

## Representative Matters

### Results

Acted as local counsel on Nevada real estate issues for BB&T in their \$4 million acquisition and disposition of certain assets of a failed bank from the FDIC. Brownstein assisted BB&T in acquiring these assets from the FDIC and then selling them to a third party.

Related Practices & Industries: Banking, Investment, Finance & Money Management

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Related People: Otto, Angela Turriciano | Miltenberger, Rebecca L.

Related Practices & Industries: Acquisition Disposition | Finance & Lending

Served as Nevada counsel to DCS Business Services, Inc. and issued an opinion to the agents and lenders in connection with an amendment to the client's secured credit facility.

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Related People: Kovacs, Albert Z.

Related Practices & Industries: Business & Corporate Advisory

Working with Congressional committees of jurisdiction to challenge the Food and Drug Administration to apply more accurate risk/benefit profiles to needed therapies for obesity. Secured the introduction of and support for federal legislation to provide reimbursement for these therapies under the Medicare and Medicaid programs.

Related Practices & Industries: Health Care | Life Sciences

Working with Congressional committees of jurisdiction to challenge the Food and Drug Administration to apply more accurate risk/benefit profiles to needed therapies for obesity. Secured the introduction of and support for federal legislation to provide reimbursement for these therapies under the Medicare and Medicaid programs.

Related People: Mottur, Alfred E.

Related Practices & Industries: Health Care

Represented an owner and developer in a three-week trial against a contractor, resulting in a favorable profit-sharing judgment.

Related Practices & Industries: Real Estate

Represented an owner and developer in a three-week trial against a contractor, resulting in a favorable profit-sharing judgment.

Related Practices & Industries: Commercial Litigation | Construction

Brownstein crafted and passed legislation for the Colorado State University System that created an entirely new structure for CSU Global Campus and elevated their online curriculum to the same board and governance structure as CSU-Ft. Collins and CSU-Pueblo.

Counsel to a town with substantial groundwater rights in Nevada's Carson River Valley in water rights litigation brought by the Pyramid Lake Paiute Tribe of Indians. Litigation included challenges to State Engineer rulings on water right change applications for new development. Cases were filed in both federal district and state district courts and involved issues of jurisdiction and venue in addition to substantive water law. Appeals were filed by the Tribe in the Ninth Circuit Court of Appeals and the Nevada Supreme Court.

Related Practices & Industries: Government, Regulation & Public Policy

Counsel to a town with substantial groundwater rights in Nevada's Carson River Valley in water rights litigation brought by the Pyramid Lake Paiute Tribe of Indians. Litigation included challenges to State Engineer rulings on water right change applications for new development. Cases were filed in both federal district and state district courts and involved issues of jurisdiction and venue in addition to substantive water law. Appeals were filed by the Tribe in the Ninth Circuit Court of Appeals and the Nevada Supreme Court.

Related People: Kvistad, Gary M.

Related Practices & Industries: American Indian Law & Policy

Defended investment bank in a securities fraud case where purchasers of municipal securities alleged that the investment bank engaged in fraud in the underwriting and sale of securities.

Related Practices & Industries: Banking, Investment, Finance & Money Management

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Related Practices & Industries: Securities Litigation & Enforcement

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.

Related Practices & Industries: Real Estate

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Related People: Elliott, Andrew C.

Related Practices & Industries: Tax | Energy & Natural Resources

Represented Noble Energy and WPX Energy in opposing potential state-wide ballot initiatives impacting oil and gas operations. This work included devising a legal and government relations strategy to oppose twelve different ballot measures.

Related Practices & Industries: Energy & Mining

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Related People: Mathews, Mark J.

Related Practices & Industries: Energy & Natural Resources | Energy

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.

Related Practices & Industries: Real Estate

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Related People: Amerikaner, Steven A.

Related Practices & Industries: Land Use | Construction

Served as special Nevada counsel to Southwest Airlines Co. in its acquisition of AirTran Holdings Inc. valued in excess of \$1 billion.

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Related People: Kovacs, Albert Z. | Schulhofer, Ellen

Related Practices & Industries: Mergers & Acquisitions

Represented Atria Senior Living Group Inc. in a deal to merge its real estate interests with the Ventas Inc. real estate investment trust. Brownstein's representation included the analysis of and advice concerning state and local licensing requirements for assisted living and senior living facilities in Colorado, Utah, New Mexico and Nevada; a legal opinion regarding certain transactions affecting facilities in New Mexico; and research and preparation of applications for several ancillary licenses in some of the states, including interfacing with state health officials.

Related Practices & Industries: Health Care

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Related People: Macdonald, Kristin

Related Practices & Industries: Business & Corporate Advisory | Mergers & Acquisitions | REITs | Senior Living

Defended a securities firm from charges brought by state regulators alleging fraud in the sale of auction rate securities.

Related Practices & Industries: Banking, Investment, Finance & Money Management

Defended a securities firm from charges brought by state regulators alleging fraud in the sale of auction rate securities.

Related Practices & Industries: Securities Litigation & Enforcement