



Condemnation Summit XXVIII

Date

Friday, October 7, 2022
8:15 a.m. to 5:00 p.m.

Location

Arizona Biltmore Resort
2400 East Missouri Avenue
Phoenix, Arizona 85016

Agenda

- 8:15 – 8:45 a.m. Registration, Breakfast & Networking
- 8:45 – 9:00 a.m. Welcome Remarks
- 9:00 – 10:30 a.m. Plenary Discussion of Evidentiary Motions in Eminent Domain Cases
Presenters:
Danielle Constant, Jennings Strouss
Jennifer Cranston, Gallagher & Kennedy
- 10:30 – 10:45 a.m. Morning Networking Break
- 10:45 – 11:45 a.m. Relocation Hot Topics & Best Practices
Presenter: Michael Sullivan, Range West Consultants
- Noon – 1:00 p.m. Hosted Lunch
- 1:00 – 2:30 p.m. Civil Practice & Procedure Updates from the Superior Court Bench [MCLE Ethics]
Presenters:
Hon. Michael J. Butler, Pima County Superior Court
Hon. Michael P. McGill, Yavapai County Superior Court
Hon. Danielle J. Viola, Maricopa County Superior Court
- 2:30 – 2:45 p.m. Afternoon Networking & Cookie Break Sponsored by Integra Realty Resources
- 2:45 – 3:45 p.m. The Ins & Outs of Water Utility Condemnations
Presenter: Chris Kramer, Jennings Strouss
- 3:45 – 4:00 p.m. Afternoon Networking Break
- 4:00 – 5:00 p.m. What Condemnation & Real Estate Professionals Need to Know about ESG & DEI [MCLE Ethics]
Presenters:
Henry Darwin, Gallagher & Kennedy
Heather Fox Skinner, JPMorgan Chase

Speaker Bios



Jennifer Cranston is a shareholder and member of the Board of Directors at Gallagher & Kennedy. Her unique practice includes real estate, insurance coverage, and regulatory representation. For over 23 years, she has counseled land developers, private property owners, and utilities in condemnation actions and valuation issues. Her work in this area has resulted in two of the largest condemnation verdicts in the history of Arizona, as well as recognition by AZ Business Magazine as a Most Influential Woman in Arizona Commercial Real Estate, as an AZ Business Leader in Management and Real Estate, in People & Projects to Know in Commercial Real Estate, and as a Top 100 Lawyer in Arizona.

Jennifer is an active member of AZCREW and the Maricopa County Bar Association and served on the board and as president of both organizations. She has earned an AV Preeminent Peer Review Rating from Martindale-Hubbell, been named to Phoenix Business Journal's Outstanding Women in Business, and is recognized by *Best Lawyers in America* for Energy Regulatory Law and Energy, Insurance, and Utilities Law. Jennifer earned her law degree from the University of Arizona.

Since 2017, Jennifer has proudly co-hosted the Condemnation Summit and is pleased to welcome you to Condemnation Summit XXVIII.

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Danielle J.K. Constant is an attorney at Jennings Strouss, where she focuses her practice in the area of litigation, with an emphasis on eminent domain, real estate litigation, and government representation. Before joining the firm in 2017, Danielle was a prosecutor at the Pima County Attorney's Office where she prosecuted over 40 jury trials and appeared in Justice and Superior Courts on more than 1,000 occasions. She uses her 14 years of prosecutorial experience to provide great value to her civil litigation clients and has successfully advocated for her clients before the Court of Appeals, including in an eminent domain case where the Court affirmed that the project influence rule did not apply between different government projects and further affirmed that remote and speculative damages are inadmissible.

Danielle is a member of the Arizona Women Lawyers Association, a graduate of FDCC's Ladder Down Program, and a past president of the Tucson Defense Bar. She earned her law degree from the University of Arizona.

This is Danielle's second year co-hosting the Condemnation Summit, although she has served as a presenter since 2018.

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Michael Sullivan is an appraiser and relocation consultant at Range West Consultants. Since 1990, he has represented property and business owners in the analysis of eminent domain takings, land use, and business relocation. In the last 10 years, Range West Consultants has completed the successful relocation of businesses totaling more than \$300,000,000 in relocation entitlements.

Mike is a former certified general appraiser in Arizona, Texas, and Missouri, and a former SRWA/IRWA. He has served as an expert witness in various state and federal courts in Arizona, Texas, Mississippi, and Missouri.

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The Honorable Michael J. Butler was appointed to the Pima County Superior Court in May 2013 and has been assigned to the juvenile, criminal, and civil benches. During his time on the criminal bench, Judge Butler spent three years as Pima County's mental health judge and presided over all competency matters and the county's Mental Health Court.

Before his appointment, Judge Butler practiced as a commercial litigator in Tucson for 20 years. He earned his undergraduate and law degrees from the University of Arizona. Before pursuing his legal career, Judge Butler worked as a certified emergency paramedic.



The Honorable Michael P. McGill was appointed by Governor Ducey to the Yavapai County Superior Court in September 2021 and has been assigned civil, mental health, guardianship/conservatorship, and family law cases, and criminal jury trials. Before his appointment, Judge McGill worked for nine years at the Yavapai County Attorney's Office where he prosecuted serious and violent offenses and supervised the misdemeanor and paralegal units.

Judge McGill started his legal career at the Mohave County Attorney's Office where he prosecuted misdemeanor and felony cases. He was assigned as the Arizona Automobile Theft Authority task force prosecutor and the Mohave Area General Narcotics Enforcement Team. Judge McGill was named the Arizona Narcotics Officer's Association Prosecutor of the Year, the Arizona Governor's Office of Highway Safety Felony Prosecutor of the Year, and the Arizona Automobile Theft Authority Prosecution Unit of the Year.

He earned his law degree from Western New England University School of Law.



The Honorable Danielle J. Viola joined the Maricopa County Superior Court in 2011 and currently serves as the Civil Presiding Judge. She previously served as the Arizona Tax Court Judge, the Associate Criminal Presiding Judge, and the Administrative Judge for the Post-Conviction Relief Unit.

Judge Viola is the immediate past chair of the Jury Advisory Committee for the Maricopa County Superior Court and currently serves on the Advisory Committee on the Rules of Evidence and the Court Interpreter Program Advisory Committee. She also served as a member of the COVID-19 Continuity of Court Operations During a Public Health Emergency ("Plan B") Workgroup.

Before taking the bench, Judge Viola practiced in the area of commercial litigation at Snell & Wilmer for 22 years. She earned her undergraduate and law degrees from Arizona State University.



Christopher Kramer is an attorney at Jennings Strouss. His practice emphasizes eminent domain and condemnation litigation and consulting, primarily representing condemning authorities. In over 35 years in practice, he has condemned property for all manners of infrastructure. Chris advises clients on litigation avoidance through mitigation of impacts and damages to properties affected by public projects. He also serves as a mediator in eminent domain, property rights, and property valuation matters throughout the United States.

In addition to being a founding host of the Condemnation Summit, Chris frequently presents programs on eminent domain and related topics for organizations and conferences including the Arizona Condemnation Summit, the State Bar of Arizona, the International Right of Way Association, the International Municipal Lawyers' Association, the American Council of Engineering Companies, the Institute of Traffic Engineers, the ALI-CLE National Eminent Domain Conference, and the Transportation Research Board of the National Academies of Science, Engineering and Medicine. Chris earned his law degree from the University of Notre Dame Law School.

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Henry Darwin is a shareholder at Gallagher & Kennedy where he represents local and national private sector clients in complex and difficult environmental matters involving government. Most companies have myriad environmental issues over the course of the business lifecycle, and Henry is particularly adept at win/win negotiations that also preserve the longer-term relationship with the agency.

Before joining G&K, Henry worked in government for over 25 years as the Director of the Arizona Department of Environmental Quality (ADEQ), as the Acting Deputy Administrator and Chief Operating Officer (COO) of the Environmental Protection Agency (EPA) in D.C., and as the COO for the State of Arizona under Governor Ducey.

A multi-generational Arizona native, Henry is known nationwide for striking the right balance between economic development and environmental protection. He earned his law degree from the Northwestern School of Law of Lewis & Clark, the preeminent law school for environmental studies.

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Heather Fox Skinner is the Southwest Region Global Real Estate Manager for JPMorgan Chase & Co. where she provides real estate services to internal clients throughout the firm. She focuses primarily on strategy and implementation, delivering end-to-end program management for offices and corporate campuses throughout the Southwestern U.S.

Before joining JPMorgan Chase, Heather worked in the financial services industry for over 10 years consulting on corporate and fiduciary real estate matters. She is a member of CREW (Commercial Real Estate Women) Network, currently serves as president of AZCREW, is a CREW Network Global Foundation Board Director, and was named the 106th CREW Network Visionary for her deep commitment to advancing women in the commercial real estate industry. Heather is an active CoreNet member, CCIM (certified commercial investment member) designee, and ULI (Urban Land Institute) member. She is recognized as one of AZ Big Media's 2022 Most Influential Women in Commercial Real Estate.

Heather earned her master's degree in Real Estate Development and Finance.

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