

Changing Our Direction

INSIDE THIS ISSUE:

A Change for Dan Marco	1
Recent Bankruptcy Trends	2
Letter from Attorney Kaveh Mostafavi	2
Andrea Wimmer – Determined & Trusted	3

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Dan Marco – A New Calling

As Dan Marco finds his way from “Murder to a New Ordinary”, which is the title of his blog at <http://mysonzack.wordpress.com>, it is clear the murder of his son Zachary Marco has left a void in his life. Dan, who was a ferocious criminal defense attorney, established himself as not only a talented legal mind, but also a gifted courtroom advocate.

Two days after forming Mostafavi, Marco & Wimmer, Dan received the call that no parent should ever have to receive. It was the call that changed his entire life, taking away not only his son, but also his willingness to defend the accused.

Dan has spent the last 7 months contemplating his new professional motivation. It was crystal clear before the bullet; defend the accused, fight for the injured, do it better than anyone else, then pass the torch to Zach, who also had a passion for the law. After the bullet came grief, confusion, and madness. Yet Dan still has a family to support and a firm to manage.

So how does a man—an incredible lawyer from a lineage of lawyers—re-focus his reality to conform to necessity? How do you recover when your life long dreams are destroyed in a split second? The answer came in a call very similar to the one he had received just 7 months earlier. The call came from someone who recently suffered similar a tragedy. A wife who is now a widow was asking for Dan's help, seeking justice for her deceased husband. At that moment, it all became clear to Dan. What more appropriate way to regain his passion for the law then to help those he can relate



to, who have suffered similar loss?

Every single day families receive that fateful call and far too often the events that resulted in death could have been prevented. Wrongful death due to the negligent act of another is an area of law that demands a lawyer who understands. One who comprehends the level of grief, who recognizes the confusion, and who has experienced the madness. So Dan's silver lining is knowing that he can once again become that ferocious attorney, fighting tooth and nail for justice so that his clients can feel even an iota of relief. Just knowing they were represented by a lawyer who can relate, one who truly cares. And through Dan, the legacy of Zack carries on.

Recent Trends in Bankruptcy

An article in the June 7th Arizona Republic Business section addressed some recent trends in valley bankruptcies. Here's the good news—since January of 2011 the number of bankruptcy filings in Arizona has decreased. In fact, filings decreased 10% in April 2011 and 11% in May 2011. Chapter 7 filings (vs. Chapter 13) make up the largest percentage, with 86% of total filings.

Nationally, there was a decrease of 15% in April and a decrease of 16% in May. These trends are likely due to less consumer debt being incurred over the last 2 years coupled with the fact that the lenders have stopped giving credit.



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These numbers are a good sign for the economy; however, there is another waive of ARMs (adjustable rate mortgages) coming due this summer, which will increase millions of mortgage payments. This may force many households into either foreclosure or bankruptcy.

An alternative to a foreclosure or bankruptcy is a short sale. As of late, banks have been more willing to accept short sales. We work with clients daily addressing the tax and deficiency liabilities in a short sale, as well as reviewing short sale approval letters. These steps are important to ensure no further liability exists. We also work with several experienced realtors who are very knowledgeable about the short sale process.

It is VERY important to be proactive when it comes to debt, whether from unsecured creditors or distressed properties. The sooner you consult a lawyer about your situation the sooner you can get help. We educate all our clients about the legalities related to debt. Our goal is not to force you into a bankruptcy. Instead, we want to inform you about all your legal rights and remedies. All our no-obligation consultations are free.

Mostafavi, Marco & Wimmer partner Kaveh Mostafavi recently shot a segment with KTAR's Bruce St. James discussing the "Myths and Facts of Short Sales". The segment included a president of a title company, a lender and a short sale realtor. To see the full video, visit <http://www.video.me/ViewVideo.aspx?vid=571586>. If you have any further questions or concerns please do not hesitate to call the office.

Letter from Kaveh Mostafavi

I wanted to take a moment to thank all of our clients and supporters throughout the years. The journey from taking the bar, getting licensed, working for a big firm, going on my own, to finding 2 partners who share my passion to really help people has been a blessing. I have always been a strong believer that if you do good work and treat people with respect and kindness there is no failing. Though there have been some tragedies in our lives, we continue to strive to provide our clients the utmost professionalism and quality legal work. And with your continued support we are stronger than ever.



My legal career has been focused on Chapter 7 and Chapter 13 Bankruptcy, and I am very excited to add criminal/dui cases to my practice. Though Dan Marco no longer practices in criminal law, he spent 24 years in criminal practice and I can not think of a better mentor than him. I look forward to this new area of law and the experiences that will come with it. Last night I attended the Maricopa County Bar Associations Volunteer Lawyers Program, Volunteer Appreciation Reception and sparked conversation with a criminal Judge. His words of encouragement really inspired me and I'm ready to take on cases!

I hope everyone has a fantastic summer and if there is anyway Dan, Andrea or I can help you, your family or friends please let us know.

--Kaveh



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Andrea Wimmer-Determined Attorney, Trusted Counselor

Attorney Andrea Wimmer admits the last 2 years of her legal career have been chaotic, yet filled with accomplishment. The road from Austria to partner in a Phoenix law firm was not easy, but you will never hear her complain. While managing a bankruptcy practice that has grown exponentially, Andrea has established her name and reputation as a committed lawyer. So far in 2011, she has filed more bankruptcy cases than the previous 2 years combined, and without a single dismissal or significant legal or procedural issue. In March of 2011, Andrea successfully litigated a very important legal issue in a Chapter 13 case that has set precedent in Arizona. This outstanding achievement, won by sheer determination and belief in the client's legal rights, will truly benefit consumers in bankruptcy. You can read more about the win on our blog at <http://drbankruptcyaz.com/bankruptcy-blog/a-big-win-for-attorney-andrea-wimmer/>.

Andrea's talents do not end there. What sets Andrea apart from most is her ability to connect with her clients, in order to truly understand their situation and to better serve them as their attorney. Andrea spends hours with her clients everyday, ensuring they fully understand the legal processes of their bankruptcies. and are comfortable and trust in her abilities. It is clear from client testimonials that Andrea's relentless pursuit to go the extra mile is appreciated.

Ask Andrea and she will tell you that she hopes the economy improves, because she's not a short term bankruptcy lawyer. Andrea is trained and has practiced exclusively in bankruptcy her entire legal career, so she has every intention of being a bankruptcy lawyer after the dust has settled. Bankruptcy for her is not a fad, not a get rich quick job. For Andrea, bankruptcy is her profession and passion, so she's not going anywhere.

