

## Garrett J. Olexa

Member



### Overview

Mr. Olexa's broad-based practice includes commercial and personal injury litigation, real estate matters, business formation and corporate transactions, and estate planning.

### Contact

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- Peoria and Phoenix, AZ

### Areas of Focus

- Commercial Litigation
- Real Estate Transactions Litigation and Line Siting Hearings

- Business Formation and Corporate Transactions
- Estate Planning
- Labor and Employment Litigation
- Personal Injury Defense

## **Education**

J.D., Villanova University School of Law (1994)

B.S., LaSalle University, Business Administration (1991)

- *maxima cum laude*

## **Biography**

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## **Admissions**

### **Admitted to Practice**

- Arizona (1995)
- Pennsylvania (1994)
- New Jersey (1994)

### **Court Admission**

- U.S. District Court, District of Arizona (1995)

### **Representative Experience**

- Defended a Telephone Consumer Protection Act (TCPA) class action
- Prosecuted a commercial lease dispute for a manufacturer and retailer of high-end custom furniture resulting in a \$1.2M verdict
- Achieved a favorable Arizona jury award of \$3.7 million for an Arizona-based company stemming from a commercial dispute with a national company
- Defense of a billion dollar a year national company against claims for tortious interference, defamation and trade libel
- Representation of utility company in land disputes and related litigation
- Representation of utility company in line sitting hearings
- Representation of employers, employees, and independent contractors in business formation, contract drafting, general business and employment advice, and litigation

- Representation of commercial landlords and tenants in landlord/tenant disputes, litigation, and lease negotiations
- Representation of business owners, commercial contractors, and homeowners in breach of contract claims
- Representation of both parties in real estate breach of contract, negligence, and quiet title actions
- Representation of a national manufacturer of pool chemicals in class action product liability litigation
- Representation of defendant national liquor manufacturer in breach of contract action
- Representation of national manufacturers in multiple product liability cases
- Representation of plaintiffs (both persons and corporations) against manufacturers
- Estate planning advice and preparation

## Media and Presentations

### Articles

- Author, "[Legal Pitfalls of Unsolicited Texting and Calling](#)," *In Business Magazine* (February 2020)
- Author, "[Ethical Wills: Conveying More Than Just Your Assets to Beneficiaries](#)," *The Record Reporter* (2015)
- Author, "[Op-Ed: Read this before locking out a commercial tenant](#)," *AZ Big Media* (December 15, 2014)
- Author, "[Dangers on the Roadway](#)," *Advocate, Arizona Trial Lawyers Association* (2003)
- Author, "Benefits From Industry Victory In Buckman Are Likely to Be Limited," *Pharmaceutical & Medical Device Law Bulletin* (2001)

### Blogs

- "[Stuck At Home? No Better Time Than the Present to Create Or Update Your Estate Plan](#)," *Jennings Strouss Blog* (March 2020)
- "[Unusual Times Call For Businesses to Look to Seldom Invoked Contract Provisions, Coverages, and Legal Concepts](#)," *Jennings Strouss Blog* (March 2020)
- "[New Laws in Arizona Are Compelling LLC Members to Make Sure They Have Operating Agreements That Address Arizona's New 'Default Rules'](#)," *Jennings Strouss Blog* (September 2019)
- "[Is Texting Putting Your Business in Jeopardy?](#)," *Jennings Strouss Blog* (August 2019)
- "[Questions Concerning an Irrevocable Trust? Where to Look for Answers and How to Make Changes](#)," *Phoenix West Valley Law* (April 2017)
- "[The 'Sound Mind'](#)," *Phoenix West Valley Law* (2016)
- "[Do You Have an Exit Strategy from Your Business?](#)," *Phoenix West Valley Law* (2015)
- "[Contractual Arbitration Provisions: Are They Worth Keeping in Your Business Contracts?](#)," *Phoenix West Valley Law* (2015)
- "[Does Your Will Contain a Profession of Your Faith?](#)," *Phoenix West Valley Law* (2014)
- "[The Beneficiary Deed - Is It Right for You?](#)," *Phoenix West Valley Law* (2014)
- "[Lockout of a Commercial Tenant: The Pitfalls](#)," *Phoenix West Valley Law* (2014)

- ["Attention Realtors: Are You Engaging in the Unauthorized Practice of Law?"](#), *Phoenix West Valley Law* (2013)
- ["What Duties Does Your HOA Owe You?"](#), *Phoenix West Valley Law* (2013)
- ["Arizona Supreme Court Declines to Expand Economic Loss Doctrine,"](#) *Phoenix West Valley Law* (2013)
- ["Arizona Business Owners: Is that "Hold Harmless" Language in the Contract You Present to Customers Actually Providing You Protection,"](#) *Phoenix West Valley Law* (2013)
- ["Are Non-Compete and Non-Solicitation Agreements Employees Sign Enforceable in Arizona?,"](#) *Phoenix West Valley Law* (2013)
- ["Statute of Frauds Language Clarified by Arizona Court of Appeals,"](#) *Phoenix West Valley Law* (2013)

## **Presentations**

- "The New Arizona Limited Liability Company Act (ALLCA)," West USA Realty (August 2019)
- "RAJI 4th," State Bar of Arizona, Punitive Damages (2005)
- "Bringing Claims Against Major Foreign Manufacturers," Arizona Trial Lawyers (1998)

## **Memberships**

### **Arizona Business Leadership (AzBL)**

- Board Member (2020 – present)

### **West Maricopa County Bar Association**

- President (2011 – 2012)
- Treasurer (2010)
- Secretary (2009)

### **State Bar of Arizona**

- Member, Civil Jury Instructions Committee (2003 – 2005)

### **American Bar Association**

### **Maricopa County Bar Association**

### **Community Involvement**

### **Christ Church of the Valley**

- Volunteer (2017 – Present)

### **Leadership West**

- Graduate, Class XV (2009)
- Board of Directors (2011 - 2018)

### **City of Surprise Chamber of Commerce**

- Member (2014 - 2016)

### **City of Phoenix Committee**

- Member, Neighborhood Revitalization and Housing Subcommittee (2005)

### **Honors and Awards**

- [AV Preeminent® Peer Review Rated™](#)
- Top 10 Defense Verdicts in Arizona 2010, *Arizona Attorney*