
M. COLLEEN CONNOR

· Scottsdale, Arizona 85250 ·

MARICOPA COUNTY ATTORNEY'S OFFICE
Civil Division

April 2011 - Present

Practice Group Leader, County Elected Officials Practice Group

Manage the Practice Group that advises Maricopa County's elected officials, including the County Attorney, Recorder, Sheriff, Assessor, Treasurer, and School Superintendent on their official powers and duties.

- Provide oral and written advice regarding open meeting laws, public records requests, record retention, contracts, grant agreements, law enforcement, education law, and property tax matters
- Represent the County in evidentiary hearings, bench trials, and appeals in election challenges, civil commitment hearings, petitions for guardianship, and property tax cases
- Monitor legislative changes related to general government practice and the statutory duties of County officials
- Attend Board of Supervisors' meetings, executive sessions, and public hearings
- Maintain a thorough knowledge of federal and state statutes and case law to ensure that elected officials and departments receive timely and accurate legal advice
- Collaborate with the Civil Division Chief, other Practice Group Leaders, and outside counsel, if retained, to ensure the provision of necessary legal services

MARICOPA COUNTY ATTORNEY'S OFFICE
Civil Division
Deputy County Attorney

August 2005 – April 2011

Served as lead attorney for the Maricopa County School Superintendent, County Recorder, and County Elections Department.¹ Provided daily legal advice on all election, school and recording-related matters as well as giving general advice on public records, procurement law, contracts, and the statutory authority of the County.

- Represented County Boards of Supervisors and Recorders in thirteen Counties as lead attorney in a federal lawsuit that began in 2006 and ended in 2013 with the U.S. Supreme Court's decision, *Arizona v. Intertribal Council of Ariz., Inc.*, 133 S. Ct. 2247 (2013)
- Organized a legal team to defend the County on nomination and initiative petition lawsuits, and on election day legal matters
- Negotiated Consent Decree with the U.S. Department of Justice to ensure the County's compliance with the minority language requirements in the Voting Rights Act

¹ From February 2010 to April 2011, the Office of General Litigation was created by the Board of Supervisors. My job duties and responsibilities were identical during this period.

CITIZENS CLEAN ELECTIONS COMMISSION
Executive Director

January 2000 – June 2005

Responsible for administering the public funding system for statewide and legislative election campaigns as directed by the five-member Citizens Clean Elections Commission during the 2000 to 2004 primary and general elections.

- Implemented a new campaign finance system, the Citizens Clean Elections Act, a voter-approved initiative, for the 2000, 2002 and 2004 primary and general elections
- Managed eight staff members, \$10 million annual budget, and disbursement of \$19.2 million in election campaign funds
- Collaborated with community organizations and media to host candidate debates, and published and mailed candidate statement pamphlets to every household
- Responsible for all legal matters including all campaign finance enforcement matters within the Commission's jurisdiction

OFFICE OF THE ATTORNEY GENERAL
Assistant Attorney General

February 1997 – November 1999

Represented the Arizona Secretary of State's Office in election law and campaign finance enforcement matters, nomination petition challenges, election contests, and ballot measure litigation. Represented Arizona Department of Health Services in licensure enforcement.

EDUCATION University of Baltimore School of Law, J.D., May 1994

- UNIVERSITY OF BALTIMORE LAW REVIEW, 1992 – 1994
- Research Assistant for Professor Kenneth Lasson: *Lawyering Askew: Excesses in the Pursuit of Fees and Justice*, 74 BOSTON U.L. REV. 723 (1994).

Fordham University, B.A. English, May 1991

PUBLICATIONS *Raising Arizona: Strengthening Express Advocacy Regulation Through the Citizens Clean Elections Act*, 34 ARIZ. ST. L.J. 507 (2002).

The Constitutionality of Religious Symbols on Government Property: A Suggested Approach, 37 JOURNAL OF CHURCH AND STATE 701 (1995).

BAR

Arizona State Bar, Admitted October 22, 1994, State Bar #015679

ADMISSIONS

United States District Court for Arizona, Admitted December 21, 1994

United States Court of Appeals, Ninth Circuit, Admitted October 10, 2006

United States Supreme Court, Admitted November 8, 2010

United States Virgin Islands, Admitted November 15, 2017 (Inactive)

MEMBERSHIPS

Arizona State Bar Appointments Committee, 2001 – 2004 & 2004 – 2007

Arizona Women Lawyers Association, 1994- Present

DERYCK R. LAVELLE

Cave Creek, Arizona 85331

PROFESSIONAL EXPERIENCE**CITY OF PHOENIX LAW DEPARTMENT****2014 – Present***Assistant City Attorney*

Maintain a broad general municipal law practice and provide sound, efficient legal advice, guidance and counsel to the Mayor and Phoenix City Council, the City Manager and other City officials and departments on a full range of public sector legal issues. A representative sample of the legal advice rendered includes the following:

City Clerk

- Serve as chief legal advisor to the City Clerk on all election, campaign finance, licensing, lobbying, open meeting and public records law related matters.
- Monitor 9 municipal elections to date including all mayoral, city council, special and run-off elections. Draft all related election call, referral and form of the ballot ordinances including ballot language for Propositions 105 (Light Rail) and 106 (Budget/Pension) for the August 2019 special election. Document all post-election certification of Charter amendments with the Office of the Governor.
- Serve as lead counsel in election litigation challenging the legal sufficiency of a recall petition. Additionally, serve as lead counsel in election litigation challenging whether an initiative to terminate light rail in the City of Phoenix qualified for placement on the August 2019 special election ballot.
- Draft ordinance related to implementing election funding disclosure obligations (Dark Money) for City Council consideration.
- Draft ordinance regulating the licensing of structured sober living homes located within the City of Phoenix; attended all stakeholder meetings to seek input on the proposed regulatory licensing framework.
- Draft amendment to the City's lobbying ordinance requiring disclosure of all lobbying activity and implement new enforcement provisions for violations; update the City's lobbying handbook and online FAQs; present to various stakeholders on impact.

Community & Economic Development

- Serve as lead counsel in connection with the \$231 million redevelopment of the Central Station transit center, a multi-modal transit hub and primary transfer point for the City's light rail and bus systems. Ensure compliance with all procurement and RFP regulations in selecting the successful developer. Negotiate and draft development agreement and related long-term ground lease.
- Defend the City in a procurement bid protest and appeal relating to Mexico trade development consulting services before the Arizona Office of Administrative Hearings.
- Provide continual and ongoing legal advice and counsel on the application of the federal Foreign-Trade Zones Act to the City as Zone Grantee of Foreign-Trade Zone No. 75.

Finance- Real Estate

- Serve as chief legal advisor to the Finance Department on all real estate and transactional issues. Representative transactions include drafting a lease agreement to enable the City of Phoenix Police Department to house vehicles, equipment and other materials instrumental to their special operations and drafting legal documentation to allow the City to partner with a neighboring municipality and local utility provider to increase the City's use of solar power by 60 percent.

PHOENIX COMMUNITY DEVELOPMENT & INVESTMENT CORPORATION 2014 – Present

Chief Legal Officer & General Counsel

Chief legal advisor to the Board of Directors, Chief Executive Officer and management team of a 501(c)(3) non-profit corporation dedicated to attracting private capital investment in underserved low-income communities by leveraging financing under the federal New Market Tax Credit program. Duties include the following:

- Provide ongoing direction on all legal matters impacting the corporation including regular advice in connection with the application, allocation and award of New Market Tax Credits; routinely advise on related regulatory and compliance matters.
- Direct, draft and implement company legal policies and procedures.
- Review all contracts documenting community impact loans and community development grants issued by the company.

MARICOPA COUNTY ATTORNEY'S OFFICE

2011 – 2013

Deputy County Attorney

2003 – 2005

Provided sound and efficient legal advice, guidance and counsel to the Maricopa County Board of Supervisors, the County Manager and other County officials and departments on a full range of public sector legal issues. Professional legal services rendered included the following:

- Represented the County Assessor in annually valuing over \$320 billion of real and personal property and served as lead counsel in over 200 property tax litigation cases before the Arizona Tax Court and Arizona Court of Appeals. Managed two junior litigators and two support staff. Responsible for all aspects of civil litigation from inception of the case through trial, appeal and/or settlement.
- Served as chief legal advisor to the Facilities Management Department on the lease or purchase of all real property, the management of County facilities, and the construction of all public infrastructure improvement projects. Negotiated various intergovernmental agreements, purchase and sale agreements, leases, licenses, easements, permits, and other contracts and transactional documents.

LAW OFFICES OF DERYCK R. LAVELLE, P.L.L.C.

2008 – 2011

Principal (formerly associated with Ridenour, Hinton & Hymson, Goldstein)

Managed a general civil litigation practice of two attorneys and two support staff.

- Represented a corporation in a declaratory judgment class action brought by residential property owners challenging the reallocation of expenses among the parties associated with maintaining and repairing an adjoining lake.
- Represented a financial institution in prosecuting a \$30 million breach of guaranty action.

FENNEMORE CRAIG, P.C.**2005 – 2008***Litigation Attorney*

Managed diverse caseload of business litigation and state and local tax controversies.

- Represented a real estate developer in a breach of contract and insurance bad faith action against a title insurance company for failure of the title company to discover recorded easements on the property prior to the close of escrow.
- Successfully defended a residential property developer in a construction defect case alleging faulty construction of certain common area drainage systems and perimeter walls of a residential subdivision.
- Represented industry clients including oil and gas pipeline companies, airlines, telecommunication and utility providers, hotels, real estate developers and commercial property owners in all aspects of property tax litigation before the state's administrative agencies, and before the Arizona Tax Court and Court of Appeals culminating in the collective recovery of approximately \$50 million in property tax refunds.

EDUCATION**CALIFORNIA WESTERN SCHOOL OF LAW, San Diego, California**

Juris Doctor, 2002

- Recipient, American Jurisprudence Academic Achievement Award for Trial Advocacy.

UNIVERSITY OF HULL GRADUATE SCHOOL OF LAW & POLITICS, Hull, England

Master of Arts, *with highest distinction*, International Law and Politics, 1998

- Recipient, Sir Roy Marshall Law Scholarship.

GEORGETOWN UNIVERSITY, Washington DC

Bachelor of Arts, American Government, 1993

PROFESSIONAL AFFILIATIONS

State of Arizona and United States District Court, District of Arizona, 2003

State of Oregon, 2013

State of Washington, 2014

United States Court of Appeals for the Ninth Circuit, 2012

COMMUNITY SERVICE

Director, Board of Directors for the Southwest Center for HIV 2018 – Present.

Arbitrator & Maricopa County Superior Court Judge Pro Tempore, 2008 – Present.

Committee Member, SOGI Steering Committee, Arizona State Bar, 2008 – 2011.

Graduate, National Institute of Trial Advocacy (NITA) Training Program, 2012.

Volunteer, AGAPE, deliver food to those afflicted with HIV/AIDS, 2003 – 2008.

Volunteer Secondary School Teacher, Georgetown Volunteers in South Africa, 1993.

SHERRY R. SCOTT

Scottsdale, Arizona • •

Executive Summary

A managing municipal lawyer with a proven track record in Scottsdale offering more than 25 years of municipal legal experience in a wide variety of practice areas including over 12 years of recent experience in successful City Attorney Office management and leadership. Serves as the de facto City Attorney in the City Attorney's absence. Collaborative, positive, flexible and problem solving with exceptional communication and presentation skills. Creates and maintains positive professional relationships that build goodwill and enhance the City's ability to achieve positive results. Able to give quick, practical legal advice while consistently creating a positive team environment.

Professional Experience

Deputy City Attorney

City of Scottsdale, City Attorney's Office – Scottsdale, AZ (May 2006 to present)

- Partner with the City Attorney to identify and resolve management issues, improve operations and provide exceptional legal services to the City.
- Manage City Attorney's Office and serve as the *de facto* City Attorney advising the City Council and City when the City Attorney is not available. Regularly attending City Council meetings providing support to the City Attorney as legal issues arise.
- Represent and provide support and legal advice to multiple City executives including the City Manager, City Treasurer, City Clerk, City Auditor, City Judge, and Executive Team on matters of significance, and provide outstanding expertise and knowledge on the City's Zoning Ordinance, Human Resources Ordinance, Airport Ordinance, and Ethics Code, as well as the law in the following general topic areas: open meetings, public records, employment, civil rights, risk management, victim's advocacy, police and fire, tax, drainage, airport, litigation, and planning and zoning.
- Provide experienced, well-reasoned legal advice to multiple Scottsdale public bodies including, but not limited to, the City Council (in the absence of the City Attorney), Planning Commission, Development Review Board, Judicial Advisory Appointment Board, Loss Trust Fund Board, Board of Adjustment, Airport Advisory Commission, and Building Advisory Board of Appeals.
- Supervise and manage complex litigation claims and cases filed against the City of Scottsdale including matters involving torts, civil rights, contract disputes, employment, land use, and municipal tax. This includes evaluating and assigning cases to internal trial lawyers as well as retaining outside counsel on limited occasions and managing all trial lawyers representing the City in litigation.
- Routinely prepare ordinances, resolutions, contracts/leases, development agreements, pleadings, motions, legal opinions and various other legal documents to include enforcement actions on behalf of the City.
- Supervise and manage a successful team of five lawyers (Civil) and 5 victims' advocates (Prosecution) including approving work schedules, recommending personnel actions from hiring

to terminations, providing employee training, coaching, and career development, establishing performance goals and preparing performance evaluations.

- Routinely work on a wide variety of recruitments, hiring decisions, personnel investigations and discipline of employees up to and including terminations, both as a manager for the City Attorney's Office and as a legal advisor to all City Departments in HR related matters.

Assistant City Attorney/Senior Assistant City Attorney

City of Scottsdale, City Attorney's Office – Scottsdale, AZ (April 2001 to May 2006)

- Provided legal work and advice on planning and zoning cases including advising the Board of Adjustment, Planning Commission and Development Review Board; preparing and recommending related legal advice to the City Council.
- Successfully litigated hundreds of cases for the City of Scottsdale from inception to end including complex civil rights cases, personal injury cases, tax cases, and special actions challenging the City's zoning ordinances and land use decisions. This work included passionately representing the City in multiple arbitrations, mediations, administrative hearings, trials, and appeals at the Municipal Tax Hearing Office, the Superior Court of Maricopa County, the Arizona Court of Appeals, the United States District Court, and the United States Court of Appeals for the Ninth Circuit.

Litigation Attorney

Ely Bettini Ulman & Rosenblatt – Phoenix, AZ (August 1994 to February 2001)

- Litigated all aspects of civil cases including premises liability, highway design, motor vehicle, product liability, personal injury torts and workers' compensation cases from inception to end.

Litigation Attorney

Gallagher & Kennedy – Phoenix, AZ (July 1991 to July 1994)

- Defended civil litigation cases including premises liability, public nuisance, motor vehicle torts, police negligence and road design cases filed against the City of Phoenix and other defendants.

Education

Juris Doctor, Cum Laude, 1991, Arizona State University

(Regents' Scholarship Recipient, Pedrick Scholar, Winner of ASU Jenckes Advocacy Contest, Honors in Research and Writing)

B.A., Political Science, Magna Cum Laude, 1987, Southwest Missouri State University

(Justice on SMSU Court of Appeals/Student Government, Assistant to Missouri State Senator Melton, SMSU Bearpac Lobbyist, President of Pre-Law Club)

Professional Affiliations

AV® Preeminent™ Peer Review Rating by Martindale-Hubbell

Active Member in good standing of the State Bar/Public Lawyers Section

Active Member of Arizona Association of City Attorneys/League of AZ Cities and Towns

Active Member of International Municipal Lawyers Association

Admitted to practice in United States District Court, District of Arizona

Admitted to practice in the United States Court of Appeals for the Ninth Circuit