

ROBERT H. MCKIRGAN

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Bob is one of the premier trial lawyers in Arizona. During his thirty-four year career, he has litigated and tried a number of bet-the-company cases and his experience ranges from commercial, intellectual property, bankruptcy and sports related matters. Prior to joining PSW, Bob was the Practice Group Leader of Lewis Roca's litigation group, overseeing over 100 lawyers in multiple offices across the Southwest.

He has been listed for several years in the major ranking publications, including Chambers, Benchmark Litigation, Best Lawyers in America and Southwest Super Lawyers. Chambers describes Bob as "a fantastic trial lawyer. He is incisive, strategic and has a great demeanor in the courtroom," and quotes a client "I go to him for high-stakes matters and complex litigations." Best Lawyers in America lists Bob in the categories of Bet-the-Company, Commercial, Bankruptcy, Intellectual Property and Real Estate Litigation and has named him "Lawyer of the Year" for Intellectual Property Litigation. Bob is also a Senior Fellow in the Litigation Counsel of America, an invitation-only trial lawyer honor society.

Prior to law school, Bob was a certified public accountant for two years with one of the Big Four accounting firms. His background gives him the superior ability to understand clients' businesses, financial statements, damages and other commercial issues.

Bob has handled numerous cases across the country and has tried several matters to verdict in jury trials, bench trials and arbitrations. Some of Bob's cases include:

- Lead trial counsel in a three-week trial in U.S. District Court (Nevada), obtaining a nationally publicized jury verdict that the writers, director and producers of the Broadway musical, Jersey Boys, infringed the copyright of an unpublished biography of one of the Four Seasons band.
- Lead trial counsel for a two-week trial in Illinois State Court (Cook County) arising out of a credit card data security breach, obtaining a directed verdict on an \$80 million consumer fraud claim.
- Lead trial counsel in two multi-week jury trials in U.S. District Court (Arizona) involving computer software and source code, obtaining a jury verdict in excess of \$5 million on copyright and fraud claims.



- Lead counsel for a bankruptcy trustee in an investigation of the demise of a publicly traded company, leading to several claims recovering hundreds of millions of dollars for the bankruptcy estate.
- Represented the majority owner of a professional sports franchise in the successful defense of breach of fiduciary duty claims brought by minority owners.
- Represented an Olympic athlete in successfully obtaining an injunction allowing her to compete in the Olympic trials after being suspended from competition for alleged steroid use.
- Representation of a large University in two NCAA investigations.
- Numerous matters representing law firms in legal malpractice and malicious prosecution actions.
- Several matters serving as an expert witness on standard of care issues in the defense of legal malpractice claims.
- Prosecution of fraudulent transfer actions, including recovering millions in cash and assets from an off-shore trust and Swiss bank account.

Being the recipient of excellent mentoring as a young lawyer, Bob has devoted himself to the mentoring and training of young lawyers. He is a faculty member for the National Institute of Trial Advocacy (NITA). He has served as a faculty member of the professionalism course given by the Arizona state bar. He has been an Adjunct Law Professor at the Arizona State University Law School and has presented at several continuing legal education seminars.

For a number of years, Bob has served as a judge pro tempore for the Maricopa County Superior Court and, in that capacity, has mediated dozens of cases.

Bob is an Advisory Board Member for the Arizona Equal Justice Foundation. His pro bono work has ranged from representing families in wrongful eviction and foreclosures to death row inmates.

Bob spends his spare time in the Rim Country, where he plays a lot of golf; going to Suns, Cardinals and Diamondback games with his son, Nick; and traveling with his partner, Hodessi, and her daughter, Shemiah.