

WILENTZ

—ATTORNEYS AT LAW—

WILENTZ, GOLDMAN & SPITZER, P.A.

David S. Gordon

Of Counsel

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Practices

Real Estate

Redevelopment

Land Use

Construction Law

Education

J.D., Columbia University School of Law, 1971, *Harlan Fiske Stone Scholar*

B.A., Bucknell University, 1967

Admissions

New Jersey, 1971

New Jersey Supreme Court, 1971

U.S. District Court for the District of New Jersey, 1971

United States Court of Appeals, Third Circuit, 1973

Memberships

American College of Real Estate Lawyers (ACREL), Fellow (1990-Present)

ACREL, Leasing and the Insurance Committees (2011-Present)

ACREL, Programs Committee, Vice-Chair (2012-2018)

ACREL, Communications Committee (2015-2021), Chair (2019-2021)

ACREL, Leasing Committee,

David Gordon is Of Counsel in the Commercial Real Estate and Land Use/Environmental groups at Wilentz, Goldman & Spitzer, P.A. He represents developers, owners, users and other clients in all aspects of complex real estate transactions, with an emphasis on land acquisition and disposition, leasing, development approvals, redevelopment, construction contracts and the structuring of business entities. With regard to his financing practice, Mr. Gordon focuses on construction, interim and permanent mortgage financing, and equity participation. He also represents landlords and tenants in leasing transactions, including industrial, office and retail transactions.

Mr. Gordon has been consistently ranked by *Chambers USA* since 2004 and has been distinguished with a Band 1 ranking since 2012. He has been selected for inclusion in *Best Lawyers in America* list since 2006; including the 2024 list of "Lawyer of the Year" for Real Estate Law. Mr. Gordon has been selected for inclusion in the *Best Lawyers in America* 2025 list for Litigation- Real Estate and Real Estate Law. He has been named in the New Jersey *Super Lawyers* list from 2005-2023 (Top 100 in 2005-2018; Top 10 in 2009).

Chambers USA® (<https://chambers.com/about-us/methodology>) is published by Chambers and Partners.

Best Lawyers in America® (<https://www.bestlawyers.com/methodology>) is published by Best Lawyers.

Super Lawyers® (http://www.superlawyers.com/about/selection_process_detail.html) is published by Thomson Reuters.

The American College of Real Estate Lawyers (<https://www.acrel.org>) is an invitation only membership limited to United States real estate lawyers. See the membership selection criteria and requirements at: <https://www.acrel.org/page/MemberSelectionGuide>.

A description of the selection processes may be accessed via the above

Chairman (2002-2003)

ACREL, Membership Development Committee, Chair (2003-2006)

ACREL, Board of Governors (2005-2010)

NJ-NAIOP, Commercial Real Estate Development Association, New Jersey Chapter, Legal Action Committee (2010-Present, Co-Chair 2010-2011), Legislative Committee (2004-Present, Co-Chair 2008-2009), President's Award (2006), Industry Service Award (2012), Hall of Fame (2015)

Georgetown University Law Center Advanced Commercial Leasing Institute (2004-Present), Co-Chair (2015-2018)

Georgetown University Law Center Advanced Commercial Leasing Institute, Advisory Board and Faculty

New Jersey Institute for Continuing Legal Education, Program Co-Coordinator

links. The aforementioned organizations are private peer review organizations, not court-specific, public certification vehicles. No aspect of this advertisement has been submitted to or approved by the Supreme Court of New Jersey.

A former adjunct professor at Rutgers Law School of advanced real estate transactions, Mr. Gordon has lectured for a variety of groups including the American College of Real Estate Lawyers, the New Jersey Institute for Continuing Legal Education, the International Council of Shopping Centers (US and Canada), the New Jersey chapter of NAIOP, the New Jersey Mortgage Bankers Association, the American Banking Institute, the New Jersey Title Insurance Institute and Lorman Business Services.

Mr. Gordon has been a Fellow of the American College of Real Estate Lawyers since 1990 and has served in a number of leadership roles, including two terms on the Board of Governors and as chair and vice-chair of several administrative and substantive law committees. He is also a former co-chair (2015-2018) and a member of the Advisory Board and Faculty (2004-present) of the *Advanced Commercial Leasing Institute*, presented by Georgetown University Law Center.

Mr. Gordon is a co-contributing editor of the leasing chapter of *Commercial Real Estate Transactions in New Jersey*, published by the New Jersey Institute for Continuing Legal Education, and co-author of *New Jersey Real Estate Forms*, published by LexisNexis Law Publishing. In addition, he is the original contributing editor for New Jersey to *State-by-State Guide to Commercial Real Estate Leases*, published by Wolters Kluwer Law & Business (2013-2016).

Selected Matters

Results achieved in prior matters are not meant to be a guarantee of success as the facts and legal circumstances vary from matter to matter.

- Representation of a subtenant in the negotiation of a sublease for 600,000 square feet in a 1.1 million square foot newly constructed office tower on the "Gold Coast" in Jersey City
- Representation of a landowner/redeveloper in the sale and redevelopment of brownfields industrial site to public improvement authority, including ground lease, redevelopment agreement, general construction contract for \$34.6 million multi-purpose entertainment facility (arena), and issues involved in related public financing
- Representation of an owner/developer of a 300-acre 18-hole private golf course including land acquisition, land use development, and environmental approvals, the construction contract for a \$5 million clubhouse, and membership-related issues
- Representation of several affiliated entities of Frank A. Greek & Son, Inc. in over 9.5 million square feet of industrial leases
- Representation of a purchaser of an aging traditional, enclosed regional shopping mall with a national retailer pad owner, and negotiation for de-malling of the facility for conversion to a big box

- power center, including negotiation of ground leases with three national big box retailers
- Representation of a redeveloper of a three-building urban redevelopment project in Perth Amboy comprised of a 535-vehicle multi-level parking deck and 249 units of lower and moderate-income rental apartment units and approximately 60,000 square feet of ground-level commercial/retail space. The project involved ground and air rights leases, numerous cross-easements and operating covenants, equity investment by syndication of approximately \$51,000,000.00 of investment tax credits, approximately \$65,000,000.00 of construction financing, three permanent loans from the New Jersey Housing Mortgage Finance Agency (residential project - \$13,200,000.00) and a direct investment loan by Bally's Park Place, Inc. through the Casino Reinvestment Development Authority (\$11,000,000.00-commercial project)
 - Representation of a seller of 10-property, 1.4 million square foot, 15-building portfolio to a privately owned real estate investment trust; included work obtaining environmental approvals
 - Representation of sellers of 5-property, 1.1 million square foot, 7-building portfolio to a privately owned real estate investment trust; included work obtaining environmental approvals
 - Representation of borrowers in a \$91 million composite real estate finance facility involving a 10-year flexible credit facility providing for LIBOR-based and commercial paper financing
 - Representation of sellers of multi-location supermarket facilities including subleases and leaseback arrangements
 - Representation of a tenant in leasing of single user office building for a national headquarters facility and leasing of temporary operations space for use during relocation
 - Representation of three separate pharmaceutical company tenants for office, manufacturing, and laboratory facilities in New Jersey, Massachusetts, and North Carolina
 - Representation of a minor league hockey franchise in the negotiation of the license agreement for use of a multi-purpose arena as an "anchor" licensee
 - Representation of approximately 19 general partnerships in the roll-up merger into 5 new limited liability companies, including related environmental approvals
 - Representation of a borrower in restructuring of a \$90 million secured credit facility involving multiple properties, turnover of several properties to the lender, and additional working capital credit facility, for capital improvements to retained properties
 - Representation of a lender in the workout of a default by the owner/operator of a national flag hotel and office facility under a multi-million dollar refinancing and future development credit facility