



Alexander P. McLaughlin

Partner

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Alex's practice focuses on general and commercial litigation at the trial, appellate, and administrative levels.

Alex is co-chair of the Givens Pursley Litigation Group. He has achieved significant accolades in general, tort and commercial litigation, having been named as a Senior Fellow for Litigation Counsel of America, and being listed in Chambers USA and Mountain States Super Lawyers. Alex has appeared in front of the Idaho Supreme Court, the Idaho Court of Appeals, the Ninth Circuit Court of Appeals, Federal District Court, and Federal Bankruptcy Court.

Practice Areas

- Litigation
- Creditors' Rights and Bankruptcy

Industries

- Banking
- Real Estate Development, Construction and Investment

Recognition

- Chambers USA, America's Leading Lawyers for Business (Litigation: General Commercial)
- Mountain States Super Lawyers®, Top 100 Lawyers, 2023
- Litigation Counsel of America (Senior Fellow)

Education

- J.D. (Cum Laude), University of Idaho, College of Law, 2008
- B.S. (Magna Cum Laude), College of Idaho, 2004

Admissions

- Idaho 2008
- US District Court (Idaho) 2008
- 9th Circuit 2008

Memberships & Affiliations

- Idaho State Bar, Litigation Section, At Large Council Member
- Idaho State Bar, Appellate Law Section
- Idaho State Bar, Commercial Law and Bankruptcy Section
- American Inns of Court No. 130
- Idaho Association of Defense Counsel
- George Wolfe Scholarship Selection Committee, Former Committee Chairman
- Idaho Volunteer Lawyers Program, Wall of Fame (2009 to present)
- International Rescue Committee and YMCA, Biweekly volunteer and mentor for African refugees
- Boise Weekly, Former Guest Opinion Writer

Experience

- Puckett v. Evans, 2023 WL 6458669 (Idaho Ct. App. Oct. 4, 2023) (successfully represented defendant/respondent in action by plaintiff/appellant challenging the validity of an annexation decision by the City of Eagle, and was awarded fees and costs by the district court and Idaho Court of Appeals).
- Albion Ranch 2006, LLC v. Zoetis Inc., 2023 WL 6378841 (D. Idaho. Sept. 29, 2023) (successfully represented defendant in dismissing plaintiff's lawsuit based on the Viruses, Serums, Toxins, and Analogous Products Act ("VSTA") and Animal and Plant Health Inspection Service's ("APHIS") regulations).
- In the Matter of Release of Common Law Lien, 513 P.3d 447 (Idaho 2022) (successfully represented client in front of the Idaho Supreme Court in appeal of decision releasing from Ada County real property records a notice of claim in the amount of \$17.5 million, pursuant to Idaho Code Section 45-811, which forbids recordation of nonconsensual common law liens and provides a quick-set procedure to release the same).
- Elsaesser v. Riverside Farms, 513 P.3d 438 (Idaho 2022) (successfully represented client in front of the Idaho Supreme Court in ejectment action, implicating issues associated with claim and issue preclusion).
- Nelsen v. Nelsen, 170 Idaho 102, 508 P.3d 301 (2022) (successfully represented client in front of Idaho Supreme Court, reversing, in part, district court judgment on grounds that the lower court erred in determining that by filing action for judicial dissolution, the member filing such action disassociated from the company and was not entitled to seek dissolution of the underlying LLC).
- Maine Community Health Options v. Albertsons Cos., 993 F.3d 720 (9th Cir. 2021) (local counsel for Maine Community Health Options in case addressing the amount in controversy requirement for Section 7 enforcement proceedings of arbitral subpoenas under the Federal Arbitration Act).
- Shaw Cattle Co., Inc. v. Fallon Enterprises, Inc., James Family Limited Partnership, et. al., Case No. CV38-21-02222 (Canyon County) (successfully dismissed plaintiff's specific performance claims, via the Statute of Frauds, aimed at unwinding multi-million dollar purchase and sale agreement).
- In re Wyatt, 2021 WL 6116630 (9th Cir. Dec. 27, 2021) (successfully represented Banner Bank in front of the Ninth Circuit Court of Appeals in a matter involving debtor's appeal of the Bankruptcy Court's denial of debtor's discharge under 11 U.S.C. 727(a)(3)).
- Elsaesser v. Gibson, 168 Idaho 585, 484 P.3d 866 (2021) (successfully represented Plaintiff in front of the Idaho Supreme Court on a consolidated appeal associated with three separate judgments for ejectment of individuals/entities occupying Estate property).
- Weitz v. Weitz, 167 Idaho 933, 477 P.3d 987 (2020) (successfully represented Plaintiffs in front of the Idaho Supreme Court associated with a disputed claim of ownership regarding a successful local business).

- Lincoln Land Co., LLC v. LP Broadband, Inc., 163 Idaho 105, 408 P.3d 465 (2017) (successfully represented General Mills before the Idaho Supreme Court in case associated with a lease dispute involving unjust enrichment and indemnity claims).
- Mercedes-Benz Financial Services USA LLC v. Cheney Transportation Inc., et. al., Case No. CV-2017-8212-C (Canyon County, Third Judicial District) (represented Mercedes-Benz in collection action).
- William Hellar v. Cellco Partnership f/k/a Verizon Wireless LLC, Case No. CV09-20-1641 (Kootenai County) (currently representing Verizon in action to eject Verizon from certain property located in northern Idaho).
- A.P. Wireless v. Scott Talcott, 2017 WL 10662027 (D. Idaho 2017) (successfully dismissed Idaho federal action predicated on non-compete and trade secret allegations, pursuant to Colorado River doctrine).
- MFG Group v. Asurea, et. al., Case No. CV01-20-06553 (Ada County, Fourth Judicial District) (successfully represented 11 former employees in highly contentious, multi-district matter associated with alleged violation of non-compete agreement and violation of the Idaho Trade Secrets Act).
- WCS Consulting, LLC v. Shaw et al., Case No. 1:19-cv-00126-CWD (D. Idaho) (represented large Atlanta employer in non-compete/trade secret/tortious interference action and successfully negotiated settlement on highly favorable terms).
- In re Sarria, 2020 WL 6321807 (Bkrtcy.D.Idaho Oct. 27, 2020) (successfully prosecuted non-dischargeability action proving fraud under 11 U.S.C. Section 523(a)(2)(A) and withstood appeal of attorney fee award).
- In re Hollifield Ranches, 2017 WL 6459343 (Bkrtcy.D.Idaho Dec. 18, 2017) (successfully dismissed debtor's counterclaims in adversary proceeding and negotiated favorable settlement for client in a complicated and hard fought Chapter 11 matter).
- In re Clark, 652 Fed.Appx. 543 (9th Cir. 2016) (successfully represented creditor in front of the Ninth Circuit Court of Appeals regarding debtor's appeal of bankruptcy court's decision to convert Chapter 12 bankruptcy case to a Chapter 7 matter).
- Nw. Osteoscreening, Inc. v. Mountain View Hosp., LLC, No. 4:13-cv-00414, 2014 WL 4955673 (D. Idaho Oct. 2, 2014) (successfully represented certain defendants in dismissing federal claims, including allegations of RICO violations).
- Banner Bank v. Keetons, CV 2016-113 (Elmore County, Fourth Judicial District) (successfully represented Banner Bank in guarantor action (that also involved counterclaims against the bank), prevailing on summary judgment below and dismissing appeal).
- Banner Bank v. Timmermans, Case No. CV27-18-00292 (Jerome County, Fifth Judicial District) (successfully negotiated 1.75 million dollar settlement in favor of Banner Bank in conversion action to recover on

damages associated with alleged improper use of Banner Bank's collateral).

- In Re Safe Haven Health Care, Case No.: 18-01044-JDP (Bkrtcy.D.Idaho) (represented Zions First National Bank in Chapter 11 case eventually converted to a Chapter 7 matter).
- Idaho Independent Bank v. Kukla Farms, LLC, et. al. Case No. CV14-18-06040 (Canyon County, Third Judicial District) (represented lender in complicated workout agreement involving agriculture loan).
- Wasden ex rel. State v. Idaho State Bd. of Land Com'rs, 150 Idaho 547, 249 P.3d 346 (2010) (appeared as amicus curiae in support of dismissal of writ of prohibition filed by state attorney general, which the Idaho Supreme Court ultimately dismissed).
- Carter v. Carter, 2009 WL 3242095 (D. Idaho Oct. 5, 2009) (successfully withstood motion to dismiss on personal jurisdiction grounds in breach of contract action).
- Piramal Critical v. Nephron Pharmaceuticals, 2012 WL 640939 (D. Idaho Feb. 27, 2012) (successfully withstood motion to dismiss in complicated pharmaceutical dispute).
- Zimmerman v. CM Investments, Case No. CV-18-459 (Ada County, Fourth Judicial District) (successfully dismissed plaintiff's claim for an earnest money refund on summary judgment).
- Hill vs. River Run HOA, HUD Case No. 10-15-0299-8 (obtained dismissal of complaint (following roughly 3-year long investigation) initiated by former homeowner with HUD associated with discrimination allegations).
- In re Spurwing Ltd. Partnership, APPEAL NO. 09-A-1004 (successfully represented Spurwing in matter in front of the board of tax appeals).
- In re Spurwing Ltd. Partnership, APPEAL NO. 10-A-1095 (successfully represented Spurwing in matter in front of the board of tax appeals).