

Eric D. Gere

Chair, Business Litigation



Overview

Mr. Gere is Chair of the Firm's Business Litigation Department. He focuses his practice on general, commercial, and real estate litigation.

Contact

- P 602.262.5944
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Areas of Focus

- Commercial Litigation
- Real Estate Litigation

- Landlord/Tenant
- Construction Law
- Torts and Insurance Defense
- Personal Injury
- Tax, Real Property Tax, Transaction Tax, and Transaction Privilege Tax Litigation

Education

J.D., University of Washington School of Law (2004)

B.S., University of Washington (2000)

- *cum laude*

Biography

Mr. Gere is Chair of the Firm's Business Litigation Department. He focuses his practice on general, commercial, and real estate litigation. He has represented a variety of individuals and businesses in matters involving complex real estate transactions, landlord/tenant disputes, breach of contract, construction law and torts.

Admissions

Admitted to Practice

- Arizona (2005)

Court Admission

- U.S. District Court, Eastern District of Arkansas (2008)
- U.S. District Court, Eastern District of Michigan (2008)
- U.S. District Court, District of Arizona (2006)
- U.S. Court of Appeals, Ninth Circuit (2005)

Representative Experience

Commercial Litigation/Personal Injury Matters

- Represents a diverse client base, including public utility, community banks, farmers, a real estate holding companies, accountants, an engineering firm, Mexican businesses, etc., in commercial litigation matters
- Highlights: \$70 million judgment on behalf of community bank in fraud case against mortgage

broker/title company; successful defense of breach of contract/trademark infringement case involving claim for \$1.0+ million brought against family-owned skydiving business; jury verdict for \$1.1 million in Arkansas Federal District Court in favor of Mexican shrimp farmer; summary judgment in favor of Arizona public utility that was upheld by Arizona Court of Appeals in case involving locomotive accident; favorable settlements/summary judgment rulings in favor of public utility in multiple personal injury cases

Construction Litigation Matters

- Represents developers, general contractors, subcontractors and material suppliers in litigation pending in State and Federal Courts and before the Arizona Registrar of Contractor, as well as provide advice regarding general business matters
- Highlights: obtained \$2.0+ million arbitration award in favor of developer of an apartment complex in Show Low, Arizona; negotiated a favorable settlement for a subcontractor in mechanic's lien foreclosure action involving liens valued at nearly \$1 million; successfully represented multiple homeowners in lien foreclosure actions filed by general contractors

Sales Tax/Property Tax

- Represents taxpayers (individuals and businesses) in litigation and transactional matters involving state and local sales tax and real property tax
- Highlights: represented regional bank in real property tax appeal resulting in trial victory and refund of nearly \$500,000; obtained summary judgment in favor of nursing home against City of Peoria in sales tax dispute where City attempted to assess tax of nearly \$300,000 based on erroneous interpretation of City's tax code; represented multiple farmers in appeals challenging Maricopa County Assessor's classification of agricultural property and obtained refunds/decreases in tax assessment between \$100,000 and \$500,000

Real Estate

- Represent banks, developers, and homeowners in connection with matters related to the purchase and selling of real property/residences and disputes arising out of codes, covenants and restrictions
- Highlights: obtained summary judgment in a matter involving a claim for specific performance in connection with the purchase of office building worth \$2.0+ million; drafted, reviewed and revised terms of a complex purchase contract for sell/purchase of vacant land

Memberships

Maricopa County Bar Association (MCBA)

Community Involvement

Phoenix Suns Charities 88 (2013 – present)

Honors and Awards

- Listed, *The Best Lawyers in America*® in the category of Commercial Litigation (2021)
- Listed, *Southwest Super Lawyers*® in the category of Business Litigation (2017, 2019)
- Listed, *Southwest Super Lawyers Rising Stars*® in the category of Business Litigation (2012 – 2016)