



Overview

Mr. Leavitt represents and advises small and mid-size businesses in employment, landlord/tenant, and general litigation matters. He often serves as a de facto general counsel to business owners, providing practical advice on a variety of legal issues.

Contact

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- Phoenix, AZ

Areas of Focus

- Labor and Employment Law
- Commercial Litigation
- Landlord/Tenant Disputes
- Administrative Law
- Personal Injury Litigation



- Americans with Disabilities Act (ADA)

Education

J.D., Arizona State University, Sandra Day O'Connor College of Law (2011)

B.A., University of Alberta (2008)

Biography

Mr. Leavitt represents and advises small and mid-size businesses in employment, landlord/tenant, and general litigation matters. He often serves as a de facto general counsel to business owners, providing practical advice on a variety of legal issues. His appreciation for small businesses is due, in part, to his own family's entrepreneurialism. Mr. Leavitt's father, brother, and wife are all small business owners, providing him with first-hand knowledge of the issues small businesses face, enabling him to better provide clients with real-world and cost-effective solutions. Mr. Leavitt also serves as Chair of the firm's food, beverage, and hospitality practice.

Having represented hundreds of businesses and commercial property owners in accessibility lawsuits, Mr. Leavitt is also one of Arizona's most experienced Americans with Disabilities Act (ADA) defense attorneys. His clients range from billion dollar publicly-traded companies to local mom-and-pop businesses.

Admissions

Admitted to Practice

- Arizona (2012)

Court Admission

- U.S. District Court, District of Arizona (2012)

Representative Experience

Commercial and General Litigation

- Obtained summary judgment on behalf of an actuary whose consulting agreement was improperly terminated
- Represented the owner of an apartment complex against a contractor that improperly installed a defective HVAC system. Settled on favorable terms
- Defended a fast food franchisee in a lawsuit brought by the franchisor for breach of the franchise agreement. Settled on favorable terms

Americans with Disabilities Act (ADA)



- Successfully defended more than 300 ADA accessibility lawsuits
- Consulted Arizona and United States legislators and lobbyists regarding proposed ADA related legislation
- A frequent lecturer, presenter, and panelist on ADA issues and defense strategies

Employment Law

- Assists clients with the drafting of severance agreements, employment contracts, employee handbooks, non-competes and other employer/employee related documents
- Obtained summary judgment on behalf of an employer that was sued for gender discrimination and retaliation
- Successfully represented numerous public-sector employees in disciplinary hearings before city, county, and state personnel boards

Landlord/Tenant

- Represents residential and commercial landlords in forcible detainer actions
- Advises and represents both commercial landlords and tenants in all types of leasing disputes
- Obtained a full defense verdict after a bench trial on behalf of a commercial landlord that was sued by its tenant for breach of the lease agreement

Privacy Litigation

- Represented a medical marijuana dispensary against a class action lawsuit alleging violations of the Fair and Accurate Credit Transactions Act
- Represented an Arizona hotel in a threatened class action lawsuit alleging violations of the Telephone Consumer Protection Act. Received a full dismissal of all claims

Personal Injury/Wrongful Death

- Represented dozens of injured parties and their families in personal injury and wrongful death lawsuits, receiving numerous six and seven figure settlements

Media and Presentations

Articles

- Contributor, "[How to Protect Yourself From Frivolous ADA Lawsuits.](#)" *Az Business Magazine* (2016)
- Contributor, "[Phoenix-area activists, businesses go head-to-head in flood of Americans With Disabilities Act lawsuits.](#)" *The Arizona Republic* (2016)
- Contributor, "[Battling Drive-By Lawsuits.](#)" *Az Business Magazine* (2016)
- Contributor, "[Understanding Personal Injury Claims and How to Deal with Them.](#)" *Hotel Business Magazine* (2015)
- Author, "[Unpaid Interns May Be an Endangered Species Soon in AZ.](#)" *Record Reporter* (2015)
- Contributor, "[Balancing on the Internship Tightrope.](#)" *InBusiness Magazine* (2015)
- Author, "Police Officers and Protective Orders: What to know. What to do.," *Phoenix Law*



Enforcer: Official Publication of the Phoenix Law Enforcement Association (September/October 2013)

Blogs

- [“ADA Plaintiff’s Fernando Gastelum and Theresa Brooke Sue Hotels Over Online Reservation Policies,”](#) *Employment Law Times* (2017)
- [“ADA Plaintiff Theresa Brooke Sues Hotels Over Online Reservation Policies,”](#) *Employment Law Times* (2017)
- [“Serial ADA Plaintiff Theresa Brooke Returns to Arizona,”](#) *Employment Law Times* (2017)
- [“Blind Man Sues Arizona Businesses for Failing to Provide Websites that are Accessible to the Visually Impaired,”](#) *Employment Law Times* (2017)
- [“Proposed Overtime Rule Will Not Go Into Effect December 1, 2016,”](#) *Employment Law Times* (2016)
- [“Advocates for Individuals with Disabilities Foundation Continues to File Hundreds of ADA Lawsuits Every Month,”](#) *Employment Law Times* (2016)
- [“Advocates for Individuals with Disabilities Foundation has Filed More Than 950 ADA Cases in 2016,”](#) *Employment Law Times* (2016)
- [“Serial ADA Plaintiffs David Ritzenthaler and Santiago Abreu Have Sued More Than 450 Arizona Businesses in 2016,”](#) *Employment Law Times* (2016)
- [“Disabled Man Sues Dozens of Arizona Businesses Over Handicapped Parking Spaces,”](#) *Employment Law Times* (2016)
- [“It Begins: Arizona Restaurants/Bars Must Prepare for Tidal Wave of ADA Lawsuits,”](#) *Employment Law Times* (2015)
- [“An Employee Suffering From Alcoholism Is Protected Under the Americans with Disabilities Act,”](#) *Employment Law Times* (2015)
- [“Disabled Woman Sues More Than 100 Arizona Hotels for Failing to Provide Wheelchair Access to Pools/Hot Tubs,”](#) *Employment Law Times* (2015)
- [“Medical Marijuana in the Arizona Workplace,”](#) *Employment Law Times* (2015)
- [“Are Unpaid Internships Illegal in Arizona?,”](#) *Jennings Strouss Blog* (2015)

Interviews

- [“JSS Attorney Lindsay Levitt Discusses ADA Lawsuits,”](#) *AzTV* (2016)

Videos

- [“Three Things Every Pest Control Business Owner Should Know”](#) (2014)

Memberships

State Bar of Arizona

J. Reuben Clark Law Society

- Member, Board of Directors, Phoenix Chapter

