



# Marnie R. Kudon

## Member

## New York

[mkudon@cozen.com](mailto:mkudon@cozen.com) | (212) 883-4926

### Practice Areas

- Construction Law
- Coronavirus Task Force
- Distressed Real Estate
- Government & Regulatory

### Industry Sectors

- Real Estate & Construction

### Education

- Vermont Law School, J.D., 2005
- University of Central Florida, B.A., 2002

### Bar Admissions

- New York

### Affiliations

The Association of Real Estate Women/CREW,  
Member

### Awards & Honors

- Super Lawyers Rising Star, 2014-2016

Marnie's practice focuses on the multi-jurisdictional acquisition, development, and construction of multifamily properties. Her experience includes representing clients in the initial land assemblage through completion of construction, lease up, and disposition and includes advising clients on land use and zoning, code compliance, construction contracts, government and regulatory advice, and litigation. Marnie's clients include both domestic and international private investors, owners, operators, and developers. She has counseled some of her clients for more than 10 years.

Clients rely on Marnie's review of due diligence to protect their investments in structuring their joint ventures through an in-depth analysis of the proposed land use, zoning, leasing, development rights, rent regulations, tax incentives, environmental, financing structure, and construction agreements. She helps facilitate ground-up developments by advising clients on economically viable land use solutions to developments, building code and zoning compliance, license, development, and construction agreements, and navigating clients through the intricacies of governmental affairs within New York.

Marnie comes to Cozen O'Connor with a litigation background that further provides clients with a global understanding of the potential pitfalls to avoid while negotiating real estate transactions. She continues to represent contractors, architects, property owners, and engineers in construction disputes and defect claims, license agreements, mechanic's liens, commercial lease claims, and Article 78 proceedings. She advocates for clients at the administrative level and has appeared before various administrative and governmental agencies, including the New York City Department of Buildings, Board of Standards and Appeals, Department of City Planning, New York City Housing Preservation and Development, Landmarks Preservation Commission, New York City Economic and Development Corp., and Environmental Control Board.

Marnie earned her undergraduate degree from the University of Central Florida and her law degree from Vermont Law School.

## Experience

Closed more than \$100 million in combined capital investments of various real estate developments in New York, Chicago, and Philadelphia for a foreign fund.

Negotiated the construction and professional consulting agreements for a large-scale, high-profile museum project in Chicago.

Successfully prosecuted a contract dispute arising out of the construction of the Miami Art Museum.

Obtained summary judgment from the New York Supreme Court in favor of Walter T. Gorman, P.E.P.C., a high-profile engineering firm, finding no basis to award liability under the New York Scaffold Law for a professional engineer in failing to allegedly provide protection to the contractors during a construction project at the Lincoln Center for the Performing Arts during New York Fashion Week.

Successfully negotiated modifications to consulting agreements and secured past due payments from

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the New York City Mayor's Office of Housing Recovery for the Build it Back Program on behalf of a consulting and architectural firm for services rendered to those affected by Hurricane Sandy.

Successfully represented a developer in connection with obtaining a work permit from the New York City Department of Buildings for a proposed addition to a building minutes before the building was designated as a landmark by the Landmarks Preservation Commission, thereby grandfathering the proposed addition. Continued to broker relations with the developer and the Landmarks Preservation Commission to provide an aesthetic design solution in an effort to preserve the neighborhood historical character.

Negotiated an inclusionary housing deal on behalf of MRR Development for a 13-parcel assemblage at the southeast corner of East 56th Street and Lexington Avenue near Billionaires' Row. The development consists of approximately 175,000 sq. ft. of buildable floor area.