

August 30, 2024

VIA EMAIL jaburgess@acrel.org
Julie Burgess
ACREL

Re: Proposer's Nomination for ACREL Membership

Nominee: Matthew Pluss, Esq.

Firm: Senn Visciano Canges, Denver, Colorado

Dear Julie:

I am excited to provide you with this nomination of a truly distinguished practitioner, Matthew Pluss. Matt is an exceptional real estate attorney I've known and been across the table from for many years. We have debated (or said another way, Matt has schooled me on ...) such esoteric provisions as the nullification of insurance by virtue of otherwise innocuous indemnity provisions, the proper calculation of load factors under different BOMA standards, the interplay of the Economic Loss Doctrine and the bar on remedies against anything but the landlord's interest in the property, to many other fascinating and nuanced issues. We of course both cited with confidence our respective mentors and senior partners, Mark Senn and Beat Steiner to back our competing positions, and I always came away with an education and a sense of great collegiality with Matt. Indeed, every transaction with Matt over the decades evidenced not only his intellectual gifts as an attorney, but his high ethical and professional standards as a colleague in the real estate bar.

Matt is passionate about leasing law in particular, but he is a skilled practitioner in the areas of commercial acquisitions, finance and more. He is sought after by national real estate investment companies coming into our state as one of "the" attorneys to represent large real estate portfolios. In the area of leasing, he is a regular lecturer and author, and his "give back" is crowned by having taken on the mantle of being one of the leaders of the Advanced Commercial Leasing Institute – recently absorbed by ACREL. This is no small task and he dove in with energy and great leadership in a way that maintains and furthers the reputation and substance of this wonderful and valuable program. But his give back goes beyond that, with his lecturing for NAIOP and work with both legal and community organizations.

As you can see from his attached resume, Matt has been active in the bar and the community at a depth and breadth one typically sees in practitioners with a longer tenure. Matt's addition to ACREL will bring not only his phenomenal legal skills and knowledge, but also his leadership and passion for involvement on a substantive level in the many projects and committees of ACREL.

I can give no higher recommendation than of Matthew Pluss and hope this nomination ultimately brings to ACREL the benefit of a new and outstanding member.

Sincerely,



J. Marcus Painter
Partner
of Holland & Hart LLP

cc: John Nolan, Member Selection
Steve Mezer, Membership Development

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