

Andrew J. Zbaracki Associate

Email: azbaracki@kmksc.com Tel: 414-962-5110



Andrew handles a large volume of business litigation, arbitration and mediation proceedings. He is currently acting as senior legal counsel to the KMK Foreclosure Division, our residential mortgage default services practice.

Andrew has litigated a broad range of business and commercial finance matters with a particular focus on contracts disputes before federal courts and the courts of the states of Wisconsin and Iowa. He has considerable experience representing clients varying from small businesses to fortune 500 companies as the lead advocate in a broad range of commercial law proceedings. This includes acting as first chair in jury and court trials; arguing and briefing summary judgment motions, trial motions and procedural motions as well as drafting appellate briefs and the conduct of depositions and discovery. He also has experience in arbitration, mediation and regulatory proceedings.



In addition to being a trial attorney, Andrew spent seven years as a senior internal counsel within large organizations. In addition to providing counsel to multiple business divisions, he was responsible for managing legal risk and outside counsel. He was responsible for reducing costs by the adoption of a preferred counsel panel. Andrew knows that litigation decisions are also business decisions, and that strategies must be formulated not just in terms of legal outcome, but also by wider cost-benefit considerations. As a result, Andrew understands the business perspective on a potential dispute, and this adds to his ability to provide prompt and incisive assessments of the true risk exposure and cost-benefit analyses of the options available, from inception to conclusion.

Andrew's recent activity has included:

- Representing sellers/vendors in actions involving business sales and services contracts and defending sellers/vendors against counterclaims.
- Mediating complex commercial transactions including construction liens, commercial construction, advertising/publishing sales, and breach of contract.
- A continuous regimen of oral argument and motion practice.
- Achieving cost-effective pre-trial resolution.
- All aspects of trial preparation including written discovery, depositions, motion practice, and document review.
- Successful resolution of cases using negotiation techniques and statutory devices to secure the greatest return for clients.



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Practice Areas:

- Appellate Practice
- Arbitration
- Business Law
- Commercial Law
- Insurance Law
- Litigation
- Mediation
- Trial Practice
- Workers Compensation
- Uniform Commercial Code

Bar Admissions:

- Wisconsin
- Iowa
- U.S. Court of Appeals, Seventh Circuit
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, Eastern District of Wisconsin

Education:

- Marquette University Law School, J.D., *cum laude*, 1995
- Wichita State University, M.A., 1992
- Iowa State University, B.S., 1989

Professional Associations and Memberships:

- Wisconsin Bar Association
- Iowa State Bar Association
- American Bar Association

Published Works:

Comment, *Advertising Amenability: Can Advertising Create Amenability?* 78 MARQ. L. REV. 212 (1994)