



DONALD MYLES

OF COUNSEL

Arizona

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Areas of Practice:

Alternative Dispute Resolution
Bad Faith & Extra-Contractual Liability
Insurance Coverage & Third-Party Liability
Professional Liability
Wrongful Death & Personal Injury Defense

Industries Served:

Insurance
Professional Service Providers

Don Myles is one of the most experienced trial lawyers in Arizona. He is a Fellow in the American College of Trial Lawyers (ACTL), an Advocate member of the American Board of Trial Advocates (ABOTA), and a Fellow in the American Academy of Coverage Counsel (AACC). Don is a Past President of the Federation of Defense and Corporate Counsel (FDCC), Past President of the Arizona Association of Defense Counsel (AADC), and a Past President of USLAW Network. He has been recognized by Chambers USA as a Band 1 lawyer in Insurance Law since 2019.

In his alternative dispute resolution practice, Don mediates tort claims in the areas of professional liability, insurance bad faith, coverage and general tort liability. Don has also served as an expert witness in insurance-related matters. To further his ADR experience and skill-set, Don completed advanced mediation training provided by the Straus Institute for Dispute Resolution at Pepperdine Caruso School of Law. He is available for mediations, arbitrations, appraisals and expert witness testimony.



REPRESENTATIVE CASES

- *Zuehl v. Farmers Insurance Company of Arizona* (Ariz. 2021) Obtained summary judgment in a coverage, bad faith case for Farmers Insurance Company of Arizona. The Court found in favor of Farmers and disposed of the case in its entirety.
- *Barbara Sloan v. Farmers Insurance Company of Arizona, Farmers Insurance Exchange, and Farmers Group, Inc.* (Ariz. 2021) -Prevailed in a bad faith case for Farmers Insurance Company of Arizona, affirming their 2012 defense verdict, the trial court’s 2019 denial of Plaintiff’s motion for a new trial, and Plaintiff’s motion for relief from judgment.
- *Truck Insurance v. La Patisserie, et al.* (Ariz. 2019) – Obtained successful jury verdict defending an insurance agent in a professional negligence action. After a three-week trial, the bakery claimed \$70 million in damages (incl. those alleged against carrier). The jury awarded the bakery only \$2,616.80 on the agent negligence claim.

- [Twin City Fire Ins. Co. v. Leija](#), 244 Ariz. 493 (Ariz. 2018) (claimants who settle third-party claims are not entitled to post-settlement trials to determine percentage of employer fault solely to reduce or extinguish a workers' compensation carrier's lien).
- [Gabriel Armendariz v. Manuel Padilla, et al.](#) (Ariz. 2017) – Obtained summary judgment in Section 1983 civil rights action for false arrest made against a City of Yuma Police Sergeant.
- [Watts v. Medicis](#), 365 P.2d 944 (Ariz. 2016) – Obtained favorable opinion from the Arizona Supreme Court in products liability case of first impression adopting learned intermediary doctrine and rejecting direct-to-consumer marketing exception
- [Arcade v. AGCS Marine Insurance](#) (Ariz. 2015) – A motion for summary judgment was obtained in Federal Court without hearing oral arguments.
- [Chelius v. City of Yuma](#) (Ariz. 2015) – A motion for summary judgment was granted in a 42 U.S.C. § 1983 civil rights action against the City of Yuma. The net effect of this victory was to save the City of Yuma more than \$1.5 Million in potential damages.
- [Fernandez v. City of Phoenix](#) (Ariz. 2015) – A motion for summary judgment was granted in favor of the City of Phoenix invalidating a stipulated judgment against the City for \$8.5 million in a Morris-type of agreement.
- [Redmond v. Mid Century, et al.](#) (Ariz. 2015) – A motion for summary judgment was successfully granted invalidating a \$3.3 million stipulated judgment against Mid Century's \$100,000 auto policy limit.
- [Empire Talent & Modeling v. Auto-Owners Insurance Company](#) (2014) – Obtained summary judgment on bad faith claim and punitive damages, and received a unanimous jury verdict in \$1.5 million case alleging breach of contract "reasonable expectations" claim for insurer arising out of the denial of the alleged loss of talent portfolios stored on multimedia.
- [Barbara Sloan v. Farmers Insurance Company of Arizona, Farmers Insurance Exchange, and Farmers Group](#) (Ariz. 2012) – Obtained a defense verdict in a bad faith and punitive damage case on behalf of a national insurer. Plaintiff claimed \$25 million in damages. This case was recognized as the [2012 Arizona Defense Verdict of the Year by Arizona Attorney Magazine](#).

CIVIC & COMMUNITY ASSOCIATIONS

- Lobbyist Arizona State Legislature, 2001-2008

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- Federation of Defense & Corporate Counsel (FDCC), President, 2018-2019, Chairman of the Board, 2019-2020
- USLAW Network, President, 2004-2005
- Arizona Association of Defense Counsel (AADC), President, 2004-2005
- International Academy of Trial Lawyers (IATL), Fellow, 2014-2024
- Lawyers for Civil Justice, Board of Directors, 2017-2020
- [American Board of Trial Advocates](#) (ABOTA), Advocate Rank, 1996-Present
- Arizona Association of Defense Counsel (AADC), President, 2004-2005
- American College of Coverage Counsel (ACCC), Fellow, 2017-Present
- DRI, Board of Directors, 2018-2019
- Association of Defense Trial Attorneys (ADTA), Member, 2013-Present
- Maricopa County Superior Court, Judge Pro Tem, 1993-1997, 2005-2008
- International Association of Defense Counsel, Member, 2019

PROFESSIONAL RECOGNITION & AWARDS

- [Southwest Super Lawyers](#), Alternative Dispute Resolution, 2012-2024
- [Chambers USA, Band 1 Ranking – Insurance Law, 2019, 2020, 2021, 2022](#)
- [Best Lawyers in America](#)® "Lawyer of the Year," Insurance Law in Arizona, 2016, 2018, 2021
- [Best Lawyers in America](#)®, Insurance Law, 2012-2024; Litigation – Insurance, 2017-2024; Personal Injury Litigation – Defendants, 2020-2024; Product Liability Litigation – Defendants, 2022-2024; Commercial Litigation, 2023-2024; Professional Malpractice Law – Defendants, 2023-2024
- AV-Preeminent Rated on Martindale-Hubbell
- Top 100 Lawyers in Arizona, Az Business Magazine, 2018
- Federation of Defense & Corporate Counsel Olshan Award, 2013
- [Phoenix Magazine Top Lawyers](#), Civil Law Litigation, 2022

PRESENTATIONS & PUBLICATIONS

- "How Drones Can Benefit the Insurance Industry," USLAW Network's Magazine, November 2020
- "The 'Advice of Counsel Defense' in Coverage Cases: You Might Be Waiving More Than You Realize," JSH Legal Update, June 2020
- "COVID-19: The First and Third Party Claims are on the Way," JSH Legal Update, April 2020
- "Traps for the Unwary – Insurance Coverage and Related Issues," Panelist, ADTA 78th Annual Meeting, May 2019
- "Advanced Fire Science: Applying the Scientific Method to Scene and Evidence Investigations," Co-Presenter, Fighting Fire With Fire Workshop, June 2016

- “Bad Faith Defense Themes,” Author, JSH Reporter, Page 30, Summer 2016
- “[Top 10 Ways To Commit Bad Faith](#),” Author, JSH Reporter, Summer 2015
- “Best Practices to Avoid Extra-Contractual Exposure,” Co-Presenter, Central Claim Executives Association, May 2015
- “Litigation Management – Defense Counsel’s Challenges in Complying with Carrier Guidelines The Best Interest of the Insured-Client,” Presenter, 2015 CLM Annual Conference, March 2015
- “The Relationship Between the Fire Investigation, Fire Department and the Legal Community,” Co-Presenter, DRI Fire and Science Litigation Seminar, November 2014
- “Anatomy of a Real-Life Arson Defense Litigation,” Co-Presenter, PLRB Large Loss Conference, October 2014
- “Sports Law Panel: What is the Law of Sport?” Moderator, FDCC 11th Annual Corporate Counsel Symposium, September 2014
- “Avoiding Bad Faith Set Ups,” Co-Presenter, 2013 PLRB Claims Conference, March 2013
- “Punitive Damages and Social Media Transformation Litigation,” Content Contributor, com, July 2012

EDUCATION

Pepperdine Caruso School of Law, Straus Institute for Dispute Resolution, 2021

Southwestern University, J.D., 1982

Dean’s Honor List, 1979-1982

California Lutheran University, B.A., Political Science, *cum laude*, 1979

All-American Javelin Thrower

BAR ADMISSIONS

Arizona

Arizona Supreme Court

U.S. District Court, District of Arizona

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Tenth Circuit

U.S. Supreme Court