



480.425.2620
PHONE

480.425.4920
FAX

david.tierney@sackstierney.com



David C. Tierney

Mr. Tierney has been named in Woodward/White, Inc.'s "The Best Lawyers in America®" every year from 2003 to the present. He was selected for Super Lawyers® every year from 2007 to the present and was rated among the Top 50 Lawyers in Arizona by Super Lawyers for each of the last two years.

PRACTICE AREAS

Commercial Litigation
Construction Law
Arbitration and Mediation
Appeals

PROFESSIONAL MEMBERSHIPS

American Bar Association
State Bar of Arizona: Alternative Dispute Resolution Section, Chair (2010-2011);
Construction Law Section, Past Chair; Co-editor, "Construction Law Practice
Manual"; Special Committee on Corrections, 1974-1979
American Arbitration Association: Commercial Panel, Construction Panel,
Construction Mediation Panel

HONORS AND AWARDS

Fellow, American Bar Foundation
Super Lawyers® Top 50 Lawyers in Arizona, 2009-present
Super Lawyers® (Construction Litigation), 2007-present
Best Lawyers in America® (Alternative Dispute Resolution, Commercial Litigation,
Construction Law), 2003-present

COURT AND BAR ADMISSIONS

U.S. Supreme Court, 1971
U.S. Court of Appeals, Ninth Circuit, 1971
U.S. District Court, District of Arizona, 1969
State Bar of Arizona, 1969
State Bar of Massachusetts, 1965

REPORTED CASES

Precision Components, Inc. v. Harrison, Harper, Christian & Dichter, P.C., 179 Ariz. 552, 880
P.2d 1098 (Ariz. App. Div. 2, Nov. 4, 1993) (No. 2 CA-CV 93-0239)
Tracy v. Superior Court of Maricopa County, 168 Ariz. 23, 810 P.2d 1030 (Ariz., Apr. 23,
1991) (No. CV90-0407-SA)
Mandraes v. Hungerford, 127 Ariz. 585, 623 P.2d 15 (Ariz., Jan. 9, 1981) (No. 14981)
Greenfield v. Check, 122 Ariz. 70, 593 P.2d 293, Blue Sky L. Rep. P71, 440, Fed. Sec. L.
Rep. P96,560 (Ariz. App., Sep. 19, 1978) (No. 1 CA-CIV 3785)

Greenfield v. Check, 122 Ariz. 57, 593 P.2d 280 (Ariz., Mar. 23, 1979) (No. 14074-PR)
Sundown Imports, Inc. v. Arizona Department of Transportation, Motor Vehicle Division, 115 Ariz. 428, 565 P.2d 1289 (Ariz., App., Mar 14, 1977) (No. 2 CA-CIV 2282)
 Application of *Collins*, 108 Ariz. 310, 497 P.2d 523 (Ariz., Jun. 1, 1972) (No. H-585)
Keams v. Tempe Technical Institute, Inc., 39 F.3d 222, 63 USLW 2285, 95 Ed. Law Rep. 513 (9th Cir. [Ariz.], Oct. 31, 1994) (No.92-16349)
Keams v. Tempe Technical Institute, Inc., 110 F.3d 44 (9th Cir. 1997)
Crawford v. American Institute of Professional Careers, Inc., 934 F.Supp. 335, 112 Ed. Law Rep. 222 (D. Ariz., May 17, 1996) (No. CIV 94-2402 PHX CAM, CIV 96-0646 PHX CAM, CIV 95-0366 PHX CAM)
Keams v. Tempe Technical Institute, Inc., 807 F.Supp. 569, 79 Ed. Law Rep. 846 (D. Ariz., May 4, 1992) (No. CIV 91-0728 PHX RCB)
In re: Residential Resources Mortgage Investments Corp., 98 B.R. 2, Bankr. L. Rep. P 72,723 (Bankr. D. Ariz., Feb. 16, 1989) (No. B-89-0200, 89-53, 'B')
ABC Supply v. Edwards, 232 Ariz. Adv. Rep. 9 (CA 12/17/96)

ARTICLES AND PRESENTATIONS

“The Law Regarding Indemnity, a Crucial Factor in Control,” Lorman Education Services, March 2009
 “Errors and Omissions in Plans and Specifications: *Spearin* and *Kubby* Cases,” Lorman Education Services, March 2009
 “Overview of New AIA Contract Documents,” Lorman Education Services, March 2009
 “Mediation vs. Arbitration – Trends in Alternative Dispute Resolution in Arizona,” Lorman Education Services, March 2009
 “Maximizing/Uncovering the Hidden Value in Construction Schedules through Buy-In and Collaboration in Arizona,” Lorman Education Services, December 2008
 “The Arizona Mechanics Lien Law and Stop Order Law as Recently Amended: the New Definition of ‘Completion,’” *seminar text*
 “Construction Defect Litigation,” *seminar text*
 “‘Unless and Until’ Clauses: Slow Pay for Subcontractors,” 1989 *Arizona Contractors Association Almanac* and *State Bar Construction Law Section Newsletter*, March 1990
 “Controlling the Means of Construction: New Exposure for Architects on Construction Jobs,” *Southwest Contractor*, January 1985
 “Our Prisons: Upside Down & Backwards Priorities,” *Tempe Daily News*, August 1984
 “Alternatives to Incarceration,” *Scottsdale Progress, Saturday Magazine*, January 1980
 “Prison Crisis: a Need for Rehabilitative Programs” (co-author), *Weekly Gazette* Convention Issue, May 1979
 “Arizona Corrections: Accomplishments and Unfinished Business” (co-author), *ARIZONA BAR JOURNAL*, August 1978
 “The Future of Corrections in Arizona,” *ARIZONA BAR JOURNAL*, December 1977
 Litigation Manual, Maricopa County Bar Association

EDUCATION

Harvard University, J.D., 1965
Brandeis University, B.A., 1962

LANGUAGE FLUENCY

Spanish

COMMUNITY LEADERSHIP

Arizona Behavioral Health Corporation
Restorative Justice Resources Coalition, Inc.: Chairman
ABC Foundation, Inc. (Mental Health Advocacy), Board of Directors
Arizona Coalition for Tomorrow: Member, Past President
Adjunct Professor of Construction Law, Arizona State University Law School
St. Joseph's Hospital and Medical Center:
Community Board
Irish American Cultural Institute, Chair, 1991-present
Maricopa County Self-Insured Trust Fund: Past Chair, Board of Trustees
Valley Leadership, Inc.: Past Member, Board of Directors
Arizona Policy Forum, Vice President, 1998-2006
Provost's Advisory Committee, ASU West, 1997-2004
Arizona Prison Industries, Board of Trustees, 1981-1987
Governor's Commission on Computers in Education: Chair, 1984-1985
Maricopa County Nonpartisan Commission on Trial Court Appointments, 1975-1979
Peace Corps: Volunteer, 1966-1969

BIRTHPLACE

Cambridge, Massachusetts