

# Snell & Wilmer

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## Robert A. Henry

Partner | Phoenix

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### Main Bio

Bob Henry is an experienced trial lawyer who represents regional and national corporations, Arizona-based business and individuals. His practice is concentrated in commercial litigation and general legal counsel in business matters arising out of a wide array of commercial relationships and disputes in various industries. While his general practice is commercial litigation, he has significant experience in disputes arising out of real estate development projects, transactions, and professional relationships. He appears in both state and federal trial courts and in various alternative dispute resolution forums and has tried numerous matters to verdict or award including through multi-week jury trials and arbitrations.

Bob serves as co-chair of Snell & Wilmer's Real Estate Litigation and Eminent Domain/Condemnation practice groups and has been a member of Snell & Wilmer's Commercial Litigation Practice Group since 1995.

### Representative Experience

- Lead trial counsel in *Keg Restaurants, Inc. v. Jones*, 375 P.3d 1173 (App.2016)
- Co-counsel in *Arizona v. United States*, 567 U.S. 387 (2012) and related proceedings
- Lead trial counsel in the defense and prosecution of claims and counterclaims in several private arbitrations involving disputes between former owners and managers of businesses
- Lead counsel in numerous proceedings involving the prosecution and defense of claims for breach of contract, good faith and fair dealing, negligent misrepresentation, fraud, consumer fraud, fiduciary duty, agency, receiverships, restrictive covenants, injunctive relief, and related claims
- Experience in the franchise, distributor, manufacturing, retail, wireless, medical marijuana, transportation, financial services, and payment processing industries
- Experience and background in all aspects of real estate development projects and disputes arising out of the ownership, use, and sale of real estate

### Education

- University of Michigan School of Law (J.D., *magna cum laude*)
  - Associate Editor, Michigan Law Review
- University of Michigan (B.A., English, with honors)

### Professional Memberships & Activities

- Sandra Day O'Connor College of Law at Arizona State University
  - Adjunct Professor, Real Estate Litigation (2014-2019)
  - Adjunct Professor, Claims Against Governmental Entities (2013)
- Judge Pro Tempore, Superior Court, Maricopa County, Arizona (2007-2009)

## Representative Presentations & Publications

- "[National Association of Realtors Settlement Announcement May Have Sweeping Implications](#)," Co-Author, Snell & Wilmer Legal Alert (March 18, 2024)
- "[Arizona Court of Appeals Addresses Proximity Damages in State of Arizona v. Foothills Reserve Master Owners Association, Inc.](#)," Co-Author, Snell & Wilmer Legal Alert (March 6, 2024)
- "[The Unwavering Un-waivable Implied Warranty of Workmanship and Habitability in Arizona](#)," Co-Author, Snell & Wilmer Real Estate Litigation Blog (January 13, 2023)
- "[Arizona Governor Doug Ducey's Executive Order on Residential Eviction Actions](#)," Author, Snell & Wilmer Real Estate Litigation Blog (March 27, 2020)
- "2018 Civil Practice and Procedure Symposium," Presenter (2018)
- "Professional Responsibility," Guest Lecturer, Sandra Day O'Connor College of Law at Arizona State University (2017)
- "Real Estate Litigation/Alternative Dispute Resolution Issues," Speaker/Guest Lecturer, Arizona State University - Masters in Real Estate Development Program (2012-2018)
- Blog co-founder and contributor, Snell & Wilmer Real Estate Litigation blog (2013-current)
- "Emerging Trends in Claims Arising from Business and Real Estate Appraisals," Presenter, Snell & Wilmer CLE Presentation (Summer 2014)
- "Real Property Management and Leasing in the Wake of the Trustee's Sale," Speaker, Maricopa County Bar Association (February 2012)
- "Foreclosure Issues in Commercial Lease Relationships, Speaker," Maricopa County Bar Association (February 2011)
- "Landlord-Tenant Disputes (Commercial & Residential)," Speaker, Maricopa County Bar Association (February 2010)

## Professional Recognition & Awards

- The Best Lawyers in America®, Real Estate Litigation (2012-2024); Eminent Domain and Condemnation Law (2023-2024)
- Southwest Super Lawyers®, Business/Corporate (2012); Civil Litigation Defense (2013-2015, 2017-2022, 2024)

## Community Involvement

- Arizona Chamber of Commerce and Industry
  - Board of Directors (2008-present)
  - Executive Committee for the Board of Directors (2014-present)
  - Real Estate and Community Development Subcommittee, Chair (2014-present)
- Xavier College Preparatory Dads' Club (2022-2023)

- Executive Committee
  - Board of Directors
- CEFPI Foundation & Charitable Trusts, Board of Trustees (2006-2009)
- Junior Achievement, Volunteer Instructor (2004-2008)
- Valley Leadership, Class XXII (2000)

## **Previous Professional Experience**

- Arizona Supreme Court, Judicial Clerk to Vice Chief Justice James Moeller (1993-1994)

## **Bar Admissions**

- Arizona

## **Court Admissions**

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