

Joe Brocato

Savvy, Sophisticated, Happy Business and Real Estate Lawyer

by Dustin J. Seibert

To develop a better understanding of Joseph B. Brocato's approach to practicing law, one need look no further than his other hat: that of an inspirational book author.

During a visit to a family vacation home in Lake Geneva, Wisconsin, a few years back, Brocato was watching his four young children frolicking in the water at a nearby waterpark, smiles on their faces. As he looked over the top of his work laptop, he had an intense emotional experience.

"Something came over me — I wanted them to be happy like that for the rest of their lives," he says.

The visual — and the sentiment — motivated Brocato to start jotting down thoughts, ideas and words of wisdom. When he showed it to his wife, Kathleen, she

encouraged him to keep writing. Eventually, he produced 30 pages that he read to his children and shared with his friends.

Brocato insists the writing was never meant to become the seeds for his third published book, but that's just what happened: *happy is cool: How to Ignite the True Happiness in You*, published in June 2014.

The book — attributed to J.B. Brocato — is a mixture of advice and coaching that encourages readers to write down their own testimonials. It is loaded with information that has guided Brocato's 23-plus-year career, which has had him as a partner at **Gozdecki, Del Giudice, Americus, Farkas & Brocato LLP** for nearly two years.

Brocato's two other published books are on the topic of music self-management and

business networking. But he says *happy is cool* most closely aligns with his personal approach to life and his career.

"I believe that optimism and positivity not only provide significant value to us as individuals, but allow us to be more productive and apt to bring about creative solutions," he says. "One of my top signature strengths is fairness. That, combined with my passion for representing others and advocating for them, really made becoming a lawyer a nice fit with my personality."

That affable approach has led his clients to stay with Brocato, including Todd Bryant, president of Healthcare Development Partners. Bryant says Brocato's nature is beneficial not just through his excellent

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transactional work, but through the positive relationships he's kept throughout the years.

"I value any relationship that creates new opportunities for me to interact with other people in the industry, and he's tireless in putting those together," says Bryant. "That's why we've used him for so long and followed him from the firm he was at to the firm he's with today."

Forged in Suburban Berwyn

Raised in Berwyn, Brocato's earliest career influences came from his surroundings as a child. His father, the late Ben Brocato, was an immigrant from Sicily. A manufacturing engineer who founded and operated his own machine tool sales business, he also served his community as an alderman in Berwyn. He passed away in 2007 during his third elected term.

"There were several attorneys in Berwyn, including the mayor and our alderman, who I got to know," he says. "I asked a lot of questions about what they did, and what they did seemed intriguing to me."

Interestingly, Brocato was also heavily influenced via a discipline quite disparate from practicing law: He served as drummer for the band *Berwyn Jazz* from eighth grade through his sophomore year of college and was the band's "manager" of sorts for a time.

"I talked to festival promoters and negotiated some of the terms of contract for our performances," he says. "I enjoyed that process of making the deal; that experience really inspired me."

It was while majoring in economics at Loyola University Chicago that Brocato got his first serious notion to consider law as a profession.

"Like most important decisions in life, you hope that it's a confluence of events, experience and good judgment that lead you to make a prudent decision," he says. "As an economics major, I really liked the concept of working with difficult problems and coming up with solutions to them — it's very stimulating intellectually for me."

Brocato spent three summers as a law clerk for the Cook County State's Attorney's Office during his time at Loyola. He was also president of his student government during his senior year, and he held other leadership roles that helped crystallize his passion for helping other people.

"I was ultimately driven to pursue a career in which I could advocate for, and fight for, clients," he says.

Brocato's primary — and only — experience with litigation occurred before

he ever became a licensed attorney: In addition to his summers with the State's Attorney's Office, he clerked for former Assistant U.S. Attorney Philip C. Parenti after the first year at Northwestern Law School. After his second year, he was a summer associate for Kirkland & Ellis. Before graduation, he also externed for Hon. Marvin E. Aspen as well as for the United States Attorney's Office, in each case, in the Northern District of Illinois.

Despite a deep exposure to litigation, that side of the practice didn't resonate enough with Brocato to drive him to become a litigator; he realized that the concept of making deals and not engaging in the frequently argumentative nature of litigation is "more in line with my personality," he says.

"Oftentimes, there are argumentative parts of transactions, and working through those situations in a favorable way for your clients is a way you can bring them the most value," he says. "I enjoy interactions in which we can have a disagreement, but there's a common level of respect, and it's

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a legal argument as opposed to one that doesn't comport with the common goal."

As chief operating officer of Novak Construction Company, Michael Kanzler hired Brocato after the company was dissatisfied with its previous counsel. Kanzler says that he goes the extra mile in trying to please his clients.

"He genuinely cares that not only is the work adequate, but the fee and relationship are also both adequate," Kanzler says. "A lot of attorneys just want to handle a matter for you and move on. He wants to seek and sustain a relationship with you."

Developing His Practice

Brocato was hired at Pedersen & Houpt right out of Northwestern University School of Law, where he was an editor of the *Northwestern University Law Review*. He credits the firm with immediately trusting him to handle a myriad of transactional issues — including real estate, corporate matters, mergers and acquisitions, restructuring, securities and employment.

"I had fantastic mentors who trusted

me and gave me what I believe was a lot more exposure to the depth and breadth of transactional work than some of my peers at other firms," he says.

In the early 1990s, Brocato developed a practice that had him working on teams for major retail concepts, including the national development of Boston Market restaurants as well as the rollout of Einstein Bros. Bagels restaurants. He also led the legal teams that handled numerous transactions for a preferred developer of CVS/Pharmacy stores in the Chicagoland area, as well as for Fifth Third Bank when it entered the Chicagoland market and materially expanded its retail bank branch footprint.

Each of these high-profile, high-volume assignments, along with many other sophisticated real estate and corporate matters, helped not only sharpen his craft, but helped make him the sought-after transactional attorney he is today.

"It allowed me to develop my skillset to the point where now my book of real estate business is a fairly diverse group, including developers, owners, landlords, tenants, investors and other clients in just about every asset class," he says. "And my real estate experience dovetails nicely into my corporate practice, where I act as outside general counsel to a number of family-owned or otherwise closely held businesses."

Stathy Darcy, senior vice president and deputy general counsel for CNA Financial Corporation, says she is pleased one of her business employees recommended Brocato to handle leasing for the company offices.

"That a businessperson spoke very highly about a lawyer indicates that Joe not only knows how to get the job done, but more importantly, understands business constraints from both sides," Darcy says. "He's worked for lessors and lessees, and it makes him very savvy and sophisticated. That helps us all be more efficient in reaching a timely resolution."

Moving on Decades Later

Brocato left Pedersen & Houpt for Gozdecki after nearly 22 years, with a glowing impression of a firm that played such a pivotal role in his career.

"There were lots of great things about Pedersen, but above all else, I truly enjoyed working with the other attorneys there," he says. "It was a very active firm and I had fantastic mentors there."

He started with Gozdecki in March 2014, immediately heading up the firm's

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transactional practice. The firm's boutique nature — now at 16 lawyers, up from 10 when he started — is about half the size of Pedersen.

The firm's clientele include the Chicago Blackhawks, the NFL and Samsung.

“I was particularly attracted to Gozdecki's dynamic and entrepreneurial culture, its marquee clientele, and the impressive value proposition the firm provides to its sophisticated clients,” he says.

Fellow Gozdecki partner, Tamara Hibbard, has worked in the office adjacent to Brocato's since she joined the firm last April; they work together serving many of the same commercial real estate and transactional clients.

“You come to know a lot of rainmakers as you work in this profession, and Joe is a brilliant rainmaker,” Hibbard says. “But oftentimes, what happens when you turn your attention to rainmaking, your technical skills are put on the backseat, and sometimes you lose them. But he's every bit as sharp as someone who's a pure technician. It's quite impressive that he can negotiate both things.”

Joe's Musical Passion

Brocato's love for all things music is apparent to anyone who spends any time with him — right down to the framed, autographed photos of the members of RUSH, his favorite band, on the wall of his office.

In addition to *Berwyn Jazz*, which once allowed him to open for his idol, the late, great jazz drummer, Buddy Rich, he was a member of a number of bands as a young man. Though he opted to stop performing following the birth of his oldest child, Lauren, in the late 1990s, he certainly hasn't retired the part of his brain that drove his musicianship.

“It's that creative side that produces music and writing that helps me come up with creative solutions to difficult legal problems,” he says. “I consider myself a passionate and intense person, and that's driven by my desire to strive for excellence.”

Bringing that standard of excellence to his work is a “very rewarding” sense of achievement for Brocato — something he intends to keep as a cornerstone for the remainder of his career.

“Developing trusted relationships based on the hard work and passion I bring to my work with clients is very rewarding,” he says. “I'm more productive, more attentive to detail and more apt to dig deeper on a particular legal matter. And above all else, I stay a positive and optimistic person.” ■

Joseph B. Brocato

Gozdecki Del Giudice Americus Farkas & Brocato LLP
1 E Wacker Dr Ste 1700, Chicago IL 60601
Phone: 312-782-5010 | Fax: 312-782-4324
j.brocato@gozdel.com | www.gozdel.com