

Mark S. Danek

PARTNER

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LOCATED IN
West Conshohocken, PAPhiladelphia, PA

MEET MARK

> *"I try my hardest to achieve the client's desired results."*
>
> — **Mark S. Danek**

Mark focuses his practice on business and corporate law, real estate, zoning, land development, construction, and litigation, representing real estate developers, investors, lenders, nonprofit organizations, as well as individuals and private clients.

Mark's undergraduate degree in architecture gives him an industry-leading familiarity with the complicated construction process from inception, through approvals and permitting to the actual construction.

Mark believes that no two clients have the same needs or legal issues. He strives to fully understand his clients' priorities and concerns, so he can provide a plan of action based on their particular goals and needs.

In his free time, Mark enjoys long walks with Daisy, his 2-year-old boxer that he adopted from Montgomery SPCA. He also likes to travel; exploring Europe is the next adventure on his list. Mark tries to maintain a healthy lifestyle through fitness and exercise, though his biggest vice is indulging in good food.

EXPERIENCE

Prior to joining Obermayer, Mark had his own law firm, representing individuals and businesses in complex transactions in both state and federal court, including:

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- Appellate work before Pennsylvania's Commonwealth Court of Appeals;
- Litigation before the Environmental Hearing Board of Pennsylvania;
- Business counseling on pending transactions and entity choice and formation;
- Chapter 11 Bankruptcy filing for a small business;
- Litigation involving real estate tax sales;
- Represented several residential and commercial property owners before municipal Zoning Hearing Boards and Planning Commissions;
- Appeals to Common Pleas Court from the decision of a Zoning Hearing Board;
- Representation of taxpayers before the Internal Revenue Service;
- Landlord/tenant disputes;
- Litigation of Disputed Estate Claims in Orphan's Court; and
- Estate planning and administration.

Mark has also served as a corporate litigation attorney in a large Philadelphia area law firm prosecuting complex securities actions against America's and Canada's largest corporations. During his tenure as a corporate litigator, Mark gained trial experience and gained immeasurable insight into corporate business practices, policies, and management.

Mark's biggest accomplishments include:

- Secured zoning approval for a three-story mixed-use building to allow for new retail and apartments along Fayette Street in the heart of Conshohocken. The structure is critical to the Borough's Comprehensive Plan as it seeks to revitalize Fayette Street and increase the walkability and easy access to services and goods within the Borough.
- Represented neighboring property owners in a land use dispute where a personal care home sought to utilize adjacent property for a construction access road. Although the personal care home was ultimately successful is securing their permits, Mark was able to secure concessions by the personal care home to ensure that the negative impacts of the construction traffic would be mitigated.
- Secured a Preliminary Injunction against a neighboring landowner that prevented his clients from utilizing an easement to access their residence.
- As part of Mark's services to a doctor's practice, he was able to restructure their business and real estate debt which allowed the practice to meet its daily cashflow needs while at the same time planning for the business's successful future.
- Successfully restructured the debt of a multi-property residential landlord. As part of Chapter 11 confirmed Plan of Reorganization, Mark's client was able to shed underperforming properties and substantial debt in order to continue to operate as an ongoing business entity.
- Due to the Pandemic, a local for-profit school wasn't unable to meet its ongoing debt obligations. As part of a confirmed Plan of Reorganization, Mark's client was relieved from repaying various unsecured creditors of outdated debt while

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- making payments on incurred debt on an ongoing basis. As a result of the Reorganization, the school is still operating today.
- Secured a permanent injunction for his clients where a neighboring property owner refused to shield his outdoor lights that were shining directly into Mark's clients' bedroom. The court held that the defendant's on-going use of the outdoor lighting significantly harmed Marks's clients under the applicable community standard and Pennsylvania law. The Court also awarded his clients monetary damages to compensate them for the harm they suffered.

NEWS & INSIGHTS

Mark Danek Secures Zoning Approval for Floodplain Development in Conshohocken

September 23, 2024 by Mark S. Danek

Mark Danek Appointed to the Montgomery County Advisory Council to the Pennsylvania Human Relations Commission

April 29, 2024 by Mark S. Danek

Mark Danek Reappointed to Vice Chairman of the Borough of Conshohocken Zoning Hearing Board

January 31, 2024 by Mark S. Danek

ACTIVITIES & HONORS

Mark formerly served as a Board Member of the Zoning Hearing Board of the Borough of Conshohocken for over ten years – with the last three years serving as its Vice Chairman. He also serves as a Board Member of the Eastern Montgomery County Chamber of Commerce and heads the Conshohocken Sub-Chapter of the Chamber.

EDUCATION

Duquesne University School of Law – JD

Temple University – B.S. ARCH

ADMISSIONS

Pennsylvania

New York

United States District Court for the Western District of Pennsylvania

United States District Court for the Eastern District of Pennsylvania

United States District Court for the Eastern District of Michigan

Supreme Court of the United States (SCOTUS)

United States Court of Appeals for the 11th Circuit

United States Court of Appeals for the 9th Circuit

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United States Court of Appeals for the 3rd Circuit

CAPABILITIES

Business & Finance

Banking

Corporate

Mergers & Acquisitions

Real Estate

Zoning & Land Use

Litigation

Commercial Litigation

Construction Litigation

Bankruptcy & Business Reorganizations

Lender Liability & Workouts

Industry Focus

Individuals & Private Clients

Nonprofit Organizations

Real Estate & Construction

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