

Bauman Loewe Witt & Maxwell, PLLC ("BLWM") is a regional law firm with offices in Scottsdale, Arizona, Las Vegas, Nevada and Portland, Oregon. Its attorneys practice in the western United States, with attorneys currently licensed to practice law in Arizona, California, Colorado, Idaho, Oregon, Nevada, Utah, Texas and Washington.



BLWM devotes its practice to investigation, resolution and management of complex litigation. Our goal is to provide our clients with cost-effective and creative solutions tailored to the client's needs, cost containment and unparalleled results. Included within our broad range of litigation services are our multi-state large loss property subrogation program, construction defect litigation, and general litigation for insurance companies and businesses.

In addition to the substantive areas of law where they practice, our attorneys also are trained in forensic failure analysis, evidence acquisition and retention, forensic photography, property and liability insurance, products liability, code compliance, expert selection, and fire cause and origin determinations. We provide our clients with a full array of litigation related services ranging from oversight of forensic investigations, litigation in state and federal courts, mediations, and arbitration or trial services.

**There is *always*
a solution.**

We are committed to finding the
absolute best one for our clients.

We are not a traditional insurance firm. BLWM does not try to be everything to every client. Rather we limit our practice to areas that are complimentary of the other areas in which we practice. We leverage this experience to direct, contain and control the cases we handle to produce results consistent with our clients' expectations and entitlement.

Our practice areas are described in detail in the pages that follow. In addition, you can learn more about our attorneys in the following pages, or by visiting www.blwmlawfirm.com. Finally, please do not hesitate to contact our attorneys directly for more information.

WILDFIRES & CATASTROPHES

In every instance, subrogation arising from wildfires and other multi-party catastrophes is complex. From their inception, these losses demand the coordinated substantial time and effort from teams of top-notch sophisticated lawyers and support staff with the extensive experience needed to manage, organize, investigate, litigate, and prevail in these hard-fought cases. BLWM's attorneys deploy well-honed investigative skills and in-depth knowledge toward wildfire and catastrophic loss subrogation.



Our substantial experience is illustrated by a few of the wildfire and catastrophic losses with which we have been involved:

- ✦ Witch/Guejito/Rice Fires (CA), October 2007
- ✦ Malibu Fire (CA), October 2007
- ✦ Grass Valley Fire (CA), October 2007
- ✦ Gap Fire (CA), July 2008
- ✦ Sesnon Fire (CA), October 2008
- ✦ Sayre (a/k/a Sylmar Fire) (CA), November 2008
- ✦ Tea Fire (CA), November 2008
- ✦ Jesusita Fire (CA), May 2009
- ✦ Slide Creek Fire (WA), August 2010
- ✦ Wallow Fire (AZ), May 2011
- ✦ Las Conchas Fire (NM), June 2011
- ✦ Monument Fire (AZ), June 2011
- ✦ Bastrop County Complex Fire (TX), September 2011
- ✦ Steiner Fire (TX), September 2011
- ✦ Spicewood (a/k/a Pedernales Bend Fire) (TX), September 2011
- ✦ Corsicana Fire (TX), September 2011
- ✦ Caughlin Wildfire (NV), November 2011
- ✦ Wood Hollow Fire (UT), June 2012
- ✦ Little Bear Fire (NM), June 2012
- ✦ Waldo Fire (CO), June 2012
- ✦ High Park Wildfire (CO), June 2012
- ✦ Dahl Fire (MT), June 2012
- ✦ Taylor Bridge (WA), August 2012
- ✦ 19-Mile Wildfire (MT), September 2012
- ✦ Sheep Fire (ID), September 2012
- ✦ Lower North Fork Fire (CO), March 2013
- ✦ Adler Oil Explosion (UT), March 2013
- ✦ Powerhouse Fire (CA), May 2013
- ✦ Black Forest Fire (CO), June 2013
- ✦ Royal Gorge Fire (CO), June 2013
- ✦ Poinsettia Wildfire (CA), June 2014
- ✦ America West (UT), July 2014
- ✦ Courtney Wildfire (CA), Sept. 2014
- ✦ Butte Fire (CA), September 2015
- ✦ Little Valley Fire (NV), October 2016
- ✦ Railroad Fire (CA), August 2017
- ✦ North Bay Fires (CA), October 2017
- ✦ Canyon 2 Fire (CA), October 2017
- ✦ Tubbs Fire (CA), October 2017
- ✦ Atlas Complex Fire (CA), October 2017
- ✦ Nuns Complex Fire (CA), October 2017
- ✦ Thomas Fire (CA), December 2017
- ✦ Rye Fire (CA), December 2017
- ✦ Camp Fire (CA), November 2018
- ✦ Woolsey Fire (CA), November 2018
- ✦ Erskine Fire (CA), June 2019
- ✦ Kincade Fire (CA), October 2019
- ✦ Saddleridge Fire (CA), October 2019
- ✦ Easy Fire (CA), October 2019
- ✦ Getty Fire (CA), October 2019
- ✦ Mountain View Fire (CA), 2020
- ✦ Pinehaven Fire (NV), 2020
- ✦ Echo Mountain Complex (OR), 2020
- ✦ Holiday Farm Fire (OR), 2020
- ✦ Santiam Fire (OR), 2020
- ✦ South Obenchain Fire (OR), 2020
- ✦ Babb Road Fire (WA), 2020
- ✦ Archie Creek (OR), Sept. 2020
- ✦ Bobcat Fire (CA), Sept. 2020
- ✦ Dixie Fire (CA), July 2021
- ✦ Marshall Fire (CO), December 2021
- ✦ Chalk Mountain Fire (TX) 2022
- ✦ Hatcher Mountain-Indigo Lane Fire (TN), March 2022

For more information about BLWM's wildfire and catastrophe subrogation practice, please contact Mark Bauman, Scott Loewe, Ed Witt, Ken Maxwell, Christopher Brennan, Patrick Howekk, Matthew Delinko or Paul Landis.

LARGE PROPERTY SUBROGATION

BLWM's attorneys have extensive experience and training in the various areas of law and science regularly encountered in property subrogation, such as:

- The origin and cause of fires and explosions;
- Fire spread;
- Structural failures, roof collapses and geotechnical failures;
- Product design, warnings, or manufacturing defects;
- Electrical, mechanical, plumbing, and sprinkler system failures;
- Human factors/warnings; and
- Airplane, heavy equipment, and trucking accident/failures.



To maximize their recovery potential, many clients prefer to involve BLWM in losses at their very inception – “before the embers get cold.” BLWM prides itself on its early investigation, evaluation, and prosecution of subrogation claims, where our attorneys may assist with, among other things:

- Analysis of contracts, leases and other documents;
- Expert selection, retention, and management;
- Scene management and the preservation of evidence;
- Identification of potential defendants and providing notice to them;
- Rapid coordination of joint scene inspections and destructive examination of evidence; and
- Swift comprehensive evaluation of subrogation potential.

BLWM is committed to subrogation excellence, with attorneys who are Certified Fire Investigation Investigators (C.F.E.I), certified in burn pattern recognition/analysis and Certified Subrogation Recovery Specialist (by National Association of Subrogation Professionals).

Most cases are handled on a contingency fee basis. For more information about BLWM's large property subrogation, please contact Mark Bauman, Scott Loewe, Ed Witt, Ken Maxwell or Chris Brennan.

WORKER'S COMPENSATION SUBROGATION

Profitable worker's compensation subrogation programs will not materialize out of thin air. Repetitive upper-limit subrogation recoveries result from quick, efficient, and thorough investigations; proper notice and preservation of evidence; quick recognition of third-party negligence; well-organized and aggressive litigation, where needed; and constant, consistent and aggressive pursuit of recoveries.



Subrogation claims come in all shapes and sizes. They may arise out of the negligent acts or omissions of non employers, like motor vehicle accidents. They may arise because of a danger that exists on the property where the work is being conducted, like a slip and fall accident. Many arise because of a defect in machinery or equipment.

The injured employee may have already filed a lawsuit against the wrongdoer. If that is the case, in some situations, the subrogation interest is best protected if the worker's compensation carrier intervenes in the ongoing litigation. In other cases, the subrogation interest is best protected by simply asserting a lien and monitoring the ongoing litigation. If the injured worker does not file a lawsuit, the worker's compensation carrier may choose to do so. Each injury, jurisdiction, and subrogation claim is unique. BLWM works with its clients to identify, put into place, and pursue the subrogation strategy most likely to yield the best recovery.

If you would like more information about BLWM's worker's compensation subrogation services, please do not hesitate to contact Patrick Howell for more information.

GENERAL LIABILITY

BLWM defends individuals, businesses, and insurance company policyholders in courts throughout the western United States. Our lawyers routinely handle a wide range of issues, including:

- ✦ Fires and explosions;
- ✦ Dram shop liability;
- ✦ Industrial equipment and mechanical failures;
- ✦ Indemnity, contribution, and insurance coverage;
- ✦ Automobile collisions and bodily injury;
- ✦ Wrongful death;
- ✦ Product design, warnings, and manufacturing defects;
- ✦ Water and mold;
- ✦ Insurance bad faith and punitive damages;
- ✦ Truck and large machinery accidents;
- ✦ Professional malpractice;
- ✦ Immunity;
- ✦ Trespass; and
- ✦ Inverse Condemnation;



These cases may be handled on a traditional hourly fee arrangement. Some insurance carriers choose to assign a larger volume of cases to the firm in exchange for a flat fee. Whether you are looking for a firm to handle a single case, a certain category of cases, or all of your cases in a geographic region, BLWM provides excellent results for competitive rates.

For more information about the firm's general liability practice, please contact Ken Maxwell in our Arizona office or Michael Mills in our Nevada office.

CONSTRUCTION DEFECT

BLWM defends sub contractors that have been brought into an ongoing lawsuit by a general contractor or that have been sued directly. Our lawyers are well versed in the variety of topics that typically come up in these cases, including:

- The scope and reach of contractual or common law indemnity;
- Time on risk and tenders to defending carriers;
- Construction standards of care;
- Building and fire code compliance;
- Sequencing issues;
- Economic losses;
- Time limit defenses;
- Building owner/user contribution to building system failures;
- Contract interpretation, including mediation and arbitration provisions; and
- Application of right to cure statutes.

These cases may be handled on a traditional hourly fee arrangement. Some insurance carriers choose to assign a larger volume of cases to the firm in exchange for a flat fee. Our work is efficient, creative, and yields excellent results. For more information about the firm's construction defect practice, please contact Ken Maxwell in our Arizona office or Michael Mills in our Nevada office.



Mark C. Bauman

Partner



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Practice Areas

Large Loss Subrogation
Insurance Defense
Fire Loss Litigation
Products Liability Litigation
Dram Shop Litigation

Court and Bar Admissions

Arizona (1993)
U.S. District Court, District of Arizona (1993)
California (2007)

Education

University of San Diego School of Law, J.D., *cum laude* (1993)
Arizona State University, B.S., *cum laude* (1989)

Certificates/Licenses

Certified in Fire Pattern Recognition, Public Agency Training Counsel

Past & Current Clients

Hartford Insurance
Philadelphia Insurance Company
United States Liability Insurance
Travelers Insurance Company
USAA
Broadspire
Gallagher Bassett
CNA
Scottsdale Insurance Company
Zurich Reinsurance (London)
Certain Underwriters at Lloyds-London
State Farm Insurance
Liberty Mutual
AutoZone
Unitrin Kemper Auto & Home

Memberships/Awards

State Bar of Arizona
State Bar of California
Maricopa County Bar Association
National Association of Subrogation Professional

**A. Scott Loewe, Esq.
C.F.E.I., C.L.M.P.**

Partner



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Subrogation
Insurance Defense
Insurance Fraud
Fire Loss Litigation
Commercial Litigation
Products Liability Litigation
Insurance Coverage

Court and Bar Admissions

Arizona (1999)
U.S. District Court, District of Arizona (1999)
California (2004)
U.S. District Court, Central District of California (2006)
U.S. District Court, Northern District of California (2014)
U.S. District Court, Eastern District of California (2017)

Languages

Spanish

Education

Texas Tech University, J.D., *cum laude* (1999)
Northern Arizona University, B.S., B.A., *cum laude* (1993)

Certificates/Licenses

Certified Litigation Management Professional
Certified Fire & Explosion Investigator (C.F.E.I.), National Assoc. of Fire Investigators
Certified in Fire Pattern Recognition, Public Agency Training Council
Licensed Real Estate Agent/Realtor, Arizona Department of Real Estate

Guest Speaker

8th Annual Fire Investigation (Live Burn) Seminar, Andler & Associates – “Playing Devil’s Advocate with Origin & Cause Investigators”
Honda Vehicle Fire Training Program and Live Burn Studies – “The Litigation Side of Vehicle Fires”
NASP Regional Seminar – “Mediation Workshop & Case Study”
NASP Conference - “Understanding and Circumventing Subrogation Hurdles”
NASP Conference - “Live Burn” (fire dynamics and legal issues)
AICA Conference - “See You in Court – Subrogation Style”

Memberships/Awards

State Bars of AZ and CA
American Bar Association
Claims & Litigation Management Alliance (CLM)
National Association of Fire Investigators (NAFI)
National Fire Protection Agency (NFPA)
International Association of Arson Investigators (IAAI)
Graduate of AZ College of Trial Advocacy (designed for experienced trial attorneys)

**C. Edwin Witt, Jr., Esq.,
C.F.E.I.**

Partner



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Practice Areas

Subrogation
Insurance Defense
First Party Insurance
Fire Loss Litigation
Commercial Litigation
Products Liability Litigation
Construction Law
Tax Matters
Professional Liability

Court and Bar Admissions

Arizona (1997)
U.S. District Court, District of Arizona (1997)
California (2004)
U.S. District Court, District of California (2004)
U.S. District Court, Colorado (2006)

Education

University of Arizona, J.D., *cum laude* (1997)
University of Arizona, B.S., B.A. (1992)

Certificates/Licenses

Certified Fire & Explosion Investigator (C.F.E.I.), National Assoc. of Fire Investigators

Guest Speaker

Honda Fire Seminar, June 2006 - "Legal Issues During Fire Investigations"

Memberships/Awards

Maricopa County Bar Association
State Bar of Arizona
State Bar of California
National Association of Subrogation Professionals (NASP)
Arizona Insurance Claims Association (AICA)
Law Review, 1995-1997, Note Editor
Law Review Board, 1996-1997
Recipient: Outstanding First Year Moot Court Brief
Member, Moot Court Board, 1996-1997
Listed: Who's Who in American Law Students
Law Clerk, Hon. Jon Kyl, Arizona Senator, 1995

Kenneth W. Maxwell, Esq., C.S.R.P.

Partner



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Practice Areas

Property Subrogation
Wildfire Subrogation
Catastrophic Loss Subrogation
Construction Law
Fire Loss Litigation
Products Liability Litigation
Construction Defect



Court and Bar Admissions

Arizona Supreme Court (1998)	Colorado Supreme Court (Inactive)
U.S. District Court, District of Arizona (1999)	U.S. Court of Appeals - Ninth Circuit (Inactive)
Nevada Supreme Court (Inactive)	U.S. District Court, District of Colorado (Inactive)
U.S. District Court, District of Nevada (Inactive)	Oregon Supreme Court (Inactive)
Texas Supreme Court (2013) (Inactive)	Idaho Supreme Court (Inactive)
U.S. District Court, District of Utah (Inactive)	U.S. District Court, District of Idaho (Inactive)
Utah Supreme Court (Inactive)	U.S. District Court, District of Oregon (Inactive)

Education

University of Utah College of Law, J.D. (1993)

- Order of the Coif; William H. Leary Scholar, Fall 1991 and Spring 1992
- Associate Editor, Journal of Energy, Nat. Res. & Env'tl. Law

Brigham Young University, B.A. (1989)

Certificates/Licenses

Certified Subrogation Recovery Professional, National Association of Subrogation Professionals, 2006

Publications

Author, Comment, *Bankrupting CERCLA: Amending the Bankruptcy Code to Allow CERCLA Contingent Claims for Contribution*, 13 J. Energy Nat. Resources & Env'tl. L. 433 (1993)

Memberships/Awards

National Association of Subrogation Professionals (NASP)

Languages

Spanish

Christopher J. Brennan

Partner



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Practice Areas

Subrogation
Insurance Defense
Personal Injury Litigation
Construction Defect
Fire Loss Litigation
Products Liability Litigation
Liquor Liability Defense
Trucking/Motor Carrier Litigation

Court and Bar Admissions

California Supreme Court (2002)
Arizona Supreme Court (2005)
U.S. District Court, District of Arizona (2006)
U.S. District Court, Northern District of California (2008)
Washington Supreme Court (2011)
U.S. District Court, Central District of California (2011)
U.S. District Court, Western District of Washington (2011)
Oregon Supreme Court (2017)
U.S. District Court of New Mexico (2018)
U.S. District Court, Eastern District of Washington (2022)
U.S. District Court of Oregon (2024)

Education

University of San Diego, J.D., *cum laude* (2001)
Northern Arizona University, B.S. (1998)

Memberships/Awards

State Bar of California
State Bar of Arizona
State Bar of Washington
State Bar of Oregon
Certified Fire & Explosions Investigator (C.F.E.I.)
National Association of Fire Investigators
National Association of Subrogation Professionals

Michael C. Mills

Partner



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mmills@blwmlawfirm.com**Practice Areas**

Trucking Defense
Bad Faith Defense
Coverage Litigation / Opinions
Insurance Defense
Automobile Accident Defense
Independent Counsel Defense
Premises Liability

Court and Bar Admissions

Utah Supreme Court (1983)
Army Court of Criminal Appeals (1983)
U.S. District Court, District of Utah (1986)
Nevada Supreme Court (1988)
U.S. District Court, District of Nevada (1988)
Ninth Circuit Court of Appeals (1988)
United States Supreme Court (2003)
Arizona Supreme Court (2015)

Education

University of Utah, J.D., (1983)
University of Utah, B.A., cum laude, (1979)

Certificates/Licenses

Certified Litigation Management Professional (2015)

Memberships/Awards

State Bar of Nevada
Las Vegas Defense League
Utah State Bar
Arizona State Bar
Defense Research Institute
Claims and Litigation Management Alliance
Trucking Industry Defense Association
Transportation Lawyers Association

Languages

French

Patrick Y. Howell

Partner



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Super Lawyers

Southwest Rising Stars 2014-2016

Practice Areas

Workmen's Compensation Subrogation
Large Loss Subrogation
Construction Defect
Insurance Defense
Product Liability

Court and Bar Admissions

Arizona State Bar (2006)
U.S. District Court of Arizona (2007)
U.S. Court of Appeals for the Ninth Circuit (2010)
California State Bar (2014)
Utah Supreme Court (2016)

Education

St. Mary's University School of Law, J.D. (2006)

- *Law Journal Staff Member*
- *Board of Advocates*

Arizona State University, B.I.S. (2003)

Memberships

State Bar of Arizona
National Association of Subrogation Professionals,
Chair, Arizona Chapter

Guest Speaker

2010 – NASP Chapter Meeting – “Worker’s Compensation Subrogation”

Paul T. Landis

Partner



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Property Subrogation
Fire Loss Litigation
Insurance Defense
Water Loss
Product Liability
Construction Defect
Job Site Accidents
Premise Liability

Court and Bar Admissions

Nevada State Bar (2007)
U.S. District Court of Nevada (2007)
California State Bar (2008)
Arizona State Bar (2010)
U.S. District Court of Arizona (2011)
Washington State Bar (2013)
U.S. District Court for Western Washington (2013)
Utah State Bar (2018)
U.S. District Court, District of Utah (2019)
Wyoming State Bar (2020)
New Mexico State Bar (2020)
U.S. District Court, Eastern District of California (2021)
Colorado State Bar (2022)
U.S. District Court, District of New Mexico (2023)

Education

Seattle University, J.D., *cum laude* (2007)
University of Washington, B.A., *cum laude* (2003)

Memberships

State Bar of Nevada
State Bar of Arizona
State Bar of California
State Bar of Washington
State Bar of Utah
State Bar of Wyoming
State Bar of New Mexico
State Bar of Colorado
State Bar of Montana
National Association of Subrogation Professionals (NASP)

Matthew E. Delinko

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Super Lawyers

Southwest Rising Star 2020-2024

Practice Areas

Subrogation
Insurance Defense
Fire Loss Litigation
Commercial Litigation
Products Liability Litigation
Construction Defect

Court and Bar Admissions

Arizona State Bar (2013)
U.S. District Court, District of Arizona (2013)
California State Bar (2015)
U.S. District Court, Eastern District of California (2017)
U.S. District Court of New Mexico (2018)
U.S. District Court, Central District of California (2019)
U.S. District Court, District of Colorado (2019)
U.S. District Court, Northern District of California (2020)
Colorado State Bar (2020)

Education

University of Arizona, B.S.B.A. (2010)
University of Tennessee College of Law, J.D. (2013)

- *Transactions: The Tennessee Journal of Business Law*, Senior Commentary Editor
- Tennessee Law Scholar and Research Associate

Memberships/Awards

Southwest Super Lawyers Rising Star, 2020-2024
National Association of Fire Investigators
State Bar of Arizona
State Bar of California
State Bar of Colorado
Maricopa County Bar Association
Los Angeles County Bar Association
National Association of Subrogation Professionals

Carl A. Guerrieri

Partner



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Subrogation
Insurance Defense
Construction Defect
Products Liability Litigation
Bad Faith
Insurance Coverage
Commercial Litigation

Court and Bar Admissions

Arizona State Bar (2008)
California State Bar (2010)

Education

University of Oklahoma, J.D. (2008)
University of Arizona, B.A. (2002)

Memberships/Awards

State Bar of Arizona
State Bar of California
National Association of Subrogation Professionals (NASP)

Daniel C. Quijano

Partner



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Practice Areas

Large Loss Subrogation
Fire Loss Litigation
Commercial Litigation
Product Liability

Court and Bar Admissions

Arizona State Bar (2012)
U.S. District Court, District of Arizona (2012)
California State Bar (2014)
U.S. District Court, Southern District of California (2016)
U.S. District Court, Central District of California (2017)

Education

Summit Law School, J.D., *cum laude*, (2011)
Arizona State University, B.S. (2007)

- Governor Raul Castro Scholarship for Academic Excellence
- Phoenix Law Review, Managing Board Editor, Research and Writing Committee

Memberships

State Bar of Arizona
State Bar of California
Maricopa County Bar Association
Los Angeles County Bar Association

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Practice Areas

Property Subrogation
Construction Defect
Products Liability
Real Property Litigation
Inverse Condemnation
Commercial Contract Enforcement
Appellate Practice

Court and Bar Admissions

Illinois Supreme Court (2012 – inactive)
Arizona Supreme Court (2013)
California Supreme Court (2014)
Nevada Supreme Court (2016)
U.S. District Court, District of Arizona (2022)

Education

The John Marshall Law School, Chicago, Illinois, J.D. (2012)
Lake Forest College, B.A. in Political Science and Economics (2009)

Memberships

American Bar Association
State Bar of Arizona
State Bar of California
State Bar of Nevada
IARDC
National Association of Subrogation Professionals (NASP)

Languages

Ukrainian
German

Deborah E. Mittelman

Associate



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Large Loss Subrogation
Insurance Defense
Fire Loss Litigation
Products Liability Litigation
Appellate Practice

Court and Bar Admissions

Arizona State Bar (1991)
U.S. District Court of Arizona (2002)

Education

Arizona State University College of Law (Sandra Day O'Connor School of Law), J.D. (1988)
Smith College, B.A., (1981)

Certificates/Licenses

Certified Specialist, Workers' Compensation (2004-2023)

Memberships

State Bar of Arizona



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