

KJK⁺ CONNECT

FALL 2017



CLEVELAND
1375 East Ninth Street
One Cleveland Center, 29th Floor
Cleveland, Ohio 44114

KJK.COM

COLUMBUS
10 West Broad Street
One Columbus Center, Suite 1900
Columbus, Ohio 43215

TABLE OF CONTENTS

04

CONNECTIVE COUNSEL

KJK's approach to building connections to help businesses thrive

05

BIG WIN AT VICTORY CENTER

How KJK helped revitalize a historic property and keep 400 jobs in Cleveland

09

MUST-DO CHECKLIST FOR EMPLOYERS

Guidance you need now to manage your workforce

10

CARING FOR THE COMMUNITY

A look at how KJK professionals are supporting civic and nonprofit causes

11

KJK WELCOMES

Our newest professionals serving clients in Columbus

POINT OF CONNECTION

A long legacy, a new way to practice law

▶ Next year, KJK will celebrate an important milestone — the 100-year anniversary of the founding of Kohrman and Kohrman by brothers Max and Joseph, who had immigrated from Poland as children and settled in Cleveland's Central neighborhood.

They were sons of a carpenter and a seamstress, and dedicated themselves to serving the small businesses in their home neighborhood of Central. Even as the Great Depression threatened to shutter these companies, the Kohrman brothers remained by their clients' side as they struggled to survive.

Nearly 100 years later, KJK still believes in doing more for clients than just providing legal advice. We are the partners standing beside clients through thick and thin to help them grow and succeed. We break down the silos that often exist between legal practice areas, applying a holistic approach that draws upon all of the diverse expertise in our firm. We don't just work with clients to respond to challenges; we take a proactive approach to uncovering opportunities and addressing risks.

Out of that philosophy has grown a new program that we call KJK Connective CounselSM, which is an innovative outsourced general program with a flat-fee structure that alleviates clients' worries about being "on the clock." *Learn more on page 4.*

Through this program and our other services, KJK is offering a revolutionary way of practicing law, rooted in our deep heritage. Here's how KJK has recently helped our clients achieve success:

- We worked with the owner of Midtown's historic Victory Center to create a new **headquarters for Dealer Tire**, keeping the company and its 400 jobs in Cleveland. We helped to negotiate \$8.5 million in public funding, more than \$10 million in federal and state historic tax credits and \$15 million in private refinancing. *Learn more on page 6.*
- KJK is representing **FRONT International**, a **citywide contemporary art event** featuring the work of 50 international artists every three years, and secured its 501(c)(3) status in a record eight days.

- KJK negotiated and closed more than **\$500 million in real estate deals** in the first half of 2017 alone, including approximately \$40 million of sales and purchases involving multi-family residential buildings; \$80 million in acquisitions for subdividing and constructing single-family homes for national and local homebuilders (which includes approximately 700 lots) and an \$8 million acquisition of building and vacant land in Aurora, Ohio, for the future site of a distribution center.

- We've sourced capital for projects across the country, including a new **\$100 million multi-family development** project in Florida, and have advised lenders on loan participations totaling over \$75 million.

- We represented a **publicly traded natural gas utility** holding company with operations in four states in negotiating and obtaining shareholder approval for the sale of the company to a multi-billion dollar fund for approximately \$200 million.

- KJK helped a manufacturer of consumer products access **\$72 million in senior financing** and \$11 million in subordinated mezzanine financing.

These are all examples of how KJK offers a revolutionary way of practicing law, rooted in our deep heritage. We're building lasting legacies, not just for our firm, but also for the clients we partner with every day.

Jon J. Pinney
Managing Partner



KJK Connective Counsel

INNOVATIVE PROGRAM FUELS GROWTH FOR MID-MARKET BUSINESSES

► **Throughout our long history**, KJK has been *a law firm built for business*. We serve as partners to our clients, helping them capitalize on new opportunities and navigate tough challenges. We're putting that expertise to work in the new program KJK Connective Counsel, an innovative outsourced general counsel model with a flat-fee structure. It's an "all-access pass" for mid-market, privately held companies to proactive legal counsel and valuable business connections.

What is KJK Connective Counsel?



KJK Comprehensive Legal & Connective Assessment

Our Legal and Connective Assessment is like a wellness check-up for your business. KJK attorneys will conduct an in-depth legal review of your business to uncover opportunities for growth while addressing potential risks.



A Team Approach

Based on your KJK Legal & Connective Assessment results, we'll assemble a tailored team of professionals with the knowledge and experience best suited for your specific industry and business needs to develop an action plan.



Access to KJK Cloud™

We'll keep the lines of communication smooth through KJK Cloud, a secure online repository for all of your legal documents, corporate records and communications.



Invitations to High-Profile Events

KJK hosts multiple invitation-only events including our exclusive KJK Speaker Series, which allows our guests to engage with the most influential business, civic and political leaders who are driving Northeast Ohio forward.



No Surprise Fees

KJK flat-fee arrangements are designed to relieve pressure about being "on the clock." With our tailored fee plan, you can pick up the phone any time with peace of mind that you'll get answers to the questions that keep you up at night.



Laura Englehart and Jon Pinney at the new Dealer Tire headquarters

DEALER TIRE AND THE VICTORY CENTER: A WIN FOR LOCAL EMPLOYER, A WIN FOR CLEVELAND

BY LAURA E. ENGLEHART, KJK PROJECT TEAM

WHEN THE RIBBON WAS CUT on the new Dealer Tire headquarters on April 10, 2017, it was the pinnacle of a success story that was more than two years in the making. With roots in Cleveland that go back nearly 100 years, Dealer Tire was able to meet its needs for expansion by staying in its hometown and declining outside offers and opportunities for relocation.

The company's expansion in the heart of Midtown Cleveland was a major win for the city, Cuyahoga County and the owner of the Victory Center, a 100-year-old, long-empty building that was on the brink of failure. After the building owner came to KJK for help, we were able to make the connections that brought Dealer Tire to its new home at the Victory Center. The project didn't only retain the company and its 400+ employees here; the company also plans to add more new jobs over the next few years.

To make it happen, our team played a role that's uncommon among law firms in projects like these. KJK brought together the building owner, tenant, architects and construction contractors to work seamlessly toward a deal that satisfied all of the parties involved.

For companies and organizations considering a relocation or expansion, the Victory Center success story bears important lessons:

▶ **Make critical connections.** Through KJK's network of contacts, we were able to help the Victory Center restoration and Dealer Tire headquarters project win the support of the City of Cleveland, Cuyahoga County and state funds through JobsOhio. We secured more than \$8.6 million in public funding and preserved more than \$10 million in both federal and state historic tax credits.

▶ **Think strategically about financing.** In addition to the public investment, KJK assisted in securing more than \$15 million in private refinancing to restore and build out the Victory Center. We negotiated the acquisition of additional land for the 650-space parking garage the company needed and explored every possible financing option available.

▶ **Build the right team.** Striking the right deal for Dealer Tire and the Victory Center required an extraordinary amount of cooperation and communication that can often be difficult in such complex projects. KJK's role in coordinating all of the parties involved in the deal ensured that cooperation, from leasing and financing to pre-construction and construction. But KJK could not have done it alone. The project could not have succeeded without the hard work of representatives from Dealer Tire, Vocon, Welty, Donley's, Cresco and many others. Our partnership with all stakeholders kept the project on a steady course of completion, ahead of schedule and on budget.

The Victory Center project was a win all around — a 20-year tenant for a failing property, a new headquarters for a long-time, hometown company, and an economic development engine for the City of Cleveland. KJK is proud to have been a part of making it happen.

GET TO KNOW LAURA

Economic development is a passion for Laura Englehart, whose project management contributions in the Victory Center revitalization was critical to ushering it to completion. Laura was also a behind-the-scenes driver of the success of the 2016 Republican National Convention, negotiating nearly 300 convention-related contracts, including major public and private service and license agreements and more than \$30 million in buildout, production, transportation, and service contracts, as well as 300,000 square feet of leases. She also successfully works to secure economic incentives to help businesses keep and expand their operations in Ohio. A proud Cleveland native, Laura returned to her hometown after working in Washington, D.C., in the U.S. Senate to advance economic development policy and now lives with her husband and 2-year-old daughter in Shaker Heights.

KJK CapitalSM

NEW PROGRAM CONNECTS COMPANIES WITH CAPITAL RESOURCES

► **Accessing capital** is one of the most critical challenges that growing companies face. Lenders are always looking for smart investments to make in businesses on their way to success, but it can be tough for companies to find those capital resources and negotiate the best deal. Launching in 2018, our KJK Capital program will fill a unique role — we tap into our vast network of capital resources to uncover the financing relationship that's right for your business, act as matchmaker in the proposal process among multiple potential lenders, and negotiate terms in your best interests.

What is KJK Capital?



Unique Expertise

What KJK Capital provides is a rare find among law firms. With three decades of banking and legal expertise, KJK Capital practice leader Anne Corrigan combines the skills more commonly found in an investment bank with the negotiating power of a law firm. Rather than search out a deal on your own then consult an attorney for contract negotiation, KJK Capital allows you to complete the entire process with the guidance of the same skilled adviser.



Allow Us to Introduce You

Our network of relationships with banks and other lenders is extensive. We know the individuals you want to get in front of. With us as your partner, you'll make the connections you need to finance that next project or prepare for the next stage of growth.



One Hub for Due Diligence

We'll provide a checklist upfront of all of the information lenders will need to conduct due diligence on your company. Using KJK Cloud, our secure cloud-based hub of communication, we create a single confidential repository for storage and delivery of information to lenders, saving you from wading through delivering the same documentation to lender after lender.



Competitive Bids - Best Deal for You

By acting as arbiter between you and potential lenders, KJK can often generate a competitive bid scenario that will help you secure terms that are most favorable to you and your needs.



Dedicated to Your Success

Once you select the best financing deal for your company from the competitive opportunities we provide, and we get it closed for you, you can move forward with your strategic growth plan or new project knowing that you have a great team of lenders and lawyers behind you who are dedicated to your success.



GET TO KNOW ROB

As head of KJK's Labor and Employment Practice and Litigation Group, Rob Gilmore helps employers large and small not only to address workplace challenges as they arise, but also to incorporate best practices to help them avoid those challenges. That includes such matters as terminations, non-competes, employee handbooks and agreements, shareholder disputes, discrimination complaints and much more. While working as assistant general counsel at Verizon Communications, Rob stood in the same spot as many of his clients today, and passes on insight earned on both sides of labor and employment law.

ROB'S LABOR AND EMPLOYMENT LAW CHECKLIST

► **Some of the greatest risks** that companies face are in the area of labor and employment law. It is crucial for companies to stay up-to-date on the law and current trends, and to take preventative measures to avoid potential lawsuits and government investigations. Here are tips on what your company should be doing to protect yourself against these risks. *By Rob Gilmore*



Employee Handbook. Make sure it's up-to-date and that it works to your benefit and not against you.



Documentation of Performance Issues. Be careful to properly document employee performance issues and conduct annual reviews that give truthful — not sugar-coated — feedback.



Exempt? Or Non-Exempt? Be sure that you are classifying your employees as exempt or non-exempt properly, and addressing overtime issues when clocking in and out at beginning and end of day and for lunch.



Independent Contractors. Stay apprised of the criteria that dictate whether a member of your staff is an independent contractor or an employee.



Handling Employee Complaints. Be sure that you have policies in place to prepare for possible discrimination and harassment investigations and avoid retaliation claims.



Protecting Your Information. Your information is one of your greatest assets. Be sure you protect it through the right non-competes, no-solicits and confidentiality agreements, and take steps to protect yourself against cyber attacks.



Part Ways the Right Way. Avoid lawsuits by properly handling the termination process. Take care to avoid risk in severance and releases.

KJK AT A GLANCE

CARING FOR THE COMMUNITY



► **KJK DOES MORE THAN** solve legal matters. We're actively involved in improving the communities we serve by sitting on civic and nonprofit boards and volunteering to support those who need it most. Whether this means raising money within our offices through chili cook-offs and jeans days, or sponsoring a team to race for a great cause, our firm is dedicated to investing our time, energy and talents to these endeavors.



"My experience walking in Race for the Place for The Gathering Place was one to remember. Losing my grandmother and grandfather to cancer makes the disease something I think about often. When Justine Konicki, a KJK Associate, donated \$250 in my name, I discovered that she lost her mother to cancer, and I felt that I was there representing not just Justine but also her mother. That put positive thoughts in my mind and a smile in my heart. I felt so blessed to be with my family, walking for others and their families."

— **Kori White, Client Service Coordinator**

"I was pleased to be elected to the Mandel Jewish Community Center Board. The JCC provides the community with an invaluable place to gather and grow, and provides phenomenal programming to both its membership and the general public. To be asked to be part of the group that helps steer this organization is a great honor."

— **Brett Krantz, Partner**

**FOLLOW
KJK**



@kjklaw



@KJK_Law



@kjk_law

If you would like to pass a copy of *KJK Connect* on to a colleague, or receive future issues electronically, please email Stephanie Nord at sdn@kjk.com.

KJK PROUDLY WELCOMES

KJK recently made strategic growth moves to expand our Columbus office. To learn more about these team members, please visit their bios at KJK.COM.



Kesha D. Kinsey
Associate — Columbus
kdk@kjk.com | 614.427.5749
PRACTICE AREAS: KJK Advocate,
Litigation



Rhonda J. Houston
Paralegal — Columbus
rjh@kjk.com | 614.427.5746
PRACTICE AREAS: KJK Advocate,
Litigation



Andrea K. Kackley
Legal Analyst — Columbus
akk@kjk.com | 614.427.5744
PRACTICE AREAS: KJK Advocate,
Litigation

ARTFULLY SO

KJK HAS AN EXTENSIVE COLLECTION of unique art ranging from primitive aboriginal Oceanic works to outstanding sculptures, prints and paintings. **Robert H. Jackson**, one of our senior partners, acquired and curates this eclectic collection.



“Black Tie” by James Rosenquist. Rosenquist is best known for his colossal collage paintings of enigmatically juxtaposed fragmentary images borrowed largely from advertisements and mass media.

“SF-269” by Sam Francis. Francis was an American painter and printmaker best known among the group of painters known as the second generation of Abstract Expressionists.

TO VIEW AND LEARN MORE ABOUT OUR PIECES, PLEASE FOLLOW US ON INSTAGRAM @KJK_LAW AND FACEBOOK @KJKLAW

Warning & Disclaimer: This newsletter and the pages, articles and comments on www.kjk.com, do not constitute legal advice, nor do they create any attorney-client relationship. The newsletter may express the personal opinion and views of the author and should not be attributed to KJK. Some of this content may constitute attorney advertising within the meaning of the applicable bar rules. As applicable, the following statement is made in accordance with those rules: ATTORNEY ADVERTISING. PRIOR RESULTS DO NOT GUARANTEE A SIMILAR OUTCOME. Any use of this newsletter is for personal use only. All other uses are prohibited. © Kohrman Jackson & Krantz, LLP. All rights reserved. To obtain permission to reprint articles contained within this newsletter, contact Stephanie Nord at 216.736.7229.



1375 East Ninth Street
One Cleveland Center, 29th Floor
Cleveland, Ohio 44114

