

MICHAEL R. KEALY

Shareholder

BIOGRAPHY

Michael Kealy is an experienced litigation and trial attorney practicing primarily in the areas of commercial litigation, business torts, natural resource and real estate litigation at Parsons Behle & Latimer. He also counsels businesses and individuals in structuring agreements and negotiating solutions to disputes in avoidance of litigation. Mr. Kealy is a shareholder and serves as managing shareholder of the firm's Reno office.

Mr. Kealy was lead counsel in a landmark Nevada Supreme Court case that prevented the Nevada Legislature and Governor from imposing an unconstitutional tax sweeping \$62 million from the funds of a local governmental agency to the state's general fund (*Clean Water Coalition v. The M Resort, LLC*, State of Nevada, 2011). The precedent established by this case prevented over \$650 million in sweeps of local governmental funds across Nevada, and defined the state constitution's limits applicable to taxes, special laws and local laws.

In Nevada state and federal courts, Mr. Kealy has successfully represented clients in litigating non-compete agreements, trade disparagement, breach of fiduciary duties, shareholder disputes, contractual matters, misappropriation of trade secrets, water rights, mineral interests and real estate disputes.

ACCOMPLISHMENTS

Academic

Creighton University School of Law, J.D., 1983

University of Nebraska-Omaha, B.S.B.A., 1980

Professional

AV® Preeminent™ rating in *Martindale-Hubbell*

The Best Lawyers In America 2008 - 2019

Named *Best Lawyers in America* 2015 "Lawyer of the Year" for Reno Litigation - Real Estate

Recognized in *Chambers USA*, Litigation

Nevada Business magazine's *Legal Elite* 2012



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PRACTICE AREAS

Litigation, Trials & Appeals
Business & Commercial Litigation
Environmental & Natural Resources
Appeals & Litigation
Real Estate Litigation
Employee Contracts & Executive Compensation

LICENSED/ADMITTED

Nevada

Nebraska

U.S. Court of Appeals, 8th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. Dist. Court, Dist. of Nevada

U.S. Dist. Court, Dist. of Nebraska

U.S. Tax Court

U.S. Supreme Court

ASSOCIATIONS

Professional

American Bar Foundation, Fellow

American Bar Association, Member (1984 - Present)

The Bruce R. Thompson American Inn of Court, President (2013 - 2014)

Association of Defense Counsel of Northern Nevada, Past President

American Association for Justice, Member

Economic Development of Western Nevada (EDAWN - Major Investor)

Chamber of Commerce - Reno, Member

PRESENTATIONS

"Nevada Appellate Pleading and Practice Issues," American Inns of Court (2010)

"Economical E-Discovery," American Inns of Court (2010)

"Jury Selection, Peering Into Your Peers," American Inns of Court (2008)

"Your First Trial, Make it a Short One," American Inns of Court (2007)

PUBLICATIONS

"Does the Management of Your LLC Owe a Duty to Act in the Interests of the LLC and the Members?" Nevada Business Magazine (October 2017)

"Legislating in the Wake of the Clean Water Coalition Case," *Nevada Lawyer Magazine* (February 20, 2013)

REPRESENTATIVE MATTERS

Clean Water Coalition v. The M Resort, LLC, et al., 127 Nev.____, 255 P.3d 247, 127 Nev. Adv. Op. 24 (May 26, 2011)