



MICHAEL KITCHEN JR.

Michael Kitchen Jr. is a Director in Fennemore's **Business Litigation** and Probate Litigation practice groups. He assists clients with probate disputes (including representing both personal representatives and trustees as well as beneficiaries in will and trust contests and disputes, financial exploitation, capacity, and undue influence issues), partnership disputes, contract disputes, and business torts matters.

Prior to joining Fennemore, Michael served as an attorney at a top-rated law firm where he focused his practice on business and contract disputes and probate litigation. With over 25 years of experience, Michael has obtained favorable results in numerous matters, including an appeal concerning a claim against the Arizona Attorney General, overcoming the defense of absolute executive immunity, an appeal in defense of a racketeering claim relating to a labor dispute, a resolution during jury trial in a multimillion-dollar accounting liability case, two successive bench trials concerning a partnership dispute, and successful outcomes in numerous jury trials.

EDUCATION

J.D., University of Arizona, James E. Rogers College of Law

B.A., University of Arizona

AREAS OF PRACTICE

OTHER EXPERIENCE

Civil Litigation

Probate Litigation

Business Litigation

REPRESENTATIVE MATTERS

Prevailed on appeal concerning a claim against the Arizona Attorney General, overcoming the defense of absolute executive immunity. 214 Ariz. 175 Div. 1, 2007

Prevailed on appeal in the defense of a racketeering claim relating to labor dispute. 615 F.3d 312 4th Cir., 2010

Prevailed on appeal in a real estate purchase contract matter. 2019 WL 4793123 Div. 1, 2020

Prevailed on appeal in a business dispute. 2020 WL 6140626 Div. 1, 2020

Prevailed on appeal in a business purchase contract matter. 2020 WL 1862376 Div. 1, 2020

Prevailed on appeal in a contract and business tort case relating to a real estate utility dispute. 2 CA-CV 2004-0042 Div. 2, 2005

Prevailed on appeal in a partnership contract dispute. CA-CV 2005-0321 Div. 1, 2006

Successful resolution during jury trial in a multimillion-dollar accounting liability case. 2002-CC-0869 La. 2003

Successful verdict in a jury trial concerning a complex partnership dispute. CV2004-018733 2005

Successful verdict in a jury trial concerning a complex partnership dispute. CV2008-052857 2011

Successfully defended a company from multimillion-dollar claims in a jury trial. CV2008-000141 2012

Prevailed in a bench trial concerning a trust dispute. PB2012-051133 2014

Prevailed in a jury trial concerning the breach of a commercial property contract. CV2014-052598 2015

Successfully defended a client from multimillion-dollar claims in a partnership dispute. 76-122-Y-000037-13 2016

Prevailed in a jury trial concerning claims asserted in the context of a partnership dispute. CV2013-002402 2018

Prevailed in two successive bench trials concerning a partnership dispute. CV2019-054728 2020

AWARDS AND HONORS

Best Lawyers in America®: Commercial Litigation, 2024 – 2027

PROFESSIONAL AND COMMUNITY ACTIVITIES

Member, State Bar of Arizona

Member, Executive Council, Religious Liberty Section, Arizona State Bar

ADMISSIONS

Arizona

U.S. District Court, District of Arizona

U.S. Court of Appeals for the Fourth Circuit

LANGUAGES

