



MICHAEL R. ROSS

Shareholder

Gallagher & Kennedy
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My Practice

LITIGATION - Civil Defense Litigation, Real Estate Litigation

PROFESSIONAL LIABILITY - Professional Licensing and Credentialing

REAL ESTATE - Real Estate Litigation

ESTATES & TRUSTS - Probate

EMPLOYMENT & LABOR LAW - General Employment Matters, Restrictive Covenants, Wrongful Discharge

INSURANCE - Coverage Analysis and Litigation for Insurance Companies, Insurance Disputes, Insurance for Individuals and Businesses

FRANCHISING & DISTRIBUTION

PROFESSIONAL SUMMARY

Mike is a trial lawyer, focusing on the litigation of disputes on behalf of individuals and businesses. With nearly twenty-five years of experience, Mike has represented individuals and companies of all sizes with integrity, common sense, and consistent success, earning the trust and loyalty of his clients and the respect of his peers. He has pursued and defended a broad spectrum of disputes, from small to complex, multi-million dollar claims, in both federal and state courts and private arbitrations.

For example:

- Mike was the lead counsel in a fraud trial arising out of a real estate development loan. Mike's client, Diversified Funding Group, was awarded a \$23.9 Million verdict based on the borrower's fraud – a judgment that cannot ever be discharged in bankruptcy.
- Mike pursued claims for breach of fiduciary duty against a trustee that was mishandling a family trust. Based on Mike's efforts, the trustee was removed, the remaining trust funds were preserved, his client's share was returned, and Mike's fees were ordered to be paid by the bad actor.
- As lead trial counsel, Mike successfully defended a business and its owner against multi-million dollar claims involving the interplay between partnership and corporate law. He won a defense verdict after a jury trial, then protected that verdict before the Arizona Court of Appeals and the Arizona Supreme Court.
- Representing franchisors and franchisees in litigation arising out of franchise agreements.

Before joining Gallagher & Kennedy in 2005, Mike practiced law in Arizona and Texas. Immediately following law school, he clerked for Senior United States District Judge Justin L. Quackenbush. Fully committed to community involvement, Mike also sits on the Executive Council of the Arizona Diamondbacks Foundation, and the Volunteer Lawyers Program board. He is a former board member of the Ronald McDonald House Charities of Phoenix, he actively represents pro bono clients, and he coaches his sons' sports teams in his spare time.

REPRESENTATIVE EXPERIENCE

- Representing closely-held corporations, partnerships, limited liability companies, limited partnerships, and professional practices in business divorces and a broad array of member/shareholder/officer/director/partner disputes;
- Handling probate and trust litigation, including claims for breach of fiduciary duty, breach of trust, elder abuse, undue influence and financial exploitation;
- Defending and prosecuting complex business litigation on behalf of individuals, sole proprietorships, closely-held businesses and Fortune 500 companies;
- Pursuing claims for insurance coverage, bad faith and breach of contract;
- Pursuing claims for and defending clients in litigation arising out of residential and commercial real estate contracts;
- Representing licensees before various Arizona administrative agencies including, among others, the Medical Board, the Department of Real Estate, the Board of Accountancy, the Board of Behavioral Health Examiners, the Department of Insurance, the Board of Podiatry Examiners, and the Board of Chiropractic Examiners.

EDUCATION

Gonzaga University
J.D., *magna cum laude*, 1995

University of Texas, Austin
B.B.A., 1991

BAR & COURT ADMISSIONS

- Arizona, 1995
- Texas, 2002
- Arizona Supreme Court, 1997
- U.S. District Court, Northern District of Texas, 2002
- U.S. District Court, Southern District of Texas, 2002
- U.S. Court of Appeals, Ninth Circuit, 2003

ASSOCIATIONS & MEMBERSHIPS

- Maricopa County Bar Association, Volunteer Lawyers Program, Advisory Board
- Maricopa County Superior Court Judge Pro Tempore, July 1, 2013 - June 30, 2014

HONORS & AWARDS

- AV Preeminent Peer Review Rating, *Martindale-Hubbell*
- *The Best Lawyers in America*®, Litigation - Labor and Employment, 2019-2020
- *Southwest Super Lawyers*®, Business Litigation, 2016-2019
- ALM Media Legal Leaders, Arizona's Top Rated Lawyers, 2018

COMMUNITY & PHILANTHROPY

- Arizona Diamondbacks Foundation, Executive Council Member
- Ronald McDonald House Charities of Phoenix, Board of Directors
- Madison Traditional Academy Dad's Club, Member