



# Joseph A. Mascia

Member

New York

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Joe has an extensive range of experience in the commercial real estate arena. He counsels real estate owners, developers, property owners, and business entities across all real estate asset classes with respect to commercial acquisitions and dispositions, financings, joint ventures, and leasing.

With respect to transactional matters, Joe represents and counsels clients on the acquisition and sale of office, multifamily, industrial, warehouse, and mixed-use properties, as well as development sites. He has expansive experience in negotiating acquisition financing and construction loans as borrower's counsel.

On behalf of both sponsors and investors, Joe negotiates sophisticated and complex joint ventures for real estate developments in New York City and the surrounding areas. In the leasing arena, he advises both landlords and tenants on a broad array of commercial, industrial, office, and restaurant leasing matters. His experience with respect to leasing includes negotiation of net leases, office leases, ground leases, build-to-suit leases, and sale-leaseback transactions.

With in-depth knowledge of real estate law matters representing both purchasers and sellers and landlords and tenants, Joe understands the needs and issues faced by owners and developers in the purchase and sale of property and by commercial owners and tenants in leasing matters. From representing clients on both sides of a transaction, Joe's experience gives him the know-how to advise clients on issues as they arise and enables him to understand the business terms and issues facing each party to effectively negotiate and finalize agreements, contracts, and leases.

As noted in the Representative Matters below, Joe has worked on noteworthy local and national transactions, including the acquisition and disposition and leasing of notable properties in New York City and the tri-state area, air rights and ground lease transactions, and real estate-based financing.

Joe attended Fordham University where he received his Bachelor of Science degree and received his law degree from Fordham University School of Law.

## Experience

Represented New Jersey American Water Company in a regulatory proceeding before the New Jersey Board of Public Utilities (NJBPU) by which it secured approval to acquire the Egg Harbor Township water and sewer systems. The matter was the first petition under the Water Infrastructure Protection Act, a New Jersey statute meant to incentivize the acquisition of troubled public water systems by investor-owned utilities. Following NJBPU approval, the firm assisted with financial and corporate issues in connection with the closing of the transaction.

Represented Ocean State Job Lot, owner of 150 major retail outlets and many shopping centers throughout the Northeast and Mid-Atlantic states, in connection with the establishment of the company's first commercial condominium. The complex, multimillion-dollar transaction on Long Island, NY drew on the experience of the firm's real estate, government relations, commercial litigation, and environmental attorneys.

Represented J&J Snack Foods Corporation, a snack foods and frozen beverages company, in its \$222

## Practice Areas

- Condominiums & Cooperatives
- Italy Practice
- Mergers & Acquisitions – Global
- Real Estate

## Industry Sectors

- Real Estate & Construction
- Renewable Energy

## Education

- Fordham University School of Law, J.D., 1991
- Fordham University, B.S., 1988

## Bar Admissions

- New York

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million acquisition of the equity securities of Dippin' Dots Holding, L.L.C., the owner of Dippin' Dots, LLC, maker of flash-frozen and beaded ice cream, and Doc Popcorn, L.L.C., the maker of the Doc Popcorn brand of popcorn. This transaction drew on the experience of the firm's corporate, tax, real estate, commercial litigation, intellectual property, labor and employment, employee benefits and executive compensation, environmental, and antitrust attorneys.

Represented Blue Lake Capital in its \$80 million, acquisition of a 360-unit multifamily complex in Duluth, Ga., on a short timeline. The representation involved reviewing and negotiating the loan documents in just over two weeks, providing the non-consolidation opinion required by the lender, and negotiating a full management agreement.

Represented the seller of a \$99.25 million commercial condominium located in Philadelphia.

Represented the borrower in a \$40 million construction and project loan for a condominium development in New York City.

Represented a joint venture partner in the sale of its joint venture interest in a New York City condominium and retail development.

Represented the borrower in a workout of a loan secured for an office building in New York.

Represented the borrower/purchaser in connection with the modification and assumption of a loan in default and the purchase of real property located in New York.

Represented the seller in an \$86 million sale of an office building complex in Waltham, Mass.

Represented investors in joint venture agreement for an 80-story building being built in lower Manhattan that will have both a commercial and residential component. The initial investment of was in excess of \$85 million.

Represented developer in the acquisition of a development site in Manhattan that included the acquisition of air rights. The project will also include the construction of high-end condominiums.

Represented tenant in the lease for a full floor of a Park Avenue building.

Represented landlord in the leasing of a rehabilitated building that involved multiple tenants, including office, medical, and retail space.

Represented landlord in a build-to-suit lease for office and rehearsal space for a well-known dance company.

Represented a foundation in the acquisition of property in New York City for its future expansion needs.

Represented a business entity in restaurant leases for various locations in New York City.

Represented the seller in disposition of \$122, million commercial condominium unit in New York City in which the seller and purchaser entered into a hotel management agreement.

Represented a not-for-profit corporation in \$58 million mortgage loan refinancing transaction.

Represented borrowers in the refinancing of commercial real estate loans ranging from \$4.5 million to \$85 million.

Represented the purchaser in assemblage of buildings in New York City for development site.

Represented the borrower in out of state \$22 million construction loan for mixed-use development.

Represented the borrower in \$37 million bond collateralized loan.

Represented the sellers in sale of commercial office buildings, development sites, and varied commercial and industrial properties.

Represented the purchasers in the acquisition of commercial office buildings, warehouses, and raw land.

Represented the seller of \$26 million single-family residence in Manhattan.

Drafted and negotiated leases on behalf of landlords in office/retail buildings.

Negotiated leases on behalf of tenants in first-class office spaces.

Drafted and negotiated subleases on behalf of sub-landlords and sub-tenants for first class office space in New York City.

Represented ground lessors and ground lessees in ground leases in New York City and surrounding areas.

Represented a quasi-public, not-for-profit entity in its acquisition of a \$19 million assemblage of property in Brooklyn.

Secured a favorable settlement on behalf of a New York SoHo luxury condominium in a construction defect case filed against sponsor developers, including the single purpose entity developer and its principals. After the court denied the developers' motion to dismiss the individuals from the case – a difficult motion to defeat in New York County – the sponsor came to the table and settled on terms favorable to the condominium.