



Zachary L. McCormick Shareholder

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OVERVIEW

Zachary McCormick's practice encompasses a wide range of civil litigation, employment law, education law, and appeals (both judicial and administrative.) He has represented private individuals, corporations, school districts, and cities and counties in New Mexico. Zack regularly provides guidance to school district clients on employment and contract questions, as well as construction and procurement matters. He has experience handling administrative cases, arbitrations and litigated matters.

In addition to his work with education clients, Zack has received recent attention for successfully assisting clients in matters involving state taxes (particularly gross receipts and property tax questions). His attention to detail and knack for grappling with New Mexico's statutes and administrative code have earned him the reputation as the "go to" attorney in his firm for convoluted legal issues. It is his ability to handle multiple layers of legal implications – be it contract, policies or statutes – that make him an asset to public entity client teams.

Education

Southern Methodist University Dedman School of Law, J.D., 1977, *summa cum laude*

Oklahoma State University, Ph.D. in Environmental Science, 1994

University of New Mexico, M.A. in Geography, 1987

University of New Mexico, B.A. in History, 1973

Bar Admissions

New Mexico

U.S. District Court for the District of New Mexico

U.S. Court of Appeals for the Tenth Circuit

U.S. Court of Federal Claims

U.S. Tax Court

EXPERIENCE

Zachary McCormick has been involved in a variety of commercial litigation matters, as well as administrative and public law matters.

- Successful action, by writ of prohibition, to overturn an election result which would have resulted in an amendment to the



New Mexico constitution expanding certain school boards to nine members. The case turned on whether or not the proposed amendment amounted to “logrolling” in violation of the New Mexico Constitution.

- Brought an action on behalf of a New Mexico municipality concerning the erroneous application of the property tax yield control mechanism because the municipality was not being permitted to receive all of the property tax revenues it should have been receiving. The case was settled in favor of the municipality.
- Successfully defended an action against a school district in which a contractor sought in excess of one hundred thousand dollars in additional compensation. Instead, the district obtained judgment on a counterclaim for several hundred thousand dollars.
- Successfully arbitrated a dispute with a teacher’s union concerning the right of a school district to transfer employees for disciplinary reasons.
- Successfully litigated the right for facilities governed under the Continuing Care Act to be exempt from property tax.
- Advised clients in various industries on the application of New Mexico’s Gross Receipts Tax system and potential deductions and exemptions from gross receipts tax.
- Revised and updated general terms and conditions of the basic construction and architect/engineering contract for a local school district.
- Drafted legislation, ultimately enacted, concerning school district finance for capital projects and bond financing.

ACTIVITIES

- State Bar of New Mexico, Corporation, Banking and Business Law Section, former Chair

HONORS

- *Martindale-Hubbell AV®* Distinguished Peer Review Rated

RELATED PRACTICES

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