

## [Whitman Breed Asked To Set Aside \\$3.8M Amid Lease Fears](#)

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### **Summary**

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Connecticut law firm **Whitman Breed** Abbott & Morgan LLC should set aside \$3.8 million to satisfy its landlord's fears that a wave of departures has rattled the firm's finances and may jeopardize its lease of a 16,000-square-foot Greenwich office, a property manager testified Tuesday.

### **Body**

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Connecticut law firm **Whitman Breed** Abbott & Morgan LLC should set aside \$3.8 million to satisfy its landlord's fears that a wave of departures has rattled the firm's finances and may jeopardize its lease of a 16,000-square-foot Greenwich office, a property manager testified Tuesday.

During a prejudgment remedy hearing in Stamford superior court, Christian M. Bilella, of Greenwich Premier Services, said he contacted **Whitman Breed** after learning several partners exited for other firms. He testified that Cyd L. Smith, a **Whitman Breed** partner and head of the firm's real estate practice group, told him in a face-to-face meeting in her office on May 8 that the firm was in trouble.

"June 30, we think we're going to dissolve the firm," Smith allegedly told Bilella, according to Bilella's testimony.

She also allegedly told Bilella that the departures of two partners cut **Whitman Breed**'s revenues by \$3 million and that the law firm "could not sustain the rent," he testified. Smith, who did not take the witness stand on Tuesday, told Law360 that she disputes the facts Bilella asserted. Smith is scheduled to testify next Tuesday when the hearing continues.

James C. Riley, **Whitman Breed**'s general counsel and the co-chair of its litigation department, tried to assuage the landlord's concerns.

"We are continuing to operate for the foreseeable future," he testified, adding that the firm had no current intention not to pay its more than \$80,000-per-month lease.

He also disagreed with a suggestion by landlord attorney Eric Grayson, of Grayson & Associates PC, that **Whitman Breed** was winding up its practice. But Riley admitted that the firm's finances were "very fluid."

**Whitman Breed** boasted more than 20 lawyers at the end of 2024, Riley said during cross-examination. On Tuesday, only 10 attorneys remained, and soon there will be only eight, he said. However, the firm's Greenwich office is an attractive location for other firms interested in tapping the area's substantial wealth, Riley said.

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"I'm in with discussions with other firms about possible combinations," he testified. He declined to provide specifics, citing nondisclosure agreements surrounding those alleged talks.

"Anything is possible if we join forces with other groups who have a desire to be in Greenwich in that space," Riley said.

"I don't anticipate that we're going to discontinue paying rent at any time in the near future," he added.

After additional questioning, he agreed **Whitman Breed** could have trouble paying its rent "unless other attorneys join us, or we join forces with another group."

Bilella, who manages the property for 500 WPA LLC, a unit of regional development firm Fareri Associates, said **Whitman Breed** is current on all lease payments, including its July obligations.

He said the firm's seven-year lease commenced March 1, 2024, and is scheduled to run through Feb. 28, 2031.

The landlord sued **Whitman Breed** on May 13. Its complaint alleges that if a breach occurs, **Whitman Breed** will be liable for \$6.5 million in damages, including rent, utilities and maintenance for the building's common areas.

Tuesday's prejudgment remedy hearing asks a judge to attach \$3.8 million to preserve assets against a potential future judgment, if the law firm misses a payment, 500 WPA attorney Eric Grayson said during an opening statement.

The PJR request is based on the landlord's assessment that **Whitman Breed**'s office space could be vacant for 19 months, if a breach occurs.

Bilella testified that most of the firm's offices appeared vacant during a recent walk-through and that some of its office furniture was being disassembled.

During cross-examination by James C. Graham of Neubert Pepe & Monteith PC, Bilella admitted that he had no information that the firm was behind on any debts, and he was unaware of any official notice that it could cease paying its lease. He also agreed that the firm had not filed for bankruptcy.

Chris Sheskier, Fareri's chief financial officer, said the landlord based its damages bid on a conservative assumption that the property could be vacant for 19 months, if a vacancy occurs. If the space becomes vacant, Bilella said another tenant, Greenwich Hospital, must first be offered the property under the terms of its lease.

If the hospital chooses not to expand, Fareri would need time to market the space, entertain offers, and likely renovate the facility, Bilella and Sheskier testified. Bilella called the office a "unicorn space" because of its size. He said it is rare to find tenants seeking 16,000 square feet of office.

During the hearing, Grayson ticked through a list of at least seven **Whitman Breed** attorneys who recently departed. At least four lawyers went to Cummings & Lockwood LLC, a firm with three offices in Connecticut and three in Florida, Grayson said while questioning Riley.

One went to Wiggin and Dana LLP, Grayson said in court. Another went to Carmody Torrance Sandak & Hennessey LLP, Law360 reported in May.

Smith, who disputed Bilella's assertion that she claimed **Whitman Breed** would fold at the end of June, recently joined Shipman & Goodwin LLP.

"Explain to me, if you would, why they all left?" Grayson asked Riley.

"You'd have to ask them," Riley replied.

"What did they tell you?" Grayson responded.

"Different reasons for different people," Riley testified.

**Whitman Breed**'s corporate registrations are active and current, according to information obtained Tuesday from Connecticut Secretary of State. The firm, which has offices in Greenwich, Connecticut, and White Plains, New York, listed 22 attorneys on its website as of Tuesday.

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Riley and Graham declined to answer questions after the hearing.

Grayson also declined to comment.

500 WPA is represented by Eric Grayson of Grayson & Associates PC.

**Whitman Breed** is represented by James C. Graham of Neubert Pepe & Monteith PC.

The case is 500 WPA LLC v. **Whitman Breed** Abbott & Morgan LLC, case number FST-CV25-5032350-S, in the Stamford-Norwalk Judicial District of the Connecticut Superior Court at Stamford.

--Editing by Patrick Reagan.

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