Holland & Hart



PRACTICES

Real Estate
Resorts and Hospitality
Stadiums, Arenas, and Sports

INDUSTRIES

Construction and Development

EDUCATION

William S. Boyd School of Law, University of Nevada Las Vegas, J.D., 2010

Sam Houston State University, B.A., 2004
cum laude

BAR ADMISSIONS

Nevada
Texas

COURT ADMISSIONS

U.S. District Court for the District of Nevada

Michael Wadley

Partner

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Michael strategically guides developers, owners, and contractors through the construction project lifecycle. When litigation arises, he builds defensible strategies to keep projects on track.

Michael is an experienced construction attorney and dedicated business counselor. One hundred percent of his practice over the past 10 years has focused on representing clients in the construction industry. His practice involves a full spectrum of services, including the formation and negotiation of construction contracts, bid protests, and extensive counseling to clients through all phases of the project and, when necessary, the resolution of claims. His unique background, including years as a project manager and estimator for large construction companies, allows him to proactively identify potential issues and help clients mitigate project risks at each contracting phase. Michael is a part of a team of lawyers who are responsible for the preparation, negotiation, and revision of over 500 construction contracts each year. This team counsel clients across the United States on issues related to risk mitigation planning and risk assessment, as well as project administration assistance during construction for the early identification and resolution of conflicts and disputes.

Michael collaborates with all parties involved to create a framework for project success. Michael offers front-end transactional counseling and drafting as well as claims management and resolution assistance. He also effectively represents contractors before the Nevada State Contractor's Board and helps companies navigate Nevada's complex contractor licensing regulatory requirements.

His mix of transactions, disputes, and boots on the ground experience provides valuable insights and perspective to help clients manage and mitigate risks for developments large and small, including public-private partnerships, commercial, residential, gaming, stadium, and transportation projects.

EXPERIENCE

Construction, Development, and Design

- Project Start-up and Commissioning
- Risk Management/Insurance Review
- Bid Packages, Contracts, and Bonds
- Project Controls and Project Administration

- Claims Avoidance
- EPC and DBOT Projects
- Project Development and Finance
- Procurement Issues and Raw Material Supplying
- Public-Private Partnerships
- Technology Acquisition
- Energy Regulation
- Design-Build Projects
- LEED/Green Projects

Operations

- Service Agreements
- Vendor Agreements
- Event License Agreements for Ticketed Events
- Event License Agreements for Private Events
- Warranty Issues
- Sponsorship Agreements
- Access Agreements
- Nondisclosure Agreements
- Concession Agreements
- Food and Beverage Agreements
- Software Agreements

Construction Litigation and Dispute Resolution

- Code Compliance and Standard of Care Compliance
- Delay, Interference, and Disruption
- Termination and Default
- Lost Productivity
- Bidding and Award Disputes
- Cost Escalation
- Construction Failures and Warranties
- Insurance Coverage
- Mechanics' Liens and Miller Act Claims
- A/E Liability
- Change Orders

CLIENT RESULTS

Commercial: Negotiated and drafted energy savings performance contracts for a Fortune 500 company.

Sports Arena and Stadium: Representation of owners on NHL, NBA, and NFL arenas and stadium projects.

Resort Casino: Represented owners on resort casino projects for new and retrofit construction (project sizes $100 million - $2 billion).

Resort Destination: Represented owner on retail development with 250-ft observation wheel.

SPEAKING ENGAGEMENTS

"Nevada Construction Law From Start to Finish," *NBI - Walk Through the Basics of Construction Law*, October 9, 2024

RECOGNITION

- *Nevada Business Magazine*, Nevada Legal Elite, 2018-2020
- *Best Lawyers in America*®, Construction Law, 2026, 2027; Real Estate Law, 2026, 2027
- *Best Lawyers: Ones to Watch in America*®, Real Estate Law, 2021-2025; Construction Law; Project Finance Law, 2024, 2025

PROFESSIONAL AND CIVIC AFFILIATIONS

- American Bar Association, Fellow
- American Bar Foundation, Fellow
- U.S. Green Building Council, Nevada Chapter, Member
- Nevada Bar Association, Construction Section, (past Chair)
- American Bar Association Construction Forum
- Clark County Bar Association, Member
- American Bar Association, Construction Industry Section, Member
    - 2024 Midwinter Meeting Planning Committee, Marketing Team Member
- Bus Shelter & Bench Advisory Committee, (prior Member)
- Leadership in Energy and Environmental Design (LEED), Accredited Professional
- Holland & Hart Foundation, Co-Chair