



Coughlin Duffy<sup>LLP</sup>

# James P. Wyse

Partner

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Jim Wyse is a partner practicing in the areas of commercial real estate, corporate, contract and business law, conservation, farmland, and historic preservation law, nonprofit organizations, and trusts and estates.

Jim represents corporations in business formation and in the negotiation of a wide array of commercial agreements including consulting and employment contracts, and confidentiality and non-compete agreements. He counsels landlords and tenants with respect to commercial leases and has handled public bond financing for numerous major capital projects on behalf of hospital corporations.

Jim is a frequent lecturer and author to topics related to conservation easements and qualified conservation contributions and has extensive experience with federal tax law applicable to charitable contributions, including land and easement donations. He regularly counsels non-profit organizations on management, operations, and compliance issues.

Jim has served as general counsel to the New Jersey Conservation Foundation for many years and has represented numerous land trust organizations, private landowners, and governmental agencies in complex land acquisitions as well as advising clients on a variety business, tax and employment matters.

His charitable clients have included the Open Space Institute, The Trust For Public Land, the Nature Conservancy, the New Jersey Audubon Society, Upper Raritan Watershed Association, Raritan Headwaters Association, Harding Land Trust, Hunterdon Land Trust, and Lamington Conservancy, among others. He was the legal editor of the most recent revision of Land Trust Alliance's Conservation Easement Handbook, and is a frequent lecturer and author on topics

related to the drafting and enforcement of conservation and preservation easements, tax aspects of qualified charitable contributions, complex multi-party transactions, and lobbying and other operational rules applicable to charitable organizations.

Jim has argued appeals before the Court of Appeals for the Third Circuit, the New Jersey Appellate Division, and the New Jersey Supreme Court.

## **Services**

Corporate and Business Transactions

Real Estate and Land Use

Taxation, Trusts & Estates

## **Education**

Rutgers University School of Law (J.D., with honors)

Bucknell University

## **Professional Admissions**

State of New Jersey

United States District Court for the District of New Jersey

United States Court of Appeals for the Third Circuit

United States Tax Court

## **Experience**

- Represented the purchaser in connection with the largest open space parkland acquisition in Morris County.
- Handled the acquisition for open space protection of 9,600 acres of land in the New Jersey Pinelands, one of the largest remaining tracts of privately held land in New Jersey, involving complex public funding and private financing arrangements and resolution of pending environmental violations.
- Successfully represented the New Jersey Election Law Enforcement Commission in suit brought by Senator Wayne Bryant seeking to compel the agency to allow him to use campaign funds to pay for his legal defense against fraud and corruption charges.
- Represented the Joint Free Public Library of Morristown and Morris Township in the successful defense of its patron conduct policy in a suit alleging violation of civil rights brought by a homeless man who persistently engaged in

lewd and harrassing conduct.

### **Speaking Engagements**

Frequent lecturer and speaker at state-wide and national conferences on conservation-related law, charitable contribution benefits, and 501(c)(3) organizations.

### **Awards and Honors**

AV® Peer Review Rating from Martindale Hubbell®, the highest rating for legal ability and general ethical standards.

### **Community Service**

Assisted in the formation of the Dierdre O'Brien Child Advocacy Center in Morristown, NJ

Trustee of the New Jersey League of Conservation Voters

Volunteer high adventure leader for the Boy Scouts of America

### **Membership**

Member, New Jersey State Bar Association

Member, The Land Trust Alliance