

Michael Vincent

PARTNER

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Office: Phoenix



Michael thrives on sophisticated disputes, where his exceptional attention to detail enables him to create solutions that others cannot envision.

Michael's practice includes complex commercial and civil litigation, appellate law, and construction litigation. He serves as counsel to several national banks, handling a variety of financial litigation matters ranging from UCC issues to defending lender claims in the tens of millions of dollars.

Clients turn to Michael for advice when their case involves exceptionally complicated facts or legal theories because of his ability to deliver efficient, sophisticated analyses and creative approaches that turn problems into solutions.

Although many lawyers fear numbers, Michael embraces them. His skills in statistics, finance, and software development equip him to serve clients when their cases involve technical issues and sophisticated economic damages. Similarly, his attention to detail helps his clients in construction disputes (whether owners, contractors, or subcontractors) because Michael relishes the minutiae of specifications and drawings as an opportunity to find leverage points that lead to victories.

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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Michael Vincent

Prior to joining the firm, Michael served as a judicial law clerk in both the federal and state courts and at the trial and appellate levels, which allows him to offer invaluable perspectives on effective advocacy for his clients.

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.

In fall 2021, Michael defeated multimillion dollar claims brought by a terminated subcontractor against his 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. *Specialty Companies v. Meritage Homes*, 248 Ariz. 434 (2021).

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. *BMO Harris Bank v. Espiau*, 495 P.3d 928 (Ariz. Ct. App. 2021).

CLERKSHIPS

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

Honorable Ann A. Scott Timmer, Arizona Supreme Court.

Michael Vincent

Successfully 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.

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.

Michael was 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 2021-2023 *Best Lawyers in America*® "Ones to Watch" list

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

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

Best Lawyers in America Recognizes 23 Stinson Attorneys as "Ones to Watch"

08.19.2021

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Best Lawyers Recognizes 21 Stinson Attorneys as "Ones to Watch"

08.20.2020

SPEAKING ENGAGEMENTS

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

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

UPDATE: Arizona Stay at Home Executive Order

06.30.2020

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