Holland & Hart



J. Marcus Painter

Senior Counsel

1800 Broadway, Suite 300, Boulder, CO 80302

P 303.473.2713

555 17th Street, Suite 3200, Denver, CO 80202

mpainter@hollandhart.com

Marc Painter’s real estate practice focuses on complex real estate transactions, finance and development, as well as banking and related business counseling.

For over 30 years, Marc's regional and national development and lending clients have sought his creative counsel in navigating difficult transactions to profitable completion.

Strong Cost-Benefit Approach: Marc’s past experience as an economist and banker brings a unique and valuable cost-benefit approach to transactions and disputes. That experience also gives him knowledge of the financial and business needs of other parties in a deal and an ability to effectively work through those issues early to reach a favorable agreement.

Structuring Deals to Avoid Litigation**:** Marc's prior experience as a commercial, banking and real estate litigator affords him a thorough understanding of the reasons for disputes and a unique sensitivity to the potential for, and the distractions of, litigation. Clients value his experience in helping them anticipate and then develop effective strategies to structure deals in ways that avoid disputes or in positioning their transactions properly if litigation is a necessity.

EXPERIENCE

Real Estate Clients

Marc's experience includes representing developers in commercial and industrial development, multi-family projects, residential and commercial condominium development, and complex mixed use and resort projects. He assists in virtually all stages of a project, including:

- Site Acquisition
- Due Diligence
- Entitlements
- Choice Of Entity
- Equity And Debt Funding Structures
- Common Interest Community Structures
- Leasing

PRACTICES

Real Estate
Finance
Commercial and Industrial Finance
Leasing
Resorts and Hospitality
Corporate
Real Estate Finance
Master Planned Communities
Zoning and Land Use

INDUSTRIES

Construction and Development
Financial Institutions
Data Centers

EDUCATION

University of Colorado, J.D., 1986

University of Colorado, B.A., 1982
Economics
magna cum laude
Phi Beta Kappa
Omicron Delta Epsilon

BAR ADMISSIONS

Colorado

COURT ADMISSIONS

U.S. District Court for the District of Colorado
United States Supreme Court

- Sales And Exit Strategies

Banking Clients

His lending clients also rely on his years of experience through varying economic cycles in evaluating and then drafting both real estate and asset-based commercial lending facilities, including:

- Acquisition, Development and Construction Loan Agreements and Security Instruments
- Intercreditor Agreements and Participation Arrangements
- Conduit and Other Institutional Non-Recourse Loans
- Title, Lien Search and Due Diligence Review
- Refinancings and Workouts
- Tax Credit, HUD, FHA and Similar Specialized Lending Structures
- Policies, Forms and Remedies Relating to Conflicts Between Federal Banking Law and Legalized Recreational and Medical Marijuana

Business Clients

Businesses from a variety of industries seek Marc's proactive representation as general counsel because of his thirty-plus years of experience assisting companies navigate the complexities of business operations. Whether it is one of the world's leading tennis racquet manufacturers, breweries and restaurants, high-tech manufacturers or solar providers, Marc looks for the most practical and cost-effective solutions. But where needed, he also calls upon the resources of other specialties in the firm, from insurance, to tax and securities, international trade regulation, anti-trust, internet and intellectual property, environmental, employment and complex compensation and benefit planning.

Other Areas of Emphasis

Marc's work in the resorts, lodging, and entertainment areas includes golf course community development work as well as hotel and restaurant liquor and related licensing. He also works with the firm's healthcare group in real estate, construction and related matters.

PUBLICATIONS

"FinCEN EXEMPTS U.S. Companies and U.S. Persons from CTA Reporting Requirements," *CTA Legal Update*, March 26, 2025

"The CTA Is Back (Sort Of)—What Reporting Companies Need to Know," *CTA Legal Update*, March 11, 2025

"Corporate Transparency Act Deadlines Loom: Are You Ready?," *CTA Legal Update*, May 20, 2024

"The CTA Is Here. Are You Ready? Do You Know Your Duties?," *CTA Legal Update*, January 4, 2024

SPEAKING ENGAGEMENTS

"Tick Tick BOOM: The Corporate Transparency Act Is Upon Us," *Denver Tax Conference 2023*, December 14, 2023

RECOGNITION

- *Chambers USA*, Real Estate, 2022-2026
- *The Best Lawyers in America*® Lawyer of the Year, Real Estate Law – Boulder, 2024
- *The Best Lawyers in America*®, Real Estate Law, 2009-2027
- Colorado Super Lawyers®, Real Estate, 2008-2026
- Boulder County Bar Association Outstanding Young Lawyer of the Year Award, 1992

PROFESSIONAL AND CIVIC AFFILIATIONS

- ACREL - American College of Real Estate Lawyers, Fellow
    - Uniform Laws Commission's Deed Fraud Committee, Observer/Liaison
- ACMA - American College of Mortgage Attorneys, Fellow
    - Colorado State Chair
- University of Colorado Real Estate Center, International Advisory Board Member
- Colorado Bar Association, Real Estate Section, Member
    - Past Chair
    - Past Editor, Real Estate Section Newsletter
- Colorado Bar Association, Member
    - Executive Council, Past Member
    - Board of Governors, Past Member
    - Professionalism Task Force, Past Member
    - Young Lawyers Division, Past Chair
- U.S. Green Building Council, Colorado Chapter, Member
- American Bar Association, Section of Real Property, Trust and Estate Law, Member
- Boulder County Bar Association
    - Real Estate Section, Member
    - Young Lawyers, Past Chair
- Colorado Real Estate Commission, Forms Committee, Past Member
- Boulder Chamber of Commerce, 1993 Leadership Boulder Class
- Foothills United Way - serving Boulder and Broomfield Counties,

Past Board Member and Vice President

- Continuing Legal Education of Colorado, Inc., Past-President