

# Snell & Wilmer

---



## **Kelly A. Kszywinski**

Partner | Phoenix

Tel. 602.382.6384

[kkszywinski@swlaw.com](mailto:kkszywinski@swlaw.com)

### **Main Bio**

Kelly Kszywinski assists clients in resolving complex commercial disputes through alternative dispute resolution, at trial, and on appeal. Kelly has represented individuals, governmental entities, and businesses in a broad range of commercial disputes, but focuses her practice primarily on disputes involving complex commercial contracts, real estate transactions, corporate governance issues, and constitutional claims.

In her appellate practice, Kelly has been involved in numerous appeals before the Ninth Circuit Court of Appeals, state courts of appeal, and state supreme courts. Kelly has also represented the interests of amici curiae and participated in a merits case before the United States Supreme Court.

### **Education**

- University of Toledo College of Law (J.D., Valedictorian, summa cum laude, 2007)
  - Editor-in-Chief, The University of Toledo Law Review
  - Dean's Award for Distinguished Achievement and Service
  - Order of the Coif
  - Phi Kappa Phi Honor Society
- University of Connecticut (B.A., Political Science, 1997)

### **Professional Memberships & Activities**

- State Bar of Arizona Annual Convention, Co-Chair (2019)
- Sandra Day O'Connor College of Law at Arizona State University
  - Adjunct Professor, Professional Responsibility (2017)
- American Bar Association

- Member, Section of Litigation Book Publishing Board (2014-present)
- 2014 Section Annual Conference Committee, Co-Chair
- Commercial & Business Litigation Committee
  - Editor-in-Chief, Committee Newsletter (2010-2012)
    - Honorable Mention, Best Newsletter (2010-2011)
    - Honorable Mention, Editor (2009-2010)
- Appellate Practice Committee
- State Bar of Arizona
  - Appellate Practice Section
- Federal Bar Association
- Arizona Association of Defense Counsel
- Snell & Wilmer Hiring Committee

## Representative Presentations & Publications

- "[The Sell Decision: Aiding, Abetting Liability Not Included](#)," Co-Author, Arizona Attorney Magazine (February 2014)
- "Standing in Litigation," Presenter, Outdoor Advertising Association of America Legal Seminar (2012)
- "The Benefits, Pitfalls of Establishing Your Business as an LLC," Co-Author, Ahwatukee Foothills News (June 20, 2012)
- "Litigation Training: Injunctions," Presenter (2010, 2011, 2012)
- "The Effect of Corporate IT Policies on Otherwise Privileged Communications," Co-Author, Trial.com (2010)
- "Shareholder Derivative Litigation Essentials," Presenter (2009)
- "Roadblock in the Search for Truth: What are a Criminal Prosecutor's Constitutional and Ethical Obligations When the Evidence Supports Multiple, Inconsistent Theories of a Crime?" Author, 37 U. TOL. L. REV. 1111 (2006)

## Professional Recognition & Awards

- Southwest Super Lawyers®, Business Litigation (2017-2019)
  - Rising Stars Edition (2014-2016)

## Community Involvement

- Homeward Bound
  - Snell & Wilmer Homeward Bound Committee, Co-Chair (2012-2017)
  - Family Advocate
- Valley of the Sun United Way, Women's Leadership Council
- Volunteer Lawyers Program
- Homeless Legal Assistance Project

## Other Professional Experience

- Jones Day, Summer Associate, Columbus, Ohio
- Domestic Violence Fatality Review Project, Extern, Toledo, Ohio
- U.S. District Court for the Northern District of Ohio, Extern to the Honorable David A. Katz
- United States Attorney's Office, Northern District of Ohio, Extern

## **Bar Admissions**

- Arizona

## **Court Admissions**

- Supreme Court of Arizona
- United States District Court, District of Arizona
- United States Court of Appeals, Ninth Circuit
- United States Supreme Court