



Philip M. Mannelly

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Areas of Practice

Construction Law & Litigation
Commercial & Complex Litigation
Employment & Labor Law

Bar Admissions

Nevada, California

Education

- J.D., University of Notre Dame Law School
- M.B.A., Financial Valuation and Investment Management, Lynn University
- B.S., Business Administration, Lynn University
- A.A., Liberal Studies, Feather River College

Philip Mannelly is an attorney in the Construction Law & Litigation, Commercial & Complex Litigation, and Employment & Labor Law teams at McDonald Carano. He represents clients in a wide range of business litigation matters, with a primary focus on the construction industry, including prime contractors, subcontractors, design professionals, suppliers, and owners. Mr. Mannelly regularly assists clients as they navigate the unique construction laws in Nevada, advising them on complex contracts, licensing issues, mechanics' liens, and payment claims.

Mr. Mannelly serves as outside general counsel to the Nevada Chapter of the Associated General Contractors and multiple contractors in Nevada and Northern California. In December 2022, Nevada Governor Steve Sisolak appointed Mr. Mannelly to the Public Works Board for the State of Nevada.

Mr. Mannelly's experience includes representing owners, developers, contractors, and subcontractors through contract negotiations and project implementation for various types of delivery methods such as design-bid-build, design-build, and construction manager at risk (CMAR) for all types of projects, including energy, mining, manufacturing, industrial, warehousing, higher education, commercial, residential, civil infrastructure, mixed-use, lodging, entertainment, and transportation. Mr. Mannelly has litigation experience in all forums including arbitration, state court, and federal court. Whether planning projects, counseling on claims resolution or actively litigating a construction claim, Mr. Mannelly works toward each client's business objectives for the specific project. Whether the objective is project completion, revenue generation, or cost management, the focus is the same – forward progress.

Prior to joining McDonald Carano, Mr. Mannelly served as a Judicial Extern to the Honorable Larry R. Hicks with the United States District Court, District of Nevada.

Awards and Recognition

- *Nevada Business Magazine* – “Legal Elite/Top Rank Attorneys” and “Legal Elite/Best Up & Coming Attorneys” (2022, 2023)
- *Mountain States Super Lawyers Magazine* – “Rising Stars” (2023) (Phil is one of only 14 “Rising Star” attorneys recognized in Construction Litigation in the entire five-state Mountain States region and is one of five on the list from Nevada.)
- *Northern Nevada Business Weekly*, Best In Business awards – “Up & Coming Business Person” (2022)

Publications and Presentations

- Annual updates author, “Construction Laws and Customs: Nevada State Q&A,” *Thomson Reuters Practical Law publication*
- Presenter, “Legislative Recap: New Laws that May Impact Your Business,” Associated General Contractors of Nevada, July 13, 2023
- Presenter, “Nevada Mechanic’s Lien Law Seminar,” Associated General Contractors of Nevada, May 18, 2023
- Quoted, “The Dotted Line: How to craft contracts to avoid disputes and keep legal fees down,” *Construction Dive*, April 25, 2023
- Author, “Top 5 Construction Litigation Questions from Private Sector Owners, Contractors, and Suppliers,” *McDonald Carano Legal Update*, February 1, 2023
- Presenter, “Nevada Mechanic’s Lien Law Seminar,” Associated General Contractors of Nevada, June 23, 2022
- Presenter, “New COVID Vaccine Requirements for Federal Contractors and Subcontractors,” Associated General Contractors of Nevada, October 13, 2021
- Author, “Nevada’s New Pay Equity and Transparency Law,” *McDonald Carano Legal Update*, October 1, 2021
- Quoted, “Construction Cases To Watch In 2019,” *Law360*, January 1, 2019
- Quoted, “Gaming officials Dig into Weeds of Pot Policies,” *Las Vegas Review-Journal*, August 20, 2017

Professional Associations and Community Engagement

- Member, Board of Trustees, Academy of Career Education (Reno, NV)
- Member, Board of Directors, ACE High School (Reno, NV)
- Bruce R. Thompson American Inn of Court
- American Bar Association
- State Bar of Nevada
- Washoe County Bar Association

REPRESENTATIVE MATTERS

Nevada Chapter of Associated General Contractors

- Drafted amicus brief, performed oral argument at district court and Nevada Supreme Court for AGC and other business associations throughout Nevada — *Silverwing Dev., et al v. Nevada State Contractors Board*, Case No. 79134 (Nevada Supreme Court).

- Represent AGC and other business associations on behalf of themselves and their members in Davis-Bacon Act and Administrative Procedure Act dispute — *AGC, et al. v. Marty Walsh, Secretary of the United States Department of Labor*, Case No. 3:21-cv-00430.
- Represented AGC in private arbitration against a labor organization related to disputed collective bargaining agreement and related trust agreements terms and conditions.

Construction Industry Matters

- Currently serve as outside general counsel for various general contractors and subcontractors throughout Nevada and Northern California.
- Represented subcontractor in AAA arbitration successfully prosecuting non-payment claims and defending delay allegations against the project's general contractor, resulting in final judgment in favor of subcontractor.
- Represented low-bid general contractor defeating bid protest on public works project in *Road and Highway Builders v. Q&D Construction*, Case No. 75176 (NV Supreme Court).
- Represented second-low-bidder in bid protest on public works project in Nevada, resulting in non-award to the low-bidder.
- Represented contractors in multiple mechanic's lien foreclosure actions in Nevada courts, including through judgment and initiating foreclosure proceedings.
- Represented general contractor in defective work dispute against subcontractors on large industrial construction project, resulting in favorable settlement.
- Represented petroleum supplier against the General Services Administration before the United States Civilian Board of Contract Appeals, resulting in favorable settlement in a contract terms payments dispute.
- Represented employers in multiple cases against various construction industry Taft-Hartley Funds related to contributions and terms and conditions of collective bargaining agreements and related trust agreements.
- Represented lenders on due diligence issues for several multi-million-dollar construction projects in Nevada.
- Represented developer in contract negotiations on expected billion-dollar construction project in Nevada.

Appellate Matters

- *Lewis v. Renown Regional Medical Center, Inc.*, Case No. 74300 (Nevada Supreme Court) (medical malpractice and statute of limitations dispute)
- *Turner v. Renown Regional Medical Center, Inc.*, Case No. 77312 (Nevada Supreme Court) (medical malpractice and statute of limitations dispute)
- *Fitz v. Maiss*, Case No. 80888 (Nevada Supreme Court) (contractual terms payment dispute)

Pro Bono

- *Carone v. Div. of Indus. Relations*, Case No. 70718 (Nevada Supreme Court)
- Office of Military Legal Assistance – Volunteer
- Lawyer in the Library – Volunteer

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