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EDUCATION:

University of Chicago Law School, J.D.
Loyola University-Chicago, B.S., cum laude
University of Wisconsin- Madison,
University of Wisconsin – Madison – Certificate in Distance Education in Higher Education (in progress)

PROFESSIONAL EMPLOYMENT:

University of Louisville, Brandeis School of Law
Petrillo Distinguished Visiting Professor, Fall 2012

Loyola University School of Law
Visiting Professor of Law, Spring 2007
Courses taught:
Real Estate Transactions
Commercial Leasing Transactions

The John Marshall Law School
Professor
Director, LL.M. in Real Estate Law,
Director, Center for Real Estate Law, appointed at inception April 1996

Courses taught:
Property
Contracts
Real Estate Transactions
Commercial Leasing
ADR in Real Estate Disputes: Mediation and Arbitration
Real Estate Finance
Seminar: Real Estate Development Process: Case Study of John Marshall Law School Expansion
Predatory Lending in Residential Housing Market
International Aspects of Real Estate
Independent Study- supervise LLM students in scholarship
Real Estate Legal Practicum – externship in private law settings
Real Estate Sites – a Practical Way to Understand the Law
Climate Change Law

Orlikoff, Prins, Flamm & Susman,(Chicago), associate

Cook County Legal Assistance Foundation, staff attorney and director, Family Law Practice
Chicago Legal Aid Bureau, staff attorney
Professor Kenneth Culp Davis, University of Chicago Law School, research assistant

RECENT PUBLICATIONS:

Books:

COMMERCIAL LEASING: A TRANSACTIONAL PRIMER, (3RD ed. 2020, Carolina Academic Press (with Bogart and Marsh) and TEACHERS MANUAL).

Modern Real Estate Finance and Land Transfer- a Transactional Approach, Aspen (with Bender, Madison and Zinman) (4th ed. 2008); (5th ed. 2012); (6th ed. 2018 and Teacher's Manual).

Chapters in Books:

"Auctions of Non-Distressed Real Property," *Powell on Real Property Law*, (in progress)

"Duty of Good Faith and Fair Dealing in Leasing," chapter in *Commercial Leasing Negotiations Handbook*, Edward Chupack, editor, ALI –ABA, (2006).

"Forward," *The Commercial Lease Formbook – Expert Tools for Drafting and Negotiations*, D. Horn, editor, ABA Section of Real Property Probate and Trust Law, with Greenwald (2004)

"Transfer by Deed," Chapter 81A, *Powell on Real Property Law*, Matthew-Bender, 1999.

"Reverse Mortgages: A Financial Planning Device for the Elderly" Chapter in *Reverse Mortgages- A Lawyers Guide to Housing and Income Alternatives*, D. Bridwell & C. Nauts, American Bar Association (1997)

"Landlord Tenant Relationship," *Family Legal Guide* (Chapter in Book), American Bar Association (1994) (with Michael Pensack)

"Statute of Frauds & Oral Arguments," Chapter in *Real Estate Practice & Litigation*. B. Quail ed., Shepard's McGraw Hill, 1991 with pocket parts

Articles

1)

"Locked Down and Locked Out- Real Estate Lessons During the Pandemic and Suggestions for the Future: Case Law Update", *ACREL PAPERS* (2023) (with Homburger, T., Brown, C., & Smith, J.)

"Repurposing Golf Courses and Other Shared Community Amenities: A Tit for a Tat," American College of Real Estate Lawyers (ACREL)/American Law Institute (ALI) Papers, fall 2019.

"Climate Change: Limitations of the Legal System in Addressing the Threats," IAFOR, to be published 2019.

"Repurposing Golf Courses and Other Amenities that Burden the Land Forever- A Transactional Perspective," 52 J. Marshall. L. Rev. (2019 publication date)

"Students in a Menu of Law Degrees Providing Context for Understanding and Learning the Transactional Attorney's Role," 20 *TRANSACTIONS: The Tennessee Journal of Business Law* 627 (2018)

“Integrating Adjunct Faculty into Teaching Real Estate Transactions: Can Transactions Be Taught at a Distance?” 53 *Wake Forest Law Review*, Issue 5 (2019).

“Integrating Transactional Skills into Business Law Courses: Can These Be Taught Online?” 18 *Tenn. J. Bus. L.* (2016)

“Connecting the Dots: Fracking, Energy Sources, Climate Change & Real Estate,” 49 *John Marshall Law Review* (2016) .

“Climate Change for Transactional Lawyers: Biggert Waters Flood Insurance Reform Act of 2012, *Harvey Cedars v. Karan*; and other Recent Developments,” *The ACREL Papers, ALI/CLE*, Fall 2014, p. 121 (2014).

“Evolving Role of Transactional Attorneys for Clients Adapting to Climate Change,” 47 *John Marshall Law Review* (2013)

“The Global Subprime Mortgage Crisis as Explained by the Contrast between American Contracts Law and Civil Law Countries’ Laws, Practices and Expectations in Real Estate Transactions: How American Lack of Informed Consent Contributes to the Global Crisis in Subprime Mortgage Investments as Does the Absence of the Civil Law Notary,” 11 *Hofstra University Journal of International Business and Law* 133 (2012) <http://ssrn.com/abstract=1951129>

Foreword, *Real Estate Law and Practice Symposium: “40th Anniversary of The Quiet Revolution in Zoning and Land Use Regulation”*, 45 *John Marshall Law Review* xxiii (2012).

Preview of United States Supreme Court Cases, “*First American Financial Corp. v. Edwards*,” published by American Bar Association, November 2011.

“Integrating Doctrine and Skills in First Year Courses: A Transactional Attorney’s Perspective,” 17 *Legal Writing: Journal of the Legal Writing Institute* 409 (2011) <http://www.ssrn.com/abstract=1951131>

Foreword, *Real Estate Law and Practice Symposium: “Water as a Resource: Implications for Real Estate Ownership, Development and Public Policy”*, 43 *John Marshall Law Review* xxiii (2010)

“Borrowing from the B Schools: The Legal Case Study as Course Materials for Transaction Oriented Elective Courses: A Response to the Challenges of the MacCrate Report and the Carnegie Foundation for Advancement of Teaching Report on Legal Education,” 11 *Transactions* 9 (2009).

“The Use of Real Estate Auctions in Commercial Short-Sales,” (with Craig Post), *ABA Probate & Property*, March 2009.

“Subprime: Real Estate Frauds, Mortgage Frauds, and Legal Certainty,” *Center for Real Estate Law Newsletter*, John Marshall Law School (2008)

Legal Case Study, “Real Estate Auction of United Homes, Inc. Portfolio- A Legal Case Study,” with Steven Good and Dr. Margot Weinstein , <http://papers.ssrn.com/abstract=1446951>

“Let the Bidding Begin: America for Sale- Real Estate Auctions,” *ALI ABA/ACREL Papers* Fall 2008.

Introduction, *Real Estate Law Symposium*, 40 *John Marshall Law Review* xix (2007)

“Rules Concerning Marital Property and Successions in the United States,” *Civil Law – Common Law – Sviluppo Economico E Certezza Giuridica Nel Confronto Tra Sistemi Diversi*, Congresso Nazionale de Natariato (2006)

“Real Estate Auctions – Legal Concerns for an Increasingly Preferred Method of Selling Real Property,” (with Good), 40 *Real Property Probate & Trust Law Journal* 765 (2006).

"Predatory Lending – A Legal Definition and Update," 34 *Real Estate Law Journal* 176 (Fall 2005)

"Arbitration Advocacy: From Clause to Hearing" (with Mayer), 28 *American Journal of Trial Advocacy* 1 (2005)

"Unauthorized Practice of Law: How Transactional Lawyers Can Avoid It," *Probate & Property* (July/August 2005)

"Making Servitudes, Takings and Public Policy More 'Real' for First Year Property Students by a Video Visit to The Sea Ranch, A Planned Community in Northern California," VIDEO prepared January 2004 and used in Property as Course Materials; published to attendees at AALS Conference on Teaching Property Law, June 15-18, 2004

Foreword, Real Estate Symposium issue, "Real Estate in Bankruptcy: A Look Backwards for a Better View of the Future," 38 *J. Marshall L. Rev.* 1, (2004)

Dedication to Adjunct Professors Samuel T. Lawton, Jr. and Harold Levine, 37 *J. Marshall L. Rev.* 1 (2003)

"The (Pre) (As)Sumed Consent of Commercial Binding Arbitration Contracts: An Empirical Study of Attitudes and Expectations of Transactional Lawyers," 36 *J. Marshall L. Rev.* 589 (2003).

"Arbitration Advocacy: From Clause to Hearing," (with Jeffrey J. Mayer), International Council of Shopping Centers (ICSC) Program Materials, October 22, 2003

"Predatory Lending – A Perspective for the Mortgage Attorney," *The Corporate Lawyer*, July 2001; reprinted in *Commercial Banking & Bankruptcy Section Newsletter* of ISBA Fall 2001

"Landlord Remedies in Commercial Leasing – A Surprising Lack of Uniformity," *Shopping Center Legal Update*, (2001)

"Dream Home Nightmare," VIDEO News Release, American Bar Association, August 29, 2000

"Banking on Their Homes: Reverse Mortgages Can Provide Cash Up Front," 86 *A.B.A.J.* 62 (2000)

"Commercial Landlord's Remedies – Has the Property Paradigm been Replaced by Contract Rules?" *The ACREL Papers*, Fall 1999, ACREL/ALI-ABA

Foreword, "Common Interest Communities: Evolution and Reinvention," Symposium: The Robert Kratovil Memorial Seminar in Real Estate Law: Reinventing America's Master Planned Communities, 31 *John Marshall Law Review* 300 (1998).

"For Adjunct Faculty, Try a 'Teach In'," Gonzaga University School of Law, Institute for Law School Teaching, (1998), <http://www.law.gonzaga.edu/404.asp>

"Reverse Mortgages: A Primer for Illinois Lawyers," *DuPage County Bar Brief*, May, 1996

Reporter, *Illinois Law Digest*, Martindale Hubbell, 1994 - 2007

"Reverse Mortgages, A Financial Planning Tool for the Elderly," 1 *Elder Law Journal* 75 (1993). Edited version reprinted - Lawyers Guide to Retirement (2d ed) ABA 1994, (3d ed) ABA (1995)

"Survey of Illinois Law: Real Estate Finance," 16 *SIU Law Journal* 999 (1992)

"The Illusions of Reform: Illinois Statutory Tenancy by the Entirety, (with Otto), 78 *Ill. B.J.* 198 (1990)

Book Review, "Real Estate Law" by Robert Kratovil, 22 *Marshall Law Rev.* 781 (1989).

Reporter, N.E. 2d Region to ABA Section on Real Property, Probate, and Trust, 1990-93

Current Developments in Real Estate Law, Annual Survey 1990 ABA Section on Real Property, Probate and Trust Law

Scholarship in Progress

The Force of Freddie Mac and Ginnie Mae: Casualty Insurance Requirements in Secondary Mortgage Market-Worse than 2008 Recession,” December 2023.

“Benefit Corporation Awareness in the Accounting and Legal Fields: a Key Enabler of Social Progress,” with C. Rigsbee, C Jessup, S. Black and J. Wasik (empirical research on attitudes of professionals about approaching for profit enterprises that take into consideration climate change). [CITI Group 2, HSP, Social/Behavioral Research Investigators and Key Personnel certified 12/1/19]

“Business Must Consider Sustainability as Integral Part of Goals,” article for BRAUN Conference October 30, 2020.

Newspaper Articles and Interviews

BISNOW: “Real Estate Investors Continue to Roll Dice on Disaster-Prone Assets. Feb 18, 2018 interview by Julie Littman, <https://www.bisnow.com/national/news/captiatl-markets/real-estate-investors-continue-to-roll-dice>

Guest Interview, *Re: Sale of Willis Tower Property: Chicago is the Next Place to Invest in Commercial Real Estate*, NBC channel 5 interview (March 4, 2015 and March 6, 2015)

“A Good Location Means Access to Waterways,” 156 *Chicago Daily Law Bulletin* 168 August 27, 2010 (with Virginia Harding)

“A Look at Arbitration Clauses and Mechanics Lien Laws,” 156 *Chicago Daily Law Bulletin* 124, June 25, 2010 (with Virginia Harding)

“Why Real Estate Lawyers Need to Know About Geology,” 156 *Chicago Daily Law Bulletin* 105, May 28, 2010 (with Virginia Harding)

“The 800-Pound Gorilla in the Green Building Movement,” 156 *Chicago Daily Law Bulletin* 85, April 30, 2010 (with Virginia Harding)

“Pricing Water to Encourage Conservation: IT Sometimes Works But It’s Complicated,” *Chicago Daily Law Bulletin*, March 27, 2010 (with Virginia Harding).

“Revisiting Receiverships,” *Chicago Daily Law Bulletin*, February 26, 2010 (with Virginia Harding)

“Addressing Water Conservation and Real Estate,” 156 *Chicago Daily Law Bulletin* 20, January 29, 2010. (with Virginia Harding)

“Are Water Wars Coming?” Real Estate Legal Update column, 155 *Chicago Daily Law Bulletin* 237, December 4, 2009 (with Virginia Harding).

Interview, *Sole 24 Ore*, “Subprime Mortgage Crisis: Fraud and Certainty,” January 28, 2008, Turin, Italy.

Interview, *Sole 24 Ore*, “Pavarotti’s Wills,” Question and Answers to the Italian Press about the Enforceability of Pavarotti’s second, *situs* will, in New York; the likelihood of it being enforced by American system, September 30, 2007 (in Italian)

Interview, *Chicago Tribune*, Real Estate Section, "Today's Buyers Can Learn from Mistakes Made by Buyers in Past," July 25, 2007

Interview, *American Bar Journal*, for article about "Mortgage Fraud," May, 2007

Interview, *Chicago Tribune*, article about Real Estate Foreclosures, Quoted March 26, 2007.

"Commercial Deals Need Strategic Lawyers," *Illinois Real Estate Journal*, August 2005, p. 22 (author and editor, monthly column on Commercial Real Estate Law)

Interview, *Morning Call*, "Some Lessons for Would-Be Landlords," January 8, 2005

Interview, *The Washington Post*, "Would-Be Lessors Must be Learners; Pitfalls Lurk in Location, Tenant Selection, Outsourcing Issues," January 8, 2005

Interviewed and produced for viewing, ABC News *Peter Jennings Worldwide News*, "Mandatory Arbitration of Consumer Disputes," broadcast, February 25, 2005

Interview, Chinese Television Political and Law Channel from Changsha Province, "Property Rights in the United States," July 14, 2005 (at request of American Bar Association's Strategic Communication and Planning Office)

Interview, *National Real Estate Investor*, "Land Use Conflicts on the Rise," November, 2004

Interview, *National Real Estate Investor*, "Interpreting the Law of the Land," November, 2004

Interview, *The News- Gazette*, "Arbitration Clause in Legal Agreements Limits Consumers' Recourses," October 31, 2004

Interview, *Time Magazine*, "Ask Francine- Bonus Section: Generations," quoted, September 27, 2004

Interview, *Chicago Tribune*, "You Can't Take It With You ---Or Can You?: Items from Chandeliers to Refrigerators May Be Up for Grabs During Home Sales," November 21, 2003

Interviews, from list of experts maintained by National Center for Consumer Law (Washington D.C.) : *Anchorage Daily News*, "Consumers Increasingly Sign Away Their Day in Court," August 26, 2003; reprinted *Houston Chronicle*, September 8, 2003

Las Vegas Sun, "Forgo Day in Court: Arbitration Clauses May Cost Consumers the Right to Sue Vendors," August 31, 2003 *Equipment Dealer*, "Mandatory Arbitration: The Pro's and Con's," October 29, 2003 *News-Press (Fort Meyers)*, "Arbitration Now Favored Venue for Businesses," September 10, 2003

Interview, *New York Times*, article on Screening of Residential Tenants and the Legal Consequences,

Interview, *Chicago Lawyer*, "Law Schools- Everyone Wants In," September, 2003

Interview, *Christian Science Monitor*, "Non-Romantic Partners Buy a Home: Pitfalls and Advice," August 23, 2001

Interview, *Money Magazine*, "Using a Mortgage Broker to Obtain a Loan," August 21, 2001

Interview, *Newsweek*, "The New Normal," life after 9/11 from standpoint of Property Law (2001)

Interview, *Bloomberg Personal Finance*, "Mortgage Websites Can Be Key Financing Tools, If Used with Caution," quoted at p. 51, June 2001

Interview, *Chicago Tribune*, "Don't Let Mortgage Problems Reach the Foreclosure Stage," published July 1, 2001

“Tips for Buying Your First Home – A Condominium,” *ABA Video News*, July 2000, video broadcast throughout the United States.

Interview, *Channel 7, ABC News*, “the New State Residential Homeowner Disclosure Law,” videotaped, September 20, 1994

LECTURES, CONFERENCES AND PUBLIC SERVICE (selected):

Academic conference BOLD academic year 2020 to 2021

“Benefit Corporation Awareness: A New Approach to Sustainability” with Profesor Carolee Rigsbee, BRAUN Conference, October 30 ,m 2020 U of IC JMLS.

Academic Conferences:

“Artifact Eart: Comment on “Infrastructure” by Braden Allenby,” Anthropocene Lab (UIC), May 9, 2022,

“Repurposing Golf Courses and Other Common Interest Community Amenities: a Tit for a Tat,” American College of Real Estate Lawyers (ACREL), Annual Meeting October 2019 Montreal Canada

Invited participant in interdisciplinary multi-university Center for Urban Environmental CURES WORKSHOP. August, 2019

Presenter, IAFOR International Conference on Sustainability, Energy & the Environment, University of Hawaii Manoa, “Climate Change: Limitations of the Legal System in Addressing the Threats,” January 5, 2019 (Hawaii).

Presenter, Kratovil Conference on Real Estate Law & Practice, “Repurposing Golf Courses,” October, 2018, John Marshall Law School (Chicago).

Presenter, Emory University School of Law Center for Transactional Law & Practice, “Students in a Menu of Law Degrees Provide Context for Learning and Understanding the Transactional Attorneys Role,” CONFERENCE: To TEACH is to LEARN TWICE; FOSTERING EXCELLENCE IN TRANSACTIONAL LAW & SKILLS EDUCATION, June 1-2, 2018, Atlanta, GA.

Moderator, Kratovil Conference on Real Estate Law & Practice, “MURR v. WISCONSIN PRODUCES MURKY RESULTS IN REGULATORY TAKINGS LAW”, John Marshall Law School, Center for Real Estate Law, September 28, 2017, Chicago

(Invited) Presenter, “Keeping the ‘Real’ World in Real Estate Transactions: New Ideas, Best Practices, and Partnership Opportunities to Strengthen Teaching and Scholarship,” Association of American Law Schools (AALS), Annual Meeting January, 2017.

Presenter, “Protecting Residential Tenants in Foreclosed Properties: Chicago’s Experience in Keep Chicago Renting Ordinance (KCRO),” Society of American Law Teachers (SALT), John Marshall Law School, September 27, 2016.

Presenter, Emory University School of Law Center for Transactional Law & Practice, 2016 Transactional Law Conference, “Integrating Transactional Skills into Business Law Courses: Can These be Taught ONLINE?” June 11, 2016, Atlanta

Moderator and Presenter, “Climate Change Science for Lawyers,” John Marshall Law School, Centers for International Business & Trade, Intellectual Property and Real Estate Law, April 1, 2015.

Presenter, “The Exploding Post-Graduate Degree: Alternative Degrees, ON LINE Degrees and Economics,” Association of American Law Schools (AALS) January 4, 2015.

Invited Participant, "Climate Change: The Adaptation of Retreat," Study Space VII, Georgia State University Law School, University of Barcelona, Duke University Law School May 2-10, 2014 Barcelona Spain

Presenter, "Regulating Environmental Externalities: Advising and Representing the Client Adapting to Climate Change," Association for Law, Property and Society (ALPS), International Conference, Vancouver, British Columbia May 2, 2014.

Presenter, "Post JD Academic Programs for Non Attorneys: Salvation for the Law Schools?," Association of American Law Schools (AALS), Annual Meeting, New York, New York, January 5, 2014.

Presenter, "Evolving Role of the Transactional Attorney as Clients Adapt to Climate Change," Kratovil Conference on Real Estate Law & Practice, John Marshall Law School, September 26, 2013.

Presenter, "Greening Commercial Leases: A Business Response to Climate Change and Environmental Goals," Environmental Law Program Colloquium Series, University of Hawaii Richardson School of Law, October, 2012.

Introduction: "40th Anniversary Quiet Revolution in Zoning and Land Use Regulation," 12th Kratovil Conference on Real Estate Law & Practice, October 20, 2011, John Marshall Law School Chicago Illinois

Lecture, "Pre-dispute Arbitration Clauses in Transactional Documents," University of Tennessee College of Law, October 21, 2010.

Program moderator, "Water as a Resource: Impact on Real Estate Ownership, Development and Land Use Policy," Kratovil Conference on Real Estate Law & Practice, John Marshall Law School, Chicago, November 1, 2009

Presenter, "Integrating Doctrine and Skills in First Year and Elective Courses: A Transactional Lawyer's Perspective", Yes We CARNegie: Change In Legal Education after the Carnegie Report, The John Marshall Law School, July 29, 2009, Chicago, Illinois

Lecture, "Using Legal Case Studies to Teach Transactional Courses," Association of American Law Schools (AALS), Workshop on Teaching Transactions, June 10-13, 2009 Long Beach, CA.

Lecture, "Real Estate Auctions as Preferred Method for Selling Real Property: Advantages and Limitations," University of Hawaii College of Law, February 22, 2009, Honolulu, Hawaii.

(Invited) Presenter, "An Exploration of Different Types of Graduate Real Estate Programs," (with Susanne Cannon (DePaul); David Funk (Cornell); Jim DeLisle (U of Washington); Farris (Clemson), American Real Estate Society (ARES), April 2008, Captiva Island, Florida

Visiting Scholar Lecturer, "Comparative Law Analysis: Belgian and American Succession Laws," Vrije Universiteit, January 21, 2008, Brussels, Belgium.

Presenter, "Build Them and They Shall Come: Responsible Growth of Post JD Degree Programs," Association of American Law Schools (AALS) Annual Meeting, January 4, 2008, New York, New York.

Program chair, Kratovil Conference on Real Estate Law & Practice, "Commercial Lease Transactions: The Lifeblood of the Real Estate Industry," John Marshall Law School, October 19, 2007

Presenter, "Marketing LL.M. Programs in an Era of Fierce Competition," Association of American Law Schools (AALS) Annual Meeting, January 5, 2007, Washington, D.C.

Moderator, "The Takings Clause Clarified by the U.S. Supreme Court: *Lingle v. Chevron*, Regulations, Exactions and Eminent Domain," Kratovil Conference on Real Estate Law & Practice, John Marshall Law School, September 29, 2006, Chicago

Moderator, “Martin Luther King and the Tenants’ Rights Movement: Reform Litigation, the Model Residential Tenant Code, the Uniform Act and the Chicago RLTO,” Conference: What has King Wrought? The Impact of the Summer of 1966 on Housing Rights, John Marshall Law School, September 8-9, 2006.

Presenter, “International Arbitration,” Transatlantic Perspectives on ADR, St. John’s University School of Law and the Chartered Institute of Arbitrators, July 26-28, 2006, London, England.

Presenter, “Symposium Issues in Law Reviews: Benefits and Concerns,” National Conference of Law Reviews, March 22-24, 2006, Chicago.

Presenter, “Post Graduate Programs for Non-Lawyers: Another Way to Bridge the Gap between Practice and Law School,” Association of American Law Schools (AALS), Section on Post- Graduate Legal Education, January 6, 2006

Moderator, “Predatory Home Lending – Moving Toward Legal and Policy Solutions,” Fair Housing Legal Support Center, The John Marshall Law School, September 9, 2005

Presenter: “Predatory Lending: A Legal Definition and Update,” American Real Estate Society Annual Meeting (ARES), April 15, 2005, Santa Fe, New Mexico (invited)

Presenter: “Post JD Programs: A Survey of Student Scholarship Requirements,” Association of American Law Schools (AALS), Annual Meeting, January 6, 2005 San Francisco

Presenter, “Making Servitudes, Takings and Public Policy More ‘Real’ for First Year Property Students- A Video Visit to The Sea Ranch, A Planned Community in Northern California,” Association of American Law Schools (AALS) Conference on Teaching Property Law for the 21st Century, June 15-18, 2004 Portland, Oregon (invited)

Program Moderator, Kratovil Conference on Real Estate Law and Practice, “Real Estate in Bankruptcy: A Look Backwards for a Better View Forwards,” May 21, 2004, Chicago

Presenter, “Real Life Learning (a/k/a Bringing the World of Practice Into the Classroom),” *Essential Skills for Adjunct Law Professors*, Gonzaga University School of Law, Institute for Law School Teaching, June 7, 2003 Chicago

Co-moderator of Plenary Session, *Symposium on Market Failures and Predatory Lending – Setting the Foundation for Reform*, invitation only conference, May 17-18, 2003, National Consumer Law Union, The Woodstock Institute and John Marshall Law School

Moderator of panel, “Public/Private Cooperation in Managing Urban Growth,” Association of American Law Schools (AALS), Annual Meeting, program of Real Estate Transactions, January 5, 2003, Atlanta

Panelist “Predatory Lending: Learning to Love It in Law School,” Association of American Law Schools (AALS), Annual Meeting, program of Real Estate Transactions Section, January, 2003, Atlanta

Speaker, “Distance Learning- Should We Follow the Socratic Method,” Association of American Law Schools (AALS), Annual Meeting, program of Post JD Legal Education Section, January 2003, Atlanta

Presenter, “Maintaining Quality and Generating Revenues in Post Graduate Programs,” Association of American Law Schools (AALS), Annual Meeting, program of Post JD Legal Education Section, January, 2003, Atlanta

Presenter, “Distance Learning- Should We Continue to Use the Socratic Method?” Association of American Law Schools (AALS) Annual Meeting, program of Section on Post JD Legal Education, January, 2002, New Orleans.

Presenter, “Title Insurance – an American Phenomena”- University of Costa Rica, San Jose Costa Rica, March 2002

Presenter, “Real Estate Law in the 21st Century: Restatements, REIT’s and Uniform Laws,” Kratovil Seminar in Real Estate Law, The John Marshall Law School, October 1998

Presenter, “American Land Title Assurance System”- University of Pretoria Law Faculty May 24, 1996 South Africa

“The American Real Estate Lawyer’s Role: If It’s Ok With the Title Company, It’s Perfect,” keynote speaker, Pretoria Attorneys Association, May 23, 1996, Pretoria, South Africa

Panel Moderator, “Challenges to American Real Estate Investment in Transitioning Countries: China, South Africa and Eastern Europe,” Kratovil Seminar in Real Estate Law, John Marshall Law School, September 1995

Panelist, “Solutions to the Affordable Housing Crisis,” Kratovil Lecture in Real Estate Law, John Marshall Law School, September 28, 1994

Lectures to Professional Associations and Continuing Legal Education:

ACREL: October 2023 Denver, Colorado “Real Estate Resiliency: Dive into Water Related Disasters ad Challenges Impacted by Climate Change,” Session Leader

ACREL October 2022 Chicago, Illinois “COVID: Caselaw on Response of Courts to Impact on Real Estate”.

ACREL October 2019 Montreal Ca “Repurposing Golf Courses”

Presenter, “Repurposing Golf Courses: an Amenity in Shared Ownership Communities that Burdens Development of the Land,” IICLE March 6, 2019 (Chicago).

Presenter, American College of Real Estate Lawyers (ACREL), annual meeting, “Formative Assessments in Real Estate Courses – an ABA Requirement,” October 15, 2018, New Orleans, LA.

Moderator, Ethics for the Transactional Attorney, CLE May 2, 2018, John Marshall Law School

Presenter, “Murr v. Wisconsin Produces Murky Results in Regulatory Takings Law,” American College of Real Estate Lawyers (ACREL) Report to Land Use and Environmental Law Committee, October 21, 2017, Los Angeles, CA.

Participant, 4th National Climate Change Assessment Workshop, March 1, 2017.

Presenter, “Climate Change Update and Real Estate,” Center for Real Estate Law, JMLS May 12, 2015

Moderator, “Ethics for Transactional Attorneys,” John Marshall Law School, Center for Real Estate Law, May 2015

Presenter, American College of Real Estate Lawyers (ACREL), annual meeting, October 17, 2014: “Climate Change: Legal Implications for Commercial Real Estate Industry and their Attorneys,” Boston Mass.

Presenter, “Transactional Attorney’s Role in Arbitration of Business Disputes, CLE, Center for Real Estate Law, John Marshall Law School, April 22, 2014.

Presenter, “Ethical and Professional Implications of Climate Change for Transactional Lawyers,” Ethics for Transactional Lawyers, CLE program, Center for Real Estate Law, John Marshall Law School, May 14, 2014

Moderator, Midwest Real Estate, the Future,” panel on Legal Update Jan 2014

Presenter, “Recent Developments in Leasing, *Ask a Professor Program*, American Bar Association Property Probate and Trust Law Committee May 2013

Moderator, “Ethics for the Transactional Lawyer,” CLE program, the John Marshall Law School Center for Real Estate Law, May 2013

Moderator, “Demystifying Green Construction- Public Sector,” CLE program, the John Marshall Law School Center for Real Estate Law, November 2012

Moderator, “Urban Agriculture- a New Industry that Requires Transactional Lawyers,” CLE program, the John Marshall Law School Center for Real Estate Law, October 2012

“Ethics in Transactional Practice,” moderator, John Marshall Law School, May 2012

“Ethics in Real Estate Transactions,” panelist, Center for Real Estate Law, John Marshall Law School, May, 2010.

(invited) Speaker, 19th Annual International Conference of American Real Estate and Urban Economics Association (AREUA), “American Contracts and Property Laws: Lack of Subjective Consent Requirement Contributes to Global Sub Prime Mortgage Fraud,” Rotterdam, Netherlands, June, 2010.

Speaker, 44th National Congress of Italian Civil Law Notaries, “Global Legal Standards: Common Rules to Protect Property & Businesses,” October 21-24, 2009, Venice, Italy

Panelist, Goldie B. Wolfe Miller Forum- “Surviving and Thriving in the post-Recession Landscape,” Marshall Bennett Institute of Real Estate, Roosevelt University, October 7, 2009 Chicago, Illinois.

Speaker: “Real Estate Auctions,” (with Alan Kravets) Lorman July 20, 2009

Speaker, “Ethics and Professionalism in Transactional Negotiations,” CLE Program on Ethics and Professionalism for the Transactional Lawyer, John Marshall Law School, May 1, 2009.

Speaker, “Let the Bidding Begin: America for Sale- Real Estate Auctions are Hot,” 2008 Real Estate Law Conference, Chicago Daily Law Bulletin, October 25, 2008, Chicago.

“Let the Bidding Begin: America for Sale-Real Estate Auctions,” American College of Real Estate Lawyers (ACREL) annual meeting, October 2008, San Francisco, CA.

Speaker, CLE program on Ethics for the Real Estate Transactional Lawyer, Center for Real Estate Law, John Marshall Law School, April 5, 2008

Panelist with Professor Ugo Mattei, Legal Forum of Congress of Italian Notaries, “Subprime: Real Estate Frauds, Mortgage Frauds, and Legal Certainty,” January 28, 2008, Turin, Italy

Presenter, “Efficiency: Civil Law Notaries or American Title Insurance,” European and International Commission of Civil Law Notaries Meeting, January 22, 2008, Brussels, Belgium

“Drafting Appropriate Arbitration and Mediation Clauses for Commercial Real Estate Transactions,” panelist, 2007 Real Estate Law Conference, *Daily Law Bulletin*, October 4, 2007, Chicago

“Auctions as Marketing Devices for All Categories of Non-Distressed Real Estate- A Future Trend,” American Bar Association, Real Property Probate & Trust Law Section, Annual Meeting, April 27, 2007, Washington, D.C.

“Arbitration Advocacy: From Clause to Hearing,” (with Jeffrey Mayer), American Bar Association, Dispute Resolution Section, Annual Meeting, April 5, 2006, Miami, Florida.

“Letters of Intent as Pre-Negotiation Contracts in Commercial Leases,” Real Estate Short Course, Illinois Institute of Continuing Legal Education (IICLE), November 16, 2005, Oakbrook, Illinois.

“Legal Update,” International Council of Shopping Centers (ICSC), October 27, 2005 Phoenix, Arizona

“Civil Law – Common Law: Economic Development and Legal Certainty within Different Legal Systems: Rules Concerning Marital Property and Successions Law in the United States,” 41st Congress of Italian Notaries, September 19, 2005, Pesaro, Italy

“Letters of Intent: Concepts of Good Faith and Fair Dealing,” Commercial Real Estate Leases- Selected Issues in Drafting and Negotiating in Current Markets, 22nd Annual Advanced ALI-ABA Course of Study for Landlord, Tenant and Lender Counsel, Chicago, June 2, 2005

“Expectations and Attitudes of Transactional Attorneys about Arbitration,” American Bar Association, Dispute Resolution Section, *Second Annual Arbitration Institute: A Comprehensive Training in Commercial Arbitration*, May 19, 2005, Chicago

“ Letters of Intent – a Duty of Good Faith,” Leasing Techniques for Corporate Real Estate Course, presented by International Association of Attorneys and Executives in Real Estate (AECRE), Center for Real Estate Law at John Marshall Law School and DePaul Center for Real Estate, April 29, 2005, Chicago

“Ethical Responsibilities of Attorneys Have an Impact on the Way Their Clients Do Deals,” Illinois Certified Public Accountants Society, April 21, 2005

“Unauthorized Practice of Law: A Commercial Lender Needs to Know,” American College of Mortgage Attorneys (ACMA), October 1, 2004, Whistler, B.C.

“Commercial Leasing Ethics and Professional Responsibility,” Commercial Real Estate Leases: Selected Issues in Drafting & Negotiating in Current Markets, ALI-ABA, June 3, 2004, San Francisco

“Letters of Intent,” Commercial Real Estate Leases: Selected Issues in Drafting & Negotiating in Current Markets, ALI-ABA, June 3-4, 2004, San Francisco

“Arbitration Advocacy: From Clause to Hearing,” Chicago Bar Association, Real Property Law Committee, May 26, 2004

“Arbitration: Advocate for Your Real Estate Client,” Chicago Mortgage Attorneys Association, April 13, 2004

“Recent Developments in Title Insurance Law,” 15th Annual ABA Real Estate Symposia, March 13, 2004, Seattle, Washington

“Teaching Minority Lawyers about Commercial Real Estate Practice”, ABA Real Property Probate & Trust Law, May 14, 2004, Seattle, Washington

“Overview of Easements: Property I Lecture,” Lorman Educational Services CLE program, December 2, 2003, Chicago

“New Tricks – Teaching Transactions Effectively,” American College of Real Estate Lawyers (ACREL), October 25, 2003, New Orleans

“Can Sam Play It Again?” Back to Law School as an Adjunct Professor” American College of Real Estate Lawyers (ACREL), October 25, 2003, New Orleans

“Arbitration Advocacy: from Clause to Hearing,” International Council of Shopping Centers (ICSC), October 22, 2003, Palm Desert, California

“ADR Skills in International Legal Education,” International Bar Association, September 15, 2003, San Francisco, California

“Buying Land for Development,” American Bar Association, Real Property Probate & Trust Law Section’s Minority Lawyer Training Program, September 11, 2003, Chicago

“Preparing Adjunct Professors to Teach in Law Schools,” Workshop, American College of Real Estate Lawyers (ACREL), October 13, 2001, Chicago

“Recent Developments in Real Estate Law,” American Bar Association Annual Meeting, August 5, 2001, Chicago.

“The Commercial Mortgage Attorney’s Perspective on Predatory Lending,” American College of Mortgage Attorneys (ACMA) annual meeting, Scottsdale, AZ, October 27, 2000

“Real Estate Law and Practice at the Millennium,” Land Trust Council, November 30, 1999, Chicago.

“Commercial Landlord’s Remedies: Has the Property Paradigm Been Replaced by Contract Rules?” American College of Real Estate Lawyers (ACREL) Annual Meeting October, 1999 Vancouver, Canada

“Self-Governance in Shared Ownership Communities,” Nevada Fair Housing Conference on Fair Housing/Affordable Housing, October 25, 1999, Lake Tahoe, Nevada

“Alternative Dispute Resolution - Traps for the Unwary,” American Bar Association, Real Property Law CLE Meeting, May, 1998, San Antonio, Texas.

“ADR Provisions,” Traps for the Unwary – Selected Provisions in Commercial Real Estate Agreements, Chicago Bar Association, Real Property Law Committee, March 19, 1998 Chicago

"Reverse Mortgages- A Financial Planning Device for Elderly," Chicago Bar Association, Real Property Law Committee, May 28, 1997

"Recycling Real Estate Expertise for Fame and Fortune," ABA, Real Property Law Section, Mid-Year Meeting, May 16, 1997, Washington D.C.

"Reverse Mortgages - Issues for Lenders," Chicago Mortgage Attorneys Association, February 7, 1996

ABA, Forum on Affordable Housing and Community Development Law, Housing and Community Developments Clinics Roundtable - participant June, 1995

"Reverse Mortgages - Real Estate Law Aspects" American Bar Association, Annual Meeting, Reverse Mortgages and other Senior Income and Housing Options August 7, 1995 (co-sponsored by Sections on Real Property, Probate & Trust, General Practice, Young Lawyers and Senior Lawyers Divisions)

“Legal Aspects of Reverse Mortgages," American Association of Retired Persons (AARP)/Federal National Mortgage Association (FNMA) Seminar August 5, 1994, Chicago

ALTERNATIVE DISPUTE RESOLUTION: COMMERCIAL ARBITRATION/MEDIATION

Commercial Arbitration and Mediation

Judge, final round, ABA National Student Arbitration Competition, January 2020, January 2023 (Chicago)

Judge, final rounds ABA National Student Arbitration Competition, January 25-26 2019 (Chicago)

Judge, final rounds, ABA National Student Arbitration Competition, March 20, 2017.

AAA neutral (mediation and arbitration) on Commercial & Construction Panel: Recent Real Estate Disputes:

Commercial business dispute; three arbitrators; settled with help of neutrals. 2012 AWARD

Commercial Lease dispute between Landlord and Tenant, May 2011 to 2012

Condominium Association Claim against Master Condominium Association, April 2010 AWARD

Homeowner Association Claim against Developer for Defective Work, May 2010 AWARD

Valuation of Reversion Interest in Real Estate Subject to Ground Lease (\$50 M at stake), umpire arbitrator, February to June, 2010 Reasoned AWARD

Real Estate Broker Commission Dispute, 2008 AWARD

Title Insurance Policy Claims, 2007 and 2009 AWARDS

Neutral selected by parties

Interpretation and Application of Commercial Foreclosure Settlement Agreement for Properties valued at \$6M, AWARD October 2011.

Arbitration coming out of unsuccessful Mediation, involved significant value; pre hearing motions and orders; final reasoned AWARD with award of attorney's fees by petition. 2012

Consumer Arbitrations for American Arbitration Association

Consumer against public utility	2013- 2014
Consumer/small business against service company	2011 to 2014

Retained as Expert Witness/Consultant in Connection with Litigation

Expert Witness on commercial real estate brokers 2017-2019 (settled)

Expert Witness on real estate auction case Florida. 2016 (not deposed).

Expert Witness, Legal Malpractice of large firm about perfection of security interest, September 2012 to December 2013 (Trial, prevailed on issue I reviewed)

Litigation Consultant, Legal Malpractice of solo practitioner representing buyer in residential real estate transactions (2011)

Expert Witness/Litigation Consultant, Commercial Real Estate Restrictive Covenants and Easements, 2009- 2010

Expert Witness, Residential Landlord/Tenant case, Cook County Circuit Court, October – December 2006 (settled).

Expert Witness, Predatory Lending Multi-Jurisdictional Class Action Lawsuit, Federal District Court, California 2003-04 (settled)

Expert Witness, United States Office of the Currency, Attorney Malpractice in Real Estate Practice, September 1999.

Expert Witness, Federal District Court (EDNY), case involving question of Illinois Real Estate Law and Practice, October 1995- February 1996.

Expert Testimony

Testimony, Joint Editorial Board for Uniform Real Property Acts, proposal: Real Estate Auction Uniform Act, April 12, 2007, Columbia, Mo.; May, 2009, Chicago, Illinois

American Bar Association Representative to Mortgage Reform Working Group (MFWG), advising Congress on Amendments to Residential Real Estate Settlement Procedures Act (RESPA) and Truth In Lending Act (TILA) 1997-03, Washington, D.C.

PROFESSIONAL MEMBERSHIPS:

American College of Real Estate Lawyers (ACREL) Fellow, elected to membership 1996; Amicus Brief Committee Vice Chair, 1997 to 1998; chair, 2000 to 2002; chair, 2006 to 2007; member 2010 to 2011; Alternative Dispute Resolution Committee 2001 – 2006; Legal Education Committee, co-chair 2002-04; Professionalism Committee 2007 to 2008; Transactional Competition Ad Hoc Committee 2010 to 2011. LAW PROFESSORS COMMITTEE .Vice chair 2018-2022; Climate Change Impact Group 2022- present.

Lambda Alpha International - Honorary Land Economics Society, Ely Chapter, elected to membership 1993; Ely Chapter Board 2009-2010 .LAI young members recruitment GAP Committee 2015-2017. Lambda Alpha International Student Association (LAISA) Chair 2017-2021.

Chicago Association of Realtors (CAR), Commercial Forum, 2016 -2020.

Counselors of Real Estate (CRE), secretary Chicago Chapter (2013 - 2014); member 2010-2015.

Association of American Law Schools (AALS), Section on Post-Graduate Legal Education, Chair 1998; Executive Committee; Vice-Chair (2022); Chair (2023); Section on Real Estate Transactions founder and first Chair 2003 – 2004; Treasurer (2023); Executive Committee 2014 ; Chair Elect (2024) ; Section TECHNOLOGY, LAW & LEGAL EDUCATION Secretary (2020) Executive Committee (2023) .

American Bar Association, Real Property Section, Committee on Commercial Financing - Vice Chair, Sale-Leaseback subcommittee, 1989 to 91; Committee on Leasing - Vice Chair, Publications subcommittee, 1996 to 1998, Chair 1998 to 2001 (achieved publication of *Leasing Form Book*); Section on Business Law; Section on Dispute Resolution;

American Bar Foundation, elected to Fellowship, 2000 to 2023.

Chicago Bar Association, Real Property Committee, Legislative Sub-Committee Chair; 1993-96, Continuing Legal Education Sub-Committee, Vice Chair 1997; Committee Vice-chair 2000-2001; Executive Committee, 1993 to present; Committee Chair 2001 –2002

International Bar Association, Academic's Forum, Vice Chair, 1998 to 2004; member General Practice Section (includes Real Estate) 1997 – 2005.

American Bar Association, Affordable Housing Forum, 1990-present; Liaison to American Bar Association Task Force on Continuing Legal Education, 1996 -99

American Bar Association, Section on Environmental Law, member

American Real Estate Society (ARES), 2004-2015.

American Real Estate and Urban Economics Association (AREUEA)

Lambda Alpha International Land Economics Association (LAI) elected to membership 1992); Council on Executive, chair 2017.

Urban Land Institute, full member

United States Green Building Council (USGBC), Illinois chapter since 2010

American Arbitration Association, Commercial Panel Neutral

Chicago Mortgage Attorneys Association, past president, Board member, 1988 to 2000.

Commercial Real Estate Executive Women (CREW) an organization of National Network of Commercial Real Estate Executive Women (NNCREW) elected to membership June, 1996; Program Committee member, 1997-99

Illinois Residential Real Estate Lawyers Association (IRELA), member since 1999

BOARDS, HONORS, EXPERT TESTIMONY, *PRO BONO* and PUBLIC SERVICE

Boards

Lambda Alpha International Land Economics, Ely Chapter, 2009- 2010

Centennial Daniel Burnham Committee, Liaison from John Marshall Law School, academic partner (2008-2009)

Advisory Board, **Chicago School of Real Estate**, Walter Heller School of Business, Roosevelt University, 2001-present; academic committee; Goldie B. Wolfe Miller: Women Leaders in Real Estate Speaker Series Committee

Harold Eisenberg Foundation, Academic Advisory Board. 2016-present

Editorial Advisory Board, *Illinois Real Estate Journal*, invited March 2005 - 2006

Editorial Board, *Legal Update*, **International Council of Shopping Centers (ICSC)** 1999-2004

Honors

Invited **Discovery Partners Institute (DPI)** advising on formation of climate change center (2020 to May 2021)

Appointed to **Institute for Energy Science Policy (IESP)** Affiliated Faculty, University of Illinois at Chicago, (2020-)

Elected by John Marshall Law Students class JD December 2018 to hood the graduates

Lambda Alpha International Ely Chapter, June 18 2014 Member of honor Chicago, Il.

Petrillo Distinguished Visiting Professor, University of Louisville, Brandeis School of Law, Fall 2012

Award for Scholarship in Real Estate Law and for vision and leadership as Founder and Director of Center for Real Estate Law, John Marshall Law School, May 17, 2009

Lambda Alpha International Land Economics Association, International Educator of the Year Award 2003, presented Honolulu, Hawaii, October, 2003

American Bar Foundation

Public Service

Pro Bono Consultant to Illinois Tenants Union, Residential Tenants Advocacy Organization (numerous questions regarding real estate law, tenant law and ethics)

Elected to UIC/JMLS Academic Collaborative Group, December 2017; co-chair 2018 to 2019

Participant, 4th National Climate Change Assessment Workshop, March 1, 2017.

Keep Chicago Renting Ordinance (KCRO) cases representing residential tenants in foreclosed properties.

Pro Bono appeal on case involving residential lease; appellee brief for tenant October 2011

American Arbitration Association (AAA), commercial panel neutral: Mediator and Arbitrator in Commercial Disputes, including real estate.

“Should Board Members Avoid Crowded Elevators? Managing Conflict in Condo/Co-op Communities by Mediation,” Streeterville Organization of Active Residents (SOAR), May 23, 2007, Chicago

Accreditation Site Inspection Team, American Bar Association, Section on Legal Education and Admissions to the Bar: District of Columbia School of Law, Washington, D.C. April 2002

Member, Governor-Elect Blagojevich’s Transition Housing Committee, chaired by U.S. Congressman Bobby Rush. Suggested reforms in Predatory Lending, Affordable Housing and Tenant Rights (December 2002)

Pro Bono attorney for Section 29 Bi-lingual teachers cohort at Northeastern Illinois University in efforts to change Illinois State Board of Education regulations regarding student teaching requirements. Our lobbying efforts resulted in amendments to those rules on July 26, 2002

Consultant, Lawyers Committee for Better Housing, 2002-2013

Review Committee for Lawyer Referral Panels, Chicago Bar Association -Residential and Commercial Real Estate, January, 1996 to 2001

Accreditation Site Inspection Team, American Bar Association, Section of Legal Education and Admissions to the Bar: Western State Law School, California 2000 and 2001

Pro Bono Consultant to Cook County Public Guardian’s Office about real estate transactions that may constitute “Predatory Lending” and about possible conflict of interest by attorney who supervised the transaction. September 2001.

Class Correspondent, *The Reporter*, University of Chicago Law School Alumni Magazine, through 2006

Faculty, *Law Preview*, (pre law school orientation program), “All You Need To Know About Property Before You Become a 1L,” Northwestern University Law School, July 2001

Accreditation Site Inspection Team, American Bar Association, Section of Legal Education and Admissions to the Bar: Chapman University Law School, Orange California, 1999 and 2003

Accreditation Site Inspection Team, American Bar Association, Section of Legal Education and Admissions to the Bar: New York Law School 1998

Consultant, Illinois Tenants Union 1998 to 2016.

Juvenile Justice Bench book, with Professor Diane Geraghty (selected by the Illinois Supreme Court, to prepare materials for use by judges throughout the state) published 1992

Consultant, Women in Trades Legal Clinic, Chicago Legal Assistance Foundation, 1985-91