



David H. Gunning II

Member

Cleveland

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Practice Focus

- Real estate
- Financial services
- Construction

David is co-chair of our national real estate practice and understands the complex and challenging issues facing the real estate industry. David's experience spans the areas of real estate, commercial finance, construction, public finance, economic incentives, and general corporate law and includes real estate acquisition and dispositions, joint venture agreements, complex loan and finance documentation, negotiations/contracts, economic incentive transactions, and fund development. David has represented national lenders and other financial institutions; borrowers; national, regional and local developers; institutional and corporate owners; national retailers, and privately held businesses. David is the former president and chief executive officer of APM Management, LLC, one of the leading multifamily real estate acquisition and management companies in the Midwest.

David earned a J.D. from Cleveland-Marshall College of Law in 1994. He received a B.A. from Lake Forest College in 1989.

Representative Cases/Matters

- Represented developer to obtain economic incentives for \$35 million hotel project
- Represented private equity company in the acquisition and financing of Colorado company and 2 facilities
- Represented lender in the financing of \$150 million credit facility
- Represented borrower in a \$30 million bond financing and economic incentive transaction for construction of manufacturing facilities in Ohio
- Represented owner in sale of 5,300 apartments in multiple states to single buyer
- Represented lender group in the \$800 million financing for two casinos
- Represented owner in the acquisition of 500 unit apartment complex in South Carolina
- Represented owner in the acquisition and development of shopping center in Salina, Kansas
- Represented owner in the acquisition of 450 unit apartment complex in Ohio
- Represented owner in the development of 500,000 square feet of industrial property in South Carolina
- Represented lender in a \$670 million construction loan for a mixed-use project in New York, New York
- Represented lender in the financing of acquisition of 16 retail sites in four states totaling \$20 million

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- Represented lender in the financing of over \$50 million in retail acquisition financing
- Represented sponsors in private-placement offerings for multifamily, retail, and industrial acquisitions
- Represented lender group in the financing of \$130 million Racino
- Represented an owner in the construction of a one million square foot new world corporate headquarters.
- Represented an owner in the construction of 100,000 square foot aquarium
- Represented national retailers in leasing work around the country
- Represented private equity company in financing \$100 million acquisition
- Represented developer in the development of a \$45 million mixed-use university project
- Represented lender in multi-site healthcare facility transactions
- Represented large non-profit agency in acquisition and sale of numerous commercial property in Cleveland Arcade.
- Represented an owner in the acquisition and financing of multiple manufacturing facilities in multiple states
- Represented a buyer of a national brand hotel
- Represented developer in the development, financing, and construction of a hotel
- Represented lender in the construction financing of 500 multi unit apartment complex in Florida
- Represented university in construction of over 500,000 square feet of new buildings

Admissions - Court

- U.S. District Court for the Northern District of Ohio

Admissions - State

- Ohio

Education

- Cleveland-Marshall College of Law
- Lake Forest College

Honors and Awards

- Named by *The Best Lawyers in America* for Construction and Real Estate Law (2008-2013, 2017-2020)
- Named an "Ohio Super Lawyer" by *Ohio Super Lawyers* magazine (2009-2011)
- Named an "Ohio Super Lawyer-Rising Star" by *Ohio Super Lawyers* magazine (2005-2008)

Professional Membership

- American Bar Association, Member
- Ohio Bar Association, Member
- Cleveland Metropolitan Bar Association, Board Member (2007-2009)

Public Service and Volunteerism

David Gunning II

- Cleveland State University, Chairman of the Board of Trustees
- Cleveland Clinic Children's Hospital for Rehabilitation, Board of Trustees
- Cleveland Clinic Children's Hospital, Leadership Counsel
- The Centers for Families and Children, Board of Directors
- International Council of Shopping Centers, Member
- Neighborhood Centers Association, Board Member
- Greater Cleveland YMCA, Board of Trustees, Past Chairman of the Board
- Ohio Republican State Central Committee's 21st District, Elected Member (2006 to 2012)
- Association of Corporate Growth, Member

Alerts

- Ohio Governor Mike DeWine orders 90-day pause in foreclosures
- ODH order for non-congregate sheltering: Protecting against liability while joining the battle against COVID-19

Blog Posts

- Here comes blockchain: Commercial real estate industry get ready
- Net lease market strong
- 5 real estate trends to watch for in 2016
- Intermodal industrial properties are an exciting development and investment opportunity

News

- 41 attorneys from McDonald Hopkins recognized as 2020 Best Lawyers®
- 35 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers® 2018
- 39 attorneys at McDonald Hopkins selected for inclusion in Best Lawyers 2017
- David H. Gunning II named Real Estate Practice Chair at McDonald Hopkins

Events

- Commercial Real Estate Leasing: The Top 10 Things You Must Know | Wednesday, December 12, 2018
- Defer Capital Gains and Depreciation Recapture Taxes | Wednesday, July 11, 2018
- Real Estate Law Boot Camp | Monday, May 8, 2017
- Handling Real Estate Transactions From Start to Finish | Thursday, December 1, 2016
- Swing State: Why Ohio Matters in National Elections | Saturday, October 1, 2016
- Unlocking the value of your commercial real estate | Tuesday, February 17, 2015

Speaking Engagements

- Annual speaker since 1996 at the Cleveland Metropolitan Bar Association Real Estate Institute on real estate, finance and construction related topics

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- Frequent speaker for NBI, Inc., on real estate, finance and construction related topics