



LINDSAY LEAVITT
Director

Business Litigation

Phoenix

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LINDSAY LEAVITT

Lindsay G. Leavitt is a Director in Fennemore's **Business Litigation** practice group, representing and advising companies of all sizes in employment and business litigation matters. Lindsay believes that hiring a litigator should be viewed as a business investment, and he strives to get his clients a good return on their investment. He is valued by his clients for his aggressive, yet practical approach to resolving their legal disputes, many times before a lawsuit is even filed.

When there is no other option, however, he has prevailed in matters ranging from garden-variety employment disputes to high-stakes, bet-the-company cases.

Lindsay's practice includes commercial and real estate litigation, where he has successfully represented hotel purchasers in fraudulent misrepresentation and failure-to-disclose lawsuits, secured summary judgment in seven-figure contract disputes, and achieved dismissals in multimillion-dollar class actions. He often represents commercial buyers and sellers in disputes arising from purchase agreements, advises commercial landlords and tenants in leasing conflicts, and has obtained favorable verdicts and resolutions for clients in a wide variety of breach of contract matters.

Many business owners and operators rely on Lindsay to provide counsel and representation in employment matters, including restrictive covenants, handbooks, and severance agreements. He also defends employers in judicial and administrative proceedings involving claims of discrimination, harassment, and wage and hour issues. He regularly represents executives and high-level employees in severance negotiations.

A strong advocate for the hospitality industry, Lindsay has defended more than 400 hotels and resorts throughout the U.S. in claims brought under the Americans with Disabilities Act (ADA). His clients include owner-operators, hotel management companies, and some of the largest hospitality companies in the world. He is often asked to consult with legislators and industry groups on ADA-related legislation and frequently speaks on ADA compliance and defense strategies.

Lindsay also serves as outside counsel to some of Arizona's largest credit unions, providing advice and representation on regulatory matters, vendor agreements, creditor's rights, employment, and general litigation matters.

EDUCATION

J.D., Arizona State University, Sandra Day O'Connor College of Law

B.Ed., University of Alberta

AREAS OF PRACTICE

OTHER EXPERIENCE

Hotel and Hospitality

General Counsel Services

Credit Unions

ADA & Accessibility

Business Litigation

Labor & Employment

ADA and Accessibility

REPRESENTATIVE MATTERS

Successfully represented multiple hotel purchasers in fraudulent misrepresentation and failure-to-disclose lawsuits against the sellers.

Defeated a commercial tenant's multi-year attempt to exercise purchase options pursuant to a lease that it was in default under.

Obtained summary judgment on behalf of an actuary whose seven-figure consulting agreement was improperly terminated.

Achieved full dismissal of all claims for a medical marijuana dispensary against a \$30 million+ class action lawsuit alleging violations of the Fair and Accurate Credit Transactions Act (FACTA).

Obtained a full dismissal on summary judgment and was awarded his attorneys' fees on behalf of a small business in a bet-the-company breach of contract case with alleged damages exceeding \$4 million.

Obtained a full defense verdict on behalf of a commercial landlord that was sued by its tenant for a material breach of the lease agreement.

Represented an independently-owned pharmacy against its commercial landlord for breach of the lease and wrongful eviction. The case was settled on the eve of trial for an amount that was 5x higher than the landlord's previous offer to the pharmacy.

AWARDS AND HONORS

Phoenix Business Journal, 40 Under 40 Awards, 2020

Best Lawyers in America®, Commercial Litigation, 2024-2026; Employment Law – Management, 2024-2026

Southwest Super Lawyers Rising Stars®, Business Litigation, 2019-2024; Civil Rights, 2022; Employment Law, 2022

ARTICLES AND PRESENTATIONS

Interview, "Local Learning Lab: The Legal Necessities: Building Trust for Local Businesses," Local First Arizona Podcast, December 3, 2024

Author, "Unpaid Wages, Compensation, and Tips, Oh My! Three Legal Issues Employers Need to Know," Greater Phoenix InBusiness Magazine, November 1, 2024

Author, "Three Employment Law Issues That Business Owners Should Understand: Q&A With an Employment Law Attorney," Phoenix Business Journal, September 4, 2024

Presenter, "How to Avoid the Top Three Legal Pitfalls in Business," Local First Arizona, August 21, 2024

Author, "Two Employment Issues That Every Employer Should Know," AZ Big Media, August 15, 2024

ADMISSIONS

Arizona

U.S. District Court, District of Arizona

U.S. District Court, Northern District of Texas

U.S. District Court, District of New Mexico

U.S. District Court, District of Colorado

U.S. District Court, Eastern District of Wisconsin

U.S. Court of Appeals, Ninth Circuit