Over the last two decades, Jonathan B. Rosenbloom, JD ’76, has worked on just about every kind of real estate project, from hotels and condos to sports facilities and waterfront redevelopments. His biggest projects have become landmarks in New York City, where he is based in the midtown office of Cozen O’Connor.

AW ALUMNUS
JONATHAN B.
ROSENBLOOM’S
latest big project, a golf resort outside San Antonio, touched on a personal passion and drew the Eastern lawyer into a new area of development law.

“That was a complicated transaction with many, many parties involved,” Rosenbloom says. “I’m a lifelong golfer, but I had never had any professional involvement with the development side of the game.”

Before a construction loan of about $320 million could close last year, the developers had to meet the exacting requirements of the PGA Tour for two professional-level golf courses. Tour agronomists focused on a requirement that concerns water—but not so much the quantity, as might be expected in parched Texas. “They were concerned about the quality of the water,” he says. The chemical makeup of the well water beneath the site, the Tour’s experts determined, wasn’t ideal for growing turf grass.
Consequently, the developers had to drill several wells into a regulated aquifer nearby on property they didn’t own. They had to acquire land for the wellheads and, separately, the legal right to withdraw water from the aquifer.

“I spent weeks on the phone with water lawyers in Texas, being educated about the nuances of this secondary market for Edwards Aquifer water rights,” says Rosenbloom, whose group represented the syndicate of banks that provided the financing.

When a major development is built from scratch, a multiplicity of legal issues can arise. Many spring from government regulation of land use, including environmental laws, Rosenbloom says. In urban areas, zoning may come into play. Then there are roles for lawyers in creating a project’s ownership and capital structure, negotiating the terms of equity and debt financing and apportioning the rights, responsibilities, and liabilities of the various participants in the construction and management of the project.

In those circumstances, he says, “It can get very lawyer-intensive.”

ROSENBLOOM’S FIRST JOB after graduating from law school was quite different. He was recruited by the State Attorney General’s Office in New York, assigned to its Special Prosecutor for Nursing Homes and Health Services, the nation’s first office devoted to prosecuting fraud in the Medicaid program.

For almost nine years, he directed grand jury investigations of financial fraud committed by hospitals, nursing homes, pharmacies, and freestanding clinics that provided health services through the state–federal program for the poor. New York’s office became the model for the Medicaid Fraud Control Units developed under a 1977 federal law.

His next job was also in government, as senior counsel at the New York State Urban Development Corporation, popularly known as UDC then and now renamed Empire State Development.

Why does a lawyer leap from prosecuting Medicaid fraud to fostering economic development? Many prosecutions he directed grew out of fraudulent acts a decade old, giving Rosenbloom “a feeling I was mired in the past. I was wanting to do something more present- and future-oriented.”

He was living in Manhattan, where real estate issues constantly affect residents in one way or another. His activism in local Democratic politics sealed the job in the administration of charismatic Governor Mario Cuomo. Rosenbloom stayed nine years working on projects all over the state of New York and, for a time, was UDC’s legislative liaison in Albany, the state capital.

“It was really the most enjoyable part of my career,” he says. “The projects I worked on were some of the largest in New York at the time. I dealt on a daily basis with some of the state’s most sophisticated developers and prominent law firms.”

One project was the Hudson River Park. Still under construction, its jogging and bike trails, people and dog parks, and recycled piers stretch along five miles on the west side of Manhattan.

“It’s the largest open space created in New York City since Central Park,” he notes. “It absolutely transformed the Hudson River waterfront from industrial and transportation uses into a park completely accessible to the public.” Rosenbloom provided legal advice on the Park’s initial concept planning and environmental review and negotiated the lease for the Chelsea Piers athletic complex privately developed on the State-owned site.

Another big project was Queens West along the East River in the Hunter’s Point section of the borough. The former rail yard and derelict industrial zone is now the site of apartment buildings, parks, a school, and a library. It was one of the first important conversions of “brownfields” in New York City.

To make the site feasible for residential development, UDC developed an unprecedented plan to test and remediate pre-existing contamination on the site, with Rosenbloom hammering out the plan’s details with the state’s Department of Environmental Conservation. Rosenbloom also negotiated initial ground leases and advised on that initiative’s master plan and environmental review as well.

OTHER ENVIRONMENTAL ISSUES figured in the planning for the Hudson River Park, which evolved from the controversial Westway highway project, years earlier. Working on both projects, as well as on other brownfield sites, Rosenbloom appreciates having taken a pioneering course in environmental law taught by Daniel R. Mandelker, the Howard A. Stamper Professor of Law.

“Ironically, one of the law school courses most directly useful to me over the years was one I took almost as an afterthought,” says Rosenbloom.

Moving to the private sector in 1995, Rosenbloom joined the Fischbein Badillo firm in New York as a partner in its real estate and government relations group.

While there, representing international lenders on large commercial mortgage transactions gradually became the primary focus of his practice. In 2005 Rosenbloom, along with other Fischbein Badillo colleagues, became a Senior Member of Cozen O’Connor, which has approximately 500 lawyers in the United States, United Kingdom, and Canada.

Of the many projects he has worked on, Rosenbloom says he is most proud of the two big ones that literally changed the skyline and landscape of New York City.

“Either Queens West or the park,” he replies. “They both involved reuse of former commercial or industrial property, both were joint ventures between the State and the City, and both created spectacular public waterfront open spaces that will be enjoyed by generations of New Yorkers to come.”

by Kenneth J. Cooper, AB ’77