

Nic Ferland

Partner

New Haven
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Education

- University of Connecticut School of Law, *With Honors*, JD
- Kenyon College, *With Honors and Distinction*, BA

Practices & Industries

- Restructuring, Bankruptcy & Creditors' Rights
- Real Estate
- Financial Institutions & Lending
- Corporate

Admitted to Practice

- Connecticut

Court Admissions

- US District Court for the District of Connecticut

Biography

Nic's practice encompasses bankruptcy, real estate, leasing, finance, and general corporate matters. He appears in bankruptcy courts throughout the United States in high-profile cases on behalf of financial institutions, landlords, general creditors, and interested parties. Nic also represents clients in commercial lease and real estate transactions, loan agreements, and development and redevelopment projects. Nic's practice also includes issuing “non-consolidation” and “true sale” opinions and structuring loan transactions to meet true sale requirements.

Nic provides general counsel to companies operating in Connecticut and to clients in the shopping center industry nationwide. He has extensive experience with all aspects of shopping center operations, such as lease defaults, common area charges, development, security, public access, reciprocal easement agreements, co-tenancy issues, real estate taxes, and premises liability.

Bar Associations

- American Bar Association

Selected Memberships & Affiliations

- American Bankruptcy Institute
- ICSC: Innovating Commerce Serving Communities

Representative Experience

- Represents landlords of 83 stores in GNC Holdings, Inc. bankruptcy cases.

- Represents landlords of 143 stores in Ascena Retail Group, Inc. bankruptcy cases.

Prior Experience

- LeClairRyan
- Tyler Cooper

Judicial Clerkships

- US Bankruptcy Court, Judge Alan Shiff

Selected Honors

- *The Best Lawyers in America*®: Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2011–2027; Litigation – Bankruptcy, 2011–2027; Real Estate Law, 2025–2027
- Selected to *Super Lawyers* Connecticut: Bankruptcy – Business, Real Estate, and Securities & Corporate Finance, 2009–2010 and 2013–2018

Selected Media

- *USLAW Magazine*, "Retail Tenant Troubles: Pre-Bankruptcy Planning"
- *Law360,* "Retail Bankruptcies Raise Collection Questions For Landlords"

Selected Alerts & Blog Posts

- Rights of a Real Estate Buyer When a Seller Is in Bankruptcy

Selected Publications

- Bankruptcy Basics for Retail Landlords
  - Issue 20—"Common Issues and Filings in Retail Tenant Bankruptcies"
  - Issue 19—"Plan and Disclosure Statement in Retail Tenant Bankruptcies"
  - Issue 18—"Filing Proofs of Claim in Retail Tenant Bankruptcies"
  - Issue 17—"Relief From the Automatic Stay in Retail Bankruptcies"
  - Issue 16—"Retail Landlords Strike Back!: Enforcing Rights Against Tenants in Chapter 11 Bankruptcy Cases"

- Issue 15—"Subchapter V Retail Bankruptcy Cases: Part 2"
- Issue 14—"Subchapter V Retail Bankruptcy Cases: Part 1"
- Issue 13—"Store-Closing Sales and Going-Out-of-Business (GOB) Sales"
- Issue 12—"Retail Real Property Leases: Lease Rejections"
- Issue 11— "Retail Real Property Leases: Lease Amendments"
- Issue 10—"Retail Real Property Leases – Assumptions/Assignments: Adequate Assurance"
- Issue 9—"Retail Real Property Leases: Cure of Defaults"
- Issue 8—"Real Property Leases: Debtor Obligations in Retail Bankruptcy Cases"
- Issue 7—"Lease Disposition Timing in Retail Bankruptcy Cases"
- Issue 6—"Lease Disposition Options in Retail Bankruptcy Cases"
- Issue 5—"Chapter 11 vs. Chapter 7 Retail Bankruptcy Cases"
- Issue 4—"Case Outcomes in Chapter 11 Retail Bankruptcies"
- Issue 3—"Major Players"
- Issue 2—"Impact of the Automatic Stay"
- Issue 1—"First Day Motions: Part 1"
- Issue 1—"First Day Motions: Part 2"

Selected News

- 26 Barclay Damon Attorneys Listed in Third Annual *Best Lawyers® Business Edition: Litigation Issue*
- Attorneys Published in *USLAW Magazine*
- Law360: Retail Bankruptcies Raise Collection Questions for Landlords