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Beau Sterling
Attorney at Law

Practice Area: Appellate Practice

Phone: 702-583-3333

Email: bsterling@sterlinglaw.com

Beau Sterling is the managing member of Sterling Law LLC, the appellate practice law firm he founded in 2006.

He is a former law clerk to the Chief Justice of the Nevada Supreme Court and an experienced Nevada appellate attorney with over 10 years of full-time appellate experience. He has actively participated in some of the largest and most complex appeals in the state and has an established record of success in state and federal courts at all levels, including the Nevada Supreme Court, United States Court of Appeals for the Ninth Circuit, Ninth Circuit Bankruptcy Appellate Panel, and the United States Supreme Court.

Mr. Sterling focuses his practice on appeals, writs, stays, and post-trial motions. He has also been brought in as co-counsel in large-exposure cases to argue jury instructions and to create and preserve issues for later appeal. His appeals cover a wide range of legal issues, but he has been particularly active in the areas of class-action construction defect litigation (NRS Chapter 40 - Constructional Defects), homeowner association disputes (NRS Chapter 116 - Uniform Common Interest Ownership Act), and evolving areas of tort law.

Mr. Sterling is also *of counsel* to the Cobeaga Law Firm in Las Vegas, Nevada, where he assists the firm in appellate matters.

An active member of the Nevada legal community, Mr. Sterling is a former U.S District Court Lawyer Representative for the District of Nevada and former member of the Ninth Circuit Lawyer Representative Coordinating Committee (LRCC). He is a member and former chair of the Editorial Board of *Nevada Lawyer* magazine (Official Publication of the State Bar of Nevada).

Mr. Sterling has personally argued over 25 cases in the Ninth Circuit federal appeals court and Nevada Supreme Court. He speaks and writes regularly on appellate-related topics and is presently supervising the redrafting of the State Bar of Nevada's "Nevada Appellate Practice Manual."

Mr. Sterling is listed in the 2010 and 2011 editions of *Mountain States Super Lawyers*.

Representative Cases

- *USA v. Fitch*, 9th Cir. Docket 07-10607 (September 23, 2011) (Opinion)
- *Schuck v. Signature Flight Support*, 126 Nev. Adv. Op. 42 (November 4, 2010)
- *Ward v. Ryan*, 9th Cir. Docket 07-17156 (September 27, 2010) (Opinion)
- *Keenan v. Toys “R” Us, Inc.*, 9th Cir. Docket 08-16866 (September 13, 2010)
- *Posas v. Horton*, 126 Nev. Adv. Op. 12 (April 15, 2010) (en banc)
- *Boulder Oaks Cmty. Ass’n v. B & J Andrews*, 125 Nev. Adv. Op. 33 (August 20, 2009) (en banc) (rehearing granted; reversed; en banc rehearing denied)
- *Cook v. Sunrise Hospital & Medical Center*, 124 Nev. Adv. Op. No. 85 (October 30, 2008) (en banc)
- *ANSE, Inc. v. District Court (Hayward)*, 124 Nev. Adv. Op. No. 74 (September 25, 2008) (en banc)
- *Turner v. Mandalay Sports Entm’t*, 124 Nev. Adv. Op. No. 20 (April 17, 2008) (en banc)
- *Boulder Oaks Cmty. Ass’n v. B & J Andrews*, 123 Nev. Adv. Op. No. 46 (November 1, 2007) (rehearing pending, opinion withdrawn)
- *In re Guardianship of Person, Estate of N.S.*, 130 P.3d 657 (Nev. 2006)
- *Mason v. Cuisenaire*, 128 P.3d 446 (Nev. 2006) (en banc)
- *Bedore v. Familian*, 125 P.3d 1168 (Nev. 2006)
- *McDonald v. Domino’s Pizza, Inc.*, 125 S.Ct 1928 (Mem) (2005) (granting petition for writ of certiorari)
- *Canfora v. Coast Hotels and Casinos, Inc.*, 121 P.3d 599 (Nev. 2005)
- *Rico v. Rodriguez*, 120 P.3d 812 (Nev. 2005)
- *Seino v. Employers Ins. Co. of Nevada*, 111 P.3d 1107 (Nev. 2005)
- *Health Plan of Nevada v. Rainbow Medical*, 100 P.3d 172 (Nev. 2004)
- *Bohlmann v. Printz*, 96 P.3d 1155 (Nev. 2004)
- *Heller v. Legislature of State of Nevada*, 120 Nev. 51, 93 P.3d 746 (Nev. 2004) (en banc)
- *Granite Rock Co. v. United States*, 371 F.3d 592 (9th Cir. 2004)
- *Guinn v. Legislature of State of Nevada*, 119 Nev. 277, 71 P.3d 1269, decision clarified on denial of rehearing, 119 Nev. 460, 76 P.3d 22 (Nev. 2003) (en banc)
- *Michel v. Eighth Judicial Dist. Court ex rel. County of Clark*, 117 Nev. 145, 17 P.3d 1003 (Nev. 2001)
- *Badillo v. American Brands, Inc.*, 117 Nev. 34, 16 P.3d 435 (Nev. 2001)

Oral Arguments

Nevada Supreme Court

- Foster v. Costco Wholesale Corp. (2011)
- Rinker Materials West, LLC v. O'Connor (2011)
- Lytle v. Rosemere Estates Property Owners Association (2011)
- Economic Opportunity Board of Clark County v. Schlack (2011)
- Sparks v. Alpha Tau Omega Fraternity (2010)
- Tsai v. Hsu (2010)
- Posas v. Horton (2009) (en banc)
- Rusk v. Coronado South (2008)
- Turner v. Mandalay Sports Entertainment (2007)
- Boulder Oaks Community Association v. B&J Enterprises (2007)
- Clemmons v. Darnold (2006)
- Mason v. Cuisenaire (2005) (en banc)
- Yee v. Sunrise Hospital (2004)

United States Court of Appeals for the Ninth Circuit

- USA v. Fitch (2011)
- Usanga v. Holder (2011)
- Keenan v. Toys “R” Us, Inc. (2010)
- Ward v. Stewart (2010)
- USA v. Weicks (2009)
- USA v. Popa (2009)
- USA v. Jones (2009)
- USA v. Valentine (2009)
- USA v. Stain (2008)
- Kimani v. Gonzales (2007)
- USA v. Gonzalez-Corporan (2007)
- USA v. Cole (2006)
- USA v. Winters (2006)

Ninth Circuit Bankruptcy Appellate Panel

- PMR Development v. Azra Investments (2006)

Professional Affiliations

State Bar of Nevada

- Nevada Lawyer Magazine Editorial Board (2007-present (Chair, 2007-09))
- Annual Meeting Planning Committee (2010-present)
- Member, Publications Committee (2001-07)
- Member, Construction Law Section

United States District Court, District of Nevada

- Criminal Justice Act Panel Attorney - Appellate/Habeas Panel (2007-11)
- Lawyer Representative (2008-11)
- U.S. Ninth Circuit LRCC (Nevada Delegation Co-Chair, 2010-11)
- Ad Hoc Pro Se Committee (Co-Chair)

Eighth Judicial District Court

- Indigent Defense Panel - Appeals and Habeas (Death Penalty Qualified)

Clark County Bar Association

- Member - Pro Bono Commendation (2005)

American Bar Association

- Member, Committee on Appellate Practice of the Section of Litigation
- Member, Committee on Appellate Litigation of the Section of Business Law
- Member, ABA Advisory Panel

Nevada Supreme Court

- Judicial Law Clerk (1996, 1997-98)
- Judicial Extern (1993)

National Writers Union/UAW Local 1981

- Member (2009 – present)

Community/Civic Involvement

United States Court of Appeals for the Ninth Circuit Pro Bono Project

- Pro Bono Panel Attorney (6 appeals to date)

Clark County Pro Bono Project

- Volunteer Pro Bono Attorney (4 appeals to date)

Nevada Department of Wildlife

- Volunteer Hunter Safety Instructor (2000 to present)

Publications

- “Gathering on the Garden Isle: The 2011 State Bar of Nevada Annual Meeting” *Nevada Lawyer* (August 2011) (photos)
- “Hey, What’s Your Sign? The Lowdown on Signing E-Filed Documents in State and Federal Court,” *Nevada Lawyer* (November 2010)
- “2010 State Bar of Nevada Annual Meeting,” *Nevada Lawyer* (July 2010) (co-author)
- “Recent Rules Changes in the Federal Courts,” *Nevada Lawyer* (April 2010)
- “The Nevada Supreme Court Amends the Nevada Rules of Appellate Procedure” (co-author), *Nevada Lawyer* (July 2009)
- “Report: 81st State Bar of Nevada Annual Meeting,” *Nevada Lawyer* (July 2009)

- “Electronic Filing in the Ninth Circuit Court of Appeals” (co-author), *Nevada Lawyer* (May 2009)
- “Report, 80th State Bar of Nevada Annual Meeting,” *Nevada Lawyer* (July 2008)
- “An Interview with Chief Justice Mark Gibbons,” *Nevada Lawyer* (January 2008)
- “Lawyers Are People, Too: Lawyers Living the Good Life Outside the Office” (co-author), *Nevada Lawyer* (December 2007)
- “Inside the Lawyer Advertising Rules Changes: An Interview with Nevada Supreme Court Justice Hardesty,” *Nevada Lawyer* (August 2007)
- “Looking Back: The Nevada Supreme Court’s New Fast Track Program for Child Custody and Support Appeals After One Year,” *Communiqué* (June/July 2007)
- “Report, 78th State Bar of Nevada Annual Meeting,” *Nevada Lawyer* (August 2006)

Speaking Engagements

State Bar of Nevada

- Annual Meeting CLE Workshop (Kauai, Hawaii): “Appellate Practice” (2011)
- CLE Seminars (Las Vegas and Reno): “Changes to the Nevada Rules of Appellate Procedure” (2009)
- Annual Meeting CLE Workshop (Lake Tahoe): “New Appellate Rules” (2009)

National Business Institute

- Advanced Legal Drafting (2004)
- Post-Trial Motions (2002)

Education

- J.D., with distinction, University of the Pacific McGeorge School of Law (1995)
- B.A., University of California, Berkeley (1990)

Bar Admissions

- State Bar of Nevada (1998)
- State Bar of California (inactive) (1997)
- United States Supreme Court (2000)
- United States Court of Appeals, Ninth Circuit (1999)
- United States District Court, District of Nevada (1998)
- United States District Court, Central District of California (1997)

Record of Disciplinary Proceedings

None

Professional Liability Insurance

Sterling Law LLC and its attorneys are insured for \$1,000,000 per claim (\$2,000,000 aggregate) by CNA Insurance Companies, 333 S. Wabash, 39 South, Chicago, IL 60685.

The logo for Sterling Law Appellate Attorneys is a dark blue rectangular box containing the text "STERLING LAW" in a large, white, serif font, with "APPELLATE ATTORNEYS" in a smaller, white, serif font below it.

STERLING LAW
APPELLATE ATTORNEYS

Sterling Law LLC
228 South 4th Street, 1st Floor
Las Vegas, Nevada 89101
(702) 583-3333
www.sterlinglaw.com