



BURCH & CRACCHIOLO

# Since 1970 A History of Justice & Service



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Member

# FIRM OVERVIEW

Now with 42 attorneys in its office, Burch & Cracchiolo was founded in 1970. The firm's lawyers are leaders in the areas of business and corporate law, commercial litigation, construction, creditors' rights, bankruptcy & reorganization, criminal defense, estate and wealth preservation planning, family law, labor and employment, insurance defense, intellectual property, personal injury litigation, real estate law, zoning and land use and taxation.

Serving corporate, governmental and individual clients throughout the Southwest and nationally, Burch & Cracchiolo is known for outstanding and cost-effective representation that emphasizes clients objectives.

The firm has offices in Phoenix, Arizona; Las Vegas, Nevada; and Orange County, California. In order to better serve clients nationally and internationally, Burch & Cracchiolo is a member of Primerus, an International Alliance of 200 law firms from over 40 countries around the world.



# FIRM PRACTICE AREAS

## › APPELLATE

Appellate review of decisions made by most courts and agencies is provided for by our judicial system. When an appeal is needed, Burch & Cracchiolo's attorneys are skilled in the written and oral advocacy necessary for appellate persuasion.

Complementing our various litigation areas including administrative law, bankruptcy and creditors' rights, commercial litigation, construction litigation, probate, family law, insurance defense, personal injury, and tax, the attorneys at Burch & Cracchiolo handle appeals. Our appellate practice includes both state and federal courts. Burch & Cracchiolo attorneys have represented parties involved in appeals in virtually all areas of the law and have assisted lawyers from other firms with appeals. Except where parties have agreed to forego any appeal in arbitration, our judicial system generally provides for further appellate review of decisions by regulatory and taxing agencies and from decisions by most courts. With few exceptions, an appeal consists of arguments about how the law should be applied based on review of a record of witness testimony and documentary evidence presented to the lower court. Although there is often oral argument to the appellate court, written briefs are the primary means of appellate persuasion -- that is, written advocacy is emphasized over oral advocacy on an appeal. Since appellate practice involves applying an existing record, instead of creating a new record, the presentation and discussion of factual and legal issues involves different skills and the application of different rules than trial practice.



## › BUSINESS & CORPORATE LAW

Administrative Law  
Construction Law  
Corporate Finance  
Creditors' Rights, Bankruptcy & Reorganization  
Emerging Companies & Entity Formation  
Indian Gaming Law  
Labor and Employment  
Liquor License Applications and Compliance  
Mergers & Acquisitions  
Real Estate Workouts  
Succession Planning

Burch & Cracchiolo offers business and corporate law services in a variety of areas, from forming and maintaining a business entity, to overseeing the legal aspects of business transactions, to effective representation if a matter reaches litigation.

In addition, our attorneys and other professionals represent clients before a wide array of government agencies at all levels. Burch & Cracchiolo helps emerging and established businesses grow and prosper. The firm provides exceptional services for each client by employing excellent legal skills to achieve effective solutions for a variety of business entities, including corporations, limited liability companies, limited and general partnerships and non-profit organizations.

For ongoing businesses, the firm performs a variety of legal services, including the negotiation and preparation of contracts, employment agreements, operating agreement, deferred compensation agreements, buy-sell agreements, leases, licensing agreement, other commercial agreements, providing tax planning services and representation in mergers and acquisitions.



# FIRM PRACTICE AREAS

## › COMMERCIAL LITIGATION

Alternative Dispute Resolution  
Business Litigation  
Class Action Litigation  
Construction Litigation  
Financial Services Litigation  
Receiverships/Conservatorships  
Real Estate/Title Litigation  
Securities and Corporate Governance Litigation

Commercial Litigation at Burch & Cracchiolo is extensive, wide-ranging and a major cornerstone of the practice throughout the firm's history. Our commercial litigation attorneys are adept at developing timely, cost-effective resolutions to commercial disputes and shepherd our clients through the process from the first sign of dispute through to resolution, trial and appeal, when necessary.

As a firm, Burch & Cracchiolo prides itself in offering among the most comprehensive services available in this area. Our commercial litigation practice includes an excellent staff of paralegals and legal secretaries with significant experience in assisting attorneys in commercial litigation. The firm's attorneys practice in all Arizona state and federal courts and administrative agencies, providing cost-effective legal representation to business clients.

Our attorneys provide advisory services designed to find alternative solutions in order to prevent litigation and a number of our attorneys are experienced arbitrators and mediators, as well as skilled advocates in the alternative dispute resolution process.

## › CONSTRUCTION LAW

Architecture & Engineering Contracts  
and Related Litigation  
Construction Bonds and Liens  
Construction Defect Litigation  
Construction Contracts & Related Litigation

Burch & Cracchiolo has one of the finest construction law practices in the State of Arizona. Our team of lawyers deals with the entire range of construction issues, including contract drafting and negotiation, bid disputes, claims preparation, delay claims, defect litigation, design issues, surety claims, Registrar of Contractor complaints, specification interpretations, Miller Act and Little Miller claims, labor, mechanic's and materialmen's liens, job site injuries and owner/condominium/homeowner association law suits.

Burch & Cracchiolo attorneys regularly assist clients through alternative dispute resolution and, when necessary, litigation for claims of all sizes and complexities before administrative, state, and federal courts.

### Construction Defect Litigation

Burch & Cracchiolo maintains an extensive construction defect defense practice in Arizona, Nevada, and California (Burch & Cracchiolo P.C.) where it has offices in Phoenix, Las Vegas, and Orange County. Our team has lawyers licensed in each of those states, as well as New Mexico where we have also handled construction defect litigation.

All cases are expertly guided to give first-rate representation and ensure the best possible results at competitive costs. We represent developers, homebuilders, general contractors, subcontractors, suppliers, and manufacturers and have extensive experience in handling insurance related issues such as additional insured obligations and WRAP/CCIP/OCIP policy issues.

We also understand that cost effective handling is important to many clients and insurance companies in the construction defect industry. Clients and insurance companies can achieve a more financially efficient relationship with Burch & Cracchiolo since the lead attorneys are licensed in multiple jurisdictions and actively practice in those states as well.



## › CRIMINAL LAW

Felony/Misdemeanor Charges  
Government Regulations  
Healthcare Fraud/Regulation  
Internal Investigations  
Vehicular Crimes

Burch & Cracchiolo represents individuals who have been charged with fraud and or other white-collar crimes as well as criminal offenses. The range of cases include felony and misdemeanor charges, government regulations violations, healthcare fraud including Medicare violations, vehicular crimes including negligent homicide, manslaughter and second-degree murder.

A motorist who drives with negligence or recklessness and kills another person may face homicide, manslaughter, or murder charges. Said charges depend on the nature of the injuries, which include death, great bodily harm, substantial bodily harm, and bodily harm.

We also consider cases where the client is the subject of an internal investigation. An internal investigation is a formal inquiry conducted by a company to determine whether laws, regulations, or internal policies were violated and, if so, recommend corrective action.

They are conducted either before serious wrongdoing, but when there is a substantial likelihood of policy or legal violations by the company or its employees; or after potential wrongdoing, when a company becomes aware of allegations, whether from an outside source (e.g., law enforcement) or from inside the company (e.g., whistleblower claims).

We will also deal with the creation of an ombuds program and respond to whistleblower complaints. As a white collar attorney, much of the work involves ensuring that the corporate policies and protocols in place are aligned with the regulations and policies outlined by the government and its respective regulatory agencies.

Burch & Cracchiolo represents clients charged in an auto accident that involves injury or death as a result of the use of alcohol or drugs. In Arizona this can result in serious criminal charges and is considered a vehicular crime. Leaving the scene of an accident can further add to those charges. Vehicular assaults and manslaughter cases are viewed very seriously in Arizona and they are prosecuted seriously as well.

Although auto accidents may not be seen so critically by some, the state of Arizona aggressively prosecutes reckless driving cases. This means that even if the driver had no intent of injuring someone or causing harm, they may still end up receiving a serious sentence if convicted for a vehicular crime. Some of the penalties include probation, fines, loss of the driver's license, community service, counseling, jail time, and even prison sentence.



## › ESTATE & WEALTH PRESERVATION PLANNING

Advance Directives for Health Care  
Estate & Gift Tax Planning  
Pet Trusts  
Probate & Estate Administration  
Special Needs Planning  
Succession Planning & Wealth Preservation  
Trust Administration  
Wills & Trusts

The Estate and Wealth Preservation Planning attorneys at Burch & Cracchiolo are skilled in creating a solid succession plan for our client's assets. Whatever the extent of our clients' needs and desires, we work closely with them and a team of trusted advisors, including business consultants, accountants, insurance experts, wealth advisors and trust officers to ensure that the estate and wealth preservation plan is comprehensive and effective in achieving client goals.

Burch & Cracchiolo has extensive experience in all aspects of estate planning, succession planning and probate. Our attorneys represent individuals, corporations, business owners, and nonprofit organizations and foundations in a broad range of trust, estate and tax matters. In conjunction with these planning services, we counsel our clients on the most beneficial structuring of executive compensation and employee benefits plans and assist in drafting buy-sell agreements, forming partnerships, corporations, ESOPS and limited liability companies, devising strategies for family succession planning (such as transferring interests in the business to children and grandchildren) and structuring a business to ensure the owner's estate will qualify for the deferred payment of estate tax.



## › FAMILY LAW

Adoption  
Child Support, Custody & Paternity  
Division of Assets & Liabilities, including  
Business Valuation Issues  
Divorce Representation  
Divorce Mediation  
Guardianship/Conservatorship  
Grandparents' Rights  
Legal Decision-Making  
Prenuptial Agreements  
Modifications and Severances

Burch & Cracchiolo attorneys handle a wide variety of matters in Family Law, emphasizing dissolution issues including divorce representation and mediation, property division issues and child custody, support and paternity.

The attorneys in our Family Law practice are well regarded in the practice and known for handling complex matters involving complex business valuation issues. Our Family Law practice goes beyond dissolution and includes issues that may arise in the family context, such as prenuptial agreements, grandparents' rights, annulments, legal separations, paternity, in loco parentis, guardianships, adult adoptions and legal decision-making.

## › INSURANCE DEFENSE/ PERSONAL INJURY LITIGATION

Auto/Trucking Liability Litigation  
Dram Shop/Liquor License Liability  
Environmental/Toxic Tort Litigation  
Government/Public Entity Liability  
Insurance Bad Faith & Coverage Litigation  
Premises Liability Litigation  
Product Liability Litigation  
Professional Liability Litigation

Burch & Cracchiolo attorneys serve on a number of panels for leading insurance companies and self-insured entities, handling claims of all types.

Our attorneys have successfully resolved cases involving bodily injury and property damage claims, including, but not limited to automobile, trucking and motor carrier liability, and commercial vehicles; premises liability; professional liability, including medical, legal, accounting and agent/broker malpractice; dram shop/liquor liability; property damage, including construction defect, fire and casualty losses; construction site injuries; product liability; general liability, aviation accidents and environmental torts.

We also provide coverage analysis, including reservation of rights correspondence, opinions, and defending bad faith and coverage litigation matters. In addition to representing insureds through insurance companies, Burch & Cracchiolo attorneys represent government and public entities, self-insured companies and Native American tribal governments and enterprises.

We represent defendants in insurance coverage disputes and bad-faith claims, defending all types of litigation involving insurance-related issues, including first and third party bad-faith suits, brokerage disputes, surplus lines insurance and declaratory judgment actions.

### Personal Injury & Wrongful Death Litigation

Burch & Cracchiolo's attorneys are skilled in negotiating and litigating our personal injury clients' claims from simple negligence cases to wrongful death and catastrophic injury claims.

We are cognizant of the physical, emotional and financial strain that can result from an injury by another's wrongdoing. Our attorneys are experienced negotiators adept at resolving client claims so that additional hardship is not suffered in the litigation process. However, if satisfactory settlement is not possible, Burch & Cracchiolo's attorneys are fully prepared to present our clients' claims to a judge or jury.

Our personal injury litigators include veteran trial attorneys who have appeared in court on many occasions and are aggressive, confident and proven advocates for our clients. We are comfortable and skilled in courtroom procedure including jury trials in state and federal court. In addition, several of our attorneys have been appointed as judges pro tem in the Superior Court.

Burch & Cracchiolo attorneys practicing in this area also have significant background representing defendants in negligence and personal injury cases. These attorneys have a unique and realistic perspective when claims are being evaluated, negotiated and litigated. Burch & Cracchiolo's personal injury attorneys work as a team to share advice and exchange information, giving the client the expertise of many seasoned litigators.



## › LABOR & EMPLOYMENT

- Corporate Compliance
- Discrimination Claims
- Employment Contracts
- Employment Litigation
- Restrictive Covenants & Agreements Not to Solicit or Compete
- Workplace Practices

Tensions often run high in employment related legal matters for employees or employers alike. To circumvent these situations, Burch & Cracchiolo's Labor & Employment lawyers help clients take the essential measures at the human resources level to reduce the risk of dispute between an employer and employee. We believe that sound planning is the best way to minimize employment problems and litigation.

Timely intervention and counseling on legal issues when hiring, termination or other employment related decisions are made, can be a cost-effective and favorable way to reduce legal risks while achieving business goals. However, when the circumstances make litigation unavoidable, we bring considerable skill and experience in the area of employment law to the table.

## › REAL ESTATE

- Leasing
- Real Estate Development
- Real Estate Finance
- Real Estate Litigation
- Real Estate Workouts
- Title Insurance & Related Litigation

Every type of real estate transaction is governed by competing interests and potential legal issues. For over 40 years, the Real Estate attorneys at Burch & Cracchiolo have served our clients with multidisciplinary legal solutions for property investment, development and management, as well as real estate finance. Burch & Cracchiolo has an extensive history representing local, national and international clients in all facets of real estate transactions and related litigation.

We are experienced in acquisition, development and zoning of large commercial, residential and planned development projects, as well as build out and lease up of shopping centers, commercial and industrial facilities and office buildings. Burch & Cracchiolo is also skilled in representing local and national lending institutions in the negotiation, preparation and enforcement of financial documentation for large commercial transactions. When necessary, our experienced litigation team is at the ready to aggressively advocate on behalf of our clients.





## › REAL ESTATE, CONT

### Land Use & Zoning

Burch & Cracchiolo serves our clients' land use visions from inception to completion. Our zoning and land use planning attorneys represent all aspects of the development arena from commercial and master-planned community developers to land investors. We regularly assist clients with annexation petitions, general plan amendments, specific plans, zoning applications, subdivision regulations, use permits, variances, entitlement of master-planned communities, infrastructure development agreements, negotiation of impact fees and economic incentives, impact of environmental regulations on land use, water rights, liquor licenses, compensation for regulatory takings and condemnation actions. Burch & Cracchiolo attorneys also regularly assist clients with the formation of homeowners' associations and owners' associations in commercial, condominium and planned use projects, the drafting of CCRs, easements, licenses, joint use agreements, and construction contracts.



## › TAXATION

Corporate Compliance  
Discrimination Claims  
Employment Contracts  
Employment Litigation  
Restrictive Covenants & Agreements Not to  
Solicit or Compete  
Workplace Practices

The Taxation practice at Burch & Cracchiolo includes tax strategy consulting, particularly in conjunction with entity formation and transfer considerations, as well as wealth and estate planning. The attorneys providing these strategic insights do so within the scope of their work for our clients in business and corporate law and estate planning. In addition, Burch & Cracchiolo attorneys provide a wide variety of services with respect to state and local taxes including the transaction privilege tax (sales and use taxes). The firm represents taxpayers in audits by the Arizona Department of Revenue and city taxing authorities.

# PRIMERUS

Burch & Cracchiolo is a member of the International Society of Primerus Law Firms, a highly selective society of the world's finest independent boutique law firms. The International Society of Primerus Law Firms (Primerus) is a society of top-rated, independent, boutique law firms that have earned the right to display the Primerus seal of quality.

As one of the most respected law firm societies, Primerus has become the size of some of the world's largest law firms. Primerus is growing at an unprecedented pace, and is expanding throughout the U.S., Asia, Europe, Middle East, Africa, Latin America, and the Caribbean. With thousands of lawyers in the society, Primerus members, collectively, offer the breadth of expertise and jurisdictional coverage that only the world's largest law firms can offer to their clients, but at more reasonable rates.

Law firms in the U.S. and Canada must be AV-rated using the Martindale-Hubbell peer review service. Every Primerus firm is audited, annually, to ensure that the legal services they continue to provide to clients are of a consistent high quality, year after year.

Each member is committed to the following standards: Integrity, Excellent Work Product, Reasonable Fees, Continuing Legal Education, Civility and Community Service.



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## Primerus Member



## OUR ATTORNEYS



**Andy Abraham, *Partner***  
**Real Estate Law**

Andy, Burch & Cracchiolo's president, is Certified as a Real Estate Specialist by the Arizona Board of Legal Specialization. Concentrating his practice primarily in the areas of commercial litigation, real estate-related litigation and real estate transactions and real estate finance. Andy also has substantial experience in the area of franchisor/franchisee relations. He is also a seasoned mediator in real estate litigation and transactional cases as well as commercial lease and financing disputes. In 2011 and in 2014-2021 Andy has been voted among the Southwest Super Lawyers Top 50 Attorneys in Arizona.



**Casey Blais, *Partner***  
**Commercial Litigation**

Casey is an attorney who practices in the areas of commercial litigation, real estate law and landlord/tenant disputes. He regularly represents individuals, lenders, developers, and other private and public entities in bringing and resolving a variety of legal matters. Representative cases include real estate title and litigation matters, foreclosure actions, business and contract disputes, landlord tenant actions, real estate non-disclosure disputes, and judgment collection cases.



**Ed Bull, *Partner***  
**Land Use and Zoning**

Ed Bull received his J.D. from ASU in 1980 and has practiced law at Burch & Cracchiolo, P.A. for 41 years. He is Certified as a Real Estate Specialist by the State Bar of Arizona and is a Martindale-Hubbell peer review rated AV(r) Preeminent attorney. Ed served as president of Burch & Cracchiolo from 2000-2017 and was named Best Lawyers "Attorney of the Year" in 2014, 2018 and 2020 in land use and zoning law. Ed's practice involves the full range of real estate entitlements including zoning, general plan amendments, area plan amendments, interpretations, variances, use permits, subdivision and site plan approvals, annexation, development agreements, right-of-way abandonments, pre-purchase due diligence, and other development-related matters.



**Ali Bull, *Associate***  
**Zoning and Land Use and Commercial Litigation**

Ali's practice covers real estate law and family law. Born and raised in Phoenix, Alicia graduated from Xavier College Preparatory in 2006. She received her B.S. in psychology with a minor in history from Northern Arizona University in 2009 and her M.Ed. in elementary education from Arizona State University in 2012. After spending some time in the classroom she attended Arizona State University Sandra Day O'Connor College of Law and received her J.D. in 2017.



**Jake Curtis, *Partner***  
**Liquor Licensing and Compliance**

Jake leads Burch & Cracchiolo's liquor licensing and compliance department. He handles all manner of issues concerning compliance with Arizona's liquor laws, including obtaining licenses for retailers, distributors and producers; auditing liquor practices for compliance with local, state, and federal requirements; responding to allegations of non-compliance, defending liquor violation complaints before the Arizona Department of Liquor Licensing and Compliance (DLLC), including appeals to the Superior Court and Court of Appeals; and the sale of quota licenses. In addition, he handles summary suspensions, notice of violations of AZ Department of Health Services (AZDHS) COVID-19 guidelines, attestations of violations, and compliance for notice of closure for bars and restaurants.



**Susan Dana-Kobey, *Partner***  
**Family Law and Commercial Litigation**

Susan practices in the areas of Family Law and Civil Litigation in Arizona and California. In addition to English, she is fluent in Spanish and Portuguese. Susan handles all aspects of divorce and family law including adoption, grandparents' rights, custody issues and pre and post marital agreements. In addition, Susan handles civil litigation matters, representing clients in cases involving serious personal injury, wrongful death, products liability, negligence, premises liability and construction matters.





## Jennifer Delgado, *Partner* Real Estate Law

Jennifer's approach to legal services has always been simple: Provide the highest level of knowledge, guidance and experience, while delivering a personal service generally unseen in the legal profession, all at cost-effective rates and within the requirements of her client's needs. Jennifer advises clients on commercial and residential real estate transactions, including purchase and sale agreements, simple and complex financing arrangements, leases, and title issues. She also has extensive experience representing and advising individuals, small, and medium-sized businesses as to general business law transactions including entity structure, corporate formation, commercial contracts, compliance matters, mergers and acquisitions, day to day operations, and labor and employment issues.



## Clark Derrick, *Of Counsel* Criminal Defense Law

Clark is a certified criminal law specialist; devoting his entire practice to criminal defense work with a particular emphasis on white collar offenses at both the federal and state levels. He is licensed to practice in Arizona and in various federal courts throughout the United States including the United States Supreme Court. Clark has been a Best Lawyer in America for the past fourteen years and is the 2022 "Lawyer of Year" in criminal defense in the Phoenix metro region.



## Aaron Duell, *Associate* Employment Law and Civil Litigation

Aaron joined Burch & Cracchiolo in 2019 to focus his practice on employment law/litigation and commercial litigation. Before joining Burch & Cracchiolo, Aaron clerked for the Honorable Dominic W. Lanza at the U.S District Court for the District of Arizona. Prior to that, he worked at the Arizona Attorney General's Office as an Assistant Attorney General in the Government Accountability and Special Litigation unit. There, he was awarded the 2017 "Emerging Star Award" for the Civil Litigation Division. Aaron pursued legal action against cities, counties, and towns deemed to have violated state law and the Arizona constitution. In addition, Aaron investigated and prosecuted violations of the Arizona Consumer Fraud Act.



### **Mike Dulberg, *Partner*** **Construction Law**

For more than 30 years, Mike's practice has focused on construction law and litigation. He represents public and private owners, general contractors, subcontractors, material suppliers and design professionals on public and private projects in contract drafting and negotiation, claims preparation, arbitration and trial of claims, surety claims and design professional liability issues. Mike has also handled administrative proceedings pursuant to the Arizona Procurement Code and complaints before the Registrar of Contractors. He has lectured to the State Bar of Arizona, as well as construction industry groups on various aspects of construction law.



### **Ed Fleming, *Partner*** **Commercial Law and Litigation**

Ed represents clients in complicated commercial disputes. He has successfully prosecuted and defended professionals, including lawyers and accountants, in dozens of cases and represented multiple clients in cases involving financial fraud and securities issues. His diverse experience includes shareholder derivative actions, civil employment litigation, and state and federal racketeering claims. Ed has extensive experience in real estate litigation matters, including escrow and title claims, claims brought by banks and lending institutions against real estate developers and contractors, as well as claims made by and against general contractors and subcontractors.



### **Frank Fox, *Of Counsel*** **Insurance Defense**

Frank is a commercial litigator who has been practicing law for 36 years. He has an AV Preeminent Peer Review Rating of 5.0 from Martindale-Hubbell, the highest rating available. His practice focuses on insurance defense, bad faith claims and commercial litigation.



## **Brian Greathouse, *Partner*** **Real Estate Law**

Brian is a Land Use, Zoning, and Real Estate Attorney. Brian obtains amendments to General Plans and Special Area Plans, Rezoning approvals, Variances and Use Permits, Site Plan approvals, Preliminary and Final Plat approvals, and modifies Zoning Stipulations. Brian also negotiates and processes Pre-Annexation and Development Agreements and other Private Agreements between Land Owners and Municipalities to overcome real estate development challenges. Further, Brian represents Clients in Condemnation matters, Transactional Real Estate matters, such as Purchase and Sale, Lease, and Easement Agreements, Declarations and CC&Rs, and represents Clients in various Real Estate Litigation matters.



## **Ralph Harris, *Partner*** **Commercial Litigation**

Ralph's practice includes commercial litigation, employment litigation and personal injury litigation, with emphasis on business, commercial and contract related disputes. He has a particular interest in environmental law issues and has written extensively on the topic. Ralph brings strong analytical skills and financial acumen to the table, which, combined with his instincts for negotiation, allow his clients to resolve disputes efficiently and effectively. He is known as an ardent advocate and proven trial attorney. Ralph is a peer review rated AV® Preeminent attorney in Martindale-Hubbell.



## **Joe Heriford, *Partner*** **Estate Planning and Wealth Preservation**

Joe has a broad corporate practice including income tax planning and business law aspects of business transactions, including business formation, operation, sale and merger of corporations, partnerships, limited liability companies, joint ventures and strategic alliances, as well as Section 1031 tax-deferred exchanges. In addition, Joe represents company founders and other entrepreneurs on a broad range of personal planning matters, with an emphasis on wealth transfer and succession strategies.



**Rosary A. Hernandez, *Partner***  
**Commercial Litigation and Construction Defect**

Rosary is a first generation Cuban American. Rosary's areas of practice include commercial and business litigation, professional liability defense, construction law, and tort defense including tortious interference and related claims. Her recent years in practice have involved construction related matters, assisting developers, builders and contractors manage their risk through difficult economic circumstances. Hernandez is a Martindale-Hubbell 5.0 AV Preeminent attorney and a member of the Defense Research Institute (DRI) Executive Board of Diversity Committee. She currently serves on the Board of Directors of the Home Builders Association of Central Arizona and the Board of Directors of Esperanza. She is admitted to practice law in Arizona, New Mexico, California and Texas.



**Amy Howland, *Partner***  
**Real Estate Law**

Amy practices primarily in real estate and financial transactional and corporate governance matters, including purchase, sales and leasing for commercial properties, negotiation of financial transactions, loan workouts and corporate affairs. She is peer review ranked BV® Distinguished™ by Martindale Hubbell. Amy is active in professional and industry associations.



**Susie Ingold, *Partner***  
**Employment Law and Litigation**

Susie practices in employment law and litigation and regularly advises clients regarding issues of workplace discrimination, employer policies, employee discipline and termination, and compliance with state and federal labor and employment laws. She regularly represents clients before the Equal Employment Opportunity Commission and in complex litigation matters in state and federal court. As an experienced litigator and trial lawyer, Susie has successfully defended corporations, businesses, employers, executives and management in jury trials throughout Arizona's state and federal courts.





**Ken Januszewski, *Partner***  
**Commercial Litigation and Construction Defect**

Ken practices in all areas of Construction-related and General Liability litigation and serves as the CD-GL Practice Group Chair for Nevada and New Mexico claims. He has served as lead counsel for construction industry clients in multi-million dollar residential and commercial litigation matters for clients including numerous developers, general contractors and subcontractors in complex litigation matters.

Ken has for years provided coverage analysis for multiple carriers in Arizona, New Mexico and Nevada. He has represented clients in complex class action construction defect cases.



**Todd Julian, *Partner***  
**Plaintiff Personal Injury**

Todd has been in practice at B&C since 1989. In his career he has defended personal injury claims for insurance companies and self-insured businesses and he also has extensive experience representing personal injury victims and their families. An Arizona Native, Todd is a Board Certified Specialist in Personal Injury and Wrongful Death Litigation. He represents clients in cases involving personal injury and wrongful death, including auto, trucking and motorcycle collisions, premises liability (slip and fall), dog/animal attacks, explosive and burn injuries and products liability. Todd has been admitted to practice in various tribal courts in the Western United States and has represented tribal governments and enterprises as well as litigating personal injuries against tribal casinos when there is no conflict.



**Paul Kular, *Partner***  
**Insurance Defense**

Paul is an insurance defense attorney with 18 years of experience. In addition to insurance defense, his practice focuses on construction law, personal injury, subrogation and coverage. His areas of concentration are in construction defect, all vehicular accidents to include trucking, auto, and motorcycle, and fire/water losses involving residential and commercial properties.



**Steve Lippman, *Partner***  
**Business and Corporate Law**

Steve represents and advises small and medium-sized businesses in all areas of law arising out of their businesses. He has represented clients in cases involving a wide variety of claims, including breach of contract, professional malpractice, personal injury, insurance bad faith, and debt and judgment collection actions.



**Tonya MacBeth, *Partner***  
**Family Law**

Tonya is a Family Law attorney whose practice focuses on all four aspects of family law—prenuptial agreements, divorces (including parenting plans and establishing child and spousal support), and post-divorce modifications including legal decision-making, and enforcement of parenting time, payments and property settlement agreements. She is a trial attorney, yet values mediation as an effective tool for creative solutions to complex and unique family law issues. Continuing her pre-law career as a mental health advocate, she serves as board chair for CHEEERS, a non-profit, recovery program for those affected by serious behavioral health conditions. In addition, Tonya is a member of the Arizona Association of Family and Conciliation Courts and the Thurgood Marshall Inn of Court.



**Daryl Manhart, *Partner***  
**Appellate and Commercial Litigation**

Daryl is a senior shareholder handling commercial and real estate transactions, commercial litigation, and general business representation. Daryl is also the firm's principal appellate attorney handling civil appeals, including special actions, in state and federal appellate courts in diverse practice areas, including cases before the U.S. Supreme Court. Daryl is called upon by lawyers in other firms for consultation on their appeals or for referral as appellate counsel. Daryl is an AV® Preeminent 5.0 out of 5 peer review rated attorney in Martindale-Hubbell



**Alan Meda, *Partner***  
**Bankruptcy and Creditors' Rights**

Alan has more than 30 years of legal experience and focuses on the representation of creditors, debtors and trustees in the bankruptcy and creditors' rights practice areas including workouts, Chapter 11 reorganizations, liquidations and related litigation in both Chapter 11 and Chapter 7 cases. He has represented clients in a wide variety of matters and has served as counsel to the Danny's Family Car Wash Companies in connection with their reorganization, the National Hockey League in connection with the reorganization of the Phoenix Coyotes Hockey Club, and Hwal'bay Baj Enterprises, Inc., a corporation chartered under the laws of the Hualapai Indian Tribe, in connection with the bankruptcy of 'Sa 'Nyu Wa, Inc. involving the glass bottom bridge known as the Skywalk. Alan also represents clients with respect to loan financing, purchases and transactions.



**Laura Meyer, *Of Counsel***  
**Commercial Litigation and Appellate**

Laura has more than a decade of experience in litigation and appellate matters. Laura's litigation interests include business litigation, professional liability, and matters involving government liability. When an appeal is needed, Laura is skilled in the written and oral advocacy necessary for appellate persuasion. Laura's appellate interests include appeals and special actions in state and federal appellate courts in diverse civil practice areas, including personal injury claim and defense cases, premises liability, professional malpractice, contractor cases, creditor/debtor cases, bankruptcy, products liability, insurance coverage, domestic relations, and many other areas. Laura received her J.D. from Harvard Law School in 2010 and her B.A.s from Arizona State University in 2007. In her litigation and appellate practice, Laura draws on her experience gained from serving on the Arizona State Bar's Civil Practice and Procedure Committee.



**Andrew Miller, *Of Counsel***  
**Land Use and Zoning Law**

Andrew's practice is focused on zoning, land use, real estate law, government relations and municipal law. His areas of concentration include development agreements, rezoning ordinances, code enforcement, intergovernmental financing agreements and complex transactional matters. Prior to joining Burch & Cracchiolo, Andrew served as the Town Attorney for the Town of Paradise Valley for 22 years from 1998-2020. He oversaw high quality growth and development that strictly adhered to the ordinances and zoning codes that so deftly sets Paradise Valley apart from other municipalities in the Valley.



**Bryan Murphy, *Partner***  
**General Litigation**

Bryan has practiced law for more than 30 years and is listed in Martindale Hubbell as an AV® Preeminent 5.0 out of 5 peer-review rated attorney. He has a varied trial practice, focusing on complex litigation in both commercial and personal injury cases. Bryan's commercial practice areas include securities litigation, business and partnership controversies, real estate disputes, and attorney malpractice. Personal injury practice areas include wrongful death claims and medical malpractice. Bryan also has an active practice representing physicians in administrative proceedings before the Arizona Medical Board.



**Ian Neale, *Of Counsel***  
**Personal Injury and Wrongful Death Litigation**

Ian is a highly experienced trial lawyer, having tried more than 100 jury trials. His practice focuses on Personal Injury, Wrongful Death, Product Liability, Premises Liability and General Commercial Litigation. Ian is experienced in representing physicians whose licenses are being challenged by boards of specialty and defends them in medical malpractice cases. He also has experience handling cases of significant injury or death resulting from aviation accidents.



**Keith Olbricht, *Partner***  
**Commercial Litigation**

Keith practices in all areas of Construction-related and General Liability litigation and serves as Co-Chair of the Construction Defect-General Liability Practice Group. He has served as lead counsel for construction industry clients in multi-million dollar residential and commercial litigation matters for clients including numerous developers, general contractors and subcontractors in complex litigation matters.





### **Brennan Ray, *Partner*** **Land Use and Zoning**

Brennan is a Certified Specialist in Real Estate, Arizona Board of Legal Specialization, and practices with the firm's zoning and real estate attorneys. He has experience in the areas of land use planning, zoning, real estate transactions, landlord/tenant, title insurance and other real estate-related matters. Brennan also is experienced in commercial and business litigation.



### **Greg Rosenthal, *Partner*** **Commercial Litigation**

Greg is an AV® Preeminent peer review rated attorney in Martindale-Hubbell whose practice focuses on civil litigation matters, representing clients in cases involving serious personal injury, wrongful death, products liability, negligence, premises liability and construction matters.



### **Matt Skelly, *Associate*** **Commercial Litigation**

Matt joined Burch & Cracchiolo as associate attorney in 2016. He concentrates his practice in the areas of commercial litigation and personal injury litigation, and has led businesses through all types of discovery, motion practice and trial.



**R.J. Bucky Slomski, *Associate***  
**Personal Injury Litigation**

Bucky is a top-rated trial advocate and emerging leader in his field. He focuses his practice solely on serious personal injury, medical malpractice and wrongful death claims, and provides much-needed representation and support to clients across Arizona who have suffered an injury or lost a loved one as a result of someone else's negligence or wrongdoing. Bucky was named a top 40-under-40 Personal Injury Attorney in 2019 and an Arizona Business Young Leader to Watch in 2020. Bucky speaks Spanish and is a native Arizonan.



**Wendi Sorensen, *Partner***  
**Personal Injury Litigation and Mediation**

Wendi has been certified by the State Bar of Arizona as a specialist in Personal Injury and Wrongful Death law due to her 35 years of litigation experience in both state and federal court. Her practice focuses on providing mediation services and defending aggravated liability and damages matters, including Federal Motor Carrier (trucking accident) cases, vehicular products liability matters, construction site injury and death matters, and premises liability cases. Wendi has a thriving ADR practice often using mediation as a tool to effect positive outcomes and avoid costly jury trials.



**Jim Stipe, *Partner***  
**Commercial Litigation and Indian Gaming Law**

Jim is an AV rated AV® Preeminent 5.0 out of 5 peer review rated attorney in Martindale-Hubbell who joined Burch & Cracchiolo, P.A. in 1992. Jim practices in the areas of Gaming Law, Commercial Organization and Litigation and Insurance Defense/ Personal Injury Litigation.



**Katelyn E. Towe, *Associate***  
**Commercial Litigation and Construction Defect**

Katie focuses her practice on commercial litigation and construction law. Prior to joining Burch & Cracchiolo she practiced construction defect litigation, insurance defense and general tort liability. Katie has defended large, national homebuilders, custom home builders and contractors. She has also pursued additional insurers for defense obligations, Prompt Pay Act and lien claims and insurance defense. While in law school Katie served on the Executive Board for Jurimetrics: The Journal for Law, Science and Technology as Senior Executive Editor. She also worked as a legal writing teaching assistant and was named a Willard H. Pedrick Scholar for her academic achievements. She is admitted to practice law in Arizona.



**David Villadolid, *Partner***  
**Labor & Employment Law**

David is the senior partner in the firm's Employment Law section and is recognized as an AV® Preeminent™\* 5.0 out of 5 peer review rated attorney in Martindale-Hubbell. With more than 39 years of legal practice, David successfully advises companies, executives, and management on a broad spectrum of business and employment issues including compliance with state and federal laws and regulations. Clients express confidence in David's ability to provide legal mapping strategies that proactively help businesses achieve goals, preserve relationships and prevent or resolve problems before they start.

# THE CERTIFIED LEGAL SPECIALISTS AT BURCH & CRACCHIOLO ARE EXPERIENCED, RESPONSIVE AND FOCUSED.



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# AWARDS & RECOGNITION



- Andy Abraham
- Edwin C. Bull
- Clark L. Derrick
- Michael S. Dulberg
- Edwin D. Fleming
- Frank M. Fox
- Ralph D. Harris
- Rosary Hernandez
- Todd A. Julian
- Steven J. Lippman
- Daryl D. Manhart
- Bryan F. Murphy
- Ian Neale
- Gregory A. Rosenthal
- James A. Stipe
- David M. Villadolid



- Andy Abraham
- Edwin C. Bull
- M. Brennan Ray



- Andy Abraham
- Edwin C. Bull
- Susan E. Chetlin
- Clark L. Derrick  
*(Lawyer of the Year-  
Criminal Defense)*
- Daniel F. Cracchiolo
- Susan Dana-Kobey
- Clark L. Derrick
- Michael S. Dulberg
- Edwin D. Fleming
- Frank M. Fox
- Brian D. Greathouse
- Amy D. Howland
- Susanne E. Ingold
- Todd A. Julian
- Steven J. Lippman
- Daryl D. Manhart
- Alan A. Meda
- Ian Neale
- Keith A. Olbricht
- M. Brennan Ray
- Gregory A. Rosenthal
- Wendi A. Sorensen
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- Clark L. Derrick
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- Wendi A. Sorensen

BEST LAWYERS IN AMERICA  
"ONE TO WATCH"

- Laura J. Meyer
- Matthew J. Skelly



- Andy Abraham  
*(Top 50 Attorneys in AZ)*
- Edwin C. Bull  
*(Top 50 Attorneys in AZ)*
- Jake D. Curtis
- Clark L. Derrick
- Edwin D. Fleming
- Frank M. Fox
- Ralph D. Harris
- Joel K. Heriford
- Amy D. Howland
- Susanne E. Ingold
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- Bryan F. Murphy
- Ian Neale
- Keith A. Olbricht
- Gregory R. Rosenthal
- R. J. Bucky Slomski
- Wendi A. Sorensen  
*(Top 25 Women Attorneys in AZ)*
- David M. Villadolid

## Rising Stars

- Brian D. Greathouse
- Matthew J. Skelly

# AWARDS & RECOGNITION

PHOENIX BUSINESS JOURNAL



2021 BEST PLACES TO WORK

The Business Journal's Best Places to Work ranks top businesses in local areas for best employee experience. Rankings are determined based on surveys on leadership, corporate culture, and communications. Different cities can use different methodologies and rank a different number of employers. In 2021 Burch & Cracchiolo, P.A. was named a Best Places to Work 2021 by The Phoenix Business Journal. The firm ranked very highly with a score of 97.6% from B&C employees.

**B&C ranked #3 in the small business category (0-99 employees).**



Each year in its July/August issue, Arizona Business Magazine features 50 prominent women who make a substantial impact on Arizona business and the community at large.

The honorees are selected from more than 1,000 entries. Burch & Cracchiolo has been proud to have an honoree in each of the following years:

- 2021 Susan Dana-Kobey
- 2020 Sue Chetlin
- 2019 Tonya MacBeth
- 2018 Susie Ingold
- 2017 Wendi Sorensen
- 2016 Martha Patrick
- 2015 Clare Abel (deceased)



In partnership with Arizona Business Magazine and Best Companies AZ, Arizona's Most Admired Companies is an awards program designed to recognize the contributions and impact all Arizona employers bring to our great state. This is the most comprehensive and prestigious award program in Arizona.

Burch & Cracchiolo is so proud to have been chosen as a 2021 honoree from over 400 nominations. The firm was nominated in categories including history, leadership, firm culture, diversity & inclusiveness and innovation.



Since its founding in 1970, philanthropy has been a large piece of Burch & Cracchiolo's mission and firm culture. Giving back and supporting the community who has been so supportive of B&C is who we are as a firm. In 2019 B&C was named one of the "25 Most Philanthropic Companies in Arizona" by Arizona Business Magazine.

We are so honored for being recognized for a responsible community asset. In 2020, firm president Andy Abraham was awarded the "Individual Leader Award" for his work mentoring law students at Sandra Day O'Connor ASU School of Law, his vision in sponsoring the Star Teacher Award, and his long time commitment to the Jewish Historical Society serving as executive vice-president of its board of directors.



# STAR TEACHER AWARD

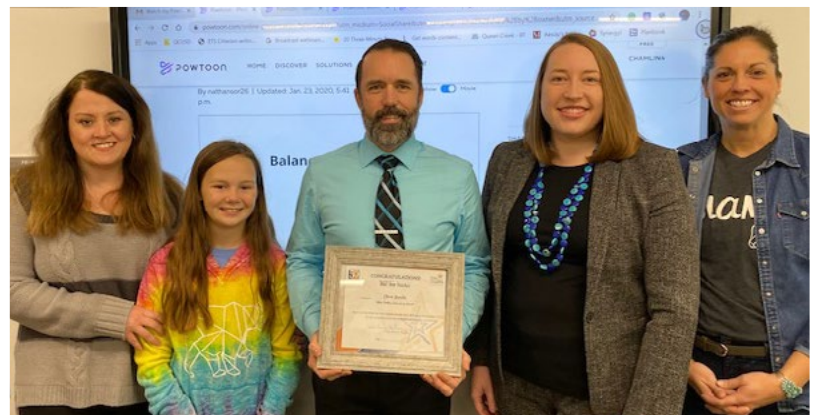


In 2019 Burch & Cracchiolo launched a program called the Star Teacher Award because of the great dedication and hard work of Arizona's teachers. A Maricopa County teacher is chosen each month to receive \$500 through a nominating process on the firm's website [www.bcattorneys.com](http://www.bcattorneys.com). Nominations are accepted from students, former students and parents who wish to honor and thank a teacher who has had a great impact on their life. Many teachers spend their own money to augment the costs of classroom supplies, field trips and other non-covered costs that arise throughout the school year. B&C hoped to alleviate that burden for one deserving teacher each month.

B&C had no idea how fortuitous that decision would really be until we embarked on the COVID-19 pandemic of 2020. There has been no greater time to support teachers as they wove their way through the maze of the unknown quickly pivoting to teaching online without any warning or prep time. We continued to honor teachers through Zoom and brightened their spirits just when they needed it most.

The 2021-2022 school year brings more change, but this time a good change. In addition to the chosen teacher receiving a check for \$500, the school where he or she teaches will receive a check for \$250. Burch & Cracchiolo believes that Star Teachers shine because they teach in Star Schools that nourish and support them every step of the way. The principal, entire staff and students will be rewarded, as well.

Nominations are open to all teachers in K-12 who teach in Maricopa County. Winners will be notified and then presented a check at their school by a member of Burch & Cracchiolo. Photos and/or video will be taken to post on the firm website and social media. To nominate go to [www.bcattorneys.com](http://www.bcattorneys.com), click on the "Nominate a B&C Star Teacher" button and tell us why you think your teacher deserves the B&C Star Teachers Award.







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