

Manuel Fishman

San Francisco, California
Shareholder

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Areas of Practice & Industry Specialties

Real Estate; Leasing; Family Office & Wealth Management;
Technology Law; Solar & Renewable Energy Law



Manuel Fishman focuses his practice on representing real estate developers and owners in the acquisition, sale, and financing of commercial properties. In addition, he has an active leasing practice representing owners of several major office buildings in San Francisco, including the Transamerica Pyramid, as well as tenants in lease and sublease transactions. His expertise includes letters of intent, tenant improvement work agreements, security deposits/letters of credit, signage rights, expansion and contraction rights, permitted transfers, operating expense audits, and lender and master landlord recognition agreements. Mr. Fishman maintains close relationships with the real estate brokerage community and utilizes these relationships to provide clients with market based information important to their existing and prospective real estate requirements. Mr. Fishman also has extensive experience in the area of ground leasing and retail leasing and is recognized as a leading attorney in the area of landline and wireless communications and Internet-based services in commercial properties and rooftop installations.

In addition, Mr. Fishman acts as outside general counsel to start-ups that seek to leverage some part of commercial real estate into a tech application, and helps guide these companies in their efficient use of legal time and expertise in various subject matters, from employment and IP to enterprise contracts and web site privacy policies.

Mr. Fishman also represents clients in equity structuring for, and the acquisition of, value add properties, including the formation of single purpose entities and joint ventures, and acquisition financing. Mr. Fishman has negotiated numerous construction management, project development and property management agreements relative to ground up development projects, as well as all types of easements and other adjoining owner agreements.

Mr. Fishman serves as chair of the Building Owners and Managers Association (BOMA) of San Francisco's Government Affairs and Policy Advisory Committee (GAPAC). He served on BOMA San Francisco's Board of Directors from 2003–2006, and was the recipient of the 2006 Associate Member of the Year from BOMA San Francisco. He is the past representative of BOMA San Francisco to the California BOMA Board. Mr. Fishman is also a member of the International Council of Shopping Centers and the Real Property Sections of the American Bar Association and the State Bar of California.

Most recently, Mr. Fishman has been recognized as a 2017 Best Lawyer in America in Real Estate Law, an honor he has received since 2007, and was recognized as a 2014 Top Rated Lawyer by *American Lawyer Media* in conjunction with *Martindale Hubbell*. He has also been recognized as a Northern California *Super Lawyer* from 2012-2016 and as one of *Bay Area Magazine's* Top Lawyers in the Bay Area.

Mr. Fishman is a frequent lecturer on office and shopping center leasing matters and writes frequently for industry newsletters.

Publications

- The Changing Face of CRE Investment, *Commercial Property Executive*, May 1, 2017
- Buchalter Technology Newsletter, December 15, 2016
- Ensure Your Investments Are Insured, December 13, 2016
- Keep Your Exposure to Real Estate Low: Sublease, *Inside Counsel*, June 14, 2016
- Buchalter Hospitality Industry Law Newsletter, June 2016
- Litigation Gone Sour: A Failed Landlord Lawsuit, *Commercial Property Executive*
- Insurance: Why It Is Good For Your Company's Health, *Buchalter Nemer Technology Industry Newsletter*, January 2016
- How Real Estate Intersects with the On-Demand Economy, *Commercial Property Executive*, October 9, 2015
- Service, Vendor and Enterprise Agreements, *Buchalter Nemer Technology Industry Newsletter*, October 2015
- Shopping Centers and Free Speech, *Commercial Property Executive*, August 6, 2015
- Real Estate: An Introduction to Leasing For Start-Ups, *Buchalter Nemer Tech Industry Bulletin*, April 16, 2015
- Water and Energy – A New Cost Model, *Commercial Property Executive*, April 8, 2015
- Are Your Contracts Set Up for Electronic Signatures?, *Commercial Property Executive*, February 4, 2015
- Title 24: What the Future of Energy Efficiency Regulations Means for Commercial Landlords and Tenants, *BOMA Views*, Fall 2014
- As 2014 Comes to a Close, Start Planning for 2016, *Commercial Property Executive*, November 20, 2014
- Estoppel Certificates: Achieving Certainty, *Commercial Property Executive*, October 16, 2014
- Office Leasing and Airline Reservations, *Commercial Property Executive*, August 20, 2014
- Prepare for Q4 in the Summer, *Commercial Property Executive*, July 16, 2014
- Is It a Bubble Yet? Reflections on the Current State of CRE, *Commercial Property Executive*, May 21, 2014
- WARNING: Estimates in Letters of Intent Can Come Back to Bite, *Western Real Estate Business*, April 2014
- Beware of Estimates in Letters of Intent, *GlobeSt.com*, February 6, 2014
- Estimates in Letters of Intent Can Come Back to Bite, *Buchalter Nemer Client Alert*, January 2014
- Rainmaker Q&A: Buchalter's Manny Fishman, *Law360*, August 29, 2013
- Legal Update: How to Incorporate the New Disability Access Disclosure Requirements in Commercial Leases and What to Consider in Determining Whether to Perform a CASp Inspection, *Calbar.org Real Property Law Section E-Bulletin*, June 1, 2013
- The World is Going Mobile - What About Your Building?, *National Real Estate Investor*, August 15, 2012
- The World is Going Mobile - What About Your Building?, *BOMA Views*, August 1, 2012

Presentations

- Speaker, "Letters of Intent: Defining Terms for Efficient Lease Negotiations," Lorman Webinar, July 18, 2016
- Speaker, "Real Property Law: The Pros and Cons of Using Standard Residential and Commercial Leases," the State Bar of California in Anaheim, CA, October 9, 2015
- Panelist, "San Francisco's Real Estate Office Market: A 2013 Update," the Jewish Community

Federation's Business Leadership Council Real Estate Panel in San Francisco, CA, November 19, 2013

- Speaker, "The San Francisco Gross Receipts Tax - Challenges & Opportunities for Commercial Property Owners, Brokers & Service Providers," the Reuben Junius & Rose Real Estate Roundtable at The City Club in San Francisco, CA, May 9, 2013
- Guest Lecturer, "Current Trends and Ownership Structures for Commercial Real Estate," the Corporate Governance and Practice seminar at Stanford University Law School in Palo Alto, CA, March 6, 2013

Education

Mr. Fishman earned his J.D., *magna cum laude*, at Santa Clara University School of Law in 1982 and his B.A. at the State University of New York at Purchase in 1975.

Bar Admissions

- California

Court Admissions

- U.S. District Court for the Northern District of California
- U.S. District Court for the Eastern District of California
- U.S. Court of Appeals for the Ninth Circuit