



## REAL PROPERTY LAW SECTION

# Building the Future: Real Estate Lessons from Past and Present

**March 1-3, 2018**

**Encore at Wynn Las Vegas**

*Program Chair:*

**David H. Martyn**, Stewart Title Guaranty Company

### FACULTY

#### Program Coordinator



**David H. Martyn**, Program Chair is Senior Legal Counsel for Michigan for Stewart Title Guaranty Company. He received his J.D. degree from Emory University and his B.A. degree from Cleveland State University. Mr. Martyn has

practiced in the real estate and title insurance industries for more than 20 years in Michigan and Georgia. He is a member of the State Bar of Michigan Real Property Law Section and the Title Standards Committee, is a past Chair of the Oakland County Bar Association (OCBA) Real Estate Committee, and is a member of the State Bar of Georgia Real Property Law Section. He has been a speaker for the Michigan Real Property Law Section, the OCBA, Albany State University, the Cleveland-Marshall College of Law, and the Cleveland Affordable Housing Roundtable.

#### Friday, March 2, 2018



**Scott D. Adams** is the City Manager at City of Las Vegas and has been with the city 13 years, As deputy city manager he was responsible for the Economic and Urban Development, Community Services, Cultural Affairs and Parks and

Recreation departments. He was previously the director of the Office of Business Development. Scott has held planning and economic development positions in Jacksonville and Fort Lauderdale, Florida; New Orleans; and Memphis. He holds a BS in Urban Planning from Michigan State University where he was their top graduate in 1977.



**Bret Birdsong**, a professor of law at UNLV William S. Boyd School of Law, is a recognized expert in Public Land, Federal Natural Resources, Water Rights and Conservation Law. Most recently, while on leave from the law school from 2013-2016, he served in the Obama Administration as Deputy Solicitor for Land Resources at the U.S. Department of the Interior. At Interior he provided counsel to the Secretary of the Interior regarding the Bureau of Land Management, National Park Service and other agencies regarding important conservation and land management policy initiatives.

Professor Birdsong earned his J.D. degree, summa cum laude, from the University of California, Hastings College of Law in 1993. After clerking for Judge Robert P. Patterson, Jr., of the United States District Court for the Southern District of New York,



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Professor Birdsong joined the United States Department of Justice, Environment and Natural Resources Division, as a trial attorney focusing on public land and natural resources litigation from 1994-2000. As an Ian Axford Fellow in Public Policy in 1998, he studied New Zealand’s specialized Environment Court and served as a visiting fellow in the office of New Zealand’s Parliamentary Commissioner for the Environment.

Professor Birdsong teaches, Public Lands and Natural Resources Law, Water Law, Environmental Quality Law, Property Law and Administrative Law. His scholarly research focuses on Public Land Management, Federal Water Rights, and Food Systems. He is a co-author of Natural Resources Law: A Place-Based Book of Problems and Cases (Aspen 3d ed. 2013) and edits chapters on Federal Reserved Water Rights and Interstate Water Allocation in the Treatise Waters and Water Rights. Since joining the law school faculty and moving to Las Vegas in 2000, he has learned to point his car away from the Strip, where he enjoys exploring the public lands.



**William A. Horn** of Mika Meyers, received his bachelor’s degree with honors from the University of Wisconsin and graduated cum laude from the University of Wisconsin Law School. Bill specializes in environmental, oil and gas, eminent domain, water and riparian

rights, land use and public utility law, as well as civil and administrative litigation, and has been representing and counseling private and public sector clients in these areas since 1982. In addition to having served as an adjunct professor for a law school course on environmental law, Bill has spoken at seminars sponsored by the Institute for Continuing Legal Education, Grand Rapids Bar Association, Michigan Oil & Gas Association, International Right-of-Way Association and Society of Professional Engineers, and has written articles for local, state and national publications.



**Teri Ponticello** is an Assistant City Attorney at the Las Vegas City Attorney’s Office. Teri oversees the Civil Division of the City Attorney’s Office and manages the Transactional, Legislation and Litigation teams. Her focus at the city of Las Vegas has been redevelopment, economic development, finance and real property as well as serving as the legal advisor to the Las Vegas City Council and various boards and commissions. She was previously in-house counsel to a Nevada-based federally chartered bank. Teri received her B.A. degree from San Diego State University and her J.D. degree from University of San Diego School of Law. She is admitted to the State Bar of Nevada and California.



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Saturday, March 3, 2018



**Stephen R. Estey** is a member in Dykema’s Real Estate Department and has over 20 years of experience. Mr. Estey represents individuals, municipalities, small businesses and Fortune 500 corporations in all aspects of

commercial and governmental real estate development projects. He has extensive experience in expediting land use entitlements, and resolving a wide variety of disputes related to zoning, planned unit developments, special land uses, variances, eminent domain, easements, adverse possession, boundary and title issues, and various regulatory and administrative challenges, among others. He handles a wide range of matters at the trial and appellate levels of state and federal courts, as well as administrative and municipal tribunals and arbitration, involving both business and real estate related disputes.

For over a decade, Mr. Estey has handled hundreds of eminent domain proceedings for various energy industry clients including electric transmission providers and petroleum pipeline companies to secure the necessary property interests required for their capital projects. In this capacity, he routinely assists his clients with regard to legal and strategic considerations in the planning and siting of new transmission infrastructure and represents their interest in easement acquisition, contract negotiations, and condemnation actions.

Mr. Estey also has extensive experience in the siting of wireless telecommunication towers under the Telecommunications Act of 1996 and frequently appears before local municipal boards and commissions in support of applications for construction of new towers and collocation. Mr. Estey currently serves on the Real Property Council and previously served as the Chair for the State Bar of Michigan, Real Property Section Zoning and Land Use Committee. Since 2013, Mr. Estey has been recognized in *Michigan Super Lawyers* and is currently listed in *The Best Lawyers in America*® 2018.



**Douglas J. Fryer** is a member in Dykema’s Litigation Department and practices in the Firm’s Bloomfield Hills office. Mr. Fryer represents clients in a wide range of complex business, commercial and real estate litigation matters,

including contract and commercial lease disputes, construction disputes, adverse possession, easement and other real estate disputes, and condemnation. He represents both plaintiffs and defendants at the trial and appellate levels of state and federal courts, as well as arbitration and other forms of alternative dispute resolution. He also has experience in administrative proceedings before the Michigan Tax Tribunal and the Michigan Public Service Commission. His clients range from



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small closely held companies to Fortune 500 companies.

Mr. Fryer has extensive experience with eminent domain law, representing electric transmission companies in the acquisition of property interests necessary for the construction, operation and maintenance of new transmission facilities. He also assists clients in the planning and siting of new transmission infrastructure, including both administrative and state-court litigation. Mr. Fryer also focuses his practice on real and personal property tax appeals, representing both for-profit and nonprofit organizations. His experience includes commercial, industrial, and recreational real property appeals, as well as industrial personal property appeals.

sales, development work and commercial leasing. Mr. Scavone is a member of the State Bar of Michigan (Real Property Law and Business Law Sections). He is Chair Elect of the Council of the Real Property Law Section of the State Bar of Michigan, a member of the Michigan Land Title Standards Committee, and a Fellow of the American College of Mortgage Attorneys. He is listed in *The Best Lawyers in America 2018* under Banking and Finance Law and Real Estate Law, *Chambers USA: America's Leading Lawyers for Business 2017* under Real Estate, and *Michigan Super Lawyers 2017* under Real Estate. He is listed as a 2018 "Top Lawyer" by *DBusiness* magazine and is AV Preeminent® Peer Review Rated by Martindale-Hubbell.



**Nicholas P. Scavone, Jr.**, is a member of Bodman PLC and Chair of Bodman's Real Estate Practice Group. He has represented banks and other financial institutions in a wide variety of complex, multi-million dollar, secured loans and

other financial arrangements involving real estate. Mr. Scavone has extensive experience with commercial real estate loan workouts, foreclosures, receiverships, deeds in lieu of foreclosure, and sales of REO. In addition to banking and finance matters, Mr. Scavone represents clients in wide variety of real estate transactions, including purchases and