



JENNINGS HAUG  
KELEHER MCLEOD



602.234.7832

[jlc@jhkmlaw.com](mailto:jlc@jhkmlaw.com)

2800 North Central Ave.  
Suite 1800  
Phoenix, AZ 85004

## Services

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- » Fidelity & Surety Law
- » Construction Law
- » Construction Litigation
- » Litigation
- » Business Law
- » Appellate

# James L. Csontos

James Csontos practices in the firm's surety and construction litigation section where he devotes a substantial portion of his practice providing legal advice and representation to owners, contractors, sureties and other members of the construction industry.

James also serves as corporate counsel to numerous small businesses, assisting them with various types of legal matters including business operations, contract questions and commercial litigation.

He joined the firm in 1986 and became a partner in 1994.

James is a graduate of Arizona State University.

## Bar Admissions

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- » Arizona
- » U.S. District Court for the District of Arizona
- » U.S. District Court for the Northern District of California
- » U.S. Court of Appeals for the Ninth Circuit
- » U.S. Court of Appeals for the Federal Circuit
- » U.S. Court of Federal Claims

## Education

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**Arizona State University College of Law, J.D., cum laude (1986)**

**Arizona State University, B.S., magna cum laude (1982)**

## Published Works

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- » Contributing author, *State-By-State Guide to Design and Construction Contracts and Claims* (3rd Ed.) (Arizona Chapter and Annual Supplements), **Wolters Kluwer – Aspen Law** (2022)
- » Contributing author, *State-By-State Guide to Architect, Engineer and Contractor Licensing* (2nd Ed.) (Arizona Chapter and Annual Supplements), **Wolters Kluwer – Aspen Law** (2022)
- » Contributing author, *Fifty State Construction Lien and Bond Law* (3rd Ed.) (Arizona Chapter and Annual Supplements), **Wolters Kluwer – Aspen Law** (2022)
- » Contributing author, "The Quick Reference Guide to Western States Surety Law," **Western States Surety Conference** (2022)
- » Author, "Surety Law Updates for Arizona, Nevada and New Mexico," **Western States Surety Conference** (2022)
- » Contributing author, "The Quick Reference Guide to Western States Surety Law," **Western States Surety Conference** (2021)

## **Published Works (cont.)**

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- » Author, *“Surety Law Updates for Arizona, Nevada and New Mexico,”* **Western States Surety Conference** (2021)
- » Contributing author, *“Dirty Litigation Tactics: How to Deal with the ‘Rambo’ Litigator,”* **National Business Institute** (2019)
- » Contributing author, *“Managing Construction Projects,”* **HalfMoon Education, Inc.** (2019)
- » Contributing author, *“The Challenges of a Disputed Default,”* **Western States Surety Conference** (2018)
- » Contributing author, *“How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Theirs Out),”* **National Business Institute** (2018)
- » Contributing author, *“Tax Exempt Organizations From Start to Finish,”* **National Business Institute** (2018)
- » Contributing author, *“Construction Contract Workshop: Understanding Issues in Contract Administration,”* **HalfMoon Education, Inc.** (2018)
- » Contributing author, *“Negotiating Indemnification, Reps, Warranties and More in Business Contracts,”* **National Business Institute** (2017)
- » Contributing author, *“Local Government Law from Start to Finish,”* **National Business Institute** (2017)
- » Contributing author, *“Construction Law,”* **Half Moon Education, Inc.** (2016)
- » Contributing author, *“Preventing Business Contract Disputes,”* **National Business Institute** (2016)
- » Contributing author, *“How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Theirs Out),”* **National Business Institute** (2016)
- » Contributing author, *“Arizona Mechanic’s & Materialmen’s Lien and Bond Claims,”* **Credit Management Association** (2016)
- » Contributing author, *“Construction Law: What do You do When . . . ?”* **National Business Institute** (2016)
- » Contributing author, *“What Appellate Court Judges Want You to Know,”* **National Business Institute** (2015)
- » Contributing author, *“Managing Engineering Risk,”* **HalfMoon Education, Inc.** (2015)
- » Contributing author, *“Construction Defect Litigation: From A to Z,”* **National Business Institute** (2015)
- » Contributing author, *State-By-State Guide to Architect, Engineer and Contractor Licensing (2nd Ed.) (Arizona Chapter and Annual Supplements),* **Wolters Kluwer – Aspen Law** (2015)
- » Contributing author, *State-By-State Guide to Design and Construction Contracts and Claims (2nd Ed.) (Arizona Chapter and Annual Supplements),* **Wolters Kluwer – Aspen Law** (2015)
- » Contributing author, *Fifty State Construction Lien and Bond Law (3rd Ed.) (Arizona Chapter and Annual Supplements),* **Wolters Kluwer – Aspen Law** (2015)
- » Contributing author, *“Legal Ethics,”* **National Business Institute** (2014)
- » Contributing author, *“Navigating the Appeals Process,”* **National Business Institute** (2012)
- » Contributing author, *“Business Contracts A to Z,”* **National Business Institute** (2012)
- » Contributing author, *Arizona Construction Law Practice Manual (Ch. 4.3, Construction Surety Claims),* **Arizona State Bar** (2011)
- » Contributing author, *“An Attorney’s Guide to Professionalism,”* **National Business Institute** (2010)

## **Published Works (cont.)**

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- » Author, *“Property Crawlers,”* **AZRE Magazine** (Nov/Dec. 2009)
- » Author, *“Deal or no Dealership, Coverage under Motor Vehicle Dealer License Bonds,”* **Western States Surety Conference** (2009)
- » Contributing author, *“Resolving Problems and Disputes on Construction Projects,”* **National Business Institute** (2009)
- » Contributing author, *“How to Deal with the Rambo Litigator and Avoid Dirty Litigation Tactics,”* **National Business Institute** (2008)
- » Contributing author, *“Professional Liability in Design and Construction Contracts,”* **National Business Institute** (2008)
- » Contributing author, *“Construction Law Fundamentals: Handling Project Risk,”* **National Business Institute** (2007)
- » Contributing author, *“Managing Complex Construction Law Issues,”* **National Business Institute** (2006)
- » Contributing author, State by State Guide to Construction Contracts and Claims, (Arizona chapter), **Aspen Publishers** (2006 and annual supplements)
- » Author, *“Using a Mechanics Lien to Get Your Money,”* **National Business Institute** (2006)
- » Contributing Author, **Fundamentals of Construction Law in Arizona** (2004)
- » Contributing author, State by State Guide to Architect, Engineer, and Contractor Licensing (Arizona Supplement), **Aspen Law Publications** (2002–present)
- » Contributing author, 50 State Construction Lien and Bond Law (2nd Ed.) (Arizona Chapter), **Aspen Law Publications** (2000 and annual supplements)
- » Contributing author, *“Mechanics’ Lien Law and Strategies in Arizona,”* **National Business Institute** (2005)
- » Contributing author, *“Construction Payment Remedies in Arizona,”* **National Business Institute** (1997–2005)
- » Contributing author, *“Arizona Construction Law: What do you do when?”* **National Business Institute** (1999–2005)
- » Contributing author, *“Advanced Construction Law in Arizona,”* **National Business Institute** (1999–2005)
- » Contributing author, *“Handling Miscellaneous Bond Claims,”* **Western States Surety Conference** (1998)
- » Author, *“An Overview of Arizona Civil RICO”* (1989)
- » Co-author with William F. Haug, *“Fifty State Construction Lien and Bond Laws”*
- » Author, *“Construction Law: What do you do When? Delay, Changed Conditions, Contract Changes”* (1993)

## **Published Opinions**

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- » *Goldman v Sahl*, 248 Ariz. 512, 462 P.3d 1017 (Ct. App. 2020)
- » *Weitz Co. v. Heth*, 235 Ariz. 405, 333 P.3d 23 (2014) (amicus curiae)
- » *Weitz Co. v. Heth*, 233 Ariz. 442, 314 P.3d 569 (Ct. App. 2013) (amicus curiae)
- » *U.S. ex rel. EPC Corp. v. Travelers Cas. & Surety Co. of America*, 423 F.Supp.2d 1016 (D. Ariz. 2006)
- » *ABC Supply, Inc. v. Edwards*, 191 Ariz. 48, 952 P.2d 286 (Ct. App. 1996)

## **Published Opinions (cont.)**

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- » *Aesthetic Property Maintenance, Inc. v. Capitol Indem. Corp.*, 183 Ariz. 74, 900 P.2d 1210 (1995)
- » *Fields v Capitol Indem. Corp.*, 180 Ariz. 312, 884 P.2d 198 (Ct. App. 1994)
- » *Big D v. Court of Appeals*, 163 Ariz. 560, 789 P.2d 1061 (1990)
- » *Western Sun Contracting Co. v. Superior Court*, 159 Ariz. 223, 766 P.2d 96 (Ct. App. 1989)

## **Honors and Awards**

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- » Selected for inclusion in the *Best Lawyers in America*® in the following areas:
  - Commercial Litigation (2024)
  - Construction Law (2011–2023)
  - Construction Litigation (2011–2023)

## **Professional Associations & Memberships**

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### **State Bar of Arizona, Member**

- » Construction Section
  - Executive Council (1998–2003)
  - Chairman (2001–2002)
- » Alternative Dispute Resolution Section

### **American Bar Association, Member**

## **Classes & Seminars**

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- » “Surety Law Updates for Arizona, Nevada and New Mexico,” Western States Surety Conference (Seattle, 2022)
- » Surety Law Updates for Arizona, Nevada and New Mexico, Western States Surety Conference (Seattle, 2021)
- » Dirty Litigation Tactics: How to Deal with the “Rambo” Litigator, National Business Institute (2019)
- » Managing Construction Projects, HalfMoon Education, Inc. (2019)
- » The Challenges of a Disputed Default, Western States Surety Conference (Seattle, 2018)
- » How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Thiers Out), National Business Institute (2018)
- » Tax Exempt Organizations From Start to Finish, National Business Institute (2018)
- » Western Legal Roundup, Diversity and Inclusion Section, Arizona State Bar (2018)
- » Construction Contract Workshop: Understanding Issues in Contract Administration, HalfMoon Education, Inc. (January 24, 2018)
- » Negotiating Indemnification, Reps, Warranties and More in Business Contracts, National Business Institute (2017)
- » Local Government Law from Start to Finish, National Business Institute (2017)
- » Construction Law, Half Moon Education, Inc. (2016)

## **Classes & Seminars (cont.)**

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- » Preventing Business Contract Disputes, National Business Institute (2016)
- » How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Thiers Out), National Business Institute (2016)
- » How to Get Your Social Media, Email and Text Evidence Admitted (and Keep Thiers Out), National Business Institute (2016)
- » Arizona Mechanic's & Materialmen's Lien and Bond Claims, Credit Management Association (2016)
- » Construction Law: What do You do When . . .?, National Business Institute (2016)
- » What Appellate Court Judges Want You to Know, National Business Institute (2015)
- » Construction Defect Litigation: From A to Z, National Business Institute (2015)
- » Surety Law Updates for Arizona and New Mexico, Western States Surety Conference (Seattle, 2015)
- » Don't Treat Me Bad – Dealing with Principal and Indemnitor Fraud, Western States Surety Conference (Seattle, 2014)
- » Successfully Navigating the Appeals Process, National Business Institute (2012)
- » What is Under the Fig Leaf, Payment Bond Coverage Across the Western States, Western States Surety Conference (Seattle, 2012)
- » It is Only Money: The Economic Loss Rule's Impact on Surety Claims and Subrogation, Western States Surety Conference (Seattle, 2011)
- » Equitable Subrogation, Arizona State Bar Association, Construction Section (2011)
- » Resolving Problems and Disputes on Construction Projects, National Business Institute (Jan. 13, 2009)
- » Successfully Navigating the Appeals Process, National Business Institute (2009)
- » Professional Liability in Design and Construction Contracts, National Business Institute (Sept. 9, 2008)
- » How to Deal with the 'Rambo' Litigator and Avoid Dirty Litigation Tactics, National Business Institute, (June 25, 2008)
- » Arizona Construction Law for Architects, Engineers and Contractors, HalfMoon Seminars (April 3, 2008)
- » National Bond Claims Association's Annual Seminar (Oct. 11, 2007 – Oct. 12, 2007)
- » Construction Law Fundamentals: Managing Project Risk, National Business Institute (Dec. 12, 2007)
- » Managing Complex Construction Law Issues, National Business Institute (Sept. 8, 2006)
- » No License? No Problem..., Construction Section of the Arizona State Bar Association (Sept. 5, 2006)
- » Using a Mechanics' Lien to Get Your Money, National Business Institute (June 5, 2006)
- » In Search of the Pot of Gold: Where to Find Money When It Is Not Where It Should Be, State Bar of Arizona, Construction Section monthly seminar (2000)
- » Handling Miscellaneous Bond Claims, Western States Surety Conference (Seattle, 1998)