



Sean Hanlon

Partner

555 17th Street, Suite 3200, Denver, CO 80202

P 303.295.8270

smhanlon@hollandhart.com

Sean Hanlon consistently achieves positive outcomes for clients, whether through contract drafting and negotiation, settlement, dispositive motion, trial, or appeal.

PRACTICES

Construction
 Real Estate Development and Finance
 Commercial Litigation
 Project Development and Finance
 Linear Infrastructure
 Banking and Financial Institutions

INDUSTRIES

Real Estate and Construction

EDUCATION

University of Tulsa College of Law, J.D.,
 2006

With Highest Honor
 Order of the Curule Chair
Tulsa Law Review, Managing Editor

Illinois Wesleyan University, B.A., 2000

Northwestern University
 Varsity Basketball

BAR ADMISSIONS

Colorado

COURT ADMISSIONS

U.S. Court of Appeals for the Tenth
 Circuit
 U.S. District Court for the District of
 Colorado
 U.S. Supreme Court
 U.S. District Court for the Northern
 District of Oklahoma
 All State and Federal Courts in Colorado

With over a decade of litigation and trial experience, Sean is focused on counseling clients through the whole life cycle of commercial construction projects. Understanding the litigation of construction disputes, Sean and his team of project attorneys anticipate problems and protect clients' interests in drafting and negotiating construction and design contracts. Through informed project counseling, Sean works to resolve disputes before they cause project delays. When litigation or formal dispute resolution is necessary, Sean consistently achieves positive outcomes for clients, whether through trial, dispositive motion, or settlement.

Sean recently completed a fully-dedicated secondment for one of his construction clients. During that secondment for a large contractor focused on infrastructure and landmark construction projects, Sean served as internal senior counsel and legal point of contact on many active and in-pursuit projects in the Mountain West, South Central, and South Eastern Atlantic regions of the U.S. Those projects involved a variety of project delivery methods—including traditional design-bid-build, CMAR, Design-Build, Progressive Design-Build, and Public-Private-Partnerships (P3s)—and ranged in contract value per project from several million dollars to over \$3 billion. After completing his secondment, Sean is serving as external project counsel on a P3 transportation infrastructure project exceeding \$2 billion and a design-build transportation infrastructure project exceeding \$3 billion.

Proven Experience: Sean has first-chaired 34 trials, 12 for Holland & Hart clients, and another 22 during his secondment as a special prosecutor with the Denver City Attorney's office, including 12 jury and 10 bench trials. In addition to counseling owners, prime contractors, lenders, and loan servicers, Sean handles a variety of general commercial litigation matters. He has also successfully represented clients in appellate matters in Colorado at the state and federal levels.

EXPERIENCE

Litigation & Trial Practice

- Jury Trials
- Bench Trials
- Summary Adjudication

- Dispositive Relief
- Alternative Dispute Resolution (Mediation & Arbitration)
- Favorable Settlements

CLIENT RESULTS

Construction Litigation

Represent owner of private hydroelectric power to project in mediation and arbitration.

Successfully defended a global prime contractor against claims brought by an unsuccessful bidder on a private subcontract. Our motion for summary judgment was granted in full, and the entire matter was dismissed with prejudice.

Lead role representing a museum owner in a construction arbitration dispute over damages resulting from HVAC system deficiencies. The matter settled favorably for our client.

Financial Litigation

Lead role in defense of a large, nationwide loan servicer against a borrower's action for injunctive relief and damages relating to foreclosure. After demonstrating to the court the suit was without merit, our team secured the dismissal of the matter with prejudice in five business days.

Represented a large financial institution in Tenth Circuit appeal resulting in affirmation of the client's trial court victory over multiple claims asserted by a residential borrower.

Representing commercial or mortgage lenders, has successfully resolved dozens of cases in early case stage through dismissal or summary judgment.

Tax Litigation

Co-chaired tax litigation trial for a large movie theatre involving extensive expert testimony in the field of computer science to determine the scope and reach of the applicable tax code.

PUBLICATIONS

"[Fixing Unexpected Cost Increases in Fixed Price Contracts](#)," *Colorado Construction & Design Magazine*, Co-Author, Summer/Fall 2021

"[Will Your Pay-If-Paid Clause Be There When You Need It?](#)," *Colorado Construction & Design Magazine*, Co-Author, Summer 2021

"[Construction in the COVID-era: Is Your Business Safe Merely Because it is "Essential?"](#)," *Colorado Construction & Design Magazine*, Co-Author, Summer 2020

"[P3 Projects: Does the Private Sector Partner of a P3 Enjoy Governmental Immunity?](#)," *Colorado Construction & Design Magazine*, Co-Author, Fall

2019

"Payment Protection on P3s: Bridging the Gap," *Colorado Construction & Design Magazine*, Co-Author, Summer 2019

"Preserving Your Claim for Constructive Acceleration," *Colorado Construction & Design Magazine*, Co-Author, Fall 2018

"Project Documentation Can Make or Break Your Claim," *Construction Law Blog*, Co-Author, Winter/Spring 2018

"Deciding Whether to Include "Claims" in Your Lien," *Colorado Construction & Design Magazine*, Co-Author, Winter 2018

"The Prevalence of Renewable Energy Projects and Legal Issues to Consider," *Colorado Construction & Design Magazine*, Co-Author, 2017

"Let's Start with the Basics: Introducing the Construction Law Corner," *Colorado Construction & Design*, Co-Author, Winter/Spring 2017

"GREEN BUILDING WATCH: The Destiny USA project—benefiting from tax-exempt green bonds worth hundreds of millions due to its uber-green promises—is likely destined for litigation," *Holland & Hart Constructive Developments Newsletter*, July 2011

SPEAKING ENGAGEMENTS

"Denver Construction & Development Boom," *Panel Moderator, BisNow*, November 2019

"Project Documentation: Daily Logs, Party Communications, and Change Orders Under the Construction Contract with a Prolonged Schedule," *EUCI Midstream Oil & Gas Contracts Course*, October 2019

"Project Documentation: What to Do and What Not to Do," September 14, 2017

"Drafting and Incorporating Innovative Contracting and Risk Management Clauses for Successful Design-Build Projects," *DBIA Rocky Mountain 2017 Conference*, May 12, 2017

RECOGNITION

- *The Best Lawyers in America*®, Litigation - Construction, 2021, 2022; Litigation - Real Estate, 2022
- *Denver Business Journal*, "40 Under 40," 2016
- Colorado Super Lawyers® Rising Stars, Business Litigation, 2014-2017
- *Chambers USA: Leading Lawyers for Business*, Construction, 2021

PROFESSIONAL AND CIVIC AFFILIATIONS

- Construction Lawyers Society of America, Fellow

- Downtown Denver Partnership, Member
- Downtown Denver Partnership, Transportation & Development Council, Member
- Downtown Denver Partnership, Economic Development Council, Member
- American Bar Association Construction Law Forum, Member
- Planning Committee, Mile High Country Q & Brew charity event benefiting the Tennyson Center for Children, Member, 2011-2016
- U.S. Green Building Council, Colorado Chapter, Member
- DBIA Rocky Mountain Region, Member
- 2014 Downtown Denver Leadership Program, Member