



Partner

## Andrew S. Gabriel

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Phone: 702.873.4100 | Fax: 702.873.9966

### Areas of Practice

Real Estate & Land Use

Business Entities & Transactions

Bankruptcy, Insolvency & Financial Restructuring

### Bar Admissions

California

Nevada

### Education

J.D., University of California, Los Angeles, 1988

MBA, University of California, Los Angeles, 1980

B.S., with distinction, Cornell University, 1978

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

### Professional Background

Practicing primarily in commercial real estate and business transactions, Mr. Gabriel is a partner in the Las Vegas office, a member of the firm's executive committee, and co-chair of the Business Entities & Transactions Practice and the Real Estate & Land Use Practice. He is also a member of the executive committee of the Nevada State Bar's business law section.

*“Sources endorse him as a ‘problem solver’.” – Chambers USA 2021*

Mr. Gabriel represents lenders, borrowers, and guarantors in secured commercial real property and personal property financing transactions, including lender legal opinions, loan workouts and restructuring, receiverships, and foreclosures; landlords and tenants in the negotiation and drafting of retail, industrial, and office leases, resolution of lease disputes, and lease default workouts; buyers and sellers of commercial real property, business entities, and assets; common interest community owners' associations; real estate brokers and property managers; business owners and executives in the negotiation of contracts and the resolution of contract disputes; and Nevada corporations, limited liability companies, and partnerships and their shareholders, directors, members, managers, and partners in entity formation and governance matters.

Mr. Gabriel brings firsthand knowledge of the business side of transactions to the firm's clients. In addition to practicing law, he worked for eight years for Harrah's Hotels and Casinos, in a number of finance and marketing executive positions in Reno, Lake Tahoe, Atlantic City, Memphis, Kansas City, and St. Louis.

### Real Estate & Land Use Planning

- Representing buyers, sellers, landlords, and tenants of commercial real estate, including land, shopping centers, office buildings, industrial buildings, multi-family apartment projects, hotels, casinos, restaurants, taverns, gas stations, and convenience stores.
- Advising clients on commercial real property due diligence, including title and survey reviews, environmental conditions, and lease and property contract abstracts.
- Representing lenders and borrowers in loans secured by commercial real property, including conventional development/construction and takeout financing, CMBS conduit financing, and mezzanine financing; representing parties in loan workouts, modifications, compromise and settlement agreements, and restructuring transactions.
- Representing title companies, real estate brokerage companies, and property management companies in connection with the legal requirements of their businesses.

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- Advising developers' and owners' associations on the creation, governance, and operation of common-interest communities, including condominiums.
- Counseling developers on land-use entitlement matters, including zoning, variances, use permits, development agreements, and subdivision laws.

### Business Entities & Transactions

- Representing corporations, partnerships, and limited liability companies and their directors, shareholders, officers, partners, members, and managers in entity formation and governance.
- Representing buyers and sellers of commercial business assets, including bulk sales and the sales of restaurants, taverns, and casino assets with privileged licenses.
- Representing buyers and sellers of stock, partnership interests, and membership interests in equity transactions.
- Representing lenders and borrowers in asset-secured financing transactions pursuant to the UCC and the enforcement of UCC security interests.
- Drafting and negotiating of contracts governing a wide variety of business transactions.

### Energy Projects

Mr. Gabriel contributes depth and breadth of experience in real estate, land use, and project finance law to the firm's Energy Practice Group by advising clients who are active in energy projects in Nevada.

His recent engagements include working with the firm's energy lawyers as a local counsel for project owners and project lenders in connection with a 67-megawatt geothermal facility with a 207-mile, 230 kV transmission line, a 260-mile 500 kV overhead transmission line, a 150- megawatt wind farm, a 100-megawatt concentrating power plant, a 20-megawatt solar PV project, and a 20-megawatt biomass project.

### Creditors' Rights & Bankruptcy

Mr. Gabriel works with the firm's bankruptcy attorneys in drafting and negotiating financing, real estate, and corporate transaction documents related to bankruptcy plans. He counsels and advises clients on landlord and tenant bankruptcies, borrower and guarantor bankruptcies, and real property developer bankruptcies

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#### Awards and Recognition

- Martindale-Hubbell AV® Preeminent™ Peer Review Rated
- Chambers USA – Corporate/Commercial Law, Real Estate Law (2017-2021)
- *The Best Lawyers in America*® – “Lawyer of the Year” in Corporate Law (2022)
- *The Best Lawyers in America*® – Real Estate Law (2008-2022), Corporate Law (2013-2022), Business Organizations (2020-2022)
- *Super Lawyers Magazine* “Mountain States Super Lawyer” – Corporate/Business, Real Estate/Business, Land Use/Zoning, Creditor and Debtor Rights/Business (2008-2018)



#### Community Engagement

- Former member of the Board of Directors, Meritas
- Author and instructor of continuing education courses for real estate licensees and attorneys, covering commercial leasing, commercial real estate purchase and sale transactions, and distressed loans.