SpencerFane®

David E. Funkhouser III

Partner

Contact

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Overview

David Funkhouser counsels clients in complex commercial litigation matters. He is a deeply trusted advisor to many of the nation's largest consumer loan servicers, mortgage origination companies, and financial institutions, using a client-centric, results-oriented approach to each and every matter he is entrusted with by his clients. David also routinely handles real estate disputes, contract litigation, and business-to-business disputes. He has also defended clients in multiple class-action lawsuits across the country.

David is perennially recognized by both his peers and clients as one of Arizona's most experienced litigators. He has tried bench and jury trials in Arizona and around the country, has participated in private arbitrations in multiple forums, including AAA and JAMS, and argued before the Arizona Court of Appeals. He goes beyond basic communications and strives to visit his clients on a yearly basis (if not more frequently) in an effort to learn what is important to each and personalize his relationships.

As a litigator, David recognizes that his work is much more than winning or losing of dollars and cents, whether representing a Fortune 50 Company in bet-the-company litigation, or an individual client that is facing the most stressful situation of their entire life. David recognizes that each client and each matter are different, and that different tools and strategies are needed – whether it be aggressive litigation, guiding a matter toward a quick and efficient mediation, or simply picking up the phone to call the opposing side to work toward a common-sense resolution.

Within Spencer Fane, David currently serves as the Office Managing Partner for the Phoenix office. Under his leadership, the office has nearly doubled in size, both in terms of attorneys and staff.

Highly involved in the community, David has also established himself as a civic leader, serving out the remainder of a term for a vacated seat in Arizona's House of Representatives in 2008. He's also a former president of the Maricopa County Bar Association, and served three concurrent terms on the Executive Committee of the Board of Directors for Special Olympics Arizona. David is a graduate of Valley Leadership Class XXXII and is a previous 40 Under 40 award recipient from the *Phoenix Business Journal*.

Education

- University of Iowa College of Law, 2003 (J.D.)
- University of Iowa Bordeaux Law Program – Arcachon, France, 2001
- University of Iowa, 2000 (B.B.A.)

Bar Admissions

- Arizona

Court Admissions

- U.S. District Court for the District of Arizona, 2003
- U.S. District Court for the District of Colorado, 2019
- U.S. Court of Appeals for the Ninth Circuit, 2026
- U.S. Bankruptcy Court for the District of Arizona, 2026

Community Involvement

- Special Olympics Board of Directors, 2016-present
- Special Olympics Arizona, Annual Breakfast of Champions, Chair, 2017-2018
- Special Olympics Advocacy Resources (SOAR) Program, Founding Member
- Greater Phoenix Economic Council, Certified Ambassador
- Suns Charities 88, Founding Member
- Maricopa County Bar Association, Board of Directors, 2007-2009; Secretary, 2010; Treasurer, 2011; President-Elect, 2012; President, 2013; Immediate Past-President, 2014
- Maricopa County Bar Foundation, Ex-Officio Board Member, 2014
- Maricopa County Bar Association Bench & Bar Committee and Annual Conference, Co-Chair, 2012-present
- Graduate, Valley Leadership Class 32, 2011

Distinctions

- American Bar Foundation, Fellow
- Martindale-Hubbell, AV Preeminent Peer-Review Rating
- *Best Lawyers in America*, 2018-2027
    - Commercial Litigation
    - Litigation – Trusts and Estates
- *AZ Big Media*, Top 100 Lawyers, 2026
- *Southwest Super Lawyers*, Business Litigation, 2014-2026
    - Top 50 Lawyers in Arizona, 2019
    - Rising Stars, Business Litigation, 2012, 2013
- *PHOENIX Magazine*, Top Lawyers, Civil Law Litigation; Commercial Litigation, 2025
- *Phoenix Business Journal,* Forty Under 40 Award, 2014
- University of Iowa College of Law, Alumni Award, 2013

Memberships

- American Bar Association
- State Bar of Arizona
- Maricopa County Bar Association

Presentations and Publications

- "Happy Monday: You've Just Been Breached," Association of Corporate Counsel Arizona Newsletter, June 2018
- "Arizona Tax Liens Wreaking Havoc On Lenders, Borrowers," *Law360*, May 2014
- "It's time to say goodbye," *Maricopa Lawyer*, December 2013
- "Giving thanks this holiday season," *Maricopa Lawyer*, November 2013
- "Get out and get involved!" *Maricopa Lawyer*, October 2013
- "Lessons learned in San Francisco and the Bench / Bar Conference," *Maricopa Lawyer*, September 2013
- "Let's get back to work!" *Maricopa Lawyer*, August 2013
- "Now it's Dad's turn!" *Maricopa Lawyer*, July 2013
- "It's July…get out of the office for a bit and recharge!" *Maricopa Lawyer*, June 2013
- "A tribute to the mothers in my life," *Maricopa Lawyer*, May 2013
- "Summing up the Barristers Ball… IT ROCKED!" *Maricopa Lawyer*, April 2013
- "Stay Safe…Stay Vigilant," *Maricopa Lawyer*, March 2013
- "Maricopa Country – it's a great place to work…and live!" *Maricopa Lawyer*, February 2013
- "I'm David. Nice to meet you!" *Maricopa Lawyer*, January 2013
- "Listening to America: The Democratic Platform for Change," Community Meeting, hosted by Governor Janet Napolitano, 2008