



EMILY A. WARD

Director

Business Litigation

Phoenix

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Emily Ward works in our business litigation practice group where she litigates high-stakes cases for plaintiffs and defendants in federal and state courts across the country. An outside-of-the-box thinker who pays close attention to details and consistently runs matters to the ground on behalf of her clients, this up-and-coming business litigation attorney has the unique ability to master diverse subject matters, ranging from constitutional issues, multilevel marketing, landfill and solid waste management, and commercial real estate. Emily's success has earned her recognition as a *Super Lawyers® Rising Star* each year since 2016.

From the moment Emily participated in mock trial at Xavier College Preparatory in Phoenix, Arizona, she knew she would become an attorney. Her passion for the law has not dwindled — to this day she enjoys the intellectual challenge of the field, looking at cases from all angles to creatively solve issues, and taking on her clients' problems as her own.

Outside of her work as a business litigator, Emily is actively involved with the Florence Immigrant and Refugee Rights Project, and enjoys taking on pro bono appeals for those seeking asylum. She is also a member of the board for the Arizona Industries for the Blind, helping to create well-paying jobs for Arizona's blind population. Serving on the State Bar of Arizona's Civil Practice and Procedure Committee, she has presented multiple times on how to leverage the rules of civil procedure to a client's advantage.

When she is not hard at work as a business litigation lawyer or busy in the community, Emily enjoys hiking with her husband, Mike; her daughter, Violet; and her two dogs, Gus and Elliot.

EDUCATION

- J.D., *summa cum laude*, University of Arizona, James E. Rogers College of Law
- B.A., *summa cum laude*, University of Arizona
- Order of the Coif

AREAS OF PRACTICE

- Business Litigation

REPRESENTATIVE CASES

- Successfully defended the constitutionality of a tax on the business of leasing vehicles against challenges under the Dormant Commerce Clause of the U.S. Constitution and the Anti-Diversion provision of the Arizona Constitution. *Saban Rent-A Car LLC v. Ariz. Dep't of Revenue*, 246 Ariz. 89 (2019)
- Represented State of Arizona and Secretary of State in action brought by advocacy group challenging campaign finance laws and received favorable ruling against Voter Protection Act challenge. *Arizona Advocacy Network Found. v. State*, 250 Ariz. 109 (App. 2020), as amended (Nov. 9, 2020)
- Achieved victory on summary judgment against a challenge to Arizona's ESA program brought by public interest group.
- Obtained multi-million-dollar settlement for breach of contract against prominent network marketing company
- Represented a large solid waste company against a national landfill gas producer. The dispute involved a dispute over license fees and royalties from two landfills. Forced extremely favorable settlement for client.
- First-chaired bench trial representing commercial tenants at in a 6-day trial against prominent Phoenix landlord regarding common-area expenses and obtained a ruling awarding tenants all improperly assessed costs and attorneys' fees
- Argued before Arizona Court of Appeals on scope of notice required for premises liability action and obtained judgment reversing trial court's grant of summary judgment.
- Successfully helped obtain multi-million-dollar settlement for breach of contract against prominent multi-level marketing company.
- Argued that subcontractor had contractual duty to defend and obtained favorable ruling requiring subcontractor to pay all attorneys' fees and costs.
- Represented dermatopathologist against former practice for breach of employment agreement and achieved very favorable settlement
- Represented young woman who co-owned house with ex-boyfriend who refused to buy her out after his infidelity. Forced him to refinance house for her payment to avoid partition sale and even made him Venmo client additional money for her wasted time dealing with the issue.
- Represented client against \$2.5 million damages claim from multi-level marketing company for alleged fraud and settled for \$50,000.

AWARDS AND HONORS

- *Best Lawyers in America*®, Appellate Practice, Commercial Litigation, 2024
- *Southwest Rising Stars*®, Business Litigation, 2016-2023
- *Best Lawyers in America*®, Ones to Watch – Appellate Practice, Commercial Litigation, 2022-2023
- *Chambers USA*, Leading Lawyers for Business, Up and Coming, 2021-2023

ARTICLES AND PRESENTATIONS

- Author, "A business owner's guide to lawsuit settlement," Greater Phoenix Chamber, September 25, 2023
- Author, "A litigator's prime to a lawsuit settlement," Arizona Capitol Times, July 6, 2023
- Author, "A business owner's guide to lawsuit settlement," Phoenix Business Journal and AZ Big Media, June 2, 2023
- Featuring, "Are you "overemployed?", KOLD News 13, January 25, 2023
- Interview, "Top Lawyer 2022: Emily A. Ward, Business Litigation," Phoenix, September 2, 2022
- Interview, "Supreme Court Appears Ready to Overturn Roe V. Wade," AZ Fox 10, May 5, 2022
- Quoted, "They knew this would cause an uproar": Phoenix constitutional law attorney analyzes impact of seismic SCOTUS leak," News Break, May 5, 2022
- Co-author, "Must Attorneys' Fees Be Included in Supersedeas Bond Amounts?" *Arizona Attorney Magazine*, April 2021

- Co-author, "Decision and Post-Decision Proceedings in the Court of Appeals," Arizona Appellate Handbook 2.0, 2020
- Quoted, "Let's Celebrate Random Acts of Kindness Day," Fennemore Blog, February 18, 2021
- Speaker, "Living Through Change: How the New Civil Practice Rules Are Working, And How They Will Affect You," State Bar of Arizona 2019 Annual Convention, June 27, 2019
- Speaker, "Not So Stranger Things: Becoming Acquainted with Arizona's New Civil Rules," State Bar of Arizona 2018 Annual Convention, June 27, 2018

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, O'Connor Institute Emerging Leaders Network
- Board Member, Florence Immigrant and Refugee Rights Project
- Member, Civil Practice and Procedure Committee, State Bar of Arizona
- Volunteer, Chrysalis Domestic Violence Shelter, 2014–present
- Volunteer, Volunteer Lawyer's Program
- Member, Board of Directors, Arizona Industries for the Blind

ADMISSIONS

- Arizona
- U.S. District Court District of Arizona
- U.S. District Court Western District of Texas
- U.S. Court of Appeals Ninth Circuit
- U.S. Court of Appeals Tenth Circuit
- U.S. Supreme Court