



## John Fitzgerald

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### MINNEAPOLIS

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### Assistant

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### PRACTICE AREAS

Emerging & Mature Systems

Entrepreneurial Services

Franchise Registration &  
Compliance

Multi-Unit Franchising

Start-Up Systems

Franchise & Distribution

Mergers & Acquisitions

Franchise M&A

Corporate & Business

Health Law

Real Estate & Development

### INDUSTRIES

Health Care

### COURT MEMBERSHIPS

- Minnesota

### EDUCATION

John Fitzgerald concentrates his practice in the areas of franchise, real estate, and business law. He counsels many businesses, some of whom have been with him as long as he has been practicing law. John is former co-chair of the Franchise & Distribution Practice Group.

John also handles a multitude of business and regulatory matters for emerging, as well as nationally recognized franchisors. He has designed and negotiated all types of business agreements, including business mergers and acquisitions, franchise and other product and service distribution agreements, real estate acquisitions and financings, corporate financings, employment and shareholder contracts, real estate leases, and development agreements.

### Representative Experience

- Structured and negotiated a client's acquisition of the United States' rights to a restaurant brand from the owner of the concept, who had developed approximately 100 units in Canada. He designed and registered the client's franchise program in the U.S., enabling sales of the new franchise to occur in this country.
- Represented a franchise client in the sale of three retail properties, the purchase of four parcels of undeveloped ground, and the refinancing of two of its retail properties, all in the same year.
- Assisted a client in the successful workout of a significant trade debt that threatened to prevent the client from continuing its 30+ year business.

### Presentations

- Co-presenter, *Location-Location-Location: The Lease Triangle in Financing*, American Bar Association Forum on Franchising, October 2013

- Co-presenter, *Issues and Challenges for New Franchisors*, IFA Convention Roundtable, February 2011
- Co-presenter, *How to Pay Less Rent on the Space You Lease*, *Wednesday Wise Webinars*, International Franchise Association, January 2011
- Moderator, *Top 5 Changes to Consider Making to Your Franchise Agreement*, 43rd Annual IFA Legal Symposium, Washington, DC, May 2010
- Presenter, *10 Commandments of Franchise Sales*, West Coast Franchise Expo, November 2008
- Co-presenter, *Understanding the State Franchise Registration Framework and How the Amended FTC Rule Will Impact It*, IFA Legal Symposium, Washington, DC, May 2008
- Moderator and Co-presenter, *Protected Territories as a Development Tool: How Can You Maximize the Benefits and Minimize the Costs?*, International Franchise Association's 46th Annual Convention, Palm Springs, California, February 2006
- Moderator, *Marketing Your System with an Earnings Claim*, IFA Franchise Business Network, Minneapolis, Minnesota, April 2005
- Roundtable Facilitator, *Site Selection Trends, Best Practices and Standards*, International Franchise Association's 44th Annual Convention, Las Vegas, Nevada, Business Solution, March 2004
- Co-presenter, *Negotiation in the Franchise Context*, IFA Legal Symposium, Washington, DC, May 2002

## Publications

- Co-Author, *Expansion Options: Multi-Unit And Third-Party Arrangements*, *Franchising World*, April 1, 2008

## Client Alerts And Blog Posts

- New York Federal Court Denies Motions for Summary Judgment Due to “Dueling” Expert Reports  
November 10, 2022
- New Jersey Federal Court Grants Preliminary Injunction Against Former Home Inspection Franchisee and His Associates  
July 14, 2022

## In The News

- "Legal Eagles-Turned-Scribes Take up Their Pens to Detail Hot Topics in 2019," Franchise Times  
January 23, 2019
- "Industry Wants High Court To Clarify Franchise Tax Issues," Nations Restaurant News  
July 25, 2011
- "Firm Handshake: How New Lawyers Manage A Law Career," Franchise Times  
February 2011
- "Fa-La-La-La-La-Law-Law-Law-Law: 'Tis The Season Of Vacations, Gifts And Fun, But For Firms, The Client Is Priority No. 1," Minnesota Lawyer  
December 13, 2010

## News Releases

- 11 Lathrop GPM Attorneys Recognized in the International Who's Who Legal Franchise 2023 List  
November 27, 2023
- Eight Lathrop GPM Attorneys Named Lawyer of the Year, 89 Ranked as The Best Lawyers in America©  
August 17, 2023
- 10 Lathrop GPM Attorneys Recognized in the International Who's Who Legal Franchise 2022 List  
September 28, 2022
- Six Lathrop GPM Attorneys Named Lawyer of the Year, 95 Ranked as The Best Lawyers in America©  
August 18, 2022
- 11 Lathrop GPM Attorneys Recognized in the International Who's Who Legal Franchise 2021 List  
October 12, 2021
- Seven Lathrop GPM Attorneys Named Lawyer of the Year, 100 Ranked as The Best Lawyers in America©  
August 19, 2021
- Lathrop GPM Attorneys Recognized in Who's Who Legal Franchise 2020 List  
September 30, 2020
- Lathrop GPM Attorneys Named to The Best Lawyers in America©, Lawyer of the Year, and Ones to Watch for 2021  
August 20, 2020

- 16 Lathrop GPM Attorneys Recognized as Franchise “Legal Eagles”  
April 1, 2020
- Gray Plant Mooty Attorneys Recognized in the International Who’s Who Legal: Franchise for 2019  
December 10, 2019
- Gray Plant Mooty Attorneys Named The Best Lawyers in America© 2020  
August 15, 2019
- Gray Plant Mooty Attorneys Named 2019 Minnesota Super Lawyers and Rising Stars  
July 5, 2019
- 17 Gray Plant Mooty Attorneys Recognized as 2019 “Legal Eagles”  
April 1, 2019
- 15 Gray Plant Mooty Attorneys Recognized in the International Who’s Who Legal: Franchise for 2018  
October 29, 2018
- Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America© 2019  
August 15, 2018
- Gray Plant Mooty Attorneys Named 2018 Minnesota Super Lawyers and Rising Stars  
July 5, 2018
- 15 Gray Plant Mooty Attorneys Recognized as 2018 “Legal Eagles”  
April 3, 2018
- Gray Plant Mooty Names New Franchise Practice Group Chairs  
January 2, 2018
- 17 Gray Plant Mooty Attorneys Recognized in the International Who’s Who Legal: Franchise for 2017  
October 2, 2017
- 37 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2018  
August 15, 2017
- 43 Gray Plant Mooty Lawyers Named 2017 Minnesota Super Lawyers and Rising Stars  
July 5, 2017
- 15 Gray Plant Mooty Franchise Attorneys Recognized As 2017 “Legal Eagles”  
April 3, 2017

- 35 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2017  
August 15, 2016
- 40 Gray Plant Mooty Lawyers Named 2016 Minnesota Super Lawyers and Rising Stars  
July 5, 2016
- 15 Gray Plant Mooty Franchise Attorneys Recognized As “Legal Eagles”; Largest Number of All Firms  
April 6, 2016
- 36 Gray Plant Mooty Attorneys Recognized in The Best Lawyers in America 2016  
August 17, 2015
- 38 Gray Plant Mooty Lawyers Named 2015 Minnesota Super Lawyers and Rising Stars  
July 09, 2015
- Gray Plant Mooty Has 14 Franchise Attorneys Named “Legal Eagles”; Largest Number of All Firms  
April 8, 2015
- John Fitzgerald Receives 2015 General Corporate Client Choice Award  
February 26, 2015
- Fourteen Gray Plant Mooty Lawyers, Firm Recognized for Most U.S.-Based Lawyers Among Top Competitors  
October 10, 2014
- 33 Gray Plant Mooty Attorneys Recognized as Best Lawyers  
August 19, 2014
- 40 Gray Plant Mooty Lawyers Named 2014 Minnesota "Super Lawyers" and "Rising Stars"  
July 7, 2014
- Gray Plant Mooty Lands Fourteen 2014 Franchise Times Legal Eagles, Most of Any Firm in the United States  
April 8, 2014
- Thirteen Gray Plant Mooty Attorneys Recognized in The International Who's Who of Franchise Lawyers 2013  
July 24, 2013
- Gray Plant Mooty Announces Newly-elected Board Members  
April 24, 2013
- Twelve Gray Plant Mooty Franchise Attorneys Named Franchise Times Legal Eagles 2013  
April 1, 2013

- 27 Gray Plant Mooty Attorneys Named 2012 “Minnesota Super Lawyers”  
July 9, 2012
- Eight Gray Plant Mooty Franchise Attorneys Named “Legal Eagles” by Franchise Times Magazine  
February 10, 2012
- Ten Gray Plant Mooty Attorneys Recognized in The International Who’s Who of Franchise Lawyers 2011  
November 17, 2011
- 25 Gray Plant Mooty Attorneys Named 2011 “Minnesota Super Lawyers”  
July 12, 2011
- Ten Gray Plant Mooty Franchise Attorneys Named “Legal Eagles” by Franchise Times Magazine  
March 22, 2011
- 24 Gray Plant Mooty Attorneys Named 2010 “Super Lawyers”  
July 16, 2010
- Gray Plant Mooty Shareholders Re-Elect Four Board Members  
April 23, 2010
- Twelve Gray Plant Mooty Franchise Attorneys Named “Legal Eagles” by Franchise Times Magazine  
January 27, 2010

### Professional Affiliations

- American Bar Association
- International Franchise Association, Legal/Legislative Committee, member
- Minnesota State Bar Association

### Community Involvement

- Twin Cities Diversity in Practice, former board member
- Volunteer Lawyers Network, Real Estate Law Clinic

### Honors

- Selected among *The Best Lawyers in America*®, 2013-2024
- *The International Who's Who of Franchise Lawyers*, 2021-2023

- "Legal Eagle," *Franchise Times*, 2004, 2006-2020
  - "Legal Eagles Hall of Fame," *Franchise Times*
- "Minnesota Super Lawyer®," *Thomson Reuters*, 2005-2019