

COMMERCIAL LEASING

A Thru Z

Thursdays, December 1 & 8, 2005 / 6:00 p.m. to 9:00 p.m.

This program will provide a comprehensive overview of New York commercial leasing. A distinguished faculty will provide valuable information and advice to attorneys representing both landlords and tenants for office and retail space. The program will cover the leasing process from start to finish, from construction to occupancy and beyond. Topics to be covered include: due diligence, construction issues, office building services, rent escalation provisions, insurance, security and guaranties, and typically negotiated clauses, including those dealing with default, assignment and subleasing. This program is a must for new and experienced real estate practitioners as well as attorneys that need an overview of the topic.

Program Chair

William J. Lippman
Counsel
Dechert LLP

Faculty

Adam Leitman Bailey
Law Firm of Adam Leitman Bailey, PC

Jacob Bart
Stroock & Stroock & Lavan LLP

Jonathan D. Blum
Stroock & Stroock & Lavan LLP

Nancy Ann Connery
Schoeman, Updike & Kaufman, LLP

Robert A. Jacobs
Belkin Burden Wenig & Goldman, LLP

Arnold E. Mascali
Senior Vice President & Counsel
Aon Horizon Consultants, Inc.

Ian H. Silver
Brown Raysman Millstein Felder & Steiner LLP

L. Stanton Towne
McDermott Will & Emery

Frances E. Trachter
Sussman Sollis Ebin Tweedy & Wood, LLP

CLE Credit:

6 Credits in Professional Practice/Practice Management

This program provides transitional credit for newly admitted attorneys.

Sponsoring Association Committee: Real Property Law, Nancy Ann Connery, Chair

Agenda - Thursday, December 1

6:00-6:05

Introduction

William J. Lippman

6:05 - 7:00

The Physical Plant & Services

- Measuring the Space
- HVAC
- Electric
- Elevators
- Telecommunications
- Water
- Cleaning
- Other Services

L. Stanton Towne

7:00 - 7:15

Commencement Date & Rent Commencement Date Issues

- Determining the commencement date
- Determining the rent commencement date
- Conditions to rent concession

Frances E. Trachter

7:15 - 7:25

Break

7:25 - 8:15

Initial Construction/Alterations

- Landlord buildout
- Standard buildout
- Build to suit

Tenant Buildout

- Construction allowance
- Fees and costs
- Alterations Clause

Jonathan D. Blum

8:15 - 8:55

Escalations

- Real estate taxes
- Operating expenses
- Direct pass-throughs of costs

Jacob Bart

8:55 - 9:00

Questions & Answers

Agenda - Thursday, December 8

6:00-6:30

Assignment & Subletting

- Prohibited transactions
- Landlord recapture of space
- Conditions to landlord's agreement to be reasonable
- Profit recapture
- Continuing liability of tenant
- Exclusions to consent and recapture rights
- Right to require landlord to deliver SNDAs
- Impact of other lease provisions

Nancy Ann Connery

6:30 - 7:15

Insurance

- Coverage and Basic Concepts
- Casualty
- Typical Insurance Company Defenses to Payment

Arnold F. Mascali

7:15 - 7:25

Break

7:25 - 8:25

Default: Basic Principles

- Lease covenants are independent
- Jurisdiction of landlord-tenant court
- Conditional limitations
- Analysis of a basic default clause
- Acceleration of rent

•Yellowstone Injunctions

•Self-help

•Typical tenant defenses

•Typical lease drafting problems

Robert A. Jacobs & Adam Leitman Bailey

8:25 - 8:40

Guaranties

•Full

•Capped

•Good guy guaranties

•Landlord protective provisions

•Tenant protections

Ian H. Silver

8:40 - 8:55

Retail Leases: New York City Office Buildings

•Escalations

•Services

•Additional insurance requirements

•Special construction issues

•Exclusives

•Sidewalk Bridges

•Repairs

•Other special issues/differences

William J. Lippman

8:55- 9:00

Questions & Answers

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Live Program (includes materials):

\$375 Member \$515 Non-member

Walk in Registration (includes materials):

\$400 Member \$540 Non-member

Audiotapes (includes materials):

\$465 Member \$635 Non-member

CDs (includes materials):

\$485 Member \$655 Non-member

Videotapes (includes materials):

\$595 Member \$725 Non-member

DVDs (includes materials):

\$645 Member \$795 Non-member

Materials Only (no CLE credit):

\$155 Member \$235 Non-member

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Registration Information

These programs will be held at the **New York City Bar**
42 West 44th Street, New York, NY 10036

To Register: Call (212) 382-6663 or (212) 382-6662; fax (212) 869-4451; mail registration form to the City Bar Center for CLE, 42 West 44th Street, New York, NY 10036 or register online at www.abcnyc.org or www.nycbar.org.

Scholarships & Discounts: Financial scholarships are available; please call (212) 382-6663 for an application. All applications must be submitted 3 weeks prior to the program. 50% discounts off of member and non-member program prices are available for government and public interest attorneys, students and academics. A 20% discount off of member and non-member prices are available for firms and corporations that register 10 or more people for the same program or video replay.

Cancellations & Refunds: For live programs and video replays, refunds & program credits are available provided cancellation is made in writing and received by the City Bar Center prior to the program. A \$25 administrative fee will be charged for all refunds. The cancellation fee will be deducted directly from the refund. For program credits no administrative fee will be charged. Program credits must be used within one year of the original program date. Cancellations must be in writing and faxed to the City Bar Center at (212) 869-4451. Refunds and program credits are not available for the purchase of tapes, CDs, DVDs, course materials or online programs.

Advance registration is advised. An additional fee of \$25 will be charged for "walk-in" registrations--those received later than 3:00 p.m. one business day prior to the program.

All information is subject to change. All programs and products are sponsored by the CLE Committee, Burton N. Lipshie, Chair.

Name _____ Firm _____

Address _____ Floor/Suite _____ City _____ State _____ Zip _____

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Please specify your area of practice _____

Enclosed is my check for _____, payable to the City Bar Center for CLE or the New York City Bar.

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