

Curriculum Vitae of Gregory P. Gillis
Sacks Tierney P.A.
4250 N. Drinkwater Blvd., Fourth Floor
Scottsdale, AZ 85251
480-421-6101
Greg.gillis@sackstierney.com

Current Employer-Title Sacks Tierney P.A. – Partner

Profession Attorney – Construction, Commercial Litigation, Real Estate, Arbitrator and Mediator

Work History Sacks Tierney P.A., Partner, July 2017 - Present; Nussbaum Gillis & Dinner, P.C., Shareholder, 2008 – June 2017; Jaburg & Wilk, P.C., Partner, 2005-2008; Ridenour Hienton, Partner, 1991-2005; Simon & Campbell, P.C., Associate, 1986-1991.

Experience

Over 30 years of experience in construction law and litigation as a civil trial attorney primarily representing owners, general contractors, subcontractors, material suppliers, equipment rental companies, manufacturers, architects and engineers in both public and private contract disputes relating to residential and commercial projects. Handled disputes relating to construction contract terms and conditions, change orders, construction defects, delay, termination, warranty, payment disputes, mechanic’s liens, Miller Act, Little Miller Act, surety and license bond claims, prompt payment disputes, Arizona Registrar of Contractors disputes and Office of Administrative Hearings proceedings.

Remainder of practice focuses on commercial litigation including business buy-sell agreements, company dissolutions, disputes among partners, shareholders, members and other business principals, real estate related disputes arising from all types of transactions, real estate purchase and sale agreements, commercial leases, commercial landlord/tenant disputes, residential and commercial foreclosures, title, escrow and other insurance issues. Represented secured and unsecured creditors, including banks, credit unions, other lending institutions, borrowers and guarantors regarding creditors rights and remedies (from the demand letter through collection of judgment). Experienced in promissory notes, guarantees, loan agreements, security agreements, open account, Uniform Commercial Code, personal property foreclosure and real property foreclosure, receiverships, prejudgment writs of replevin, garnishment and attachment litigation, as well as post-judgment collection efforts including garnishment, levy, execution,

charging orders and fraudulent conveyance/transfers. Appeared in 13 of 14 Arizona County Superior Courts.

Alternative Resolution Experience

Member of American Arbitration Association Construction, Commercial and Consumer Panel of Neutrals. Extensive experience with American Arbitration Association and other alternative dispute resolution providers as an advocate and counsel in cases ranging from \$50,000 to \$5,000,000, including claims arising out of construction defects (framing, flooring, foundation, roofing, HVAC, stucco, painting), breach of construction contracts, change order disputes, prompt pay disputes, breach of warranty, breach of the implied warranty of workmanship and habitability, indemnity/contribution claims, payment bond claims, architect and engineer professional negligence claims.

Commercial experience includes disputes arising out of sales of businesses and failed mergers, real estate purchase and commercial lease disputes, escrow and title insurance disputes, boundary and homeowner association disputes, lender/borrower disputes, breach of fiduciary duty and misrepresentation claims and secured transaction disputes.

Appointed as arbitrator in various Maricopa County Superior Court cases involving all types of civil matters.

Judge Pro Tempore for Maricopa County Superior Court conducting settlement conferences involving all types of civil matters.

Alternative Dispute Resolution Training

State Bar of Arizona Alternative Dispute Resolution Section, *Arbitration and Mediation Case Law Update 2020*, 2020; American Bar Association/Forum on Construction Law, *Video Arbitration: What to Consider Before Jumping in*, 2020; American Arbitration Association, *ACE-2—Cyber Security: A Shared Responsibility*, 2020; State Bar of Arizona, *Zooming Into ADR: Mediations and Arbitrations*, 2020; American Bar Association, *ADR in the Wake of COVID-19*, 2020; State Bar of Arizona, *Private Arbitration Update*, 2020; American Arbitration Association, *ACE 19-Case Finances: What Arbitrators Need to Know*, 2019; State Bar ADR Talks, State Bar of Arizona, *Peering into the Arbitrator's Brain*, 2019; State Bar of Arizona, *Handling Righteous Indignation*, 2019; State Bar of Arizona, *Faith Based Alternative Dispute Resolution: Religious Alternatives to Secular Courts*, 2018; American Arbitration Association, *Sexual Harassment Presentation for AAA Panelists*, 2018; State Bar of Arizona, *Mediation is the New Trial*, 2018; American Arbitration Association, Arbitrators' Roundtable, *Conducting Effective, Tone-Setting Pre-Hearings and Resolving Discovery Disputes*, 2018; American Arbitration Association Advocates Program, *Simplifying Your Case for Arbitrators and the Value of Formal Rules and*

Administration, 2018; American Arbitration Association, *AAA Construction Conference*, 2018; State Bar of Arizona, *Vocal Traits and Hidden Bias*, 2018; American Arbitration Association, *Interim Awards, Partial Final Awards and Functus Officio: Tailoring Flexible Accessories to Suit a Strict Doctrine*, 2017; State Bar of Arizona, *Best Practices in Employment Arbitration From The Arbitrator and Advocate Perspectives*, 2017; State Bar of Arizona, *Mediation Skills Across Practice Areas*, 2017; State Bar of Arizona, *Mediation in Evolution Challenges and Opportunities*, 2017; State Bar of Arizona, *Arbitration Talks*, 2017; American Arbitration Association, *Managing the Arbitration Hearing and Evidence*, 2016; Arizona State University, Sandra Day O'Connor College of Law, *Private Arbitration Update*, 2016; *Advanced Mediation and Advocacy Skills Institute*, American Bar Association, 2016; State Bar of Arizona, *Mediating High-Conflict Disputes: A Proposal-Focused Approach*, 2016; American Arbitration Association, *Best Practices in Commercial Arbitration*, 2016; American Arbitration Association, *Ethical Considerations for Arbitrators, Mediators and Advocates*, 2016; National Business Institute, *Construction Arbitration: What You Need to Know Now*, 2016; American Arbitration Association, *Essential Mediation Skills for the New Mediator*, 2015; American Arbitration Association, *Avoiding Ten Common Missteps Arbitrators Make*, 2015; Scottsdale Bar Association, *Yes, No or Maybe So? Drafting Effective Mandatory ADR Provisions*, 2015; State Bar of Arizona, *Preparing for a Construction Mediation: A Mediator's Perspective*, 2014; Scottsdale Bar Association, *Powerful Preparation and Persuasion: 12 Secrets to Mediation Success*, 2014; State Bar of Arizona, *AAA Arbitration Rules Update*, 2014; State Bar of Arizona, *Ethical Perils and Pitfalls for Arizona Mediators and Arbitrators*, 2013; State Bar of Arizona, *Getting the Most Bang For Your ADR Buck: Drafting Effective ADR Clauses in Construction Contracts*, 2013; State Bar of Arizona, *Best Practices in Construction Arbitration and Mediation*, 2012.

Professional Licenses

Admitted to the Bar, Arizona 1987, Nebraska 1988 (*Inactive*); U.S. District Court, District of Arizona, 1987; U.S. Court of Appeals, Ninth Circuit, 1995; United States Supreme Court, 1996.

Professional Associations

American Bar Association - Forum on Construction Law (Division 7 Insurance, Surety and Liens-Steering Committee and Division 7 liaison to Marketing Committee; Division 1 Alternative Dispute Resolution Division); State Bar of Arizona (Construction, Bankruptcy and Alternative Dispute Resolution Sections-Chair Elect of ADR Section); Maricopa County Bar Association (Construction Law Section); Scottsdale Bar Association; Arizona Builders Alliance (Associate Member); American Subcontractors Association of Arizona (Associate Member); Southwest Business Credit (Affiliate Member); Scottsdale Chamber of Commerce (Member).

Education

University of Nebraska – Lincoln, Bachelor of Arts 1982
University of Nebraska – Lincoln, Juris Doctor 1986

Award and Honors

Judge Pro Tempore – Maricopa County Superior Court, 2014-Present
AV-Preeminent Peer Review Rated by Martindale-Hubbell, 2010-Present
Southwest Super Lawyers, Construction Litigation – 2014-Present
The Best Lawyers in America®, Commercial Litigation and Construction Law, 2013-Present, Litigation-Construction, 2020
Arizona Business Magazine Arizona's Top Lawyers®, 2010-Present
Arizona Business Leaders – Construction Law, 2015–Present

Community Service

Director – Children's Cancer Network, 2013-2019
Director/Elder – North Bible Church, 2016-2020
Director and Founding President, SAE-Phoenix Alumni, Inc., 2015-Present

Publications and Speaking Engagements

The Unintended Consequences of Statutes of Limitations in Arbitration, Arizona ADR Forum Fall Newsletter 2020

My Customer Filed Bankruptcy. Now What?, Southwest Business Credit and Construction conference (Webinar/July 2020)

Zooming Into ADR: Mediation and Arbitrations, State Bar of Arizona, Alternative Dispute Resolution Section (June 2020)

Stop Notices – Securing Payment on Arizona Commercial Construction Projects, Webinar (May 2020)

COVID-19: The Intersection of Lien Law and Bankruptcy, Webinar (April 2020)

Project Manager Development Program, Arizona Builders Alliance (February 2020)

Unique Issues in Arizona Construction Law, What Credit Managers Need to Know, Southwest Business Credit Services (October 2019)

The Intersection of Bankruptcy Preferences & Mechanic's Lien Waivers - A Wrong Turn Can Be Costly, American Bar Association Forum on Construction Law, Hot Topic Webinar (August 2019)

Payment Issues: Prompt Payment, Mechanic's/Materialman's Liens and other Collection Issues, Arizona Builders Alliance (April 2019)

My Customer Filed Bankruptcy: What Must I Do?, Southwest Business Credit and Construction Conference (April 2019)

Model Mediation Settlement Agreement (with forms), State Bar of Arizona, Alternate Dispute Resolution Section (January, 2019)

Stop Notices: The Little Known Way to Get Paid on Commercial Construction Projects, Legal Insights (October 2018)

Different Approaches to Dispute Resolution (panel moderator), State Bar of Arizona Annual Meeting (June 2018)

Uniform Commercial Code and Other Secured Transactions, Southwest Business Credit and Construction Credit Conference (April 2018)

My Customer Filed Bankruptcy. What Must I Do?, Southwest Business Credit and Construction Credit Conference (April 2018)

Project Manager Development Program, Arizona Builders Alliance (February 2018)

Commercial General Liability, Additional Insured Coverage, and Completed Operations Issues, American Subcontractors Association of Arizona, Inc. (October 2017)

ABC's Of ADR (Alternative Dispute Resolution), Arizona Builders Alliance (October 2017)

Uniform Commercial Code and Other Secured Transactions, Southwest Business Credit and Construction Credit Conference (April 2017)

My Customer Filed Bankruptcy. What Must I Do?, Southwest Business Credit and Construction Credit Conference (April 2017)

Arizona Mechanic's and Materialmen's Liens, American Subcontractors Association of Arizona, Inc. (March 2017)

Private Arbitration Update, Arizona State University Sandra Day O'Connor College of Law (November 2016)

Arizona Lien Law, Southwest Business Credit and Construction Credit Conference (April 2016)

Personal Guarantees, Southwest Business Credit and Construction Credit Conference (April 2016)

Preventing and Resolving Construction Disputes: An Ounce of Prevention is Worth a Pound of Cure, Arizona Builders Alliance (January 2016).

50-State Lien Law Pamphlet, American Bar Association - Forum on Construction Law, Arizona Contributor (2015)

Legal Implications of Same Sex Marriage on Your Credit Decisions, Legal Insights (September 2015)

Arizona Lien Law – What You Need to Know, The Weitz Company (September 2015)

Arizona Lien Law – What You Need to Know, Arizona Builders Alliance Webinar (May 2015)

Construction Lien Law in Arizona, Southwest Business Credit and Construction Conference (April 2015)

Lien Foreclosures and Lien Priority Issues for Credit Managers, Southwest Business Credit and Construction Conference (April 2015)

Legal Roundtable: Understanding and Protecting Your Payment Rights, Arizona Builders Alliance (November 2014)

Construction Lien Law in Arizona, Lorman (September 2014)

Arizona Lien Law and Judgment Enforcement Remedies, Southwest Business Credit and Construction Conference (April 2014)

Arizona Lien Laws – What You Need To Know, Arizona Builders Alliance Webinar (February 2014)

Reclamation and Preference: When the Bankruptcy Court Wants You to Give Money Back to a Debtor and An Overview of Issues Related to Personal Guarantees, Southwest Business Credit Services Legal Insights Educational Series (September 2013)

Post Judgment Collection Remedies, Southwest Business Credit and Construction Conference (April 2013)

Reclamation and Preference Issues in Bankruptcy: When the Bankruptcy Court Wants you to Give Money Back to the Debtor, Southwest Business Credit and Construction Conference (April 2012)

Foreclosure of Personal Property Liens and Other Non-Cash Alternatives of Getting Paid, National Association of Credit Management Executive Forum (April 2012)

Reclamation and Preference Issues in Bankruptcy, Southwest Business Credit and Construction Conference (April 2011)

Collecting from Bankrupt or Insolvent Contractors, National Association of Credit Management, Good Morning Credit! (September 2010)

Preference Issues and Abuses in Bankruptcy, Southwest Business Credit Executive's Forum (August 2010)

Can My Neighbor Take a Portion of My Property? Scottsdale Airpark News (June 2010)

Collecting From Bankrupt Contractors, Southwest Business Credit and Construction Conference (April 2010)

Effective Collection Methods, Southwest Business Credit and Construction Conference (April 2010)

Receiving a Bad Check: Your Rights and Responsibilities, Scottsdale Airpark News (February 2010)