BERGER SINGERMAN
FLORIDA'S BUSINESS LAW FIRM



FRANKLIN H. CAPLAN

Partner

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Franklin H. Caplan concentrates his practice in the areas of commercial real estate and corporate matters, including acquisitions, financings, development projects, entity governance, workouts, restructurings, and transactions of various sorts. He serves as a trusted advisor to institutional and individual clients and their families, advising them on a myriad of ventures and goals. Frank has extensive experience with capital formation, project finance and development ventures, with special application in multi-owner, mixed-use and hospitality projects.

For many years he has worked on all aspects of leisure-oriented and amenities-based real estate and club projects, including construction and working capital financing, securitized financings, condominium and timeshare registrations, and project development and branding. His experience in vacation ownership involves single and multi-lender financings aggregating well over $1 billion, as well as work with owners' associations, sales and marketing providers, management companies and other contractors. He is fluent in the areas of land use planning and zoning as well. His workout experience is particularly extensive and includes recapitalizations, reorganizations and dispositions in and out of bankruptcy, debt restructurings generally and asset management. Frank also has substantial experience with aircraft leasing and financing, and commercial leasing of office, warehouse and airport facilities, as well as employment and incentive compensation agreements.

Education

J.D., Western New England University School of Law

- Law Review
- Former President - Law Alumni Association

B.A., *Honors*, McDaniel College

Bar Admissions

Florida
Massachusetts
New Jersey
Pennsylvania

Practice Teams

Business, Finance & Tax

Practice Areas

Aviation
Corporate
Hospitality & Leisure
Mergers & Acquisitions
Real Estate
Securities & Capital Markets

Representative Matters

- Represented foreign investors in structuring and implementing a U.S. real estate investment strategy.
- Represented a Canadian joint venture in acquiring and repositioning a Florida golf and hospitality project.
- Represented the agent / senior lender in multiple warehouse mortgage financing matters.
- Represented the mezzanine lender in an incentive zoning mixed-use development project.
- Represented a biofuels supplier in a carbon credit venture based on documented biofuel sales.
- Led joint venture work from initial assessment, to term sheet, to "toe-in-the water," to bridge convertible financing, in furtherance of the acquisition and equity and debt financing in connection with a significant "air rights" development project in Miami.
- Represented private equity venture in acquisition, completion and re-positioning of a major "busted" condominium project and related secured loan in a bankruptcy bid context leading to debtor plan confirmation.
- Represented loan syndicator in a complex workout involving a senior lender under administration by a non-U.S. governmental regulatory agency, including senior loan restructurings and sales and put-backs of under-performing assets.
- Represented commodities trading firm in obtaining National Futures Association approval of an energy-related futures trading strategy for an investment management business.

- Represented the successful plan proponent in a series of reorganization transactions involving an historic major hotel property in Pittsburgh, culminating in the acquisition of all equity in the debtor. The transactions included: (a) restructuring the hotel's senior secured financing, (b) terminating one hotel franchise agreement and negotiating and implementing a new franchise agreement and hotel management agreement, (c) negotiating and consummating additional financing from the hotel management company to achieve enhanced and updated brand standards, (d) procuring new junior mortgage financing from our client as plan proponent, and (e) negotiating claims resolution to achieve plan confirmation.
- Represented syndication loan sponsor and agent on portfolio loans providing for cumulative financings of multiple hundreds of millions of dollars, secured by assets in multiple jurisdictions.
- Represented non-profit entity on a government lease providing for a transit-oriented development.
- Represented co-lender on high-rise mixed-used project in Las Vegas.
- Represented international freight forwarding and express shipping company in connection with airport and facilities leases nationwide and in various foreign jurisdictions, including domestic and overseas build-to-suit projects.
- Represented cargo and charter aircraft owner, lessor and lessee in connection with aircraft finance and operating leases.
- Represented destination-oriented second-home developer on bankruptcy asset sales featuring numerous projects in multiple jurisdictions.
- Represented major computer operating system owner and developer in various transactions during Chapter 11 bankruptcy proceedings.
- Represented secured lender on golf course financings and workouts.
- Represented golf and social private equity club on club acquisition from insolvent developer and on post-acquisition equity and club restructure.
- Represented real estate developers on acquisitions and registrations.
- Represented hotel owners in connection with management agreements, food and beverage contracts, employment matters, branding, and general business operations.
- Represented software developer/data management service provider in connection with various consultant, vendor and customer contracts.
- Represented professional services firm relative to long-term contracts, employment matters and ownership transition.
- Represented professional services firm in a strategic merger.
- Represented telecommunications company in connection with communications system infrastructure installation at a major international airport.
- Represented Canadian Consulate in connection with leasing matters for diplomatic personnel.
- Represented not-for-profit entities in obtaining educational and charitable purpose tax-exempt status.
- Represented minority-owned distributor of medical, surgical and rehabilitative supplies in connection with the sale of its business and real estate assets.

Awards & Honors

- *Martindale-Hubbell*, AV® Preeminent™rated
- *The Best Lawyers in America*®, 2018-2027

Community Activities / Associations

- Current Board Member – Southeast Regional Prosperity Institute

- Current Councilmember – Village of Key Biscayne
- Former Mayor – Village of Key Biscayne (term-limited)
- Former Councilmember and Vice Mayor – Village of Key Biscayne (term-limited)
- Current Councilmember, Board Member, and former Chair – South Florida Regional Planning Council
- Policy Board Member – Florida Regional Council Association
- School Board Chair - St Christopher’s By-the-Sea Montessori School
- Board Member – Massachusetts Appeals Court Law Clerk Society
- Board Member – Marjory Stoneman Douglas Biscayne Nature Center
- Board Member – Key Biscayne Poetry Share
- Board Member – Key Biscayne Film Festival
- Former Adjunct Professor, Florida International University, College of Business, 2021-2022
- Council Liaison & Former Member – Key Biscayne Art in Public Places Board
- Council Liaison & Former Member – Key Biscayne Historical and Heritage Society
- Co-founder and former Publisher – Key News
- Former Board Member – Miami-Dade League of Cities
- Former Member – Southeast Florida Coastal-Ocean Task Force
- Former Chair – Village of Key Biscayne Zoning Ordinance Review Committee
- Council Liaison & Former Member – Key Biscayne Art in Public Places Board
- Former Chair – Key Biscayne Comprehensive Planning Committee
- Former Chair – Key Biscayne Land Acquisition Committee
- Former Member – Key Biscayne "2020 Vision" Planning Committee
- Former Chair – Key Biscayne Comprehensive Plan Evaluation Subcommittee
- Former Chair – Key Biscayne Youth Council Advisory Board
- Former Member, Brazil-American Chamber of Commerce of Florida
- Co-founder – The Congress of New Urbanism — Florida
- International Council of Shopping Centers (ICSC)
- American Resort Development Association(ARDA)
- Active with the Florida Bar "Put Something Back" pro bono services program
- Graduate – University of Miami Good Government Initiative (2012)
- Leadership Miami Class of 1992
- Leadership Fort Lauderdale Class of 1994

In the News

Berger Singerman Attorneys Recognized in the 33rd Edition of Best Lawyers In America
August 20, 2026

Fifty-Six Berger Singerman Attorneys Recognized in the 2025 Edition of Best Lawyers In America
August 15, 2024

Islander News Features Frank Caplan in, "Recognizing Frank Caplan and all others who better our community through civic service"
August 8, 2024

Forty-Three Berger Singerman Attorneys Recognized in the 2023 Edition of Best Lawyers In America
August 18, 2022

Thirty-Nine Berger Singerman Attorneys Recognized in the 2022 Edition of Best Lawyers In America
August 19, 2021

Islander News Features Frank Caplan in, "Education, Key Biscayne Families, and Public Schools"
October 29, 2020

Thirty-Five Berger Singerman Attorneys Recognized in the 2021 Edition of Best Lawyers In America
August 19, 2020

The Real Deal Features Berger Singerman in "Moishe Mana Buys City National Bank Building in Downtown Miami"
December 16, 2019

Thirty Berger Singerman Attorneys Recognized in the 2020 Edition of Best Lawyers In America
August 14, 2019

Thirty Berger Singerman Attorneys Recognized in the 2019 Edition of Best Lawyers In America
August 14, 2018

Thirty Berger Singerman Attorneys Recognized in the 2018 Edition of Best Lawyers In America
August 14, 2017

Berger Singerman Guides Cargo Airline From Bankruptcy to Sale
April 19, 2016

Atlas Air Worldwide Acquires Southern Air
April 6, 2016

The Islander News Features Frank Caplan in, "We Are Thankful For: Frank Caplan: dedicated to improving the Key for everyone"
November 21, 2012

Events & Speaking Engagements

Frank Caplan, Speaker, “Designing with Nature: Urban Terroir, Built Form, and Ecological Integration in Key Biscayne” (Salon One — U-SoA 2026 Spring Salon Series), University of Miami School of Architecture
February 5, 2026

Franklin Caplan, Speaker, South Florida Convening, South Florida Regional Planning Council
January 30, 2026

Prior Affiliations

- Massachusetts Appeals Court – Springfield and Boston, Massachusetts
- Barclays Business Credit - Hartford, Connecticut
- Morgan Lewis Bockius, LLP - Miami