



## MICHAEL E. BUCKLEY

Director

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Las Vegas, Nevada

Michael's practice involves commercial and real estate law with an emphasis on commercial lending, including workouts and foreclosures, commercial real estate acquisitions and dispositions and master planned communities. He has experience in ground leasing, municipal development agreements and residential and mixed use projects. His clients have included financial institutions and other lenders, developers of common interest communities and other commercial developments, public entities and nonprofits.

Michael was an English major in college and found the research and abstract thinking required in law school fascinating, he still enjoys it, and the process of solving problems.

Michael still stays close to his English major roots. As one of nine children, he is the family historian. He spent a year abroad writing a memoir and is an unpublished poet. Outside of work, Michael enjoys traveling, whether it's visiting his son who runs a restaurant in Taipei or helping an NGO in Haiti, Africa, Brazil or Vietnam.

### EDUCATION

- J.D., *cum laude*, Santa Clara University School of Law
- B.A., University of California, Los Angeles

### AREAS OF PRACTICE

- Aviation, Aerospace and Autonomous Systems
- Business and Finance
- Emerging Businesses and Technologies
- Financial Restructuring, Bankruptcy and Creditors' Rights
- Natural Resources, Energy and Environmental
- Real Estate
- Real Estate Finance and Lending
- Real Estate Litigation
- Renewable Energy and Clean Tech

### REPRESENTATIVE TRANSACTIONS

- Represented lender in connection with a defaulted \$50 Million New York loan secured by Nevada and Florida real estate with Pennsylvania guarantors. Commenced and completed non-judicial Nevada foreclosure without significant delays and participated with firm litigation counsel in suit against the guarantors in Nevada involving significant 2011 Nevada foreclosure and guaranty law amendments subject to a variety of interpretations. Initiated draft settlement agreement providing for uncontested foreclosures or deeds in lieu and an agreed upon deficiency.

- Represented the University of Nevada, Las Vegas (UNLV) in the negotiation of an Exclusive Negotiation Agreement (ENA), subsequently approved by the Board of Regents. The ENA provided for a period during which UNLV and Majestic Realty Co., a California developer, would negotiate the terms and conditions under which Majestic, which had prior experience in developing and constructing similar facilities, would develop and construct an on-campus mega event stadium and related hospitality and retail facilities. The ENA provided for a process by which the terms and conditions of various implementing agreements would be negotiated and agreed to in phases, as well as the means to terminate the negotiations.
- Represented the developers of high rise condominium projects adjacent to the Las Vegas Strip (Panorama Towers) and in downtown Las Vegas (Newport Lofts and Juhl). Representation included preparing and negotiating agreements for the acquisition of the various sites; preparation of the declaration and various documents creating the condominium associations and the sale of condominium units, including public offering statement, HUD ILSA registrations, and end user purchase and sale agreements. Representation also included negotiation of first mortgage and mezzanine financing loans for the projects, as well as subsequent loan modifications. Portions of the Juhl site in downtown Las Vegas were acquired from the City of Las Vegas through a Disposition and Development Agreement (DDA) and were additionally subject to easement and encroachment agreements with the City for the use of public airspace.
- Represented the developer of the Nevada Solar One project in Boulder City, Nevada in connection with matters relating to Nevada real estate law, including title, easements, leasing and Nevada mortgage lending issues.
- Represented the owner and developer of Aliante following its acquisition of the 1905 acre site in a BLM land auction. Aliante is a mixed use master planned community in North Las Vegas, Nevada which includes approximately 6,500 homes, commercial shopping centers and a resort hotel/casino. Representation over the period of the community's development and sale included preparing and negotiating the option and sale contracts between the master developer and the various homebuilder purchasers; preparing and negotiating the development covenants for the homebuilder's parcels; preparation of the master declaration and related master association documents; and representing the master developer in connection with the bank financing for the community. Similar clients and projects included representation of the developers of Seven Hills, MacDonald Highlands and Tuscany, each of which included an onsite golf course.
- Represented a national homebuilder in its negotiation of the proposed form of annexation and parks agreements with the City of Henderson. These agreements were negotiated in advance of a BLM auction of undeveloped land within the City in contemplation of the homebuilder becoming the successful bidder.
- Represented a bank in connection with its leasehold mortgage financing of phase one of a golf course development owned and operated by a local Indian tribe in Las Vegas. Later representation included the same and different banks in connection with the financing of additional phases of the golf course development as well as equipment and working capital loans for the tribe.

## AWARDS AND HONORS

- *Best Lawyers in America*®, Real Estate Law, 1987-2022
- Top Lawyers, *Vegas Inc.*, 2013, 2021
- *Chambers USA*, Leading Lawyers for Business, 2013-2021
- *Best Lawyers in America*®, Real Estate Law, 1987-2022
- *Mountain States Super Lawyers*®, Real Estate, 2007-2021
- "Legal Elite," *Nevada Business Magazine*, 2015
- *Nevada's Best Lawyers*®, 2013
- Volunteer of the Year, State Bar of Nevada, 2013
- Who's Who Legal: The International Who's Who of Business Lawyers, 2013
- *Mountain States Super Lawyers*®, Top 100 Attorneys, 2012

- International Who's Who of Real Estate Lawyers, 2012
- Top 100 Attorneys in the Mountain States, *Salt Lake Magazine*, July 2012
- *Mountain States Super Lawyers*®, Top 75 Attorneys, 2011
- AV® Preeminent™ Peer Review Rated (the highest rating available), by Martindale-Hubbell

## ARTICLES AND PRESENTATIONS

- Author, "Making it Work: Golf Course Conversions," *Nevada Lawyer*, September 2018
- Speaker, "Drones: Real Estate Issues and Privacy," 2017 State Bar of Nevada Annual Meeting, June 30, 2017
- Co-author, "Creation of 'The Commission'... How? When? And Why?" *Community Interests*, May 2017
- Speaker, "Criminalization of Undesirable Conduct," NALS 64th Annual Education Conference, October 2015

## PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, Board of Bar Examiners, Supreme Court of the State of Nevada
- Member, American Bar Association (Real Property, and Trust Section)
- Member, State Bar of Nevada (Real Property and Business Law Sections; Chair, Executive Committee, Real Property Section)
- Vice-Chairman, International Law Section, State Bar of Nevada
- Member, American College of Real Estate Lawyers, Common Interest Communities and Public Policy Committees
- Member, American College of Mortgage Attorneys
- Advisory Board Member, New Hope Christian Academy, 2011–present
- Board Member and past president, Stillpoint Center for Spiritual Development, 2004–present
- Commissioner and Chair, State of Nevada Commission on Common Interest Communities and Condominium Hotels, 2003-2012
- Commissioner and Chair, Las Vegas City Planning Commission, 1994–2002, 2009
- Commissioner, State of Nevada Department of Human Resources Block Grant Commission, 1996-2003
- Board Member and past president, HELP of Southern Nevada, 1985-1991

## ADMISSIONS

- California
- Nevada