



# THE LAW OFFICES OF DONALD W. HUDSPETH, P.C.

Helping Businesses Grow Locally,  
Nationally and Globally

By Lynette Carrington

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**W**hen considering starting a business or expanding operations, getting sound and insightful legal advice should always be the first objective for any business owner or executive. The Law Offices of Donald W. Hudspeth, P.C. has long been sought by serious businesspersons looking to do business in Arizona and also by those in Arizona who want to expand services and operations into the global market.

## Hands-On, Practical Business Operational Experience

Prior to getting into the field of law, Don Hudspeth was a successful business owner. He built and owned a chain of taverns and real estate, then moved to Phoenix from Kansas to open a chain of bath and linen stores located in local malls. After he sold those businesses, Hudspeth went to law school. "This practical, hands-on business experience has served me well in representing business clients because I can wear the business hat," said Hudspeth. "I compare it to child-raising. Sure you want to read the books and learn everything you can. But, when you actually raise a child, you learn what it's all about. Likewise, I didn't just learn about business ownership and operations, and business law by reading books I 'learned by doing.' It's a tremendous advantage for the client and myself to have that practical, hands-on experience." That

being said, Hudspeth taught business law at Arizona State University for five years, conducts workshops and seminars, writes articles and speaks to various business and government organizations on business law issues. So, he knows the academic, book side of business law as well.

## Partnering with Other Law Firms

"The level of knowledge required to practice in any area of law is rising exponentially and becoming increasingly complex. Thus, the need for lawyers, like doctors, to create an inter-disciplinary approach is critical," says Hudspeth. For example, within Arizona, attorneys who practice estate planning, family law and immigration law benefit from working with or referring their clients to the Hudspeth Law Firm when the matter involves a business. As an expert in business law matters, the firm can assist lawyers who work in other areas of law to avoid common mistakes and work through the business law issues. The business, or a family's livelihood, should never be at stake, and in business, some mistakes can genuinely be life altering. Whether the legal matter is business contracts with vendors, employees and independent contractors, commercial litigation, or buying or selling a business the Law Offices of Donald W. Hudspeth is a leader in the field of business law.



## Getting Started and Organizational Engineering

For business owners first getting started in Arizona, the team at the Law Offices of Donald W. Hudspeth will navigate the waters of their business journey to help them avoid common business pitfalls and position their business to be correctly legally situated. "If you are starting a business (and we meet with clients like that almost every day), owners want to know the difference between an LLC and a corporation in terms of the law and how

they're managed; both the legal and practical aspects. Many times, we do client contracts as well as employee contracts and other agreements specific to the business. We basically formalize every relationship the client has. That's what I call part of the 'legal brick house.' I also call it 'organizational engineering,'" stated Donald Hudspeth. "It's relatively inexpensive to do that in the office. I use the analogy of the difference between a doctor's visit and emergency room surgery. It's much less expensive to have us do the start up work and the contracts, trademarks, lease reviews and basic organizational work early on; not necessarily all at once, but as the client can, rather than not doing it and having the client walk in later with an event that's a crisis," he explained. Many clients that come to Hudspeth's office wind up in the office after an unfortunate event has occurred. Of course, it's preferable to prepare a client for success rather than a problem afterwards; but, the firm can remedy dispute situations or, when necessary, litigate with total expertise to get the business back on track for future success.

Some areas of business law where the firm is able to assist business owners and corporate executives are start-up considerations, negotiating and drafting contracts of all kinds, including client, employment and subcontractor agreements, Franchising (formation, review and litigation), intellectual property, international business law, asset protection, dissolutions and partnership disputes, buying and selling a business, alternative dispute resolution, LLCs, partnerships, C corporations and S corporations.

## Local Counsel; Global Business, to and from Arizona; Strategic Partnerships

The Hudspeth Law Firm acts as counsel for local and global operations, both coming to, and/or expanding from Arizona. There are several aspects to that: "We helped a Japanese firm locate a semiconductor plant in Arizona. This firm did the legal work, and we partnered with experts (Reagan administration officials), who were familiar with the government agencies involved, to meet requirements and secure governmental incentives. We also brought in a Wall Street liaison to help with local financing and international currency and payment





issues. The technology company is now obtaining more favorable terms through the banks with the assistance of the Arizona Commerce Authority, as well as getting assistance every step of the way from local and state government,” Hudspeth explained. It was the powerful combination of the legal, financial and governmental expertise that allowed the successful location of the semi-conductor plant in Arizona. Again, this inter-disciplinary approach in strategic partnership maximizes efficiency, effectiveness and client satisfaction.

Companies evaluating Arizona can also gain from the firm’s insight into the business climate that exists here. “For example, the Japanese semi-conductor company was initially looking at California because there is a wealth of tech labor force and tech culture there.” But, once the firm reviewed California and Arizona law with the client and helped them weigh the differences, the choice seemed clear. Also, “on the same day that I first met with the client, we had both state and city government officials in my office within hours. So, they were rolling in tandem before they left my offices that day. That convinced the client that Arizona was business friendly, pro-active and where they wanted to be,” said Hudspeth.

On the other end of business, the Law Offices of Donald W. Hudspeth is helping local business go global. Arizona companies wanting to open shop in other countries, e.g. the UK or China will use the firm to help get their legal ducks in a row before taking on the larger operations, staff and legal challenges.



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## The Internet, Domain Names and Trademarks

At the national and international level, domain name and trademark litigation has become more commonplace. “Right now, we’re representing a client out of the UK who did some of the custom work for the vehicles in the “Skyfall” movie. The client is in trouble with an international car manufacturer for the alleged misuse of its domain name. This client had already lost the domain name in (ICANN) arbitration when we were hired to file an action to appeal the award and for us to possibly negotiate a settlement,” Hudspeth explained. “The reason the client came to Arizona is because of jurisdiction; Go Daddy, which hosts the domain name, is located in Arizona.”

## Litigation and Dispute Resolution

When business disputes occur or litigation becomes necessary, the firm is ready for anything from the most common to the most complex legal challenges. “We wind up doing a lot of partnership disputes, sometimes also called a ‘business divorce.’ That’s where the partners or co-owners of an LLC or corporation are not getting along. Sometimes it’s because one of them is misbehaving. But more commonly, it’s because there’s not enough money, they have different visions, one has a family and one doesn’t or they have different work ethics or work abilities. For a variety of reasons the company falls apart,” Hudspeth explained. “Many times they don’t have in place what’s called a buy/sell agreement (like a business



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prenuptial), so they spend time and money, not to mention suffering extreme emotional distress, litigating whether there's going to be a buyout at all and if so, at what price."

The firm's litigation team is first rate. "The firm spent two years in litigation with our team of attorneys working against an opposing team, led by opposing counsel Brian Stanley. Although our firm succeeded in getting our client a check for nearly \$1,000,000, we were so impressed by Stanley's legal boldness and contentiousness, that we brought him into the fold as of counsel. Stanley now serves as senior litigation counsel for the firm." Hudspeth looks for attorneys who have the "ability to see," a natural instinct and vision about what they are doing. "The firm attorneys have this unique ability," Hudspeth noted. "The firm's litigation associate, Craig Broadbent, also has this natural instinct to get to the heart of the matter and to see what needs to be done."

## The Firm Business Model: A New Way of Thinking for a New Age

The firm has more than seventy years of combined business and commercial litigation experience. Donald Hudspeth possesses that unique business ownership perspective and experience that he brings to the table for each of the firm's clients. "One of the benefits we offer is the new cost-effective business model. It is a new way of thinking for a new age. In the traditional law firm you often have high overhead costs related to floor space, attorneys, staff and related expenses," says Hudspeth. The Hudspeth Law firm jettisoned that approach. Now, the firm has a core team of lawyers and a core space. Other attorneys working for the firm come in, get their assignments and do the work wherever they want to do it. These satellite attorneys are chosen and used based on the case and their expertise in the area. "This business model allows us to fit the attorney to the case." It makes for a better case outcome and it provides more value to the client. And, by reducing firm overhead this business model allows the firm to keep its fees reasonable while providing the highest level of expertise. So, bottom line, the business gets the best work for the same or less money; and the client benefits.

## Getting Started

The Law Offices of Donald W. Hudspeth may welcome potential clients with an initial consultation. Consultation fees are sometimes applied to the account of those that hire the firm for work. Business owners and executives benefit from the skill and expertise of a business law firm with this unique combination of legal, practical and academic experience. The firm will gladly partner with a client's current immigration, divorce or estate counsel on the business portions of their case and with litigation and transactional attorneys from out of state who need Arizona legal representation.

## AT A GLANCE

### **The Law Offices of Donald W. Hudspeth, P.C.**

3200 N. Central Avenue, Suite 2500

Phoenix, Arizona 85012

1-866-696-2033

[www.AZBusLaw.com](http://www.AZBusLaw.com)

Founded by Donald W. Hudspeth in 1992

**Managing Attorney:** Donald Hudspeth

**Senior Attorney:** Brian Stanley, Of Counsel

**Associates:** Craig Broadbent; Contract Attorneys

#### **Staff:**

Lupe-Marie Jasso, Firm Administrator/Marketing Director

Sylvia La Mar, Firm Accountant

Tom Gadd, Senior Paralegal

Kim Jamison, Legal Secretary

Leslie Dighero, Administrative Assistant

N. Rebecca Jasso, SEO/Social Media Marketing

Marisa Gama, Marketing Assistant

Molly Powell, Assistant

**Practice Areas:** Transactional & Commercial Litigation and Real Estate Law  
Business and commercial law • Intellectual Property • Computer crimes and law • Multidistrict litigation • Mergers and acquisitions • Formation and business planning • Directors and officers liability • Uniform Commercial Code • Joint ventures • Interstate and International law

#### **Publications & Radio:**

Founder of Radio Programs "Law on the Edge" & "Law Talk"

#### **Author of:**

"Law On The Edge: Sex and the Constitution"

"Inside the Firm: The Inside Story Of Choosing and Using a Lawyer"

- Numerous articles online

#### **Awards:**

- Volunteer Lawyer of Month, Maricopa County Bar Association, 1990
- Maricopa County Volunteer Lawyers Certificate of Commendation 1988
- Martindale Hubbell/ LexisNexis—Very High Rating in Ability & Ethics, 2010
- Volunteer Lawyer Certificate of Commendation
- Volunteer Lawyer of the Month
- Distinguished Service Award

#### **Memberships:**

- President 1999-2000 Arizona Biltmore Estates Home Owners Association.
- Board Member Arizona Biltmore Estates Home Owners Association 1996-2000
- Board Member Biltmore Area Partnership 2000-present
- Maricopa County Bar Association, Volunteers Lawyers Program