



JOHN MASTERSON

PARTNER

Arizona

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Areas of Practice:

Aviation Law
General Civil Litigation
Governmental Liability
Product Liability Defense
Wrongful Death & Personal Injury Defense

Industries Served:

Aviation
Government & Public Entities
Insurance
Manufacturers

John Masterson represents governmental entities in issues involving civil rights law, government and constitutional law, police defense, prison matters, insurance defense, wrongful death and personal injury law, general civil litigation and appeals.

REPRESENTATIVE CASES

- [Quinn v. Cardenas](#), 1 CA-CV 22-0398, 2023 WL 4880442 (App. Aug. 1, 2023) (Opinion holding that when a federal court grants summary judgment and enters a final judgment on those claims, but remands remaining state law claims back to state court, the federal court's final judgment is binding in the remanded state court action under preclusion doctrines (issue and claim preclusion) and as a result, Plaintiff's remaining state law claims in this action were barred by issue preclusion)
- [Montelongo et al. v. Driscoll et al.](#)
- [Jamien Rae Jensen, et al. v. EXC Incorporated, et al.](#)
- [Gomez v. JRB Attachments, et al.](#)
- [Yolanda Erickson v. City of Phoenix, et al.](#)
- [Manuel de Jesus Ortega Melendres, et al v. Joseph M. Arpaio, et al.](#), U.S. District Court, District of Arizona, CV-0702513-PHX-GMS
With a court appointed monitor already in place, John and the JSH team took over the compliance arm of this action to deal with the demands by the court appointed monitor's team, the ACLU, and the DOJ. Within several months of assuming this role, John and his team restructured the client's approach, developed a compliance system for the client, and cleared the backlog of monitor requests. This placed the client in a position to work on eliminating monitor, as well as monitor, DOJ and ACLU oversight and control of Maricopa County Sheriff's Office (MCSO) law enforcement operations. John worked with law enforcement professionals to revamp MCSO policies and training lesson plans. John also assumed the discovery and depositions for the contempt hearing underway against Sheriff Joe Arpaio and MCSO command and staff.
- [Cleo Daily, et al. v. City of Phoenix, et al.](#)
- [United States of America v. Maricopa County, et al.](#), U.S. District Court, District of Arizona, CV12-00981-PHX-ROS
The United States Department of Justice Civil Rights Division brought this Title VI investigation and resulting action against former Maricopa County Sheriff Joe Arpaio and Maricopa County. The DOJ easily forced most other municipalities and law enforcement entities into consent decrees in law enforcement and jail settings. However, John defended the DOJ's accusations vigorously, and was prepared for trial on allegations of retaliation, racial profiling, and discrimination against Spanish speaking inmates. The DOJ withdrew and the result was no consent decree and no court appointed monitor assigned to oversee MCSO jails or law enforcement operations stemming from this action. Instead, the DOJ entered into an unprecedented settlement agreement, allowing the Maricopa County Sheriff's Office to adopt only minor policy changes and to continue to operate its jails the way it had been operating them.
- [United States of America v. Joseph M. Arpaio, et al.](#), U.S. District Court, District of Arizona, No. CV10-01878-PHX-GMS
The United States Department of Justice sued Maricopa County Sheriff Joe Arpaio for access to personnel, documentation, and facilities. John assumed the representation of this contentious matter and secured a settlement agreement and dismissal of the action which gave the United States only reasonable rather than unfettered access to the Maricopa County Jails.
- [Gotbaum v. City of Phoenix, et al.](#), 617 F. Supp. 2d 878 (D. Ariz. 2008)
John successfully defended the City of Phoenix in a high-profile, nationally-covered wrongful death action stemming from the in custody death of New York socialite, Carol Gotbaum. Although Plaintiff's demand was in the multi-millions and despite negative media coverage, the case settled for a nominal amount.
- [Boyd v. Allied Van Lines, Inc, et. al.](#)

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- American College of Trial Lawyers, Fellow
- Ninth Circuit Judicial Conference, Lawyer Representative, 2006-2009
- [American Board of Trial Advocates](#), Associate
- Defense Research Institute, Member
- Arizona Association of Defense Counsel, Member
- Federal Bar Association, Member
- State Bar of Arizona, Section on Litigation, Member

PROFESSIONAL RECOGNITION & AWARDS

- *Best Lawyers in America*®, Personal Injury Litigation – Defendants, 2003-2024; Litigation – Insurance, 2021-2024; Insurance Law 2023-2024
- *Southwest Super Lawyers*, 2007
- AV® Preeminent™ Rated by Martindale-Hubbell

PRESENTATIONS & PUBLICATIONS

- “Multiple Client Representation CLE: Ethical Pitfalls, Applications & Practical Considerations, JSH lawyers, June 2021
- “Section 1983 Claims: Judgment Call or Judgment Day?,” Co-Presenter, AADC Monthly Advocacy Luncheon, February 2020
- “[2018 Changes in the Civil Procedure Rules: Practical Effects of the Changes](#),” Co-Author, The JSH Reporter, Spring 2018
- “Anatomy of a Lawsuit,” Co-Presenter, 2016 PRIMA Summer Education Series, July 2016
- “A.R.S. 12-821.01, Anything New Under the Sun?,” Co-Presenter, Current Issues in Governmental Liability Seminar, November 2015
- “2015 Case Law Update,” Presenter, 2015 PRIMA Summer Education Series, July 2015
- “Taking the Bite Out of Damages: Recoverability, Legal Defenses and Current Trends,” Presenter, JSH Annual Seminar: It’s All Fun and Games Until Someone Gets Hurt, November 2014
- “You Think You Know What Juries Are Thinking? Think Again,” Presenter, 2014 JSH Annual Seminar: Current Issues in Governmental Liability, November 2014
- “Early Claims Investigation and Evaluation,” Presenter, JSH Seminar, October 2013
- “1983 Claims: Judgment Call or Judgment Day?” Co-Presenter, Arizona Public Risk Association’s Summer Educational Series, Flagstaff, September 2013
- “1983 Claims: Judgment Call or Judgment Day,” Co-Presenter, Arizona Counties Insurance Pool’s 16th Annual Public Practice Legal Seminar, Prescott, May 2013
- “Excessive Force: Judgment Call or Judgment Day,” Co-Presenter, JSH Current Issues in Government Liability Seminar, November 2012
- “Notice of Claims and Other Hot Topics,” Presenter, Arizona Counties Insurance Pool and the Arizona Civil Attorneys Legal Seminar, May 2012

EDUCATION

University of Arizona, James E. Rogers College of Law, J.D., 1981
Arizona State University, B.S., *with distinction*, 1977
Arizona State University, B.S., 1976

BAR ADMISSIONS

Arizona, 1982
U.S. Court of Appeals, Ninth Circuit, 1982
U.S. District Court, District of Arizona, 1982
U.S. Supreme Court, 1996