



ROBERT E.M. SMITH

PARTNER

Arizona

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Areas of Practice:

Corrections Defense
General Civil Litigation
Insurance Coverage & Third-Party Liability
Medical Liability & Health Care
Premises Liability
Product Liability Defense
Professional Liability
Transportation Defense
Wrongful Death & Personal Injury Defense

Industries Served:

Government & Public Entities
Insurance
Manufacturers
Medical Service Providers
Retail & Hospitality
Transportation

Robert focuses his practice in the areas of civil litigation, insurance coverage and third-party liability, premises liability, product liability defense, professional liability, transportation, and wrongful death and personal injury defense.

Before joining JSH, Robert worked at a prominent Phoenix litigation defense firm serving clients across the insurance, construction, healthcare, hospitality, and transportation industries. He also worked at the Maricopa County Attorney's Office as an Assistant Bureau Chief, Auto Theft Bureau, and as a prosecuting Deputy County Attorney. Earlier in his career, Robert managed his own law firm and handled civil and criminal matters. Additional legal experience includes construction defect defense, insurance regulatory law, and insurance and commercial litigation.

In May 2011, Robert earned his L.L.M. in Tribal Policy, Law, and Government from ASU's College of Law, an advanced legal study degree. His studies focused on Federal Indian Law and the constitutional complexities and legal issues surrounding and impacting economic development. He also earned his J.D. from ASU, graduating in just five semesters. During law school, Robert was a member of the Chicano and Latino Law Student's Association (CALSA) and frequent speaker at local United States Marine Corps recruiting offices.

Robert earned his undergraduate degree, *magna cum laude*, in English from ASU's Barrett Honors College. He also earned an associate degree, *summa cum laude*, in General Studies from Arizona Western College.

Before pursuing his undergraduate degree, Robert served as an active duty non-commissioned officer in the United States Marine Corps for 8 years. He received several Meritorious Promotions and was Honorably Discharged.

In his free time, Robert enjoys spending time with the family and all the outdoor activities that Piestewa Peak provides.

REPRESENTATIVE CASES

- **Retained as Monitoring Counsel on behalf of three separate layers within the insurance tower for the property owner in Las Vegas, Nevada.** Smith is regularly retained as monitoring counsel for insurers in high exposure matters including mass tort and property damage claims around the country. Mr. Smith was retained by three separate insurers in connection with claims arising from the tragic Route 91 Harvest Festival mass shooting in Las Vegas, Nevada, and subsequent settlement. *Sheppard v. Mandalay Bay, LLC, et al.*, U.S. District Court for the State of Nevada, Case No. 2:18-cv-01120-RFB-VCF.
- **Defended manufacturer sued for extreme injury after Plaintiff's golf cart tipped over causing complete quadriplegia.** Smith was part of the litigation team defending the golf cart manufacturer against product liability allegations by the Plaintiff. At trial, the manufacturer argued the subsequent modifications to the golf cart were the factors that caused the underlying event. Plaintiff requested the jury return a verdict for at least \$15 million dollars in damages. After deliberating for two hours, the jury returned a verdict for the defense. *Flavin v. Club Car LLC, et al.*, Maricopa Superior Court.
- **Defended commercial transportation company sued for extreme injury after their tractor trailer collided with Plaintiff as he was inspecting recently painted fog lines as a road crew supervisor.** Plaintiff suffered extreme injuries to include a pierced aorta and an initial coma for two months after being struck in Artesia, New Mexico. Plaintiff's initial demand was for \$75 million dollars. Smith defended the commercial transportation company in the United States District Court of New Mexico wherein a favorable settlement was reached days before the beginning of jury selection in Albuquerque, New Mexico. *John Carrillo et al. v. Anthony Shifflett, et al.*, U.S. District Court for the State of New Mexico, Case No. 1-18-CV-00663-KBM-LF.

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- Arizona Association of Defense Counsel, Member
- Board Member, Board of Directors, Arizona Automobile Theft Authority, Subcommittee Chairperson, Legislative Committee
- Civil Judge Pro Tempore, Maricopa County Superior Court
- Claims & Litigation Management Alliance, Nominated Member
- Arizona Automobile Theft Investigator's Association, Outside Counsel Member
- International Association of Auto Theft Investigators, Outside Counsel Member
- Maricopa County Attorney's Office (MCAO) Officer-Involved Shooting Call-Out Prosecutor Duty, Member

PROFESSIONAL RECOGNITION & AWARDS

- Salt River Pima-Maricopa Indian Community Grant, Awarded in recognition for advanced legal study in the area of Federal Indian Law, 2010/2011 Academic Year
- Arizona Automobile Theft Authority Board of Directors, Appointed by Arizona Governor Ducey, 2020
- Auto Theft Prosecutor of the Year, Presented by the Arizona Auto Theft Authority, 2013
- Maricopa County Attorney's Office (MCAO) Property Crimes Prosecutor of the Year, 2014 Nominee

EDUCATION

Arizona Forensic Science Academy Advanced Course, 2014

Arizona Forensic Science Academy Basic Course, 2014

Arizona State University Sandra Day O'Connor College of Law, L.L.M., Tribal Policy, Law, and Government, 2011

Arizona State University Sandra Day O'Connor College of Law, J.D., 2002

Graduating in five semesters.

Law clerk for the AV-rated firm, Low & Childers.

Member of the Chicano and Latino Law Student's Association (CALSA).

Speaker at various local United States Marine Corps recruiting offices regarding my experiences in the Marine Corps as they related to my academic success.

Arizona State University Barrett Honors College, B.A., English, *magna cum laude*, 1999

Arizona Western College, A.G.S., *summa cum laude*, 1997

BAR ADMISSIONS

Arizona, 2003

U.S. District Court, District of Arizona, 2005

U.S. Court of Appeals, Ninth Circuit, 2005

U.S. Supreme Court, 2010

New York, 2011

U.S. District Court, District of New Mexico, 2018