

ANDREW J. PETERSEN

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LEGAL EDUCATION

University of North Carolina at Chapel Hill School of Law; Chapel Hill, North Carolina –
Juris Doctor, May 1995

UNDERGRADUATE EDUCATION

University of Arizona, Tucson, Arizona – Bachelor of Arts, 1992; English Literature
major, Political Science minor – Graduated Summa Cum Laude, Phi Beta Kappa

Northland Pioneer College, Holbrook, Arizona – Completed courses while working on
undergraduate degree

Pima Community College, Tucson, Arizona – Completed courses while working on
undergraduate degree

EARLY EDUCATION

Attended Pinedale Elementary School (two classroom school grades first through sixth)
Show Low Jr. High (First in Class 1981) and Show Low High School (First in Class -
Valedictorian 1985); American Legion, Arizona Boys State 1984; Recipient Medallion of
Merit Award ASU 1984; Arizona Scholar Recognition

Nominated to the United States Military Academy at West Point by the Honorable Jon
Kyl, U.S. House of Representatives (became ineligible due to hearing loss from hunting
accident)

Eagle Scout, 1985; Order of the Arrow; Recognition Sons of the American Revolution
(descendant of William Kelton and Elizabeth Ramsey)

RELIGIOUS SERVICE

Missionary, Church of Jesus Christ of Latter-day Saints, Copenhagen Denmark 1986-1988; assignments included Horsens, Aalborg, Aarhus, Lyngby, Copenhagen, and Bornholm

Served in various leadership positions in local ward (congregation) and stake including bishopric and young men's organization for Church of Jesus Christ of Latter-day Saints. Currently a member of the Tucson Stake High Council.

LEGAL EMPLOYMENT HISTORY

Partner – Humphrey & Petersen, P.C.; Tucson, AZ – January 2001 to present. Practice includes the representation of defendants in civil litigation, primarily in the areas of tort and insurance law, civil rights, licensed professional malpractice including attorney and health care malpractice, contract law and indemnification, and appellate litigation. Represented both insurers and insureds at trial in significant liability and bad faith cases. Represented clients in significant appellate court cases in both the state and federal courts, including the United States Supreme Court.

Authored several articles on legal issues, including an annotation on constitutional tort claims. Board Member of the Arizona Association of Defense Counsel (AADC) from 2003 to 2010. President of the AADC in 2009. Prior head of the Amicus Committee and primary brief writer for the AADC in cases pending before the Arizona Supreme Court.

Associate Attorney – Bury, Moeller, Humphrey & O'Meara; Tucson, AZ – December 1996 to December 2000. Practice focused on civil defense litigation, first and third party insurance coverage disputes, bad faith litigation, and civil rights defense.

Associate Attorney – Kimble, Gothreau & Nelson; Tucson, AZ – June 1995 to December 1996. Joined the firm as an associate while clerking prior to admission; worked primarily in civil rights defense and negligence actions brought against public entities and employees, general insurance defense and litigation.

Legal Clerk – Brough Law Firm; Chapel Hill, NC – August 1994 to May 1995. Position held during third year of law school; researched complex issues for practice engaged in land use and municipal law including Section 1983, regulatory permits,

zoning and litigation.

Legal Clerk for the Honorable Paul W. Colarich, Presiding Judge, Navajo County Superior Court; Holbrook, AZ – June 1994 to August 1994. Researched and prepared legal memoranda and analyses on cases before the court and drafted local rules for the Navajo County Superior Court.

OTHER

Worked as an offset printer as an undergraduate and during school breaks.

INTERESTS

Constitutional law and history; philosophy (particularly the Danish philosopher Søren Kierkegaard), essays, graphic arts, and fishing.

PROFESSIONAL AFFILIATIONS

Arizona Association of Defense Counsel (President 2009-2010)

Defense Research Institute

Federal Bar Association

Arizona State Bar Association, Religious Liberty Law Section, Executive Council
Member

Life Member National Eagle Scout Association

Tucson Defense Bar

Pima County Bar Association

Friends of the Hong Kierkegaard Library

National Association of Scholars

American Academy of Religion

RECOGNITIONS INCLUDE

AV rated by Martindale-Hubbell since 2005

Arizona Association of Defense Counsel Special Recognition Award 2000 for
Contributions to the AADC Amicus Brief Program

Defense Research Institute Exceptional Performance Citation 2009

Arizona's Finest Lawyers

BAR ADMISSIONS

Arizona State Bar 1995
Arizona Federal District Court 1995
Ninth Circuit Court of Appeals 1995
United States Supreme Court 1999
Tohono O’Odham Bar Association 2007
White Mountain Apache Tribe 2015

OTHER LANGUAGES

Danish
Studied Spanish and French (not fluent)

LEGAL SEMINARS PRESENTED (seminars included speaking and providing written materials)

Insurance Case Law Update, the Restatement of Liability Insurance, and Debating the Proposition: “Unless it is certain that a new method or procedure is better than the old, under our system of law it is preferable to follow the old rules.” June 22, 2019 (speaker with Burr Udall), sponsored by the Tucson Defense Bar, San Diego.

How to Keep Yourself & Your Attorney Out of Trouble, June 14, 2019, sponsored by Southern Arizona Legal Aid, Program-Wide Training, Tucson. Same seminar was previously given to the Tucson Paralegal Association on May 4, 2019.

Advanced Uninsured/Underinsured Motorist Law, June 11, 2019 (speaker with John Tully and Burr Udall), sponsored by National Business Institute, Tucson.

Jury Trials in Personal Injury Cases: Important Things You Need to Know, June 12, 2018 (speaker with Daryl Audilett, Mike Crawford, and Michelle Saavadra), Sponsored by the State Bar of Arizona.

Pima County Local Rule Changes, June 5, 2018 (speaker with Heather Bohnke), Sponsored by Pima County Bar Association.

Uninsured and Underinsured Motorist Law - Made Simple, June 30, 2017, Sponsored by National Business Institute, Phoenix

Insurance and Case Law Update, June 5, 2017 (speaker with Burr Udall), sponsored by the Tucson Defense Bar, San Diego

Insurer, Agent, and Broker Liability, March 10, 2017, sponsored by National Business Institute, Phoenix

Uninsured and Underinsured Motorist Coverage –From A to Z, November 11, 2016 (speaker with Burr Udall and John Tully), sponsored by Pima County Bar Association, Tucson

The Affordable Care Act's Effect on Litigation, September 30, 2016 (speaker with Tony Langan), sponsored by Tucson Paralegal Association, Tucson

Insurance Brokers' and Agents' Legal Responsibilities: Ethics and Obligation in Today's Litigation Environment, May 19, 20, 2016, sponsored by Lovitt & Touche, Tucson and Phoenix

Advanced Uninsured/Underinsured Motorist Law, April 7, 2016 (speaker with John Tully and Burr Udall), sponsored by the National Business Institute, Tucson

The Causation Labyrinth: A Discussion on the Muddy, Sloppy, Struggling, Confusing, Legal Construction of Causation, November 30, 2015, sponsored by the Tucson Defense Bar, Tucson

Challenging Expert Testimony: Does Daubert Make A Difference (speaker with David Euchner, Nicholas Klingerman, Michael Medina, and Greg Sakall), May 20, 2015, sponsored by the Pima County Bar Association, Tucson

Recent Case Law Update on Attorney Misconduct and Ethics (speaker with Ted Schmidt), April 1, 2015, sponsored by American Board of Trial Advocates (ABOTA), Tucson

The Reptile Revolution and Update on Recent Cases and Ethics Issues (speaker with Burr Udall and Bill Poorten), August 2, 2014, sponsored by the Tucson Defense Bar, San Diego

Appellate Atmosphere: The Craft of Appellate Advocacy, May 1, 2014, sponsored by the J. Reuben Clark Law Society, Tucson

Negative Capability: The Willing Suspension of Disbelief - -an interactive discussion of recent insurance cases, October 28, 2013, sponsored by the Tucson Defense Bar, Tucson

Things Your Defense Attorney Wishes You Knew: Minimizing Risk, August 29, 2013, sponsored by the League of Arizona Cities & Towns, Tucson

Personal Injury Liens Litigation, February 7, 2013, sponsored by the Pima County Bar Association, CLE & Ski, Sunrise Ski Resort

They Did What? An Enlightened Update on Recent Appellate Court Cases, October 29, 2012, sponsored by the Tucson Defense Bar, Tucson

Arizona Insurance & Tort Law Update / Changes to Merit Selection / Changes to Disciplinary Procedure (speaker with Burr Udall), July 28, 2012, sponsored by the Tucson Defense Bar, San Diego

Advanced UM/UIM Motorist Law, June 14, 2012, sponsored by the National Business Institute, Tucson

Civil Court Judicial Forum (moderator of panel with Superior Court Judges Borek, Bryson, Lee, Figueroa, and Villareal), May 18, 2012, sponsored by the National Business Institute, Tucson

2011 Medical Malpractice: Causation and Multiple Defendants (speaker with Barry Davis), September 19, 2011, sponsored by the Arizona State Bar, Tucson and broadcast on internet

Daubert/A.R.S. § 12-2203 (speaker on panel with Judge Ted Borek, Wallace Kleindienst, and Professor Tom Mauet), September 30, 2010, sponsored by the Pima County Bar Association, Tucson

Arizona Insurance and Tort Law Update (speaker with Marshall Humphrey, Burr Udall, and John Kastner), July 10, 2010, sponsored by the Tucson Defense Bar, San Diego

Redding v. Safford Unified School District and United States Supreme Court Practice, February 16, 2010, sponsored by the OLLI Foundation and the University of Arizona, Tucson

Nuts and Bolts of Uninsured and Underinsured Motorist Claims, October 14, 2009, sponsored by the Pima County Bar Association, Tucson

When Torts and Contracts Collide (speaker on economic loss doctrine with Steve Leshner), September 28, 2009, sponsored by the Tucson Defense Bar, Tucson

Notice of Claim: The Latest Requirements and How They are Applied in Pima County Superior Court, (speaker on panel with JoJene Mills and Judge Davis), December 4, 2008, sponsored by the Arizona State Bar, Bench & Bar Winter Program, Tucson

Update on Appellate Cases: Duty and Proximate Cause, November 13, 2008, sponsored by the Arizona Association of Defense Counsel, Phoenix

Settling Uninsured and Underinsured Motorist Claims (speaker with Lloyd Rabb and Tony Wiggins), June 25, 2008, sponsored by National Business Institute, Tucson

Judicial Rhetoric in the Ninth Circuit, June 7, 2008, sponsored by the Arizona Association of Defense Counsel, Phoenix

Suing City Hall: Constitutional Tort Claims Against Public Entities, May 8, 2008, sponsored by the Pima County Bar Association, Tucson

The Law Knows No Wisdom But in Precedent: A Polemical and Irreverent Discussion of Last Year's Appellate Decisions, September 24, 2007, sponsored by the Tucson Defense Bar, Tucson

Handling a Motor Vehicle Accident Case (speaker with Michael Ciaccio, David Curl, Lori Petersen, and Terrence Jackson), March 8, 2007, sponsored by the Arizona State Bar, Tucson

Wrongful Death Litigation: Civil Claims (speaker with Louis Hollingsworth), October 7, 2006, sponsored by the Tucson Paralegal Association, Tucson

The Insurance Industry and its Role in the Legal System: Development of Bad Faith Law and Damron/Morris Agreements (speaker with Peter Collins) July 14, 2006, sponsored by the Arizona State Bar, San Diego

Tort and Insurance Law Update (speaker with Marshall Humphrey and Burr Udall), July 8, 2006, sponsored by the Arizona Association of Defense Counsel, San Diego

Handling Healthcare Liens in Personal Injury Settlements, February 25, 2005, sponsored by the Pima County Bar Association, Tucson

Il Buono, Il Brutto, Il Cattivo – Tort and Insurance Law Update and a Discussion of Pending Legislation, April 25, 2005, sponsored by the Tucson Defense Bar, Tucson

The Definitive Guide to Settling Uninsured and Underinsured Motorist Claims in Arizona (speaker with Dev Sethi), May 13, 2005, sponsored by National Business Institute, Tucson

Handling Healthcare Liens, February 25, 2005, sponsored by the Tucson Paralegal Association, Tucson

Insurance Law A to Z (co-chair with John Tully), January 4, 2004, sponsored by the Arizona State Bar, Tucson

Arizona Tort and Insurance Law (speaker with Burr Udall and Marshall Humphrey), July 10, 2004, sponsored by the Tucson Defense Bar, San Diego

Healthcare Provider Liens, December 2003, sponsored by Carondelet Medical Center, Tucson

The Ninth Circuit: What Are They Thinking, March 31, 2003, sponsored by the Tucson Defense Bar, Tucson

Medical Liens in Personal Injury Cases, February 21, 2003, sponsored by the Pima County Bar Association, Tucson

Liens, Subrogation and Reimbursement Rights and Arizona Insurance Law Update (speaker with Burr Udall and Marshall Humphrey), July 2002, sponsored by the Tucson Defense Bar, San Diego

Insurance Law Seminar (speaker with Barry Kirschner), February 8, 2001, sponsored by Lorman, Tucson

Section 1983: Civil Rights Actions, April 29, 2000, sponsored by the Arizona Association of Defense Counsel, Tucson

Update on Insurance Law, (speaker with Marshall Humphrey and Burr Udall), July 30, 2000, sponsored by the Tucson Defense Bar, San Diego

Insurance Bad Faith Claims (speaker with Steve Lesher and Carter Morey), June 2000, Tucson

Insurance Coverage Law in Arizona (speaker with Wayne Arnett), October 1999, sponsored by National Business Institute, Tucson

Arizona Insurance Law (speaker with Barry Kirschner and Carter Morey), September 10, 1999, sponsored by Lorman, Tucson

Ethical Issues Facing Insurance Defense Counsel (panel moderator for seminar with Laura MacBan, Bruce MacDonald, Marshall Humphrey and Burr Udall), April 26, 1999, sponsored by the Tucson Defense Bar, Tucson

Arizona Insurance Law Update (speaker with Barry Kirschner and Carter Morey), September 1998, sponsored by Lorman, Tucson

UM/UIM Coverage (speaker with Marshall Humphrey and Burr Udall), August 1, 1998, sponsored by the Tucson Defense Bar, San Diego

Bad Faith Litigation in Arizona (speaker with Mark Arnett), July 1998, sponsored by National Business Institute, Tucson

Insurance Law Update, February 1998, sponsored by the Pima County Bar Association, Tucson

Avoiding Bad Faith, March 1997, sponsored by Farmers Insurance Company of Arizona, Tucson

Section 1983 Litigation, February 1997, sponsored by the Pima County Bar Association, Tucson

ADDITIONAL WRITINGS

Pathfinder: 42 U.S.C. § 1983 (updated annually)

Arizona Insurance Law Digest (updated annually)

Statutory Interpretation at the Arizona Supreme Court

The Talking Dead: A Brief Refresher On Citing Cases

An Essay on Duty and Standard of Care

Freedom of Expression and the Emergence of the Marketplace of Ideas

The Law Knows No Wisdom But In Precedent: Dickens' Criticism of Precedent and the Court of Chancery

Habeas Corpus: The Great Writ

Reasoned Judgment, Candidly Explained: The Elements of Judging in Good Faith

Natural Law and Constitutional Jurisprudence

Goodness Knows Something of Beauty: Aesthetic Distance in Soren Kierkegaard's Either/Or (presented at Symposium on Soren Kierkegaard, Brigham Young University, 2013)

Fiction as Nonfiction and Interpretative Commitment (panel participant at NonfictionNOW Conference 2018)

Kierkegaard's Concept of Irony

Kierkegaard's Christian and Jacques Ellul

Internet Credibility

TORT AND INSURANCE LAW UPDATE ARTICLES

Top 25 Arizona Supreme Court Automobile Insurance Cases (25 separate discussion on each case)

Setting Aside Default Judgments

Health Care Provider Liens and Balance Billing

Due Process Challenges to Punitive Damages

Interpreting "Or" and the Oxford Comma in Statutory Interpretation

Arizona Tort Brain Freeze

Intent

Too Trivial To Be Actionable

Defense Counsel Communication to Insurer While Defending Under Reservation of Rights

The Half Death of the Irreparable Injury Rule

Supreme Court Nominee Judge Gorsuch

The Subcontractor Exception to the “Your Work” Exclusion

Estoppel and the Statute of Limitations

Claims Handling, Comparative Fault, and Punitive Damages

Legal Counsel’s Advice as Liability Insurance for Qualified Immunity

Combating Interference with Independent Medical Examinations

Arizona Supreme Court Recognizes Fault of Medical Provider while Treating Accident Victim

Social Security Numbers and Privacy Concerns

Construction Related Litigation Insurance Coverage Issues in Arizona

You Can’t Say That: Criticizing Judges

On Charting Punitive Damages

Federal Jurisdiction and Claims for Uninsured and Underinsured Motorist Benefits

Avoiding Conflicts of Interest and Conflicts of Obligations in Multiple Party Representations

Attorney’s Fees in § 1983 Litigation

Important Tort and Insurance Opinions 2015

Arizona Alcohol Liability Law in a Nutshell

Securing Convictions for Resisting Arrest or Aggravated Assault on an Officer

Update On Notice of Claims Against Public Entities

Health care provider liens under Arizona law

Signed Waiver of UM/UIM Does Not Insulate Insurance Agent from Negligence Claim

Need for Client Consent For An Offer of Judgment

Protecting the Claims Representative and the Claims File from Discovery

Rescission

Medical Liens, Separate Checks, and Pro Se Litigants

It's All About Expectations: Claims Against Insurance Agents for Failure to Procure UM/UIM Coverage

Expert Testimony - Why Judges Resist Rule 702

Policy Limit Demands - With Conditions

The Arizona Supreme Court Stays Quiet in Clarifying Arizona's UM/UIM Statute

Controversy Over Billed v. Paid Medical Expenses Continues

Mandatory Arbitrations, Increased Costs

Update on Arizona Insurance Cases 2011

When Contracts and Torts Collide

Waiver of Notice of Claim Requirements

Workers' Compensation Offset Provisions in UIM Policies

Changes to Rule 68 Offers of Judgment

Comparative Fault and Product Liability

Punitive Damage Claims in Arizona

Notice of Claims Against Public Entities

Current Status of Medicaid Liens

ERISA Reimbursement Rights

Current Trends in UM/UIM Litigation

The Arizona Supreme Court Rejects Heightened Burden of Proof for Insurers in Fraud or Misrepresentation Claims

Abuse of Process

The Arizona Supreme Court Clarifies Medical Lien Statutes

Allocation of Fault Under Arizona Law

Morris Agreements

Who Is Your Attorney?

Costs, Fees and Rule 68 Sanctions in UM/UIM Arbitrations

When Can An Insurer Enforce Its Subrogation Rights

Frequently Asked Questions About Healthcare Provider Liens

Must an Insurer Consider the Insured's Exposure to Uncovered Claims When Evaluating Settlement?

Complying With Rule 68 Offers of Judgment

Intentional Act Exclusion

Settlement of Claims Brought By Minors - Court Approval

Does An Insurance Agent Owe A Duty to Procure Insurance to Anyone Other Than the Client

Top 20 Frequently Asked Questions About Arizona's UM/UIM Law

AMICUS BRIEFS DRAFTED ON BEHALF OF THE ARIZONA ASSOCIATION OF DEFENSE COUNSEL OR THE TUCSON DEFENSE BAR

Cramer v. Starr, 375 P.3d 69 (2016) (common law original tortfeasor doctrine does not preclude initial tortfeasor from faulting healthcare provider for malpractice committed while treating accident victim).

Estate of Josefa U. Decamacho v. La Solana Care and Rehab, Inc. (validity of arbitration proceedings in long-term care contracts) (drafted with Roger Frazier)

Beverage v. Pullman & Comley, 234 Ariz. 1, 316 P.3d 590 (2014) (argued against personal jurisdiction over out-of-state law firm who were contacted by Arizona resident)

Pounders v. Enserch E&C et al., 232 Ariz. 352, 306 P.3d 9 (2013) (argued against Arizona substantive law applying to a wrongful death claim involving asbestos exposure in New Mexico at the Four Corners Power Plant)

Assyia v. State Farm Mut. Auto Ins. Co. 229 Ariz. 216, 273 P.3d 668 (App. 2012) (review denied) (argued against a fee award for tort claim brought by insured against insurer for bodily injury in an automobile accident)

Walsh v. Advanced Cardiac Specialists Chartered, 229 Ariz. 193, 273 P.3d 645 (2012) (argued that a jury finding of liability in a wrongful death case and awarding \$1 million to spouse but no damages to children was an inconsistent verdict and was waived when plaintiffs failed to object under Rule 49(a))

Young v. Beck, 227 Ariz. 1, 251 P.3d 380 (2012) (argued against the family purpose doctrine after adoption of UCATA)

Estate of DeSela v. Prescott Unified School Dist. No. 1, 226 Ariz. 387 (2011) (argued that an assigned claim is subject to the statute of limitations although the claim was assigned to a minor)

Cox v. Ford Motor Co., 2010 WL 3656041 (unreported) (provided analysis in product liability case regarding the “state of the art” defense and expert opinion)

Solimeno v. Yonan, 224 Ariz. 74, 227 P.3d 481 (App. 2010) (review denied) (provided analysis of disclosure standard for expert witnesses and how trials have become battlegrounds over disclosure)

Grand v. Nacchio et al., 222 Ariz. 498, 217 P.3d 1203 (2009) (argued against a causation free securities remedy by allowing a plaintiff who has sold his securities before any fraud was alleged, revealed, or suspected may nonetheless seek recession by “substitute tender”)

Mutuvi-Kavu v. Electrolux Home Products, Inc. (unreported) (provided analysis of design defect jurisprudence in product liability cases and the “hindsight doctrine”)

Jones v. Cochise County et al., 218 Ariz. 372, 187 P.3d 97 (App. 2008) (review denied) (analyzed the notice of claim statute and whether it can be waived)

Espinoza v. Schulenburg, 212 Ariz. 215, 129 P.3d 937 (2006) (analyzed and argued for the continued use of the “firefighters rule”)

Sonoran Desert Investigations v. Miller, 213 Ariz. 274 (App. 2006) (review denied) (argued in support of the constitutionality of a statute limiting the right to recover for injuries negligently inflicted in response to criminal acts)

Lopez v. Safeway Stores, Inc., 212 Ariz. 198, 129 P.3d 487 (App. 2006) (argued against allowing admission of “billed charges”)

American Pepper Supply Co. v. Federal Ins. Co., 208 Ariz. 307, 93 P.3d 507 (2004) (argued against an insured who knowingly exaggerated and inflated an insurance claim but was nonetheless allowed to recover)

Blankenbaker v. Jonovich, 205 Ariz. 383, 71 P.3d 910 (2003) (enforcement and perfection of a health care provider lien)

Panzino v. City of Phoenix, 196 Ariz. 442, 999 P.2d 198 (2000) (argued against the adoption of the positive misconduct rule which permits a client whose attorney has abandoned him to obtain relief from a judgment)

Myhaver v. Knutson, 189 Ariz. 286, 942 P.2d 445 (1997) (“sudden emergency” jury instruction)

Lloyd v. State Farm Mut. Auto. Ins. Co., 189 Ariz. 369, 943 P.2d 729 (App. 1996) (bad faith in the absence of coverage)

REPORTED APPELLATE CASES INCLUDE

Stenz v. City of Tucson, Arizona Supreme Court Case No. CV-14-0298 (co-counsel with Ted Moeller on appeal; whether statutory interest may be awarded under worker's compensation law from the time that a claim for death benefits is first made; A.R.S. § 23-954 was enacted in response to decision)

Luna v. Industrial Commission, (co-counsel with Ted Moeller on appeal; whether statutory interest may be awarded for temporary disability benefits)

Safford Unified School Dist. No. 1 v. Redding, 557 U.S. 364 (2009) (represented Savana Redding whose constitutional rights were violated when she was strip-searched by school officials)

Salica v. Tucson Heart Hosp. - Carondelet, L.L.C., 224 Ariz. 414, 231 P.3d 946 (2010) (represented Tucson Heart Hospital in a wrongful case involving disputed issues on medical treatment and causation)

Redding v. Safford Unified School Dist. No. 1, 531 F.3d 1071 (9th Cir. 2008) (en banc) (see above)

White v. State, 220 Ariz. 42, 202 P.3d 507 (Ariz. App. 2008) (represented mental health provider in a wrongful death claim filed by the family of a police officer killed by the patient - issue involved the "firefighter's rule")

AAA Cab Service, Inc. v. Industrial Com'n of Arizona, 213 Ariz. 342, 141 P.3d 822 (Ariz. App. 2006) (represented the family of a cab driver who was killed in an automobile accident and the cab company argued that res judicata and election of remedies precluded the family from withdrawing workers' compensation claim)

Rowland v. Kellogg Brown and Root, Inc., 210 Ariz. 530, 115 P.3d 124 (Ariz. App. 2004) (represented the defendant and issue involved the pleading requirements under Arizona law)

Althaus v. Cornelio, 203 Ariz. 597, 58 P.3d 973 (Ariz. App. 2002) (represented an attorney and argued that any malpractice claim accrued when a settlement was negotiated in the underlying case)

Bils v. Bils, 200 Ariz. 45, 22 P.3d 38 (Ariz. 2001) (represented a California attorney in a claim filed against him in Arizona by a beneficiary of a California estate and argued lack of personal jurisdiction)

Cho v. Goodman, (later depublished) (represented law enforcement in a wrongful death claim where court rejected plaintiff's experts' opinions as conclusory and speculative)

ADDITIONAL CASES ON WESTLAW OR LEXIS

Carter v. Burgess, 2019 U.S. Dist. LEXIS 3076 (D. Ariz.2019) (represented law enforcement officers; plaintiff argued equitable tolling of limitations, case dismissed)

Tucson Youth Dev. Inc. v. Indus. Comm'n of Ariz, 2018 Ariz. App. Unpub. LEXIS 354 (March 2, 2018) (represented worker's compensation insurer in challenge of denial of benefits)

Am. Fam. Mut. Ins. Co. v. Verdugo, 691 Fed. Appx. 387 (9th Cir. 2017) (represented homeowners in coverage dispute involving abuse exclusion)

Bauerle v. United States, 689 Fed. Appx. 502 (9th Cir. 2017) (represented private hospital against claim that it acted as a state actor under § 1983)

Rivera v. Town of Patagonia, 2017 U.S. Dist. LEXIS 857 (Dist. Ariz. 2017) (defense of unlawful arrest claims)

Amon-Ra v. City of Sierra Vista, 2017 U.S. Dist. LEXIS 59030 (Dist. Ariz. 2017) and 2016 U.S. Dist. LEXIS 154155 (Dist. Ariz. 2016) (defense of unlawful arrest claim)

Hafner v. Town of Marana, 2016 U.S. Dist. LEXIS 121584 (Dist. Ariz. 2016) (defense of excessive force claim)

Treestump Woodcraft LLC v. South Tucson, 2016 WL 192255 (Dist. Ariz. 2016) (successfully defended officers in constitutional tort claim claiming that tenants were unlawfully excluded from residence and property was wrongfully taken by landlord)

Ledvina v. Town of Marana, 2014 U.S. Dist. LEXIS 181585 (Dist. Ariz. 2014) (defense of Fourth Amendment and Due Process claims)

Alpert v. Bivens & Nore, P.A., 2014 WL 2548107 (Ariz. App. 2014) (defense of attorney malpractice claim based on assignment of underlying lawsuit)

Hackworth v. Torres, 2013 WL 3815882 (E.D. Cal. 2013) (appointed to represent California prisoner in a civil rights case against prison guards in Corcoran)

Garcia v. Garibay, 2013 U.S. Dist. LEXIS 50932 (Dist. Ariz. 2013) (defense of sexual abuse claim against law enforcement officer)

Molera v. City of Nogales, 2013 WL 4804292 (Dist. Ariz. 2013) (worker's compensation exclusivity)

Bailey v. Robinson, 2013 WL 842451 (Ariz. App. 2013) (defense of attorney malpractice claim based on preclusion from underlying litigation)

Doe v. Fed. Dist. Ct., 467 Fed. Appx. 725 (9th Cir. 2012) (defense of health care provider on claims related to involuntary commitment)

Norby v. City of Tombstone, 2012 WL 6725608 (Dist. Ariz. 2012), 2011 WL 1253728 (D. Ariz. 2011), 2008 WL 5068835 (Dist. Ariz. 2008) (claim for wrongful denial of permit and assault by law enforcement officer)

Blomquist v. Town of Marana, 501 Fed.Appx. 657 (9th Cir. 2012) (First Amendment constitutional tort claim by protestors who were arrested)

Leon v. Arizona, 2012 WL 5936689 (Dist. Ariz. 2012) (defended claim by plaintiff that law enforcement officers conspired against him)

Morgan v. Adams, 2012 WL 4142806 (Ariz. App. 2012) (freedom of information act)

CCSAM Family Ltd. Partnership v. King, 2012 WL 274034 (Ariz. App. 2011) (easement dispute and claim of tortious interference with contract)

Acosta v. Phoenix Indem. Ins. Co., 2010 WL 2197742 (Ariz. App. 2010) (bad faith claim for lack of investigation on permissive use of vehicle)

City of Safford v. Seale, 2009 WL 3390172 (Ariz. App. 2009) (due process claim for uninhabitable house)

Lizarraga v. City of Nogales, 2008 WL 4079991 (Dist. Ariz. 2008) (defended law enforcement officer in civil suit alleging sexual assault)

DeBusk v. Wachovia Bank, 291 Fed.Appx. 55, 2008 WL 3861886 (9th Cir. 2008)

(defended creditor attorney against claim that he violated FDCPA)

Moran v. City of Tombstone, 2008 WL 2700073 (Ariz. App. 2008) (defended City against claim that it should not have allowed trail riding business to operate without insurance)

Holdaway v. Truck Ins. Exchange, 2008 WL 4182997 (Ariz. App. 2008) (defended insurer in case where plaintiff sought to enforce multi-million dollar judgment against hospital's insurance policy)

Gallegos v. Carondelet Health Network, 2005 Ariz.Super. LEXIS 324 (Ariz. Superior Court 2005) (defended medical malpractice claim)

Simmons v. City of Willcox, 109 Fed. Appx. 854 (9th Cir. 2004) (defended city magistrate and city prosecutor under judicial immunity)

Pooley v. National Hole-In-One Ass'n, 89 F.Supp.2d 1108 (D. Ariz. 2000) (right of publicity)

Collins v. Graham County, 1998 U.S.App. LEXIS 819 (9th Cir. 1998) (defense of unlawful search claim)

Romero v. City of Douglas, 120 F.3d 269 (9th Cir. 1997) (use of police dog and exigent circumstances to search home)

McRae v. Tena, 914 F.Supp. 363 (Dist. Ariz. 1996) (qualified immunity in police shooting)

ADDITIONAL UNREPORTED APPEALS:

DoPadre v. City of Sierra Vista, CA-CV 2018-0150 (August 26, 2019) (affirming summary judgment on behalf of the City and law enforcement officer in case claiming interference with business expectancy and emotional distress)

Benedictine Congregation of St. Mary of Monte Oliveto v. Father Henri Capdeville, 2 CA-CV 2017-0095 (prevailed at trial court in obtaining injunction against errant priest who later stipulated to judgment against himself and dismissed appeal)

Kino Meadows Homeowners Association v. Kashman, 2 CA-CV 2007-0120 (defended claims against association manager)

Coleman v. Sloan, Alliance Imaging, et al., 2 CA-CV 2006-0174 (defended the setting aside of a significant default judgment)

Tymorek v. Sigma Chi Fraternity, 2 CA-CV 2005-0030 (defended assault/fight claim)

Central Mut. Ins. Co. v. Desert Electric, 2 CA-CV 2005-0137 (defended subrogation claim)

Desert Sun Electric v. Paradez, 2 CA-CV 2005-0007 (defended claim against electrical contractor)

Rolenc v. Lopez, 2 CA-CV 2005-1053 (retained by malpractice carrier to appeal underlying dismissal on summary judgment)

Swiergol v. The Doucette Company, Inc., 2 CA-CV 2004-0191 (defended construction defect claim and economic loss doctrine)

Mills v. Woodlock, 2 CA-CV 0182 (defended claim against former counsel)

Crotts v. National Union Insurance Company, 1 CA-CV 04-0398 (claim brought against D&O carrier that resulted in multi-million dollar verdict in client's favor)

Fazio v. Town of Oro Valley, 2 CA-CV 97-0142 (defended constitutional tort claims brought by developer against town for permit delay)

Brown v. Calvary Southern Baptist Church, 1 CA-CV 96-0074 (defended claims against church under the imputed negligence doctrine)

McGettrick v. City of Tucson, 95-15996 (9th Cir.) (defended claims alleging police misconduct)

Sprague v. Johnson, 2CA-CV 1995-0189 (defended statute of limitations defense under statutory remedy claim)