

## CURRICULUM VITAE

**Max S. Stich, Esq.**  
**TIEMEIER & STICH, P.C.**  
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Max S. Stich is a shareholder at Tiemeier & Stich, P.C. Mr. Stich practices in general real estate matters. Mr. Stich has handled cases relating to evictions (for both commercial landlords and tenants), mechanic liens, contracts, broker disputes, torts, appeals, real estate leases and licenses, and real estate boundaries. Mr. Stich has also represented real estate brokers in professional liability cases.

Mr. Stich has also handled numerous real estate transactions, and has represented clients involved in lending and secured financing, real estate development, real estate title, boundary and access disputes, construction contracts, title, commercial and residential leasing, broker commissions, corporate and partnership dissolutions, sales and warranty claims, and foreclosures. Mr. Stich acts as the primary real estate counsel for the Sisters of Charity of Leavenworth, Inc., f/k/a Exempla.

Lastly, Mr. Stich also advises a number of doctors and their medical practices in their leasing, corporate, and employment needs. In particular, Mr. Stich has set up and dissolved medical practices, assisted in drafting employment and independent contractor agreements and provided general real estate guidance (leasing, subleasing and purchasing) to medical practices.

### **BORN:**

July 16, 1978, Denver, Colorado

### **EDUCATION:**

2005 J. D., University of Denver, College of Law

2001 B.A., University of California, Santa Barbara

### **PROFESSIONAL ORGANIZATIONS AND AWARDS:**

**Member:** Denver, and Colorado Bar Associations

**Member:** Thompson Marsh Inn of Court

**Member:** Colorado Bar Association's Ethics Committee

**Board Member:** Friends of Manual High School

**Participant:** Anti-Defamation League, Catholic-Jewish Dialogue

**Recipient:** Univ. of Denver, Jonathan T. Olom Trial Advocacy Scholarship

**Selection:** In 2010, 2012 and from 2014 - 2017, Mr. Stich was selected as a Colorado "Rising Star" in the area of real estate law. This prestigious designation is done annually, per state, with attorney selections based on a patented multiphase selection process, and peer nominations and evaluations, combined with third party research. Each candidate is evaluated on 12 indicators of peer recognition and professional achievement. No more than 2.5 percent of attorneys in a state are named "Rising Stars."

#### **PROFESSIONAL EXPERIENCE:**

2010 – Present: Shareholder, Tiemeier & Stich, P.C.

2006 – 2009: Associate Attorney, Montgomery Little Soran & Murray, P.C.

2005 – 2006: Judicial Law Clerk for Judges John P. Leopold and Gerald J. Rafferty, 18<sup>th</sup> Judicial District, Colorado

#### **REAL ESTATE TRANSACTIONS:**

##### **1. Acquisitions**

- Represented Buyer in purchase of apartment buildings. Sales price \$16 million
- Represented Buyer in purchase of a medical office building. Sales price: \$6.3 Million.
- Represented Buyer in the purchase of a country club (purchase included real estate and all assets of the country club). Sales price withheld.

- Represented Seller in sale of 8.5 acres of undeveloped land. Sale price: \$2.5 Million.
- Represented Seller in sale of 320 acres of undeveloped land. Sales price \$1.75 Million.
- Represented Buyer in the purchase of Car Wash (purchase included real estate and assets of the car wash). Sales price withheld.
- Represented Seller in the sale of 13 acres of property, which included two abandoned buildings. Sales price: \$1.285 Million.
- Represented Buyer in purchase of mobile home park, including the purchase of multiple mobile homes. Sales price \$1M.
- Represented Buyer in purchase of multi-unit apartment complex. Sale price \$600,000. Then represented Buyer, as Landlord, in long term lease with one Tenant.
- Represented Buyer in purchase of 50 unit apartment complex. Sales price: \$2.57 Million.
- Represented Buyer in purchase of 49 unit apartment complex. Sales price: \$2.97 Million.
- Represented Buyer in purchase of shopping center (5 acres). Sales price \$3 Million.
- Represented Seller in sale of undeveloped land. Prior to closing annexed property into municipality and negotiated final plat, development agreement. Sales price: \$500,000.

## **2. Leasing**

- Represented Landlord in the lease of a 101,000 square foot office building to a single tenant.
- Represented Tenant in 30,000 square foot storage lease.

- Represented numerous shopping centers in lease negotiations with national and local tenants.
- Represent health care system in all leasing activities from periodic interval, helipad, emergency room, medical office building, equipment, and hospital leases.

**SIGNIFICANT TRIAL EXPERIENCE:**

- After a two day jury trial, Mr. Stich obtained a jury verdict in favor of his client who was defending allegations of a breach contract. The Plaintiff was requesting nearly \$200,000 in damages. The jury dismissed all of the Plaintiff's claims and instead returned a \$12,000 verdict in favor of Mr. Stich's client, the defendant.
- Mr. Stich, representing an out-of-state real estate mortgage investor successfully moved to have a receiver appointed for the mortgage company who was servicing the client's loans in Colorado, which totaled nearly five million dollars. Prior to the appointment of the receiver, Mr. Stich and the client determined that the servicing company had absconded nearly \$200,000 of the client's funds. After the appointment of the receiver, Mr. Stich was able to obtain a judgment in the complete amount of loss to the client. Collection efforts were then initiated, which included post judgment depositions, garnishments of multiple accounts, and execution upon the debtor's personal property.
- After a three day jury trial, Mr. Stich successfully obtained a verdict in favor of his clients and against their real estate agent for breach of fiduciary duty. In this case, Mr. Stich's clients retained a real estate agent to lease their property. The broker did not provide certain disclosures concerning the tenants that she obtained. The tenants breached their lease and caused damage to the homeowners' property. The jury awarded Mr. Stich's clients a judgment for their damages, along with the attorney fees that they incurred to remove the tenants from their property.
- Mr. Stich successfully represented a commercial landlord in a hotly contested eviction action. After an initial one-day hearing, despite the tenant's vigorous attempts to disprove the landlord's claims, the client was awarded possession of the property. A second one-day hearing to determine damages was then

conducted. At this hearing, the tenant attempted to use expert witness testimony to refute various charges under the lease. The Denver District Court found in favor of Mr. Stich's client and awarded nearly a quarter of a million dollars in damages for back rent, late fees, interest and renovation costs, plus its attorney fees and litigation costs.

- While representing the ownership group of a shopping center, Mr. Stich obtained a \$2,210,000 condemnation award in Denver County.

#### **HEALTH CARE EXPERIENCE:**

- While representing both medical practices and their doctors, Mr. Stich has negotiated and drafted corporate documents including doctor buy-ins, buy-outs, and practice mergers.
- Mr. Stich has drafted and negotiated a number of independent contractor agreements and employment agreements on behalf of medical practices, doctors, and their staff.
- Mr. Stich has assisted a number of physicians in retiring from their practice.
- While representing a regional hospital, Mr. Stich drafted various medical service agreements, including addendums for the chief of staff and trauma director; medical staff by-laws, and physician bonus plans.