

GARY J. COHEN



Gary J. Cohen is a shareholder in the firm's Litigation and Appellate Sections. Gary's practice focuses on commercial litigation, personal injury, employment matters, municipal, and appellate law. He is recognizable by his peers as one of the "Best Lawyers in America" and a Southwest "Super Lawyer." Gary has the highest possible rating in both legal ability and ethical standards ("AV Preeminent"), and is a member of the "Million Dollar Advocates Forum" for achieving a trial verdict and settlement of more than one million dollars. Gary has been a Judge Pro Tem since 2004 with the Pima County Superior Court. He has also been an adjunct law professor for

six years at the University of Arizona James E. Rogers College of Law.

A Tucson native, Gary has practiced law at Mesch Clark Rothschild since graduating from the University of Arizona College of Law in 1993. While an undergraduate at Northwestern University, Gary was a four year letterman on the varsity tennis team that won the 1990 Big Ten Conference Title, a two-year member of the NCAA Academic/Athletic All-American Team, and had the highest grade point average of any male athlete in his graduating class.

Gary has presented at numerous seminars, including the Arizona State Bar convention, about various aspects of employment law, medical malpractice, trial practice, and appellate advocacy. He is the Past Chair (2009-2010) for the Appellate Practice Section of the State Bar of Arizona. His written articles include "An Arizona Lawyer's Guide through the Morass of the Self-Critical Analysis Privilege" and "Juris Doctrines", published in the *Arizona Attorney*, "Voi Dire and Medical Malpractice", published in *Medical Errors and Litigation: Investigation and Case Preparation*, and his "Tri-appellate Lawyer" column in *The Writ*. Gary co-authored a comprehensive "Guide for Self- Represented ("Pro Se" or "Pro Per") Appellants and Appellees," and a chapter in the *Arizona Tort Law Handbook*.

Gary regularly volunteers his time, and has served the community as an Honorary Commander at Davis-Monthan Air Force Base, and as a board member of: the Children's Museum Tucson; The Gootter Foundation; University of Arizona Hillel Foundation; Jewish Family and Children's Service; the Jewish Community Center; the Tostitos Fiesta Bowl Committee; the Tucson City Magistrate Merit Selection Committee; and Pride Tennis. In 2006, Gary was named as one of the eight "Up and Comers" by *Inside Tucson Business* as well as one of the "40 Under 40" by *Tucson Business Edge*.

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Practice Areas

- Commercial Litigation
- Personal Injury/Medical Malpractice
- Appellate Advocacy
- Employment Law
- Municipal Law

Admissions

- Ninth Circuit Court of Appeals – 1997
- United States Supreme Court – 1997
- Arizona Supreme Court – 1993
- Arizona Courts – 1993
- United States District Court, District of Arizona – 1993
- Colorado Courts – 2002

Professional

- Best Lawyers in America – 2017 - present
- Super Lawyers/Southwest – 2017 - present
- *Martindale-Hubbell Peer Review Rating: AV Preeminent* – 2013 - present
- *Adjunct Professor. “Pre-Trial Litigation”, The University of Arizona James E. Rogers College of Law* – Spring 2011 - Spring 2017
- *Pima County Superior Court Judge Pro Tem* - January 2004 – present
- *State Bar of Arizona Appellate Practice Section Executive Committee, Secretary/Treasurer/Chair-Elect/Chair* – 2006 - 2010
- *Arizona Judicial Branch 2008 Achievement Award* – June 2008
- *Tucson Business Edge* - August 2006
 - One of the “40 Under 40” Award recipients
- *Inside Tucson Business* - October 2005
 - One of the Up & Comers in Tucson
- *Inns of Court* – 1997 - 1999
- *Arizona College of Trial Advocacy* – August 1997
 - One of approximately 48 attorneys selected from approximately 130 attorneys for this highly coveted program.

Organizations

Davis-Monthan Air Force Base, Honorary Commander (starting 2017)
Southern Arizona Tennis Association Board Member (starting 2016)
Pima County Sports Hall of Fame, Athlete Inductee (October 2013)
Children's Museum Tucson, Board Member (2011 - present)
Southern Arizona Tennis Association, Grievance Committee Chair (2013 - present)
Selective Service System, Arizona Local Board Member (2010 - present)
Northwestern University Men's Tennis Board of Advisors Member (2008 - present)
Volunteer Judge, Advanced Appellate Advocacy program at The University of Arizona James E. Rogers College of Law (2011, 2012)
University of Arizona Hillel Foundation, Board Member (2009 - 2010)
Make-A-Wish Foundation Southern Arizona Wish Advisory Board Roundtable member (2008-2010)
Arizona Appellate Practice Institute, Faculty Member (May 2007)
Steven M. Gootter Foundation, Tennis Event Committee (2006 - 2012)
State Bar of Arizona Appellate Practice Section Executive Committee, Secretary (2006); Treasurer (2007); Chair-Elect (2008); Chair (2009)
Southwest Tennis Section Committee on Diversity (January 2006 - 2008)
Tucson Fiesta Bowl Committee, Member (2005 - 2008)
Pride Tennis, Founder (2004-2007)
Tucson Jewish Community Center, Board Member (2003 - 2009)
City of Tucson Magistrate Merit Selection Committee, Member (2003 - 2007)
Maccabi USA, Head Junior Tennis Coach (2000 - 2001)
City of Tucson Anti-Hate Crime Task Force, Member (1999 - 2000)
Rancho Lomas Homeowners Association, Director (1998 - 2002)
Jewish Family and Children's Service, Board Member (1996 - 2003)
High School Mock Trial Program, Volunteer Advisor (Spring 1998)

Education

University of Arizona College of Law, Tucson, Arizona, Juris Doctor, 1993
Northwestern University, Evanston, Illinois, Bachelor of Arts, 1990

- N.C.A.A. Academic/Athletic All-American Team (1989 and 1990)
- One of only twenty college tennis players in the nation with a grade point average over 3.5 (4.0 scale) named to this team.
 - Four year letterman and co-captain for two seasons. Led Northwestern to a national ranking of 17 and the 1990 Big Ten Conference Championship.

Publications

- “False Start: The Premature Notice of Appeal”*, *Arizona Attorney*, Dec. 2013
- “The ‘Tri-appellate’ Lawyer (Quarterly Column), The Writ*, 2013 - present
- “Negligence”* (Ch. 21), *Arizona Tort Law Handbook*, Author/Editor, 2012
- “Your Documents Say More Than You Think (Metadata)”*, *Inside Tucson Business*, June 2009
- “Guide for Self-Represented (Pro-Se” or “Pro Per”) Appellants and Appellees*, Jan. 2008
- “Juris Doctrines”*, *Arizona Attorney*, Aug. 2006
- “Voir Dire and Medical Malpractice”*, *Medical Errors and Litigation: Investigation and Case Preparation*, June 2004
- “To Cite or Note to Cite? That is the Question Facing Arizona Lawyers Regarding Unpublished Decisions”*, *Arizona Journal*, Sept. 2000.
- “An Arizona Lawyer’s Guide Through the Morass of the Self-Critical Analysis Privilege”*, *Arizona Attorney*, July 1999.
- “Who Else Is Listening? The Security Issues of Email and Wireless Phone Communication”*, *In Brief* (Legal Secretaries International, Inc.), Oct. 1999.

Seminars

- “Arizona Appellate Court Practice Tips: Appealable Orders in light of the New Civil Procedure Rules and Brummet ; Improving Your Research and Written Presentation on Statutes; Oral Argument “Mythbusters”*,” *Arizona State Bar* (Feb. 2017)
- “Benson Legal Issues”*, Benson Rotary Club (July 2015)
- “Law and Order: American with Disabilities Act Update,”* Society for Human Resource Managers (April 2015)
- “Social Media and the FLSA,”* Medical Group Management Association (April 2015)

“Informed Consent for Surgical Procedures,” University Medical Center (Feb 2015)

“2015 Appellate Practice Update,” Prel Member/Chair, Arizona State Bar (Feb. 2015)

“The Ins and Outs of Premises Liability,” Benson, Arizona (Nov. 2014)

“Real Property Appellate Cases: The Year in Review,” Arizona State Bar Real Property Section (Pima County, 2013 - 2018); (Maricopa County, 2014 - 2018)

“Employment Law”, Radiology Ltd., (Dec. 2013; Dec 2014)

“Appellate Jurisdiction” (Panel Member/Chair), Arizona State Bar, (Oct. 2013)

“Persuade ‘Amistad-Style”, LEGUS (July 2013); NALS (Sept. 2013); Pima County Bar Assoc. (Jan. 2014)

“Preserving the Record” (Panel Member), Pima County Bar, (Feb. 2012)

Pima County Winter Bench and Bar Program, Panel Member, (Dec. 2011)

“Making the Appellate Record” (Panel Member), Arizona State Bar (Feb. 2011)

“The Life of a Case in Division Two” (Panel Member), Florence, Az. (Apr. 2010)

“The Life of a Brief in Division Two (Panel Member)”, Arizona State Bar Appellate Practice Section (May 2009)

“‘Precedents’ and Recent Arizona Employment Law ‘Precedents’”, Society of Human Resource Managers of Greater Tucson, Feb. 2005

“Hot Topics in Trial Practice” (Panel Member), Arizona State Bar Convention, June 2004

“Practicing Appellate Law and E-Filing in the Court of Appeals”, Tucson Legal Support Association, June 2004

Youth Drugs and Alcohol Program, Speaker – 1995

“EMTALA”, Kino Hospital, 1996