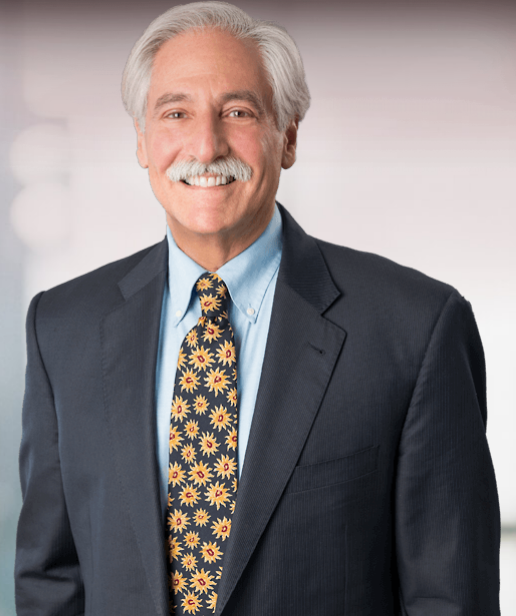


Douglas M. Bregman

Partner

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PRACTICE AREAS

- Commercial Real Estate
- Litigation
- Business Law
- Alternative Dispute Resolution
- State & Local Entities
- Estates, Trusts & Probate
- Personal Representation
- Zoning & Land Use

EDUCATION

- J.D. 1974
Georgetown University Law Center
Washington, D.C.
- B.A. 1971, with Honors in
Political Science
Colgate University
Hamilton, N.Y.

BAR ADMISSIONS

- Maryland, 1974
- District of Columbia, 1975
- U.S. District Court, District
of Maryland, 1975
- U.S. District Court, District
of Columbia, 1975
- U.S. Court of Appeals,
District of Columbia Circuit,
1976

Overview

Mr. Bregman has maintained a law practice for over forty years that focuses on real estate and business transactions; mediation and arbitration; civil litigation; and receiverships, trusts, and estates.

In his real estate practice, Mr. Bregman represents buyers, sellers, lenders, developers, property owners, management companies, contractors, landlords, and tenants through all stages of acquisition, disposition, financing, construction, due diligence, leasing, and management. His practice includes the representation of clients in transactions related to all types of commercial real estate assets, including office, retail, industrial, multifamily, mixed-use properties, and hotels, as well as unimproved land. He routinely drafts, negotiates, and interprets purchase and sale agreements; development agreements; commercial leases; ground leases; management agreements; licensing agreements; loan term sheets and documents; operating agreements; and closing documents.

His real estate clients include publicly traded companies, national real estate investment trusts, governmental and quasi-governmental agencies, financial institutions, public utilities, and a wide variety of other commercial real estate developers and property owners.

He is a fellow of the American College of Real Estate Lawyers (ACREL). He has taught commercial real estate courses for more than 25 years. Since 1992, he has served as Adjunct Professor of Law at Georgetown University Law Center. Since 2011, he has served as a Lecturer in Law (Adjunct Professor) at Columbia Law School.

In his business practice, Mr. Bregman has represented and advised owners, shareholders, board members, and investors in enterprises of

- U.S. Court of Appeals, 4th Circuit, 1975
 - Supreme Court of the United States, 1978
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RELATED NEWS

- [Opportunity Zone Tax Incentives To Stimulate Investment In Designated Communities Across USA](#)
 - [“Turkey sued over violence in protests in Washington in 2017” – The Washington Post](#)
 - [Victims of May 16, 2017 Turkish Presidential Security Attack File Suit Seeking Redress Of Injuries](#)
 - [“Gap Sues Westfield Over Mall Expenses as Tensions Rise in Retail World” – The Wall Street Journal](#)
 - [“D.C. Lawyers Advance Civil Lawsuit vs. Republic of Turkey Over Beating of Protesters on U.S. Soil” – WallStreetNorth.com](#)
 - [“Douglas M. Bregman \(L’74\): Making a Difference” – Georgetown Law](#)
 - [“He’s Suing the Turkish Government” – Colgate Magazine](#)
 - [“MoCo planning board appoints independent counsel to investigate Farm Road dispute” – The Washington Post](#)
 - [BBS&G Featured in Bethesda Magazine’s “Ask the Attorneys” Profile Section](#)
 - [“Mediation of Real Estate Disputes”; The Practical Real Estate Lawyer; The American Law Institute – Continuing Legal Education \(ALI CLE\), Volume 35, Number 6, November 2019](#)
 - [“DC Court: Turkey must face charges in Sheridan Circle assault on Kurdish protesters” – The Hill](#)
-

all sizes and types. He routinely assists clients with the purchase and sale of businesses, the formation of business organizations, and the negotiation, interpretation, and implementation of articles of incorporation, corporate bylaws, limited liability company (LLC) agreements, and partnership agreements. He also counsels business clients in connection with corporate finance, business management and restructuring, and employee benefit plans, including employee stock ownership plans (ESOPs). Beyond legal engagement, he has the business background of having served as a member of the board of directors of several publicly traded companies.

In his alternative dispute resolution practice, Mr. Bregman has represented clients in successful mediation and arbitration matters for decades. He has also served as the mediator for hundreds of business and real estate disputes. His success rate in getting cases settled exceeds 90 percent. He has taught mediation skills both in the United States and internationally. He has also been chosen to act as an arbitrator in many cases, ranging from partnership disputes to construction claims.

In his receiverships, trusts, and estates practice, Mr. Bregman has represented receivers, trusts, and estates as counsel. He has also served as receiver, trustee, and personal representative. Whether as counsel or as the fiduciary, he has taken care of various estates and trusts administration matters, including distributing assets, managing and selling property, filing tax returns, and resolving disputes. Additionally, Mr. Bregman has written Wills, trust agreements, and other estate planning documents.

Mr. Bregman also has substantial litigation experience. He has represented clients in business disputes, condemnation cases, contract actions, complex litigation, professional malpractice litigation, personal injury lawsuits, and general civil litigation.

He has also testified as an expert witness in various lawsuits before the state and federal courts of the District of Columbia, Maryland, and Virginia. He has been accepted as an expert in real estate, legal ethics, and estates and trusts.

Mr. Bregman has been recognized by *Best Lawyers* (Real Estate), *Super Lawyers* (Maryland and the District of Columbia), and as a Top Lawyer by *Washingtonian* magazine. He was also included in the 25th Anniversary Edition of *The Best Lawyers in America® – Specialty of Real Estate Law*.

Mr. Bregman serves on the Maryland Appellate Judicial Nominating Commission and the Board of Trustees of the Maryland Client Protection Fund. He has been a Professor of Negotiation and Mediation Skills at the Institute for International Mediation and

Conflict Resolution (IIMCR), and since 1993, he has been an Author and Lecturer for the International Council of Shopping Centers (ICSC) Law Conference.

Representative Experience

Real Estate

- **Transit Oriented Development** – Negotiated a complex agreement concerning the construction of improved transit parking facilities in suburban Baltimore. The agreement also provided for the development of a large medical facility for a national medical provider on the site, as well as the joint use of the private parking garage for use of transit patrons during off-hours and major public events.
- **Baltimore Port Acquisition** – Represented the Maryland Port Authority in the purchase of the Port of Baltimore industrial-flex properties.
- **Financing** – Assisted a company with a billion dollars of refinancing for several factories.
- **Landlord Leasing** – Assisted a developer with the complete lease-up of a new shopping center under construction, including the leases for many national chain stores.
- **Tenant Leasing** – Assisted with the drafting and negotiation of a complex, sophisticated pre-construction lease transaction for multiple floors of office space in a trophy building in downtown Bethesda on behalf of the tenant. Duties included: drafting and revising the lease, work agreement, and related documents; negotiating directly with the landlord's attorneys, business representatives, and construction managers; and advising the client's team as to all aspects of the transaction. The complexities of this pre-construction lease transaction included structuring the landlord's delivery obligations and the tenant's build-out rights, establishing penalties for late delivery, mitigating the tenant's existing lease obligations in the event of holdover, and negotiating options for expansion, signage rights, and other tenant-friendly provisions.

Litigation

- **Personal Injury – Carbon Monoxide Case** – Successfully obtained substantial compensation for a widow and her young child after their husband/father died as a result of carbon monoxide poisoning due to a negligent gas company repair effort and poor flue product design.
- **Personal Injury – Malpractice, Product Liability** – Sued a hospital, a doctor, and a drug company after a drug utilized during a hospital procedure caused the patient to have seizures, causing severe injury. The client received substantial compensation.
- **Personal Injury – Highway Accident, Family of Five** – Sued the designers of the Beltway after a family of five was involved in an accident in which the other driver crossed over the Beltway's median, hitting my clients' car head-on. Several family members died, others survived with serious injuries. The

family received substantial compensation. As a result of the lawsuit, the Beltway was redesigned and rebuilt.

- **Defense Trial** – Successfully defended a client against a claim for \$190 million in a ten-day evidentiary arbitration matter before JAMS in New York City. The complex action involved a claim for fees arising out of previous litigation related to a terrorist attack.
- **Defense of Government Agency** – Obtained summary judgment in federal court in favor of the Washington Metropolitan Area Transit Authority (WMATA) in a massive lawsuit in which WMATA was sued by a New York Stock Exchange real estate company for a breach of contract in connection with a real estate redevelopment project.
- **Sued the Governor** – Sued the Governor of Maryland after he withdrew funds to provide medical care to pregnant legal immigrant women from the State budget. Successfully had the Governor ordered to fund the program after trial and appeal to the Court of Appeals

Alternative Dispute Resolution

- **Arbitration – Food Lion** – Chief arbitrator and the writer of opinions in the trial of cases in which Food Lion was sued for terminating sale and lease-back agreements in several shopping centers.
- **Mediation – Land Around Nationals Ball Park** – Mediated the land disputes and needs of real estate developers and Washington, D.C. in several development parcels around the Nationals Ballpark in the Navy Yard district.

Business

- **Acquisition, Development and Disposition** – Represented a businessman in acquiring and repositioning a manufacturing and service business. Ultimately, after he turned the business around, represented him in the sale of the same assets.

Professional Affiliations

- Fellow of the American College of Real Estate Lawyers (ACREL); Elected 2004
- Trustee, Board of Trustees, and Treasurer, Client Protection Fund of the Bar of Maryland, 2002-Present
- Member, Appellate Courts Judicial Nominating Commission, 2007-2019
- Member, Montgomery County Executive's Economic Advisory Group
- Member, Maryland Court of Appeals, Public Trust & Confidence Committee, 2000-2014
- Member, Board of Directors, Montgomery County, Maryland, Bar Foundation, 1992-2012
- Inquiry Panel Member for the Attorney Grievance Commission of Maryland
- Review Board Member for the Attorney Grievance Commission of Maryland

- Member, Board of Directors, and Treasurer, Maryland Legal Services Corporation, 2000-2007
- Trustee, Maryland Bar Association Insurance Trust
- Chairman of the Maryland State Bar Association's Task Force on Civil Litigation Costs
- American Bar Association, House of Delegates, 2000-2001
- Chairman of Alternative Dispute Resolution Section of Montgomery County Bar Association (1994-1997); Faculty Member for Mediation Training Courses Sponsored by Montgomery County Bar Association; Court Appointed Mediator for the Circuit Court for Montgomery County, Maryland (1994-Present); Private Mediator for Non-Court Appointed Legal Matters
- Governor's Advisory Council on Landlord & Tenant Affairs, 1991-1995
- Governor's Landlord and Tenant Law Study Commission, 1984-1991
- Real Property Planning and Zoning Section Council for the Maryland State Bar Association
- President, The Bar Association of Montgomery County, Maryland, 1998-1999
- Member, Board of Governors of the Maryland State Bar Association
- Chairman of the Young Lawyers Section of the Maryland State Bar Association, 1982-1983
- Member, Board of Directors of Dart Group, Crown Books, Trak Auto, Shoppers Food Warehouse, 1993-1997
- Member, Board of Directors of American Bank, 2002-2007

Faculty Positions

- Columbia Law School, Adjunct Professor (Lecturer in Law), 2011-Present; course entitled: "Drafting and Negotiating Commercial Real Estate Documents: Contracts, Loan Documents, and Leases"
- Georgetown University Law Center, Adjunct Professor of Law, 1992-Present; course entitled: "Drafting and Negotiating Commercial Real Estate Documents: Contracts, Loan Documents, and Leases"
- Professor, Business Law and Real Property Law, University of Maryland, University College, 1979 – 1981
- Instructor, Multiple Continuing Legal Education Courses in Real Estate and Business, 1975 – Present
- Author & Lecturer for several Georgetown University Law School Continuing Education Programs, 1982 – Present
- Maryland Bar Review Institute, Inc., Instructor of Real Property
- Institute for International Mediation and Conflict Resolution (IIMCR), Professor of Negotiation and Mediation Skills
- International Council of Shopping Centers (ICSC) Law Conference, Author and Lecturer

Books, Articles and Seminars

Books, Chapters and Articles:

- “Mediation of Real Estate Disputes”; *The Practical Real Estate Lawyer*; The American Law Institute – Continuing Legal Education (ALI CLE), Volume 35, Number 6, November 2019
- *Maryland Landlord-Tenant Law, Practice and Procedure* (LexisNexis, Fourth Edition 2009)
- *Commercial Real Estate Transactions Handbook* (Wolters Kluwer, 4th Edition, 2009); Chapter 5A, “Negotiating the Purchase and Sale Contract” (revised 2019)
- *The Common Sense Guide to Successful Real Estate Negotiation* (hard-cover, 1987); with Peter G. Miller, Harper & Row Publishers, Inc.; revised edition, *Successful Real Estate Negotiation*, Harper Perennial (paperback 1988, 1993)
- *Negotiating the Commercial Lease*, Lorman Education Services, April 10, 2014
- “Is There Tortious Liability for a Flawed Title Search?”; *The Maryland Bar Journal*, Volume XLV, Number 4, July/August 2013
- *Practice Manual for the Maryland Lawyer*, Fourth Edition, Chapter Ten “Landlord and Tenant”; MSBA, 2019
- “Court of Appeals of Maryland Decides that a Contract Provision Does Not Mean What It Says”; Maryland State Bar Association, Real Property/Ground Rules, Winter 2012
- “The Mediation of Real Estate Disputes”; *The ACREL Papers – Spring 2012*, The American Law Institute – Continuing Legal Education (ALI CLE) – Online CLE
- “Acceleration of Rent in the Commercial Lease”; Maryland State Bar Association, Real Property/Ground Rules, Winter 2011
- “Wind Farm Leasing”; Maryland State Bar Association, Real Property/Ground Rules, Summer 2009
- *Residential Landlord and Tenant Issues*, published by MICPEL

Seminars:

- Author and Lecturer in several programs given by The Maryland Institute for the Continuing Professional Education of Lawyers, Inc. (MICPEL)
- Author and Lecturer in several Georgetown University Law School Continuing Legal Education (CLE) programs
- Author and Lecturer for several programs given by Lorman Education
- Author and Lecturer for several programs given by Strafford Webinars
- Author and Lecturer for several programs given by the National Business Institute
- Instructor of Real Property for Maryland Bar Review Institute, Inc.
- Professor of Negotiation and Mediation Skills for Institute for International Mediation and Conflict Resolution (IIMCR)
- Author and Lecturer for the International Council of Shopping Centers (ICSC) Law Conference

- Author and Lecturer for the American College of Real Estate Lawyers (ACREL)
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Awards

- Named “Distinguished Maryland Real Property Practitioner” for 2016-2017 by the Maryland State Bar Association’s Real Property Section
 - Georgetown University Vicennial Medal, 2016
 - Human Rights and Justice Champion, Maryland Legal Aid, 2011
 - Georgetown University Law Center’s Charles Fahy Distinguished Adjunct Professor of the Year Award, 2008
 - Montgomery County, Maryland, Bar Foundation Honorary Life Bar Leader, 2007 Award
 - Maryland State Bar Association’s Pro Bono Service Award, 2006
 - Montgomery County, Maryland, Bar Foundation’s Pro Bono Service Award, 2006
 - Selected by *The Daily Record* as a recipient of the Top Leadership in Law Award, 2007
 - Men’s Club Kovod Award for Community Service, Congregation Beth El of Montgomery County, 2003
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Honors

- Listed in *Best Lawyers (Real Estate)* in the Washington Metropolitan Area
 - Listed in *Super Lawyers* for Maryland and the District of Columbia
 - Selected by *Washingtonian* magazine as one of the Top Lawyers – Real Estate
 - Included in the 25th Anniversary Edition of *The Best Lawyers in America® – Specialty of Real Estate Law*
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Community Involvement

- Board of Trustees, Holy Cross Hospital Foundation
 - Legal Counsel, Hoyer for Congress Campaign
 - Participant, Big Brothers of America, Inc.
 - Co-chair, American Associates of Ben-Gurion University of the Negev
 - Board of Directors of Beth El Congregation, Montgomery County, Maryland
 - International Commission on Holocaust Era Insurance Claims Task Force
 - Board of Directors of the Homeless Persons Representation Project
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