

## Michael N. Kot

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## Professional Overview

Michael's practice focuses primarily on the representation of financial institutions and private lenders in connection with commercial lending transactions and workouts, with an emphasis on construction loans, C&I financing transactions involving complex collateral, loan syndications and participations, and healthcare financing.

Michael also regularly advises clients on a variety of real estate matters, including commercial leases, the purchase and sale of real property, and forming partnerships and limited liability companies for real estate investment and development. Michael is active in several industry and trade groups and is focused on the real estate-related issues clients regularly face in both residential construction and income property markets.

Michael regularly assists international, national and regional lenders in connection with documenting, negotiating and closing complex commercial loans and, if circumstances dictate, restructuring problem loans and advising clients in connection with workouts. In order to obtain the best results for clients in financing transactions and maintain a high-volume practice with an emphasis on efficient documentation and a smooth closing process, Michael oversees a talented and energetic team of attorneys and paralegals that are dedicated to achieving clients' goals and meeting deadlines.

## Representative Matters

- Regularly advising national bank in connection with healthcare lending program and the unique issues associated with collateral pledged by healthcare service providers.
- Drafting of plain English form loan documents for regional lender expanding its commercial construction lending program to include larger projects.
- Negotiating and closing a \$260,000,000 syndicated loan to over seventy affiliated borrowers.
- Assisting national bank with development and implementation of a new fixed-rate loan program for income property.
- Advising regional lenders regarding the management and sale of foreclosed properties.

- Assisting a large private construction lender with a planned expansion of its loan program by advising it on rules and regulations governing lending in various states.
- Representation of landlords and tenants in connection with the documentation and negotiation of commercial lease agreements for office and warehouse space.

## Articles and Presentations

- Author, Ask a Legal Professional, *Puget Sound Business Journal* ([LIBOR-Based Interest Rates](#)), October 2018
- Author, Ask a Legal Professional, *Puget Sound Business Journal* ([Full Service Leases](#)), November 2017
- Presenter, "Management Strategies for Commercial Landlords," April 2017
- Author, Ask a Legal Professional, *Puget Sound Business Journal* ([Loan Documents](#)), November 2016
- Author, "U.S. Supreme Court Update: Guarantors and Regulation B Opinion," May 2016
- Author, Ask a Legal Professional, *Puget Sound Business Journal* ([Title Insurance](#)), November 2015
- Speaker, "Developments in Title Insurance," September 2015
- Author, Ask a Legal Professional, *Puget Sound Business Journal* ([Non-Recourse Loan Guaranties](#)), November 2014
- Author, Ask a Legal Professional, *Puget Sound Business Journal* ([Commercial Non-Judicial Foreclosure](#)), November 2013
- Speaker, "Subordination, Non-Disturbance and Attornment Agreements: An HCMP Client Information Exchange," December 11, 2012
- Speaker, "Prepayment Penalty, Yield Maintenance, and Exit Fee Provisions: An HCMP Client Information Exchange," July 26, 2011

## Professional and Civic Involvement

- King County Bar Association - Real Estate Section
- Washington State Bar Association
- Washington Mortgage Bankers Association - Income Property Committee
- Turnaround Management Association
- Risk Management Association

## Honors / Awards / Prior Experience

- Repeatedly recognized by *The Best Lawyers in America*® in the field of Real Estate Law, most recently for 2022.
- Recognized as a Rising Star by *Washington Super Lawyers*.

## Education

- J.D., University of Washington School of Law, with high honors, 2003
- B.A., Western Washington University, magna cum laude, 2000

## Bar/Court Admissions

- Washington State Courts



## Personal

I spend most of my free time with my wife and three wonderful children. We have an active eight-year old daughter (Caroline) and even more energetic five-year old twin boys (Evan and Brodie). We enjoy outdoor activities of all types and are particularly fond of camping trips to National Parks, having recently visited Yellowstone, Mt. Rainier, and Olympic National Parks. I am an avid cyclist and have enjoyed training for and participating in the RAMROD (Ride Around Mount Rainier in One Day) the last two years.