is Quiet Title Anyway?  
*Amundsen Davis Real Estate Alert*, March 10, 2020

Property Owners: Before You White-Wash Graffiti, You Might Want to Reconsider  
Article, March 5, 2020

Remote Online Notarization Becomes Law  
Article, March 3, 2020

Relax! Navigating High Volatility Commercial Real Estate Exposure Just Got Easier  
*Amundsen Davis Financial Services Alert*, February 20, 2020

Swap New Year's Resolutions for Real Property with a 1031 Tax-Deferred  
Exchange  
Article, January 17, 2020

Be Careful What You Wish For: A Harsh Lesson in Contractual Notices  
*Amundsen Davis Corporate Alert*, January 8, 2020

More Accredited Investors? SEC Contemplates Expanding the Pool of Individuals  
That May Invest In Private Placements  
Article, January 8, 2020

Supreme Court Marks Sea Change in Rules to Amend Restrictions in Subdivisions  
*Amundsen Davis Real Estate Alert*, August 21, 2019

City of Milwaukee Property Owners Face May 20th Deadline for Filing of  
Objections to 2019 Property Tax Notice of Assessment  
Article, May 10, 2019

Seller Beware: Failure to Disclose During Home Sale Could Cost You  
Article, April 17, 2019

## Real Estate, Zoning & Public Finance

Purchasing LLC Membership Interests vs. Real Estate: Pros and Cons  
Article, December 6, 2017

Equitable Subrogation in Real Estate  
*Amundsen Davis Financial Services Alert*, October 27, 2017

Using Your “Disadvantaged Business” to Your Advantage  
Article, October 26, 2017

Additional Changes to A201 | 2017 AIA Document Series – Revisions to the Core Contract Documents (Part 6)  
Article, October 10, 2017

B101 Owner/Architect Agreement | 2017 AIA Document Series – Revisions to the Core Contract Documents (Part 5)  
Article, October 9, 2017

Insurance and Bonding Provisions | 2017 AIA Document Series – Revisions to the Core Contract Documents (Part 4)  
Article, October 8, 2017

Modern Commercial Financing: Your Guide to Regulation A+  
Article, September 25, 2017

Owner/Contractor Relationship Revisions to A201 | 2017 AIA Document Series | Revisions to the Core Contract Documents (Part 3)  
Article, August 25, 2017

Life After LIBOR  
Article, August 24, 2017

Notice Requirements Under the Revised A201 | 2017 AIA Document Series | Revisions to the Core Contract Documents (Part 2)  
Article, August 15, 2017

Dispute Resolution Under the Revised A201 | 2017 AIA Document Series | Revisions to the Core Contract Documents (Part 1)  
Article, July 30, 2017

Property Owners Who Deny Access to Tax Assessors Are Now Able to Appeal to Board of Review or Circuit Court  
Article, July 7, 2017

Your Property At Risk: U.S. Supreme Court Decision Confirms Importance of Understanding Zoning During Real Estate Acquisitions  
Article, June 28, 2017

“Bailing In” to Avoid a Bail Out: How new legislation is putting your money at risk  
Article, May 31, 2017

Regulation A+: An Alternative to Private Placements and Initial Public Offerings  
Article, May 4, 2017

Real Estate Broker Liens: Are They a Problem for Lenders?  
*Amundsen Davis Financial Services Alert*, March 31, 2017

CAM Reconciliation: Landlord Considerations for Common Area Maintenance Fee Provisions  
Article, February 16, 2017

Alternative Financing Strategies in a World of Rising Interest Rates  
Article, February 16, 2017

Wisconsin's Rental Unit Weatherization Standards  
Article, February 16, 2017

Deficiency Judgments from Foreclosures Are Not Setoff by the Value of the Sale of the Real Estate  
*Amundsen Davis Financial Services Alert*, July 12, 2016

## Events

Commercial Leases: What Lenders Need to Know  
Speaking Engagement, Appleton, WI, March 28, 2023

4th Annual Milwaukee Commercial Real Estate Summit  
Speaking Engagement, RE Journals; Seminar; Milwaukee, WI, December 6, 2021

An Attorney, a CPA and an Insurance Agent walk into an Investor Meeting...  
Speaking Engagement, Appleton REIA, Seminar; Appleton, WI, June 8, 2021

Racine & Kenosha Counties – The Bridge to Wisconsin's Future  
Speaking Engagement, BizTimes Media, Webcast, April 22, 2021

How to Terminate or Renegotiate Leases for Dry Cleaners  
Speaking Engagement, EnviroForensics, Drycleaning and Laundry Institute International (DLI) and Cleaner & Launderer, Webcast, April 6, 2021

How to Terminate or Renegotiate Leases for Dry Cleaners  
Speaking Engagement, EnviroForensics, Minnesota Cleaners Association and Wisconsin Fabricare Association, Webcast, January 20, 2021

3rd Annual Milwaukee Commercial Real Estate Virtual Summit  
Speaking Engagement, RE Journals, Webcast, November 5, 2020

1st Annual Milwaukee Women in Real Estate Virtual Summit  
Speaking Engagement, RE Journals, Webcast, September 30, 2020

Real Estate,  
Zoning &  
Public  
Finance

Legal Ethics During a Pandemic

Speaking Engagement, State Bar of Wisconsin's Environmental Section, Webcast,  
September 10, 2020

Milwaukee CRE and COVID-19: Strategies for a Shifting World

Speaking Engagement, RE Journals, Webcast, May 15, 2020

Paycheck Protection Program: Factors for Considering a Loan

Event, Webcast, April 2, 2020

Milwaukee Business Journal – Downtown CEO Roundtable

Event, Milwaukee Business Journal's Downtown CEO Roundtable, Seminar;  
Milwaukee, WI, January 28, 2020

Monetizing Your Facilities — Whether Expanding, Moving or Remaining As-Is

Speaking Engagement, Appleton, WI, October 24, 2019

Next Generation Manufacturing Summit 2019

Speaking Engagement, Wisconsin Exposition Center; West Allis, WI, October 9,  
2019

CARW's NextGen Panel Discussion

Speaking Engagement, July 10, 2019

Doing Business with CANNABIS

Rockwell Beer Co.; St. Louis, MO, June 26, 2019

Subdivision Law

National Business Institute; Webinar, April 24, 2019

Government Contracts – from the Perspective of a Private Practice Lawyer

Speaking Engagement, State Bar Center; Madison, WI, February 10, 2019

Ethical Issues Arising During Emergency Environmental Lawyering Today

Speaking Engagement, State Bar of Wisconsin; Pewaukee, WI, September 13,  
2018

Legal Pitfalls and Opportunities for Commercial Real Estate

Event, Commercial Realtors Association – Wisconsin (CARW), July 11, 2018

Foxconn: Get In On the Ground Floor

Event, The Daily Reporter; Webcast, April 26, 2018

Old National Bank Commercial Real Estate Forum

Event, Pritzlaff Event Center; Milwaukee, WI, April 25, 2018

2018 ICSC/CARW Retail Conference

Event, Potawatomi Hotel & Casino; Milwaukee, WI, April 18, 2018

Real Estate,  
Zoning &  
Public  
Finance

## Real Estate, Zoning & Public Finance

### Fixing Real Estate Transaction Disasters

National Business Institute; National Video Webcast, March 26, 2018

### Legal Audits for Business and Employment Issues

Event, Emmons Business Interiors; Milwaukee, WI, March 22, 2018

### How to Redevelop Milwaukee: Essential Elements of the Deal

Event, Pritzlaff; Milwaukee, WI, March 22, 2018

### The Corporate Paralegal: Overcoming Top Challenges

Speaking Engagement, Institute for Paralegal Education; Webinar, March 8, 2018

### The Impact of Regulation A+ on Real Estate Development

Event, Lorman; Webcast, February 26, 2018

### What Does Tax Reform Mean for You and Your Business?

Event, Northern Trust Economic Trends 2018; Milwaukee, WI, January 19, 2018

### The Impact of Regulation A+ on Real Estate Development

Speaking Engagement, Lorman Webcast, August 31, 2017

## Published Works

### *Norfolk Southern Distinguishes But Does Not Derail Daimler*

Publication, *Illinois State Bar Association's Bench & Bar Newsletter*, August 2023

### Absolute Immunity – Well, Not Quite

Publication, *Illinois State Bar Association's Bench & Bar Newsletter*, June 2023

### Thanking Us for Our Service

Publication, *Illinois State Bar Association's Bench & Bar Newsletter*, December 2022

### The importance of client service and relationships

Publication, *The Indiana Lawyer*, June 8, 2022

### Capping 1031 Exchanges Would Cripple Wisconsin's Commercial Real Estate Economy and Farmers

Publication, *The Daily Reporter*, August 6, 2021

### State of Illinois Force Majeure Law Compendium (during COVID-19 pandemic)

*USLAW*, June 5, 2020

### State of Indiana Force Majeure Law Compendium (during COVID-19 pandemic)

*USLAW*, June 5, 2020

### The Illinois Two-Step: The Forbidden Dance?

*Illinois State Bar Association's Bench & Bar Newsletter*, May 2020

### "Forcible Entry and Detainer" Goes the Way of the Dodo

*McHenry County Bar Association's In Brief Newsletter*, February 2018

Lawyers Can Benefit from Judicial Heuristics  
*Illinois State Bar Association's Bench & Bar Newsletter*, June 2016

Caught By Recapture  
*Illinois State Bar Association's Real Estate Newsletter*, April 1, 2016

## Blog Posts

Local Governance Expand Influence over Commercial Building  
*In the Dirt: A Real Estate Legal Update*, February 22, 2024

Assessors Allowed to Use "Anticipated" Vacancy in Making Assessments  
*In the Dirt: A Real Estate Legal Update*, February 20, 2024

Wisconsin Real Estate Property Taxes: Biennial Exemption Report Filing  
Deadline – March 31, 2024  
*In the Dirt: A Real Estate Legal Update*, February 15, 2024

Enhancing Transparency in Real Estate: FinCEN's New Reporting Requirements  
for Non-Financed Transfers  
*Corporate News: A Legal Update*, February 8, 2024

Nearby Road Closures Remain Non-Compensable in Indiana Eminent Domain  
Proceedings  
*In the Dirt: A Real Estate Legal Update*, November 3, 2023

Will the Proposed IRS Regulations Hinder the Growth of Tokenization in Real  
Estate?  
*In the Dirt: A Real Estate Legal Update*, October 3, 2023

Contractual Considerations for Short-Term Rentals  
*In the Dirt: A Real Estate Legal Update*, April 21, 2023

Municipal Regulation of Short-Term Rentals  
*In the Dirt: A Real Estate Legal Update*, April 12, 2023

Backyard Event Rentals: Problems Posed for Homeowner Associations  
*In the Dirt: A Real Estate Legal Update*, April 6, 2023

A Renter's Bill of Rights in Wisconsin, Oh My!  
*In the Dirt: A Real Estate Legal Update*, March 15, 2023

Private Requirements for Short-Term Rentals  
*In the Dirt: A Real Estate Legal Update*, March 2, 2023

Homeowner's Association Treatment and Enforcement of Solar Panels  
*In the Dirt: A Real Estate Legal Update*, February 21, 2023

Real Estate,  
Zoning &  
Public  
Finance

Missouri Supreme Court Expands Municipalities' Authority to Deny Conditional Use Permits

*In the Dirt: A Real Estate Legal Update*, February 15, 2023

Forever Chemicals (PFAS) in Real Estate Transactions: Avoiding Forever Consequences

*Corporate News: A Legal Update*, February 8, 2023

Common Considerations for Homeowner Associations Regarding Short-Term Rentals

*In the Dirt: A Real Estate Legal Update*, January 31, 2023

Long-Term Impact of Solar Panels on Property

*In the Dirt: A Real Estate Legal Update*, January 19, 2023

HOA Regulation of Solar Panels – Common Limitations and Provisions

*In the Dirt: A Real Estate Legal Update*, January 9, 2023

New Missouri Law Affects Municipal Control over Home Occupations

*In the Dirt: A Real Estate Legal Update*, December 20, 2022

Homeowner Association Regulation of Holiday Decorations

*In the Dirt: A Real Estate Legal Update*, December 12, 2022

Can A Medallion Signature Guarantee Protect Your Property?

*In the Dirt: A Real Estate Legal Update*, November 30, 2022

Considerations Before Agreeing to a Solar Power Purchase Agreement

*In the Dirt: A Real Estate Legal Update*, November 21, 2022

Is a Solar Panel Lease Agreement Right for You?

*In the Dirt: A Real Estate Legal Update*, November 9, 2022

Missouri Legislature Addresses Solar Panels: Changes Coming for Homeowner Associations

*In the Dirt: A Real Estate Legal Update*, July 6, 2022

Spring Tax Time: A Quick Guide to Tax Sales in Indiana

*In the Dirt: A Real Estate Legal Update*, May 24, 2022

Separation Anxiety? Indiana Tax Sale Separates Ownership of Land and Improvements

*In the Dirt: A Real Estate Legal Update*, May 5, 2022

Homeowner Associations and Service Animals in Common Areas Part 2: FHA Considerations

*In the Dirt: A Real Estate Legal Update*, February 15, 2022

Homeowner Associations and Service Animals in Common Areas Part 1: ADA Considerations

*In the Dirt: A Real Estate Legal Update*, February 8, 2022