



KEVIN STOLWORTHY

PARTNER

Las Vegas, NV

702.415.2952

kstolworthy@atllp.com



Kevin Stolworthy is an experienced trial lawyer whose practice encompasses commercial litigation, including class action cases, white-collar criminal defense and construction litigation.

In the commercial area, Kevin's practice focuses on banking, bad faith insurance and coverage and construction issues. He represents borrowers, guarantors, insurers, and financial institutions in real estate and banking law litigation, with an emphasis on deficiency, guarantor and FDIC actions.

Kevin also serves material suppliers, contractors, subcontractors and developers in cases involving claims of breach of contract, fraud, conspiracy and construction defects. With a detailed understanding of insurance coverage and claim process issues, he strategically handles these often very technical insurance matters involving CGL and D&O insurance.

His experience includes defending various business entities against consumer class action lawsuits. These cases involve allegations of fraud, false advertising, unfair trade practices and breaches of state and federal consumer protection laws.

In addition, Kevin is experienced in white-collar and other types of criminal defense work. This background includes managing criminal jury trials involving Racketeer Influenced and Corrupt Organizations and Clean Air acts. He also has more than 20 years of experience as an appointed member of the Federal Public Defender's CJA Panel for U.S. District Court, District of Nevada.

Kevin speaks and lectures frequently on construction and insurance coverage topics for professional groups. These topics include fundamentals of construction law in Nevada, mechanic's liens and bond claims, rules of professional conduct that affect construction law attorneys and insurance coverage and bad faith insurance issues.

EDUCATION

- Brigham Young University, J. Reuben Clark Law School (J.D., 1986)
- Brigham Young University (B.A., *magna cum laude*, 1983)

PROFESSIONAL ACTIVITIES

- State Bar of Nevada

SERVICES AND INDUSTRIES

Financial Services and Banking
Litigation

Insurance Coverage Litigation

White-Collar Criminal Defense
and Government
Investigations

Real Estate

Class Action Litigation

Complex Commercial
Litigation

Real Estate, Development,
Construction

Product Liability

Construction Services

Energy and Utilities

ADMISSIONS

Nevada

U.S. District Court, District of
Nevada

- Clark County Bar Association
- American Bar Association

CHARITABLE AND CIVIC INVOLVEMENT

- I Have a Dream Foundation (Co-Founder and Director)

ACCOLADES

- Top 100 Lawyers in Las Vegas, MyVegas magazine (2016)
- Top Lawyers 2013, Vegas Inc.
- Top Rated Lawyer, Insurance Law (2013), Litigation (2014), *Martindale-Hubbell* and *American Lawyer Media* (ALM)
- Nevada Business Magazine's "Legal Elite" (2013-2016)
- Co-Founder and current President of the "I Have a Dream" Foundation in Las Vegas
- *The Best Lawyers in America*®; Insurance Law, Construction Law, Litigation-Banking and Finance, and Litigation-Construction (2012-present); Lawyer of the Year (2016)
- *Mountain States Super Lawyers*® (2011-present); *Super Lawyers*®, Business Edition (2011-present)
- AV® Peer Review Rated, *Martindale-Hubbell*

EXPERIENCE

Representation in Various Insurance Coverage Issues

Represented homeowners associations, developers and real estate property managers on various insurance coverage issues, including D&O policies, property damage, construction disputes and commercial liability.

Representation of World's Largest Mall Owner on Construction, Real Estate Issues

Represented the largest mall owner in the world on various construction and tenant issues.

Summary Judgment for Client in Wrongful Death Case

Won summary judgment for a government entity in a wrongful death case. At issue was whether the government entity was liable for the death of child crossing in a crosswalk where the lights were not working. The Eighth Judicial District Court ruled that the statute of repose and immunity statute precluded liability against the government entity.

Major Victory in Class Action for Low-Income Lender

Secured a major victory in a class action lawsuit for a low-income lender in Nevada and Arizona, which rendered vehicles inoperable if loan payments were not up-to-date.

Construction Defect Matters for Property Restoration Company

Handled multiple matters for a global, privately owned property restoration company involving construction defects in a commercial building.

Representation of Bank Clients in FDIC Actions

Represented a number of banks against FDIC actions, including the evaluation of loans and fiduciary duty for boards of directors.

Positive Result for Multiple LLCs in Construction Defect Litigation

Obtained a positive result for a number of independent LLCs within a business center in complex commercial litigation claiming a variety of construction defects.

Representation of Prison Gang Member Facing RICO, Murder and Drug Claims

Represented the lead member of a prison gang in a federal court-appointed case involving RICO claims, murder and drug claims.

Dismissal in Alleged Voter Fraud Case Generating National Media Attention

Represented a former supervisor for a political advocacy group in a case alleging that canvassers were illegally paid to register Nevada voters during the 2008 presidential campaign. The case, which was dismissed, garnered national media attention from the New York Times and Washington Post.

Reduced Sentence on Appeal in First-of-its-Kind Clean Air Act Violation

Handled the first criminal case in Nevada in which someone was prosecuted for violation of the Clean Air Act following a building implosion that released asbestos into the air. The client was given a misdemeanor sentence on appeal.

Bonded \$450 Million in Mechanic's Lien Claims for Large Hotel, Casino

Bonded more than \$450 million in mechanic's lien claims for a world-famous hotel and casino in Las Vegas.