

Partner

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Practice Areas

Business & Commercial
Transactions

Energy

Real Estate: Land Use,
Development & Finance

Bar Admissions

Louisiana, 2001

Education

Tulane University Law
School, J.D., 2001, *cum
laude*

New York University,
Leonard N. Stern School of
Business, B.S. in Finance,
1998

Universiteit Maastricht,
International Business and
Finance, Spring 1998



Seth Levine is a partner in the firm's Business & Commercial Transactions Practice Group and practices from the firm's New Orleans office. His practice involves a wide range of commercial transactions, including financing transactions, real estate, foreclosures, and bankruptcy.

Mr. Levine has experience handling complex acquisitions, property sales, commercial leasing, real estate development, and refinancing transactions. Mr. Levine also advises clients on business formation, corporate structuring and governance, new business ventures, and the acquisition and divestiture of privately held companies and their assets.

In addition, Mr. Levine has represented clients before state and federal courts in matters involving bankruptcy, foreclosures, and landlord-tenant disputes.

Representative Matters

Corporate, Real Estate & Finance

- Served as lead counsel to a 501(c)(3) federally-qualified health center in connection with the development of the health center using state grant programs, Health Resources and Services Administration (HRSA) funds, and the New Markets Tax Credits (NMTC) program.
- Served as lead counsel to senior lender in connection with \$40-million structured financing for construction/operation of vertical condominium parking garage and commercial retail development utilizing the NMTC program, municipal bond financing, and multiple CDE lenders.
- Served as local counsel to borrower in connection with the \$350-million financing/acquisition of an international food service/processing corporation.

- Served as local counsel to borrower in connection with the \$35-million refinancing of a national gas station/food mart retailer.
- Served as co-counsel in connection with the \$50-million acquisition by international commercial aviation company of fixed-wing and rotor wing aircraft operations and subsequent sale of rotor wing assets; was responsible for all aspects of real estate in connection with the acquisition and subsequent sale, including title, survey, asset purchase agreement negotiation with respect to real property assets (fee and leasehold), municipal lease review, assignment and consents of leaseholds and drafting hangar leases/subleases, fuel purchase agreements, and facility services agreements with affiliates.
- Served as co-counsel in connection with the \$40-million acquisition by a national hospital corporation of multiple hospital facilities and medical office buildings; was responsible for all aspects of real property for acquisition of assets, including title, survey, asset purchase agreement negotiation with respect to real property assets, and medical office building lease review.
- Served as counsel in connection with the representation of a national commercial real estate developer in connection with the acquisition, development and sale of multiple shopping centers in Louisiana having transaction values in excess of \$30 million; was responsible for all aspects of transactions, including negotiation of loan documents, negotiation of ground leases, out parcel sales and development, landlord-tenant disputes, title and survey issues, and negotiation of purchase and sale agreements.
- Served as co-counsel in connection with a \$1-billion acquisition of timber in multiple states, responsible for due diligence in connection with all real property and timber assets in Louisiana.
- Served as co-counsel in connection with multiple refinancings and financing of multi-family residential units in Louisiana for national real estate developer/manager, having total transaction values in excess of \$40 million.
- Served as counsel in connection with commercial leases of a rental car facility by national car rental corporation in order to serve the Louis Armstrong New Orleans International Airport.
- Served as counsel in connection with a commercial restaurant lease for a local restaurateur for space located in a national casino.
- Served as counsel in connection with an office tower lease for an oil company.

- Served as co-counsel in connection with multiple multi-million-dollar vessel financing and vessel construction contracts for a national lender.
- Served as co-counsel in connection with multi-million-dollar workout and refinancing of two nursing homes in Louisiana.
- Served as co-counsel in connection with the \$70-million refinancing of a shopping center in Shreveport, Louisiana.
- Served as counsel in connection with organizational formation/corporate governance of numerous restaurant service companies in New Orleans.
- Served as co-counsel in connection with corporate formation and corporate governance pertaining to existing entities and single-purpose entities in the energy and investment services sectors for a multi-million-dollar oil and gas services company and energy investment corporation.
- Served as co-counsel in connection with the \$7.3-million municipal finance transaction to acquire and construct corporate headquarters and distribution center for the largest tie manufacturer/men's accessory corporation in the world.
- Served as co-counsel in connection with the multi-million-dollar refinancing of four mini-storage facilities; performed all due diligence, corporate formation, and authority documents for multi-layered borrowing entities.
- Served as lead counsel representing borrower in connection with the \$6.9-million refinancing of a New Orleans hotel.
- Served as co-counsel in connection with the \$55-million bond financing transaction to construct United States Navy housing facilities in Louisiana; was responsible for all title and survey review and corporate formation/authority documents.

Energy

- Served as co-counsel for natural gas pipeline company in connection with the construction, development and permitting of a \$1 billion dollar natural gas pipeline expansion providing advices with respect to negotiation of, and closing on, fee and servitude acquisitions in connection with related pipelines, interconnect facilities, metering and compressor sites, review of title matters, permitting and governmental relations.
- Served as co-counsel for natural gas storage company in connection with financing, construction, development and permitting of a \$250 million salt cavern natural gas storage facility providing advices with respect to \$120 million dollar credit facility and related financing documents, negotiation of and closing on fee, leasehold, options and servitude acquisitions in connection with related pipelines, pipeline facilities, storage caverns, salt water disposal wells and leaching facilities, review of all title matters, assistance with permitting obtaining water rights and addressing related issues, and assistance with governmental relations and expropriation/condemnation proceedings for pipeline right-of-way.
- Served as co-counsel for numerous natural gas storage and pipeline companies in connection with the acquisition and development of large pipelines and natural gas storage facilities including issuance (through in-house title agency) and review of multiple title insurance policies insuring those transactions valued in the hundreds of millions of dollars, due diligence and title curative matters.
- Served as co-counsel to numerous oil and gas companies in connection with title review, title opinions and title policies with respect to the development of the Haynesville Shale, including exploration and productions activities, pipelines and transportation assets and storage assets.
- Served as co-counsel to investment partnership holding land interests in connection with mineral leases and internal partnership governance matters.
- Served as co-counsel in connection with the \$80 million financing of an undivided quarter interest in an offshore oil and gas production platform in the Gulf of Mexico for international oil and gas operations; responsible for the negotiation of all security and collateral documents for compliance with Louisiana law and for opinion letter.

Bankruptcy & Foreclosure

- Served as co-counsel in connection with foreclosures of residential apartment complexes, shopping centers, and commercial buildings in federal court and state court for national institutional lenders and national insurance companies.
- Served as co-counsel in connection with a commercial fishing vessel foreclosure for a national banking association.
- Served as counsel in connection with foreclosure of various movable property, including vehicles and equipment, in federal court.
- Assisted in the representation of national oil companies as creditors in bankruptcy proceedings, including preference actions, set-offs, assumption/rejection of executory contracts, administrative claims, proof of claims, and automatic stay issues involving multi-million-dollar disputes. Also performed bankruptcy analysis for telecommunications company in connection with acquisition of tower sites nationwide.
- Served as co-counsel in connection with the representation of a foreign secured lender in the amount of \$100 million in a bankruptcy proceeding involving a national offshore oil and gas services company.
- Served as co-counsel in connection with the representation of an airport in all airline bankruptcies; was responsible for monitoring all proceedings and preserving all claims of the airport.
- Served as counsel in connection with the representation of a national insurance company in a preference action.
- Served as counsel for a national equipment finance company as creditor in multiple related bankruptcies.
- Served as lead counsel representing a national real estate entity as landlord in connection with tenant disputes for numerous tenants of shopping centers located in Louisiana, including evictions and collection of past-due rent.
- Served as co-counsel representing a plaintiff condominium owner in connection with a lawsuit against seller, condominium association, real estate agent, inspection service, and insurance companies for hidden defects.

Noteworthy

- Named a "Rising Star" in the area of Real Estate in the 2012 edition of *Louisiana Super Lawyers*

Presentations

- "The Foreclosure Process In Louisiana"
NBI Seminar, December 15, 2009
- "Significant Tax Planning Opportunities Afforded by KETRA and GOZone Tax Legislation"
New Orleans Real Estate Investors Association (NOREIA), March 16, 2006

Publications

- "The Foreclosure Process In Louisiana"
NBI Seminar, December 15, 2009
- "Significant Tax Planning Opportunities Afforded by KETRA and GOZone Tax Legislation"
March 16, 2006
- "Lease Negotiation Handbook: Chapter V – Term"
International Association of Attorneys and Executives in Corporate Real Estate (AECRE), a joint publication of ALI-ABA and AECRE, August 19, 2003
- "On the Road to Recovery: How Tort Litigation Has Impacted the Development and Financing of Senior Housing Facilities"
American Bar Association Section of Real Property, Probate and Trust Law Annual Meeting, August 2003
- "Problem Loan Seminar: Chapter IV – Louisiana Foreclosure"
Sterling Education Services, January 21, 2003
- "Advanced Real Estate Law in Louisiana: I – Title and Survey Review"
National Business Institute, December 5, 2002
- "Commercial and Residential Lease Enforcement and Evictions in Louisiana: How to Do Them Right – Section I, Drafting and Execution: How to Protect the Landlord and Section VII, Ethical and Professional Considerations"
Sterling Education Services, September 5, 2002

Memberships

- American Bar Association
- Faubourg St. John Neighborhood Association (President, Board of Directors)
- Jewish Endowment Foundation of Louisiana (Board Member)
- Licensed Real Estate Broker, State of Louisiana
- Louisiana State Bar Association

