

Stephen G. Nesbitt

Partner



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Practices/Industries

- Acquisition & Dispositions
- Leasing
- Financial Services

Education

Miami University
(B.S., 2001)
Salmon P. Chase College of
Law, Northern Kentucky
University
(J.D., 2004)
Order of the Curia, Executive
Editor, *Northern Kentucky
Law Review*

Overview

Steve counsels private and publicly held companies, developers, lenders, sponsors, investors, landlords, and tenants in the acquisition, disposition, leasing, development, construction, and financing of diverse properties, including shopping centers, retail, restaurants, industrial, commercial, office, multi-family, hospitality, and mixed-use projects. His expertise includes real estate development, leasing, financing, property taxation, and abatement.

Steve's corporate practice consists of counseling entrepreneurs, founders, investors, shareholders and financiers on various issues such as: the formation, entity selection, capitalization, capital structure, and financing of new and existing businesses; mergers, acquisitions, and divestitures; creating and implementing asset protection plans and risk management solutions; business succession planning; buy-sell agreements; shareholder agreements; contractual review and negotiations; licensing agreements; and general counseling on corporate governance, employment matters, and compliance with legal and regulatory changes affecting clients' businesses.

He has been named to the list of *The Best Lawyers in America*® and is a member of the Board of Trustees for ProKids.

Experience

- Real estate counsel to one of the world's largest, NYSE-traded, quick service restaurant chains in the leasing and refranchising of company-owned stores throughout the United States.
- Real estate counsel to one of the country's largest long-term pharmacy services providers in leasing, acquisitions, and sales of company-owned pharmacies, distribution, and office facilities.
- Represents one of the fastest growing full-service restaurant chains and wineries in the country in the leasing, acquisition, and development of its restaurant and production properties.
- Represents an integrated developer with leasing for its large-scale, mixed-use retail and lifestyle centers, including some of the most famous retailers in the world.
- Served as counsel for a developer on a \$200 million, 75-acre, mixed-use, brownfield redevelopment commercial project located in Cincinnati, Ohio, including negotiations for purchase and sale agreements on the acquisition of the site and disposition of lots to anchor tenants, site development agreements, master declarations, sub-declarations, and all public and private financing, including traditional secured debt, TIF financing for infrastructure improvements, and private capital financing for development and construction costs.
- Represents parties before County Board of Revision and State Board of Tax Appeals in connection with property tax valuation complaints.
- Serves as general counsel to a wide variety of businesses, handling general business, contracts, and transactions.

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Presentations

- “Important Recent PPP Updates, New Rules and Deadlines—The Latest Information,” Ulmer Webinar (May 2020)
- “Top 10 Commercial Lease Provisions,” NBI Seminar (April 2012)
- “Drafting Commercial Loan Documents,” Cincinnati Bar Association (August 2011)

Publications

- “The CARES Act Update - Safe Harbor Materially Revised,” Ulmer & Berne LLP *Client Alert* (May 2020)
- “PPP New Safe Harbor - SBA Publishes Important Updates to FAQ and New May 18, 2020 Deadline,” Ulmer & Berne LLP *Client Alert* (May 2020)
- “The CARES Act Update – Paycheck Protection Program: Expanded SBA 7(a) Emergency Loans for Small Businesses Suffering COVID-19 Related Economic Injury,” Ulmer & Berne LLP *Client Alert* (April 2020)
- “The CARES Act – Paycheck Protection Program: Expanded SBA 7(a) Emergency Loans for Businesses,” Ulmer & Berne LLP *Client Alert* (March 2020)
- “SBA COVID-19 Economic Injury Disaster Loans and More,” Ulmer & Berne LLP *Client Alert* (March 2020)

Involvement

Professional Affiliations

- International Council of Shopping Centers
- Commercial Real Estate Women (CREW), Greater Cincinnati Chapter
- National Association of Industrial and Office Properties (NAIOP)
- University of Cincinnati Real Estate Roundtable

Community Involvement

- FineArts Fund (*Fundraising Committee*)
- United Way
- ProKids (*Board of Trustees*)

Firm Involvement

- Committee on Legal Opinions

Honors & Distinctions

- Named to *The Best Lawyers in America*®, Real Estate Law (2020-2021)

Admissions

- State of Ohio
- Commonwealth of Kentucky