

# Mark C. Simon

## Partner

Chicago Office

+1.312.902.5301

mark.simon@katten.com



### Practices

FOCUS: Real Estate

Real Estate Finance and Lending

Real Estate Acquisitions, Dispositions and  
Joint Ventures

### Industries

Hospitality

### Education

JD, University of Michigan Law School

BA, Carleton College

### Bar Admissions

Illinois

### Community Involvements

Chicago Mortgage Attorneys Association

Illinois Mortgage Bankers Association

International Council of Shopping Centers

The Law Project, Advisory Board

For more than 35 years, Mark Simon has counseled lending institutions, real estate funds and developers on a wide range of real estate financings and investments. Mark has advised lending institutions and borrowers alike on workouts, debt restructures, foreclosures and bankruptcies through three major real estate down cycles. He combines deep technical knowledge and industry experience with an understanding of the legal and business needs of real estate funds, banks, insurance companies and private developers. Recognized as a leading lawyer for years by industry publications such as *Chambers USA*, *Legal 500* and *Best Lawyers*, Mark brings market knowledge and judgment based on experience to each of his clients' deals.

### Bringing a big-picture focus to complex real estate transactions

Ranked as a leading lawyer for real estate law in *Chambers USA: America's Leading Lawyers for Business*, Mark has been described by clients as "very knowledgeable" and "good at focusing on big-picture items." He brings to real estate financings an incisive focus on the financial issues and business risks that will matter most to his clients.

Mark's well-rounded representation of lenders and borrowers, developers and fund investors allows him to help his clients understand the needs and objectives of opposing parties and bridge the differences. At the same time, although Mark prides himself on a high level of legal craftsmanship, he works with his clients to identify the true risk points and possible financial detriments worth attacking and negotiates effectively when needed to avoid adverse consequences to his clients.

In his civic work, Mark represents nonprofit organizations in their efforts to improve Chicago's neighborhoods and is a board member of the Chicago Lawyers' Committee for Civil Rights. Mark serves his home community as chairman of the Evanston Historic Preservation Commission.

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**"His knowledge and ability to negotiate lender documents is excellent. He is a class act." "He really knows his stuff, and is a strong financing lawyer."**

*- Chambers USA 2023  
(Illinois, Real Estate)  
survey response*

## Representative Experience

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- Represented construction lenders on successful restructure and payoff of \$289 million loan financing a luxury condominium development in Sunny Isles Beach, Florida.
- Bank group counsel on construction financing of The Mall of San Juan, the first large luxury mall in Puerto Rico.
- Represented lead lender/servicer on workout and eventual discounted payoff of multi-tranche loans, financing a shopping center/entertainment complex in Hallandale Beach, Florida and a six-block casino development parcel in downtown Las Vegas.
- Represented receiver for lead lender on negotiating a restructure and liquidation of the construction loan financing for a 20-story condominium tower in Chicago.
- Represented private equity investor on financing of television/movie studio in Los Angeles.
- Represented agent on \$5 billion unsecured credit line to publicly traded mall REIT.
- Represent fund advisor in forming new company to acquire and develop approximately 150 build-to-suit warehouse properties nationwide, including negotiation of \$350 million term and revolving credit lines.
- Borrower's counsel on two single-asset CMBS financings, each in excess of \$1 billion, secured by Manhattan office properties.
- Represent developer of 33- and 40-story apartment towers in Chicago's River North neighborhood.
- Represented lender on deed-in-lieu of foreclosure and resale of 240 unsold condominium units in 26-story tower outside of Fort Lauderdale, Florida.

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- Represent lenders on workout and restructure of \$145 million syndicated loan financing of a Chicago Loop office building.
- Closed \$140 million syndicated construction financing for a student housing project in Virginia after the advent of COVID-19.

## Recognitions

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*Recognized or listed in the following:*

- *Best Lawyers in America*
  - Real Estate Law, 2006–2024
- *Chambers USA*
  - Real Estate, 2003–2023
- *Super Lawyers*
  - Illinois, 2005–2024
- *The Legal 500 United States*
  - Recommended Attorney, 2013–2015, 2022–2023

## News

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- Katten Attorneys Named to 2024 Illinois Super Lawyers, Rising Stars Lists (January 25, 2024)
- Katten Attorneys Distinguished by *Best Lawyers*® (August 17, 2023)
- Katten Lauded in The Legal 500 United States 2023 (June 9, 2023)
- Katten Boosts Rankings in *Chambers USA Guide 2023* (June 1, 2023)
- Katten Attorneys Selected to 2023 Illinois Super Lawyers, Rising Stars Lists (January 24, 2023)
- Katten Attorneys Recognized by *Best Lawyers*® (August 18, 2022)

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- Katten Awarded Top Ranking in Structured Finance: Securitization in The Legal 500 United States 2022 (June 8, 2022)
- Katten Ranked Leading Law Firm by *Chambers USA* 2022 (June 1, 2022)
- Katten Attorneys Named to 2022 Illinois Super Lawyers, Rising Stars Lists (January 28, 2022)
- Katten Represents Blue Vista on the Formation of a Joint Venture to Acquire Student Housing Projects in the United States (October 27, 2021)
- Katten Attorneys Listed in *The Best Lawyers in America*® (August 19, 2021)
- Katten Boosts Rankings in *Chambers USA* 2021 (May 20, 2021)
- Katten Attorneys Distinguished as Top Legal Talent in the 2021 *Best Lawyers in America* and *Best Lawyers: Ones to Watch* Lists (August 20, 2020)
- Katten Rated Top Law Firm by *Chambers USA* 2020 (April 23, 2020)
- Katten Attorneys Selected to 2020 Illinois Super Lawyers, Rising Stars Lists (January 29, 2020)
- Katten Lauded Top Ranked Law Firm by *Chambers USA* 2019 (April 25, 2019)
- Super Lawyers Lists Honor More Than 50 Katten Attorneys in Illinois (January 24, 2019)
- Katten Rated as Leading Law Firm by *Chambers USA* 2018 (May 3, 2018)
- Katten Attorneys Recognized in 2018 Illinois Super Lawyers, Rising Stars Lists (January 25, 2018)
- Katten Recognized as Leading Law Firm by *Chambers USA* 2017 (May 30, 2017)
- Katten Attorneys Recognized in 2017 Illinois *Super Lawyers*, Rising Stars Lists (January 13, 2017)

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- 79 Katten Attorneys Selected for *Best Lawyers in America*® 2017 (August 15, 2016)
- *Chambers USA* 2016 Distinguishes 22 Katten Practices and 50 Attorneys (May 27, 2016)
- Forty-Seven Katten Attorneys Recognized in 2016 Illinois *Super Lawyers* List (January 8, 2016)
- 91 Katten Attorneys Recognized in *Best Lawyers in America*® 2016 (August 17, 2015)
- Katten Honors 10 Attorneys for Outstanding Pro Bono Service (June 16, 2015)
- Nine Katten Practices and 42 Attorneys Distinguished by *The Legal 500 United States* 2015 (June 3, 2015)
- Katten Attains 22 Practice and 58 Attorney Rankings by *Chambers USA* 2015 (May 20, 2015)
- Katten Represents Ivanhoe Cambridge and Callahan Capital Properties in \$2.2 Billion Office Building Acquisition (January 16, 2015)
- Fifty-Three Katten Attorneys Recognized in 2015 Illinois *Super Lawyers* List (January 12, 2015)
- 85 Katten Attorneys Named to *Best Lawyers in America*® 2015 (August 18, 2014)
- Eight Katten Practices and Forty-Two Attorneys Recognized by *The Legal 500 United States* 2014 (July 3, 2014)
- *Chambers USA* 2014 Distinguishes 24 Katten Practices and 54 Attorneys (May 23, 2014)
- Katten Represents U.S. Bank in Financing of The Mall of San Juan (May 1, 2014)
- Fifty-Four Katten Attorneys Recognized in 2014 Illinois *Super Lawyers* List (January 13, 2014)
- 83 Katten Attorneys Lauded in *Best Lawyers in America*® 2014 (August 15, 2013)

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- Six Katten Practices and Twenty-Four Attorneys Distinguished by *The Legal 500 United States* 2013 (June 4, 2013)
- *Chambers USA* 2013 Recognizes 24 Katten Practices and 49 Attorneys (May 24, 2013)
- Sixty-Nine Katten Attorneys Included on 2013 Illinois *Super Lawyers* List (January 4, 2013)
- 80 Katten Attorneys Named to *Best Lawyers in America*® 2013 Guide (August 24, 2012)
- *Chambers USA* 2012 Distinguishes 19 Katten Practices and 45 Attorneys (June 7, 2012)
- Eighty-Six Katten Attorneys Named 2012 Illinois Super Lawyers (February 28, 2012)
- 75 Katten Attorneys Named to *Best Lawyers in America*® 2012 Guide (September 12, 2011)
- Katten Earns Recognition for 17 Practices and 44 Attorneys in 2011 *Chambers USA* Guide (June 10, 2011)
- 70 Katten Attorneys Named to *Best Lawyers in America*® 2011 (August 9, 2010)
- Katten Lands 16 Practices and 39 Attorneys in *Chambers USA* Guide (June 24, 2010)
- Four Katten Practices Recommended by *Legal 500* in 2010 US Edition (June 14, 2010)
- 66 Katten Attorneys Named to 2010 List of *Best Lawyers in America*® (August 5, 2009)
- Katten Lands 14 Practices and 37 Attorneys in *Chambers USA* Guide (June 12, 2009)
- 50 Katten Attorneys Named to 2009 List of *Best Lawyers in America*® (September 23, 2008)
- Katten Lands 14 Practices and 32 Attorneys in *Chambers USA* Guide (June 13, 2008)

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- Partners Mark Simon and David Dlugie Quoted in *Chicago Lawyer* on Continued Impact of the Subprime Crisis (December 2007)
- 46 Katten Attorneys Named to 2008 List of *Best Lawyers in America*® (October 31, 2007)
- Katten Lands 15 Practices and 28 Attorneys in *Chambers USA* Guide (June 15, 2007)
- Katten Lands 12 Practices and 24 Attorneys in *Chambers USA* Guide (June 7, 2006)