



SCOTT DAY FREEMAN

Director

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Scott Freeman is an experienced commercial and product liability litigator in our business litigation practice group, where his work involves defending the people and businesses that manufacture the products and provide the services that give us the high standard of living we enjoy. He is an advocate for manufacturers of myriad products, including automotive batteries, aviation components, recreational vehicle components, boilers, pesticides, fire-retardant and asbestos-related products, and mining and construction equipment.

A pilot who originally had his sights set on working as an aerospace engineer, Scott instead attended law school as politics and law became his true passions later in life. Licensed to practice law in Arizona and Nevada, he has made appearances in state and federal courts in numerous states during his career, including for MDL actions. Scott also serves as the Pacific regional director of the Defense Research Institute (DRI), an international organization of attorneys who defend the interests of business and individuals in civil litigation.

Outside of the office, Scott and his wife, an employment counselor for PayPal, spend their time managing a blur of work-, school- and life-related schedules as the loving parents to four young children. Scott recharges his batteries by hiking — early in the morning, as the sun rises, it is not uncommon to find him at the top of Camelback Mountain.

EDUCATION

- J.D., Arizona State University, Sandra Day O'Connor College of Law
- B.S., *cum laude*, Aerospace Engineering, University of Arizona
- Graduate College Fellow (Heat Transfer and Wind Tunnel Design), The University of Arizona College of Engineering, 1989-1991
- Tau Beta Pi, National Engineering Honorary
- Executive Managing Editor, *Arizona State Law Journal*, 1993-1994
- Legal Writing Instructor, 1992-1993
- Editor, *Jurimetrics Journal*, 1993

AREAS OF PRACTICE

- Aviation, Aerospace and Autonomous Systems
- Business and Personal Injury Torts
- Business Litigation
- Commercial Litigation
- Litigation
- Product Liability

REPRESENTATIVE CASES

- One-week jury trial (lead counsel) representing plaintiff in commercial dispute arising from product withdrawals. Obtained favorable jury verdicts on all counts, including an alter ego claim. \$1.2 million judgment entered. Executed upon pre-judgment writs of attachments on real property and equipment of defendants. (Maricopa County Superior Court, Arizona).
- Seven-day trial-styled arbitration hearing in dispute concerning the interpretation of a multi-million dollar commercial ground lease (American Arbitration Association, Los Angeles).
- One-week jury trial (lead counsel) regarding injuries sustained in a fall through a warehouse skylight, with successful jury finding of significant liability by non-parties at fault (U.S. District Court, Arizona).
- Court-designated lead Arizona counsel for an overseas manufacturer in consolidated proceedings involving product defect claims related to passenger tire and vehicle design (Maricopa County Superior Court, Arizona).
- Successful resolution of wrongful death and personal injury (quadriplegia) claims against a vehicle manufacturer and national distributor involving complex issues of roof, window, and occupant space design (U.S. District Court, Arizona).
- Trial team member defending motorhome tire manufacturer in a products liability action, with lawsuit settling favorably on the first day of trial (U.S. District Court, Arizona).
- Team member in commercial dispute between national aerospace defense contractor and component supplier, with successful ruling in client's favor (American Arbitration Association, Tucson).
- Defense team member in mesothelioma and asbestos-related personal injury and wrongful death claims against automotive component part manufacturers and material suppliers.
- Defended general aviation aircraft manufacturers and lessors, as well as fixed-base operators, in litigation involving wrongful death, personal injury, and property damage claims, leveraging for advantageous settlements (Maricopa County Superior Court, Arizona).
- Successful dismissal of mass-tort action involving contamination claims related to the operations of a large, international mining company, raising novel venue arguments (Pima County Superior Court, Arizona).
- Favorable dispositive ruling in favor of passenger tire manufacturer, advancing arguments related to personal jurisdiction and failure to join indispensable parties (*Tait v. Bridgestone/Firestone*, Dist. Ariz., Case No. 2:02-cv-01193-RCB).

- Team leader in complex commercial litigation regarding satellite television broadcast rights (*CBS Broadcasting, Inc. v. Echostar Communications Corp.*, 276 F. Supp.2d 1237 (2003)).
- Successful dismissal of RICO claims against a nutritional supplement supplier (U.S. District Court, Central District of California).
- Represented designer and manufacturer of noise cancelling headphones in patent infringement action (U.S. District Court, Southern District of New York).
- Represented commercial lessors in tenant disputes at the Las Vegas Forum Shops at Caesars and the Tower Shops at the Stratosphere Casino, Hotel & Casino (Clark County District Court, Nevada).
- Represented Las Vegas hotel-casinos in premises liability actions involving falls, assaults, and other tort claims (Clark County District Court, Nevada).
- Represented project manager in construction defect litigation involving the collapse of what had been the world's tallest free-standing sign, with case turning on unique insurance and contract interpretation issues (Clark County District Court, Nevada).
- Contract compliance review for national waste management company.
- Risk management and litigation-avoidance advice to general counsel of heavy equipment supplier.

AWARDS AND HONORS

- *Best Lawyers in America*®, Commercial Litigation, 2018-2021
- *Southwest Super Lawyers*®, Business Litigation, 2018-2020
- *Southwest Super Lawyers*®, Personal Injury Defense: Products, 2012-2017
- AV® Preeminent™ Peer Review Rated (the highest rating available), by Martindale-Hubbell

ARTICLES AND PRESENTATIONS

- Author, "What if Nobody Came to the Panic-demic?" Dri.org, September 23, 2020
- Contributing Editor, "e-Common Defense," *Arizona Association of Defense Counsel*
- Contributing Editor, "Tort Law Desk Reference: A Fifty-State Compendium"

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, State Bar of Nevada
- Member, State Bar of Arizona
- Vice Chair, Arizona Independent Redistricting Commission
- Member, Arizona Chamber of Commerce and Industry, Defense and Aerospace Committee
- Immediate Past President, Executive Board Member, and Co-Chair of the Legislative Committee, Arizona Association of Defense Counsel
- State Representative (Arizona) and SLDO Representative, Defense Research Institute
- Co-Founder and former Officer of the Las Vegas Chapter, The Federalist Society
- Member, Arizona Republican Lawyers Association

- Former Chancellor of the Barry M. Goldwater Chapter, Sons of the American Revolution
- Former Member of the Board of Directors, Rosie's House-A Music Academy for Children

ADMISSIONS

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