

FACULTY BIOGRAPHIES

Honorable Margaret H. Downie was appointed to the Arizona Court of Appeals in 2008. Previously, Judge Downie spent 11 years on the Maricopa County Superior Court, where she was Associate Presiding Judge and Civil Presiding Judge. She also served as chair of the Commissioner Selection Committee, Judge Pro Tem Committee, Jury Committee, and Judicial Education and Training Committee.

Judge Downie graduated with a B.A. degree in Radio, TV, and Film, *magna cum laude*, from the University of Arkansas at Little Rock. She received her J.D., *magna cum laude*, from Georgetown University in Washington, D.C. in 1984. She also served on the *American Criminal Law Review* at Georgetown.

After law school graduation, Judge Downie worked in the civil litigation department of Jennings, Strouss & Salmon in Phoenix. Thereafter, she spent almost ten years in the discipline department of the State Bar of Arizona, ultimately serving as Chief Bar Counsel. Before being appointed a judge of the superior court in 1999, Judge Downie served as a court commissioner.

Judge Downie has been honored as “Judge of the Year” by the American Board of Trial Advocates, Phoenix Chapter. She also received the Distinguished Service Award from the Arizona Association of Defense Counsel. Judge Downie has chaired the Court of Appeals’ Connecting with the Community Program, is a member of the Commission on Judicial Conduct, and has served on numerous Arizona Supreme Court Committees, including the Judicial Ethics Advisory Committee, the Court Leadership Institute of Arizona (CLIA), the New Judge Orientation Committee, the Arizona Achievement Award Selection Committee, and the Committee on Superior Court. She is also a member of the City of Mesa’s Judicial Advisory Board.

Chief Judge Peter J. Eckerstrom was born in St. James, Minnesota, on October 8, 1960, but Arizona has been his home since the age of three. He graduated from Yale University in 1982 (Magna Cum Laude) with a BA. He received his JD from Stanford University in 1986 (with Distinction).

Judge Eckerstrom was appointed to the Arizona Court of Appeals, Division Two, by Governor Janet Napolitano in 2003. In July 2014, he became the court’s chief judge. He has served on the Commission on Court Technology, the Commission on Judicial Performance Review, and the Commission on Minorities in the Judiciary. Judge Eckerstrom is currently the Vice-Chairman of the Commission on Judicial Conduct and a member of the Arizona Judicial Council.

He is a resident of Tucson, Arizona. He is married to Ann-Eve Pedersen, a public-education advocate, and they have a teenage son, Lars. Judge Eckerstrom’s interests have included master’s water polo, fantasy baseball, watching his son play basketball, and bird watching.

Honorable Diane M. Johnsen grew up in a small copper mining town in Southern Arizona. She graduated from the University of Arizona with a degree in journalism in 1975, then worked as a reporter for four years for the Arizona Daily Star, where she covered government and politics. She left journalism to attend Stanford Law School, where she was a member of the Stanford Law Review. After graduating from Stanford in 1982, she served a one-year judicial

clerkship with Judge Ben Duniway on the Ninth Circuit Court of Appeals. She then worked for two years at Munger Tolles & Olson in Los Angeles before joining the Phoenix law firm then known as Martori, Meyer, Hendricks & Victor in 1985. She practiced commercial litigation at the Martori Meyer firm and its successor, Osborn Maledon, until Governor Napolitano appointed her to the Arizona Court of Appeals in 2006. Judge Johnsen served as Chief Judge of Division One during 2013-2015. She has a master of laws degree in judicial studies from Duke Law School. Her thesis for the master's program, "Building a Bench: A Close Look at State Appellate Courts Constructed by the Respective Methods of Judicial Selection," will be published in the November/December 2016 edition of the San Diego Law Review.

Honorable Donn Kessler was appointed to Division One of the Arizona Court of Appeals in 2003. Judge Kessler received his B.A. from the University of Virginia (with High Distinction) (1972) and his J.D. from Yale Law School (1975). Prior to his appointment to the bench, he was a Deputy Attorney General for the State of Hawaii (1975-1977) which he left in a moment of youthful naivety to become an Assistant Attorney General for the Commonwealth of Virginia (1978-79). He was an appellate attorney and litigator at Christian Barton Epps Brent & Chappell in Richmond, Virginia (1979-1982), Jennings Strouss & Salmon in Phoenix (1982-1990), and Ulrich, Kessler & Anger in Phoenix (1991-2000). Judge Kessler became a staff attorney at the Arizona Supreme Court in 2000 and joined Jones Skelton & Hochuli in Phoenix in 2002.

Judge Kessler was the first chair of the State Bar Appellate Practice Section, chair of the State Bar Antitrust Section, President of the Arizona Association of Healthcare Lawyers, and member of the State Bar Civil Practice and Procedure Committee.

Judge Kessler is the co-author of *Arizona Healthcare Professional Liability Handbook* (1992 and 1994 Supp.). He is also the co-author of *Federal Appellate Practice: Ninth Circuit Second Edition* (West Group 1999 and 2000 Supp.). In October 2010, Judge Kessler presented at a CLE conference in Berkeley, California on "The Mindful Lawyer: Practices & Prospects for Law School Bench and Bar," discussing the impact of mindfulness, meditation and yoga practice on the practice and development of the law. He also chaired and presented on issues of mindfulness and meditation at the 2012 Arizona Judicial Conference and at various Arizona State Bar Conventions. He is currently a board member of the Mindfulness in Law Society. In 2015 and 2016 he has taught mindfulness for law students with Chelsea Gaberdiel of Osborn Maledon as adjunct faculty at the Sandra Day O'Connor College of Law at ASU.

Honorable Patricia A. Orozco was born and raised in Tucson, Arizona. She earned her Bachelors of Arts degree in Sociology in 1977 from the University of Arizona. After graduation, she worked with developmentally disabled children with the Arizona Department of Economic Security. In 1986, she returned to school to earn her law degree and in 1989 graduated from the University of Arizona, College of Law.

In 1991 Patricia moved to Yuma to work for Bowman & Smith, P.C. In 1994, she opened her own law practice and served as Judge Pro Tem for the Cocopah Tribal Court for 5 years.

In February, 1999 she was appointed by the Yuma County Board of Supervisors, as the Yuma County Attorney. She served in this position until December 2004, when she was appointed by Governor Napolitano to the Court of Appeals, Division 1.

Honorable Patricia Starr was appointed as a Maricopa County Superior Court Judge in March of 2014; she served as a Commissioner on that Court from 2011 through 2014. Judge Starr is currently assigned to the Lower Court Appeals Department. She previously served in the Civil, Criminal and Probate/Mental Health Divisions.

Prior to taking the bench, Judge Starr worked for three years as a Capital Staff Attorney through the Arizona Death Penalty Judicial Assistance Project, assisting trial judges statewide with death penalty cases. Judge Starr served as an Assistant Attorney General for the Office of the Arizona Attorney General and Deputy County Attorney for Maricopa County, handling both trial and appellate matters, including criminal, civil, sexually violent person, mental health and capital cases. Judge Starr also served as a law clerk to the Honorable Jefferson L. Lankford of the Arizona Court of Appeals, Division One.

Judge Starr is a current member of the Judicial College of Arizona, the Judicial College's Publications and Editorial Advisory Board, and the City of Tempe Judicial Advisory Board. She previously served on the Arizona Commission on Judicial Performance Review, State Bar Conflict Case Committee, State Bar Committee on Legal Services, and Editorial Board of the Arizona Attorney.

Honorable Vice Chief Judge Samuel Anderson Thumma. Vice Chief Judge (2015-present) and Judge (2012-present), Arizona Court of Appeals. Judge, Arizona Superior Court (2007-2012). Nationally, Sam is a Uniform Law Commissioner, where he Chairs the Drafting Committee on Employee and Student Online Protection and Privacy; is an Advisor to the American Law Institute's RESTATEMENT OF THE LAW (THIRD) OF TORTS: LIABILITY FOR ECONOMIC LOSS; is Secretary of the American Bar Association's Judicial Division Appellate Judges Conference, Chair of the JD's Technology Committee and a member of the JD's Ethics and Professionalism Committee; and is Secretary of the Appellate Judges Education Institute Board of Directors. In Arizona, Sam is Co-Editor of the ARIZONA APPELLATE HANDBOOK; Co-Chair of the Arizona Supreme Court's Committee on the Rules of Evidence; a member of Arizona's Judicial Ethics Advisory Committee; a member of the State Bar of Arizona's Civil Recommended Arizona Jury Instructions Committee and has served as Chair of the State Bar's Civil Practice and Procedure Committee; Chair of the Fee Arbitration Committee and as a member of the Committee on the Rules of Professional Conduct (the "Ethics Committee"). He has presented at nearly 250 seminars, and published 9 law review articles and more than 40 other law-related articles. Previously, Sam was a partner at Perkins Coie Brown & Bain, P.A., and an associate at Arnold & Porter in Washington, D.C. He served as a law clerk for Arizona Supreme Court Chief Justice Stanley G. Feldman and Judge David R. Hansen, United States District Court for the Northern District of Iowa. Sam graduated Order of the Coif from the University of Iowa College of Law in 1988, where he was a Note & Comment Editor on the IOWA LAW REVIEW, and from Iowa State University in 1984, where he was a Harry S. Truman Memorial Scholar.

Honorable Garye Vásquez, Vice-Chief Judge, Arizona Court of Appeals, was born in Casa Grande Arizona, August 22, 1958. He is married and has three children. He received an Associate in General Studies from Central Arizona College in 1978, a Bachelor of Science in Justice Studies from Arizona State University in 1981, and his law degree from the University of Arizona in 1984. He was in private practice in Casa Grande, Arizona from 1984-2005 with the

law firm Cooper, Vasquez & Rueter, LLP. While in private practice he served as President of the Pinal County Bar Association, Chairman of the Casa Grande Elementary School District Governing Board, Chairman of the Commission on Salaries for Elective State Offices, and numerous other boards and commissions. In December 2005, he was appointed by Governor Janet Napolitano as a Judge of the Court of Appeals, Division Two; he assumed that office on February 1, 2006. In June of 2014, he was elected Vice-Chief Judge for Division Two. He has also served on the Arizona Supreme Court Commission on Technology (2006-2013), and is currently on the Executive Council of the Arizona Bar Association's Appellate Practice Section. He is a member of the Morris K. Udall Inn of Court.

Beth Beckmann is Chief Staff Attorney at Division Two of the Court of Appeals. She graduated from the University of Arizona College of Law in 1982 and was a member of the law firm of Thayer & Thayer in Phoenix until she joined the Court as a staff attorney in February 1989. She served as a judge pro tempore for the Pima County Juvenile Court, was on the faculty of the Judicial College of Arizona, has taught seminars on criminal law, juvenile law, appeals, and special actions, and has contributed to the preparation of the special action section of the Arizona Appellate Handbook.

Timothy Berg, a director at Fennemore Craig, is a highly experienced appellate litigator who has participated in more than 400 appeals before the United States Courts of Appeals, the Supreme Court of Arizona and the Arizona Court of Appeals. His appellate practice includes public law, employment law, medical malpractice, product liability, environmental, state and local taxation, business torts, real property and mineral rights, bankruptcy and public utilities law. Recognized in the *Best Lawyers in America* and *Southwest Super Lawyers*, he is a past President of the American Academy of Appellate Lawyers and is a member of the Executive Committee of the National Conference of Commissioners on Uniform State Laws for which he chaired a task force to draft the Model Tribal Secured Transactions Act. He also is a member of the Arizona Commission on Uniform State Laws and board member of the Arizona Law College Association. Following law school, he clerked for Chief Judge Richard H. Chambers of the United States Court of Appeals for the Ninth Circuit. He then joined Fennemore Craig where he has practiced for 40 years.

Scott E. Boehm is an appellate sole-practitioner at the Law Office of Scott E. Boehm, P.C., in Phoenix. He started his appellate career as a Staff Attorney at the Arizona Supreme Court, and over the past 30 years in private practice, Mr. Boehm has been lead appellate counsel in more than 300 civil appeals and special actions, over 80 of which resulted in published Opinions. Mr. Boehm practices primarily in the Arizona Court of Appeals and Supreme Court, and he also has briefed and argued appeals in North Dakota, New Mexico, the Ninth, Tenth and District of Columbia Circuit Courts of Appeals, and (briefs only) the United States Supreme Court. Mr. Boehm is recognized for appellate expertise in *Best Lawyers in America*, and he is a proud fellow of the American Academy of Appellate Lawyers.

Kent Cattani was appointed to the Arizona Court of Appeals on February 9, 2013. At the time of his appointment, he was an Assistant Arizona Attorney General, serving as Solicitor General, overseeing criminal appeals, capital litigation, and civil appeals.

Kent earned his J.D. from the University of California at Berkeley in 1986, and he worked as an associate at Jennings, Strouss & Salmon, and Beus, Gilbert & Morrill in Phoenix prior to joining the Attorney General's Office in 1991. For the next 22 years, he represented the State of Arizona in state and federal court, briefing over 200 appellate cases, and arguing more than 95 cases in the Arizona Supreme Court, the Ninth Circuit, and the United States Supreme Court. He also assumed supervisory responsibilities during that time period as a Unit Chief, Section Chief, Division Chief, and Solicitor General.

Kent provided testimony to the United States Senate and House of Representatives Judiciary Committees regarding federal habeas and death penalty issues, and he helped draft legislation and worked with the Arizona legislature in addressing a variety of criminal law issues. He has also lectured extensively both locally and nationally on criminal law and federal habeas issues.

Kimberly A. Demarchi is a partner in Lewis Roca Rothgerber Christie's Phoenix office, where she represents public, private, and non-profit clients in civil appeals and in the litigation of complex matters. She represents clients at all stages of litigation, with a particular emphasis on litigating complex motions, advising clients and trial counsel on how to preserve and position issues for appeal, briefing and arguing appellate cases, and obtaining expedited relief. A substantial part of her practice involves issues of public law, including representing state, local, and tribal governments in administrative and court proceedings and advising a wide range of clients on compliance with campaign finance, election, and lobbying laws.

Kim is a past chair of the State Bar of Arizona's Appellate Practice Section, a fellow of the American Academy of Appellate Lawyers, an elected member of the American Law Institute, and Chair of the Advisory Council to the ABA's Standing Committee on Election Law. A native of Tucson, Kim is a graduate of the Arizona State University Honors College and the Yale Law School. Prior to joining Lewis Roca Rothgerber Christie, she served as a law clerk to the Honorable Ruth V. McGregor of the Arizona Supreme Court and the Honorable Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit.

Timothy J. Eckstein is a partner at Osborn Maledon. His practice focuses on investigations and criminal defense, commercial litigation, and appeals.

Tim currently serves on the Arizona Supreme Court's Task Force on the Arizona Rules of Criminal Procedure and the Arizona Supreme Court's Advisory Committee on the Rules of Evidence. Tim co-chairs the AJC's Judge Learned Hand Awards Luncheon, and is a member of the Arizona Civil Liberties Union legal panel and the Horace Rumpole Inn of Court. He is also the president of the board of directors for the Pardes Jewish Day School and president of the Arizona region of the American Jewish Committee.

Tim is a graduate of Pomona College and Harvard Law School. He clerked for the Honorable Michael Daly Hawkins on the U.S. Court of Appeals for the Ninth Circuit.

Eric M. Fraser is a partner at Osborn Maledon. His practice focuses on appeals and intellectual property litigation. He is a member of the Executive Councils of the Appellate Practice Section, Intellectual Property Section, and Antitrust Section of the State Bar. Eric is a contributor to SCOTUSblog, coedits the AzAPP blog, and is a coauthor of the Appellate Highlights column in

Arizona Attorney magazine. In 2013, the New York Times featured his research on appellate jurisdiction.

Eric studied Physics at Pomona College. He received his J.D. from the University of Chicago Law School and his M.B.A. from the University of Chicago Booth School of Business. He clerked for Hon. Douglas H. Ginsburg on the U.S. Court of Appeals for the D.C. Circuit.

Eileen GilBride co-chairs the appellate department at Jones, Skelton & Hochuli, P.L.C., concentrating her practice on federal and state appellate matters and dispositive motions. She also counsels and assists trial lawyers in the substantive areas of their practices, from the answer stage through the post-trial motion stage. Eileen has handled more than 400 appeals at every level of the state and federal courts, in Arizona and other states, which have resulted in over 80 published decisions. Substantive areas of her appeals have included constitutional, contracts, torts, insurance coverage and defense, employment, municipal and school defense, civil rights, prisoner cases, professional malpractice, Indian law, legislative, administrative, personal injury, wrongful death, divorce, child custody and support, property rights and trusts.

Eileen is a former Judge Pro Tempore, a past Chair of the State Bar Appellate Practice Section, a past Chair of the Arizona Supreme Court Committee on Examinations, and is recognized in The Best Lawyers in America®, Southwest Super Lawyers, Arizona's Finest Lawyers, Corporate Counsel's "Top Lawyers," and Best Arizona Attorneys.

Eileen is a graduate of Sarah Lawrence College (1980) and the Cornell University Law School (1983). She clerked for Hon. D.L. Greer on the Arizona Court of Appeals and for Hon. Thomas A. Zlaket on the Arizona Supreme Court.

Jeffrey P. Handler was appointed clerk of the court at Division Two of the Court of Appeals in February 2002. He has been at Division Two since graduating from University of Arizona College of Law in 1974, serving as a judicial law clerk, staff attorney, and as chief staff attorney from 1983 until February 2002. In 1997 he was appointed by former Chief Justice Thomas Zlaket as a Division Two judge pro tempore and sat on almost 100 cases, authoring 18 memorandum decisions and one published opinion. He taught in the Pima Community College Legal Assistant Program for 18 years, served as a part-time Pima County Juvenile Court judge pro tempore for four years, and has spoken at numerous programs concerning appellate practice.

Joel W. Nomkin is a partner in Perkins Coie's Phoenix Office, and a member of its firm-wide Management Committee. He has practiced in the areas of appellate and commercial litigation for over 30 years. Joel has served as Chair of Perkins Coie's national Appellate Practice Group, and has briefed and argued appeals throughout the federal appellate system and in Arizona appellate courts. Joel is a member of the American Academy of Appellate Lawyers and the American Law Institute. Before joining Perkins Coie, he served on the Appellate Staff of the Civil Division of the United States Department of Justice, and was also a trial attorney in the DOJ's Civil Rights Division. Joel attended Georgetown University Law Center and served as a law clerk in the United States Court of Appeals for the Fifth Circuit for the Hon. R. Lanier Anderson, III.

Joseph N. Roth is a partner at Osborn Maledon. His practice focuses on appeals, governmental investigations, and commercial litigation. Joe coedits the AzAPP blog, is a coauthor of the Appellate Highlights column in Arizona Attorney magazine, and is a frequent contributor to the ABA Criminal Litigation section. Joe is also a co-chair of the AJC's Judge Learned Hand Awards Luncheon. Joe is a graduate of the University of Arizona and Columbia Law School. Before joining Osborn Maledon, Joe clerked for Justice Scott Bales on the Arizona Supreme Court.

Barbara Vidal Vaught is the Chief Staff Attorney at Division One of the Arizona Court of Appeals. In addition to researching and drafting proposed case dispositions, she is responsible for several aspects of civil case administration, including working with the Clerk of the Court to calendar civil appeals, evaluating and resolving civil motions, and making recommendations to the Chief Judge regarding oral argument requests. Before joining the court in 2005, Barbara concentrated her practice on complex commercial litigation. She is a graduate of the James E. Rogers College of Law at the University of Arizona.

Linley Wilson is an Assistant Attorney General and Unit Chief for the Criminal Appeals Section of the Arizona Attorney General's Office, where she represents the State of Arizona in felony cases on direct appeal from superior courts throughout the state. Her practice primarily consists of briefing and arguing cases in the Arizona Court of Appeals and the Arizona Supreme Court. It also includes representing the Director of the Arizona Department of Corrections in habeas corpus cases in the United States District Court for the District of Arizona. Prior to joining the Attorney General's Office in 2011, Linley served as a law clerk to the Honorable Jon W. Thompson on the Arizona Court of Appeals, and worked for a criminal defense firm in Phoenix. She is a graduate of the Arizona State University Honors College and the Sandra Day O'Connor College of Law at ASU.

Amy Wood was appointed as Clerk of the Court in 2016. Prior to her appointment as Clerk, Ms. Wood worked in the Arizona Judiciary for the Administrative Office of the Courts managing staff specializing in a wide variety of duties including case process re-engineering, statistics, performance measures, interpreter credentialing and electronic filing amongst a variety of other projects and functions. Prior to moving to Arizona, Ms. Wood began her court career with the Hawaii Judiciary as a trial court case flow manager and project manager.

Enjoying a long history of teaching classes for court professionals as well as presenting at national court conferences, Ms. Wood received several awards for excellence in education.

Ms. Wood is a Fellow of the Institute of Court Management, and holds a Master's Degree in Human and Animal Cognition (Psychology).

Ms. Wood is also a member of the National Association for Court Management.