

## J. Nicholas “Nick” Kendall

Partner

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I advise business owners who need to go beyond the handshake – providing them the exit strategy guidance, due diligence, documentation and deal structure that helps them successfully sell or develop a succession plan for their business. Clients tell me that one of the greatest benefits they get in using me is efficiency. I don't waste anyone's time or money. This also shows through in my transparent and direct communication style – I cut to the chase.

Nick Kendall represents established and start-up businesses of all sizes in their corporate, **transactional** and **commercial real estate** activities. Family-owned sellers and buyers throughout North Carolina and the Southeast hire Nick for mergers, acquisitions, company and partnership structuring, strategic alliances, to draft and negotiate shareholder and other agreements, and succession planning. Working hand-in-hand with Johnston Allison & Hord's deep bench of sophisticated estate planning attorneys, Nick is able to coordinate a comprehensive service team that can provide growing companies and business owners and executives everything that they need. Transitioning older partners out of day-to-day company management, buying out individual owners or structuring the smartest real estate transaction so the seller retains the real estate and leases it to the acquiror – this is only a part of the value Nick brings to his clients. Nick has done significant work with manufacturing companies, from textiles to recycling, and from piping to plastics. In addition to

### Practices

Business Succession Planning  
Business Transactions  
Professional Services  
Mergers & Acquisitions  
Real Estate Advisory Services  
Private Equity

### Industries

Automotive  
Energy  
Sports & Entertainment  
Distribution  
Manufacturing  
Healthcare

### Bar Admissions

North Carolina

### Education

University of North Carolina School of Law (JD, with High Honors, 2003)  
• Chancellors' Scholar  
University of North Carolina at Charlotte (BS, *summa cum laude*, 2000)  
• Accounting  
University of North Carolina at Charlotte (BA, *summa cum laude*, 2000)  
• Political Science

his deep operational understanding of family-owned businesses in these and other industries, he also helps them strategize, structure, buy or sell their commercial real estate assets.

### Representative Experience

- Represented closely-held automotive paint and coatings manufacturer in \$270 million stock sale to publicly-traded acquirer.
- Represented family-owned company in sale of multiple boat dealerships and lease of dealership and marina properties to publicly-traded acquirer.
- Represented closely-held software development company in sale to private-equity acquirer, including negotiation and documentation of equity rollover.
- Represented closely-held plastics recycler in spin-off of PET business to multi-national acquirer.
- Represented national medical group as local counsel in acquisition of North Carolina-based practice.
- Represented family-owned process piping (commercial and industrial) installation contractor in sale to private equity acquirer, including negotiation and documentation of equity rollover.  
Represented closely-held carpet manufacturer in reorganization of manufacturing real estate assets, including buyout of investor and institutional refinancing.
- Represented closely-held convenience store chain in \$275+ million disposition of 66 convenience stores and wholesale petroleum distribution operation to publicly-held southeast convenience store operator.
- Represented closely-held movie theater company in \$125+ million disposition of 25 theaters in four-state area to publicly-traded acquirer.
- Represented regional healthcare provider in sale/leaseback of five multi-story medical office buildings comprised of

### Associations

#### Professional

- **American Bar Association**
- **North Carolina Bar Association**
- **Mecklenburg County Bar**

#### Community

- **Charlotte Community ToolBank**, Board of Directors (2015–2018)
- UNC-Charlotte Alumni Council (2015–2018)
- **Phoenix Montessori Academy**, Pro bono assistance to Board of Directors (2014–2017)
- **Leadership Gaston** (2010)

#### Community

About Our Firm  
Recognition

650,000 square feet with an overall transaction value of \$125+ million.

- Represented family-owned retail chain in sale of 80+ locations to publicly-traded acquirer.
- Represented investor in connection with the restructuring and recapitalization of a joint venture and modification of related financing involving a mixed use development consisting of 24 properties owned by four related entities with a value after recapitalization of \$32+ million
- Represented closely-held textile manufacturer in sale of manufacturing assets and subsequent reorganization of real-estate and other businesses.
- Represented carpet manufacturer in reorganization which included new institutional financing.
- Represented textile manufacturer in closure of plant and subsequent disposition of plant assets.
- Represented scrap metal recycler in reorganization and financing transactions.
- Represents parties in structuring, negotiating and documenting mergers, acquisitions and joint ventures in the medical, manufacturing and real estate industries.
- Represents solar energy developer in connection with development agreements and disposition of projects.
- Represents commercial real estate developers in negotiation and preparation of industrial, retail, restaurant and office leases to national and local tenants, and negotiation and preparation of easement agreements, master declarations and other site-specific land-use and management documents.

## **Publications**

- Israeli Counter-Terrorism: "Targeted Killings" Under International Law, 80 N.C. L. REV. 1069 (2002)

## Honors

- **Chambers USA**, Recognized Attorney – Corporate/M&A (2017-2025)
- **Business North Carolina “Legal Elite”** – Business Law (2022-2025)
- Order of the Coif, University of North Carolina School of Law (2003)
- **North Carolina Law Review**, Staff Member (2001-2002), Publication Editor (2002-2003)
- **Martindale-Hubbell**, AV® Preeminent™ Peer Review Rated