



## **Real Estate Committee Webinar Panel**

### ***Commercial Real Estate Market Update***

August 31, 2022

## **CLE Materials and Speaker Biographies**

**Moderator:** Erin West, Godfrey Kahn

**Panelist:**

Kevin Morse, Clark Hill

Lee Hart, NelsonMullins

Jake Shumer, Huron Consulting Group

Mike VanderLey, Force 10 Partners

# Commercial Real Estate Market Overview

## ABI Webinar

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August 31, 2022



# About Huron

**Best Management Consulting Firms  
2018-2020**  
Forbes

**America's Best  
Midsize Employers  
2020-2021**  
Forbes

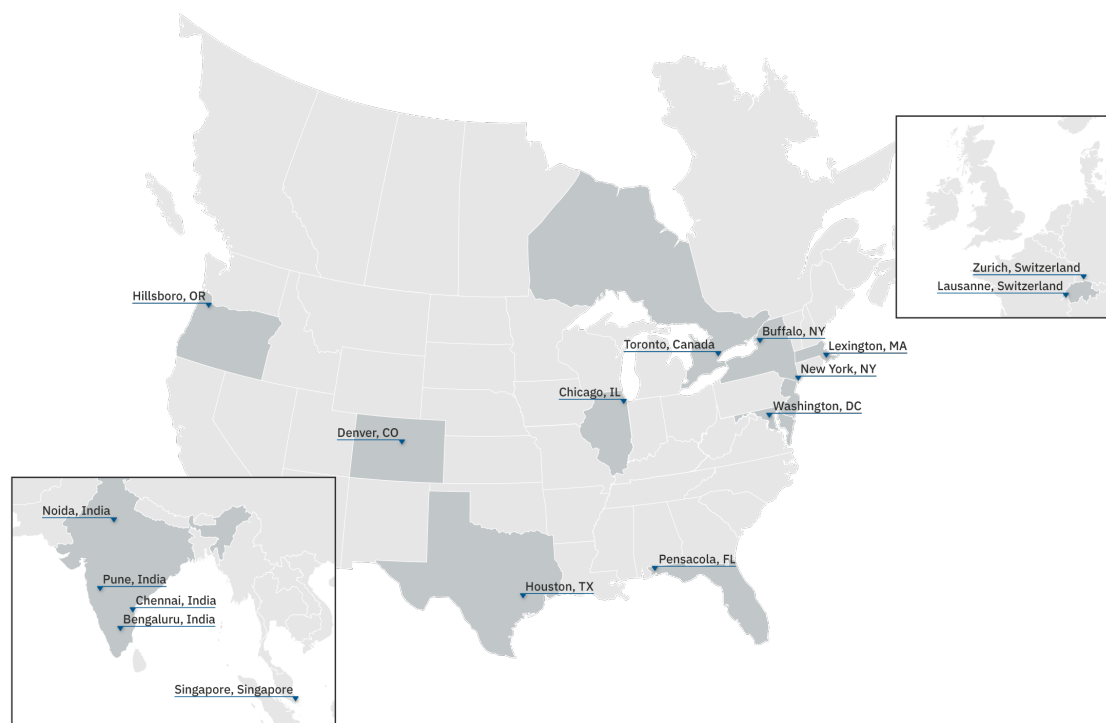
**Best Firms to Work For  
2011-2021**  
Consulting Magazine

**Corporate Equality  
Index Perfect Score**  
Human Rights  
Campaign Foundation

**Restructuring &  
Turnaround Award  
2016, 2018, 2019, 2021**  
The M&A Advisor

**Turnaround Atlas  
Award  
2015, 2016, 2020, 2021**  
The Global M&A  
Network

- Formed in 2002
- More than 4,600 full-time professionals
- 2021 revenue of \$905.6 million
- Headquartered in Chicago
- Publicly traded on NASDAQ
- Huron served more than 1,900 organizations in 2021



# Huron Services

Our combination of deep strategy, operational, digital, and functional expertise uniquely positions us to help our clients across industries shape their future, accelerate transformation and build a foundation for long-term growth.

## Corporate Finance

- Investment Banking
- Commercial Real Estate
- Healthcare Restructuring
- Risk Management
- Financial Crime Compliance

## Digital

- Enterprise Resource Planning
- Analytics and Reporting
- Customer Relationship Management
- Managed Services
- System Implementation

## Business Advisory

- Restructuring and Turnaround
- Commercial Disputes
- Private Equity Transformation
- Public Finance
- Valuation

## Healthcare & Life Sciences

- Strategy and Innovation
- Care Transformation
- Financial and Operational Excellence
- Technology and Analytics
- Leadership Excellence
- Market Access and Pricing
- Digital Solutions and Technology

## Higher Education

- Institutional Strategy
- Financial Management and Resource Allocation
- Academic and Administrative Operations
- Student Lifecycle Solutions



# Commercial Real Estate Advisory

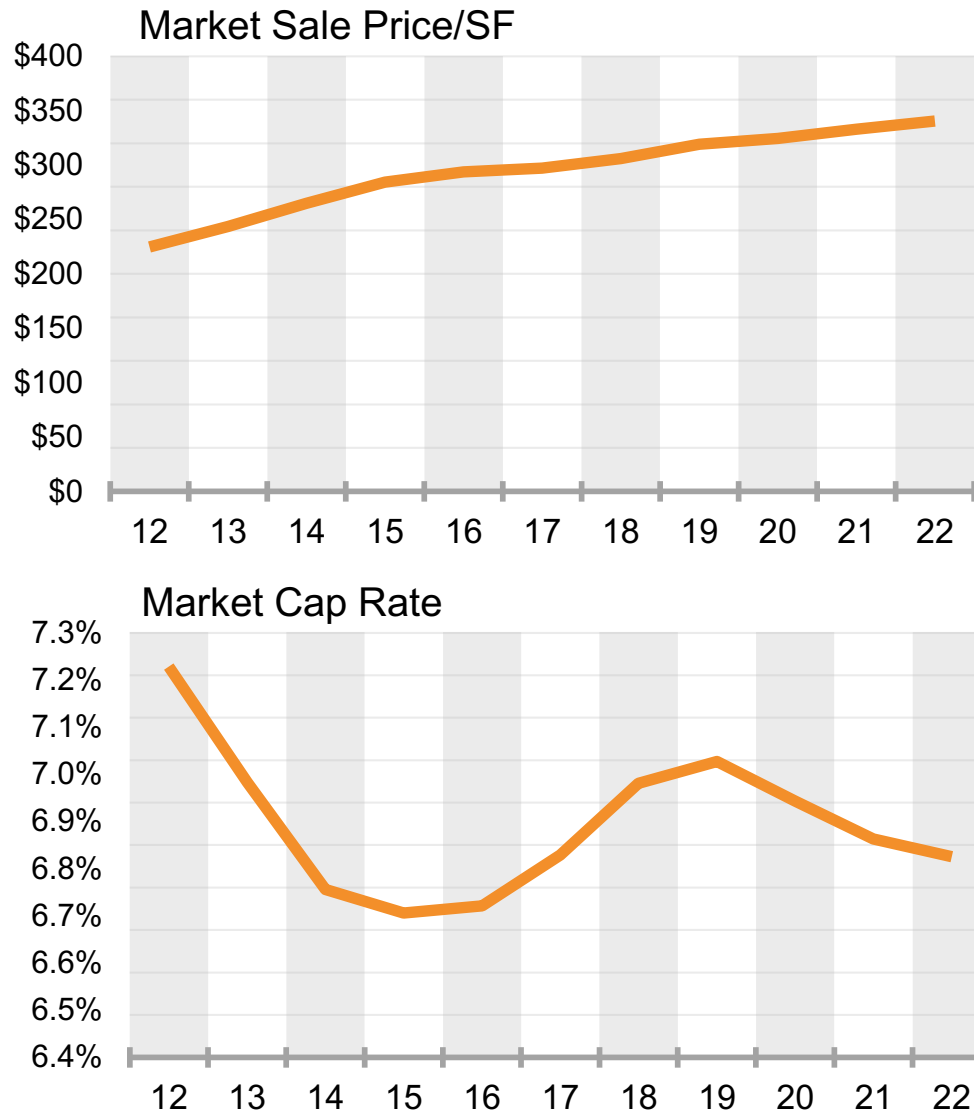
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Huron's approach is to analyze, advise and execute *creative* real estate strategies in any financial scenario to maximize portfolio value for clients

Service Offering	Selected Capabilities	
Lease Optimization	<ul style="list-style-type: none"><li>• Lease Renewal</li><li>• Lease Termination</li></ul>	<ul style="list-style-type: none"><li>• Lease Renegotiation</li><li>• Lease Assignment / Subleasing</li></ul>
Property Sales	<ul style="list-style-type: none"><li>• Sale-Leaseback Transactions</li><li>• Bulk &amp; Individual Property Sales</li></ul>	<ul style="list-style-type: none"><li>• Auction Sales</li><li>• Master Broker Relationship</li></ul>
Asset Management	<ul style="list-style-type: none"><li>• Landlord/Tenant Representation</li><li>• Lease Management</li></ul>	<ul style="list-style-type: none"><li>• Property Appraisal</li><li>• Market Rent Study</li></ul>
Distress	<ul style="list-style-type: none"><li>• Lease Work Outs</li><li>• Expedited Property Sales</li></ul>	<ul style="list-style-type: none"><li>• Pre-Petition Strategy</li><li>• 502(b)(6) Claim Mitigation</li></ul>
M&A Advisory	<ul style="list-style-type: none"><li>• Landlord Consents</li><li>• Lease Optimization</li></ul>	<ul style="list-style-type: none"><li>• Portfolio Analysis &amp; Strategy</li><li>• Entity Structuring</li></ul>

# Commercial Real Estate Market Overview

## Office



### Market Sale Price/ SF

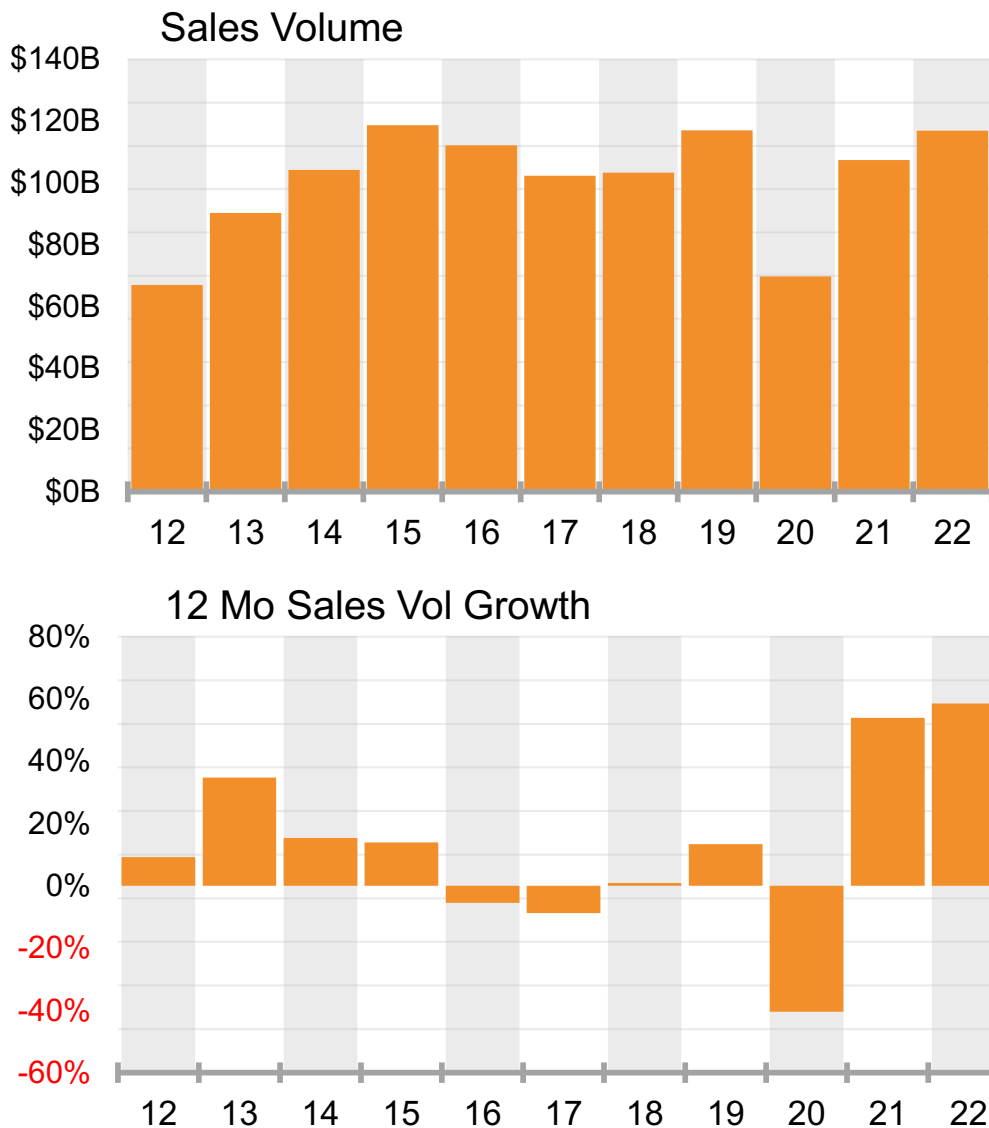
- The office market sale price per square foot increased from \$326 in Q2 2021 to \$339 in Q2 2022
- Investors who paused decision making during initial uncertainty re-entered the market, favoring properties with stronger tenant rosters and longer lease terms

### Market Cap Rate

- The office market cap rate decreased from 6.9% in Q2 2021 to 6.8% in Q2 2022
- Office-using business sectors are increasingly embracing long-term work-from-home and hybrid models leading employers to reevaluate their traditional office footprints

# Commercial Real Estate Market Overview

## Office



### Sales Volume

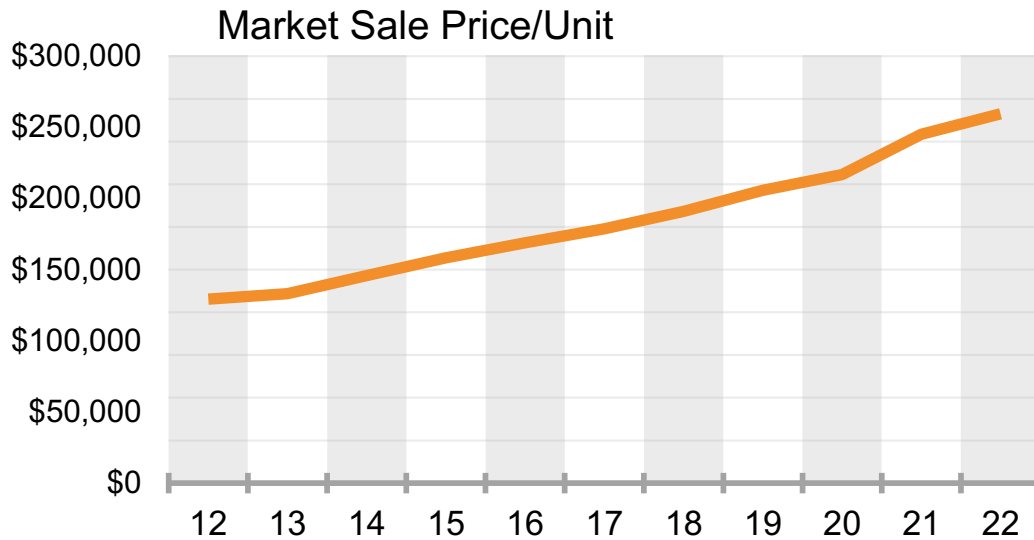
- The office property sales volume increased from \$39.9B thru Q2 2021 to \$49.4B thru Q2 2022
- Total office sales volume remain just below pre-pandemic 2019 levels

### Returning to Office

- Coworking and flex spaces are becoming common solutions for office space needs
- Florida is the fastest growing office market, with 7 of the 11 top metro areas experiencing rent up at least 3% year-over-year.
- Goldman Sachs announced yesterday that workers must return to office 5 days per week following Labor Day

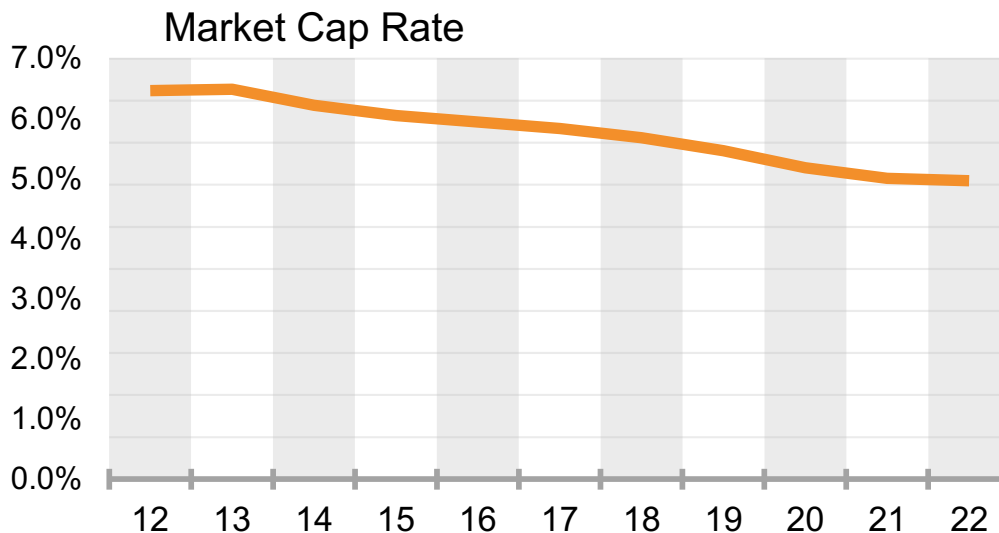
# Commercial Real Estate Market Overview

## Multi-Family



### Market Sale Price/ Unit

- The average unit price increased from \$171K in Q2 2021 to \$245K in Q2 2022
- Investor demand and prices are at historically high levels
- Initial concerns over rent collection have given way to record-low vacancies and double-digit rent growth, bringing in more investors to this property type



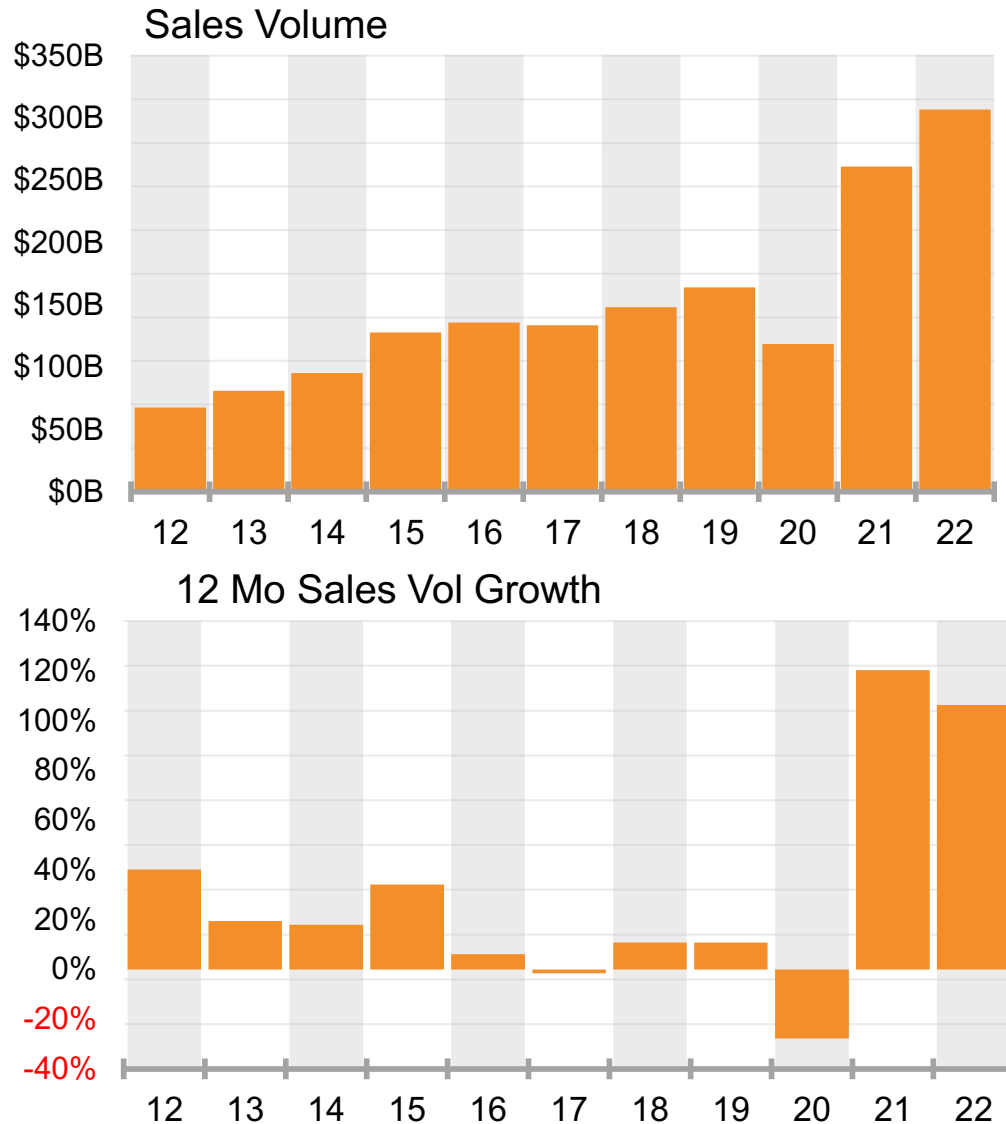
### Market Cap Rate

- The multi-family cap rates have decreased slightly from 5.1% in Q2 2021 to 5.0% in Q2 2022
- 35% of American households currently rent their home, 65% rent



# Commercial Real Estate Market Overview

## Multi-Family



### Sales Volume

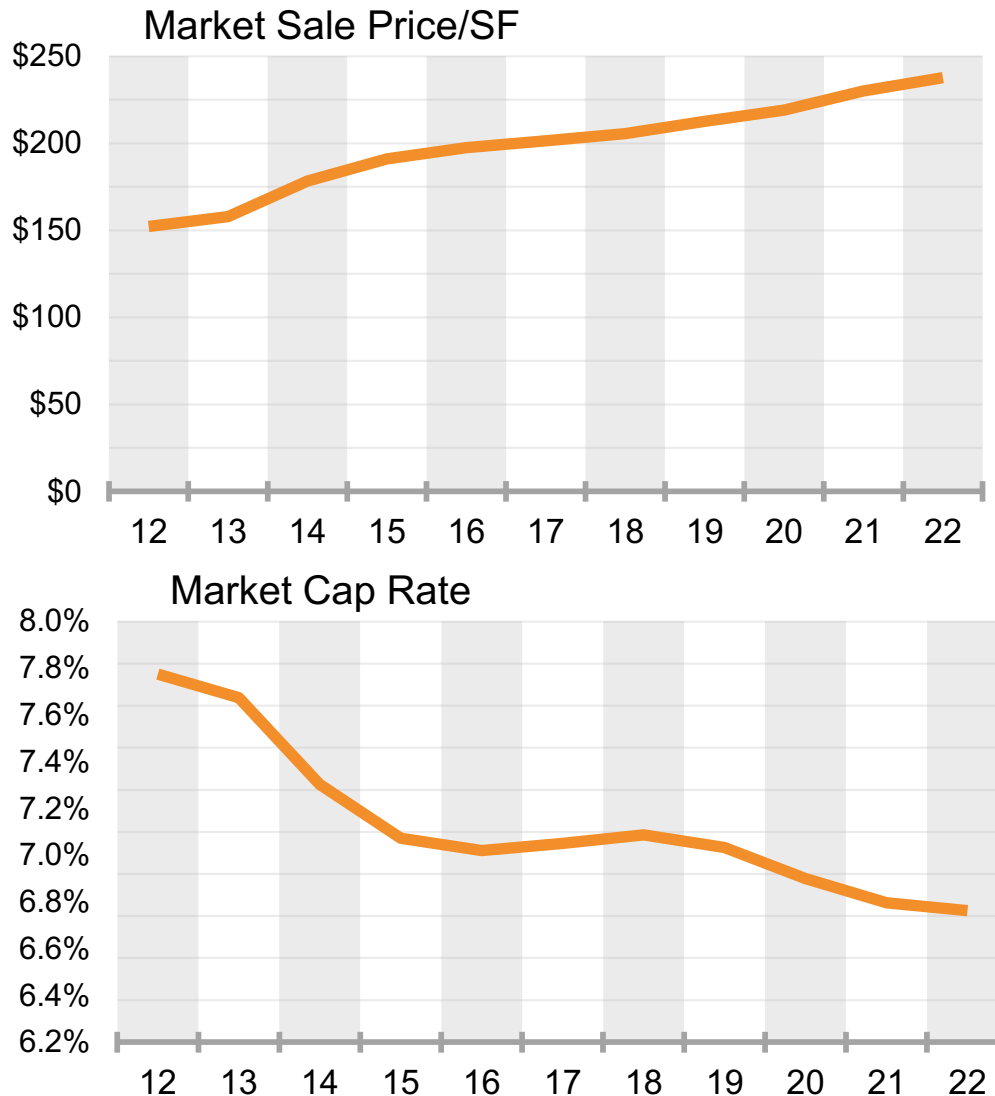
- The multi-family property sales volume increased from \$116B thru Q2 2021 to \$124B thru Q2 2022
- Rental demand soared amid the recovery in household formation and rise in home prices
- However, asking rents are picking up strongly which tend to drive renters to less expensive secondary/tertiary markets, especially with the opportunity to work from home.

### Rent & Vacancy

- The vacancy rate hit a record-low of 4.5% in 2021 while the median asking rent continues to grow
- Avg 1 Bedroom Rent ~ \$1,770/month, 39% YoY increase
- Avg 2 Bedroom Rent ~ \$2,106/month, 38.3% YoY increase

# Commercial Real Estate Market Overview

## Retail



### Market Sale Price/ SF

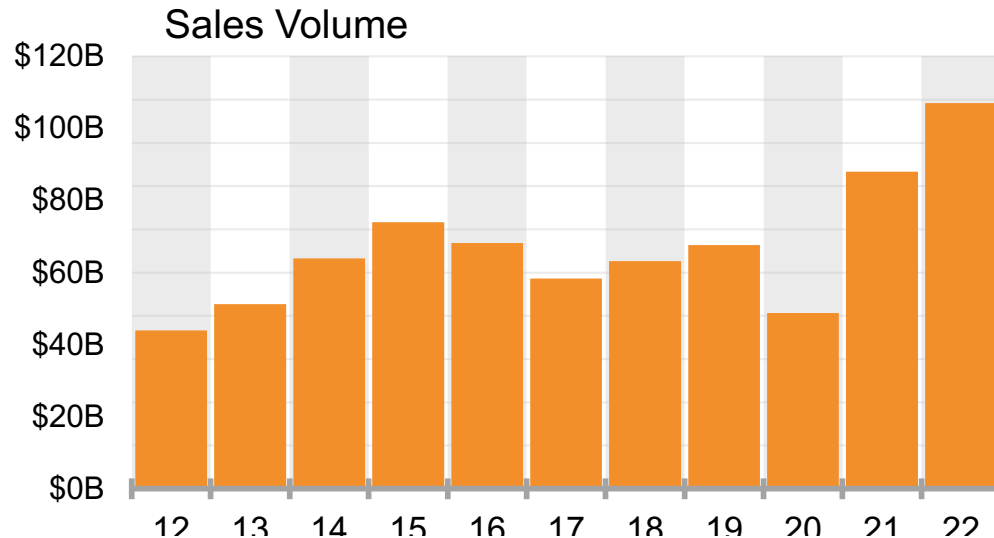
- The retail market sale price per unit increased from \$221 in Q2 2021 to \$233 in Q2 2022
- A record number of retail properties changed hands in 2021, recovering from a relatively moderate 20% drop in sale transaction activity from 2019 to 2020
- Drug and convenient stores, fast food, and mixed-use storefronts captured a large portion of 2021 trades

### Market Cap Rate

- The retail market cap rate decreased slightly from 6.9% in Q2 2021 to 6.8% in Q2 2022
- As household demand continues to grow in the Southern US, so does the need for more retailers. Robust population growth continues to draw investors to this region.

# Commercial Real Estate Market Overview

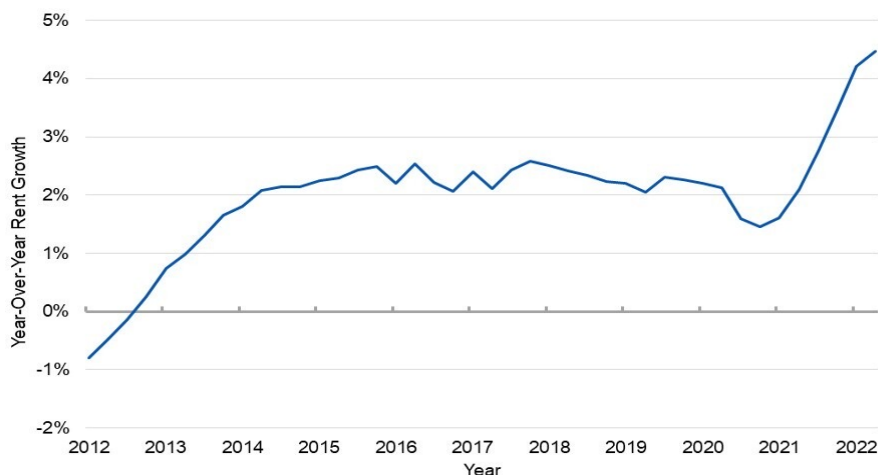
## Retail



### Sales Volume

- The retail property sales volume increased from \$32.5B thru Q2 2021 to \$51.6B thru Q2 2022
- In 2021, of the \$88B all retail property sales volume, general retail was 65%, malls (4.2%), neighborhood centers (20.2%), power centers (4.5%) and strip centers (5.7%).

### Retail Rent Growth Accelerates



Source: CoStar, June 2022

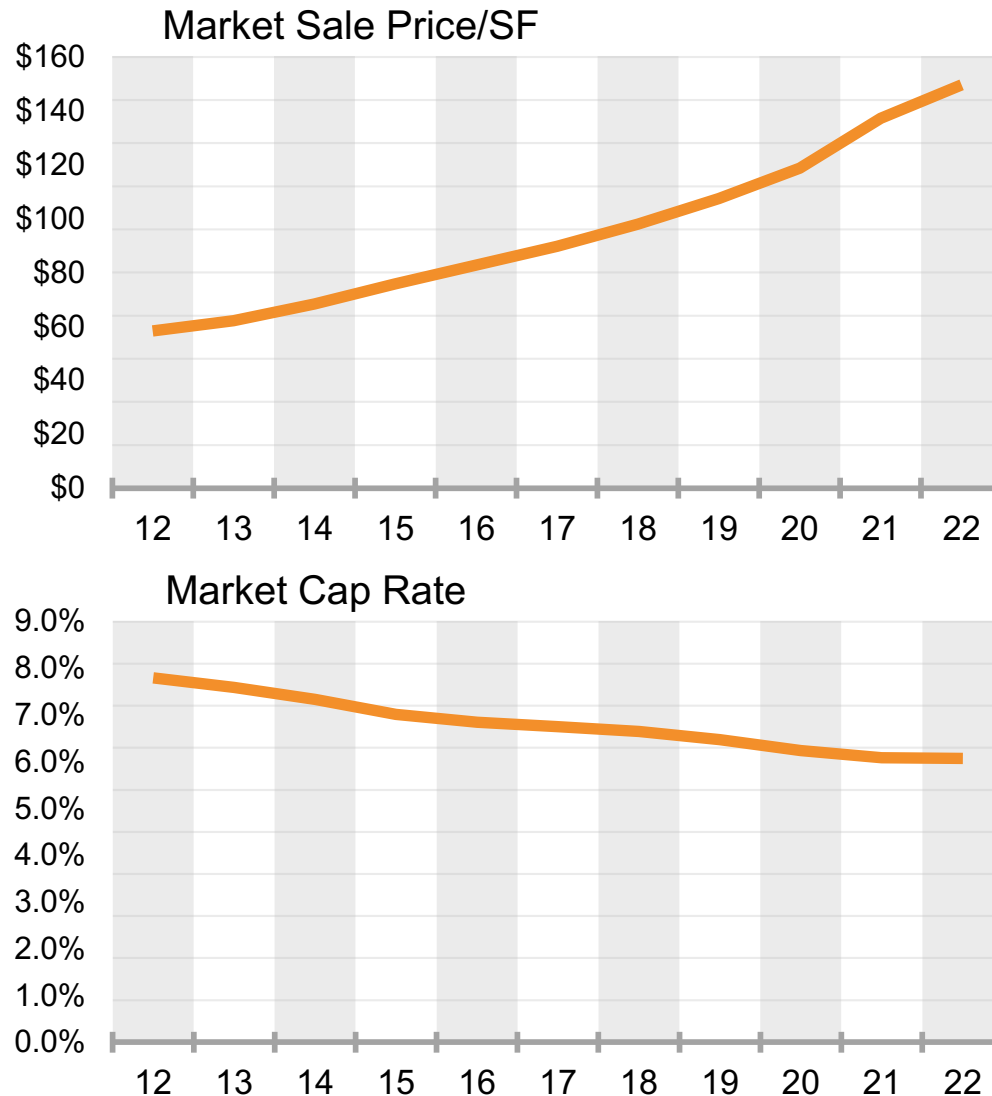


### E-Commerce vs Brick-and-Mortar

- In 2021, 17% of all retail sales were online vs 14% in 2022 YTD
- Some predict consumer traffic to be stronger in 2022 as malls continue to look towards experiential retail such as gaming lounges and kid activities to drive customers to properties

# Commercial Real Estate Market Overview

## Industrial



### Market Sale Price/ SF

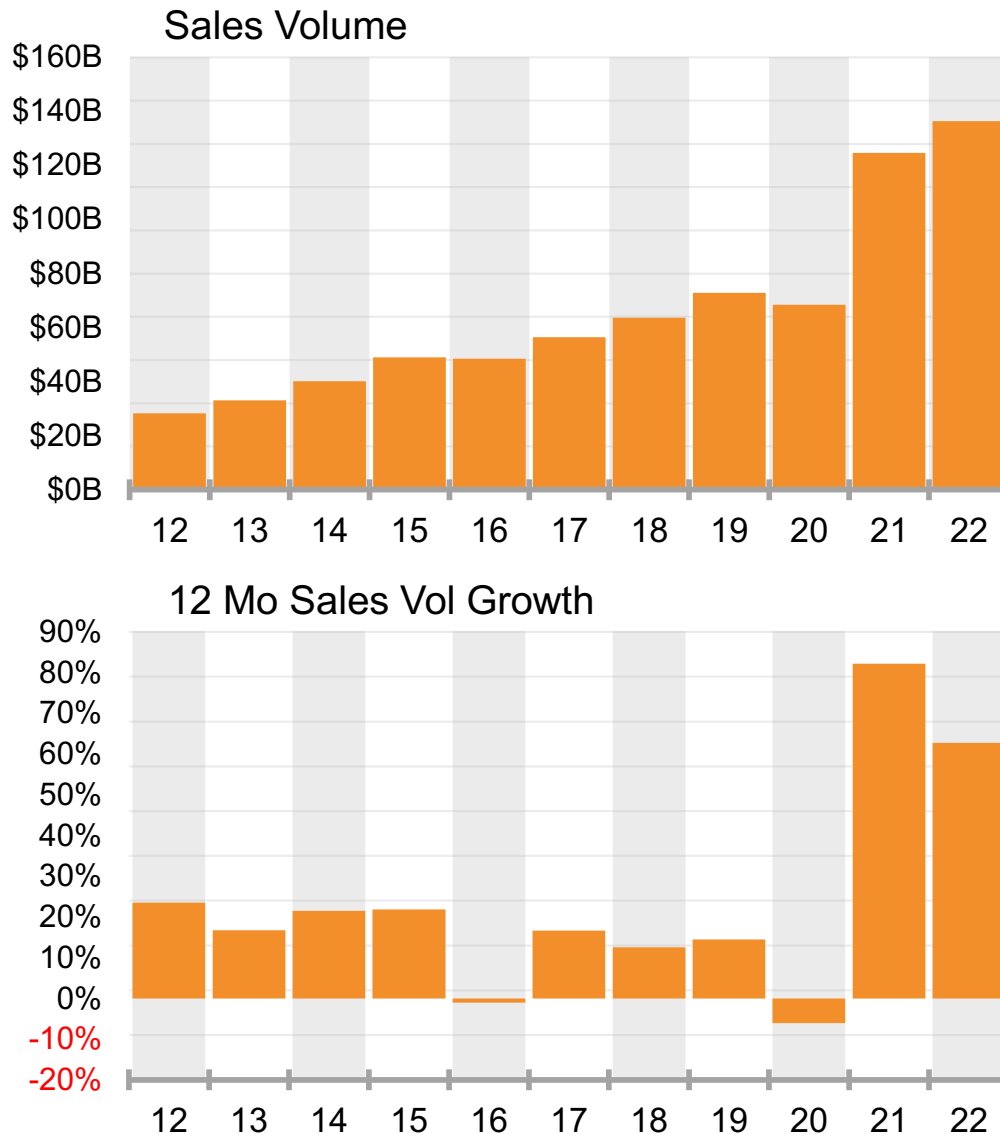
- The industrial market sale price per square foot increased from \$127 in Q2 2021 to \$148 in Q2 2022
- Institutional buyers with experience in other commercial properties multifamily, office, retail and others, are now entering the industrial landscape, as part of their diversification strategies.

### Market Cap Rate

- The industrial market cap rate remained the flat at 6.1% in Q2 2021 and Q2 2022 which is a historic low
- The prospect of rising interest rates, prompted by the current high inflation environment, could constrain the yield compression characteristics of the past year..

# Commercial Real Estate Market Overview

## Industrial



### Sales Volume

- The industrial property sales volume increased from \$40.7B thru Q2 2021 to \$52.4B thru Q2 2022
- The demand for properties has driven the average sale price in the United States up by over 30% since 2019
- Average price per sqft for industrial space is \$7.89 PSF, a 15.2% YoY increase

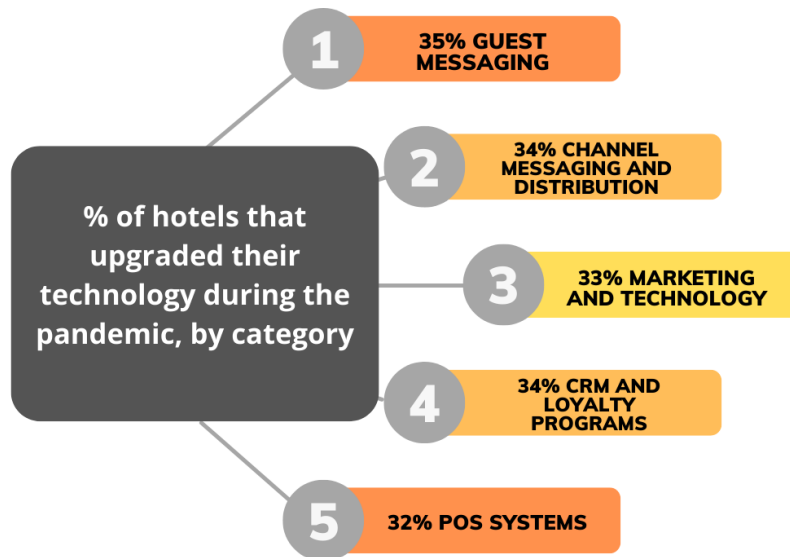
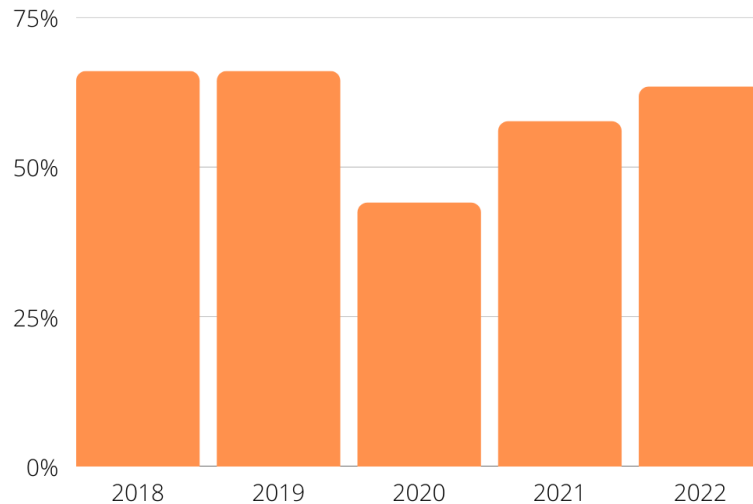
### Amazon.com

- Amazon led a binge in 2020 that saw the 25 top US retailers acquire 38M sqft in industrial space, up from 18.8M sqft in 2019
- CEO Brian Olavsky claims that Amazon's warehouse spending will be moderated to match rather than exceed the company's growth rate going forward

# Commercial Real Estate Market Overview

## Hospitality

Hotel Room Occupancy by Year - Oxford Economics



## Travel Returns

- Hotel room occupancy nears pre-pandemic levels with a 2022 avg occupancy of 63.4% vs 66% in 2019, as hotels attempt to recuperate \$111.8B in losses incurred from the pandemic
- Hotels attribute their recovery to their newfound understanding of traveler expectations and their focus to better serve guests

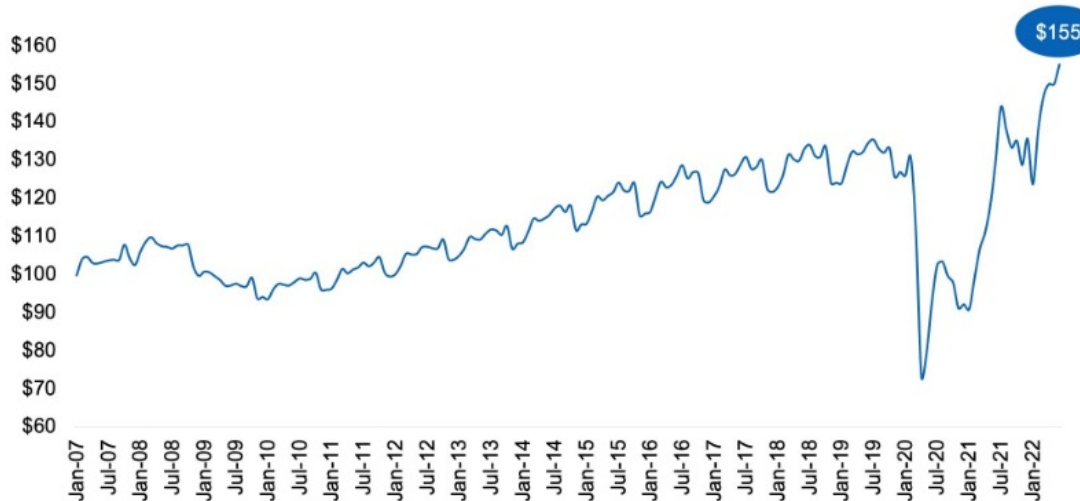
## Business Travel

- Business travel still struggles to reach 80% of pre-pandemic levels
- “Bleisure” (business & leisure) travel now accounts for more than 40% of trips - a result of people traveling for work and staying a day late and/or arriving a day early for personal interest. Thursdays and Sundays (which have historically been low occupancy) have become more popular
- Spending on ancillary services related to meetings and events still lags, with only an estimated 58.3% of events returning in 2022

# Commercial Real Estate Market Overview

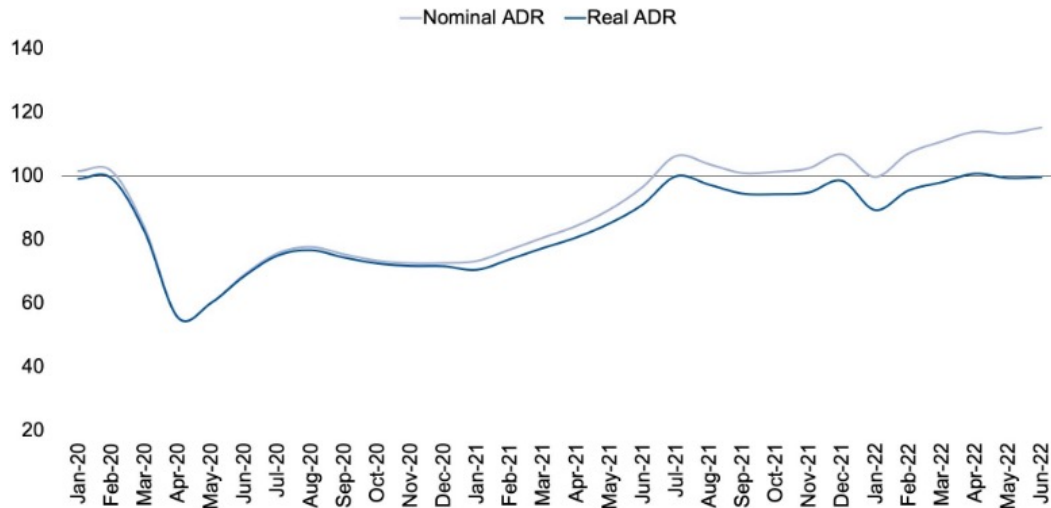
## Average Daily Rate Has Never Been Higher or Grown Faster Than Today

US, Nominal Average Daily Rate, 2007 to 2022



## Once You Take Inflation Out of the Equation, Average Daily Rate Seems To Be Stabilizing

Total US, Real Average Daily Rate Indexed to 2019



Source: Oracle Hospitality; Accenture; CoStar

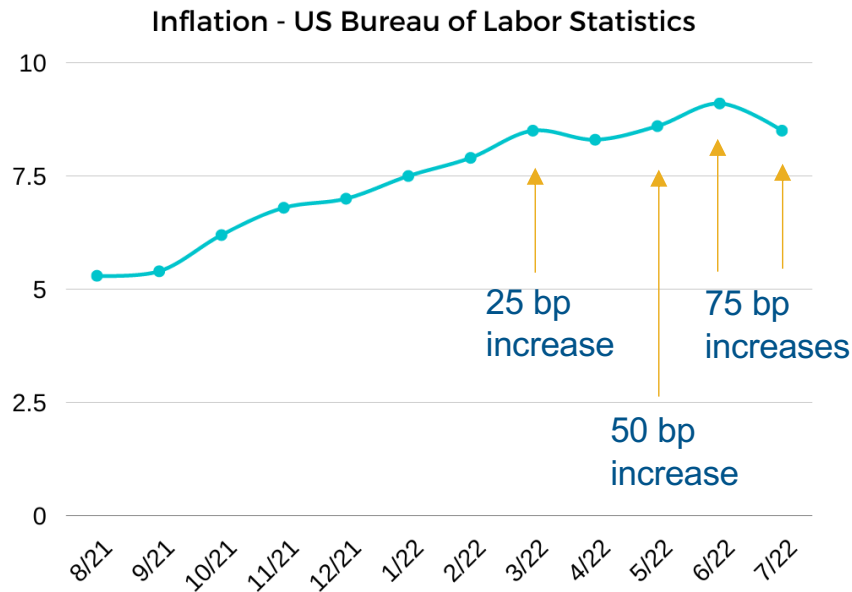
## Travel Returns

- Only 11% of US markets are currently below the Revenue per Available Room benchmark compared to 2019

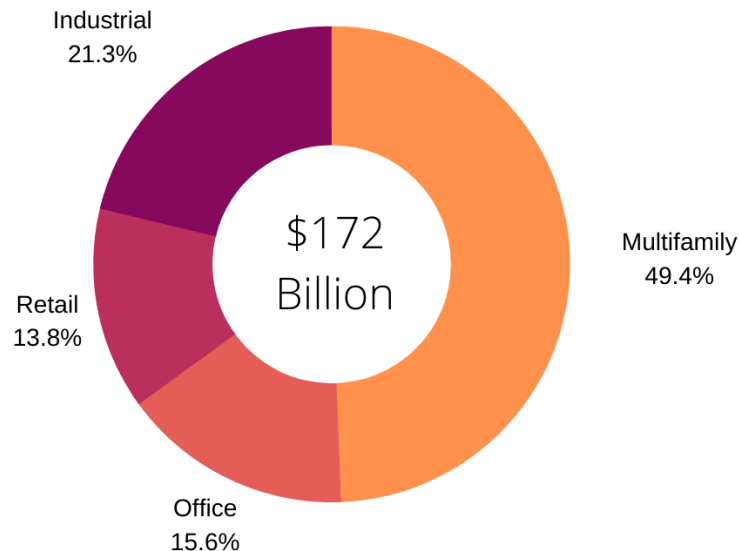
## Average Daily Rate (ADR)

- In September 2021, rates had fully rebounded to pre-pandemic levels and have risen 15% higher as of June 2022
- When normalized against CPI, real ADR is within 3% of pre-pandemic ADR, showing current prices are adjusting to inflation
- Weekend travel has ADR's of \$20 more and occupancy rates 13% higher than weekday travel.

# Impact of Interest Rate Hikes



Investment by Asset Class - United States Q2 2022



Source: CBRE; US Bureau of Labor Statistics

## Interest Rate Impact

- In 2022, 4 interest rates hikes have had a delayed effect on the slowdown of inflation, making some indecisive about where the financing environment is heading
- Overall inflation accelerated to 8.5% in July 2022, compared to 1.8% in July 2019
- Floating and fixed rate loan costs have increased across the board due to actual and expected interest rate increases. The shift has translated to lower loan proceeds and lower Loan-to-Value as the amount of leverage lenders use is decreasing

## Market Investment

- Despite interest rate increases and heightened uncertainty, overall commercial investment has been considerably consistent in Q2 of 2022 (8% Q2 YoY growth in US), with multifamily seeing 30% YoY growth and accounting for almost 50% of overall commercial investment in the US





## Erin A. West

T 608.284.2277

ewest@gklaw.com

### Madison

One East Main Street  
Suite 500  
Madison, WI 53703

### Practice Areas

Business Finance,  
Bankruptcy & Restructuring

Contract/Commercial

### Admissions

Minnesota

Wisconsin

### Education

Juris Doctor, University of  
Minnesota Law School,  
2009, *cum laude*

Bachelor of Science,  
University of Wisconsin-  
Madison, 2006



Erin has more than ten years' experience helping lenders, trade vendors, committees, debtors, buyers, and other creditors navigate all facets of insolvency, bankruptcy, and financial distress. This includes pre-bankruptcy advising and workouts, bankruptcy, and state court receivership proceedings. Recent experience includes:

- Negotiation of loan renewals, refinancing, and forbearance agreements;
- Litigation and resolution of cash collateral use, adequate protection, debtor-in-possession financing, critical vendor status, reclamation claims, executory contract and lease disputes, claims objections, automatic stay litigation, and dischargeability and avoidance actions;
- Representation of secured and unsecured creditors in commercial collections, foreclosures, and other complex commercial litigation matters including state and federal appeals;
- Asset sales and auctions through receivership or bankruptcy proceedings;
- Representation of Fee Examiners and Fee Committees in large Chapter 11 bankruptcies, through qualitative and quantitative analysis of fee applications and negotiation and litigation of disputes. Recent representative fee review engagements include: *In re Energy Future Holdings Corp., et al.*, *In re The Commonwealth of Puerto Rico, et al.*, and *In re Samson Resources Corp.*

Prior to joining Godfrey & Kahn, Erin practiced bankruptcy and commercial litigation at a Madison law firm for five years, where she frequently appeared as counsel for a Chapter 7 panel trustee. While a student at the University of Wisconsin – Madison, Erin was a member of the women's crew team. In her free time, she continues to enjoy competitive rowing.

### Court Admissions

United States District Court, Central District of Illinois  
United States District Court, Northern District of Illinois  
United States District Court, Southern District of Illinois  
United States District Court, Southern District of Indiana  
United States District Court, Northern District of Indiana  
United States District Court, District of Minnesota  
United States District Court, Eastern District of Wisconsin  
United States District Court, Western District of Wisconsin  
Third Circuit Court of Appeals  
Seventh Circuit Court of Appeals

## Professional Association Memberships

American Bankruptcy Institute  
International Women's Insolvency and Restructuring Confederation  
Western District of Wisconsin Bankruptcy Bar

## Activities

American Bankruptcy Institute – Special Projects Leader, Real Estate Committee  
Madison South Rotary Club – Board of Directors  
Western District of Wisconsin Bankruptcy Bar – Treasurer, Past Chair

## Honors

Recognized by *Super Lawyers* as a *Wisconsin Rising Star* (2011 - present)

Recognized by *Best Lawyers* "Ones to Watch" (Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2021 - present)

# Lee B. Hart

Partner

Atlantic Station T 404.322.6349  
201 17th Street NW F 404.322.6050  
Suite 1700  
Atlanta, GA 30363  
[lee.hart@nelsonmullins.com](mailto:lee.hart@nelsonmullins.com)



Lee focuses on restructuring, workouts, bankruptcy, and finance. Lee's practice primarily includes the representation of lenders, finance companies, and national corporations in connection with the recovery, restructuring, and resolution of troubled debts. He litigates cases in bankruptcy courts and trial courts in Georgia and nationally. Lee also has significant real estate finance experience, including involvement in the structuring and restructuring of complex real estate loans and underlying financing vehicles. His focus is on the efficient resolution of issues for his clients and the preservation of maximum value in every situation.

## Recognitions

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- [The Best Lawyers in America®](#) — Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2021–2022)
- Atlanta Business Chronicle, Dealmakers (2009)
- [Georgia Super Lawyers](#) "Rising Star," Banking (2014–2017)

## Professional Activities

- American Bar Association
- Commercial Finance Association

## Education

University of Florida Levin College of Law,  
JD (2007)

- Articles Editor, *University of Florida Journal of Public Policy*
- Member, *Florida Journal of International Law*
- Order of the Coif

Cornell University, BS, Industrial and Labor  
Relations (2004)

## Admissions

Georgia

## Practice Areas

[Alternative Lending & Other Non-Bank  
Financial Services](#)

[Banking & Financial Services](#)

[Bankruptcy & Insolvency Related Litigation](#)

[Bankruptcy, Creditors' Rights &  
Restructuring](#)

[Commercial & Syndicated Lending](#)

- Turnaround Management Association
- American Bankruptcy Institute

[Creditor Representation](#)[Real Estate Capital Markets](#)[Trustee, Receivership Practice & Representation](#)

### Industries

[Banking & Financial Services](#)[Manufacturing](#)[Real Estate](#)

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## Articles & Speeches

### Insights

International Emissions Trading Between Developing Countries: The Solution to the Other Half of the Climate Change Problem, *20 Fla. J. Int'l L.* 79 - Author (2008)

### Events/Speaking Engagements

[In the Trenches: Special Asset and Default Management Strategies](#) - Speaker (April 28, 2020)

[Navigating the Legal, Economic and Business Challenges of the Coronavirus Pandemic | Webinar 5](#) - Speaker (April 15, 2020)

From Macro-Economics to Politics and Implications for the US Real Estate and Mezzanine Market – Perspective from Borrowers and Lenders, *iGlobal Mezzanine and High Yield Debt Forum, New York, N.Y.* - Moderator (May, 2019)

Realizing On Going Concern Value: Options and Obstacles, *IMN Special Assets Forum, Miami, Fla.* - Moderator (February, 2019)

[Nelson Mullins Team to Address 8th Real Estate Mezzanine Financing Summit](#) - Panelist (June 7, 2018)

### Blogs

[Possession of a Debtor's Property After a Bankruptcy Filing May...or May Not...Be a Stay Violation](#), The Bankruptcy Protector - Co-Author (November 1, 2021)

[CARES Act Makes Small Business Bankruptcy More Accessible](#), The Bankruptcy Protector - Co-Author (April 1, 2020)

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[Sale-Leaseback Transactions with Bill Nicholson](#), The Deal Junkies Podcast - Commentator (September 10, 2019)

[Multi-family Report and Insights with Blake Janover](#), The Deal Junkies Podcast - Commentator (August 1, 2019)

[CREFC 2019 Report, More Retail Closures, LIBOR Update and a New Co-Host](#), The Deal Junkies Podcast - Commentator (June 25, 2019)

[PG&E Bankruptcy Threatens Power Purchase Agreements](#), Megawatt Minute - Author (January 30, 2019)

[Back In Black: Locating Opportunities In The Darkness - Episode 5](#), Back in Black: Locating Opportunities in the Darkness - Commentator (August 14, 2018)

[Back In Black: Locating Opportunities In The Darkness - Episode 4](#), Back in Black: Locating Opportunities in the Darkness - Commentator (July 24, 2018)

[Back in Black: Locating Opportunities in the Darkness - Episode 3](#), Back in Black: Locating Opportunities in the Darkness - Commentator (July 3, 2018)

[Back in Black: Locating Opportunities in the Darkness](#), Back in Black: Locating Opportunities in the Darkness - Commentator (June 6, 2018)

[Winter Is Coming – Crush It During the Next Downturn](#), The Deal Junkies Podcast - Commentator (May 8, 2018)

# Kevin H. Morse

Member

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**Los Angeles**

+1 213.891.9100



Kevin H. Morse supports businesses and their owners in a variety of industries afflicted with financial distress through out-of-court restructuring, bankruptcy, and litigation.

Kevin has more than a decade of experience handling insolvency matters nationwide, which include Chapter 11 debtor representation, assignments for the benefit of creditors, fiduciary representations, committee representations, creditors' rights, and other insolvency issues in a breadth of industries, such as healthcare, food and agriculture, construction, and real estate.

Kevin's clients include publicly-traded companies, privately held corporations, REITs, start-ups, non-profits, traditional and non-traditional financial entities, and individuals.

Kevin serves as Deputy Member-in-Charge of the firm's Chicago office.

## Practice Areas

Corporate Restructuring & Bankruptcy

Workout

## Education

J.D., Pepperdine University School of Law, Malibu, California, 2007

B.A., cum laude, University of Colorado Boulder, Boulder, Colorado, 2003

## Recognitions

Illinois Super Lawyers "Rising Stars," 2018-2019

Law Bulletin's Leading Lawyers Division "Emerging Lawyer," 2015-2019

Named an Emerging Lawyer in Illinois by Leading Lawyers<sup>SM</sup> (2022)

## Memberships

Co-Chair, NextGen Communication Committee and Member, Chicago Chapter Membership Committee, Turnaround Management Association

The American Lawyers Magazine Young Lawyers Editorial Board, 2018

Next Generation Class for the National Conference Bankruptcy Judges, 2015

Bankruptcy Court Liaison Committee, 2015

## State Bar Licenses

Illinois, California

## Experience

### **Select Representations:**

- Debtors-in-possession in the Chapter 11 liquidation of one of the largest strawberry growers in the United States, headquartered in Los Angeles, California.
- Official Committee of Unsecured Creditors in the bankruptcy of the seventh largest grocery co-op in the United States, headquartered in Joliet, Illinois, and primary supplier to more than 550 member grocery stores.
- Liquidating trustee in the Chapter 11 bankruptcy of a 14-store grocery chain in Des Moines, Iowa.
- Debtor-in-possession of a franchisee of a national family restaurant chain in defending against the termination of the franchise agreements and eventual sale of the franchises.
- Debtor-in-possession of a not-for-profit youth hockey club, with more than 20 teams and 200 participants, in its restructuring in the face of more than \$20 million in outstanding guaranty liability.
- Defendant in litigation brought by Chapter 7 trustee against the former owners, officers, directors, and affiliates of a national restaurant group.
- Chapter 7 trustee in the bankruptcy filing of the former owners and executives of a failed bank whose demise cost the Federal Deposit Insurance Corp.'s insurance fund more than \$825 million.
- The board of trustees for a public university against the discharge of unpaid student loans.
- Debtor-in-possession and subsequent plan administrator in the liquidation of an equipment leasing Ponzi-scheme that defrauded more than \$250 million from its creditors.



# JAKE SCHUMER

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E jschumer@hcg.com

CORPORATE FINANCE  
MANAGING DIRECTOR

Jake has applied more than thirteen years of experience to helping healthy, distressed, and bankrupt tenants reposition and optimize their real estate portfolios. He is an expert in lease renegotiation and disposition, property sales, merger and acquisition advisory, and corporate bankruptcies.

Prior to joining Huron, Jake was a senior vice president at Hilco Real Estate, where he led the firm's highest profile client engagements, structuring and negotiating thousands of commercial transactions, including lease renegotiations, lease terminations, sale-leasebacks, and fee simple sales.

## Examples of Jake's experience include:

- Represented a Fortune 100 publicly traded home improvement chain in the USA and Canada to substantially restructure its 1700+ lease portfolio, including shuttering a 112 unit sub-brand, saving hundreds of millions in lease costs
- Represented a debtor, a major fitness center chain, in its Chapter 11 bankruptcy filing to renegotiate approximately 250 gym leases, saving over \$300 million in total rental liability
- Led the industrial real estate strategy and execution for a national milk marketing cooperative in its \$433 million acquisition of a food and beverage company to structure a post-transaction merged warehouse portfolio
- Twice led a real estate cost savings and capital raising program for a restaurant chain with locations across 12 states to shutter over 50 underperforming restaurants and generate new capital via fee simple property sales. This included a multiunit sale-leaseback transaction generating millions in proceeds, ultimately avoiding an in-court restructuring.
- Led a debtor's real estate strategy and lease optimization/execution program in the Chapter 11 bankruptcy filing of a 340-unit restaurant chain across the U.S., securing \$63 million in real estate cost savings.
- Led the real estate strategy and successful landlord negotiations for a high-profile co-working company to exit costly office leases prior to the tenant's initial move-in date, equating to nearly \$20 million in discounted rent liability
- **Education and Certification**
  - Master of Business Administration, DePaul University
  - Bachelor of Arts, University of Iowa
  - Illinois Licensed Real Estate Broker
- **Professional Associations**
  - International Council of Shopping Centers (ICSC)
  - Turnaround Management Association (TMA)



### Overview

Career real estate/capital markets professional with expertise across every major real estate asset class. Extensive restructuring and special situations transaction experience.

### Certifications

FINRA Series 7, 63

### Education

B.S. in Business Administration,  
Finance – W.P. Carey School of  
Business, Arizona State University



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Michael VanderLey is a Partner at Force 10 Partners where he leads the firm's Real Estate and Real Estate Capital Markets practice. Mike is a career special situations, real estate and capital markets professional with an extensive background originating and asset-managing equity and debt investments, plus over 20 years of advisory and consulting experience. He works with public and private sponsors, operators, investors and real estate dependent operating companies on asset and portfolio-level transactions, debt and equity financings, restructurings and business combinations including joint ventures and M&A, and on strategic issues affecting enterprise value.

Over the course of his career, Mike has led transactions involving every major real estate asset class and has originated, acquired, advised on or managed investment positions at every level of the capital structure and across the return spectrum from core to opportunistic. He has extensive special situations experience, having represented debtors, secured creditors, creditors' committees and equity interests in connection with numerous restructurings and Chapter 11 cases - including leading and advising on financing and sale processes totaling over \$5 Billion.

Prior to joining Force 10, Mike was a Senior Managing Director at FTI Consulting where, as part of the Corporate Finance segment and member of the Real Estate Solutions group, he led the Real Estate Capital Markets practice within FTI Capital Advisors, LLC, an investment banking subsidiary of FTI.

From the late 1990s through the onset of the Great Recession, Mike was in senior management roles as a lender and equity investor.

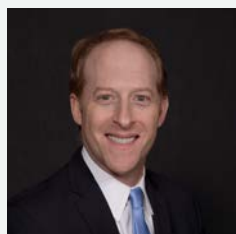
- West Region leader for the Structured Finance lending division of Archstone
- Developed and led the Structured Finance lending business at Essex Property Trust
- Co-Head of West Coast Real Estate for Calyon Corporate and Investment Bank (Credit Agricole Group)
- Chief Investment Officer for a San Francisco-based real estate private equity firm focused on special situations

Mike is accustomed to serving in fiduciary roles, including independent director, chief restructuring officer, and plan agent. Mike graduated with a B.S. in business administration and finance from the W.P. Carey School of Business at Arizona State University. He is a member of the American Bankruptcy Institute, CRE Finance Council and Urban Land Institute.

## Select Bankruptcy Engagements

- Professional Financial Investors, Inc., et al - - Financial Advisor and Special Board Advisor for Stalking Horse and Winning Bidder in \$436 Million, 60-Property Bankruptcy Sale
- Rockport Development Inc. + Tiara Townhomes, LLC - - Chief Restructuring Officer for Debtors
- M3Live - - Expert Witness for Chapter 11 Trustee
- Terry L. Fleming, Sr. - - Expert Witness for Debtor
- Friendly Village MHP Associates, LP - - Financial Advisor for Chapter 7 Trustee
- XS Ranch Fund VI, LP - - Chief Restructuring Officer for Debtor; Plan Agent for Reorganized Debtor
- Freedom Communications, Inc. - - Investment Banker for Debtor
- SFX Entertainment - - Financial Advisor for Debtor
- Hancock Fabrics - - Financial Advisor for Creditors Committee
- Shilo Inn Twin Falls, Boise Airport, Nampa Blvd, Newberg, Seaside East, Moses Lake and Rose Garden - - Financial Advisor, Expert Witness for Secured Lender
- Variant Holding Company - - Board of Independent Managers for Debtor
- City of Detroit, Michigan - - Financial Advisor to Bond Insurer
- Fresh & Easy Neighborhood Markets, Inc. - - Financial Advisor for Creditors Committee
- PRM Holding Company, LLC - - Financial Advisor for Secured Lender
- Mi Pueblo Foods - - Financial Advisor for Secured Lender
- Jerry's Nugget, Inc. and Spartan Gaming, LLC - - Financial Advisor, Expert Witness for Secured Lender
- SR Real Estate Holdings, LLC - - Financial Advisor for Plan Sponsor
- Meridian Sunrise Village, LLC - - Financial Advisor, Consultant to Counsel (Expert Witness) for Secured Lender
- No Apples II, Moses Lake I, LLC - - Expert Witness for Secured Lender
- Circus and Eldorado Joint Venture, Silver Legacy Capital Corp. - - Consultant to Counsel (Expert Witness) for Debtor
- M Waikiki LLC (Modern Honolulu) - - Consultant to Counsel (Expert Witness Testimony) for Debtor and Plan Sponsor
- MSR Resort Golf Course LLC, et al - - Consultant to Counsel (Expert Witness Testimony) for Secured Lender
- Hostess Brands - - Financial Advisor for Debtor
- Spectre Performance - - Consultant to Counsel (Expert Witness Testimony) for Secured Lender
- Crystal Cathedral Ministries - - Financial Advisor for Debtor
- Great Atlantic & Pacific Tea Company (A&P Supermarkets) - - Financial Advisor for Creditors Committee
- Gottschalks, Inc. - - Financial Advisor, Expert Witness for Debtor
- Nevada Cancer Institute - - Financial Advisor for Debtor
- Station Casinos, Inc. - - Financial Advisor for Debtor
- Eddie Haggar Limited - - Financial Advisor for Debtor
- Circle K - - Financial Advisor for Secured Lender
- Pointe San Diego - - Financial Advisor for Secured Lender

# David Levy



## David Levy

Managing Director

Direct (312) 754-9560  
Cell (312) 909-1696  
Email dlevy@Keen-Summit.com  
Web www.Keen-Summit.com

David is head of the Summit Investment Management and Keen-Summit Capital Partners Chicago office. He responsible for all aspects of business development and execution in connection with the company's distressed debt acquisitions and opportunistic credit transactions, plus real estate brokerage and auction, investment banking, and lease modification and restructuring services. David has more than 13 year's experience in real estate advisory and transaction experience, with particular expertise in workout, bankruptcy, and other special situations.

## EDUCATION, LICENSES, & CERTIFICATES

- MBA, Miami University
- BS, Business Administration/Marketing, Miami University
- Illinois Real Estate Managing Broker
- Illinois Auctioneer
- Illinois Notary
- Wisconsin Auctioneer
- Texas Auctioneer
- Certificate Commercial Investment Member (CCIM) Designee
- Certified Auctioneers Institute (CAI)
- Accredited Auctioneer of Real Estate (AARE)

## REPRESENTATIVE CLIENTS

### FINANCIAL & PRIVATE EQUITY

- Bank of America
- Chase Bank
- BB&T Bank
- Hanmi Bank
- National Credit Union Association

### CLIENTS CATEGORIES

- Bankruptcy and Real Estate Attorneys
- Trustees
- Receivers
- Turnaround Consultants
- US Marshals Service

## PROFESSIONAL AND INDUSTRY EXPERIENCE:

- David has more than 13 year's experience in real estate advisory and transaction experience, with particular expertise in workout, bankruptcy, and other special situations. David began his career in general management and marketing roles for various consumer product companies., and most recently as the Vice President of NRC Realty & Capital Advisors.
- David holds both the Certified Commercial Investment Member (CCIM) and Certified Auctioneers Institute (CAI) designations, making one of fewer than fifty professionals in the United States to hold both. He is a frequent speaker and moderator on real estate restructuring programs, a member of the Turnaround Management Association Chicago/Midwest Board of Directors, and has held various leadership roles on the American Bankruptcy Institute Real Estate Committee.