MESCH, CLARK & ROTHSCHILD P.C.

ATTORNEYS

2013

City of Benson Legal Services

City of Clerk's Office

Request for Proposals Municipal Legal Services

August 5, 2013

Mesch Clark & Rothschild, P.C.
A Tradition of Excellence
259 N. Meyer Ave.
Tucson, AZ 85701-1090
Office (520) 624-8886
Fax (520) 798-1037
Website www.mcrazlaw.com

MESCH, CLARK & ROTHSCHILD P.C.
ATTORNEYS

gcohen@mcrazlaw.com • www.mcrazlaw.com
259 N. Meyer Ave. • Tucson AZ 85701-1090
Ph: 520-624-8886 • Fax: 520-798-1037
Our File No. 2-16

August 16, 2013

City Clerk
City of Benson
120 W. 6th Street
Benson, Arizona 85602

Re: Mesch, Clark & Rothschild, P.C.

To whom it may concern:

This firm is the oldest continuous law firm in Tucson. The approximately 20 attorneys here in total cover a wide variety of civil matters. Essentially, the only areas in which we do not practice are criminal defense, domestic relations, worker's compensation and complex tax matters.

We have defended, literally, many hundreds of defense matters for the City of Tucson, Pima and Santa Cruz Counties, hospitals and insurers. We have also, in the past, represented the Tucson Unified School District. The nature of those cases have been wide ranging and include claims of: employment disputes; class action claims; automobile collision; condemnation; breach of contract; real property disputes; construction and construction defect matters; wrongful death. Some particularly noteworthy cases that we have defended during my tenure include:

- Defense verdict in claim of TUSD bus negligently killing infant in the road. (*Picaso v. TUSD*)
- Trial to verdict in case where TUSD bus negligently struck another. (*Jackson v. TUSD*)
- Alleged 40+ million dollar class action claim for alleged property damages from CAP water; individual claims procedures resulted in a payout of approximately 5% of the claimed damages. (*Tidwell, et al. v. City of Tucson*)

A member of LEGUS, "A World Wide Association of Independent Law Firms."
Lowell E. Rothschild • Douglas H. Clark, Jr. • J. Emery Barker • Melvin C. Cohen • Richard Davis • Michael McGrath • Frederick J. Petersen
Michael J. Crawford • Scott H. Gan • Gary J. Cohen • Mark D. Rubin • Patrick J. Lopez • Sara C. Derrick • Paul A. Loucks • Thom K.
Cope Kasey C. Nye • Susan N. Goodman • David J. Hindman • Cassandra B. Meynard • Isaac D. Rothschild • Kristen L. Wendler
John K. Mesch (1922-2005) • Tom R. Clark (1944-2001)

- Reversal and new trial ordered after jury erroneously awarded $40 million in damages for alleged wrongful death of 14 year-old boy due to negligent road designed. (*Rincon v. City of Tucson*)
- Defense verdict in alleged wrongful death from negligent street maintenance and/or sidewalk design. (*Preston v. City of Tucson*)

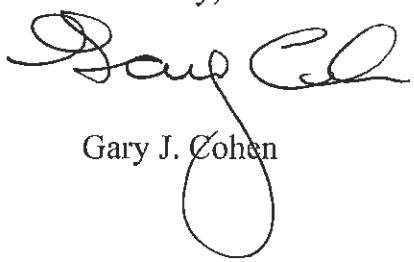
- Summary judgment and affirmance on appeal by Ninth Circuit of alleged breach of real estate contract alleging over $5 million in damages. (*Kyle v. City of Tucson*)

- Defense judgment in alleged Title VII sex discrimination claim by female fire fighter. (*Maliniak v. City of Tucson*)

This firm has become free to handle cases you may assign because this firm's managing partner, Jonathan Rothschild, is now the Mayor of Tucson. Hence, we no longer handle the volume of tort defense cases for the City as we did previously. We would anticipate a fair, reasonable and mutually agreeable hourly rate for defense work. Suing Municipalities has never been a regular practice for this firm in its approximately 60 year existence. We would not, obviously, do that if we are fortunate enough to have you assign us work.

Feel free to contact me with any questions. We are happy to talk to you further, whether by phone or in person, at any time or at any place if desired. We appreciate this opportunity and your consideration. We look forward to working with you soon.

Sincerely,



Gary J. Cohen

MESCH, CLARK & ROTHSCHILD, P.C.

A Tradition of Excellence

Active in the Tucson community for more than 40 years, **Mesch, Clark & Rothschild,** P.C. (MC&R) is Tucson's oldest continuous law firm. Over the years, MC&R has grown steadily and today comprises more than 40 attorneys, legal assistants and support staff.

MC&R was founded as a general practice law firm, but has developed a number of specialties in response to Tucson's increasingly complex business and legal environment. Each specialty is led by attorneys and associate staff members who have proven track records in that specific area. Having this expertise available in such a wide range of services enables clients to rely on MC&R for most of their legal needs.

Today, the firm's practice areas include:

- Civil litigation
- Personal injury (plaintiff & defendant)
- Business reorganization
- Corporate and business practice
- Employment law
- Estate planning
- Bankruptcy
- Construction and surety law
- Real estate law
- Securities and insurance fraud

MC&R's varied experience in the legal arena gives the firm a rare versatility. This quality is important to clients who want broad-based representation from lawyers with established contacts and a personal history within the ever-changing legal environment.

The firm's depth of experience also counts in negotiations or litigation settings, where a lawyer's effectiveness often depends on the ability to read people and situations accurately. MC&R's successful record is proof of our attorneys' adeptness in understanding potential developments, a skill that comes from having negotiated or litigated similar matters in the past.

Mesch, Clark, & Rothschild, P.C. is made up of hardworking and caring attorneys, legal assistants and support people. The firm's experience and well-earned reputation for skill and dedication provides its clients a high level of expertise and reliability.

EXCELLENCE

Mesch, Clark, & Rothschild, P.C. is recognized nationwide in bankruptcy law and litigation. Locally, the firm's tenacity and integrity are well known. The reputation has developed because of MC&R's consistent record of successful outcomes, a team approach to the practice of law and its tradition of strong service to clients.

"Our practice is largely referrals from current and former clients. We have been processing business matters and trying cases for more than 44 years. Service to our clients and getting them their desired result is our primary interest. "

– Lowell E. Rothschild

SUCCESSFUL OUTCOMES

Mesch, Clark, & Rothschild, P.C. has a successful track record because attorneys and staff emphasize hard work, in-depth research, skillful negotiation and creative solutions. MC&R attorneys help their clients examine alternatives they might not otherwise consider.

"I've heard that we have a reputation for being hard-nosed but practical in seeking solutions. I think that's a positive reputation."

– Douglas H. Clark, Jr.

Relatively few of MC&R's cases reach the courtroom. Of those that do, some have established legal precedents or received national attention. One case handled by MC&R ended arbitrary strip searches in the Pima County Jail. Another established the right of employees to report, with impunity, illegal practices by their employers. MC&R litigation

involving government entities, scientists and engineers have affected a myriad of construction, flooding and environmental legal issues.

MC&R representation of the City of South Tucson drew national attention because of its innovative reorganization of the city in financial crisis and because of the implications for small incorporated cities nationwide.

TEAMWORK

Behind the Mesch, Clark, & Rothschild, P.C. reputation for being tough litigators and creative problem-solvers are attorneys and support people who work together and who believe in a shirt sleeve approach to practicing law. The emphasis is on hard work, understanding and achieving positive outcomes.

MC&R attorneys and staff believe teamwork is the best way to serve their clients. For example, a team made up of an attorney, a legal assistant and a secretary has primary responsibility for each case. This approach benefits the client in that the attorney can devote more time to project management and strategy development while the legal assistant and secretary take care of time-consuming activities, including researching the case history and preparing documents. Thus, because our human resources are used more efficiently, our clients save money and MC&R attorneys are more available to handle the clients' questions and concerns.

Other Mesch, Clark, & Rothschild, P.C. teams are made up of attorneys who meet regularly to focus their collective wisdom and experience on the firm's current cases. MC&R attorneys also get together informally when they need to call upon in-house experts in other practice areas.

TECHNICAL SUPPORT

Mesch, Clark, & Rothschild, P.C. supports its specialty areas with efficient on-line data management systems that streamline its document preparation and record keeping. Networks connect lawyers and staff members with each other, with powerful research tools and with helpful sources around the world.

The use of computer technology to illustrate and document relevant issues has been of great use and effectiveness inside courtrooms as well as in Alternative Dispute Resolution settings.

SERVICE

Service is another quality that makes Mesch, Clark, & Rothschild, P.C. different from other law firms. We dedicate ourselves to providing clients with the best possible legal assistance in terms of quality work, timely service and sensitivity to cost. We listen carefully and believe in explaining all issues to our clients clearly and patiently.

MC&R is a member of the *Network of Leading Law Firms*, which enables us to offer our clients an international network of competent attorneys to assist in other areas of the world.

MC&R attorneys contribute to the community through such activities as sponsoring seminars on important legal questions, serving on non-profit agency boards and filling leadership roles in the State Bar of Arizona. The firm publishes its newsletter, *Caveat*, which keeps clients and friends abreast of legal developments.

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MC&R Attorneys

Lowell E. Rothschild has developed a nationally respected reputation as a bankruptcy attorney during his distinguished career. A founder of the Firm, he has practiced law since 1952 and specializes in Insolvency, Bankruptcy, Creditor's Rights and Business Reorganization. Mr. Rothschild is a Fellow and Trustee of the College of Law Practice Management and a Fellow of the American College of Bankruptcy Lawyers. He has long been listed among the "Best Lawyers in America."

J. Emery Barker is a Partner at MC&R and has been a practicing attorney since 1960. He is a member of the American Board of Trial Advocates and is highly experienced in civil litigation, especially in litigation involving Financial Institutions, Securities Law, Real Estate and Construction Projects. A credentialed and effective mediator and arbitrator, Mr. Barker is called upon frequently to resolve disputes, and is listed in multiple editions of "Who's Who in American Law."

Richard Davis is a highly respected insurance, municipal, medical and hospital defense counsel in both State and Federal courts. Admitted to practice in 1972, he is a Fellow of the American College of Trial Lawyers, an Advocate on the American Board of Trial Attorneys, and Senior Counsel on the American College of Barristers. His community and professional commitments are numerous and noteworthy. An MC&R Partner and Chairman of the Firm's Litigation Section, Mr. Davis is an acknowledged expert in all types of Civil Litigation, including Accident Cases and Medical and Hospital Liability.

Douglas H. Clark, Jr. has practiced law since 1966 and is an expert in civil and commercial litigation. A senior trial attorney with extensive civil jury trial practice in both defense and plaintiff cases, Mr. Clark specializes in Personal Injury, Malpractice, Products Liability, Wrongful Death and Complex Civil Cases involving Commercial Contracts and Real Estate Transactions.

Melvin C. Cohen has practiced law since 1974. His primary focus is in Construction, Surety, Real Estate, and Commercial litigation. He is the Chair of the Firm's Construction and Real Estate Sections. Mr. Cohen's local and national practice serves General Contractors, Owners, Suppliers, Sub-contractors and Professionals involved in Construction and Development. He also represents clients in the purchase and sale of real estate and businesses. Mr. Cohen is a frequent lecturer to both trade and industry groups.

Michael McGrath is a Partner at MC&R and the Chairman of the Bankruptcy Section. He has practiced law since 1979, is certified by the Arizona State Bar as a specialist in Bankruptcy Law, and is the author of the Real Property Foreclosures chapter in the Arizona Civil Remedies text. His practice emphasizes Creditor and Debtor Rights and Commercial Transactions. Mr. McGrath is listed among "The Best Lawyers in America."

MESCH, CLARK & ROTHSCHILD P.C.

ATTORNEYS

MC&R Attorneys

Scott H. Gan has been a Partner at Mesch Clark & Rothschild since 1986. A former Assistant Public Defender, he has been practicing law since 1980. Mr. Gan is the Chair of the Firm's Appellate Section. He also practices in MC&R's Bankruptcy Section and is a frequent lecturer on appellate and bankruptcy matters. In 2005, Mr. Gan was recognized as the Pro Bono Attorney of the Year by the State Bar of Arizona.

Gary Cohen has been associated with MC&R since 1993, when he was admitted to practice, and is a Partner in the Litigation Section of MC&R. His practice emphasizes Personal Injury, Medical Malpractice Defense, Civil Rights, Employment Law and Appellate Advocacy. While an undergraduate at Northwestern University, Mr. Cohen was a two-year member of the NCAA Academic/Athletic All-American Team.

Mark D. Rubin joined Mesch Clark & Rothschild in January 2010. He received his BA from Beloit College and his JD from the University of Arizona College of Law. Mr. Rubin has been in private practice since 1981. He is a regular presenter on ethics and professionalism for the State Bar of Arizona and is committed to numerous community and charitable organizations, as evidenced by his receiving the 2009 AFP Spirit of Philanthropy Award. A Partner in the firm, Mr. Rubin focuses on Business and Corporate matters, Estate Planning and Real Estate.

Frederick J. Petersen is the Managing Partner of Mesch Clark & Rothschild. He started working as an Associate in the fall of 1999, and became a partner in 2005. Mr. Petersen received his undergraduate degree, magna cum laude, from Gonzaga University and his J.D. from the University of Arizona. His primary focus is in Bankruptcy and Commercial Litigation.

Michael J. Crawford, a Partner at Mesch, Clark & Rothschild, is a trial lawyer who has an extensive background in Civil Litigation, including Professional, Legal and Medical Malpractice matters. A graduate of the University of Arizona, Mr. Crawford was a Law Clerk for the Honorable William E. Druke at the Arizona Court of Appeals. He is a former member of the Tucson City Council and a former Pima County Public Defender. He is active within the Tucson community and currently serves on the board of directors of four community and non-profit organizations.

Sara C. Derrick received both her B.S. in political science, with a minor in French, and her J.D. from the University of Arizona, where she was consistently on the Dean's List. She joined Mesch Clark & Rothschild in 2000 as a Law Clerk and became licensed in 2002. Ms. Derrick is a Partner in the Business Section where she focuses on Corporate, Employment, Real Estate, and Estate Planning matters.

Patrick J. Lopez is a native Tucsonan. He received his undergraduate degree and his J.D. from the University of Arizona. Prior to Mesch Clark & Rothschild, Mr. Lopez spent two years clerking for Judge Christopher Browning in the Pima County Superior Court. Mr. Lopez is a Partner in the Firm's Litigation Department where he has been focusing on Personal Injury and other civil matters.

MESCH, CLARK & ROTHSCHILD P.C.

ATTORNEYS

Thom K. Cope has practiced for over 40 years in both the private sector and in private practice, focusing mainly on employment and labor law matters and general litigation. A Fellow of the College of Labor and Employment Lawyers, Mr. Cope is licensed to practice in Nebraska, California and Arizona. He is a trained and experienced mediator and is listed in Best Lawyers in America, Southwest Super Lawyers, and Arizona's Finest Lawyers. Mr. Cope is a frequent speaker *on employment law issues and is the author of The Executive Guide to Employment Practices.*

Kasey C. Nye is a 1996 graduate from the University of Buffalo with a BA in Philosophy and Spanish. A member of the Phi Beta Kappa Society, he went on to receive his JD from the University of Arizona James E. Rogers College of Law in 2000. Mr. Nye worked as a Law Clerk to the Honorable Eileen Hollowell, United States Bankruptcy Court for the District of Arizona, prior to joining a national firm. He joined Mesch Clark & Rothschild in 2013 as a Partner in the firm's Bankruptcy Section. Mr. Nye has been recognized for the past two years as a Southwest Super Lawyers Rising Star and has received several honors for his pro bono work in the State of Arizona.

Paul A. Loucks joined Mesch, Clark & Rothschild in 2006. He is a Partner in the Firm's Construction and Litigation Sections. Mr. Loucks graduated from the University of Nevada with a BS in Physics and received his JD from the University of Arizona School of Law. He is licensed to practice before the United States Patent and Trademark Office. Prior tojoining the firm, he worked for the Arizona Court of Appeals, the Pima County Attorney's office, and in private practice.

MESCH, CLARK & ROTHSCHILD P.C.

ATTORNEYS

MC&R Attorneys

David J. Hindman

received a joint MBA/JD from the University of Arizona in 2006. Mr. Hindman is a graduate of the Brigham Young University College of Engineering and Technology with a BS in Mechanical Engineering. Mr. Hindman worked for the Firm as a Law Clerk, and is now an Associate supporting the Firm's Litigation, Business and Bankruptcy Sections.

Cassandra Meynard

joined Mesch, Clark & Rothschild as a Law Clerk in 2007, and graduated from the University of Arizona James E. Rogers College of Law in 2008. Ms. Meynard also received an MFA in Creative Writing from the U of A, and a BS in Environmental Science from the University of Mary Washington, College of Biology. She is working in the Firm's Litigation and Business Section.

Isaac D. Rothschild

received his B.A. in Political Science from the University of Denver and his J.D from the University of Arizona, where he was a Staff Writer for the Arizona Law Review. Mr. Rothschild served for two years as a Law Clerk for Federal District Court Judge Collins' chambers, and, while attending law school, was a Summer Associate for Mesch Clark & Rothschild. He is an Associate in the Firm's Bankruptcy Section. He has been recognized as a Rising Star of the Southwest by Super Lawyers and one of the top 50 Pro Bono Attorneys in Arizona.

Kristen L. Wendler earned her BA in International Studies from the University of Wisconsin-Milwaukee, and worked for several years as a human resources generalist. She joined Mesch Clark & Rothschild as a Law Clerk while attending the University of Arizona James E. Rogers College of Law. Ms. Wendler is an Associate working principally in the Firm's Business Law and Estate Planning Sections.

J. EMERY BARKER

J. Emery Barker was raised in Phoenix, where his grandfather homesteaded land in the early 1900's. He received his J.D. from the University of Arizona, was admitted to practice law in 1960.

Mr. Barker has extensive experience in commercial litigation in the areas of eminent domain, construction, banking, securities, insurance defense, and general civil litigation. He has argued appeals in the Arizona Court of Appeals, the Arizona Supreme Court and the Ninth Circuit Court of Appeals. In addition, his diverse practice encompasses estate planning and trust and probate litigation, and securities arbitrations before the National Association of Securities Dealers and the New York Stock Exchange.

He served both as a Judge Pro Tempore and Settlement Judge Pro Tempore in Pima County Superior Court and in Division One of the Court of Appeals.

Mr. Barker completed the Masters Forum at the Straus Institute for Dispute Resolution at Pepperdine University. He has served as an arbitrator for the American Arbitration Association construction industry and commercial panels, and the U.S. District Court in Tucson. He is a member of the American Board of Trial Advocates.

His concern for the law extends to guarding its professionalism. He served for seven years on the State Bar Committee on Rules of Professional Conduct, and seven years as a hearing officer in lawyer disciplinary matters. Mr. Barker has presented seminars to attorneys on the subject of professionalism and has served as a State Bar appointee to the Arizona Judicial Qualifications Commission, which oversees the conduct and discipline of the judges in Arizona, and reports directly to the Supreme Court. He has served as President of the Pima County Bar Association and the Pima County Legal Aid Society, and has sat on commissions appointed to study and advise the Legislature on medical malpractice, health care laws, the housing and treatment of prisoners, and legal services to the poor.

Early experience shaped his community interests. In the mid 1940's, he was awarded a scholarship to attend YMCA programs. The donor was a young constable who later became Arizona Governor Wesley Bolin. Over the years, Mr. Barker has worked to repay the benefits of this gift and is a past president and an Honorary Life Member of the Metropolitan (Tucson)

YMCA. He has been a leader and organizer of many other youth-oriented activities for schools, sports, his church and the Rotary Club of Tucson.

J. EMERY BARKER
Resume

EDUCATION: University of Arizona, B.A., 1957
University of Arizona, Juris Doctor, 1960

PROFESSIONAL:

ADMITTED TO PRACTICE:

Supreme Court of Arizona 1960
U. S. District Court for Arizona 1960
Ninth Circuit Court of Appeals 1968
United States Tax Court 1974
United States Supreme Court 1971

PRACTICE AREAS:

Commercial, Professional, Construction, Securities, Insurance Defense Litigation, Probate and Real Property, Mediation and Arbitration

MEMBERSHIPS:

State Bar of Arizona
Pima County Bar Association
American Bar Association
American Board of Trial Advocates

PROFESSIONAL OFFICES & COMMITTEES:

Pima County Bar Association:
President 1975-1976
Board of Directors 1970-1977
Chairman, Committee on Criticism of Bench and Court 1981-1985

Pima County Legal Aid Society:
Board of Directors 1964-1974
President 1969-1971

State Bar of Arizona:
Law Practice Management Section - Co-Chair 1999-2000
Local Hearing Committee 5-C 1985-1988
Local Administrative Committee 4-D 1978-1984
Committee on Rules of Professional Conduct - Member 1973-1980
Committee on Unauthorized Practice of Law - Member 1970-1971
Arizona Judicial Qualifications Commission (Discipline) - State Bar Designated Member 1983-1986

American Bar Association:
Member, TQM Task Force, Law Practice Management Section
Member, Finance Committee, Law Practice Management Section
Member, Forum Committee on Construction Industry

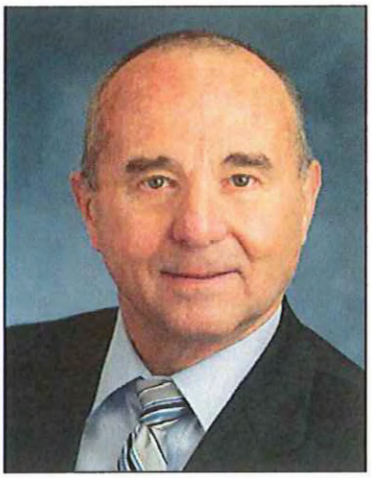
Arizona Legal Services
Member, Advisory Council 1970-1971

COMMUNITY:

Lutheran Church of the Foothills,

Phi Gamma Delta Fraternity -
President, Tucson Graduate Chapter 1964
Treasurer, House Corporation 1978-1984

DOUGLAS H. CLARK, Jr.



Douglas H. Clark, Jr. is a skilled senior trial attorney with extensive civil and commercial litigation experience.

AV Peer Review rated by *Martindale-Hubbell*, he handles complex civil cases involving personal injury, commercial contracts and Real Estate transactions.

Doug has been practicing since 1966, and was admitted to the U.S. Supreme Court in 1971 and the U.S. Court of Appeals in 1972. He is a member of the American Board of Trial Advocates, The National Board of Trial Advocacy, Arizona Trial Lawyers Association and Association of Trial Lawyers of America. He has been active in the American Arbitration Association as an arbitrator and has served as Judge Pro Tempore for the Pima County Superior Court. He is listed in the *Best Lawyers in America*, American Trial Lawyers Association Top 100 Trial Lawyers, and is a member of the Million Dollar Advocates Forum, which is limited to trial lawyers who have demonstrated exceptional skill, experience and excellence in advocacy.

Doug is a native of Arizona, an avid athlete and handball player, and loves working with children. He previously coached trophy-winning youth volleyball teams and developed several successful athletic clubs. He is active in developing youth handball programs for many young people who are "at risk." He is a board member of World Players of Handball and Yes-2-Kids, organizations developing youth through the sport of handball.

CURRICULUM VITAE

DOUGLAS H. CLARK. JR.
259 North Meyer Avenue
Tucson, Arizona 85701-1090

EDUCATION:

College	University of Arizona, Tucson, Arizona, Business College 1959 - 1963; Degree: Bachelor of Science in Business
Graduate	University of Arizona, Tucson, Arizona, College of Law 1963 - 1966; Degree: L.L.B. and Juris Doctor

ADMITTED TO PRACTICE BEFORE:

Arizona Supreme Court
U.S. Supreme Court
U.S. District Court of Arizona
U.S. Court of Appeals, Ninth Circuit
U.S. Tax Court
Judge Pro Tem, Superior Court
Arbitrator, U.S. District Court

PROFESSIONAL:

Mesch, Clark & Rothschild, P.C., Tucson, Arizona
Employed since August, 1966;
Shareholder since January, 1972
Civil Litigation Practice - Malpractice, Personal Injury, Commercial Litigation

ORGANIZATIONS:

State Bar of Arizona
American Board of Trial Lawyers
American Judicature Society
American Arbitration Association
Phi Delta Theta
Phi Delta Phi
Phi Eta Sigma
Association of Trial Lawyers of America
Arizona Trial Lawyers Association
National Board of Trial Advocacy
American Board of Trial Advocacy
Million Dollar Advocates Forum

GARY J. COHEN

A Tucson native, GARY J. COHEN has been practicing law at Mesch, Clark & Rothschild since graduating from the University of Arizona James E. Rogers College of Law in 1993. A partner in the Litigation Section, Gary's practice focuses on civil and commercial litigation, personal injury, employment, medical malpractice and appellate law. Gary has been a Judge Pro Tem since 2004 with the Pima County Superior Court. He has also been an adjunct law professor since 2010 at the University of Arizona.

Gary has given presentations at seminars, including the Arizona State Bar convention, regarding various aspects of trial practice and appellate advocacy. He is the Past Chair (2009-2010) for the Appellate Practice Section of the State Bar of Arizona. His written articles include "An Arizona Lawyer's Guide Through the Morass of the Self-Critical Analysis Privilege" and "Juris Doctrines", published in the *Arizona Attorney*, "Voir Dire and Medical Malpractice", published in *Medical Errors and Litigation: Investigation and Case Preparation*, and his "Tri-Pellate Lawyer" column in *The Writ*. Gary co-authored a comprehensive "*Guide for Self-Represented ("Pro Se" or "Pro Per") Appellants and Appellees,*" and a chapter in the *Arizona Tort Law Handbook*.

Gary is a board member of the Children's Museum Tucson. He has previously served the community as a board member of the following organizations: The Gootter Foundation; University of Arizona Hillel Foundation; Jewish Family and Children's Service; the Jewish Community Center; the Tostitos Fiesta Bowl Committee; the Southern Arizona Wishmakers Advisory Roundtable; the Tucson City Magistrate Merit Selection Committee; and Pride Tennis. In 2006, Gary was named as one of the eight "Up and Comers" by *Inside Tucson Business* as well as one of the "40 Under 40" by *Tucson Business Edge*.

While an undergraduate at Northwestern University, Gary was a four year letterman on the varsity tennis team that won the 1990 Big Ten Conference Title, a two-year member of the NCAA Academic/Athletic All-American Team, and a recipient of the Director's Award for having the highest grade point average of any varsity athlete in his graduating class. Gary has two sons, Grant and Austin.

GARY JAY COHEN

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259 N. Meyer
Tucson, Arizona 85701
Office: (520) 624-8885
Facsimile: (520) 798-1037
E-mail: gcohen@mcrazlaw.com

LEGAL EXPERIENCE

Mesch, Clark & Rothschild, P.C., Tucson, AZ – October 1993 - present
Shareholder and Member of the Litigation Department, specializing in commercial litigation, medical malpractice, civil rights, general tort claims, contracts, personal injury, employment and appellate law.

EDUCATION

James E. Rogers College of Law at the University of Arizona College of Law, Tucson, Arizona
J.D. May 1993

Northwestern University, Evanston, Illinois
B.A. June 1990
Major: Political Science

ADMITTED TO PRACTICE

Ninth Circuit Court of Appeals – 1997
United States Supreme Court – 1997
Arizona Supreme Court – 1993
Arizona Courts – 1993
United States District Court, District of Arizona – 1993
Colorado Court – 2002

PUBLICATIONS AND SEMINARS

"Guide For Self-Represented ("Pro-Se" or "Pro Per") Appellants and Appellees", January 2008

"Juris Doctrines"
Arizona Attorney, August 2006

"'Precedents' and Recent Arizona Employment Law 'Precedents'"
Society of Human Resource Managers of Greater Tucson, February 2005

"Voir Dire and Medical Malpractice"
Medical Errors and Litigation: Investigation and Case Preparation, June 2004

"Hot Topics in Trial Practice"
Arizona State Bar Convention, Panel Member, June 2004

"Practicing Appellate Law and E-Filing In the Court of Appeals"
Tucson Legal Support Association, June 2004

"To Cite or Not to Cite? That is the Question Facing Arizona Lawyers Regarding Unpublished Decisions"
Arizona Journal, September 2000

"An Arizona Lawyer's Guide Through the Morass of the Self-Critical Analysis Privilege"
Arizona Attorney, July 1999

"Who Else is Listening? The Security Issues of Email and Wireless Phone Communication"
Legal Secretaries International, Inc., In Brief, October 1999

"EMTALA"
Kino Hospital, 1996

"The Tri-Appellate Lawyer" Column, Pima County Bar Association. Writ (2012).

2012 Arizona Tort Law Handbook (Chapter(s) Author/Editor).

"Your Documents Say More Than You Think" (Metadata),
Inside Tucson Business, June 2009

HONORS AND ACTIVITIES

State Bar of Arizona Appellate Practice Section Executive Committee, Current Chair-Elect - August 2006 - present

Tucson Business Edge - August 2006
One of the "40 Under 40" Award recipients

Inside Tucson Business - October 2005
One of the Up & Comers in Tucson

Pima County Superior Court Judge Pro Tem – January 2004 - present

Inns of Court – 1997 - 1999

Arizona College of Trial Advocacy – August 1997
One of approximately 48 attorneys selected from approximately 130 attorneys for this highly coveted program.

Arizona Journal of International and Comparative Law – 1991 - 1993
Elected Research and Development Editor for the 1992-93 school year. One of only 30 students selected from the class of 1993 to write for this publication.

N.C.A.A. Academic/Athletic All-American Team – 1989 and 1990
One of only twenty college tennis players in the nation with a grade point average over 3.5 (4.0 scale) named to this team.

Thomas J. Hoen Memorial Athletic Scholarship (Tennis) – 1986 - 1990
Four year letterman and co-captain for two seasons. Led Northwestern to a national ranking of 17 and the 1990 Big Ten Conference Championship.

Martindale-Hubbell Peer Review Rating: AV Preeminent in Litigation, Appellate Practice and Commercial Law – 2012

Adjunct Professor. "Pre-Trial Litigation", the James E. Rogers College of Law at the University of Arizona, Spring 2011, 2012 and 2013.

Arizona Judicial Branch 2008 Achievement Award – June 2008.

COMMUNITY ACTIVITIES

Selective Service System, Arizona Local Board Member-2010-present.

Children's Museum Tucson (2011 - present): Board Member.

Volunteer Judge, Advanced Appellate Advocacy program at The University of Arizona James E. Rogers College of Law (2011, 2012).

University of Arizona Hillel Foundation (2009 - 2010): Board Member.

Northwestern University Men's Tennis Board of Advisors Member- 2008-present.

Make-A-Wish Foundation Southern Arizona Wish Advisory Board Roundtable member-2008-2010.

Steven M. Gootter Foundation, Tennis Event Committee-August 2006-2012.

State Bar of Arizona Appellate Practice Section Executive Committee, Secretary (2006); Treasurer (2007); Chair-Elect (2008); Chair (2009).

Southwest Tennis Section Committee on Diversity - January 2006 - 2008.

Tucson Fiesta Bowl Committee, Member - February 2005 - 2008.

Pride Tennis, Founder - June 2004-2007.

Tucson Jewish Community Center, Board Member - 2003 - 2009.

City Of Tucson Magistrate Merit Selection Committee, Member--2003 -February 2007.

Maccabi USA, Head Junior Tennis Coach, 2000 - 2001.

City of Tucson Anti-Hate Crime Task Force, Member - 1999 - 2000.

Rancho Lomas Homeowners Association, Director - 1998 - 2002.

Jewish Family and Children's Service, Board Member - 1996 - 2003.

High School Mock Trial Program, Volunteer Advisor - Spring 1998.

Pima County Teen Court, Volunteer Advisor - 1993 - 1996.

Lawyers for Literacy, Volunteer Tutor - 1994 - 1996.

Youth Drugs and Alcohol Program, Speaker - 1995

MELVIN C. COHEN

As a shareholder of Mesch, Clark & Rothschild, P.C., Mel Cohen's practice focuses on commercial transactions and litigation with emphasis on construction law. He is listed in *Best Lawyers of America* and is included on the Southwest Super Lawyers List. He is an adjunct Professor at the University of Arizona College of Architecture Landscape Architecture teaching Construction Law for Architects.

Mel received his J.D. from the University of Pittsburgh. His experience in construction began as a Deputy County Attorney for Pima County in 1974 drafting contracts for the construction of wastewater treatment plants, pipeline projects and parks, and litigating construction, zoning, election and employment disputes.

In private practice, he represents public and private owners, general contractors, subcontractors, sureties, suppliers, design professionals and developers. His experience in litigation, arbitration and mediation includes landmark cases in construction surety, employment and arbitration matters. He has had substantial experience in public and private projects, including wastewater and water treatment projects, schools, auditoriums, mining projects, telescopes, shopping malls, private residences, highways, airports, medical facilities, subdivisions, pipelines and underground utilities. He has represented general contractors in substantial claims on federal projects involving the Army Corps of Engineers, Federal contract appeals and general contractors' claims involving Federal Acquisition Regulations. Mel has been an arbitrator on Federal, municipal and private projects, including airports, convention centers and represented subcontractors and general contractors on federally funded projects including housing, telescope and other large construction projects. Mel's experience in contract negotiations and drafting includes large private construction projects, subcontracts, real estate and commercial lending.

Mel's goal is to master his client's problems, routing out issues and vulnerabilities and then overlaying them with appropriate legal resolutions. His approach to practicing law is to view the world of an individual client's need which enables him to understand risks, communicate strategies, analyze and shift risks and create long-term solutions. When litigation is required, he initiates a comprehensive plan of analysis, preparation and budgets. He also draws upon his cadre of foremost experts which he has developed over the years. He likens litigation to the game of chess, where ingenuity and calculated forecasting often enable the Acheck mate.

Mel is affiliated with the Arizona Bar Construction Law Section and Disputes Avoidance and Resolution Division of the American Bar Association Construction Forum. He is a member of Southern Arizona Leadership Council and was the Chair of Handmaker Jewish Services for the Aging, is a member of Handmaker Foundation, on the Board of Directors of Reading Seed and was the Chair of the Hillel Foundation at the University of Arizona and a member of Literacy for Life Coalition. Mel is a student of the art of Tai Chi and ancient Jewish texts.

MELVIN C. COHEN

Mesch, Clark & Rothschild, P.C.
259 North. Meyer Avenue
Tucson, Arizona 85701
Office: (520) 624-8886
Facsimile: (520) 798-1037
E-mail: mcohen@mcrazlaw.com

PROFESSIONAL EXPERIENCE:

1989 to Present MESCH, CLARK & ROTHSCHILD, P.C.

Shareholder and Member of the Real Estate/Construction Section, specializing in Construction, Litigation, Arbitration and Mediation

1978-1989 Watt & Cohen

1973-1977: Pima County Attorney, Civil Division,

Clerk and Deputy County Attorney

Representation in Litigation, Arbitration and Mediation Claims have included design and construction defects in a $70,000,000.00 water treatment plant, defective material for telescope project, change order and delay claims involving high schools, elementary schools, water and sewer projects, mining projects, auditoriums, convention centers, engineering, design, defects for city streets, delay and in change order claims for underground boring projects, soil settlement issues, wrongful termination of contractors and surety claims.

EDUCATION:

UNIVERSITY OF CINCINNATI, Cincinnati, Ohio
Bachelor of Arts with honors, 1970

UNIVERSITY OF PITTSBURGH, Pittsburgh, Pennsylvania
Juris Doctor, 1973

Mediation & Alternative Dispute Resolution Training 1/20/00

BAR ADMISSIONS:

$ State Bar of Arizona (1974)
$ U.S. District Court in Arizona (1974)
$ United States Court of Appeals, Ninth Circuit (1974)

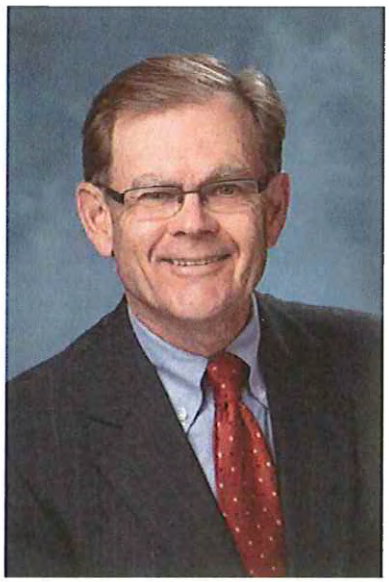
PROFESSIONAL AND CIVIC APPOINTMENTS AND AFFILIATIONS:

- Arizona Builder's Alliance
  - Legal Council
  - Southern Arizona Legal Committee
- State Bar of Arizona
  - Construction Law Section
  - Fee Arbitration Committee
  - Alternative Dispute Resolution Committee
- American Bar Association
  - Forum on the Construction Industry
  - Construction Forum Steering Committee Division One, 1999 – 2003
  - Fidelity & Surety Law Committee
- Associated General Contractors of America
  - Contract Documents Committee
  - Surety Bonding Committee
- LEGUS, formerly Network of Leading Law Firms
  - Former Member, Board of Advisors
- American Arbitration Association,
  - Arbitrator, Construction Industry
- Pima County Superior Court
  - Mediator
  - Judge Pro Tempore
- Southern Arizona Leadership Council
- Literacy Connects
  - Board of Directors
- Handmaker Jewish Services for the Aging
  - Past Chair

LECTURES AND PRESENTATIONS:

- Contributing Author: Arizona Construction Law: What To Do When...
- Liens and Bonds on Arizona Construction Projects
- A Survival Course Arizona Mechanics' and Materialmen's Liens and Bond Claims

THOM K. COPE



Thom K. Cope has been practicing law since 1972.

He graduated with a Bachelor of Arts in History and Political Science from Syracuse University with Honors, and earned his Juris Doctor from the University of Nebraska College of Law.

For twenty years, Thom was the Managing Partner of his firm, Polsky, Cope, Shiffermiller, in Lincoln, Nebraska.

Thom is licensed to practice in Nebraska, California and Arizona. In 2013, Thom joined Mesch Clark & Rothschild as a Partner in the firm's Employment and Labor Section.

He has served as a judge in the area of public employment law and is listed in The Best Lawyers in America, Arizona's Finest Lawyers, and Southwest Super Lawyers. He is the author of *The Executive Guide to Employment Practices*, and the 2013 Supplement on *The Age Discrimination in Employment Act for the Arizona Employment Law Handbook.*

Thom has tried over 80 jury trials to verdict, in the areas of discrimination and Department of Labor, Wage & Hour, and National Labor Relations Board matters. Additionally, he is a Mediator/Trainer for the Arizona Civil Rights Division of the Arizona Attorney General's Office. As a lecturer, Thom teaches Business Law, The U.S. Constitution and Organizational Ethics at the University of Phoenix and was an Adjunct Professor in Labor Law at Pima Community College.

He is active in the American Cancer Society in Tucson, and is on the Board of Directors of The First Tee of Tucson.

Thom K. Cope

Mesch, Clark & Rothschild, P.C.,
259 N. Meyer Avenue, Tucson, AZ 85701
(520) 624-8886, Fax: (520) 798-1037
tcope@mcrazlaw.com

Practice Areas

- Labor and Employment Law
- Commercial Litigation
- Mediation
- Arbitration Matters

Education

- Bachelor's Degree / Political Science/History; minor in English - Syracuse University
- Juris Doctor/ Law - Nebraska College of law

Admissions and Certifications

- U. S. Supreme Court, Arizona, California, Nebraska and Federal bar Associations
- Arizona State bar ADR Section Executive committee member and newsletter editor
- Evidence and Judicial Conduct and Ethics - National Judicial College
- Alternative Dispute Resolution

Activities and Honors

- Fellow, College of Labor and Employment Lawyers
- Listed in "The Best Lawyers in America"
- Listed in Arizona's Finest Lawyers
- Listed in Arizona Super Lawyers 2013

Community Activities:

- First Tee of Tucson, Board member
- American Cancer Society, Volunteer

Books and Articles

- Book: The Executive Guide to Employment Practices, 3rd edition
- Book: How not to be a Stupid Manager, 2013
- Numerous articles on sexual harassment, and other labor and employment topics.

365275

MICHAEL J. CRAWFORD

Michael J. Crawford, a Partner with Mesch Clark & Rothschild, is a trial lawyer who has an extensive background in civil and commercial litigation, and whose practice now focuses on catastrophic personal injury matters.

Michael, who served on the Tucson City Council from 1995 to 1997, received his B.S. in Computer Science from Wright State University and his J.D. from the University of Arizona College of Law in 1991. He clerked for the Honorable William E. Druke, Arizona Court of Appeals, after which he joined the Pima County Public Defender's office, felony trial division. In 1999, he went into private practice working for O'Connor Cavanaugh Molloy Jones, and eventually becoming a partner at Chandler Udall, LLP, before coming to Mesch, Clark & Rothschild in 2006. In 2007, Michael was elected to serve a three-year term on the Arizona State Board of Governors, and was re-elected to another three-year term in 2010. He also serves as a Judge Pro Tempore for the Pima County Superior Court.

Michael is active in the community, serving on numerous boards including the Rialto Theater Foundation (President), the Downtown Tucson Partnership, and the Lohse Downtown YMCA. He is a former member of the Board of the Tucson Downtown Alliance, the Rio Nuevo Citizens Advisory Committee, The Haven, the City of Tucson Blue Ribbon Charter Advisory Commission, the Tucson Convention Center Commission and Arizona Common Cause.

RICHARD DAVIS

Richard Davis is a partner in the Litigation Section at Mesch, Clark & Rothschild. His practice areas include healthcare and cases that involve products liability, condemnation matters and medical malpractice. He is a Fellow of the American College of Trial Lawyers, an elite trial organization in the United States.

Davis joined the Air Force after high school and was stationed in Okinawa and at Davis Monthan Air Force Base in Tucson. He went on to receive his undergraduate degree from the University of Arizona and his J.D. from the University of Arizona College of Law. He earned a fellowship from the Woodrow Wilson National Fellowship Foundation to attend law school.

As a college student, Davis developed the New Start Program, a scholarship program for minorities. He founded the University of Arizona Zeta Theta Chapter of the Alpha Phi Alpha, the oldest African American fraternal organization, and he was the first President of the Black Student Union.

He works with Alpha Phi Alpha programs and projects, including the Home Away from Home Program, which provides services to students who are new to Arizona; the Go to High School, Go to College Program; and the Awards program which honors African American male seniors who have excelled throughout their high school careers.

After practicing law for only a year and one half, he became the lead counsel defending the City of Tucson in a class action law suit. It was the first class action of its kind, pitting aggressive water against defective copper piping. Since then, Richard has tried over 400 cases, representing both public and private entities, including hospitals and municipalities.

RICHARD DAVIS

Resume

The list of his affiliations serves as a tribute to his active, hands-on commitment to the support and advancement of his profession and to his community. Most notable are:

Community Organizations, Appointments, Memberships and Honors:

Father of the Year, 2002
NAACP
  Outstanding Citizens' Award, October 1999
  NAACP, Life Member
Tucson Urban League, Board of Directors,
  (1975 - Present), (Board Chairman 1979 - 1980),
Corresponding Secretary (1999 - Present)
American Red Cross, Board of Directors
  (1980 - 1982)
YMCA, Board of Directors (1985 - 1987)
Pima County Victim-Witness Compensation Claims Board (1987 - 1989)
Southern Arizona Legal Aid Society,
  Board of Directors
Alumni Association of the University of Arizona
  Board of Directors,
Arizona Civil Rights Advisory Board (appointment by Governor Bruce Babbitt)
State of Arizona Athletic Commission (appointment by Governor Bruce Babbitt)
University of Arizona
  Selection Committee, President of the U of A
  Selection Committee, Attorney for the University
  Search Committee, Police Chief for the University
  Advisor to the Assistant Athletic Director
University of Arizona College of Law, Lecturer
Governor's Task Force on Medical Malpractice (appointment by Governor Rose Mofford)

Alpha Phi Alpha Fraternity, Inc.
Sigma Pi Phi

Admitted to Practice:

Supreme Court, State of Arizona
U.S. District Court, District of Arizona
Ninth District Court of Appeals

Bar and Legal Associations:

State Bar of Arizona
Pima County Bar Association
American Bar Association
University of Arizona Black Law Students Association
American Arbitration Association
The Defense Research Institute
American Board of Trial Advocates
Advocate, American Board of Trial Attorneys
American College of Trial Lawyers
American College of Barristers, Senior Counsel

Bar and Legal Appointments:

Judge ProTem - Pima County, Arizona Superior Court (1981 - present)
Commission on the Certification of Court Reporters
Ninth Circuit Judicial Conference (1983 - 1987)
Committee on Character and Fitness, State Bar of Arizona (1975 - 1980)
American Institute of Trial Advocacy
Commission on Minorities in the Judicial System
Selection Committee of Federal Magistrates

Experience:

Mesch, Clark & Rothschild, P.C. (1989 - Present)

Chandler, Tullar, Udall & Redhair (1972 - 1989)

SARA C. DERRICK

Sara C. Derrick joined Mesch, Clark & Rothschild as a law clerk in 2000. She received her undergraduate degree in political science from the University of Arizona, and her Juris Doctor from the James E. Rogers College of Law at the University of Arizona.

In 2011, Sara was invited to become a Shareholder. She practices in the firm's Business Section where she focuses on corporate, employment, real estate, construction and estate planning matters. She is a volunteer for the Pima County Bar Association's Volunteer Lawyer's Program. In the community, she serves on the Advisory Board for Sunnyside Parents as Teachers program, and previously served on the board of directors of the Diaper Bank of Southern Arizona. In addition, Sara is a member of the Commercial Real Estate Women (CREW) Network.

After completing her undergraduate studies, Sara moved to London and spent a year working on the London Futures and Options Exchange trading floor. She returned to her native Chicago and worked for a health care organization for two years before she entered law school.

Sara enjoys traveling and spending time with her husband, Travis, and two young sons, Casey and Brody.

SCOTT H. GAN

Scott H. Gan has active Bankruptcy and Appellate practices and is the Chairman of the Appellate Section of Mesch, Clark & Rothschild. He has an extensive referral practice from general practitioners and corporate clients who engage him to represent them in the United States Ninth Circuit Court of Appeals and the United States Supreme Court in the filing of their appeals and to review the appeals filed by their general counsel.

Scott received his undergraduate degree in 1977 from the University of Arizona and his J.D. from the University of Arizona College of Law. Prior to joining the firm in 1986, he served in the Pima County Public Defender's Office. He is a member of the State Bar of Arizona, the Pima County Bar Association, the American Bar Association and the American Bankruptcy Institute.

Scott is a frequent lecturer on bankruptcy, business reorganization and appellate procedures. He has presented seminars on "Bankruptcy for Public Lawyers," "Chapter 7 Liquidations," "Payment/Adjustment of Taxes in Chapter 11," and "Appellate Practices in Southern Arizona." He has appeared as a lecturer for the State Bar of Arizona, the Pima County Bar Association, the Association of Public Attorneys, the Federal Bar Association, and the National Business Institute. In addition, he has served as a panel expert with the Arizona State Bar Association on Professionalism.

Scott has served as a member and served as Chairman of the State Bar of Arizona Appellate Practice Section. He is listed as one of the Best Lawyers in America in Appellate Law. He is a member of Congregation Anshei Israel.

He regularly participates in the Pima County Volunteer Lawyer program, representing debtors in bankruptcy on a pro bono basis. He is also involved in the High School Mentor Program sponsored by the State Bar of Arizona. In 2002, he received the Top 50 Pro Bono Attorneys of Arizona Award from the Arizona Foundation for Legal Services and Education. In 2005, he was named Pro Bono Attorney of the Year by the Arizona State Bar Association.

RESUME

SCOTT H. GAN
259 North Meyer Avenue
Tucson, AZ 85701-1090

B.A.	1977	University of Arizona (Chemistry)
J.D.	1980	University of Arizona, College of Law

Admitted to Practice:
U.S. Supreme Court
U.S. Court of Appeals, Ninth Circuit
U.S. District Court for the District of Arizona

MEMBER:

State Bar of Arizona
Pima County Bar Association
American Bankruptcy Institute

EXPERIENCE:

1986 - Present: Mesch, Clark & Rothschild, P.C.
Bankruptcy, Appellate Practice, Civil Litigation

1985 - 1986: Tretschok, McNamara & Clymer, P.C.
Social Security Disability, Workmen's Compensation

1981 - 1985: Pima County Public Defender's Office
Adult & Juvenile (criminal only)

1980 - 1981: Law Clerk
Domestic Relations, Consumer Credit, Criminal Law

Susan N. Goodman, RN JD

Mesch, Clark & Rothschild, P.C.,
259 N. Meyer Avenue, Tucson, AZ 85701
(520) 624-8886, Fax: (520) 798-1037
sgoodman@mcrazlaw.com

Practice Areas

Health Law - advises and represents individuals and medical providers on transactional and litigation health law issues.

Regulatory Compliance:

- HIPAA/HITECH
- Patient Protection and Affordable Care Act (PPACA)
- EMTALA
- Fraud and Abuse, Stark, and Anti-Kickback issues
- Revenue Integrity and audit responses
- Supply Chain issues

Advocacy:

- Complex insurance coverage/authorization issues

Education

- University of Arizona James E. Rogers College of Law - *Juris Doctor*
- University of Phoenix - *Bachelor of Science, Business Administration*
- Bronson Methodist Hospital School of Nursing – *RN Diploma*

Admissions and Certifications

- Arizona State Bar – 1999
- Arizona Registered Nurse - 1986

Activities and Honors

- U of A College of Law - summa cum laude, Order of the Coif, Law Review, Law Review Note Editor
- University of Phoenix – 3.94/4.00 GPA
- Bronson Nursing School – Valedictorian, Nursing Excellence Award
- Catechist, St. Elizabeth Ann Seaton Parish
- Volunteer activities in TSA and CDO Soccer Clubs, IRHS, and OV Dolphins Youth Football League

DAVID J. HINDMAN

David J. Hindman received his MBA, with honors, and his JD, Cum Laude, from the University of Arizona. While in law school David wrote for the *Arizona Journal of International and Comparative Law* and clerked for Mesch Clark & Rothschild. He was an Extern for U.S. District Court Judge Charles Pyle. Through The Eller College of Management and the Tucson Urban League, David provided consulting services to new businesses, assisting them to develop and execute business plans.

A native of Boise, Idaho, David attended Brigham Young University and received his BS in Mechanical Engineering with a minor in Japanese. He interrupted his college career to serve a two year mission in Japan. Throughout his university and graduate years, David was engaged in various internships with Hewlett Packard, The Safari Club International and DEI Professional Services, encompassing projects which drew upon his engineering and business skills.

Committed to community service, David is a Board Member of the Southern Arizona Chapter of the J. Reuben Clark Law Society and serves on the Advisory Council of Tucson's Salvation Army Adult Rehabilitation Center. He is an active volunteer with Boy Scout Troop 333, and with his church, conducting Sunday meetings, leading youth group activities and serving on the finance committee. He has officiated reaffirmation hearings for the Volunteer Lawyers Program of the State Bar of Arizona and is a volunteer for Wills for Heroes preparing wills and other estate documents for local law enforcement officers and firefighters.

David is an Associate with Mesch Clark & Rothschild, supporting the Business, Litigation and Bankruptcy sections of the Firm.

Mesch Clark & Rothschild PC

DAVID J. HINDMAN

Mesch, Clark & Rothschild, P.C.

259 N. Meyer Ave, Tucson, AZ 85701 • (520) 624-8886

dhindman@mcrazlaw.com

PROFESSIONAL EXPERIENCE

MESCH, CLARK & ROTHSCHILD, P.C. , 2006 - Present **Tucson, AZ**

- Associate Attorney specializing in general business, real estate, business restructuring, commercial litigation, and commercial bankruptcy representation

EDUCATION

THE UNIVERSITY OF ARIZONA, James E. Rogers College of Law **Tucson, AZ**

Juris Doctor Degree, May 2006

- *Arizona Journal of International and Comparative Law,* Staff Writer 2005-2006
- Author: "The Effect of Intellectual Property Regimes on Foreign Direct Investments In Developing Economies" 23 Ariz.J.Int'l & Comp.L. 467 (2006)
- Judicial Extern for US District Court Magistrate Judge Charles Pyle, 2005

THE UNIVERSITY OF ARIZONA, The Eller Graduate School of Management

Master of Business Administration, May 2006

- Emphases in Finance and General Management

BRIGHAM YOUNG UNIVERSITY, College of Engineering and Technology **Provo, UT**

Bachelor of Science, Mechanical Engineering, April 2002

- Senior projects: designed and engineered hydrogen powered lawn mower and staple gun for fencing
- Minors in Business Management and Japanese

BAR ADMISSIONS

- State Bar of Arizona, 2006
- United States District Court for District of Arizona, 2006

PROFESSIONAL AND CIVIC APPOINTMENTS AND AFFILIATIONS

- Arizona Bankruptcy American Inn of Court, 2011-Present
- Southern Arizona Chapter of J. Reuben Clark Law Society, Board Member, 2007-Present
- Boy Scouts of America Troop 259 Varsity Team Coach, 2010-Present
- Bankruptcy Court Self Help Center, volunteer
- Salvation Army Tucson ARC, Advisory Board Member, 2008-2010
- 2009 Arizona Daily Star "40 Under 40" Award Winner
- Lawyers for Literacy, past volunteer
- Wills for Heroes, past volunteer
- Volunteer Representative for LDS Church in Osaka Japan, 1996-1998

PERSONAL

- Married with three children. Enjoy woodworking, reading, and exploring.

PATRICK J. LOPEZ

Patrick J. Lopez, a native Tucsonan, received his undergraduate degree from the University of Arizona and his J.D. from the University of Arizona College of Law.

As a Partner in the Firm's Litigation Department, Patrick focuses on commercial litigation, construction litigation, medical malpractice defense, municipal law, landlord/tenant issues, matters before the Registrar of Contractors, and other civil matters, including personal injury and contracts. Patrick represents both plaintiffs and defendants in his litigation practice. He has tried cases in many forums, including the Arizona Superior Court in multiple counties, the United States Federal District Court, the American Arbitration Association, the Arizona Office of Administrative Hearings, and private arbitration. Patrick is also authorized to practice in the Honorable Tribal Court of the Tohono O'Odham Nation.

Prior to joining Mesch, Clark & Rothschild, P.C., Patrick clerked for Judge Christopher C. Browning in the Pima County Superior Court.

He prides himself on being a problem solver who takes the time to master the facts and the issues in order to craft a strategy that leads to the best possible solution for the clients.

Patrick, a former tennis pro, co-founded Pride Tennis in 2004. Pride Tennis helped Native American children develop life skills through the sport of tennis. He is a member of the Primavera Foundation Multifamily Housing Advisory Committee, which furthers the advancement of the Foundation's mission to provide low-income housing within the community. Patrick is a 2007 graduate of the Greater Tucson Leadership program and, in 2008 he was awarded a 40 Under 40 Award by the *Tucson Business Edge* as one of the young business leaders in Tucson.

PAUL A. LOUCKS

Paul A. Loucks joined Mesch Clark & Rothschild in 2006, practicing principally in the firm's Construction and Business Sections. In addition to being licensed to practice in all Arizona courts, he is also licensed to practice before the United States Patent and Trademark Office.

A native of Salinas, California, Paul received his BS in Physics from the University of Nevada in 1993. He subsequently worked for Lockhead Analytical Systems as an Analytical Chemist in Nevada and as a Chemist at Skyline Labs in Tucson, Arizona.

Paul graduated from the University of Arizona School of Law in 1999. Prior to joining Mesch, Clark & Rothschild, he worked in the public sector as a Law Clerk for the Arizona Court of Appeals, Division Two, and as a Deputy Pima County Attorney. For two years, Paul was in private practice. He has worked in variety of legal areas including corporate, contracts, construction, land use, tort, employment, domestic relations, criminal and intellectual property.

During his tenure with the Pima County Attorney's office, Paul was nominated by the Metropolitan Pima Alliance for a 2006 Common Ground Award in Public Projects as part of the team which developed the Corona de Tucson Wastewater Treatment Plant Expansion Plan.

Paul sits on the Board of Directors of In My Shoes, a mentoring program for foster children, and Handi-Dogs, an organization which enhances the quality of life for seniors and those with disabilities by teaching them to train their own assistance dogs . He has also participated in projects on behalf of Casa de los Ninos and The Brewster Center.

PAUL A. LOUCKS
Mesch, Clark & Rothschild P.C.
259 North Meyer Ave. Tucson, Arizona 85701
(Office) 520-624-8886; (Facsimile) 520-798-1037
ploucks@mcrazlaw.com

PROFESSIONAL EXPERIENCE:

10/2006 - Present MESCH, CLARK & ROTHSCHILD, P.C.

Attorney and member of the Litigation Section, specializing in Commercial, Construction and Land Use matters.

3/2004 - 9/2006 PIMA COUNTY ATTORNEY'S OFFICE, Tucson, Arizona

Deputy Pima County Attorney - Practice areas included Land Use and Environmental Litigation, Enforcement and General Advice; Commercial matters; Utilities matters; Drafting development agreements, ordinances and legislation.

- Attorney for Pima County on Emmett McLoughlin Realty, Inc. V. Pima County, 212 Ariz. 351, 132 P.3d 290 (App. 2006)
- Participated in County's enactment of Transfer of Develop Rights Ordinance
- Represented County Regional Water Reclamation Department on various projects, including:
  - $64 Million Expansion of Ina Road Water Pollution Control Facility
  - $16 Million Expansion of Green Valley Water Reclamation Facility
  - $50 Million Reconstruction of Randolf Park Water Reclamation Facility

3/2001 - 3/2004 ARIZONA COURT OF APPEALS, DIVISION TWO, Tucson, Arizona

Law Clerk researching and drafting appellate decisions for:

- Retired Judge M. Jan Flores and Hon. Judge Peter Ecerstrom
- Retired Judge M. Jan Florez and Retired Judge William Druke
- Hon. Judge Philip G. Espinosa and Hon. Judge J. William Brammer

7/1998 - 3/2001 DANIEL J. HOCHULI & ASSOCIATES, Tucson, Arizona

Associate Attorney - Practice areas included Corporate, Land Use, Tort, Municipal, Employment, Intellectual Property, Criminal including service as Marana Town Prosecutor

DUCATION:

University of Arizona College of Law, Tucson, Arizona

- J.D. received May 1999

University of Nevada, Las Vegas, Nevada

- B.S. Physics received August 1993

PROFESSIONAL AND CIVIC APPOINTMENTS AND AFFILIATIONS:

- Handi-Dogs, Board of Directors
- In My Shoes, Board of Directors

SPEAKING ENGAGEMENTS AND PUBLISHED ARTICLES:

- *Public Contracts and Procurement Regulations in Arizona*, October 2008, Lorman Seminars
- *City of Tucson's New Certificate of Occupancy Ordinance*, Arizona Builders' Alliance Advisory Board Meeting, September 2008
- *Consensus DOCS: The New United Voice for Construction Contracts*, Arizona Builders' Alliance, September 2008
- Arizona Lien and Bond Law: Use It or Lose It, Arizona Builders' Alliance, March 2008

ADMISSIONS:

- State Bar of Arizona
- Pima County Bar Association
- U. S. District Court in Arizona
- United States Court of Appeals, Ninth Circuit
- United States Patent and Trademark Office

MICHAEL MCGRATH

Michael McGrath, a partner at Mesch, Clark & Rothschild, P.C., is a certified specialist in bankruptcy law. His practice emphasizes creditor and debtor rights and commercial litigation.

Michael received his J.D. from the University of Arizona College of Law. Michael, who has practiced law since 1979, began his career clerking for the Chief Justices of the United States Bankruptcy and District Courts in Phoenix. He has written numerous articles and regularly participates in seminars, workshops, and lectures for bar associations and professional organizations in Arizona.

Michael is a Fellow in both the American College of Bankruptcy and the Litigation Counsel of America. He has been included in the publication *Best Lawyers in America* since 1991, selected as a *Super Lawyer* and a *Southwest Super Lawyer*, and included in the professional honorary *Arizona's Finest Lawyers.*

Michael served as a Lawyer Delegate to the Ninth Circuit Judicial Conference and is a member of the American Bankruptcy Institute. He has served on the Bankruptcy Rules Committee for the District of Arizona, the Merit Selection Committees for the District's bankruptcy judges and magistrate judges. He has served on the Bankruptcy Advisory Commission for the certification of bankruptcy specialists. Michael was a member of the Disciplinary Commission of the Arizona Supreme Court from 1994-2000 and served as chairman from 1999-2000. He has been certified as a specialist and a mediator by the Arizona Bar Section of Bankruptcy.

He serves as an adjunct professor in International Insolvency at the James E. Rogers College of Law, University of Arizona. He is a past Board Chair of the Tucson Urban League and a former president of the Tucson Conquistadores and the Tucson Conquistadores Foundation. He continues to serve as counsel for the nonprofit Rialto Theatre Foundation. He is a managing partner of the Hacienda del Sol Guest Ranch Resort, located in Tucson.

Michael is married to Eileen Romer McGrath, Ph.D., an assistant professor at the University of Arizona Medical Center. They have two daughters: Katlin, an actress in New York City, and Shea, a student in Tucson.

MICHAEL McGRATH
RESUME

Education

Brophy College Preparatory, Phoenix (1971)
University of Arizona (B.A. with honors, 1975)
University of Arizona College of Law (J.D. 1979)

Professional Experience

1990 - Present: Shareholder, Mesch, Clark & Rothschild, P.C.
1982 - 1990: Stompoly & Stroud, P.C.
1989-1990 Managing Shareholder
1986-1989 Shareholder
1982-1986 Associate Attorney
1980 - 1982: United States District Court, Law Clerk to Honorable Carl A. Muecke, Chief Judge
1979 - 1980: United States Bankruptcy Court, Law Clerk to Honorable Hugh Caldwell, Sr., Chief Judge

Bar Admissions

Supreme Court of the State of Arizona; United States District Court, District of Arizona; the Ninth Circuit Court of Appeals; the United States Tax Court.

Professional Commendations

Top Lawyers, 2011, Corporate Counsel
Arizona's Finest Lawyers, 2010
Litigation Counsel of America, Fellow, 2008
Southwest Super Lawyers, 2007 - Present
American College of Bankruptcy, Fellow, 2004
Disciplinary Commission, Supreme Court of Arizona, 1995 – 2000; 1999-2000, *Chair*
Bankruptcy Advisory Commission for Certification of Bankruptcy Law Specialists through the Board of Legal Specialization, Arizona Bar Association, 1993 - 1996, *Member*
Best Lawyers in America, 1991 - Present, *Listed*
Martindale-Hubbell AV Rating 1986-Present
Arizona Board of Legal Specialization, *Certified Specialist* in Bankruptcy Law, 1991; *Recertified*, 1996; 2001; 2006
United States Bankruptcy Court, District of Arizona, ADR Program, List of Approved Compensated and Uncompensated Mediators
Ninth Circuit Merit Selection Committee for Arizona Bankruptcy Judges, 1992-1993
Standing Committee on Local Rules of Procedure for U.S. Bankruptcy Court, District of Arizona, 1987-1988, *Member*
Arizona Bar Foundation, *Member* and recipient of the 1998 Pro Bono Service Award

Civic and Professional Involvement

Adjunct Professor, James E. Rogers College of Law, University of Arizona, 2012
Tucson Airport Authority, 2011, *Member*
American Bankruptcy Institute, *Member*
Volunteer Lawyers Panel, Southern Arizona Legal Aid, 1982-Present, *Member*
Arizona Town Hall, 1989-Present, *Member*
Tucson United Way, *Leadership Giver*, *Employee Chairman* and *Member* of the 1998 Cabinet
Financial Oversight Committee, Tucson United School District, 1989, *Member*
Tucson Urban League, 2001-2008, *Director*, *President* 2007
Tucson Conquistadores, *Member* 1997, *President* 2005
Tucson Conquistadores Foundation, *Charter Member*, *President* 2006
Ninth Circuit Judicial Conference, 2002-2005, *Lawyer Delegate*
Pro Se Committee, U.S. Bankruptcy Court for the District of Arizona, *Member*
Executive Council, Arizona State Bar Bankruptcy Section, 1991-1993, *Member*
Volunteer Investigator for Attorney Misconduct, State Bar of Arizona, 2001-2005

Personal

Wife, Eileen Romer McGrath, Ph.D., Assistant Professor, Department of Pediatrics, University of Arizona Medical Center
Daughters, Katlin, 26, actress, New York City and Shea, 16, student Salpointe Catholic High School

Counsel's Record in Reported Decisions

In re Linda Vista Cinemas, L.L.C., 442 B.R. 724 (Bankr.D.Ariz. 2010): *Represented debtor in possession who unsuccessfully sought a post-confirmation stay for guarantors on direct appeal to the Ninth Circuit.*
In re Bashas' Inc., 437 B.R. 874 (Bankr.D.Ariz. 2010): *Represented Debtors whose successful reorganization is detailed in an extensive analysis of §1129 standards.*
In re Berry Good, L.L.C., 400 B.R. 741 (Bankr.D.Ariz. 2008): *Question involving use of debtor-in-possession financing to provide adequate protection payments to pre-petition lender and post-petition payments to insiders.*
In re Villas at Hacienda Del Sol, Inc., 364 B.R. 702 (Bankr.D.Ariz. 2007): *Representation of real estate brokerage firm in sale which generated proceeds to pay creditors in full giving rise to whether insider claims should be allowed and paid.*
In re Vortex Fishing Systems, 277 F.3d 1057 (9th Cir. 2001): *representation of petitioning creditors in an involuntary bankruptcy proceeding in which the Ninth Circuit clarified issues involving the standing of creditors to bring an involuntary case.*
In re Viscount Air Services, Inc., 232 B.R. 416 (Bankr.D.Ariz. 1998): *Counsel for debtor in airline case in which Trustee sought recovery of fraudulent conveyance of aircraft and related property from transferees*
In re Conner, 165 B.R. 901 (9th Cir. BAP 1994); 73 F.3d 258 (9th Cir. 1996): *representation of trustee in the pursuit of "after tax" ERISA plan contributions made by Debtors.*

In re Paige, 196 B.R. 526 (Bankr.D.Ariz. 1996): *represented individual debtor against the Internal Revenue Service in determination of the dischargeability of certain federal income taxes.*
In re Baseline-Dobson Center Real Estate Ltd. Partnership, 193 B.R. 284 (Bankr.D.Ariz. 1994): *representation of debtor in an unsuccessful attempt to confirm a single asset real estate plan over the objection of the mortgage holder.*
In re Patrician St. Joseph Partners Limited Partnership, 169 B.R. 669 (D. Ariz. 1994): *represented Debtor in cramdown plan in which District Court overruled various objections of the Appellant Creditor, Mutual Life Insurance Company of New York.*
In re America West Airlines, Inc., 166 B.R. 908 (B.Ariz. 1994): *represented a potential investor in airlines case; decision reflects the issue of whether breakup fees would be awarded if a higher and better offer was received by the Debtor for the sale of the airlines.*
In re Tucson Industrial Partners, 129 B.R. 614 (9th Cir. BAP 1991): *represented the successful creditor in reversing the Bankruptcy Court decision permitting the Debtor's use of cash collateral because the creditor could not "perfect" interest in cash collateral, post-bankruptcy.*
In re Kelly, 57 B.R. 536 (1986), affirmed 841 F.2d 908 (9th Cir. 1988): *represented successful creditors in the first circuit court level decision interpreting Bankruptcy Code Section 707(b) dismissal of Chapter 7 for substantial abuse.*
Matter of Estate of Soble, 137 Ariz. 223, 669 P.2d 1000 (Ariz.App. 1983)
Swengel-Robbins, Inc. v. Gayle Contracting, Inc., 134 Ariz. 83, 654 P.2d 17 (Ariz.App. 1982)

Y

"Post-Confirmation Injunctions for Non-Debtors," Arizona State Bar Convention, June 2011

"A Primer on Ethics and Malpractice," presented to the Tucson Paralegal Association, April 2011

"A Primer on Ethics," presented to the Attorneys and Staff Members of Southern Arizona Legal Aid, April 2011

"Restructuring Options for Troubled Commercial Loans," article prepared for Trend Report, January 2011

"The Ninth Circuit's Post-Travelers Award of Attorneys' Fees for Unsecured Creditors," September 2009

"Troubled Debt Restructuring," presented to the Jewish Federation of Southern Arizona, July 2009

"Debtor-Creditor Considerations in Estate Planning," presented to Southern Arizona Estate Planning Council, April 2009

"Receiverships, Assignments for Creditors, and Bankruptcy: A Comparison," a presentation for CB Richard Ellis, January 2008

"An Overview of Arizona's Receivership and Assignment for the Benefit of Creditors Statutes and a Comparison with Remedies Under the Bankruptcy Laws," presented with Scott D. Gibson and Eric Sparks, November 2007

"Protecting the Under-Insured Defendant," January 2006

"A Bankruptcy Lexicon," April 2005

"A Debtor's Bankruptcy Planning Checklist," April 2005

"The Impact of Bankruptcy," February 2005

"Settlement Strategies for Complex Litigation in Bankruptcy," presented to the Annual Bankruptcy Symposium and Professionalism Course, State Bar, May 2001

"Protecting the Under-Insured Defendant," presented with Fred Petersen to the Tucson Defense Bar, October 25, 1999

"Arizona Civil Remedies," *Author*, Chapter on Real Property Foreclosures, 1998 Second Edition, State Bar of Arizona; *Editor* of the Foreclosures Chapter, 1991 and 1994 Supplements

"A Survey of Materials on Professional for Bankruptcy Practitioners," January, 1998

"Overview of the Bankruptcy Reform Act of 1994" presented to the Business Section of the State Bar, November, 1994

"Recent Legal Developments in the Use of Commercial Rents," presented to the Arizona State Bar Real Property Section, April, 1994

"Claims Classification: Gerrymandering or Substantially Similar Classification?," State Bar of Arizona Seminar, February, 1994

"Retirement Money Becomes Better, Protected, Safer," Caveat, Vol. 8, No. 1, Spring '93

"Fraudulent Conveyances," Region 14 Bankruptcy Trustee Seminar, 1993, sponsored by the Office of the United States Trustee, District of Arizona

"Claims Classification Schemes and Scams" and "Claims Trading and the Plan Confirmation Process," State Bar Convention, 1993

"The Impact of Bankruptcy" section in the National Business Institute publication on "Foreclosure and Repossession in Arizona," 1991

"The Timely Assumption of Leases and Executory Contracts," State Bar of Arizona, 1991

"The Doctrine of Equitable Subordination" in the National Business Institute publication, "Lender Liability in Arizona," 1991

"Guarantor Liability Law Changes," Caveat, Vol. 5, No. 3, Winter '90-'91

"Strategies and Considerations for the Mexican Business Person and American Bankruptcy Laws," presented to the Arizona/Sonora Bar Association Third Joint Conference, 1990

"The New Debtor Syndrome and the Good Faith Requirement," included in the State Bar of Arizona publication, "Pre-Bankruptcy Planning for a Real Estate Case," 1989

"The Ramifications of Lender Liability in the Bankruptcy Arena: The Doctrine in Equitable Subordination," Pima County Bar Association, 1989

"A Bankruptcy Overview and Strategies," presented to the Asset Recovery Department of MeraBank, 1987 and 1988

"A Bankruptcy Lexicon; A Debtor's Bankruptcy Checklist; Creditor's Remedies in Bankruptcy; A Chapter 11 Overview," included in the State Bar of Arizona publication, "Defaulted Commercial Real Estate Loans: Workouts & Bankruptcy Planning," 1988

"Automatic Stay, Cash Collateral, Setoff, Foreclosure Sales as Fraudulent Conveyances" sections, included in the National Business Institute publication, "Creditors' Rights and Protection of Security Interests in Bankruptcy," 1986 and 1987

"Overview of Bankruptcy Laws," presented to The Association of Builders & Contractors, 1986

"Issues Arising from the 1984 Amendments to Section 365: Executory Contracts and Unexpired Leases," included in the State Bar of Arizona publication, "Strategic Considerations in Bankruptcy and Pre-Bankruptcy Planning," 1986

P **nal Lecturing and Instruction**

"Post-Confirmation Injunctions for Non-Debtors," Arizona State Bar Convention, June 2011

"A Primer on Ethics and Malpractice," presented to the Tucson Paralegal Association, April 2011

"A Primer on Ethics," presented to the Attorneys and Staff Members of Southern Arizona Legal Aid, April 2011

"Restructuring Options for Troubled Commercial Loans," article prepared for Trend Report, January 2011

"The Ninth Circuit's Post-Travelers Award of Attorneys' Fees for Unsecured Creditors," September 2009

"Troubled Debt Restructuring," presented to the Jewish Federation of Southern Arizona, July 2009

"Debtor-Creditor Considerations in Estate Planning," presented to Southern Arizona Estate Planning Council, April 2009

"Receiverships, Assignments for Creditors, and Bankruptcy: A Comparison," a presentation for CB Richard Ellis, January 2008

Lecturer, "Discharge of Indebtedness Income and Other Recessionary Niceties," Tucson Tax Study Group, Inc., November 21, 2008

Lecturer, "Subprime Lending Issues," Arizona State Bar Convention, June 20, 2008

Lecturer, "Asset Protection Tools and Considerations of a Debtor-Creditor Lawyer," Arizona State Bar Convention, June 20, 2008

Lecturer, "Tools to Avoid (Minimize the Cost of) Litigation in Estate Planning," Arizona State Bar Convention, June 19, 2008

"An Overview of Arizona's Receivership and Assignment for the Benefit of Creditors Statutes and a Comparison with Remedies Under the Bankruptcy Laws," presented with Scott D. Gibson and Eric Sparks, November 2007

Lecturer, "Which to Choose: Chapter 11 or State Court Receivership," Tucson Bankruptcy Bar Luncheon Group, November 27, 2007

Panelist/Writer, for the Morris K. Udall Chapter of the Inn of Court, 2005 Amendments to the U.S. Bankruptcy Code, May 2006

Arizona Bar Convention, Bankruptcy Seminar Panelist, June 2005 and 2006

Lecturer, "Q: Guess Who's Coming to Your Estate Planning Dinner? A: The Bankruptcy Trustee!" Tucson Tax Study Group, May 20, 2005

Panelist, For the Federal Conference Bankruptcy Presentation, February 2005

Arizona Bar Convention, Bankruptcy Seminar Chair, June 2004

Panelist, Use of Expert Witnesses in Bankruptcy Proceedings, Arizona State Bar Convention, June 13, 2003

Lecturer, Unauthorized Practice of Law–New Rule Updates, State Bar of Arizona, June 6, 2003

Lecturer, 2001 Bankruptcy Section of the State Bar of Arizona, Annual Bankruptcy Symposium, Complex Litigation in Bankruptcy Court, May 18, 2001

Moderator and Lecturer, "Tax Claims in the Reorganization Case," Bankruptcy Section presentation of the 2000 Arizona Bar Convention, June 2000

Lecturer, "Protecting the Under-Insured Defendant," Tucson Defense Bar, October 25, 1999

Lecturer, "Select Issues on Professionalism," Arizona Bar Convention, June 12, 1998

Lecturer, "Selected Real Property Foreclosure Issues," Arizona Civil Remedies Seminar, Sedona, Arizona -- October 6, 1995 and Phoenix, Arizona – March 13, 1998

Lecturer, Pima County Bar Association, "Nuts & Bolts of Bankruptcy" Seminar, Tucson, Arizona, February 27, 1998

Panelist/Writer for Federal Mini Conference on "Professionalism in the Federal Courts," Phoenix, Arizona, February 19, 1998

Lecturer, Professional Education Systems, Inc., "Bankruptcy Litigation and Practice '97," Scottsdale, Arizona, November 14, 1997

Chairperson, Writer and Lecturer, State Bar of Arizona Seminar "Chapter 13 Bankruptcy," March 26, 1996

Lecturer, Peoples Law School Seminar, Arizona Trial Lawyers Association/Pima County Bar Association, "Business and Bankruptcy Law," October 30, 1995

Lecturer, Arizona State Bar Real Property Section, "Recent Legal Developments in the Use of Commercial Rents," April 20, 1994

Faculty/Lecturer, State Bar of Arizona, "Advanced Current Topics in Real Estate, Bankruptcy and Litigation," February, 1994

Lecturer, Region 14 Bankruptcy Trustee Seminar, 1993, Sponsored by the Office of the U.S. Trustee, District of Arizona

Faculty, State Bar of Arizona, Advanced Chapter 11 Business Bankruptcy, 1993

Instructor, University of Arizona Extended University, Creditor's Rights and Obligations, 1992

Lecturer, American Society of Women Accountants Bankruptcy Overview, 1992

Instructor, Tucson Association of Legal Assistants 13th Annual Seminar, 1992

Instructor, Pima College: Legal Secretarial Procedures IV, 1992

Instructor, Pima County Bar Association, "Bankruptcy for the Non-Bankruptcy Attorney," 1992

Lecturer, Association for Women Accountants, "Current Developments in Bankruptcy," 1992

Instructor, Pima County Bar Association, "Bankruptcy for the Rest of Us," 1991

Instructor, Pima College, XYZ's for Legal Secretaries - Bankruptcy Basics, 1991

Faculty, National Business Institute, Foreclosure and Repossession, "The Impact of Bankruptcy," 1991

Faculty, State Bar of Arizona, Pre-Bankruptcy Planning and the Bad Faith Filing, 1991

Faculty, Bankruptcy Section of the State Bar of Arizona, Annual Seminar, "The Timely Assumption of Leases and Executory Contracts," 1991

Faculty, National Business Institute, Lender Liability in Arizona, "The Doctrine of Equitable Subordination," 1991

Lecturer, National Roofing Legal Resource Center, Bankruptcy Developments in the Construction Industry, 1990

Panel Member, Arizona Institute of Continuing Legal Education – Ethics: A Problem Solving Approach to the Himmel Case, 1990

Panel Member, 57th Annual State Bar Convention, Session II, Commercial Bankruptcy Workshop: Bankruptcy Planning and Strategy Workshops, 1990

Lecturer, Arizona/Sonora Bar Association, Third Joint Conference, "Strategies and Considerations for the Mexican Business Person and American Bankruptcy Laws," 1990

Lecturer, State Bar of Arizona Bankruptcy Symposium: Current Topics in Personal Bankruptcies and Real Estate Reorganizations, 1990

Instructor, State Bar of Arizona - Getting It Done: Arizona, Civil Remedies - Judicial and Non-Judicial Foreclosures, 1990

Instructor, State Bar of Arizona/Young Lawyers Division, Arizona Legal Skills, 1990

Lecturer, State Bar of Arizona CLE, Pre-Bankruptcy Planning for a Real Estate Case, 1989

Lecturer, Pima County Bar Association CLE, Lender Liability seminar, 1989

Lecturer, Real Property Section of State Bar of Arizona, Defaulted Commercial Real Estate Loans: Workouts & Bankruptcy Planning, 1988

Lecturer, Meeting of the Asset Recovery Department of MeraBank, Savings and Loan Association of Arizona, "A Bankruptcy Overview and Strategies," 1987 and 1988

Panelist, 54th Annual Convention of the State Bar - Real Property Section, The Development Process, 1987

Instructor, National Business Institute, Creditors' Rights and Protection of Security Interests in Bankruptcy, 1986 and 1987

Instructor, Pima College Legal Assistants Program, Bankruptcy Law and Procedure, Tucson, Arizona, 1985 - 1987

Lecturer, Professional Educational Systems, Inc., Bankruptcy Litigation & Practice in Arizona, 1986

Instructor, Meeting of The Association of Builders & Contractors, "Overview of Bankruptcy Laws," 1986

Lecturer, State Bar of Arizona, Strategic Considerations in Bankruptcy and Pre-Bankruptcy Planning, 1986

Instructor, National Business Institute, Foreclosure and Repossession: How to do it Right, 1985

Lecturer, Tucson Legal Secretaries Association Bankruptcy Seminar Series, "Overview – Chapter 7 Liquidation," 1984

CASSANDRA B. MEYNARD

Cassandra B. Meynard, an Associate in the Litigation Section of Mesch Clark & Rothschild, graduated from the University of Arizona James E. Rogers College of Law in 2008.

While in Law School, she was an Ares Fellow of Contracts and a James Boyer Scholar. Additionally, she held Clerkships for the U.S. Attorney's Office and Asylum Project of Southern Arizona.

Cassandra grew up in Washington D. C. and went to the University of Mary Washington, where she received a Bachelor of Science in Environmental Science from the College of Biology. During her college years, she worked as a Data Collector for the U.S. Forest Service in the Dixie National Forest in Utah and in the Hawaii Volcanoes National Park. After graduating, she joined the Peace Corps and worked in the areas of conservation and desertification in West Africa. She stayed on in Africa, volunteering on various projects in Mali and Ghana, including founding the Tamale Children's Home Renovation Project, coordinating the Bosbel soy refinery management restructuring, acting as a Coordinator for the Organization for Technical Training, and translating for a French-South African gold mine construction project.

She moved to Tucson to pursue a Masters in Fine Arts in Creative Writing from the University of Arizona, where she was the Recipient of the Minnie M. Torrence Award in Fiction. She then worked for several years as a technical writer and editor for Raytheon and Honeywell prior to attending law school.

In addition to her interests in travel and literature, Cassandra loves to hike and trains in Muay Thai kick boxing.

KASEY C. NYE

Kasey C. Nye is a 2000 graduate of the University of Arizona James E. Rogers College of Law.

He is admitted to the U.S. District Court, Eastern District of Michigan, the U.S. Court of Appeals, 9th Circuit and the U.S. District Court, District of Arizona. Additionally, he has also obtained pro hac vice admission for cases in numerous jurisdictions across the United States.

A Summa Cum Laude graduate with degrees in Philosophy and Spanish from the University of Buffalo, Kasey was inducted as a member into the Phi Beta Kappa Society in 1996.

As a Partner in the Bankruptcy Section of Mesch Clark & Rothschild, Kasey brings more than a decade of experience representing businesses entities as debtors and creditors, in a variety of industries including hospitality, real estate, construction, manufacturing, retail, equipment leasing, and financial services.

Kasey has been recognized as the Pima County Outstanding Pro Bono Attorney for the month of September, 2003 and March, 2013; the 2004 Arizona Foundation for Legal Services and Education Top Bro Bono Attorney's in Arizona; the 2005 Volunteer Lawyer Program Bankruptcy Attorney of the Year; the University of Arizona Alumni Association's Outstanding Young Alumni Volunteer in April of 2006; and a Southwest Super Lawyers Rising Star in 2012 and 2013.

In the Tucson community, Kasey chairs the Tucson Metropolitan Chamber of Commerce Policy Committee on Budget, Finance and Legal issues; serves on the School Advisory Board of Saints Peter & Paul Catholic School and on the board of Catalina Terrace Athletic Program; and is active in the Democratic Party

KASEY C. NYE
Mesch Clark & Rothschild PC
259 N Meyer Avenue
Tucson, Arizona 85701
520-624-8886
520-798-1037 (Fax)
E-Mail: knye@mcrazlaw.com

PROFESSIONAL EXPERIENCE

3/2013 – Present	Mesch Clark & Rothschild PC
7/2002 – 3/2013	Quarles & Brady LLP
10/2000 – 6/2002	Honorable Eileen W. Hollowell United States Bankruptcy Court for the District of Arizona

EDUCATION

UNIVERSITY OF BUFFALO, Buffalo, NY
BA Philosophy and Spanish, Summa Cum Laude
Phi Beta Kappa

UNIVERSITY OF ARIZONA JAMES E ROGERS COLLEGE OF LAW, Tucson, AZ
Juris Doctor

BAR ADMISSIONS

- State Bar of Arizona, 2000
- U.S. District Court, District of Arizona, 2002
- U.S. Court of Appeals, 9th Circuit, 2002
- U.S. District Court, Eastern District of Michigan, 2003

PROFESSIONAL AND CIVIL APPOINTMENTS AND AFFILIATIONS

- Tucson Metropolitan Chamber of Commerce
  - Policy Committee on Budget, Finance and Legal Issues
  - Candidate Evaluation Committee

- Volunteer Lawyer Program of Southern Arizona Legal Aid

- Saints Peter & Paul Catholic School, School Advisory Board

- Catalina Terrace Athletic Program, Board Member

- State Bar of Arizona
  - Executive Committee, Young Lawyer Division
  - Mentorship Committee

- American Bankruptcy Institute, Member

- University of Arizona James E. Rogers College of Law
  - Adjunct Faculty Member

LANGUAGES

- Spanish

FREDERICK J. PETERSEN

Frederick J. Petersen joined Mesch, Clark & Rothschild in 1998 as a law clerk while attending the University of Arizona College of Law. In 1999 he became an associate at the Firm; in 2005 he became a shareholder of the firm; and in 2011 he was named Managing Shareholder.

Petersen, who focuses his practice on bankruptcy, business restructuring, commercial and real estate law, received a Bachelor of Arts degree, Magna Cum Laude, in history and political science from Gonzaga University in Spokane, Washington.

Since he graduated from law school, Petersen has provided bankruptcy and financial legal counsel to a variety of businesses including hospitals, restaurants, Real Estate, construction and religious organizations, Chapter 11 Trustees, and creditor committees. He prefers to focus on creative solutions to problems and negotiation, but understands that sometimes, litigation is required to reach a solution.

Petersen was the chairman of the Arizona State Bar Association's bankruptcy program in 2004 and 2005. He was a member of the Board of Directors of the Greater Tucson Leadership organization and a 2004 alumnus of this group's community leadership class. He works with the Pima County Bar Association's Volunteer Lawyer's Program, and edits and writes articles for CAVEAT, the firm's newsletter. He was president and a member of the Board of Directors of Handi-dogs, an organization that trains service dogs. In 2006, Petersen was recognized for his community leadership as one of the "40 Under 40" by *Tucson Business Edge*.

He grew up in Blackfoot, Idaho, a small town in eastern Idaho. In high school and college, he was involved with the debate teams. When he is not working, he participates and watches outdoor sports, participates in SCCA races, rollerblades, walks his two dogs, plays with his young sons, and works on his house.

FREDERICK J. PETERSEN
Mesch, Clark & Rothschild, P.C.
259 N. Meyer, Tucson, Arizona 85701
Office: (520) 624-8886 Facsimile: (520) 798-1037
E-mail: fpetersen@mcrazlaw.com

PROFESSIONAL EXPERIENCE:

10/99 to Present MESCH, CLARK & ROTHSCHILD, P.C.
Shareholder and Member of Bankruptcy Section, specializing in corporate restructuring, civil litigation, and commercial bankruptcy representation as counsel to official committees of unsecured creditors, creditors, trustees and debtors.

EDUCATION:

UNIVERSITY OF ARIZONA COLLEGE OF LAW, Tucson, Arizona

- J.D. received May 1999
- Arizona Journal of International and Comparative Law, Note Editor 1998-1999
- Author: "The Facade of Humanitarian Intervention for Human Rights in a Community of Sovereign Nations" 15 Ariz. J. Int'l & Comp. L. 871 (1998)

GONZAGA UNIVERSITY, Spokane, Washington

- B.A., Magna Cum Laude, Major in History and Political Science, May 1996
- Academic All American Debate Team, 1996; Led Debate Squad to 3rd Place National Finish in 1995, 5th Place in 1996; National Debate Tournament 9th Place Finisher 1994, 3rd Place Finisher 1995, 5 th Place Finisher 1996

PROFESSIONAL AND CIVIC APPOINTMENTS AND AFFILIATIONS:

- 2006 Tucson Business Edge "40 Under 40" Award Winner
- American Bankruptcy Institute –Current Member
- Greater Tucson Leadership, Inc.–Board of Directors–2004-2008
- Southern Arizona Legal Aid –Volunteer Lawyers Program–Volunteer 1999-Present
- Handidogs, Inc.–Board of Directors 2001-2005, President of Board of Directors 2003-2005
- 2004 Graduate of Greater Tucson Leadership–Adult Class
- Chairman of Arizona State Bar Convention–Bankruptcy Program–2004 and 2005
- 2004 Arizona Foundation for Legal Services and Education "Top Pro Bono Attorney's of Arizona Award"
- 2003 Volunteer Lawyer' s Program "Bankruptcy Attorney of the Year" Award Winner
- Tucson Volunteer Center– Community Connection Crew–2000-2003
- Lawyers for Literacy–Past Volunteer

BAR ADMISSIONS:

- State Bar of Arizona (1999)
- U.S. District Court in Arizona (1999)
- United States Court of Appeals, Ninth Circuit (1999)

ISAAC D. ROTHSCHILD

Isaac D. Rothschild graduated from the University of Arizona James E. Rogers College of Law in 2007, where he was a Staff Writer for the Arizona Law Review. Prior to joining Mesch Clark & Rothschild is 2009, he was a Law Clerk for Federal District Court Judge Collins Chambers for two years.

Isaac is a native of Tucson and represents the third generation in his family to pursue the practice of law. He received his B.A. in Political Science from the University of Denver, where he was a member of the Order of Omega Greek Honor Society, the Golden Key National Honor Society, the Political Science National Honor Society and on the Dean's Honor List.

While in law school, Isaac expanded his legal studies into China through both the Duquesne School of Law at the China University of Political Science in Beijing and Duke School of Law's Asia America Institute in Transnational Law in Hong Kong.

He is an active volunteer in the Tucson community, donating his time and talent to Wills for Heroes, where he prepares wills for Tucson firefighters and police officers. Isaac also serves on the Board of Directors of Arts of All, whose programs are designed to provide a quality art focus for children, youth and adults with and without disabilities.

An Associate in the Firm's Bankruptcy and Estate Planning Departments, Isaac also enjoys exploring different cultures, experiencing the arts, and is an avid sports fan.

ISAAC DANIEL ROTHSCHILD
259 N. MEYER AVE. • TUCSON, AZ 85701
PHONE (520) 624-8886 •
E-MAIL: IROTHSCHILD@MCRAZLAW.COM

EDUCATION

University of Arizona, Rogers College of Law, Tucson, AZ: JD 2007

3.52 GPA, Top 25%; *Arizona Law Review*, Staff Writer

Duke School of Law's Asia America Institute in Transnational Law, Hong Kong 7/2005-8/2005

Duquesne School of Law at China University of Political Science and Law, Beijing 5/2005-6/2005

University of Denver, Denver CO, 9/1999 - 6/2003; Bachelor of Arts/ Political Science GPA 3.7

Order of Omega Greek Honor Society, Golden Key National Honor Society, Political Science National Honor Society, Dean's Honor List

Spring Semester 2002 – Costa Rica – Intensive Spanish Program

LEGAL EXPERIENCE

MESCH, CLARK, & ROTHSCHILD, P.C., Tucson AZ- Associate (October 2009 – Present); Summer Associate (5/2006 – 5/2007)

Represent Chapter 11 Debtors and Creditors; Represent Clients in Commercial Litigation; member of the Firm's bankruptcy section.

FEDERAL DISTRICT COURT JUDGE COLLINS' CHAMBERS- Law Clerk (8/2007 – 8/2009)

Managed half of Judge Collins' civil docket. Research and draft all orders including: anti-trust, section 1983 claims, contract disputes, property disputes, bankruptcy appeals, habeas corpus, ERISA appeals, and Social Security appeals. Sat three times on the Ninth Circuit of Appeals panels: worked on more than thirty appellate cases. Also assisted Judge Jorgenson on a Fraudulent Transfer Motion for Summary Judgment

WILLS FOR HEROES – Volunteer (11/2007 – Present)- Prepare Wills for Tucson firefighters and police officers

STUDENT LOAN DISCHARGE CLINIC, Tucson, AZ- Student Attorney (8/2006 – 4/2007)

Attorney for a Chapter 7 debtor in adversary proceeding attempting to discharge student loans.

VOLUNTEER LAWYERS BANKRUPTCY CLINIC, Tucson AZ- (Fall 2005, Fall 2006); Supervising Attorney (Fall 2009 – Present)

OTHER

Arts for All, Secretary of the Board of Directors (6/2008 – Present)

Southern Arizona Community Foundation, Member of Steering Committee (8/2010 – Present)

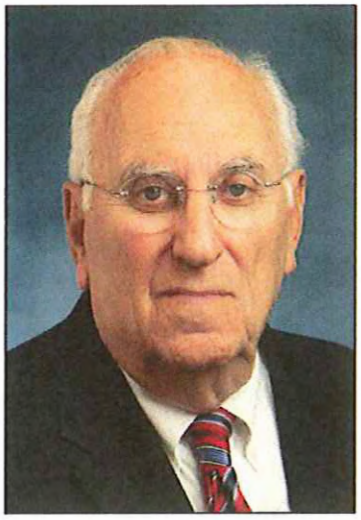
American Bankruptcy Institute Member: Editor Volo Project (6/2010-Present)

Published Articles: *New China*; ABI International Committee Newsletter April 2007; *The Ninth Circuit BAP's New En Banc Procedure*, ABI Court Administration & ADR Committee Newsletter April 2010

Southern Arizona Federal Bar Association Executive Committee (Secretary 2011-12)

Volunteer Lawyer's Program Pro Bono Attorney of the Month (August 2011)

LOWELL E. ROTHSCHILD



Lowell E. Rothschild, a senior shareholder and a founding partner of Mesch, Clark & Rothschild, received his J.D. in 1952 from the University of Arizona College of Law.

Rothschild's practice concentrates on bankruptcy, business reorganization, and estate planning. He has represented debtors, creditors and creditors' committees in a wide range of reorganization activities.

He is a member of the American Bankruptcy Institute, and for more than twenty years he has been listed in the *"Best Lawyers of America."*

He acts as a Judge Pro Tempore, Special Master and Mediator for the Pima County Superior Court for the State of Arizona. Rothschild is a Hearing Officer for the State Bar of Arizona's Disciplinary Committee.

He has been a frequent lecturer on Bankruptcy and Business Reorganization, law practice skills, and law practice management; and has appeared on programs for the American Bar Association; Arizona, California and Washington Bar Associations, and the Pima County Bar Association. Rothschild has presented at the Institute for Continuing Legal Education of the University of Michigan, the National Conference of Bankruptcy Judges, the Arizona State University Graduate School of Business, Professional Education Systems Institute, and the University of Arizona College of Law.

He is a Fellow of the American Bar Association Foundation, a Fellow of the American College of Bankruptcy, a Fellow of the College of Law Practice Management and a Fellow of the Arizona Bar Foundation. He has served as the lawyer representative from the State of Arizona for the United States Ninth Circuit Judicial Conference. Rothschild is a past Chairman of the Law Practice Management Section of the American Bar Association. He was a Project Coordinator of the American Bar Association publication *"Withdrawal, Retirement and Disability,"* and a contributor to the American Bar Association publication *"Beyond the Billable Hour"* and *"Win-Win Billing Strategies."*

He served as a member and Chairman of the Bankruptcy Specialization Committee of the State Bar of Arizona from 1986 to 1995. He is a past president and current board member of the Tucson Airport Authority and a member of the Board of Visitors of the University of Arizona College of Law. In addition, he was a member of the University of Arizona Foundation, the Arizona Board of Medical Examiners, Temple Emanu-El and the Jewish Community Foundation. In 2006, Lowell Rothschild was presented the Alumni Professional Achievement Award by the University of Arizona, and in 2007 the University of Arizona College of Law honored Mr. Rothschild with the Distinguished Alumnus Convocation Award.

Lowell E. Rothschild

Mesch, Clark & Rothschild, P.C.,
259 N. Meyer Avenue, Tucson, AZ 85701
(520) 624-8886, Fax: (520) 798-1037
lrothschild@mcrazlaw.com

Practice Areas

- Insolvency
- Bankruptcy
- Creditors Rights and Business Reorganization
- Corporate Reorganization

Education

- Juris Doctor, University of Arizona, 1952

Admissions and Certifications

- Member, State Bar of Arizona
- Member, United States District Court of Arizona
- Member, Ninth Circuit Court of Appeals
- Member, Bar of the United States Supreme Court
- Member, United States Tax Court

Activities and Honors

- Fellow, American College of Bankruptcy
- Fellow, College of Law Practice Management
- Fellow, Arizona Bar Foundation
- Fellow, American Bar Association Foundation
- Past Lawyer Representative, United States Ninth Circuit Judicial Conference
- University of Arizona Alumni Professional Achievement Award, 2006
- The University of Arizona College of Law Distinguished Alumnus Convocation Award, 2007

Community Activities:

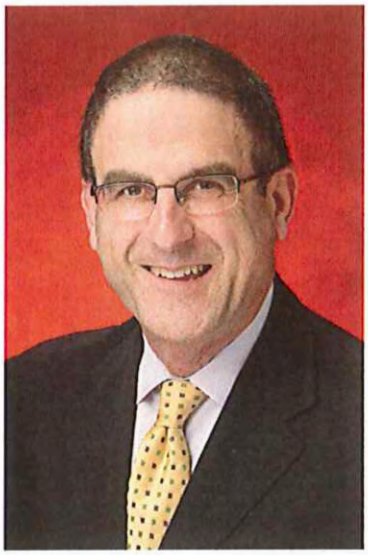
- Past President and Current board member of the Tucson Airport Authority
- Member, Board of Visitors of the University of Arizona College of Law
- Member, University of Arizona Foundation
- Past member of the Arizona Board of Medical Examiners
- Past President, Current member of Temple Emanu-El

Books & Articles:

- Project Coordinator of the American Bar Association publication "Withdrawal, Retirement and Disability."
- Contributor to the American Bar Association publication "Beyond the Billable Hour" and "Win-Win Billing Strategies."

365278

Mark Rubin



Rated "AV" by the Martindale Hubbell Peer Review Ratings, Mark Rubin has practiced law since 1981. He joined Mesch Clark & Rothschild in 2010.

He received his Bachelor of Arts degree from Beloit College and his Juris Doctor degree from the University of Arizona College of Law. In addition to being admitted to the U.S. District Court, District of Arizona, the U.S. Supreme Court and the Court of Appeals, Ninth Circuit, he is a Certified Fiduciary.

Mark focuses on Business and Corporate Law, Contracts, Insurance, Real Estate, Legal Malpractice, Commercial & Probate Litigation and Trusts, Wills and Estate Planning. With almost three decades of experience, Mark brings sound judgment and legal skills to each matter, alleviating the client of the "aggravation factors" that arise, and providing straight answers to difficult inquiries.

He blends the demands of his professional life with a full spectrum of community and State Bar-related commitments. His volunteer activities in the legal community have focused principally on ethics and professionalism, topics on which he frequently speaks at continuing legal educational seminars. He served on the Disciplinary Commission of the Arizona Supreme Court for six years, chairing the Commission from 1994-1995. During his tenure, he participated in more than 500 decisions involving lawyer misconduct. He also served on the State Bar's Ethics Committee and on its Ethical Rules Review Group, which rewrote the Rules of Professional Conduct for lawyers in Arizona. Other State Bar activities included serving as the 1996 State Bar Annual Convention Chair, serving on the Executive Council of the State Bar Real Property Section and on the State Bar Long Range Planning Committee. For five years, he was a Trustee of the State Bar's Client Protection Fund, and in 2008 was appointed to the State Bar Consumer Information and Education Task Force.

Mark's community leadership is evident in the numerous organizations which he has chaired. In addition, he is a Founding Partner of Social Venture Partners of Greater Tucson, a venture capital fund that invests in the non-profit sector. Mark was honored in 2009 with the AFP Spirit of Philanthropy Award and in 2005-2006 was the Tucson JCC Leader of the Year.

MARK RUBIN
Mesch Clark & Rothschild PC
259 N Meyer Avenue
Tucson, Arizona 85701
520-624-8886
520-798-1037 (Fax)
E-Mail: mrubin@mcrazlaw.com

PROFESSIONAL EXPERIENCE

1/2010-Present	Mesch, Clark & Rothschild P.C.
1/2000-12/2009	Law Office of Mark Rubin, P.L.C.
6/1983-12/1999	Slutes, Sakrison, Grant, Hill & Rubin, P.C.
10/1981-5/1983	Lieberthal & Kashman, P.C.

EDUCATION

BELOIT COLLEGE, Beloit, Wisconsin, B.A. in History

UNIVERSITY OF ARIZONA COLLEGE OF LAW, Tucson, Arizona, J.D.

BAR ADMISSIONS

- State Bar of Arizona, 1981
- U. S. District Court for the District of Arizona, 1981
- U. S. Circuit Court of Appeals for the Ninth Circuit, 1988
- U. S. Supreme Court, 1988

PROFESSIONAL AND CIVIC APPOINTMENTS AND AFFILIATIONS

- ◊ Arizona Foundation for Legal Services & Education Board of Directors (1996-2003; President, 2002)
- ◊ Beloit College Class Agent (1996-2006)
- ◊ B'nai Tzedek Jewish Youth Philanthropy Program Steering Committee (2006-2008; Chair, 2009-2011)
- ◊ Disciplinary Commission of the Arizona Supreme Court (1989-1995; Chair, 1994-95)
- ◊ Federal Bar Association Board of Directors, Tucson Chapter (1996-1998)
- ◊ James E. Rogers College of Law (University of Arizona) Board of Visitors (2002-Present)
- ◊ Jewish Federation of Southern Arizona Board of Directors (2007-2009)
- ◊ One Hundred Club of Southern Arizona Board of Directors (1982-2003; President, 2000-2002)
- ◊ Social Venture Partners of Greater Tucson (Board of Directors, 2006-2007; Chief Engager, 2011-Present)
- ◊ State Bar of Arizona Client Protection Fund Board of Trustees (2003-2008)
- ◊ State Bar of Arizona Ethical Rules Review Group (2001-2003)
- ◊ State Bar of Arizona Committee on Rules of Professional Conduct (2005-2007)
- ◊ State Bar of Arizona Real Property Section Executive Council (2005-2006)
- ◊ Tucson Jewish Community Center Board of Directors (1997-Present; Annual Giving Chair, 2009; Chair, 2007-2009; Vice Chair, 2005-2007; Treasurer, 2003-2005; Fund Development Chair, 2001-2006)
- ◊ United Way/Southern Arizona (Tocqueville Society Chair, 2005-2007; Legal Profession Chair, 1999-2001)

Lecturer on various topics–banking, business, commercial, employment and real estate law, lawyer ethics, professionalism and professional responsibility–for various educational and professional organizations, including National Business Institute, Inc., CLE International, Lorman Education Services, Pima County Bar Association and State Bar of Arizona, and various State Bar sections.

KRISTEN L. WENDLER

Kristen L. Wendler is a 2011 graduate of the James E. Rogers College of Law at the University of Arizona. While in law school, Kristen was a Writing Fellow in the Department of Legal Writing, and also clerked for Mesch Clark & Rothschild.

Additionally, she was the Business Editor for the *Journal of International and Comparative Law* and received the Outstanding Performance in Legal Writing Award. In 2009, she participated in the Comparative and International Law Program in Cape Town, South Africa.

After Kristen received her Bachelor of Arts in International Studies from the University of Wisconsin-Milwaukee, she moved to Tucson and worked in the construction industry as a Human Resources Specialist.

In her spare time, Kristen is an avid soccer player, and has worked with youth through such programs as the United Way Young Leaders Society, the Sabino Vista Soccer Club and through her church's Youth Group and Stewardship Committee. She also devotes her time to the Humane Society of Southern Arizona.

Kristen works in the firm's business, Real Estate and estate planning sections.

Mesch Clark & Rothschild PC

KRISTEN L. WENDLER
259 North Meyer Avenue
Tucson AZ 85701

EDUCATION

University of Arizona James E. Rogers College of Law, Tucson, AZ
Juris Doctor, May 2011

- Law College Assoc. Scholarship
- Outstanding Performance in Legal Writing Award
- Volunteer Lawyer's Program.; International Law Society; Community Service Board
- Business Editor, *Journal of International and Comparative Law*

University of Wisconsin-Milwaukee, Milwaukee, WI
Bachelor of Arts, International Studies, August 2005

- NCAA Women's Soccer Team
- Study Abroad: Paris - French Language, Culture and Civilization, July 2005

EXPERIENCE

Mesch, Clark & Rothschild, P.C., Tucson, AZ

Associate (January 2012 – Present)
Transactional attorney and member of the firm's business law, estate planning, and real property law sections.

Law Clerk (May 2010 – December 2011)
Executed research, and prepared motions, memos, court documents. Attended depositions, hearings, arbitrations, and other court proceedings.

University of Arizona, James E. Rogers College of Law, Dept. of Legal Writing, Tucson, AZ
Writing Fellow (July 2009 – May 2010)
Worked with international L.L.M. students in the summer and fall, and 1L writers in the spring semesters. Assisted students with citations and legal writing by editing their papers and offering positive feedback.

Sun Mechanical Contracting, Inc., Tucson, AZ
Human Resources Assistant (April – August 2008)
Organized and documented hiring, payroll and maintenance processes. Coordinated activities and benefits. Managed employee database. Performed weekly payroll process for 300+ employees.

Patio Pools & Spas, Tucson, AZ
Human Resources Assistant (September 2006 – April 2008)
Coordinated all employee benefits and wellness program. Organized company events. Conducted new employee orientations. Managed employee and recruiting database.

OTHER ACTIVITIES

- Arizona Women Lawyers Association, Member (January 2012 – Present)
- Fort Lowell Soccer Club, Board Member (July 2013 - Present)
- Humane Society of Southern Arizona, Development Committee Member (September 2013 - Present)
- Ishkash*taa Refugee Volunteer Organization, Family Mentor (2006 – Present)
- St. Matthew's Episcopal Church, Volunteer, Youth Group and Stewardship Committee (January 2011 – Present)
- Diaper Bank of Southern Arizona (2010 – 2011)
- U17 Girls Soccer Coach, Sabino Vista Soccer Club (January – August 2009)
- United Way Young Leaders Society, Executive Committee Member and Chair of Community Outreach Committee (2006-2009)
- Comparative and International Law Program, Cape Town, South Africa (June – July 2009)

Bankruptcy

"I enjoy helping many different kinds of local businesses find solutions to their financial problems, especially when I'm able to develop a legal strategy that enables a financially distressed business to pay its debts while continuing successful operations."

— Scott H. Gan

Bankruptcy and creditors' rights are complicated fields of the law that touch on many disciplines. Therefore, it requires a specialized area of expertise. Mesch, Clark & Rothschild, P.C. handles all aspects including:

- Litigation and negotiations for debtors, creditors and trustees, both in and out of the bankruptcy courts
- Recovering assets through foreclosure, collection, prejudgment remedies and lien enforcement
- Structuring sales and financing transactions in order to avoid adverse consequences in the event of a subsequent bankruptcy
- Handling workouts and reorganizations for debtors as well as secured and unsecured creditors.

Debtors' problems and creditors' rights present difficult challenges. Our attorneys continually monitor and share with clients developments in the law. Our experience and expertise in all aspects of this multifaceted field can help transform these challenges into opportunities.

Civil Litigation

"I can just step down the hall and ask Doug or Emery about something in their specialties, and they can ask me about mine. I think having that kind of ready expertise gives the client an edge."

— *Richard Davis*

Civil litigation accounts for the largest volume of work at Mesch, Clark, & Rothschild, P.C. The firm has an experienced, tested civil litigation team that is able to prepare complex cases, negotiate equitable settlements and aggressively represent clients before state and federal courts, includingappeals to the Supreme Courts of Arizona and the United States. MC&R also represents clients in both arbitration and administrative proceedings.

Civil litigation areas covered by MC&R include:

- Professional malpractice
- Environmental issues
- Product liability
- Antitrust matters
- Securities litigation
- Insurance bad-faith claims
- Personal injury
- Workers' compensation insurance
- Labor matters
- Commercial or corporate litigation
- Contractors disputes

"As the firm's primary appellate advocate, I enjoy the challenge of preparing and presenting cogent legal arguments to the state and federal courts of appeal."

— *Scott H. Gan*

MC&R litigation attorneys assist colleagues in other specialties within the firm, provide consultation to lawyers in outside practices and serve as trial and appellate counsel. Several cases handled by MC&R have established new principles of law in Arizona.

"My litigation skills were formed under the guidance of outstanding lawyers like Tom and Doug Clark and Richard Davis. This priceless training has helped me guide a number of cases to successful and satisfying outcomes."

-*Gary J. Cohen*

For example, MC&R attorney Douglas H. Clark, Jr. won the gratitude of some young athletes when he took a case involving a high school athlete to the Arizona Supreme Court. The high court ruled that the administrative agency overseeing high school sports in Arizona cannot declare young athletes to be ineligible to participate in interscholastic athletics without first providing them constitutional due process.

Construction and Surety Law

"Proper legal representation of sureties and construction contractors requires a broad knowledge of key construction issues, deep experience in preparing andexamining lay and expert witnesses and the ability to present complex issues in a manner that is easily understood by the decision makers."

— Melvin C. Cohen

Construction is a process in which the owner's dreams, the architect's vision, the engineer's skills, the lender's judgment, the general contractor's energy, the subcontractor's efforts, the supplier's commitment and the surety's understanding of the process results in a finished project. Construction demands the total dedication of everyone involved.

Having represented all of the various parties at different critical points in the construction process, Mesch, Clark & Rothschild, P.C., has been able to provide meaningful insight and skillful representation to:

- Sureties
- Public owners
- Private owners
- General contractors
- Prime contractors
- Subcontractors
- Suppliers
- Design professionals

Behind the MC&R reputation for being tough litigators and creative problem solvers are attorneys and support people who work together and who believe in a shirt sleeve approach to practicing law. The emphasis is on hard work and achieving positive outcomes in federal and state court litigation as well as arbitration and mediation.

MC&R's recognized experience in reorganization and bankruptcy matters enables us to provide our clients with unique services and perspectives not generally available in the construction and surety arena.

We first try to avoid lawsuits. The risk, time, expense and exposure in such suits not only eat up profits, they usually erode capital as well. Our lawyers' varied experience can assist the contractor, owner, surety or design professional in avoiding the risk and expense of a lawsuit.

However, if circumstances determine that litigation or arbitration are unavoidable, we are ready to protect our clients' interests vigorously.

Corporate & Business Practice

Legal issues involving business organization, banking, real estate and construction are critical to the economic development of Arizona. Mesch, Clark & Rothschild, P.C. established its corporate and business law practice to meet the needs of commerce and industry within this framework of economic growth.

MC&R business attorneys provide legal counsel in a wide range of matters, including:

- Business formation
- Merger, acquisition and consolidation
- Business reorganization
- Real estate and construction financing
- Real estate acquisitions and sales
- Sale-leaseback transactions
- Loan workout agreements
- Contract negotiation and enforcement
- Environmental compliance
- General and complex business litigation
- Alternate dispute resolution

MC&R attorneys help clients build a solid foundation for the future by establishing an appropriate business structure, record-keeping procedures, manuals, and employment contracts. MC&R's goal is to help clients avoid litigation.

Areas in which MC&R often provides litigation services include:

- Enforcement of business transactions
- Disputes involving contractors or subcontractors
- Construction defects and injury claims
- Real estate litigation
- Securities and insurance litigation and arbitration
- Employment disputes

"Our business lawyers have handled every aspect of a development project from the concept through construction, leasing to sale, and everything in between. We know the ropes about business."

— J. Emery Barker

Recognizing the special situations in Tucson, MC&R has developed practice sections of lawyers who deal with the challenges facing business. The Business Group, Health Care Group and Construction and Surety Group reflect MC&R's personalized attention to particular businesses - MC&R means business.

Employment Law

Employment law is a rapidly changing field that requires constant monitoring of state and federal government regulations and court rulings. Employee and employer rights can vary drastically depending on each situation's unique set of facts. **Mesch, Clark, & Rothschild, P.C. helps employers comply with government regulations in many ways, including:**

- Reviewing personnel policies and procedures
- Conducting employment audits
- Counseling employers about discharging employees
- Conducting employment law seminars
- Representing employees or employers in court and administrative hearings.

"Employment law is sometimes about speaking out for the civil rights of the voiceless. We offer protection and legal recourse in cases of discrimination and other offenses."

Other areas where clients can call upon MC&R for assistance include:

- Employee privacy issues such as the use of polygraph tests or medical confidentiality for employees who have life-threatening or potentially contagious diseases
- Drug, alcohol and theft problems
- No-smoking ordinances and policies

Employers must keep abreast of changes involving the Fair Labor Standards Act, the Equal Employment Opportunity Commission, the Occupational Safety and Health Act, the National Labor Relations Act, the Employee Retirement and Income Security Act and the Internal Revenue Service regulations - as well as numerous other laws. In addition, employers have to comply with state statutes and know the ins and outs of federal and state regulations affecting the workplace. MC&R attorneys monitor these areas and inform clients of changes planned or enacted.

Mesch, Clark, & Rothschild, P.C. also represents employees. A landmark Arizona case in which MC&R was involved established the rights of employees who report to the authorities their employers who commit illegal or improper acts. Tom Clark represented a police officer who had been fired for reporting instances of police brutality. Because of this case, whistle-blowers are now protected under Arizona law.

Estate Planning

"Estate planning is really an expression of care and concern for the persons one leaves behind."

— J. Emery Barker

Mesch, Clark & Rothschild, P.C. provides legal services in most areas of estate and trust planning and administration. MC&R attorneys handle a wide range of situations, including:

- Personal estate planning which includes wills, trusts, durable family powers of attorney and living wills
- Establishment of guardianships or conservatorships
- Gift tax planning which includes charitable gift transfers
- Management of probate-litigation cases involving will contests, disputes over asset ownership, interpretation of wills and trusts

The firm's pledge of quality service allows our clients to maintain their complete estate planning program in one place, with the assurance that all aspects of their estate planning and administration will be carefully administered.

MC&R employs a legal assistant whose specialty is probate, trusts, guardianships and the special type of accounting they require. The firm does this to provide continuing and cost-effective maintenance of trust and estate accounts.

Insolvency, Business Reorganization & Creditor's Rights

Mesch, Clark, & Rothschild, P.C. is recognized nationally for its business reorganization and bankruptcy practice. The firm's insolvency attorneys assist clients in identifying and resolving potential business reorganization problems, including analyzing credit difficulties, identifying viable remedies and developing contingency protection plans. Often, aggressive corrective steps can save a company or individual from having to file a bankruptcy petition with the court.

> ***"By spotting potential problems up front and firmly negotiating with adverse parties, we work hard to avoid the expenses of litigation, except when court involvement is to our clients' advantage."***
>
> *— Michael McGrath*

Whether representing creditors or debtors, negotiation can often lead to mutually satisfactory solutions in financial crises. MC&R investigates as many alternatives as possible before seeking court intervention.

The firm's business reorganization attorneys handle matters arising under the U.S. Bankruptcy Code, cases covered by creditors' rights, provisions of state law as well as out-of-court debt restructuring. Specific situations might include:

- Chapter 11 financing
- Acquisitions in the bankruptcy courts
- Reorganizations
- Loan workouts
- Credit arrangements
- Liquidations
- Assignments on behalf of creditors
- Proceedings under the Bankruptcy Code

Clients include debtors, bankruptcy trustees, creditors (such as financial institutions) and individuals, corporations and other businesses that seek alternatives to bankruptcy or solutions to creditors' problems.

Personal Injury

"Support and preparation are a team effort. But when it's time to try a case, the responsibility rests on one person - the attorney."

—Douglas H. Clark, Jr.

Mesch, Clark, & Rothschild, P.C. attorneys have a reputation for pressing hard, researching and obtaining good settlements on behalf of its personal injury clients. Personal injury situations include:

- Permanent disability or loss of security because of negligence, accident or product defect
- Emotional damage because of libel, slander, unjust termination or wrongful arrest
- Inappropriate insurance claims

MC&R's successful track record includes both familiar and unique cases. Cases that are frequently handled by the firm include those involving accidents, negligence, breach of contract and wrongful termination. MC&R cases have affected product liability and environmental legal issues. All proceedings require attention to detail, research, and creative approaches. MC&R has distinguished itself by its tenacity and exhaustive preparation.

The current trend in personal injury cases is toward mediation and arbitration. This approach keeps settlements out of court, provides a formal forum in which parties may settle their disputes, and saves litigation costs.

"When I am involved in a personal injury claim, I focus hard on what is fair and just."

— Gary J. Cohen

Real Estate

The primary responsibility of our seasoned and experienced real estate team is to provide the expertise that helps our clients avoid the pitfalls they might otherwise encounter in any real estate transaction, whether we are representing buyers, sellers, tenants or landlords. This often involves complex contract negotiations and the examination of such issues as zoning, survey or environmental concerns. MC&R attorneys have achieved notable successes in these areas.

"The main issue in real estate law is for us to make sure our clients are, in fact, getting what they think they're buying. This involves an extremely careful examination of all the contract terms, title reports, surveys and easements. The application of our skill and experience up front has saved MC&R clients a lot of money, time and trouble down the line."

— Melvin C. Cohen

MESCH, CLARK & ROTHSCHILD P.C.
ATTORNEYS

gcohen@mcrazlaw.com • www.mcrazlaw.com
259 N. Meyer Ave. • Tucson AZ 85701-1090
Ph: 520-624-8886 • Fax: 520-798-1037
Our File No. tba

August 16, 2013

City Clerk
City of Benson
120 W. 6th Street
Benson, Arizona 85602

RE: Retainer Agreement

To whom it may concern:

In accordance with the requirement of the Arizona State Bar, this letter will confirm the terms under which Mesch, Clark & Rothschild, P.C., will represent The City of Benson. In order to comply with Arizona State Bar regulations, please review this letter and if it meets with your approval, please sign and return the letter to our office.

1. It is important that you provide us with all information and documents regarding this matter so that we may better understand matters affecting your interest. Please securely retain all emails and other computer related documents. It is necessary that you will remain available to timely discuss issues concerning the case and promptly respond to our requests. You agree to keep us fully advised of any change in your address and are available to discuss your case.

2. Clients Represented. It is understood that we represent The City of Benson.

3. Staffing. I will have primary responsibility for this matter, but other partners and associates as well as paralegals will be involved in the preparation and analysis of your legal matters. We will use our best judgment to achieve your objectives, but you understand that we do not guarantee the outcome of any matter.

4. Fees. We will maintain records of the work performed and provide that with our monthly billing. I will charge an hourly fee of rates that are attached to tab five of this proposal.

A member of LEGUS, "A World Wide Association of Independent Law Firms."
Lowell E. Rothschild • Douglas H. Clark, Jr. • J. Emery Barker • Melvin C. Cohen • Richard Davis • Michael McGrath • Frederick J. Petersen
Michael J. Crawford • Scott H. Gan • Gary J. Cohen • Mark D. Rubin • Patrick J. Lopez • Sara C. Derrick • Paul A. Loucks • Thom K. Cope
Kasey C. Nye • Susan N. Goodman • David J. Hindman • Cassandra B. Meynard • Isaac D. Rothschild • Kristen L. Wendler
John K. Mesch (1922-2005) • Tom R. Clark (1944-2001)

In addition to being jointly and severally responsible for our fees for services, you agree to be jointly and severally responsible for all out of pocket disbursements. These typically include court costs, costs of depositions, witness fees, costs of expert witnesses, preparation of exhibits, computerized research, scanners, copying, photographs, delivery and courier services, data base retrieval services, long distance telephone calls, the costs for fax, postage and other expenses relating to a proper preparation of your case. You agree that all costs will be paid promptly upon billing.

All statements are due and payable upon receipt. Either of us may terminate representation at any time for any reason by written notice, subject to our obligation to conform to the rules of professional conduct and rules of court.

In the event you desire to terminate our services, you agree to pay all fees and costs which have been incurred to the date of termination. If payment is not made, you agree that we have a lien on your papers, documents, materials and other items in accordance with Arizona Rules of Professional Conduct. Any money we are holding in trust may be applied to all outstanding fees and costs before the money is returned to you.

I hereby grant my attorneys a lien on my cause of action and on all my funds, papers, documents, materials, or other forms which my attorney may have possession of, in connection with this matter, to secure payment of their fee and advances. I hereby authorize and agree that my attorneys shall retain their fee and advances from any amounts recovered in this matter by settlement, judgment, or otherwise, I agree that any such recovery may be applied by my attorneys to pay outstanding fees and costs in this matter, or any other matter they may be handling for me. My attorneys are hereby authorized to endorse my name to any checks or drafts payable to me for amounts recovered in this matter and to deposit same in trust to disburse such funds as provided in this agreement. I acknowledge that a lawsuit by its nature is unpredictable and that my attorneys have made no guarantee regarding the successful determination of any matter.

You agree to keep us advised on where and how you can be contacted and to cooperate in the preparation of matters relating to your case and to cooperate fully with us. We agree to keep you advised of the status of your case, the work to be done and strategy to be pursued.

It is important that you promptly disclose all relevant facts and issues. If your matter involves litigation you agree to comply with the discovery requirements and observe all deadlines. Failure to so cooperate, may subject you as a client to sanctions.

5. Document Retention. Due to the limitations of space and the cost of reproduction, we cannot maintain all of our client's files forever. During the course of our representation, you will be providing us documents and other materials. At the end of our engagement, we will return the documents and materials to you subject to our attorney lien if there is a dispute. We will contact you after we have sent notice to you, unless you request your documents at the end of our representation regarding what documents you may wish to be returned to you. You agree that it is your responsibility to request whatever material you may want to retain. You authorize Mesch, Clark & Rothschild, P.C., to destroy your file once it has remained closed for two years. We will send a confirming letter to you at the time your file is closed and you expressly give permission to Mesch, Clark & Rothschild, P.C. to destroy your file two years after it has been closed or to return the file to you.

In the event of a dispute between you and Mesch, Clark & Rothschild, P.C., regarding fees to be paid or any claims arising from or related to our representation, we both agree that all disputes will be resolved through compulsory arbitration in accordance with the rules of arbitration of fee disputes of the State Bar of Arizona by the fee arbitration committee. In the event of any other dispute, claim or controversy arising from or related to this agreement or our performance of services, all disputes shall be resolved by binding arbitration in accordance with the rules of arbitration of the American Arbitration Association in an arbitration proceeding to be conducted in Tucson, Arizona. Both parties agree to be bound by a decision of the arbitrator.

We will do our best to keep you regularly informed on the progress of your matter. If you have any questions, please contact our office. We will do our best to respond to your questions as soon as possible. There are times that our representation requires that we may be in trial or otherwise unavailable during the regular business days. We will do our best to contact you, but there may be circumstances where our response is slower than we would like.

Client understands that communicating by email may not be secure. Unless Client directs us not to use email, Client agrees that email may be used and waives any claim for breach of confidentiality and related claims from the use of email.

We look forward to representing you and thank you for requesting our assistance in this matter. If you have any questions, at any time, please contact me.

Very truly yours,

Gary J. Cohen

gkw

AGREED TO BY:

By:_____

PROPOSAL PRICE BREAKDOWN SHEET

City of Benson
RFP

MUNICIPAL LEGAL SERVICES

The undersigned authorized representative agrees to provide the services as requested based on the following schedule of fees:

A. Retainer (40 hours per month) $ Please See Attached per month

B. Hourly billing rate (in excess of 40/month) $ Please See Attached per hour

Firm Name: Mesch, Clark & Rothschild, P.C.

Address:
259 N. Meyer Ave.
Tucson, AZ 85701

Business Telephone:
(520) 624-8886

Business Fax
(520) 798-1037

E-mail Address
gcohen@mcrazlaw.com

Type of Organization

_____ A Professional Corporation, organized and existing under Arizona Law.

_____ A partnership (please list partners)

_____ A limited liability company (LLC)
(please list principals)

Gary Cohen 8/16/17

Signature of authorized representative Date

Gary Cohen

Printed or typed name Date

Exhibit A

Areas of Legal Services and Corresponding Rates

HOURLY RATES

Administrative Law

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Bankruptcy (Litigation/Adversary Proceedings)

Partner	$	325	/hr
Associate	$	250	/hr
Paralegal	$	110	/hr

Bankruptcy (Representing Creditor Claims)

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Constitutional Law

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Eminent Domain

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Employment and Labor Law and/or Personnel Issues and Litigation (Incl. Discrimination)

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Areas of Legal Services and Corresponding Rates

Engineering, Architectural and Construction Contracting Issues and Litigation

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Environmental Issues and Litigation

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Municipal Law

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Open Meeting and Public Records Law

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Planning, Zoning, Real Estate, Development and Land Use Issues and Litigation

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Police Legal Support and Issues

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

Areas of Legal Services and Corresponding Rates

Public Utility Law

Partner	$	175	/hr
Associate	$	135	/hr
Paralegal	$	110	/hr

366419

XL INSURANCE

Regulatory Office
505 Eagleview Blvd. Suite 100
Dept: Regulatory
Exton, PA 19341-0636
800-688-1840

COMPANY PROVIDING COVERAGE:

Greenwich Insurance Company

LAWYERS PROFESSIONAL LIABILITY DECLARATIONS – BAR PROGRAM

THIS IS BOTH A CLAIMS MADE AND REPORTED INSURANCE POLICY. PLEASE READ IT CAREFULLY.

COMPANY: Greenwich Insurance Company

POLICY NUMBER: LPB0040051

PRODUCER: WB Ahern Enterprises Inc. DBA Ahern Insurance Brokerage
9655 Granite Ridge Dr Ste 500
San Diego, CA 92123

RENEWAL OF: New Policy

PRODUCER #: 00387

THIS IS A CLAIMS MADE AND REPORTED POLICY. THIS POLICY APPLIES ONLY TO CLAIMS FIRST MADE AGAINST THE INSURED DURING THE POLICY PERIOD. THE CLAIM MUST BE REPORTED IN WRITING TO THE COMPANY DURING THE POLICY PERIOD OR WITHIN THIRTY (30) DAYS AFTER THE END OF THE POLICY PERIOD SHOWN IN THE DECLARATIONS UNLESS AN EXTENDED CLAIMS REPORTING PERIOD APPLIES. DEFENSE EXPENSES, IN EXCESS OF $50,000, ARE WITHIN AND REDUCE THE LIMIT OF LIABILITY. PLEASE REVIEW THIS POLICY CAREFULLY.

Item 1. **NAMED INSURED:**
MESCH, CLARK & ROTHSCHILD, P.C.; SEE ENDORSEMENT #002

Item 2. **ADDRESS:**
259 NORTH MEYER AVENUE
TUCSON, AZ 85701

Item 3. **POLICY PERIOD:** FROM February 24, 2013 TO February 24, 2014

12:01 AM Standard Time at the address of the **Named Insured** as stated herein.

Item 4. **LIMITS OF LIABILITY** (Inclusive of **defense expenses**):
$ 5,000,000 Each **Claim**

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$ 5,000,000 Each **Policy Period** Aggregate
$ 50,000 Per **Claim** additional **defense expenses**

Item 5. **DEDUCTIBLE** (Inclusive of **defense expenses**):
$ 25,000 Each **Claim**
$ N/A Annual Aggregate

Item 6. **PREMIUM: $71,470.00**

Item 7. **RETROACTIVE DATE:** October 1, 1957

Item 8. **NOTICES TO BE SENT TO:**

Report a Claim
XL Insurance
XL Select Professional Claims
14643 Dallas Parkway, Suite 770
Dallas, TX 75254

All Other Notices
XL Insurance
XL Select Professional
14643 Dallas Parkway, Suite 770
Dallas, TX 75254

Item 9. **ENDORSEMENTS ATTACHED AT POLICY EFFECTIVE DATE:**

Endorsement Number	Endorsement Form	Endorsement Title
	PN CW 02 05 05	Notice To Policyholders - Privacy Policy
	PN CW 05 1010	Notice To Policyholders - U.S. Treasury Department's Office of Foreign Assets Control ("OFAC")
	PN CW 01 1211	Notice To Policyholders - Fraud Notice
	IL MP 9104 0211 GIC	In Witness - Greenwich Insurance Company
Endorsement No. 001	IXI 400 0906	Countersignature Endorsement
Endorsement No. 002	XLSPLPL151 (09/08)	Named Insured Endorsement
Endorsement No. 003	XLSPLPL-AZ-1 (09/08)	Arizona Changes
Endorsement No. 004	XLSPLPL-AZ-2 (09/08)	Endorsement-Arizona
Endorsement No. 005	XLSPLPL-AZ-NOT (09/08)	Important Notice - Arizona Consumer Protection Notice
	XLSP-PPFBAR (09/08)	Lawyers Professional Liability - Bar Program

HAYD 03/08/2013
CMUR 0005154374

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