



LAW SEMINARS INTERNATIONAL

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The 35th Annual Advanced Conference on **Commercial Real Estate Leases**

Adapting your negotiating strategy to recent legal and market developments

December 14 & 15, 2023

Live via Interactive Online Broadcast

Agenda—Day 1

9:00 Introduction & Overview

Aleana W. Harris, Esq., *Program Co-Chair*
Alston Courtnage & Bassetti ~ Seattle, WA
Richard A. Moore, Esq., *Program Co-Chair*
Pacifica Law Group ~ Seattle, WA

9:15 Annual Market Update: Broker Perspectives

The current demand-side outlook: Impact of countervailing forces on demand for different types of commercial properties

Aleana W. Harris, Esq., *Program Co-Chair, Moderator*

Demand for office properties

Lisa Stewart, *Senior Managing Director*
JLL ~ Seattle, WA

Demand for retail properties

Maria Royer, *Principal*
Real Retail ~ Seattle, WA

Demand for industrial properties

Patricia Loveall, SIOR, *Executive Vice President*
CBRE ~ Seattle, WA

10:30 Break

10:45 Urban Core Recovery Trends

Update on evolution and implementation of Seattle's Recovery Plan to restore vibrancy and prosperity to the city's downtown core

Gerry Johnson, Esq., *Moderator*
Pacifica Law Group ~ Seattle, WA
Jon Scholes, *President & CEO*
Downtown Seattle Association ~ Seattle, WA
Catherine A. Stanford, *Principal*
CAStanford Public Affairs ~ Seattle, WA
Rob Nielsen, *Executive Vice President*
JLL ~ Seattle, WA

12:15 Lunch Break

1:30 What to Expect for Retail Leasing as We Settle into a New Normal

Impacts on the various retail sectors in the Pacific Northwest

Serena S. Carlsen, Esq.
Perkins Coie ~ Seattle, WA

Local vs. national trends for the food and beverage sector

Brian J. Danzig, Esq.,
Director and Corporate Counsel
Starbucks Coffee Company ~ Seattle, WA

2:45 Break

3:00 Subleasing and Assignment

Market trends as large employers continue to release space; drafting tips for agreements that meet tenant and subtenant needs while addressing landlord concerns

Emily Kelly, Esq.
Stoel Rives ~ Seattle, WA

4:00 Work Letters and Tenant Improvements

Tenant driven vs. landlord driven as an initial consideration; the broad range of issues to consider; common drafting and implementation mistakes to avoid

Stacy W. Marchesano, Esq.
Alston Courtnage & Bassetti ~ Seattle, WA

5:00 Adjourn Day 1

Agenda—Day 2

9:00 Owner Perspectives on Meeting Market Demand

The current supply-side outlook: The primary issues for landlords as they adjust to the changes in demand

Richard A. Moore, Esq., *Program Co-Chair, Moderator*

Jeanette L. Henderson,

Executive Director of Real Estate

University of Washington ~ Seattle, WA

William Leedom, *Senior Development Manager*

URG - Touchstone ~ Seattle, WA

Jordan Lott, *President*

Lake Washington Partners ~ Bellevue, WA

10:15 Break

10:30 Commercial Leasing Defaults and Remedies

Negotiating solutions to problematic situations: Best strategies for landlords dealing with commercial real estate lease defaults including essential topics that need to be addressed

Jennifer C. Sehlin, Esq.

Michael Spence, Esq.

Helsell Fetterman ~ Seattle, WA

11:45 Foreclosures: Creditor Rights vs. Tenant Rights

Issues that come up in receiverships, foreclosures and deeds in lieu of foreclosure including contractual assignment of leases vs taking title subject to the leases and how some of the sticking points can be addressed in SNDAs

Thomas S. Linde, Esq.

Schweet Linde & Rosenblum ~ Seattle, WA

12:15 Lunch Break

1:30 Negotiating Leverage in Today's Commercial Leasing Market

Landlord and tenant perspectives on rent, liability, default, subletting, and other issues

Aleana W. Harris, Esq., Program Co-Chair
Richard A. Moore, Esq., Program Co-Chair

2:45 Break

3:00 Ethical Issues for Lawyers in Real Estate Practice

Dealing with the increase in pro se parties in litigation and in transactional work

Evan L. Loeffler, Esq.
Williams Kastner ~ Seattle, WA

4:00 Evaluations & Adjourn

Who Should Attend

Attorneys, landlords, tenants, brokers, lenders, property managers, and other real estate professionals who are involved in landlord/tenant relationships, and others charged with negotiating, documenting and solving challenging lease transactions

About the Conference

Kidder Mathews reports that, at the end of the third quarter this year, the regional office market continues to struggle with rising vacancy, negative net absorption, and meager investment activity. The regional office market remains highly volatile at present, particularly in Seattle and more recently the Eastside with recent vacancy spikes. Looking forward, lackluster office demand, coupled with high sublet vacancy and availability rates present concern. Our goal in developing this year's program has been to help you navigate that volatility.

You will hear invaluable insights into the current state and future of commercial leasing markets from our broker and owner panels. For urban core recovery, we will have a panel discussion on the evolution and implementation of Seattle's Recovery Plan. You will hear expert insights into what to expect for retail leasing and in particular the trends for the food and beverage sector. As large employers and retail establishments release space due to people preferring remote work, You will want to sharpen your subleasing tools by hearing tips on how to draft agreements that will meet tenant and sub-tenant needs while addressing landlord concerns, including work letters and tenant improvements.

You also will hear practical tips for dealing with common problems including negotiation of solutions for problematic default and remedies situations and resolution of issues relating to creditor rights vs tenant rights in foreclosure situations. As real estate markets change, negotiating leverage for landlords vs tenants changes and we will explore current leverage realities for a variety of common lease terms.

Check out the full agenda for other valuable updates, including ethics, that we will cover. It will be a very informative two days and we hope to see you on the interactive live broadcast.

Aleana W. Harris, Esq. of Alston Courtnage & Bassetti and
Richard A. Moore, Esq. of Pacifica Law Group, Program Co-Chairs

Registration & Other Conference Information

Tuition: Regular tuition for this program is \$995 with a group rate of \$895 each for two or more registrants from the same firm. For government employees, we offer a special rate of \$745. For public interest NGO's, students, and people in their job for less than a year, our rate is \$497.50. All rates include admission to all program sessions and course materials.

Make checks payable to Law Seminars International. As a value-added bonus, you will receive access to audio and video recordings of the program at no extra charge.

Financial aid is available to those who qualify. Contact our office for more information.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a \$50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, December 8, 2023. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Continuing Education Credit: Live credits: This program qualifies for 11.25 WA MCLE (inc 1 Ethics) credits and 13.50 WA Real Estate clock hours. Upon request, we will help you apply for CLE credits in other states and other types of credits.

Time Shift Your Content: Audio and video replay files, with course materials, are available for download or on a flash drive at the same price as live attendance. Files are available for downloading five business days after the program or from the date we receive payment. Flashdrive orders are sent via First Class mail within seven business days after the program or from the date we receive payment. The course materials alone are available for \$100.

Faculty

Aleana W. Harris, *Program Co-Chair*, is a partner at Alston Courtnage & Bassetti. She focuses on commercial real estate transactions including the development, leasing, financing, acquisition and disposition of projects. She has represented developers, investors, landlords, tenants, lenders and borrowers in transactions involving retail, office, industrial, multifamily and mixed-use projects.

Richard A. Moore, *Program Co-Chair*, is a partner at Pacifica Law Group. His practice includes the representation of landlords and tenants in complex retail, office, industrial, telecommunications, life sciences, and other specialty leases.

Gerry Johnson, *Moderator*, is a partner at Pacifica Law Group. He focuses on major community projects, particularly those involving the participation of the public and private sectors. He currently serves on the boards of the Seattle Parks Foundation and the Downtown Seattle Association.

Serena S. Carlsen is a partner at Perkins Coie. Her experience guiding major commercial real estate transactions includes advising clients on land acquisitions, facility purchases, ground leases, office and retail leases, financing, and construction of facilities.

Brian J. Danzig is a Director and Corporate Counsel for Starbucks Coffee Company. He is responsible for providing real estate legal support for all Starbucks stores, roasting plants, distribution facilities, and offices located in Starbucks U.S. Eastern Division. He also handles Starbucks leasing activity for several mall store portfolios across the country.

Jeanette L. Henderson is Executive Director of Real Estate for the University of Washington. Previously, she was in-house counsel for a Seattle-based developer. Her team handles property transactions, asset management, project management, finance and accounting, and data management, with real estate services provided to all three UW campuses, medical centers, research field stations, biological preserves, off-campus, and various international locations.

Emily Kelly is a partner at Stoel Rives. She represents sophisticated owners and developers in complex commercial real estate transactions, including the acquisition, disposition, leasing, and financing of multifamily mixed-use, retail, and office projects. She has significant experience advising clients on the development and leasing of life sciences, biomedical, and technology space. She has also negotiated numerous complex ground leases on behalf of tenants and landlords.

William Leedom is a Senior Development Manager at URG - Touchstone and involved with the entire lifecycle of a development project, including land acquisition, feasibility, entitlements, development, construction, leasing, and disposition. He formerly was Director of Investments for Talon Private Capital.

Thomas S. Linde is a member of Schweet Linde & Rosenblum. He specializes in the areas of real estate transactions and financing, judicial and non-judicial real property foreclosures, real estate contract forfeitures, evictions, and the representation of creditors in bankruptcy court proceedings,

Evan L. Loeffler is a member of Williams Kastner. He represents property management companies, landlords, and tenants on commercial and residential leasing matters in Seattle and surrounding counties. He is the co-author of the Real Estate Closing Deskbook, Third Edition, published by the American Bar Association, and lectures frequently for property managers and lawyers on landlord-tenant law and ethics.

Jordan Lott is the Founder and President of Lake Washington Partners, a family-owned commercial real estate investor and developer, focused on office and industrial properties. He is an active member of the Commercial Real Estate Development Association and serves as a Research Foundation Governor for the National Association for Industrial and Office Parks (NAIOP).

Patricia Loveall, SIOR, is an Executive Vice President at CBRE. Formerly with Kidder Mathews, she specializes in the leasing and sale of industrial properties, as well as the sale of office and land development sites, across the states of Washington and Montana. She is the current Global President for the Society of Industrial and Office Realtors (SIOR), as well as a Fellow with the Industrial Asset Management Council (IAMC).

Stacy W. Marchesano, Alston Courtnage & Bassetti, counsels clients through a broad range of real estate transactions, including acquisitions and dispositions of commercial property; commercial leasing of retail, restaurant, office, and industrial space; short-term rentals; residential purchases; and easement agreements. She also advises borrowers and lenders in structuring, documenting, and closing institutional and private equity financing transactions.

Rob Nielsen is an Executive Vice President at JLL. He represents locally headquartered office tenants in lease renewals, expansions, and relocations.

Maria Royer is a Principal at Real Retail. She and her team exclusively represent over three-quarters of a million square feet of urban mixed-use centers and new community and lifestyle centers in the greater Seattle area including past and present notable projects such as Amazon's World Headquarters, Rainier Square, Kirkland Urban, Ballard Blocks I & II, Everett Riverfront, The Meridian, 7th & Pine and TwoPine. Prior positions include a Sales & Marketing Associate with Colliers - The Seeley Company in Los Angeles.

Jon Scholes is President & CEO of the Downtown Seattle Association (DSA) where he is responsible for the operations and programs of the DSA, a 650-member association formed in 1958 to create a healthy, vibrant downtown. In this capacity, he also is responsible for management of the Metropolitan Improvement District (MID), which was established by property owners and the City of Seattle in 1999 to provide cleaning, safety, transportation, marketing, and public-realm management services across 285 square blocks in downtown.

Jennifer C. Sehlin is Of Counsel to Hessel Fetterman. She focuses on residential and commercial real estate transactions, land use, and landlord tenant law. Her clients include real estate developers, property management companies, residential and commercial landlords, tenants, and individual homeowners.

Michael Spence is a partner at Hessel Fetterman. His practice emphasizes real estate transactions and brokerage matters, land use/zoning, alternative dispute resolution and litigation. He currently serves as retained legal counsel for the Seattle-King County Realtors and represents and advises many independent real estate brokerage firms on a wide range of real estate and business-related matters.

Catherine A. Stanford is a Principal at CAStanford Public Affairs. She specializes in real estate and assists clients in government and public affairs; strategic planning; property development; and historic preservation. She previously was the Director of Real Estate for the Pike Place Market Preservation and Development Authority (PDA).

Lisa Stewart is Senior Managing Director for JLL and the Broker Lead for the Seattle market focusing exclusively on landlord representation in the Seattle region. During her career, she has been responsible for some of Seattle's largest and most complex leasing assignments.