



## J. Mark Lovelace

Director

J. Mark Lovelace's practice is distinguished by an accomplished career representing leading financial institutions in a wide range of commercial financing transactions. The depth of Mark's transactional experience also extends to all kinds of other businesses, including food service, real estate, green energy and oil and gas, and to representation of parties in numerous acquisitions and divestitures.

### Contact

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#### Oklahoma City

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### Practice Areas

- Auto Dealerships
- Clean Energy Law
- Financial Institutions
- Oil and Natural Gas Title Examination
- Oil and Natural Gas Transactions
- Real Estate Transactions

### Education

- Duke University (B.A., cum laude, 1976)
- University of Oklahoma (J.D., 1982)

### Admissions

- 1982, Oklahoma
- 1985, U.S. District Court, Western District of Oklahoma
- 2012, Texas

### Biography

Mark Lovelace is a Director and a member of the Firm's Financial Institutions and Real Estate Practice Groups. He is admitted to practice in both Oklahoma and Texas as well as the U.S. District Court for the Western District of Oklahoma. He is a founding director of the Firm.

Mark has practiced in banking law and commercial law his entire career, having started at the Federal Deposit Insurance Corporation's Penn Square Bank receivership in Oklahoma City during a historic downturn in the local energy economy. He went on to the private sector and is regularly engaged by lenders to handle commercial and real estate loan transactions of all types, ranging from new extensions of credit to loan workouts and debt restructurings. He is frequently engaged by law firms across the country to serve as local counsel to borrowers and lenders in credit facilities.

He has also worked in numerous multi-bank and multi-state loan transactions. He participates in the work of commercial finance and legal opinion committees of the American Bar Association. Mark has shared his expertise with other attorneys by contributing to ABA publications on commercial lending law and the law of guaranties and giving presentations on commercial transactions at Oklahoma Bar Association seminars. He participated in the preparation of the Oklahoma Comments to amendments to Article 9 of the Uniform Commercial Code.

In addition to banking and commercial law, Mark has a well-rounded transactional practice with work on many business acquisitions and divestitures, real estate sales and purchases, title insurance matters, public charter school facilities and financings, and legal opinions of all types.

Originally from Texas, Mark lives in Oklahoma City with his wife Kristen, a registered nurse.

### Experience

#### Financing transactions and creditors' rights

- Represented agent bank in financing to large national retailer involving multiple banks from around the U.S.
- Represented agent bank in multi-bank financing to publicly traded public utility holding company

- Represented lender in workout of multiple loan credit on hotel acquired from receiver of failed financial institution
- Headed the firm's team acting as counsel to group of international lenders financing new wind energy projects in Oklahoma
- Represented lender for acquisition financing for purchase of Oklahoma marina subject to municipal lease
- Represented lender in acquisition loan for purchase of local Texas telephone companies
- Represented lenders in restructures of private-public financings for hotel properties after exits from tax credit financings
- Represented lenders in commercial business loans to wide range of businesses and large variety of secured collateral, including hotels, auto dealerships, equipment manufacturers, distributors, wholesalers, retailers, religious institutions, other non-profits, restaurants, energy companies, surface transportation companies, museums, and private aircraft companies
- Represented lenders in real estate loans for construction and term financing for office buildings, retail centers, auto dealerships, apartments and other multifamily, industrial properties, hotels, timberland, and residential builder lines
- Frequently retained to act as local counsel in financing transactions involving Oklahoma properties and companies
- Negotiated and documented numerous workout and forbearance arrangements
- Handled multiple non-judicial real property mortgage foreclosures under Oklahoma power of sale statutes
- Assisted in litigation on secured transactions issues under UCC Articles 8 and 9 and Oklahoma motor vehicle lien statutes

#### Other transactional experience:

- Represented credit union in extensive renegotiation of online services agreement with national fintech company
- Represented public charter school and affiliate company in acquiring properties to support increased enrollment, including long term leasehold interest in property from developer which used new markets tax credit financing
- Represented financial institution in years-long disposition of property obtained through foreclosure
- Represented private landowners in negotiation of dispute with major materials company over use of roadway easement, resulting in new agreement for improved operations and increase in compensation
- Served as local counsel to a lender new to the Oklahoma market, which specialized in faith-based residential financing using documents acceptable to Freddie Mac
- Represented large national restaurant chain in multiple sales and acquisitions of stores across the U.S.
- Advised insurance companies concerning Federal Home Loan Bank membership
- Represented purchasers of Oklahoma marinas subject to state and municipal leases on U.S. Army Corps of Engineer properties
- Serves as senior director for the firm's legal opinion practice for all transactions
- Secured commercial business loans and real property loans
- Commercial and real estate transactions of all kinds
- Oil and gas title examination

#### Expertise

- Secured commercial business loans and real property loans
- Commercial and real estate transactions of all kinds
- Oil and gas title examination

#### Recognition

- Martindale-Hubbell AV<sup>®</sup> Preeminent<sup>™</sup>
- Best Lawyers<sup>®</sup>: Banking Law (2011-present)
- Best Lawyers<sup>®</sup>: Business Organizations including LLCs and Partnerships (2016-present)
- Best Lawyers<sup>®</sup>: Commercial Transactions / UCC Law (2017-present)
- Best Lawyers<sup>®</sup>: Lawyer of the Year in OKC: Business Organizations (including LLCs and Partnerships) (2018)
- Best Lawyers<sup>®</sup>: Real Estate Law (2021-present)
- 405 Magazine Top Attorney in Banking and Financial (2020-2021, 2023)
- Best Lawyers<sup>®</sup>: Commercial Finance Law (2022-present)

- Best Lawyers®: Lawyer of the Year in OKC: Banking and Finance Law (2022)
- Best Lawyers®: Lawyer of the Year in OKC: Commercial Finance Law (2023)
- Best Lawyers®: Lawyer of the Year in OKC: Commercial Transactions / UCC Law (2023)