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Thomas L. Hudson

Thom has extensive experience handling civil appeals of all kinds in both state and federal court, and heads the firm's appellate practice group. He regularly consults with attorneys in other firms as appellate counsel, and, as an Arizona appellate lawyer, regularly consults with trial attorneys on significant motions, jury instructions, and other matters to help posture cases for a successful outcome on appeal. He is a past chair of the State Bar Appellate Practice Section, a contributing author to the *Arizona Appellate Practice Handbook*, co-authors the monthly column "Appellate Highlights" for the *Arizona Attorney*, and is listed as one of *The Best Lawyers in America*® in Appellate Law.

Education

- J.D., *summa cum laude*, University of Arizona, 1992; *Arizona Law Review*, Articles Editor, 1991-1992; Second Year Writer, 1990-1991; Order of the Coif
- Ph.D., Philosophy, University of Arizona, 1994
- M.A., Philosophy, University of Arizona, 1993
- B.A., Philosophy, Arizona State University, 1988

Clerkships

- U.S. Court of Appeals, Ninth Circuit, Judge William C. Canby, Jr., 1994-1995

Professional Recognitions and Awards

- *Southwest Super Lawyers*, Appellate, 2008-2010
- *The Best Lawyers in America*®, Appellate Law and Commercial Litigation, edition 2008-2011
- Best of the Bar, *Business Journal*, Litigation, 2004

Practice Areas

- Appellate
- Litigation



Thomas L. Hudson (cont'd)

Bar Admissions

- Arizona, 1992

Court Admissions

- U.S. Supreme Court, 2003
- U.S. Court of Appeals for the Ninth Circuit, 1995
- U.S. Court of Appeals for the Fourth Circuit, 2006
- U.S. District Court, District of Arizona, 1995
- Arizona Supreme Court, 1992

Professional Activities

- American Academy of Appellate Lawyers, Fellow
- Arizona Appellate Handbook Committee, Member, 2005-
- Arizona Appellate Practice Institute, Co-Chair, May 2005
- American Bar Association, Appellate Practice Committee
- Arizona State Bar: Appellate Practice Section, Chair, 2006, Executive Council, 2003-present, Member 1999-present; Civil Practice and Procedural Committee, 1999-present
- Adjunct Professor, Arizona State University, College of Law, 2000
- Horace Rumpole Inn of Court: President, 2002-2003; Executive Committee, 1996-2005; Member, 1995-
- Federal Bar Association

Community Activities

- Judge, Arizona State University College of Law, William C. Canby, Jr. Appellate Advocacy Competition
- Arizona State University College of Liberal Arts and Sciences Alumni Board, 1998-1999
- Volunteer radio broadcast reader for SunSounds, a radio reading service for the print disabled, 1990-2002

Representative Matters

- *Salt River Sand and Rock v. Dunevant*, 222 Ariz. 102, 213 P.3d 251 (Ariz. App. 2009) (standards for reduced supersedeas bond)



Thomas L. Hudson (cont'd)

- *Chalpin v. Snyder*, 220 Ariz. 413, 207 P.3d 666 (Ariz. App. 2008)
(malicious prosecution/attorney liability)
- *Northeast Phoenix Holdings, LLC v. Winkelman*, 219 Ariz. 82, 193 P.3d 776 (App. 2008) (state land trust/auction)
- *White v. Sun Life Assurance Co.*, 488 F.3d 240 (4th Cir. 2007)
(ERISA/statute of limitations)
- *Payan v. Aramark Management Svcs.*, 495 F.3d 1119 (9th Cir. 2007)
(mailing presumption under federal statute)
- *Fearnow v. Ridenour, Swenson, Cleere and Evans, P.C.*, 213 Ariz. 24, 138 P.3d 723 (2006) (ethical rules/law firm agreements)
- *Johnson v. Earnhardt's Gilbert Dodge, Inc.*, 212 Ariz. 381, 132 P.3d 825 (2006) (statutory construction/Magnusson-Moss Act)
- *O'Donnell v. Vencor*, 466 F.3d 1004 (9th Cir. 2006) (employment)
- *Martinez v. Green*, 212 Ariz. 320, 131 P.3d 492 (App. 2006)
(assignability of statutory claims)
- *Phelps v. Firebird Raceway, Inc.*, 212 Ariz. 146, 118 P.3d 1110 (2005)
(Arizona constitution) (amicus)
- *Sherman v. City of Tempe*, 202 Ariz. 339, 45 P.3d 336 (2002) (election law)
- *Botma v. Huser*, 202 Ariz. 14, 39 P.3d 538 (App. 2002) (attorney liability)
- *AlliedSignal, Inc. v. City of Phoenix*, 182 F.3d 692 (9th Cir. 1999)
(commercial tort)
- *Paloma Inv. Ltd. Partnership v. W.K. Jenkins*, 194 Ariz. 133, 978 P.2d 110 (App. 1999) (property)
- *Sears v. Hull*, 192 Ariz. 65, 961 P.2d 1013 (1998) (Indian law)

Publications and Presentations

- *Proposed: Making Memoranda Decisions Available Online and Allow Them to be Cited as Persuasive Authority*, Arizona Attorney, June 2006
- *The "Secret" History of Memoranda Decisions*, Arizona Attorney, June 2006
- *Preserving the Record On Appeal*, Arizona Attorney, March 2004



Thomas L. Hudson (cont'd)

- *Common Traps in Making the Record for Appeal*, Co-Author, 14 The Committee on Pretrial Practice & Discovery 1, 22 (Summer 2006)
- *Punitive Damages at the Tenth Anniversary of BMW v. Gore*, PLI Institute (August 2006)
- *Arizona Appellate Highlights*, Arizona Attorney (June 2006-present)
- *Arizona's Supreme Court Legacy: Chief Justice Rehnquist and Justice O'Connor*, State Bar Convention (June 2006)
- *Annual Arizona Supreme Court Review*, Co-Chair (May 2006)
- *Current Issues in Appellate Courts*, Arizona Judicial Conference (June 2005)
- *Sex and the Constitution*, State Bar Convention (June 2005)
- *Nuts and Bolts Trial Courtroom Series* (March 2005)
- *Working with the Arizona Court of Appeals*, State Bar of Arizona (November 2004)
- *An Overview of Some Procedural and Substantive Punitive Damages Issues Post State Farm v. Campbell*, State Bar of Arizona, Appellate Practice Section (February 2004)

