

THORPESHWER



Mitchell Fleischmann

PARTNER

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Mitch focuses his practice in the areas of complex commercial litigation, real estate and business disputes, and tort law. In his diversified practice, Mitch has engaged in wide-ranging advocacy in domestic and international business and commercial litigation matters. In serving a diverse group of clients, ranging from individuals to large international corporations, Mitch has consulted, advised, litigated, and resolved matters involving, amongst others, contractual disputes, trade secret and unfair business practice matters, tort claims, fiduciary duties, and federal and state statutory violations. He has significant trial experience in both large and small-scale litigation matters, as well as written and oral advocacy experience in both federal and state appellate courts.

Mitch has additionally taught as a Professor of Law at two ABA-accredited law schools. His subject matter expertise focused on real property law, trial evidence, and contracts. He additionally served as the Director of a law-school research and writing program.

Mitch is an active member of the State Bar of Arizona and donates his time to the Volunteer Lawyers Program. He has previously served on numerous Board of Directors for charitable and non-profit organizations.

Related Practice Areas

- Appellate Litigation
- Employment Litigation
- Business and Commercial Litigation
- Financial Services
- Tort Defense
- Transportation Law
- Product Liability Claims
- Class Action Defense
- Construction Litigation
- Contract Disputes
- Franchise Disputes
- Healthcare Litigation
- Indemnity Claims
- Insurance Coverage and Bad Faith
- Intellectual Property Litigation
- Non-Competition Agreements and Restrictive Covenants
- Real Estate Litigation
- HOA Disputes

Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, District of Arizona
- Arizona Supreme Court

Professional Affiliations

- State Bar of Arizona, Member
- American Bar Association, Member
- Volunteer Lawyers Program, Member

Honors & Awards

- Southwest Super Lawyers, General Litigation
- Best Lawyers in America, Litigation - Real Estate

Representative Cases

- Represents national retailers, businesses and reinsurance companies in commercial and real estate disputes.
- Represents payment processor companies with respect to a variety of contract and tort disputes, including issues involving merchant agreements, ISOs and APAs.
- Represents largest massage and spa services franchisor in the country.
- Represents religious institutions in various trial-court and appellate matters.
- Represents municipalities in commercial and real estate disputes.
- Represents national solar companies in commercial disputes throughout Arizona.
- Represented one of the largest satellite television providers in the world in multibillion-dollar disputes involving retransmission and antitrust issues.
- Represented global aerospace, defense, and security corporation with respect to issues involving rocket technology and joint venture disputes.
- Represented Arizona-based university in breach of contract and declaratory judgment action related to facilities lease and staffing agreements.
- Represented internet service provider with respect to varied contractual disputes and issues related to litigation brought for comments made on internet blogs and websites.
- Represented national banking institution against charges of fraud, breach of fiduciary duty, and UCC violations.
- Represented large milk-marketing cooperative in litigation related to rights associated with the membership agreement.
- Represented national sports league against breach of license agreement claims brought by expansion team.
- Represented individuals, as well as world-class luxury community, in real property and homeowner disputes.

Education

- University of Arizona, James E. Rogers College of Law, J.D.
 - *Arizona Law Review*, Executive Note Editor
- University of Arizona, B.S., *cum laude*