

Real Estate

Gone are the days when real estate law was simply a matter of buying and selling property. Today, it encompasses acquisition and disposition, leasing, construction and development, joint ventures, land use and environmental regulation—and many forms of financing such as workouts and debt restructurings, mortgage and mezzanine loans, government incentives and REITs. We are known nationwide for the scale and quality of our work in all aspects of real estate law.

Representative Matters

- Successfully arbitrated a construction design dispute for a large, privately held real estate development group in Denver. A defective boiler system design in a new Denver luxury apartment complex forced our client to perform extensive remedial work and incur revenue losses throughout 2017 and 2018. Our client was awarded damages for every category of its claims including nearly all of its out-of-pocket costs, concessions expenditures and, as the prevailing party, will recover all or a significant portion of its incurred attorneys' fees. Expected net recovery is in excess of \$1.1M.
- Counsel to EverWest and WHI in 86,000 square foot office building lease with WeWork at Junction 23 in RiNo. Junction 23 will be WeWork's largest flexible office project in Colorado.
- Counsel to Etkin Johnson Real Estate Partners in the sale of its "Colorado Industrial Portfolio," a 19-property portfolio (2M SF) of industrial properties located throughout the metro Denver area. This sale was negotiated and closed on a short timeline, and the property sold for \$247.5M, the largest industrial sale in Colorado history.
- Represented ClubCorp Holdings, Inc., through a subsidiary, in its acquisition of a golf course consisting of approximately 220 acres and related improvements, located in Collin County, McKinney, Texas.
- Counsel to seller, a joint venture between Hines, Perlmutter and JPMorgan, in the sale of 1601 Wewatta, a recently constructed office building near Union Station. The property sold for over \$740 per sq. ft. (approximately \$225M), the highest per-square-foot price for office in Colorado history. Impressively, the transaction was negotiated and closed in under 30 days.
- Represented JMA Ventures, LLC in the financing of a construction loan by and between JMA Reno Hotel Holdings, LLC and BPC Lending I, LLC for development of a new Aloft Hotel in Reno, Nevada across from the Reno-Tahoe International Airport.
- Represented borrowers in connection with the closing of an approximately \$109,000,000 mortgage loan and an approximately \$61,000,000 mezzanine loan secured by twenty three industrial, office, and retail properties located in twelve states.
- Counsel to Alpha Milling Company, a provider of rotomilling and asphalt removal service, in its sale of all of the issued and outstanding shares of its capital stock
- Represented JMA Ventures, LLC in the acquisition of three office buildings located in Henderson, Nevada. The buildings were acquired in part two of an eight office building acquisition.
- Represented Waterton, a Chicago-based real estate investor and property management company, in the acquisition of The Ridge at Thornton Station, a 280-unit apartment complex in Thornton, CO, from Louisville-based Real Capital Solutions. Property is at a prime location adjacent to Thornton Station on RTD's North Metro Line, slated to open by 2020.
- Represented Mai Mechanical, Corp. in the sale of all its shares of capital stock to J.R. Hobbs Co-Atlanta LLC, a portfolio company of Gladstone Investment Corporation.
- Counsel to The Bay Club Company, a premier active lifestyle and hospitality company, in its sale by York Capital Management to KKR, a leading global investment firm.
- Successfully obtained six-figure verdict in bench trial involving breach of contract, breach of duty, and

violation of Colorado's Trust Fund Statute.

- Drafted successful motion to dismiss client from real estate development dispute in Colorado District Court.
- Counsel to JMA Ventures in the first part of a two-part transaction, the first part involving the acquisition of a five commercial office building portfolio with more than 271,000 square feet located in Henderson, Nevada.
- Negotiated execution of \$39.9 million cost-plus GMP agreement for new construction of hotel.
- Successfully obtained release of multiple mechanics' liens resulting from general contractor's default on large residential development.
- Represented Lowe Enterprises Real Estate Group in a \$35M sales transaction that closed on May 11, 2018. Hines Acquisitions purchased approximately 2000 acres in Douglas County from Lowe for the development of a high-end residential master planned community on a spectacular piece of Front Range real estate with scenic vistas and easy access.
- Counsel to Simon Premium Outlets in all aspects of the development of the new Denver Premium Outlets mall, including transactional, entitlements, and negotiation of an incentive package. The project is a \$134 million, 94-acre premium outlet mall in Thornton, Colorado, and is expected to generate \$100 million in revenue for the city of Thornton over its lifetime.
- Assisted borrower with refinancing of mixed use and office properties at 1530 16th Street and 1555 Blake Street in Denver, Colorado. The transaction involved a \$48,000,000 loan made by a life insurance company lender.
- Successfully obtained six-figure verdict, plus trebled damages, in bench trial involving a contractor's violation of Colorado's Trust Fund Statute on a real estate development project.
- Assisted borrower with acquisition and \$13,300,000 financing of office property at 15th and Market Streets in Denver, Colorado.
- Counsel to the real estate developer advising on the transactional due diligence and entitlements for the development of Bighorn Crossing, a mixed-use, 140 unit residential and commercial project in Georgetown, Colorado, which will include townhouses and condominiums, a brew pub and a Microtel by Wyndham.
- Assisted client with acquisition of city parcel at 270 14th Street in Denver, Colorado. The transaction involved the following parties: City and County of Denver as Seller and 14th & Court, LLC as Buyer.
- Represented Brue Baukol Capital Partners in the acquisition of 64 acres of land near DIA for development. The property is adjacent to the Panasonic development and is directly in the path of progress.
- Represented Brue Baukol Capital Partners with its partner Brinkman in the acquisition and construction financing of the high profile Foundry development site in Loveland, Colorado. The acquired parcels at Foundry will be developed into two multifamily complexes with mixed-use ground floor components.
- Provided legal services to the Central Coast Water Authority for all phases of planning, permitting, environmental compliance, right-of-way acquisition, construction and operation related to a \$600 million drinking water delivery system. The project included 150 miles of pipeline, multiple pumping stations and a water treatment plant. Construction disputes were largely resolved by negotiation, with one dispute being successfully defended in court.
- Represented Brue Baukol Capital Partners in the sale of the storied Hardscrabble Mountain Ranch in Eagle County, Colorado, together with various water rights, to The Conservation Fund, which was thereafter dedicated to Eagle County as open space.
- Counsel to subsidiaries of Caesars Entertainment Corporation in connection with use permits, design reviews, temporary commercial permits and other land use entitlement applications for various development projects for their casino, restaurant and entertainment properties.
- Represented a Southern California private country club in negotiations with a nearby city for the purchase of reclaimed water for use on the golf course.
- Advises various property owners at Hollister Ranch, a private coastal community that includes 135 parcels

of 100 acres each, with respect to public access issues.

- Represented the Hollister Ranch Owners Association on issues relating to the Coastal Act. In recent years, Brownstein has represented the association in litigation against the California Coastal Commission and State Coastal Conservancy related to public access.
- Represented BMG Rentals Property Management, a full service property management family of companies in Utah and Idaho, in its sale to an affiliate of Home River Group, a portfolio company of TZP Group.
- Assisted client in preparing remediated property for sale to park foundation in heavily industrialized area of Los Angeles County with no nearby park serving local residents. Services included negotiating and documenting sale, drafting appropriate deed restrictions to prevent change of use that could expose seller to risk of liability, resolving/clearing title issues, drafting lease agreement, coordinating with buyer in negotiations with regulatory agencies for bona fide purchaser status under California Land Reuse and Revitalization Act of 2004 (CLRRRA), Prospective Purchaser agreement, agreement and covenant not to sue (from DTSC), land use covenant and agreement for environmental restrictions, and related documents. Transaction was completed timely.
- Represented ClubCorp Holdings, Inc. in its acquisition of Oakhurst Golf & Country Club in Clarkston, Michigan.
- Represented ClubCorp Holdings, Inc. in its acquisition of Norbeck Country Club in Rockville, Maryland.
- Represented hospitality company in litigation suit alleging fraud and other common law claims regarding the location of the certain utility lines. Negotiated a walk-away settlement for client.
- Represented ClubCorp Holdings, Inc. in its acquisition of North Hills Country Club in Glenside, Pennsylvania.
- Represented ClubCorp Holdings, Inc. in its acquisition of Eagle's Nest Country Club in Phoenix, Maryland.
- Counsel to Sterling Ranch, LLC, a Denver based real estate developer, in the structure of, and governing documents for, Sterling Ranch, a 3,400 acre master planned community in Douglas County, Colorado.
- Represented Mill Creek Residential Trust in connection with the acquisition and development of several multi-family projects in Denver, Colorado. Properties are located in central Denver, RINO, LoHi, DU and Capitol Hill areas.
- Represented KSL Capital Partners in the entry into a Purchase and Sale Agreement by the Miraval Group for the acquisition and redevelopment of the Cranwell Spa and Golf Resort in Lenox, Massachusetts.
- Represented KSL Capital Partners in the sale of the Miraval Group, the owner and operator of the Miraval Brand, the Miraval Resort and Spa in Tucson Arizona, and the Travaasa Resort and Spa in Austin, Texas.
- Represented Forest City Enterprises in successful appeals (Colorado Court of Appeals and Colorado Supreme Court) regarding master developer liability in Colorado.
- Represented KSL Capital Partners in the acquisition by the Miraval Group of the Travaasa Hotel and Spa in Austin, Texas.
- Represented SLV Castle Oaks L.L.C. in the sale of residential lots at Terrain in Castle Rock, Colorado.
- Counsel to Evergreen/Clear Creek Crossing, a 100-acre mixed-use project in Wheat Ridge, Colorado, that includes a wide range of uses, including retail, hotel, multifamily residential and employment. Our Colorado-based real estate team negotiated a \$35M incentive and public finance package for the project.
- Represents AIG Annuity Insurance Company in the senior and mezzanine financing and cross-collateralization for all phases of the Liberty Harbor Development in Jersey City, NJ in the aggregate principal amount of over \$250 million and secured by retail, condominium, multi-family, mixed-use development and hospitality assets.
- Represented Vail Resorts in connection with the disposition and subsequent management of the Inn at Keystone, located in Summit County, Colorado.
- Represented Great Wolf Resorts in a construction loan to finance the development of a 470,00 square foot hotel and 200,000 square foot indoor water-park and entertainment center located near Atlanta, Georgia.

- Represented Squaw Valley Alpine Meadows in a refinancing of a term loan and revolving credit facility from Wells Fargo Bank. Squaw Valley Alpine Meadows is a premier ski resort and a portfolio company of KSL Capital Partners.
- Represented buyer in the \$70M acquisition, financing, and development of an office building in Portland, Oregon. Performed real property due diligence; and drafted and negotiated purchase and sale agreement, joint venture agreement, loan documents and construction agreements.
- The firm is representing ZBlock Holdings LLC in negotiating the financing, the joint venture and the condominium and construction documents, as well as numerous management and property-related agreements, in the redevelopment of an entire city block in lower downtown Denver known as Dairy Block. The project includes Dairy Block, a 6 story, mixed use project with 260,000 square feet of office space, ground floor retail and 170 hotel rooms. The deal required two separate financing/lending deals.
- Successfully defended third-party executive in deposition in connection with a property casualty suit. Successfully negotiated to keep client from being named as a party in instant or subsequent litigation.
- Represents Vail Resorts in all landlord resort focused retail leasing at Keystone, Northstar, Beaver Creek, Breckenridge and Vail.
- Represented Priderock Capital Partners in the acquisition of Highline Village apartments, a 467-unit apartment complex in Aurora, CO, for \$71.3 million.
- Over the course of 10 years, refinanced entire real estate portfolio involving 50 refinances of private shopping centers ranging from \$10-30 million.
- Representing a REIT client in the \$400 million sale of a portfolio of single-tenant office and industrial properties across 7 states, including the partial defeasance of existing debt.
- Led the acquisition, all financings and multiple construction loans for 200-acre 2,000,000-square-foot ground up retail development.
- Represented the developer in connection with the creation of a residential planned community in Douglas, County, Colorado.
- Represented a real estate investment company in the acquisition and financing of a multi-use, multi-property project in Nashville, TN. Project included an existing 239 unit apartment building and 27,359 square feet of retail space and a to-be-developed 139 unit apartment building and approximately 8,525 rentable square feet of retail space. Provided real property due diligence; amended commercial leases; negotiated membership purchase agreement, joint venture agreement, loan documents, property management agreements, reciprocal access and parking agreements, shared amenities agreement, and temporary construction agreements; and formed, converted, merged and dissolved entities in multiple states.
- Represented the developer in connection with the creation of a mixed-use planned community in Loveland, Colorado.
- Represented The Bay Club Company, a California-based active lifestyle corporation, in acquiring Fairbanks Ranch Country Club in San Diego, CA.
- Represented The Bay Club Company, a California-based active lifestyle corporation, in acquiring The Golf Club at Boulder Ridge in San Jose, CA.
- Represented the developer in connection with the creation of a commercial planned community in Littleton, Colorado.
- Counseling a residential developer client in the development of a residential community, including structuring and negotiating the sales of residential lots to a variety of home builders.
- Represented borrower on a construction loan for an age-qualified apartment community in Littleton, CO.
- Represented Calmwater Capital 3, LLC in a Bridge Loan to borrower secured by a first lien on the office building, Lake Business Center, located in Chicago, Illinois.
- Assisted client with de-escalation and resolution of disputes with contractor over claims for additional cost

and schedule extensions. Represented client in dispute with architect involving alleged design errors and omissions that led to increased construction costs.

- Represented a real estate natural resources private equity firm in the acquisition of four salt water disposal sites.
- Representing Continuum Partners in the redevelopment of the former University of Colorado Health Sciences Center 9th and Colorado campus, which will include a horizontal and vertical mix of uses, including residential, office, retail, restaurant, hotel and public space. The firm negotiated the acquisition of the former University of Colorado Health Sciences Center at 9th and Colorado in Denver, which included completing all physical and legal due diligence for the site, providing advice with respect to Continuum's administrative amendment for the GDP encumbering the property, and negotiating with the Denver Urban Renewal Authority for \$47.9 million in TIF funds. We continue to oversee all legal work at the 30 acre project, including the development of both the retail and residential components of the site.
- Represented the owner in connection with the creation of a mixed-use condominium in Denver, Colorado.
- Advised Dividend Capital Diversified Property Fund and Industrial Property Trust, REITs with industrial and commercial portfolios of properties located in multiple states, on several acquisition and disposition transactions, including negotiation of purchase and sale agreements, forward purchase built to suit transactions, diligence efforts to identify and mitigate potential risks, and overseeing the closing of such transactions.
- Represented Residential Property Management of Idaho and Allied Maintenance Plus, a full service property management family of companies, in its sale to Park Place Property Management, a portfolio company of TZP Group LLC.
- Represented SC Venture Acquisition LLC, the manager of PA-SC Venture I LLC, in acquiring a majority/controlling interest in PA-SC Atlanta Project LLC, a distribution facility subject to a triple net lease, which is one of many add-on acquisitions for portfolio companies with similar purpose, by SC Venture Acquisition LLC.
- Represented SC Venture Acquisition LLC, the manager of PA-SC Venture I LLC, in acquiring a majority/controlling interest in PA-SC West Palm Beach Project LLC, a distribution facility subject to a triple net lease, which is one of many add-on acquisitions for portfolio companies with similar purpose, by SC Venture Acquisition LLC.
- Represented SC Venture Acquisition LLC, the manager of PA-SC Venture I LLC, in acquiring a majority/controlling interest in PA-SC Boulder Project LLC, a distribution facility subject to a triple net lease, which is one of many add-on acquisitions for portfolio companies with similar purpose, by SC Venture Acquisition LLC.
- Represents a large real estate fund in sophisticated dispositions.
- Represented developer of large luxury condominium project in negotiation and drafting of owner-architect and owner-contractor agreements. Assisted client in development and implementation of comprehensive risk mitigation and defect avoidance strategy.
- Represented developer of condominium project in appeals to Colorado Court of Appeals and Colorado Supreme Court in which defaulting unit purchasers had filed lawsuits seeking the return of earnest money deposits.
- Successfully represented real estate developer in appeal of lending dispute. *Champion Bank v. Bridgeport Corp.*, 2015 WL 9584899 (Colo. Ct. App.).
- Represented Park Place Property Management, LLC, a full service property management company, in its sale to HRG Management, LLC, a portfolio company of TZP Group LLC.
- Represented Home Encounter, LLC, a full service property management company, in its sale to HRG Management, LLC, a portfolio company of TZP Group LLC.

- Brownstein led the real estate diligence for Starwood Capital's acquisition of over \$1.3 billion worth of Colorado multi-family projects from Equity Residential. The portfolio acquisition that includes 18 Colorado properties located between Boulder and metro Denver and totaling nearly 6,000 apartment units, was among a larger 72-property deal which also included apartment projects in D.C., Florida, California and Seattle and totaled 23,262 apartment units at a \$5.3 billion aggregate sales price.
- Represented buyer in \$500,000,000 acquisition of foreign pension advisor for two downtown Denver high-rise buildings and local counsel opinion for \$63,000,000 acquisition loan.
- Represented the landowner in land use, financing and disposition of \$300,000,000 Gaylord Hotel Conference Center location and bond closing negotiations.
- Responsible for managing intellectual property and data privacy for a \$250 million general contracting and engineering firm.
- Represented Fortune 500 client in a single tenant Lease at 960 Kifer Road, Sunnyvale, California consisting of a warehouse-distribution and office building containing approximately 91,255 rentable square feet.
- Represented Borrower in obtaining a CMBS loan with Benefit Street Capital Partners.
- Worked with Indian Springs Operating Company, LLC and their development team to prepare applications and supporting materials to secure land use entitlements for a mixed use commercial project consisting of a casino/tavern, gas station, convenience store, and restaurant with related amenities.
- On July 20, 2015, Pinnacle Entertainment, Inc. and Gaming and Leisure Properties, Inc. ("GLPI"), a Pennsylvania corporation which is a real estate investment trust (a "REIT") announced that the real estate assets associated with Pinnacle's casino hotel properties would be acquired by GLPI through a merger and stock acquisition. The real estate will be leased back to Pinnacle, which currently owns and operates 15 gaming properties in eight states. GLPI is a self-administered and self-managed Pennsylvania REIT. GLPI owns substantially all of the assets associated with the real property interests related to Penn National Gaming's operations. Our Gaming Group is representing Pinnacle Entertainment in obtaining the necessary regulatory approvals in Nevada for this transaction to close.
- Represented numerous commercial real estate developers in remediating and developing contaminated properties, including the former Asarco Superfund Site in Commerce City, Colorado, to create one of the largest commercial infill developments in Colorado.
- Represented Yardi Systems Inc., a leading provider of real estate investment and property management investment software, as borrower.
- Represented a Denver-based real estate investment company in the acquisition of 200,000 square foot high-rise core and shell office development in Austin, Texas.
- Represented an international real estate firm in a \$360M acquisition, financing and development of a 640,000 Class A office tower in downtown Denver.
- Represented a Denver-based real estate investment company in the acquisition of 216,000 square feet office building in Austin, Texas and in the negotiation of a lease to a single tenant.
- Represented a real estate investment company in obtaining a \$100M revolving credit facility.
- Represented DLJ Real Estate Partners in the sale of a portfolio of three Courtyard Marriott Hotels located in Charlotte, NC; Lynchburg, VA; and Princeton, NJ.
- Successfully negotiated the shutdown of a longstanding unionized business then arbitrated a reduction of just over 50% to the union pension plan's multi-million dollar assessment of withdrawal liability.
- Represented client in landlord tenant dispute and complex condemnation proceeding in both state and federal proceedings.
- Successfully navigated employer through a decertification campaign by workers who ultimately voted to decertify the union, ending with no charges filed against employer.

- Successfully developed and implemented strategies for C-level executive separations, including oversight of related investigations, then negotiated and litigated to favorable results issues related to the separation, including severance, equity-related transactions and other complex terms.
- Served as gaming and Nevada counsel in connection with the purchase of prominent Las Vegas hotel casino and related acquisition financing.
- Brownstein served Caesars Entertainment as Nevada counsel in connection with the sale of four Las Vegas hotel casino resorts to Caesars Growth Partners for a purchase price of US\$2.2 billion, and also served as Nevada counsel to Caesars Growth Partners with respect to the financing for such acquisition.
- Counsel to Azura Harbor Holdings and Azura, as borrowers, in a term loan and two separate revolving loans from Guaranty Bank.
- Represented a large real estate title company against allegations of mortgage abuse and fraud by multiple defendants. Motions were filed early in the process which lead to the dismissal of the case against our client.
- Represented property owner in a multi-week jury trial involving damage relating to the property's natural resources.
- Defended court challenge to the rezoning of Sterling Ranch development in Douglas County.
- Represented LNR CPI Highpoint, LLC in the development of the Highpoint 1,800-acre mixed-use community adjacent to Denver International Airport.
- Negotiated on behalf of a municipality an amended and restated development agreement and parks agreement with respect to a large master planned community.
- Represented Mexico Retail Properties and MRP Group, LP in the largest ever real estate transaction in Mexico's history consisting of the sale of 49 commercial properties and the sale of MRP Group's property management platform for an aggregate purchase price of approximately US \$2.0 Billion to FIBRA Uno, the first and largest real estate investment trust in Mexico.
- Assist Caesars Entertainment Corporation affiliate with sale of vacant land transaction in Bossier City, Louisiana.
- Led efforts for the redevelopment of a large outdoor mall to create a new, mixed-use center, including retail, residential and office space. The firm managed the joint venture structuring, eminent domain process, public and private financing, construction matters, creation of governing documents, national anchors tenant negotiations and leasing of more than one-million-rentable square feet of retail, office and residential space to national, regional and local retailers.
- Represented an industrial real estate investment trust in the acquisition and forward purchase of industrial properties across the U.S.
- Served as strategic advisor for one of the country's largest residential home builders to complete the acquisition of various real estate assets and entity interests related to the development of both commercial and residential property in multiple counties.
- Handled joint venture structuring, financing (private, Fannie Mae and Freddie Mac), acquisitions and dispositions plus general corporate and securities work for a private equity client focused on multifamily projects.
- Successfully handled the regional headquarter relocation of one of the largest companies in the Rocky Mountain region including lease negotiations for a to-be-constructed new downtown Denver office building and handled the sale of its then existing downtown Denver office building.
- Successfully resolved nearly a decade of highly complex construction litigation claims involving the construction of a courthouse and jail on behalf of a local government entity. Claims for both projects involved construction defect allegations against the general contractor, defective design and specification allegations against both architects, and breach of contract allegations against a billion dollar global

construction management company with alleged damages in excess of 150 million dollars.

- Represented contractor in dispute over customer list.
- Served as Nevada counsel to client in connection with the multi-million dollar sale of office buildings and vacant land including imposition of restrictive covenants with respect thereto.
- Represented real estate investment company in its \$285,000,000 refinance of an approximately 590 acres hotel and golf course resort property. Representation included negotiation of loan documents with Lender and negotiation of third party agreements with hotel and golf course management, property developer and special use district, among others. The firm also oversaw and coordinated due diligence matters related to water rights, conservation permits and restrictive covenants as well as handling all borrower and guarantor entity requirements.
- Represented the principals of an international real estate private equity fund in acquiring a controlling interest in the general partner of the fund.
- Served as counsel to FP Holdings, L.P. in connection with multiple deed in lieu of foreclosure transactions relating to defaults of seller-backed financing of condominium units at Palms Place.
- Serve as Nevada counsel to client in connection with the acquisition and finance of multiple office buildings located in Clark County, Nevada.
- Representing the third largest gaming company in the US, Penn National, on all gaming licensure and regulatory matters, including negotiation of definitive agreements for Penn National to develop and manage a casino for the Jamul Indian Tribe near San Diego, California. We also obtained all necessary Nevada regulatory approvals for Penn National to separate a portion of its 28 casinos and race track operations into a real estate investment trust.
- On behalf of a major real estate client, worked through an industry group to pass bipartisan tax legislation in the United States Senate.
- Water counsel for a national land developer in support of a project located within the jurisdiction of a water district that imposed a moratorium on all new service connections.
- Represented a real estate investment firm in the acquisition, mixed use development and resale of Ninth and Colorado Boulevard site, in Denver, Colorado.
- Represents Martin Marietta Materials, the largest aggregate producer in the Western United States, on all land use and environmental issues that arise from its quarrying and manufacturing activities. This work includes representing the company in litigation and administrative proceedings pertaining to alleged air, water and waste violations, as well as zoning and permit approvals.
- Provided land use and CEQA compliance advice and successfully concluded litigation regarding mixed-use project with 266 apartments and 88,000 square feet of neighborhood commercial development, the largest mixed-use project processed and approved by the City of Goleta, California.
- Served as Nevada counsel to Hines Interests and Oaktree Capital Management Joint Venture in connection with the acquisition and financing for Summerlin office building portfolio comprised of 32 buildings and totaling 1.1 million square feet.
- Litigated to open the Torcido Creek road as means of access to Taylor Ranch property for beneficiaries of Colorado Supreme Court decree in the landmark case of Lobato v. Taylor, 70 P.3d 1152 (Colo. 2003), which confirmed rights of descendants of Mexican settlers to access to land under Spanish land grant of 1884 and confirmed in the Treaty of Guadalupe Hidalgo ending the Mexican/American war.
- Represented DLJ Real Estate Capital Partners in its restructuring of two joint ventures with Noble House Group.
- Represents client on international tax reform.
- Represents client to obtain guidance which would facilitate workouts of distressed debt.
- Represented Miller Global Properties in a joint venture formation and acquisition, financing, development

and leasing of office buildings consisting of a three-building, Class A office complex with approximately 640,000 net rentable square feet, three parking structures containing a total of approximately 2,400 spaces in Houston, TX.

- On behalf of a gaming company, negotiated a 10 year lease for a tavern space.
- Represented SIMEON Commercial Properties in the financing, acquisition and development of apartments in San Jose, California.
- Represented client in purchase of a distressed San Francisco property out of bankruptcy for development of an approximately 81 unit multi-family building. Assisted with land use and CEQA due diligence.
- Structure capital funding of \$400M multi-unit apartment developments in Texas, North Carolina and Utah.
- Represented company in binding arbitration related to finder's fee litigation stemming from successful acquisition.
- Issued local Nevada counsel opinion on behalf of LTC Properties, Inc., as borrower, and certain of its Nevada subsidiaries, as guarantors, in connection with an amendment to an existing credit agreement to increase revolving credit commitments and permit future increases, among other amendments.
- On behalf of a national homebuilder, obtained approval of the Water Supply Assessment (SB 610) for development of a 1,500 acre-property in Southern California proposed to include 5,400 residential units and commercial uses. The project water supply included the use of imported water, surface water, groundwater, stormwater and recycled water supplies over a 30-year build-out. The project raised numerous water supply and water quality issues, including the production of groundwater from adjudicated and non-adjudicated basins, groundwater storage, conjunctive use, the delivery and use of imported State Water Project supplies, water re-use, flood protection and stormwater management.
- Represented Flintco, LLC and Flintco West, Inc. in a state level qui tam action brought regarding alleged fraud in the procurement and billing of the \$60 million dollar renovation of the University of New Mexico Arena (the "Pit"). In what may be the first state level false claims act case to be tried to a jury, the team was able to get a complete defense verdict on all claims.
- Testified as an expert witness for the defense on real estate matters in a high-profile white-collar crime case against a real estate developer. The defendant was acquitted on all charges.
- Represented AREA Property Partners in structuring and documenting its joint venture with UP Pacifica Investors for a multi-family residential property program concentrated in the Pacific Northwest. The program contemplates further individual and portfolio property acquisitions and closed on its first portfolio acquisition of four properties from Harbor Properties Investors LLC while AREA simultaneously acquired an additional five properties from Harbor.
- Represented Bachelor Gulf Properties LLC and its affiliates in connection with the recapitalization, condo and hotel loan modifications and Ritz Carlton agreements modifications for the Ritz Carlton Bachelor Gulch in Beaver Creek, Colorado.
- Represented Miller Global Properties in the negotiation and closing of the acquisition of a 400,000 square foot office building in Houston, Texas. Brownstein also negotiated the related acquisition financing, and structured and documented the joint venture which acquired the property.
- Represented clients in a construction defect case filed in San Diego County. The decision awarded our client with hundreds of thousands of dollars in back fees and expenses while eliminating millions of dollars of claimed liability.
- Developed strategy and program to obtain development entitlements for a new residence in an existing and established high-end, beach neighborhood in Montecito, CA. Following the controversial entitlement process, managed the LEED Platinum certification process for the contemporary, custom-designed, sustainable residence which will also receive a resolution of commendation from the Board of Supervisors, Santa Barbara County's highest decision making body.

- On behalf of a California building industry association, obtained invalidation of numeric effluent limits (NELS) in a State Water Resources Control Board NPDES Construction General Permit for stormwater discharges. The Sacramento Superior Court invalidated NELs for turbidity and pH based on the board's failure to support the NELs with sufficient evidence establishing that the NELs could be achieved, and its failure to undertake the necessary control technology analysis under the Clean Water Act for a NPDES permit.
- Served as Nevada corporate, gaming and real estate counsel to the lenders to Fiesta Palms, LLC, in connection with their acquisition and financing of the entities that own, and the assets and real estate that comprise, the Palms Hotel & Casino and Palms Place.
- Successfully defended homeowner's association in wrongful foreclosure action where plaintiff sought to set aside the association's nonjudicial foreclosure sale upon 114 parcels of real property pursuant to NRS Chapter 116, and sought over \$48 million in damages.
- Represented the investor group in its joint venture to redevelop the historic Union Station train station in Downtown Denver, which is being transformed into a mixed-issued project with a hotel, transit station and restaurant and retail uses.
- Served as Nevada counsel to PIC Group, Inc. in connection with an operation and maintenance agreement with Tonopah Solar Energy, LLC. Brownstein also issued an opinion to the U.S. Department of Energy and to PNC Bank, National Association, under a loan and guarantee agreement.
- Represented a beachfront property owner in Santa Barbara who was facing a condemnation lawsuit from the City of Santa Barbara for reconstruction of a bridge adjacent to the property. Successfully negotiated a settlement of the matter.
- Assisted Caesars Entertainment with the transfer of various land parcels to a new subsidiary and addition of the property as collateral for a \$450 million construction loan for Project Linq.
- Served as counsel to CPC Mansion, LLC in connection with its purchase of real property located at 420 East 11th Avenue in Denver from Unique Real Estate Investments, LLC. Brownstein also documented the loan from CPC Mansion, LLC to Gloria Higgins secured by the real property.
- Brownstein served as counsel to Castle West Properties, LLC in connection with its sale of the vacant real property and appurtenances located at 2130 Stout Street in Denver to Colorado Coalition for the Homeless and all related matters, including termination of an existing billboard lease on the property.
- Represented a real estate investment firm in the acquisition, mixed use development and resale of Green Gables Country Club in Denver, Colorado.
- Served as counsel to Vail Resorts Development Company and RCR Vail with New York state registration to permissibly market its Vail, Colorado-based Ritz-Carlton Residences project to prospective New York purchasers.
- Successfully represented several cement companies in all land use, mining, contract and environmental litigation and land use matters regarding its facilities in Colorado, New Mexico, and South Dakota. This work includes assisting the company in obtaining federal government and tribal approval for a mine and conveyor system on federal and tribal property.
- Served as Nevada counsel and issued opinion on behalf of Silver Maple (2001), Inc., borrower and guarantor in connection with revolver and term loan facility amendments.
- Negotiated and consummated the purchase of an 18-hole golf course, club house, and related facilities located in Henderson, Nevada. Brownstein also advised the client on various real estate, litigation, corporate water rights and business licensing matters.
- Represented a Santa Barbara County beachfront property owner in litigation challenging acceptance of an offer to dedicate a public access way to the beach.
- Represented a housing developer in securing a Local Coastal Plan amendment and Coastal Development Permit for a 25-unit single family housing project, and then handled the subsequent litigation and appeal.

- Represented a Southern California neighborhood association objecting to a Local Coastal Program Amendment and a Public Works Plan proposed by a regional open space agency, including extensive proceedings before the Coastal Commission and subsequent litigation and appeal.
- Represented a Santa Barbara County beachfront property owner in securing a Coastal Development Permit for a new residence on 4.2 acres.
- Performed due diligence for entitlement of multiple lots along the Gaviota Coast.
- Represented a Malibu beachfront property owner in litigation challenging acceptance of an offer to dedicate a public access way.
- Represented a group of coastal property owners who successfully objected to proposed amendments to Santa Barbara County's coastal zoning ordinance (a portion of the Local Coastal Program) which threatened to significantly and adversely affect private property rights.
- Represented CBS Outdoor Inc. on Denver compliance and land use issues involving outdoor advertising devices, including matters involving ordinance changes to the Denver sign code.
- Represented an industrial REIT in its \$41 million acquisition of an 824,000 square foot distribution center, fully occupied by Home Depot, in Hagerstown, Maryland.
- Represented a real estate investment firm in the negotiation of leases and amendments for first-class office and retail space in a portfolio of buildings in downtown Denver, and provided advice on lease defaults.
- Prepared Caesars Entertainment's retail lease form for use across its national hotel and casino network.
- Advised Douglas Wilson Companies, a receiver for several shopping centers whose owners have defaulted on their loans, as to lease and workout issues as well as drafted leases, lease amendments and related documentation with respect to these southern Nevada shopping centers.
- Brownstein worked closely with industry leaders, House Committee on Ways and Means members, Senate Finance Committee members and the Joint Committee on Taxation to solve existing barriers to foreign capital. The firm represented a large coalition, leading industry trade groups to introduce bills significantly modifying provisions of the Foreign Investment in Real Property Tax Act (FIRPTA).
- Lobbied Congress to include and reauthorize a "pro-investment provision" that allows businesses to deduct 100% of their equipment expenses to help stimulate the economy and job growth in 2008 and 2010.
- Represented a publicly-traded, Denver-based real estate investment trust in the negotiation, sale and closing of more than \$163 million in sales of 18 apartment complexes located across the United States.
- Represented a mixed-use developer in a design build defect case which resulted in an \$850,000 judgment in the client's favor.
- Represented a homeowner in a construction defect case, resulting in dismissal of more than \$900,000 in liens and in a residential judgment in excess of \$900,000, including a fee award.
- Resolved civil litigation regarding payment issues in favor of Bravo Underground, Inc.
- Served as local Nevada counsel to P.A.T.C.O. Properties joining existing credit facilities as a guarantor, grantor and pledgor. Brownstein issued a legal opinion relating to the amendment and restatement of senior facilities loan agreement and other financing documents.
- Assisted Slaterpaul Architects in acquiring historic real property from the City & County of Denver and with related environmental and rehabilitation tax credit matters.
- Represented MB Properties Group, LLC in the acquisition of an industrial building.
- Represented the owner in lease negotiations of a GSA leased building, resolution of title matters and eventual sale of building with assumption of the existing loan by a REIT purchaser.
- Represented a prominent Las Vegas hotel and casino as landlord in the negotiation of leases for retail and other commercial space.
- Represented a publicly-traded, Denver-based real estate investment trust in the negotiation, sale and closing of more than \$208 million in sales of 13 apartment complexes located across the United States.

- Serves as employment counsel for various national companies in industries ranging from health care, energy and engineering/construction to manufacturing, retail and telecommunications. Brownstein provides both pro-active counsel and litigation services for these companies.
- Represents owners of prominent mall in tenant-related litigation and appeals.
- Successfully defended a public construction company and its directors in a class action litigation challenging a going-private transaction.
- Represented a sporting venue/event center in a Title III challenge under the American Disabilities Act.
- Acted as local counsel for an investment group in connection with the acquisition and financing of various condominium projects in Nevada.
- Avoided execution of collateral on a line of credit keeping construction equipment intact for Diamond Construction Co., Inc.
- Worked on behalf of the largest realtor in the country to secure a year-long extension of the homebuyer's tax credit in the American Recovery and Reinvestment Act. Provided first-time home purchasers a tax credit equal to 10% of the cost of a home, up to \$8,000. Also successfully expanded the eligibility of the credit to not only new home purchasers, but also repeat homebuyers.
- Represented a real estate investment firm in the acquisition of \$139M four-building complex in Santa Monica, California.
- On behalf of the landlord, handled the negotiation and preparation for the lease of 49,000 square feet of office space located in Santa Barbara, CA. The lease represents the largest Commercial Real Estate transaction to take place in 2009 on California's South Coast.
- Represented the owner of the Landmark Condominiums and a retail mixed-use development in the \$30 million DIP financing facility for Hypo Real Estate Capital, priming existing liens.
- Represented a management company in a \$109 million refinancing project secured by a 41-property business park.
- Representing a resort developer in a \$140 million senior loan and \$75 million mezzanine loan to finance the development of a luxury condominium project, including 77 for sale condominium units and 70,156 square feet of retail space, located in Vail, Colorado.
- Restructuring of large multi-tiered financing structures secured by major hotel/mixed-use condo/retail real estate developments involving large institutional senior and mezzanine lenders and equity investors.
- Represented a Denver-based diversified Real Estate Investment Trust (REIT) in the negotiation, acquisition and closing of a sole tenant office building valued at more than \$51 million and located in Princeton, New Jersey.
- Successfully represented applicant in development of 550,000 square foot shopping center project involving complex environmental issues, including location within the flight path of municipal airport.
- Represented a national retail chain of home improvement and construction products on environmental and land development issues throughout the western United States. Involved in the development and permitting of new stores in Nevada, Utah, Idaho and Colorado. Representation included the development of large "brownfield" properties.
- Representing the owner of the Landmark Condominiums and a mixed-use retail development in Chapter 11 reorganization.
- Represented the construction contractors on the \$845 million E-470 Public Highway Project. The 12-year construction path of Denver's E-470 highway involved multiple legal issues, however Brownstein's client, the design/build contractor, completed the project without a single litigation dispute.
- Represented the developer in the construction of 30 luxury condominiums in Aspen, Colorado. Brownstein also handled the workout of the hotel/condo construction loan including an increase in the loan to \$25 million, enabling the completion of the hotel and resale of the remaining condos.

- Represented the construction contractors on the \$1.8 billion TREX highway and light rail expansion project along I-25 in Denver, the largest public works project in the history of the region. Brownstein's representation included contract negotiation, contract dispute resolution advice and adjudication, regulatory compliance advice, and regulatory compliance defense, both administrative proceedings and litigation, for the transportation project.
- Counseled on contract formation, design and construction claims and disputes related to Denver International Airport's terminal building and the Concourse C project. Brownstein also advised Bombardier on procurement for the train connector between the terminal and concourse buildings.
- Represented the developer in the acquisition of a vacant hotel, obtaining entitlements for redevelopment of the site as a mixed-use (residential/retail), transit-oriented development; resolution of title matters; construction financing; leasing of retail space and eventual \$60.9 million sale of the project now known as The District at Southmoor Station.
- Negotiated and documented commercial real estate leases for more than 12 million square feet of distribution and industrial space for ProLogis at more than 60 properties in 18 states and in Mexico.
- Represented Valle Verde, a 250-unit continuing care retirement community in Santa Barbara, CA, owned by American Baptist Homes of the West, with respect to a proposed updating of its facilities, including expanding the number of independent living units and scope of resident services.
- Brownstein represents AREA Property Advisors, a hotel portfolio owner, in all aspects of hotel ownership and various operations issues. For more than 11 years, Brownstein has handled AREA Property Advisor's real estate acquisition and disposition, multiple financings as a portfolio or individual property, franchise/license agreements, hotel management agreements, leasing, partnership restructuring and formation, tax credit financing of historic property, and foreclosure and bankruptcy-related advice as well as loan workouts.
- Represented the purchaser/redeveloper of the former Gates Factory site, which consists of 55 acres and 2 million building square feet, located at I-25 and Broadway in Denver. The firm's work for the redevelopment involved brownfields redevelopment, environmental remediation, acquisition of entitlements for a mixed-use transit-oriented development, neighborhood negotiations and structuring of public and private financing.
- Provided land use due diligence analysis for acquisition of a 350-acre ranch in Ojai, California.
- Represented Bank of America in a \$27.3 million acquisition loan for a new apartment complex in Charlotte, North Carolina.
- Represented a national homebuilder in defense of a nationwide enforcement action concerning alleged violations of construction storm water requirements under the Clean Water Act. Successfully negotiated a consent decree entered in federal district court in Virginia which resolved all claims.
- Successfully represented interests of private property owners in Santa Barbara regarding proposal by an organization to paint blue waves across 68 city streets depicting a potential flood zone, which would have devalued hundreds of homes and businesses.
- Brownstein negotiated the purchase and sale agreement for private property adjacent to city parks and open space; secured purchase monies from public grants and non-profit contributions in exchange for a covenant restricting development.
- Represented Corporex, a national real estate developer, in connection with its agreement to buy and develop a commercial property. The seller originally sued Corporex arguing that the purchase and sale agreement were terminated and that the seller was no longer obligated to sell the property. Having prevailed at summary judgment and having all of the plaintiff's claims dismissed, the case proceeded to a week-long trial solely on Corporex's counterclaims for breach of contract. The jury returned a verdict of \$2.1 million in favor of Corporex.
- Land use entitlement, CEQA compliance and environmental permitting, for complex 300 high-end single

family residential unit project in canyons of Orange County.

- Represented Stonebridge Realty Advisors, LLC in connection with its appointment by a receiver as hotel manager for two distressed hotels in Colorado.
- Land use and CEQA counsel for a 5,000 single-family residential and mixed use project in Inland Empire.
- Wrote amicus briefs in state and federal appellate courts on various CEQA and water rights issues.
- Represented a large development company on the investigation and remediation of soil and groundwater contamination on a 65 acre parcel in the Central Platte Valley and worked closely with the State to obtain approval of Voluntary Clean Up Plans and No Further Action letters for this contaminated and environmentally-sensitive area.
- Represented a major home developer in the demolition of the CU Health Sciences Center and the redevelopment of this area for mixed commercial and residential use. Matter involved asbestos and radioactive material abatement, and hazardous and medical waste remediation in over 15 medical buildings.
- Offered Sares-Regis strategic direction for the development of one million square-feet of space for a research and development business park situated on 92 acres. Brownstein handled issues including negotiation of the development agreement, negotiation of aviation easements with Municipal Airport oversight of the project's environmental review, and full implementation of a complete set of project conditions of approval.
- Represented The Towbes Group, Inc., the developer of an apartment project in a redevelopment area of the City of Goleta, California. Brownstein resolved a variety of complex issues, including environmental permitting, negotiation of a development agreement and assistance with the negotiation of public financing for low-income units within the project.
- Managed consultants for and represented the client before the Santa Barbara County and the California Coastal Commission to obtain entitlements for redevelopment of beach blufftop property.
- Represented a New Valley Realty in the acquisition of a distressed note and foreclosure on a Palm Springs, California development, including pursuit of guaranties. Brownstein enforced a completion guaranty against the borrower that required them to complete all improvements for a golf course resort community enabling the completion of the community, golf course clubhouse and resale of lots.
- Water rights counsel for a national land developer/home builder with respect to the water supply components of a proposed 5,000 home residential and commercial development in southern California. The project raises numerous water supply and water quality issues, including groundwater storage, replenishment and development, water transfers, conjunctive use, water re-use, flood protection and stormwater management.
- Represented land developer for formation of an investor-owned water and wastewater utility company in Alabama.
- Representing developer for large multi-family real estate project in Napa County, California related to water supply and utility issues, including use of groundwater, water transfers, conjunctive use, and water reuse and recycling.
- Completed a \$75 million management led going-private merger transaction for Meadow Valley Corporation. The transaction included a management leveraged buy-out with a private equity sponsor.
- Served as special counsel in connection with the financing of the \$105,000,000 County Detention Facility by Adams County, Colorado. This financing evidenced proportionate interests in the assignment of base rentals and other revenues under an annually renewable lease purchase agreement between Adams County Detention Facility Leasing Trust 2009 as lessor, and Adams County, Colorado as lessee.
- Assist with land use due diligence for the acquisition of a 25,000-acre ranch property on the California coast. Ongoing advice regarding natural resource and Coastal Act compliance issues.
- Represented Capital Pacific Holdings in the land use permitting proceedings and subsequent environmental

litigation for a 40-unit condominium project in Santa Barbara.

- Represented a publicly-traded, Denver-based real estate investment trust in the negotiation, sale and closing of more than \$433 million in sales involving 33 apartment complexes located across the United States.
- Represented Alberta Development Partners, LLC in the development and financing of Cornerstar, a new mixed-use center containing 158 acres of retail and residential space in Aurora, Colorado. Brownstein handled the leasing and selling of portions of the center to national and regional retailers such as Target, Dick's Sporting Goods, Best Buy, Office Depot, 24 Hour Fitness and Sunflower Market.
- Represented Alberta Development Partners, LLC in all aspects of redevelopment of Southglenn Mall to create a new, mixed-use center called The Streets at SouthGlenn, including the eminent domain process, public and private financing, creation of governing documents with Sears and Macy's and leasing of more than one million rentable square feet of retail, office and residential space to national and regional retailers such as Whole Foods, Dick's Sporting Goods, Best Buy, Staples, 24 Hour Fitness, Ross and eCollege.
- Represented the developer of Spire Denver, a downtown condo high-rise in a suit against the lender for abandoning the loan.
- Process entitlements and coordinate environmental review for the subdivision of a 2,000-acre ranch in coastal Santa Barbara County.
- Handle ongoing constraints and opportunities analysis for a 4,000-acre ranch in coastal Santa Barbara County related to land use, agricultural and natural resources planning. Brownstein is also coordinating related entitlements for two single-family residences and managing the process for LEED for Homes certification.
- Negotiations with the EPA regarding hexavalent chromium issues and potential responsible parties involving the contribution for remediation.
- Promoted and obtained RWQCB alteration in policy to protect Golf Courses.
- Supervision of the preparation of a wide variety of environmental documents (from Notices of Exemption to Environmental Impact Reports) for infrastructure construction, State Water Project water transfers, and water banking.
- Represented a large, multi-state cattle ranching operation in obtaining a favorable ruling from the IRS regarding a split-off of the business between family members.
- Served as securities and real estate counsel to Elevation Integrated Hardware Block, LLC in connection with the loan, joint venture structuring and private placement to finance the acquisition of Hardware Block Condominiums at 1515 Wazee Street in Denver.
- Negotiated the lease agreement and management agreement for Union Health Clinic on behalf of the Construction Industry and Laborers Health and Welfare Trust in Nevada.
- Represented Writer Square 08 A, LLC in the acquisition of Writer Square, a mixed-use retail and office property located in downtown Denver.
- Served as special counsel in connection with the issuance of \$35,000,000 Certificates of Participation, Series 2008, evidencing proportionate interests in base rentals and other revenues under an annually renewable lease purchase agreement between the Adams County Public Facilities Leasing Trust 2008 as lessor, and Adams County, Colorado as lessee.
- Served as counsel for Nationwide Health Properties, Inc. in connection with the acquisition of a portfolio of Nevada-based medical office buildings in a down REIT transaction.
- Represented World Leisure Partners in connection with the acquisition, redevelopment and management of Cap Juluca, a world-renowned luxury resort in the British West Indies on the island of Anguilla.
- Successfully represented a mixed-use developer in its build out and partnership disputes related to a major mixed-use infill project resulting in an arbitration claim dismissal. Brownstein continues to handle ongoing

business litigation involving the development.

- Brownstein processed entitlements for green, low-impact, modular home designed by Los Angeles-based Marmol Radziner in a coastal Santa Barbara community.
- Represented a real estate developer in arbitration and state court proceedings against purchasers seeking to avoid their purchase agreements.
- Represented real estate development company Steve Johnson Development in its \$47 million land purchase in Nevada.
- Conducted due diligence and land use research related to the acquisition of a historic 16-acre estate in California.
- Represented a client before Santa Barbara County to obtain entitlements for the development of a custom-designed, sustainable home. Brownstein also assisted in easement issues and managed the LEED certification process for the property.
- Represented George K. Baum & Company in its underwriting of \$36 million of Iowa Finance Authority Variable Rate Demand Student Housing Revenue Bonds for CHF - Des Moines, LLC, Series 2007B.
- Defended Aspen PHO in an antitrust investigation brought by the FTC for price fixing.
- Served as Nevada counsel to Core Revere Holdings, LLC in the acquisition of the Revere Golf Course in Henderson, Nevada.
- Represented Miller Global Properties LLC in the acquisition and \$40 million construction loan financing of the Marriott Residence Inn in Washington.
- Represented an individual private investor in the acquisition of approximately 24 acres of real property located in Douglas County, Colorado. Brownstein handled the associated matters in connection with developing the property as an osteopathic college, including the negotiation of related contracts for the acquisition of additional adjacent property and the development, cost-sharing, tap purchase and infrastructure acquisition agreements between the investor, the seller and various metropolitan districts.
- Represented a homeowner group in challenging the application for a permit for a major condominium development.
- Represented Lennar Colorado, LLC, a large Colorado developer, in a complex option to purchase and share in the construction and development of a private golf course community in Adams County, Colorado.
- Represented Vista Ridge Development in the development of 1,500 acres of the Vista Ridge housing and golf course community in Erie, Colorado. Brownstein assisted in the subsequent disposition of the country club/golf course and residential community.
- Represented Miller Global Properties LLC in the \$107 million acquisition of the Qwest office building in downtown Denver.
- Represented an individual purchaser in the acquisition of a 6,258-acre ranch with associated water, lease and easement rights and personal property in Jackson County, Colorado.
- Represented Shea Homes Limited Partnership in the acquisition of various real estate assets and entity interests related to the development of both commercial and residential property in Denver and Arapahoe Counties.
- Represented an owner and developer in a three-week trial against a contractor, resulting in a favorable profit-sharing judgment.
- Represented KB Home Nevada, Inc. in various real estate acquisitions.
- Represented Lennar Colorado, LLC, a large Colorado developer, in connection with a transaction involving the sale of a portfolio property as well as the simultaneous acquisition of a similar portfolio of real property from another developer. This unique real estate acquisition and disposition matter involved two separate private asset-holding 'landbank' investment firms and the negotiation of construction agreements related to the completion of platting and infrastructure improvements to both portfolios, and the negotiation and

management of the corresponding option agreements.

- Represented Wolf Creek Golf Club in a trademark infringement suit against a neighboring real estate developer attempting to capitalize on the goodwill associated with the Wolf Creek trademark. Mr. Firth prohibited the developer's use of the Hidden Wolf name, other Wolf marks and prominent photos of the client's golf course.
- Represented the American Nevada Corporation and its affiliates in a corporate reorganization.
- Development of 1,000 acre Vista Ridge Residential/Golf Course Community in Erie, Colorado.
- Development of the 1,000 acre Grant Ranch Residential Community in Jefferson County, Colorado.
- Defended CEQA litigation challenging project with 483 luxury condominiums in two, 47 story towers in Century City, California
- Lennar Colorado LLC vs United States of America, et.al. D. Colo (2005); MDC Richmond, et.al. vs. United States of America, et.al., US Claims Court (2008); confidential private development, in Colorado, on a Formerly Used Defense site (2013).
- Provided land use and CEQA compliance advice regarding Recirculated Environmental Impact Report for controversial mixed use project in West Los Angeles with 2,600 residential units and 325,000 square feet of office and retail space.
- Represented owner of mixed-use condominium and retail development project in Chapter 11 reorganization and mechanics liens proceedings.
- Represented the purchaser/redeveloper of an environmentally contaminated 402 acre coastal property in Newport Beach, California to be developed into a \$2 billion mixed-use project including 1375 residential units.
- Prepared and filed lis pendens as means to enforce purchase agreement of multi-million dollar properties.
- Successfully represented corporations in shareholder derivative lawsuit.
- Successfully represented investor client in the partition of significant residential/commercial property with complicated potential profits analysis.
- Represented Washington Group International in contract formation, design and construction claims and disputes, and litigation matters related to the \$845 million E-470 Public Highway Project.
- Successfully represented technology company in trade secret litigation.
- On behalf of the American Resort Development Association and its 1,000 members ranging from privately held firms to publicly traded corporations, the Brownstein team drafted, lobbied and passed legislation to expose and prevent fraudulent practices in the timeshare resale market. Brownstein worked with key industry stakeholders, legislators, the Governor's office, the Division of Real Estate, and the Consumer Protection Division of the Attorney General's Office to pass these sweeping reforms for the fractional ownership industry.
- Represented ClubCorp in the acquisition of Heritage Golf Club in Hilliard, Ohio.
- Development of an \$80M office complex in Austin, Texas.
- Represented the purchase/redeveloper of an environmentally contaminated 3.5 acre site in downtown San Francisco to be developed into a \$200 million mixed-use project compound on 400 residential units and 50,000 square feet of communal space.

Meet The Team

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