

Michael Vincent

PARTNER

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Office: Phoenix



Michael thrives on navigating complex disputes and envisioning creative solutions that see around corners to anticipate and resolve his clients' problems.

Michael handles complex commercial and civil litigation in a variety of industries, including construction, real estate, and financial services. He also represents clients in appeals at all levels in Arizona and federal courts.

Serving as counsel to several national banks, Michael advises on financial services related litigation matters ranging from UCC issues to defending lender claims in the tens of millions of dollars.

Michael applies his in-depth knowledge of finance, statistics, and technology to assist clients with cases involving technical complexities and intricate economic damages. When it comes to construction disputes (whether owners, contractors, or subcontractors), Michael relishes in the minutiae of specifications and drawings and uses this as an opportunity to find leverage points that lead to victories.

Early in his career, Michael served as a judicial law clerk in both the federal and state courts and at the trial and appellate levels. This experience provided an invaluable perspective on effective advocacy that resonates in the way he represents his clients

PRACTICES & INDUSTRIES

Business Litigation

Construction

Real Estate Litigation

ADMISSIONS

Arizona, 2012

U.S. Court of Appeals for the Ninth Circuit,
2020

EDUCATION

Sandra Day O'Connor College of Law, Arizona State University, J.D., *magna cum laude*, 2012

- *Jurimetrics: The Journal of Law, Science & Technology*, Production & Web Editor
- Law, Science & Technology Certificate
- Executive Moot Court Board
- Order of the Coif

Barrett, The Honors College, Arizona State University, B.A., Economics, *magna cum laude*, 2008

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today.

Outside of the office, Michael is currently working on a five-year desert mountaineering project.

EXPERIENCE

Identified a novel legal theory and developed it into a winning summary judgment motion in a \$60 million multiparty lender liability case, ending years of litigation and saving the client from an expensive and uncertain trial. Michael then successfully defended the summary judgment on appeal.

Defeated multimillion dollar claims brought by a terminated subcontractor against the general contractor client. Following Michael's cross-examinations of witnesses on the intricacies of sewage lift pumps and soil compaction specifications, the arbitrator ruled in favor of Michael's client on all seven of the subcontractor's claims (Miller Act, wrongful termination, Prompt Pay Act, etc.) and awarded the client its costs of hiring a replacement subcontractor, plus attorneys' fees and costs.

Convinced the Arizona Supreme Court to reject all prior nationwide decisions on the statute of limitations for a veil piercing claim and to adopt a theory that affirmed the client's summary judgment victory.

Obtained favorable clarification from the Arizona Court of Appeals of a personal representative's obligation to notify the decedent's known creditors of the time to present their claims, which affirmed the client's trial court victory in a published decision.

Litigated a legal malpractice claim against one of the largest law firms in Detroit, obtaining a \$5 million jury verdict that was upheld by the Sixth Circuit Court of Appeals.

Shut down a \$30 million+ legal malpractice claim against one of the country's largest law firms by obtaining summary judgment on theories of lack of damages and causation.

CLERKSHIPS

Honorable James A. Teilborg, U.S. District Court for the District of Arizona

Honorable Ann A. Scott Timmer, Arizona Supreme Court

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When an accredited investor in a closely-held business faced claims for breach of fiduciary duty and theft of trade secrets, Michael took the litigation from defense to offense, bringing securities fraud counterclaims and applying leverage that resulted in not only zero liability, but also a judgment in the investor's favor for rescission of his entire investment.

Appointed pro bono counsel in an appeal of unemployment benefits and, advocating from a limited evidentiary record, wrote a brief that forced a confession of error, winning a reversal for his client at the Arizona Court of Appeals.

RECOGNITIONS

Named to the *Best Lawyers: Ones to Watch® in America* list, 2021-2025

PROFESSIONAL & CIVIC ACTIVITIES

Sandra Day O'Connor Inn of Court, 2015 – Present

Volunteer, Arizona Council on Economic Education, 2021 – Present

Volunteer, Community Legal Services

NEWS

Best Lawyers® Names 34 Stinson Attorneys to *Best Lawyers: Ones to Watch® in America* List
08.15.2024

Eleven Attorneys Elected to Partnership at Stinson in 2023
01.05.2023

Goulder Provides *The Texas Lawbook* Insight into Chapter 7 Case, Alleged Ponzi Scheme
01.03.2023

Best Lawyers in America® Recognizes 29 Stinson Attorneys as "Ones to Watch"
08.18.2022

SPEAKING ENGAGEMENTS

"A New Frontier: Enforcing Waivers of the Implied Warranty of Good Workmanship and Habitability,"
Home Builders Association of Central Arizona, September 2019

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PUBLICATIONS

"Forcing a Venue Change by Affidavit: Arizona's Little-Known Statute," *Maricopa Lawyer*, September 2022

"Fishy Statistics: In re Consolidated Salmonid Cases and the Problem of Autocorrelation," *53 Jurimetrics*, 2013

Comment, "Computer-Managed Perpetual Trusts," *51 Jurimetrics*, 2011

Co-author, "Can Your Disability Insurer Dictate the Terms of Your Care?," *AzMedicine*, 2011

U.S. Supreme Court Provides Guidance on Litigation Over Arbitration Clauses
09.26.2024