

New-to-Nevada

COMMUNIQUE

NOVEMBER 2006

OFFICIAL JOURNAL OF THE CLARK COUNTY BAR ASSOCIATION

VOL. 27, NO. 11



Nevada's Booming Legal Market

National Law Firms Set Up Shop in Nevada • A Local Response
Practice Differences in Nevada • Trends in Legal Staffing

Why Nevada? Why Now? National Law Firms Set Up Shop in the Silver State

Much has been written about the vast changes wrought in Nevada due to its increased population. Like most other segments of the Nevada business community, the Nevada legal environment has also seen substantial change in recent years. As you read this, a newly admitted attorney bears the bar registration number 10,000. Despite a bar passage rate that hovers around 60 percent of those attempting it, in just the past two years, more than 1000 lawyers have received bar registration numbers in Nevada.

Those lawyers new to Nevada are finding employment in the ever-increasing number of government and corporate positions, as well as the increased number of law firms opening their doors here. One relatively recent phenomenon is the influx of large out-of-state firms gaining a foothold in Nevada. These firms, some from neighboring states and

some from across the country, are contributing to changes in the practice of law in this state.

So why Nevada? Why now? What has made Nevada suddenly so attractive to expanding firms? The *Communique* wanted to know. We contacted several firms who recently opened offices in Nevada and asked the following questions about the firms' goals and expectations from expanding into the Nevada market. Other questions focused on strategies pursued for recruitment; perceived fields or specialty practice areas ripe for opportunity, challenges faced, and the welcome received. Here's what some newcomers had to say:

Ballard Spahr Andrews & Ingersoll, LLP

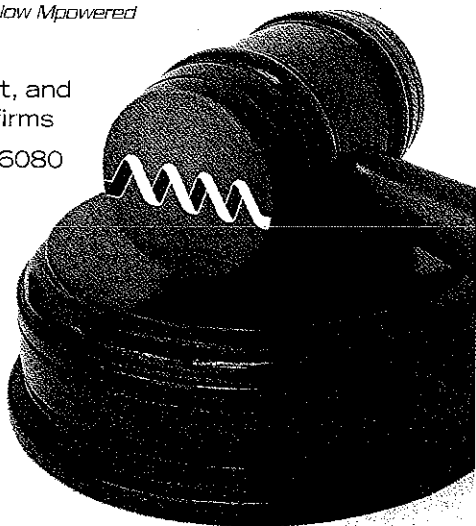
Ballard Spahr Andrews & Ingersoll, LLP, a national law firm with nearly 500 lawyers in ten offices in the Mid-Atlantic and Inter-Mountain regions of the U.S., entered the Nevada legal market in July 2006 with the opening of its new office in Las Vegas. Ballard's office was formed when the five-lawyer firm of Curran & Parry, known for its work in real estate and the gaming industry, joined Ballard. Bill Curran, a well-respected gaming industry lawyer whose practice focuses on real estate development, land use/zoning and gaming law, serves as the managing partner of Ballard's Las Vegas office. Noted litigator Stan Parry has brought extensive commercial litigation experience to Ballard Spahr. Curran, Parry and their colleagues possess a strong knowledge of the local Nevada market, a critical factor in the firm's successful entry into Nevada. Ballard was fortunate to identify the terrific lawyers from Curran & Parry as a good fit with the firm's practice areas and culture.

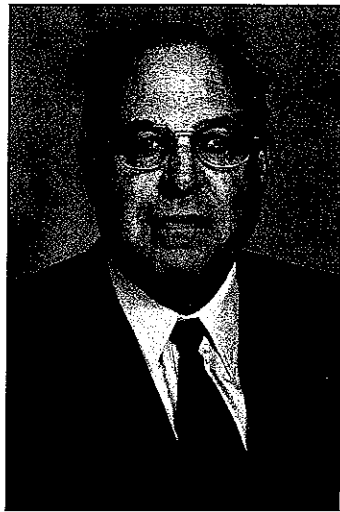
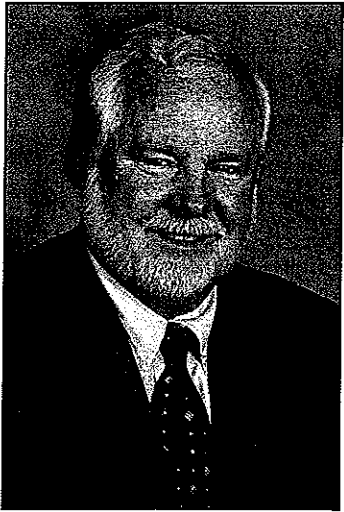
Ballard Spahr's entry into Nevada is part of a strategy to increase its size, visibility and preeminence in the West. With long-established offices in Denver and Salt Lake City, the firm was drawn to Nevada because of the region's abundant growth and business opportunities, low unemployment, significant inward migration of new residents and strong pro-business government and tax environment. The opening of the Las Vegas office was followed in rapid succession by office openings in Phoenix (August 2006) and Bethesda, Maryland (September 2006). In combination with its other Eastern offices—in Philadelphia, Baltimore, Wash-

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Ballard Spahr's Bill Curran and Stan Parry.

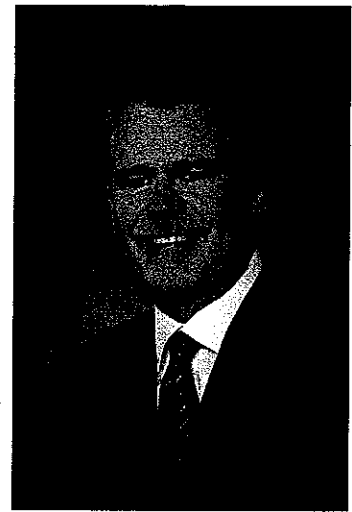
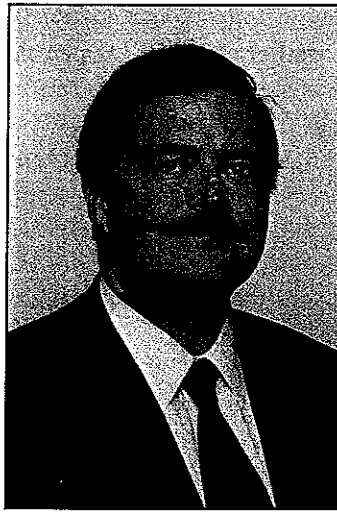
ington, D.C.; Southern New Jersey, and Wilmington, Delaware—Ballard offers its Nevada-based clients a full range of national legal resources.

The opening of a Las Vegas office has been a tremendous benefit to Ballard and has expanded the services the firm is able to offer its sophisticated clients. By entering the Nevada market, Ballard has further developed its real estate and resorts practice and now offers broad services to the resort and gaming industry. Opportunities for growth also abound in litigation and business and finance, two of the firm's strongest practice areas. In effect, Ballard's lawyers in Las Vegas are expanding their portfolios to include bond work, major real estate deals, large litigation cases and other matters. With over 30 practice areas, Ballard considers itself one of the few firms in Nevada that can provide comprehensive services for all aspects of even the most complicated transactions. Ballard is thrilled to be a part of the Nevada legal market.

Fennemore Craig

Tim Berg, Chair of Fennemore Craig's Management Committee, says "It is no surprise that a thriving state like Nevada attracts firms that value growth as integral to their businesses. I looked out our office window in the Bank of America Building and counted 12 cranes staking out major construction projects. As part of our strategic planning, we studied markets throughout the West. Las Vegas and the state of Nevada emerged with key economic indicators that tend to be predictors of a strong legal services market."

Fennemore Craig appreciates the issues and the culture of the West, sharing an affinity with the people and organizations choosing to do business here. Client commitment paired with quality legal work has led to the growth of the firm from two attorneys in Phoenix in 1885 to an organiza-



Fennemore Craig's John H. Mowbray and Chris H. Byrd.

tion of more than 160 attorneys today. Fennemore Craig is proud to note that some of its first clients are still clients!

Berg says the firm's open culture, interest in community involvement, and client commitment guide its consideration of attorneys. Joining with Nevada attorneys John Mowbray and Chris Byrd afforded them the opportunity to bring on as partners individuals who are not only fine lawyers, but have strong ties to this community. Mowbray


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CAPTURING OPPORTUNITY

Curran & Parry Joins Ballard Spahr

The attorneys and staff of Curran & Parry have joined Ballard Spahr Andrews & Ingersoll — a national law firm with almost 500 attorneys and nine offices across the nation. Ballard's new Las Vegas office is led by highly respected local attorneys Bill Curran and Stan Parry, who join our Denver, Phoenix and Salt Lake City attorneys in serving the needs of our clients throughout the West. We look forward to assisting our clients capture all of the opportunities that Nevada can offer.

To learn more, please visit www.ballardspahr.com or call
Bill Curran at 702.471.7000.


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and Byrd attended law school together at Notre Dame and have practiced law together ever since as partners in Morse & Mowbray.

Mowbray serves as the managing partner of the Fennemore Craig Las Vegas office. He is a former president of the State Bar of Nevada and the Clark County Bar Association. Admitted to the Bar in 1976, he concentrates his practice on real estate, civil trial, construction law and commercial litigation. Byrd focuses his practice in construction litigation, real estate and commercial litigation. He was admitted the Bar in 1977. In addition, the chair of Fennemore Craig's Immigration Practice, Nancy-Jo Merritt, joined the Las Vegas office to provide clients with employment and immigration services. Active in the American Immigration Lawyers Association and listed as one of *America's Best Lawyers for 2007*, Nancy-Jo began practicing law in 1978.

In addition to Las Vegas, Fennemore Craig has offices in Phoenix (149 attorneys), Tucson (13 attorneys) and Nogales (2 attorneys). Fennemore Craig plans to add several additional attorneys, at both associate and partner level in the coming months. They expect to add an estimated 10 attorneys over the next few months, a trend they believe should continue.

The reception in the Las Vegas legal community has been open and positive for Fennemore Craig, which they find is typical of communities in the West. They're delighted to join with Chris, John and Nancy-Jo to partner with additional professionals in meeting the growing demands for legal services in this region.

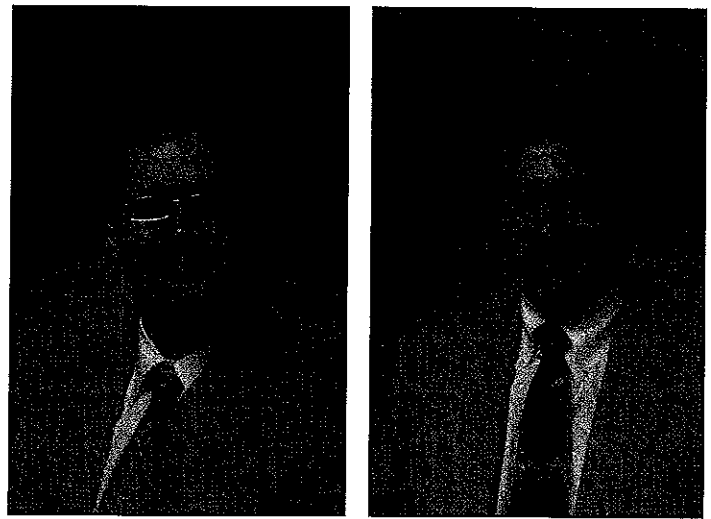
Holland & Hart

Holland & Hart is establishing its first Nevada office in Las Vegas. The firm recently elected Gregory Gilbert and Philip Dabney as its Nevada resident partners.

The firm, with 347 lawyers, has offices in seven Rocky Mountain states—Colorado, Wyoming, Idaho, Montana, Utah, New Mexico and now Nevada.

The firm has developed a history with Nevada by representing Nevada-based clients for more than a decade, including clients in the mining, water, construction and real estate industries. Expansion into Nevada is a natural outgrowth of the firm's business strategy of being the "go-to" law firm throughout the Rockies.

"The West is booming and Nevada is leading the way" said Firm chairman Paul Phillips. "Many of our clients have significant business in Nevada. Expansion is a consequence of our desire to provide top-notch service to our clients and to expand the capabilities and depth of the firm. Greg and Phil are leading members of the construction litigation bar in Nevada, and we are excited that they share our vision for



Holland & Hart's Greg Gilbert and Phil Dabney.

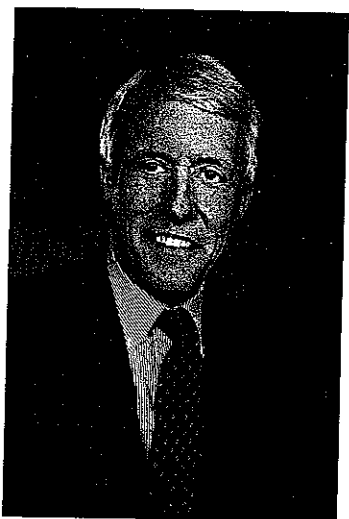
Holland & Hart. We are glad to be part of Las Vegas' legal community and offer a warm welcome to the new members of our team."

Greg Gilbert and Phil Dabney are highly regarded commercial litigators with an emphasis in construction litigation and arbitration. They have significant ties to the Nevada legal community. Steve Barringer, a partner in the firm's Washington, D.C. office, also has significant experience working in Nevada. He has been advancing the interests of Nevada clients from across the nation for more than 20 years.

Also joining the Nevada office are attorneys Lars Evensen, Michael Gebhart, Carla Kok and Sean Thueson. The firm offers a full range of legal services with an emphasis on litigation, real estate, business transactions, natural resources, and government relations. With the addition of this new office, the firm has 13 offices across seven states and Washington, D.C. This is the firm's second new office opening in 2006, following the launch of a Washington DC office in April.

Lewis and Roca LLP

Lewis and Roca has opened offices in both Las Vegas (1999) and Reno (2006). Their Nevada Offices department is chaired by Thomas G. Ryan, who practices in the areas of civil and complex commercial business litigation. He has been practicing law since 1975 and has been practicing in Nevada since June 2005. Their Las Vegas Office Practice Group Leader is Marti Ashcraft, who has practiced in Nevada for twenty-seven years. Her practice involves counseling clients on business law matters, including as corporate, partnership, limited liability companies, purchase and sale of businesses, mergers and acquisitions, securities, and financing matters both in the transactional and litigation



Lewis and Roca LLP's Tom Ryan and Marti Ashcraft.

Their clients are enthusiastic about the firm's Nevada offices.

Many of the firm's existing practice areas found a corresponding need in Nevada, including real estate, corporate formation, gaming, intellectual property, product liability, employment, litigation and government relations/lobbying. They were able to expand their offering to include gaming as a result of the Nevada office opening.

Lewis and Roca has a history of attracting lawyers with the highest professional abilities and commitment to service to the bar and the communities in which they practice. They've found exceptional professionals and support staff in Nevada. Our clients are highly sophisticated and expect a high standard of performance. They meet that expectation by providing a team of lawyers who are at the top of their practice areas and have the enthusiasm and dedication to provide first-tier service. The firm does have an immediate need for additional highly talented attorneys, especially in the transactional practice areas. The market is seeing a significant influx of national and regional firms; this plus the competition from quality local Nevada firms has made growth to our desired level of size a challenge.

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context Ashcraft is a past president of the Clark County Bar Association.

Lewis & Roca entered the Nevada market because many of the firm's clients were already doing business in Nevada and needed and wanted legal representation based in the state. Lewis and Roca's ongoing objective is to be the preeminent law firm in the Southwest. Lewis and Roca has found the business community to be strongly supportive.

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Parson Behle & Latimer's Las Vegas attorneys (back row, l-r) Timothy Thomas, Shelley L. Lanzkowsky, (front row, l-r) Kathleen Paustian, Robert L. Rosenthal, and Nancy Alf.

Parsons Behle & Latimer

Litigator Raymond J. Etcheverry is the president and chairman of the board of directors at Parsons Behle & Latimer. He has extensive experience representing clients in the areas of antitrust, intellectual property, securities, class action defense and other complex business litigation. Mr. Etcheverry's practice began 30 year ago after he graduated from Duke University's College of Law. He has served as lead counsel in a number of antitrust and securities class actions for clients located throughout the United States.

Norman Kirshman, a shareholder in the Las Vegas office and former managing partner of Kirshman, Harris & Rosenthal, has practiced primarily employment and labor law for more than 20 years in Nevada. He has represented private and public sector clients in collective bargaining, civil litigation, arbitration and proceedings before the National Labor Relations Board, Occupational Safety and Health Board, Equal Employment Opportunity Commission and Nevada Equal Rights Commission.

Client demand drove Parsons Behle & Latimer's decision to open offices in both Reno and Las Vegas during the past two years. As the largest and one of the oldest firms in neighboring Utah, Etcheverry and the firm's board of directors recognized that a significant number of clients have business and legal needs in Nevada. "We thought it was important to have a strong Nevada presence," explains Etcheverry, adding, "I think Las Vegas and Nevada

in general have a very dynamic economic environment that presents opportunities for many of our practice areas, but particularly for natural resource, mining law and litigation—three of our strengths."

"With lesser name recognition in the Nevada market, we knew attorneys and staff would not seek us out as they do in Salt Lake City, where we have offered competitive salaries and generous benefits for decades, so we expected a challenge," says Etcheverry. Fortunately, Parsons Behle & Latimer was able to merge with two firms in Las Vegas and one in Reno. The firm was impressed by the talented lawyers in those firms and their recognition in the legal, business and mining communities. "It was important for us to associate with top-notch lawyers who knew the Nevada market since we were new to it," Etcheverry explains, adding that their practices provide synergies with the firm's practice strengths in environmental, natural resources and litigation. The Nevada offices provide an important local presence for their Nevada-based clients. "The challenge we face in expansion is the competition for local attorneys from other regional and national firms who have opened offices in Nevada."

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Snell & Wilmer L.L.P.

Founded in 1938, Snell & Wilmer L.L.P. is a full-service business law firm with six offices serving the western United States, including Las Vegas, Nevada with 34 attorneys; Tucson, Arizona with 33; Orange County, California with 63; Denver, Colorado with 43; Salt Lake City, Utah with 59; and Phoenix, Arizona with 211. The firm represents more than 10,000 clients ranging from large, publicly traded corporations to small businesses, individuals and entrepreneurs.

Patrick Byrne is the Administrative Partner of Snell & Wilmer's Las Vegas office. After practicing in Phoenix for 13 years, he moved to Las Vegas in April 2001 to help open the firm's sixth regional office. His practice is concentrated in commercial and business dispute resolution.

Snell & Wilmer expanded into Las Vegas with the primary intention of serving existing clients while simultaneously diversifying the firm's business with a new geographic location and practice areas. Nevada was a natural fit with existing offices surrounding Las Vegas in California,

Utah, Colorado, and Arizona. Unlike other markets Snell & Wilmer has entered, Las Vegas was not originally proliferated with regional and national firms, primarily due to a previous Nevada Bar rule that precluded firms from using the names of their partners not admitted in Nevada.

The Nevada legal community embraced Snell & Wilmer's Las Vegas office from the beginning, when the firm initially consisted of four attorneys who primarily served the firm's existing clients. By hiring Nevada-based lawyers, the firm has since grown to 34 attorneys who are actively involved with the Las Vegas community, including charitable organizations, the Nevada and Clark County Bar Associations, and pro bono organizations. The office has also expanded its client base with many Nevada-based businesses.

Recruiting and retaining talented lawyers and staff is the primary challenge when moving to a new market. Snell & Wilmer approached the Las Vegas market as it has in every market. "If you offer a solid platform, you can attract talent," said Byrne. Recruitment strategies revolve around Snell & Wilmer's regional platform reinforced by the culture of pride and integrity in their partners, associates and staff. For new hires, the Las Vegas office actively recruits from the University of Nevada, Las Vegas (UNLV), but focuses on attaining well-respected, Nevada-based attorneys that will strengthen Snell & Wilmer as a whole. For example, Patricia Curtis, Jim Mace, and Steve Yoken, longtime members of the Las Vegas legal community, have reinforced the firm's expanding real estate and commercial finance practice, which now boasts more than 13 attorneys.

The Las Vegas office has also expanded into new practice areas that do not exist in other markets. The firm hired Greg Giordano to head the gaming law practice group. Similarly, the firm hired Sam McMullen to head the new lobbying and governmental relations practice group.

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC (WWHGD) is a national trial law firm whose attorneys have conducted more than 200 jury trials and 100 arbitrations across the country since 1999. They are based in Atlanta, Georgia (57 attorneys), and have additional offices in Miami, Florida (five attorneys) and Las Vegas, Nevada (four attorneys).

WWHGD combines significant litigation and trial experience, aggressive legal representation and creative solutions to effectively meet their clients' needs no matter what the task or where it may take them. Because of this, they established an office in Las Vegas to address the growing needs of their Nevada-based clients.

Several years ago, they were lead counsel in the largest civil trial in Nevada history, lasting nine months. More recently, they represented a major Las Vegas casino and resort in over 100 days of arbitration hearings on series of claims brought by the general contractor.



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Their office managing partner, David J. Larson, focuses his practice on commercial litigation with particular emphasis on construction disputes and liability. David has represented owners, general contractors, sureties, architects, subcontractors and material suppliers. Additionally, he represents various public and private corporations in disputes relating to major equipment purchases, service contracts, non-compete agreements and employment agreements. David has litigated and arbitrated cases in more than 20 different states over the past 30 years, and was admitted to the Nevada Bar in 2004.

Their recruiting efforts have prospered through personal relationships, and they have found the quality of professional and support staff in Nevada to be excellent. We believe the market in Nevada will continue to expand, especially in the areas of litigation – construction and commercial in particular – and they will continue growing our Las Vegas office to match our clients' increasing legal needs.

Why Nevada? Why Not?

Given the breadth of practice areas offered by this small sample of regional and national firms, one thing seems very clear. Nevada's strong economy offers opportunities across a broad spectrum of industries. Growth in those industries fuels growth in the legal market. Out-of-state firms have seized the opportunity to enter the legal market here, usually joining with existing firms and increasing their size. How the influx of legal employers and legal talent will change the practice of law in Nevada is something we can only wait to see. **G**

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