



JENNINGS HAUG  
KELEHER MCLEOD  
WATERFALL LLP



602.234.7836

[bdm@jkwlawyers.com](mailto:bdm@jkwlawyers.com)

2800 North Central Ave.  
Suite 1800  
Phoenix, AZ 85004

#### **SERVICES**

- Business Bankruptcy and Creditors' Rights)
- Construction Law
- Litigation
- Appellate
- Mediation & Arbitration

# Brian D. Myers

Brian Myers represents clients in a wide variety of commercial litigation, including matters involving commercial lending, construction, and real estate litigation. His experience in representing entities and individuals in collection matters is extensive. Brian regularly employs various pre-judgment and post-judgment remedies on behalf of his clients, including replevins, garnishments, writs of execution, and judgment debtor examinations. Brian has represented numerous financial institutions and equipment leasing companies in actions to recover equipment and other assets/collateral through the use of pre-judgment Orders of Replevin. His experience involves working and coordinating with the U.S. Marshall's Office and various County Sheriff's Offices across Arizona.

In the area of construction litigation, Brian regularly represents general contractors, subcontractors, and material suppliers in contract disputes; Prompt Payment Act claims; Mechanic's and Materialman's Lien foreclosures; and actions before the Arizona Registrar of Contractors. His construction law practice includes nearly two decades of representing contractors in the fire and water restoration industry.

Brian's experience in real estate disputes has involved commercial and residential evictions, purchase contract disputes and representation of property owners in encroachment and property easement disputes.

Brian earned dual degrees from Arizona State University and is an avid Sun Devil fan. He earned his law degree from Whittier Law School in Los Angeles, California, in 1996 and is admitted to the State Bar of Arizona.

## **REPRESENTATIVE ENGAGEMENTS**

---

- Acted as local counsel and assisted in obtaining a \$26 Million judgment for trade secret misappropriations in favor of aerospace industry client and against a bidding competitor for a procurement with the U.S. Department of State.
- Complex pre-judgment replevins have included retail inventory seized from five different retail store locations and a warehouse all at the same time to collect \$2 million debt owed to national distributor; 18 different pieces of equipment and scrap metal inventory seized to collect \$1.7 million debt owed to financial institution; 12 tractor trailers seized from moving company yard to collect \$3 million debt owed to financial institution; and, recovery of 600 head of cattle located in four different counties across Arizona to collect \$5 million debt owed to agricultural lender.
- Representation of Park Western Financial Corporation, d.b.a. Park Western Leasing, in over 250 matters involving pre-judgment replevins and post-judgment seizures of leased equipment and additional collateral, including tractor trailers; heavy construction equipment; tow trucks; restaurant equipment; and, personal vehicles.
- Representation of Pinnacle Restoration, LLC, and V.B.S. Construction, Inc., for more than a decade in litigation related to fire/water damage restoration projects.
- Representation of several financial institutions, including Johnson Bank and Great Western Bank, in the collection of commercial loan defaults.
- Representation of agricultural lenders including Farm Credit Services Southwest, Farm Credit West, and Farm Credit Services of America in the collection of agricultural related loan defaults.
- Representation of various manufacturers, including Canyon Creek Cabinet Company and 3D Systems Corporation, in claims for against delinquent distributors/dealers.

## **BAR ADMISSIONS**

---

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

## **EDUCATION**

---

- Whittier Law School, Los Angeles, CA; Juris Doctor (1996)
- Arizona State University, Bachelor of Science /M.P.A. (1990/1992), Political Science/Urban Management & Planning

## **PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS**

---

- State Bar of Arizona
- Maricopa County Bar Association
- Arizona State University Alumni Association
- National List of Attorneys