

# Paul Fogleman

**PARTNER**

t: 919.783.1073

Paul M. Fogleman represents financial institutions, borrowers, and real estate owners in a variety of transactional matters.



**OFFICE LOCATION**

301 Fayetteville St., Suite 1900  
Raleigh, NC 27601

**JURISDICTIONS LICENSED**

North Carolina

*“My objective is to help my client reach its desired result, not impede it. In handling any transaction I’m here to help identify and evaluate risk with the goal of getting the transaction closed.”*

## **BIOGRAPHY**

Paul assists banks, non-traditional lenders, and borrowers in a broad range of finance transactions, including term and revolving facilities, construction facilities, asset-based lending, receivables financing, loan workouts and debt restructuring. He also has experience advising banking clients with regulatory compliance issues. Paul represents borrowers and real estate owners in many aspects of real estate transactions, including real estate secured financings, acquisitions and sales, developments, leases, title review and due diligence analysis. Paul also regularly serves as North Carolina counsel in the issuance of local counsel real estate and enforceability opinions.

## **AREAS OF FOCUS**

### **FINANCIAL SERVICES**

- Representation of lenders in commercial loan transactions involving real estate and asset based collateral, construction financing and low income housing tax credit financing.
- Representation of lender in a \$36.5 million combined term loan and line of credit facility for the refinance of a multi-tenant medical office building
- Representation of lender in a \$15 million financing of the acquisition of a hotel with related negotiation of comfort letter with international hotel chain
- Representation of lender in a \$20 million construction loan for the development of a multi-unit student housing apartment complex
- Representation of lender in a \$21 million construction loan for the construction of the third phase of a continuing care retirement community
- Representation of lender in a \$25.5 million construction loan for the development of a mixed-use retail parking and multi-unit apartment project
- Representation of lender in an asset based loan for the acquisition of a seller's inventory of ammunition
- Representation of all parties in modifications and refinancings of commercial loans

### **BANKING**

- Representation of depository and other financial institutions with the drafting and negotiation of letters of credit, control agreements, lockbox agreements and other banking products

### **REAL ESTATE DEVELOPMENT**

- Regularly represents real estate owners in the purchase and sale of retail, office, industrial and multi-family properties
- Representation of seller in \$9,750,000 sale of a multi-family apartment complex and subsequent purchase of multiple NNN-leased retail properties by way of a 1031 transaction
- Representation of purchaser in combined \$13,500,000 acquisition of two multi-tenant industrial buildings in Charlotte, North Carolina
- Representation of purchaser in combined \$7,200,000 acquisition of two multi-tenant office buildings located in Raleigh, North Carolina

- Regularly represents landlord in negotiation of leases for multi-tenant office and industrial buildings throughout North Carolina
- Representation of tenant in negotiation of lease for approximately 61,000 square feet and building signage rights in an approximately 18-story office building in Raleigh, North Carolina
- Representation of tenant in negotiation of a build-to-suit lease for approximately 57,000 square feet of a 75,500 square foot 3-story office building in Raleigh, North Carolina
- Representation of clients in connection with commercial real estate development matters
- Representation of landlords and tenants in commercial leasing transactions

## **CREDITORS' RIGHTS & BANKRUPTCY**

- Representation of financial institutions in loan workouts, restructures, and related creditors' rights matters

## **CREDENTIALS**

### **EDUCATION**

University of South Carolina School of Law, JD, 2010

North Carolina State University, BS, 2006

Woodberry Forest School, 2002

### **NOTABLE ACCOMPLISHMENTS**

AV® Preeminent, Martindale-Hubbell

Ranked among *Super Lawyers* magazine's North Carolina "[Rising Stars](#)", 2018 – 2019

Recognized in [North Carolina Lawyers Weekly inaugural class of Rising Stars](#)

### **PROFESSIONAL & COMMUNITY ACTIVITIES**

Leadership Raleigh, Class 33

Urban Land Institute

– YLG Partnership Forum 2014

– YLG Regional Initiative Council 2015

Poe Center for Health Education

– Board Member, 2018-Present

– President-Elect, 2019-2020

Capital City Clauses

– Board Member 2018 – Present

NC Museum of History Young Associates

– Steering Committee Member 2011-2014

NCSU Alumni Association

– Young Alumni Council 2013-2014

NC Bar Association

– Young Lawyers Division

– Real Property Section

Wake County Bar Association

– Young Lawyers Division

– Real Property Section

Wake County Real Property Lawyers Association

Habitat for Humanity of Wake County

- Regularly handles residential closings and general corporate matters on a pro bono basis for the organization