

Meryl P. Diamond

Partner

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Meryl Diamond focuses her practice on commercial real estate finance. Meryl represents national commercial banks, investment banks, insurance companies and funds on a variety of U.S. loan transactions for portfolio and securitized lenders, including the origination, sale and purchase of permanent and construction loan financing, participations and mezzanine financing and loan restructuring, workouts and foreclosures. She has experience acting as form and program counsel for lenders and in the representation of special servicers in connection with loan restructuring, workouts and foreclosures. She has also represented institutional real estate investors and developers in the leasing, acquisition, sale and refinancing of commercial real estate.

Meryl received her bachelor's degree from the State University of New York at Binghamton in 1992. She received her J.D., cum laude, in 1999 from St. John's University School of Law where she was managing editor of the *St. John's Law Review*.

Representative Experience

- Represented a national bank on the origination of a \$520 million securitized mortgage loan and five tranches of mezzanine financing equaling \$230 million, in the aggregate, as well as the sale of the five tranches of mezzanine financing. Subsequently represented the same national bank, as a servicer, on a tax-driven borrower conversion and loan assumption of this financing as well as the national bank, as a servicer and a mezzanine lender, on a subsequent new borrower loan assumption and loan document modification and a subsequent borrower equity sale and loan document modification.
- Represented a national bank in the origination of a \$120 million syndicated mortgage loan secured by six retail properties located in Florida, South Carolina and Georgia, that was syndicated to three additional co-lenders at closing.
- Represented an investment company in two transactions involving the purchase of three tranches of mezzanine loans in two stacked mezzanine financings and negotiations of intercreditor agreements involving a borrower-affiliated lender.
- Represented an investment fund in the acquisition of a mortgage loan secured by over 110 acres of raw land located in Las Vegas, Nevada, for future development into a convention center. The deal involved future advances, a senior/junior mezzanine loan structure, negotiation of a complex intercreditor agreement, foreign tax implications (including conversion of the note into registered form), complex borrower organizational structure (including rights of first refusal with respect to, and redemption of, equity interests) and land use and environmental issues. Also represented the investment fund on the workout and subsequent foreclosure of the mortgage loan.
- Represented a national bank in the origination of a \$43.5 million loan for the construction of a shopping mall secured by real property located in Texas. The transaction involved the negotiation of a development agreement and tri-party agreement with the take-out lender.

- Represented a special servicer in connection with the workout and modification of a \$186,550,000 securitized mortgage loan secured by a retail shopping mall located in Minnesota.

Publications & Presentations

Presentations

- “Basics of Commercial Loan Closing and Loan Documentation,” Mortgage Bankers Association, webinar, May 5, 2020., May 5, 2020.
- “Cash Management Structures, Waterfall Provisions, and Reserves in Commercial Real Estate Finance Transactions,” Strafford, webinar, February 4, 2020., February 4, 2020.
- “Commercial Loan Guaranties: Drafting and Enforcing Corporate and Personal Guaranties and Non-Recourse Carve-Outs,” Strafford, webinar, March 20, 2019.
- “Loan Closings,” MBA’s Commercial/Multifamily Servicing & Technology Conference, Boston, MA, May 2015.

Professional & Community Engagement

- CRE Finance Council (member)
- Mortgage Bankers Association (member)
- American Bar Association (member)
- New York State Bar Association (member)
- St. John’s School of Law Alumni Association (member)
- The Mattone Family Institute for Real Estate Law at St. John’s School of Law (advisory board)

Teaching Experience

- Mortgage Bankers Association
- Webinar instructor for MBA Education October 2015 - present. Classes include “Introduction to Commercial Real Estate,” “Conveyance and Legal Documentation,” and “Loan Closing and Loan Documentation.”

Education

- St. John’s University (J.D., 1999)
- State University of New York (B.A., 1992)

Admitted to Practice

- New York

Related Services

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