



*Partner*

## ROBERT E. McPEAK

[rmcpeak@mcdonaldcarano.com](mailto:rmcpeak@mcdonaldcarano.com)

PHONE 702.873.4100 DIRECT 702.257.4534

### Areas of Practice

Real Estate & Land Use Planning; Construction Law; Energy, Environment & Natural Resources; Business Entities & Transactions

### Bar Admissions

Nevada

### Court Admissions

U.S. District Court, District of Nevada

U.S. Bankruptcy Court, District of Nevada

U.S. Court of Appeals, Ninth Circuit

### Education

J.D., Boston University School of Law, cum laude, 2003 (Concentration in Business Organizations and Finance Law with Honors)

A.B., with distinction, University of Michigan, 2000

### Offices

#### LAS VEGAS

2300 West Sahara Avenue, Suite 1200  
Las Vegas, NV 89102  
P: 702.873.4100 F: 702.873.9966

#### RENO

100 West Liberty Street, Tenth Floor  
Reno, NV 89501  
P: 775.788.2000 F: 775.788.2020

[mcdonaldcarano.com](http://mcdonaldcarano.com)

### PROFESSIONAL BACKGROUND

Robert E. McPeak practices primarily in commercial real estate and business transactions. Mr. McPeak has received an AV<sup>®</sup> Preeminent™ Peer Review Rating (the highest rating available) by Martindale-Hubbell and has been recognized as a Rising Star in Real Estate by Mountain States Super Lawyers.

### AREAS OF EXPERIENCE

Mr. McPeak's broad-based real estate practice encompasses every phase of property acquisition, financing, development, management, leasing, and sales. His experience extends across all commercial property types, including core retail, office, industrial, multi-family, planned communities, condominiums, mixed-use developments, casinos, hotels, and time-share projects. Mr. McPeak is also experienced in real property tax appeals.

Mr. McPeak represents:

- Local, regional, and national developers in connection with construction and development agreements and other project documents, including CC&Rs, reciprocal easement agreements, shared-entry arrangements, and joint venture agreements.
- Buyers and sellers in the negotiation and closing of commercial real estate transactions (including options as well as rights of first refusal and rights of first offer).
- Landlords and tenants in the negotiation and preparation of retail, office, industrial, and ground leases, with tenant-improvement matters, and in the resolution of lease disputes.
- Borrowers, guarantors, and lenders in commercial real estate loan transactions, including loan documentation, financing opinion letters, note acquisitions, workouts, receiverships, and foreclosures.
- Real estate brokers, property managers, and receivers.

Mr. McPeak regularly advises Nevada corporations, limited liability companies and partnerships, and their shareholders, members, managers, and partners on matters of entity formation, governance, and ongoing operations, including commercial credit and equipment finance.

### REPRESENTATIVE ENGAGEMENTS

- Represented a national homebuilder in the formation of common-interest communities and the negotiation of development agreements, shared-entry agreements, public offering statements, and other sales-related disclosures in southern and northern Nevada.

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- Represented a buyer in the \$46 million acquisition of two single-tenant NNN-leased outpatient medical facilities in Clark County, Nevada, and in the assumption of the existing CMBS loan.
- Represented an investment management firm in the acquisition and financing of a 160-unit value-add apartment complex in Las Vegas, Nevada.
- Represented the developer, as local counsel, in connection with the financing of a 70 MW solar PV generation project, the financing of a 20 MW utility-scale solar power project, and the financing of and title issues with a 5 MW solar project.
- Represented a global investment manager in nationwide leasing matters for a startup healthcare portfolio company, including the negotiation of master construction and architectural contracts.
- Represented a major telecommunications company in the lease of a 104,000-square-foot facility in Las Vegas, Nevada.
- Represented borrowers, guarantors, and lenders in commercial real estate loan transactions totaling over \$350 million since May 2012, including the borrowers in the acquisition of the underlying real property collateral.
- Represented borrowers, guarantors, note-buyers, lenders, and loan servicers in workout and enforcement matters, including receivership sales, REO management, and disposition engagements involving over \$3 billion of distressed commercial real estate loans in Arizona, California, and Nevada.
- Represented a syndicate of senior secured lenders in the workout and restructuring of a \$470 million construction loan secured by a mixed-use retail and office center in Las Vegas, Nevada.
- Represented a national homebuilder in the restructuring of its Nevada holdings.
- Represented a locally based national developer of a master-planned community in various homebuilder bankruptcies and defaults under development and profit participation obligations.
- Represented the seller in a \$27 million disposition of a 325-unit apartment complex in Reno, Nevada



#### **AWARDS AND RECOGNITION**

*Super Lawyers* - "Mountain States Super Lawyers Rising Star"(Real Estate Law)

*Desert Companion's* Southern Nevada's Top Lawyers

Martindale Hubbell AV® Preeminent™ Rated



#### **COMMUNITY ENGAGEMENT**

General Counsel, Legal Aid Center of Southern Nevada

State Bar of Nevada, Real Property Law Section

NAIOP (Commercial Real Estate Development Association), Southern Nevada Chapter, Government Affairs and Education Committees, and Developing Leaders Institute, class of 2013-14

Presenter of continuing legal education seminars covering commercial real estate transactions, title insurance matters, and distressed loans and portfolio management

United Way of Southern Nevada (UWSN)

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