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### Contact American Arbitration Association

3200 N. Central Ave.  
Suite 1560  
Phoenix, AZ 85012  
telephone: 602-734-9333  
facsimile: 602-230-2151

**Donald R. Alvarez,  
Esq.**

**Current Employer-Title** Alvarez & Gilbert, PLLC - Partner

**Profession** Attorney - Commercial, Business and Tort Litigation; Real Estate and Construction Litigation and Transactions; Plaintiff's Personal Injury

**Work History** Arizona: Partner, Alvarez & Gilbert, 1997-present; Partner, Warner, Alvarez & Gilbert, 1996-97; Partner, Warner & Alvarez, 1991-96; Partner, Warner, Alvarez, McCarthy & Palmer, 1986-91; Associate, Warner & McCauley, 1980-86; New York: Associate, Milne & Rotundo, 1976-79.

**Experience** AV rated with over 35 years of experience as a civil trial lawyer with emphasis on Construction, Commercial, Business, and Real Estate Litigation and Transactions, as well as Tort Litigation, personal injury (plaintiff's and defense) and consumer law. Has handled a wide variety of matters, including: business disputes arising from commercial and construction breach of contract claims; construction defects; covenants not to compete; breach of fiduciary duty; theft of trade secrets; anti-piracy; unfair competition; business buy-sell agreements; company dissolutions; disputes among partners, shareholders, members and other business principals of various entities; real estate and construction disputes arising from all types of construction projects; real estate purchase

and sale agreements; commercial and residential leases; residential and commercial foreclosures; bankruptcy issues; consumer fraud; property damage and bodily injury. Has represented owners, architects, engineers, general contractors, subcontractors, and material suppliers involving breach of contract, construction defects, performance delay, lien and bond claims, collections, and Registrar of Contractors issues. Arizona counsel for a national home builder, handling matters relating to construction (including Registrar of Contractor issues), construction financing, loan security (including mortgages and deeds of trusts), and foreclosures. Arizona counsel for two international roofing materials manufacturers handling matters involving contracts, collections, materials defects, specifications, bidding and bid protests, bond and lien claims, licensing, materials application, and public project procurement issues.

**Alternative Dispute Resolution Experience** Served as AAA Commercial Panelist since 1981. Extensive experience in over 250 AAA arbitrations, as both an arbitrator and as counsel. As a panelist, served in numerous cases involving residential, commercial, industrial and public construction projects, including construction defects (with issues involving framing, roofing, electrical, plumbing, HVAC, concrete, soils compaction, grading and drainage and foundations), ranging from dispute amounts of under \$10,000 to tens of millions of dollars. Served on a panel in a complex multi-million dollar securities litigation, involving the buy out, by a large producer/distributor of electronic and computer equipment and components, of a smaller subdistributor/franchisee company, which involved issues of securities fraud, common law fraud, statutory fraud, intentional misrepresentation, negligent misrepresentation, and insider trading. Served on a panel in a multimillion dollar construction dispute involving a resort and master planned residential community. Also served as an arbitrator in a number of other cases involving the purchase and sale of various types of businesses. Appointed arbitrator in various Arizona Superior Court, Maricopa County, cases involving all types of civil matters.

**Alternative Dispute Resolution Training** State Bar of Arizona, Arizona's New Revised Uniform Arbitration Act and Arbitration Case Law Update, 2010; Private Arbitration Update, 2009; AAA Arbitrator Ethics & Disclosure (ACE003), 2008; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2007; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005), 2006; AAA Dealing with Delay Tactics in Arbitration (ACE004), 2005; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2003; AAA Construction Industry Arbitrator II Training: Advanced Case Management Issues, 2001; AAA Arbitrator Update 2001; Maricopa County Bar Association, Handling a Commercial Arbitration Case Seminar, 2000; AAA Construction Arbitrator Training, 1996; various other ADR training.

**Professional Licenses** Admitted to the Bar: New York, 1976;

Arizona, 1980; U.S. District Court: Northern (1976) and Southern (2010) Districts of New York; District of Arizona, 1980; U.S. Court of Appeals, Ninth Circuit, 1981; District of North Dakota, 2010.

**Professional Associations** American Bar Association; New York State Bar Association; State Bar of Arizona; American College of Barristers (Senior Counsel); Maricopa County Bar Association (Construction Law Section); Maricopa County Bar Foundation; Arizona Trial Lawyers Association; American Association for Justice (formerly the Association of Trial Lawyers of America); Scottsdale Bar Association; Youth Partners Foundation; City of Scottsdale Judicial Appointments Advisory Board.

**Education** Allegheny College (BA-1972); Albany Law School (JD-1975).

**Compensation** \$350 Per Hour

Hourly rate charged for all proceedings including hearings, preliminary hearings, conference calls, correspondence, preliminary orders, study time and writing awards. Will serve throughout U.S. and AZ. Bills out-of-pocket expenses in cases where travel required but not travel time.

**Citizenship** United States of America

**Locale** Scottsdale, AZ

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