



Clients benefit from Robert's practice experience and his ability to tailor effective strategies that meet their goals.

*"One of the better-known litigators in the state and has a proven track record in handling litigation involving copyright infringement, fraud, and breach of fiduciary duty."
- Chambers USA*

Robert McKirgan practices primarily in the area of business, intellectual property, and bankruptcy-related litigation. He is an experienced trial lawyer and has successfully tried numerous jury trials, bench trials, and arbitrations, including obtaining winning jury verdicts for clients in fraud, breach of fiduciary, and copyright infringement actions.

Robert is a former certified public accountant with an extensive business background and has been listed in *Best Lawyers* for several years in commercial litigation and bet-the-company litigation.

Personal Approach

With a proven track record and strength across practice areas and experience in different industries, Robert effectively assists his clients in a broad range of litigation matters. He is committed to learning his client's industry, business structure, operations, and goals to better counsel and advance their interests. Robert does not shy away from the tough questions and values the candid conversations around budgets, goals, and roadblocks clients encounter. His tireless work ethic revolves

Practices

- Bankruptcy and Creditors' Rights
- eDiscovery and Data Management
- Intellectual Property Litigation
- Litigation and Disputes
- Professional Liability and Discipline
- Intellectual Property
- Securities Litigation and Enforcement
- Class Actions
- Business Torts and Partnership Disputes
- Labor and Employment

Industries

- Sports, Entertainment, and Recreation
- Real Estate and Construction
- Educational and Research Institutions
- Outdoor Recreation
- Sports

around providing a high-quality client service approach that effectively addresses the client's priorities. Clients value Robert's experience and calm pertinacity throughout the litigation process and the practical solutions he proposes.

Robert enjoys spending his free time in the Mogollon Rim area of Arizona, where he golfs, fishes, and hikes.

Education

- J.D., magna cum laude, University of Illinois College of Law, 1987
- B.S., with high honors, University of Illinois, 1982

Bar Admissions

- Arizona, 1987

Community

- Firm Management including Executive Committee, head of Business Litigation Group, chair of Finance Committee
- Litigation Counsel of America, Senior Fellow
- Arizona State University Trial Advocacy, Adjunct Law Professor
- Arizona Equal Justice Foundation, Advisory Board Member
- National Institute of Trial Advocacy, Faculty Member
- Professionalism course given to all State Bar members, Faculty Member
- Volunteer Lawyers Program and the Tenants Rights Clinic, Active
- Maricopa County Bar Association, Member

Representative Matters

Robert has handled a variety of complicated litigation matters in state and federal courts across the country involving business torts, professional and director and officer liability, class actions, deepening insolvency, fraudulent transfers, copyright infringement, and sports-related issues:

- Defended former majority owner of a professional sports franchise in breach of fiduciary duty claims brought by minority owners.
- Representing credit card processing company in copyright infringement and fraud claims involving computer source code. In bifurcated matter in federal court, obtained two winning jury verdicts and multimillion-dollar award for client.
- Representing widow of author of unpublished biography of a musical group in asserting copyright infringement and other claims against producers, writers and director of successful Broadway musical, obtaining unanimous jury verdict in favor of client.

- In a class action, represented an insurance carrier in action brought by insureds under automobile insurance policies arising out of the alleged use of non-manufacturer parts in repairs.
- Represented board of directors of publicly traded company in a bankruptcy reorganization, resolving threatened claims by bankruptcy estate and director and officer insurance coverage issues.
- Represented a university in a hearing in front of the NCAA's Committee on Infractions related to alleged violations of NCAA rules by the University's baseball program.
- Represented director and officer insurance carrier in a coverage action brought by an insured under the policy. After seven day arbitration, the three person panel rendered a complete defense verdict.
- Represented bankruptcy trustees in two of the largest personal bankruptcies ever filed in recovering assets fraudulently transferred prior to bankruptcy.
- Represented Olympic athlete in successfully obtaining injunction allowing her to compete in Olympic trials after being suspended from competition for alleged steroid use.
- Prosecution of numerous fraudulent transfer actions, including recovering millions in cash and assets from an off-shore Trust and Swiss bank account.
- Defended a number of law firms in legal malpractice, breach of fiduciary duty and malicious prosecution actions.
- Served as an expert witness on standard of care issues in defense of legal malpractice claims.
- Significant experience in alternative dispute resolution matters. Successfully mediating dozens of cases as Judge Pro Tem. Robert has also been retained by parties and appointed by courts to serve as an arbitrator and discovery master in commercial litigation matters.

Honors & Recognitions

- The Best Lawyers in America, Bet-the-Company Litigation, Commercial Litigation, Bankruptcy Litigation, Intellectual Property Litigation, and Real Estate Litigation, 2005-2022
- Fellow, Litigation Counsel of America
- Benchmark Litigation, "Local Litigation Star" in Arizona, 2014-2021
- Southwest Super Lawyers, Business Litigation and Bankruptcy/Creditors Rights, 2007-2021
- Chambers USA, Litigation: General Commercial, 2012-2021
- The Best Lawyers in America - Lawyer of the Year, Phoenix, Intellectual Property Litigation, 2013
- Martindale-Hubbell, "AV/Preeminent Attorney" rating
- Arizona's Finest Lawyers
- Super Lawyers Corporate Counsel, Business Litigation

News

- Lewis Roca Lawyers Recognized as “Litigation Stars” by Benchmark Litigation 2022
Press Release | 09/30/2021
- Lewis Roca Lawyers Named to 2022 *Best Lawyers* List
Honors & Recognitions | 08/19/2021
- Lewis Roca Recognized by *Chambers USA* 2021
Honors & Recognitions | 05/20/2021
- Lewis Roca Lawyers Recognized as 2021 *Southwest Super Lawyers*® and *Southwest Rising Stars*®
Honors & Recognitions | 04/8/2021
- Lewis Roca Receives High Honors from Benchmark Litigation 2021
Press Release | 10/14/2020
- Lewis Roca Lawyers Recognized as The Best Lawyers in America© 2021
Press Release | 08/20/2020
- Lewis Roca Recognized by Chambers USA 2020
Press Release | 04/24/2020
- Lewis Roca Lawyers Recognized as 2020 Southwest Super Lawyers® and Southwest Rising Stars®
Honors & Recognitions | 04/6/2020
- Thirteen Lewis Roca Lawyers Recognized in Benchmark Litigation 2020
Honors & Recognitions | 11/5/2019
- Lewis Roca Lawyers Recognized as The Best Lawyers in America© 2020
Press Release | 08/15/2019
- Lewis Roca Rothgerber Christie Recognized by Chambers USA 2019
Honors & Recognitions | 04/25/2019
- Lewis Roca Rothgerber Christie Lawyers Recognized as 2019 Southwest Super Lawyers® and Southwest Rising Stars®
Honors & Recognitions | 04/15/2019
- Lewis Roca Lawyers Recognized as The Best Lawyers in America© 2019
Press Release | 08/15/2018
- Lewis Roca Rothgerber Christie Recognized by Chambers USA 2018
Lewis Roca Rothgerber Christie announces 22 attorneys and seven practice areas are recognized by Chambers USA 2018
Honors & Recognitions | 05/3/2018
- Lewis Roca Rothgerber Christie Lawyers Recognized as 2018 Southwest Super Lawyers® and Southwest Rising Stars®
Lewis Roca Rothgerber Christie announced 25 attorneys have been recognized as 2018 Southwest Super Lawyers® and 13 attorneys have been named as 2018 Southwest Rising Stars®.
Honors & Recognitions | 04/23/2018

- Lewis Roca Rothgerber Christie Named Southwest Litigation Firm of the Year by Benchmark Litigation
Nineteen of the firm's attorneys are listed as "Star" litigators in the 2018 edition
Honors & Recognitions | 02/23/2018
- Lewis Roca Rothgerber Christie Earns 'Highly Recommended' Ranking From Benchmark Litigation
20 attorneys recognized in peer-reviewed annual guide to top U.S. litigation firms
Honors & Recognitions | 10/10/2017
- Partners Honored as Lawyer of the Year by Best Lawyers
85 Lewis Roca Rothgerber Christie attorneys in The Best Lawyers in America 2018
Press Release | 08/15/2017
- Lawyers, Practices Earn Recognition in Chambers USA 2017
Rankings reflect research findings based on client and peer feedback
Honors & Recognitions | 05/31/2017
- Freeman Named in Top 25 Arizona Women Lawyers
Annual listings reflect professional achievements for Arizona, New Mexico attorneys
Press Release | 04/11/2017
- Unanimous Federal Jury Finds Jersey Boys Musical Infringes Unpublished Book
After nearly nine years of legal wrangling and a four-week trial a decision has been made.
Press Release | 12/1/2016
- Benchmark Litigation Affirms 'Highly Recommended' Ranking for Multiple Lewis Roca Rothgerber Christie Offices
22 individual attorneys included in peer-reviewed annual guide of top U.S. litigation firms
Honors & Recognitions | 10/10/2016
- Lewis Roca Rothgerber Christie Attorneys Named in 'Best Lawyers'
11 partners also honored as 'Lawyer of the Year' in The Best Lawyers in America® 2017
Honors & Recognitions | 08/15/2016
- Chambers USA Recognizes Lewis Roca Lawyers
Annual rankings reflect law firm's focus on client service, value, commitment to excellence
Honors & Recognitions | 5/27/2016
- McKirgan Inducted into Litigation Counsel of America
Fellowship recognition granted by national trial lawyer honorary society
Press Release | 05/24/2016
- Arizona, New Mexico Lawyers Selected as Southwest Super Lawyers
Annual listings reflect peer recognition and professional achievement
Press Release | 04/12/2016

Blog Posts

- COVID-19 Legal Rapid Response Team
Lewis Roca Blog, 03/13/2020

Events

- Presenter, “The Use of the CPA in Bankruptcy Litigation,” presented at the AICPA National Conference on Fraud and Litigation Services, September 28, 2007
- Presenter, “Trustee Standing in Bankruptcy Cases,” presented at ABA Business Bankruptcy Committee Meeting, November 2, 2006