



Michael A. Moynihan

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Areas of Practice

Real Estate Law | Food and Beverage

Michael A. Moynihan is a Partner in and Co-Head of the Real Estate Department of Smith, Gambrell & Russell, LLP. Mr. Moynihan was previously a Partner with Freeborn & Peters, which combined with SGR in 2023.

Mr. Moynihan maintains an active practice handling a broad range of real estate and financing transactions and has more than 25 years of experience in commercial and industrial real estate development. A significant portion of his practice involves representing developers of large-scale commercial, mixed-use and industrial developments, primarily in major metropolitan areas. His development team responsibilities include operating entity formation and capitalization, project financing, construction contracting, investor relations, project planning and project documentation. Mr. Moynihan also represents clients, on a national basis, in the acquisition, financing and leasing of office properties, retail centers and other real property assets.

Mr. Moynihan served as Co-Managing Partner of the Firm for eight years before his term ended at the end of 2017. Before becoming Co-Managing Partner in 2010, he served as Co-Chair of the Firm's Real Estate Practice Group and Chair of the Recruiting Committee.

He is active in a number of civic and community organizations including Old St. Patrick's Church in Chicago, Illinois where he serves on the Board of Trustees. Married and the father of two children, he also coaches a youth baseball team. Mr. Moynihan earned his B.A. from University of Notre Dame and his J.D. from Loyola University Chicago School of Law, where he was a member of the National Moot Court Team.

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Representative Experience

- Represent real estate fund in the acquisition of \$57,800,000 commercial office complex in Norfolk, Virginia.
- Represented 30 tenant-in-common investor groups in the chapter 11 cases of DBSI, Inc., formerly one of the nation's largest sponsors of tenant-in-common investments in commercial, industrial, office and multi-family residential real estate, in the U.S. Bankruptcy Court for the District of Delaware.
- Counsel to the developer of a major Chicago building in connection with a vertical subdivision and \$100 million refinancing.
- Represents clients in connection with the acquisition and repositioning of distressed real estate assets.
- Represented a developer in connection with the acquisition, financing and leasing of mixed-use development project in Chicago, Illinois consisting of retail space, condominiums, hotels and an underground parking facility.

Admissions

Illinois

United States Supreme Court

United States Court of Appeals for the Seventh Circuit

United States District Court for the Northern District of Illinois

Memberships

Home Builders Association of Greater Chicago (HBAGC)

International Council of Shopping Centers (ICSC)

Chicago Real Estate Council (CREC)

Windy City - YPO

Recognitions

Chicago Daily Law Bulletin and Chicago Lawyer – 40 Under Forty Illinois Attorneys to Watch – 2006

Martindale-Hubbell legal ability/ethical standards rating ("A-V") - Highest possible rating

Illinois Leading Lawyers - 2020 (cited in multiple years)

Midwest Real Estate News - Commercial Real Estate Hall of Fame 2016

Publications and Speaking Engagements

- Comment, "Law firms try to smooth succession with age, term limits," Crain's Chicago Business (July 2016).
- Co-Author, "Build Your Ideal Food or Beverage Facility - and Get Help Paying for It," Freeborn & Peters LLP (May 2014).

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- Guest Instructor on Land Use Regulation and Entitlements, University of Notre Dame, Mendoza School of Business - Spring 2012 Finance Course on the Real Estate Development Process (February 21, 2012).
- Speaker, "Tenant in Common Workouts: Navigating the Real Estate, Tax, Finance and Securities Issues When Restructuring TIC Transactions," (2009).
- Speaker, "Tenant in Common Workouts: Negotiating the Real Estate, Tax, Finance and Securities Issues When Exiting TIC Deals," Strafford Publishing, Inc. (2009).
- Speaker, "Taxation on Real Estate Conference," Illinois CPA Society (2009).
- Speaker, "Notre Dame Financial Executives Alumni Conference," University of Notre Dame (2007).
- Speaker, "Commercial Leasing: Handling Common Client Issues Conference," National Business Institute (2007).