



JAY R. GRAIF

📞 602-257-7678 ✉️ jgraif@gustlaw.com

Jay Graif is the Chair of the firm's Insurance Group. He focuses his practice on insurance coverage, bad faith and commercial litigation. He has decades of experience litigating complex commercial cases, with particular emphasis on the trial and appeal of insurance coverage disputes, including breach of contract, declaratory judgment and bad faith actions. He serves as local, regional and national coverage counsel for both foreign and domestic insurance companies, including excess and surplus lines carriers. He counsels clients, manages disputes and litigates matters involving a wide variety of insurance coverage issues, including insurance bad faith, construction defect claims, third-party liability claims, first-party claims, professional liability claims, environmental claims, long-tail progressive injury claims, as well as numerous others. He also advises and assists insurance companies in the drafting of manuscript endorsements relating to various risks.

In addition to handling cases in Arizona, California, Colorado and New Mexico, where he is admitted, Jay has handled to resolution complex insurance matters in virtually every western state. In addition, he advises many local construction and real estate businesses on risk management and other areas of the law. He is an active member in many national and local organizations, including Claims and Litigation Management Alliance and Defense Research Institute.

Jay has been regularly included in the *Southwest Super Lawyers*® list, recognized by *The Best Lawyers in America*® and is AV® Preeminent™ rated by Martindale-Hubbell®, representing the highest rating in legal ability and ethical standards.

PROFESSIONAL ASSOCIATIONS

- American Bar Association
- State Bar of Arizona
- State Bar of California
- State Bar of Colorado
- State Bar of New Mexico
- Orange County Bar Association
- Maricopa County Bar Association
- Association of Southern California Defense Counsel
- Arizona Association of Defense Counsel
- Claims And Litigation Management Alliance
- Defense Research Institute (DRI, The Voice of the Defense Bar)

REPRESENTATIVE MATTERS

- *Cullen v. Auto Owners Insurance Company*, 189 P. 3d 344 (Ariz. 2008)
- *Starr Surplus Insurance Co. v. Star Roofing, Inc.*, 2019 WL 5617575 (Ariz. App. 2019)
- *Bell & 63rd Investments, LLC v. Auto-Owners Ins. Co.*, 2018 WL 4019002 (Ariz. App. 2018)
- *Leflet, et. al. v. Redwood Fire and Casualty Ins. Co.*, 247 P. 3d (Ariz. App. 2011)
- *Construction 70, Inc. v. Bond Safeguard Ins. Co.*, 2011 WL 553239 (Ariz. App. 2011)
- *Maycock v. Asilomar Development, Inc.*, 88 P. 3d 565 (Ariz. App. 2004)
- *American Family Mut. Ins. Co. v. National Fire & Marine Ins. Co.*, United States Court of Appeals, Ninth Circuit (2010)

PRACTICE AREAS

- Insurance
- Litigation
- Real Estate
- Alternative Dispute Resolution

AREAS OF FOCUS

- Insurance Bad Faith
- Insurance Coverage
- Construction Law

EDUCATION

- Pepperdine University School of Law (J.D., 1992)
- Pepperdine University School of Business & Management (M.B.A., 1992)
- College of St. Thomas (B.A., 1988)

ADMISSIONS

- California (1992)
- Arizona (1996)
- Colorado (2019)
- New Mexico (2019)
- U.S. Court of Appeals, Ninth Circuit (1992)
- U.S. District Court, Southern District of California (1992)
- U.S. District Court, Northern District of California (1996)
- U.S. District Court, District of Arizona (1996)
- U.S. District Court, District of Colorado (2019)
- U.S. District Court, District of New Mexico (2021)

- *United Specialty Insurance Co. v. Dorn Homes, Inc.*, United States District Court (Ariz. 2020)
- *Steadfast Insurance Company v. National Fire & Marine Ins. Co.*, United States District Court (Ariz. 2013)
- *American Family Mut. Ins. Co. v. American Safety Indemnity Co., et. al.*, United States District Court (Ariz. 2009)

PRESENTATIONS & PUBLICATIONS

- Moderator, "That's a Wrap...Or, Is It" Perrin National Construction Defect Conference (November 2021)
- Presenter, "Demands in The CD Context" Perrin National Construction Defect Conference (November 2019)
- Presenter, "Ethics in Mediation" West Coast Casualty National Construction Defect Seminar (May 2019)
- Moderator, "Ethical Duties in Construction Defect Litigation" Perrin National Construction Defect Conference (November 2018)
- Presenter, "Construction Defect Trends in Arizona" MC Consultants National Construction Defect Conference (September 2013)
- Presenter, "Arizona Construction Defect Insurance Coverage" Lorman Education Services (July 2007)
- Presenter, "Construction Defect Insurance Coverage" State Bar of Arizona (January 2006)
- Presenter, Mealey's Insurance Coverage Disputes Concerning Construction Defects Conference (October 2003)
- Prompt Pay Legislation, Arizona Legislature (2000)
- Presenter, Arizona Construction Defect Seminar, Home Builders Association of Central Arizona (1997)

PROFESSIONAL RECOGNITION

- *The Best Lawyers in America*®, Litigation - Insurance
- *Southwest Super Lawyers*®, Insurance Coverage
- AV® Preeminent™ rated by Martindale-Hubbell®

COMMUNITY INVOLVEMENT

- SEEDs for Autism, Board Member
- Valley Partnership
- Home Builders Association of Central Arizona
- Little League Baseball

LEGAL UPDATES & FIRM NEWS

AUG 19, 2021 - GENERAL

Best Lawyers In America© 2022 Names Five Gust Lawyers "Lawyer Of The Year"; Five As "Ones To Watch"; And 38 As Leaders In Their Field

[LEARN MORE ▶](#)

AUG 20, 2020 - GENERAL

Best Lawyers In America© 2021 Names Three Gust Attorneys Lawyer Of The Year And Recognizes 39 Attorneys As Leaders In Their Field

[LEARN MORE ▶](#)