

# THORPESHWER



## William Thorpe

### PARTNER

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Widely considered one of Arizona's preeminent litigators and trial attorneys, Bill is a founding partner of the firm with extensive experience representing both large and small enterprises in complex commercial and tort matters. He has tried dozens of cases to verdict in state and federal courts throughout the country and has appeared before many regulatory and administrative entities. Bill is often called upon by national companies to handle critical litigation and trials both in Arizona and other jurisdictions.

During the course of his 30-plus years as an attorney in Arizona, Bill has represented a diverse group of clients including manufacturers, financial institutions, trucking companies, railroads, employers, and governmental entities. He has vast experience in a wide array of subject matters including products liability, personal injury defense, premises liability, medical malpractice, professional liability, negligent road design, dram shop claims, bad faith insurance, business torts, securities, partnership and shareholder disputes, employment matters, intellectual property, real estate disputes, environmental contamination, and commercial disputes.

In addition to successfully litigating cases on behalf of his clients, Bill has also handled dozens of appeals. He has argued cases before the Arizona Supreme Court, the Arizona Court of Appeals, the California Court of Appeals, the Eighth Circuit of the United States Court of Appeals, and the Ninth Circuit of the United States Court of Appeals.

Bill's broad-based litigation skills are reflected by his listing in Southwest Super Lawyers®, for Civil Litigation Defense, his designation for personal injury defense in Best Lawyers in America®, Personal Injury Litigation-Defendants and Railroad Law, 2005-2021, and his designation as a leading commercial litigator in Chambers USA, Leading Lawyers for Business. He has sustained an AV Preeminent® rating by Martindale-Hubbell for 25 years. Before forming Thorpe Shwer, Bill was a Director at Fennemore Craig, one of the largest law firms in the Southwest, where he had served for many years as the Chair of the Litigation Department.

## Related Practice Areas

- Appellate Litigation
- Tort Defense
- Transportation Law
- Commercial Real Estate
- Health Care
- Manufacturing
- Transportation
- Employment Litigation
- Business and Commercial Litigation
- Healthcare Litigation

- Franchise Disputes
- Contract Disputes
- Construction Litigation
- Class Action Defense
- Indemnity Claims
- Insurance Coverage and Bad Faith
- Intellectual Property Litigation
- Non-Competition Agreements and Restrictive Covenants
- Real Estate Litigation
- Financial Services
- Product Liability Claims
- Railroad Accidents
- Safety Standard Violations
- Motor Vehicle Accidents
- Heavy Equipment Accidents
- Industrial Accidents
- Truck Accidents
- Accident Defense
- Commercial Litigation
- Employment Issues
- Federal Employers Liability Act (FELA) Lawsuits
- Railroad Law
- Regulatory Compliance
- Federal Motor Carrier Law

## Admissions

- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, District of Arizona
- Arizona Supreme Court

## Professional Affiliations

- National Association of Railroad Trial Counsel, Executive Committee
- National Association of Railroad Trial Counsel, Member
- Federal Bar Association, Member
- Maricopa County Bar Association, Member
- American Bar Association, Member

## Honors & Awards

- Southwest Super Lawyer®, Top 50 Lawyers in Arizona
- Southwest Super Lawyer®, Civil Litigation Defense
- Best Lawyers in America®, Personal Injury Litigation-Defense and Railroad Law
- AV® Preeminent™ Peer Review Rated, by Martindale-Hubbell

## Representative Cases

- *BNSF Ry. Co. v. Seats Inc.*, 237 Ariz. 259 (App. 2015)
- *Davis v. BNSF Ry. Co.*, 2014 Ariz. App. Unpub. LEXIS 402, 2014 WL 1311757 (Ariz. App. 2014)
- *Quain v. CAPSTAR*, 453 Fed. Appx. 702 (9th Cir. 2011)
- *Hunte Corp. v. Martinelli*, 446 Fed. Appx. 818 (8th Cir. 2011)
- *BNSF Ry. Co. v. Buttrick*, 228 Ariz. 449 (App. 2011)
- *Chiang v. J.B. Hunt Transp.*, 2010 Cal. App. Unpub. LEXIS 8790, 2010 WL 4325226 (Cal. App. Nov. 3, 2010)
- *Haswell v. AMTRAK*, 310 Fed. Appx. 184 (9th Cir. 2008)
- *Schrump v. Burlington N. Santa Fe Ry.*, 286 Fed. Appx. 380 (9th Cir. 2008)
- *BNSF Ry. Co. v. Ray*, 138 Fed. Appx. 970 (9th Cir. 2005)
- *Mendoza v. Farmers Ins. Exch.*, 2005 Ariz. App. Unpub. LEXIS 258 (Ariz. Ct. App. 2005)
- *Guidroz-Brault v. Mo. Pac. R.R. Co.*, 254 F.3d 825 (9th Cir. 2001)
- *Pac. Transp. Co. v. Ariz. Corp. Comm'n*, 173 Ariz. 630 (App. 1992)
- *Prudential Ins. Co. v. Pochiro*, 153 Ariz. 368 (App. 1987)
- *Pochiro v. Prudential Ins. Co.*, 827 F.2d 1246 (9th Cir. 1987)



## Education

- Boston College Law School, J.D., *cum laude*
  - Articles Editor, *Boston College Law Review*
- Stanford University, B.A.