BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM



PHYLLIS S. BEAN

Partner

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Phyllis focuses her practice on corporate and real estate matters, including business transactions, complex real estate acquisitions, sales and financing, and commercial leasing. In the real estate area, she has represented financial institutions, developers, investors, landlords, and tenants in connection with office, shopping center, residential, nursing home, golf course, casino, and hotel projects, including timeshare, condominium, and hotel/condo projects; loan transactions and workouts; construction financing; and joint venture and partnership agreements.

Phyllis' corporate transactional experience includes mergers, acquisitions and dispositions of businesses, venture capital transactions, and asset based lending. In addition, she has worked on aviation transactions, including acquisitions and sales of privately held and commercial aircraft, and has done all facets of in-house legal work for a major domestic and international passenger airline company. Phyllis has also represented public companies in transactional and corporate governance matters.

For seven years prior to joining Berger Singerman in 2001, Phyllis was General Counsel for Farm Stores, a privately held company that owns and operates convenience stores and gasoline stations throughout Florida, and during that time also became General Counsel for United Petroleum Corporation, a public reporting company engaged in the same business.

Education

J.D., Northeastern University School of Law
B.A., *magna cum laude*, Tufts University

Bar Admissions

Florida
Washington, D.C.

Practice Teams

Business, Finance & Tax

Practice Areas

Aviation
Corporate
Corporate Governance
Mergers & Acquisitions
Private Equity & Venture Capital
Real Estate

Representative Matters

- Represented the successful plan proponent in a series of reorganization transactions for the iconic, 700-room Pittsburgh Hilton hotel, that included our client's acquisition of all the equity in the debtor. These transactions included: (a) restructuring the hotel's senior secured financing under BlackRock Capital's $49.6 million loan, (b) negotiating and implementing a new Franchise Agreement followed by a Hotel Management Agreement with Wyndham Hotels, (c) consummating $8 million of additional financing from Wyndham, secured by the Hotel's equity, (d) placing up to $11 million in junior mortgage financing from our client as Plan Proponent, and (e) resolving other secured and unsecured claims
- Represented a privately held insurance brokerage firm in sale to a subsidiary of the world's largest insurance and consulting company
- Represented an ACMI operator in connection with flight services agreements with, and leases of Boeing 777 and 737 aircraft from, DHL Express
- Represented a Fortune 500 diversified commercial finance company in connection with a $200 million+ facility secured by timeshare receivables
- Represented armor manufacturer in 363 sale of assets
- Represented publicly held REIT in connection with Florida aspects of workouts of multi-million dollar loans secured by residential and commercial real estate
- Represented developer of hotel/condo project in Bradenton, Florida, including preparation of prospectus and condominium documents
- Represented developer of fractional ownership units in Miami Beach, Florida, including preparation of timeshare documents Represented domestic and foreign entities owning high rise office buildings and shopping centers in connection with all aspects of their leasing activities
- Represented national bank in connection with development of consumer real estate loan documentation for use in Florida

- Represented national bank in connection with various multi-million dollar construction, term and revolving real estate loans in South Florida
- Represented multi-state restaurant chain in connection with multi-million dollar sale of its assets
- Represented numerous start-up companies in connection with private placements of securities
- Represented publicly held Canadian company in connection with its domestication to the United States
- Represented commercial airline in its financing and bankruptcy sale of assets
- Represented pharmaceutical company in its multi-million dollar bankruptcy sale of assets
- Represented a 100+-store franchisee of a national quick-service restaurant chain in an investment bank-led sales process that generated aggregate sale proceeds of more than $200 million. The sales process encompassed multiple transactions with four unaffiliated sophisticated buyers, seven affiliated selling entities, a national franchisor with the power to block or influence the transaction, and assets located in multiple states, leading to a complex transaction negotiation and structure. Advised the client in connection with the marketing process, definitive agreements, and concurrent closings

Awards & Honors

- *Martindale-Hubbell*, AV® Preeminent™ rated

Community Activities / Associations

- Group Writing Coach, Posse Miami
- Grievance Committee of Florida Bar (1993-1996)
- Leadership Miami
- Intern – the Honorable Chares A. Stewart, U.S. District Court for the Southern District of New York

In the News

Daily Business Review Features Berger Singerman in "Family Feud, Bankruptcy Filings, Coronavirus Loom Over $45 Million Palm Restaurant Sale"
March 30, 2020

REH Capital Partners, Algon Group and Berger Singerman Win M&A Advisor Latin America Deal of the Year
July 5, 2017

Berger Singerman Guides Cargo Airline From Bankruptcy to Sale
April 19, 2016

Doing Business in Florida Blog

Short Survival Periods May Not Work in Florida
November 15, 2017

Considerations for Warehouse Mortgage Lenders
September 7, 2016

Prior Affiliations

- Brown, Malman & Salmon
- Morgan Lewis

- Paul, Landy, Beiley & Harper
- Farm Stores and United Petroleum Corporation