



LORI VOEPEL

PARTNER

Arizona

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Areas of Practice:

Appeals
Educational Institutions Defense
Governmental Liability

Industries Served:

Aviation
Construction
Education
Government & Public Entities
Homeowner Associations
Insurance
Manufacturers
Medical Service Providers
Professional Service Providers
Recreation & Amusement
Retail & Hospitality
Transportation

Lori Voepel has handled approximately 350 federal and state appeals in virtually every area of the law, including governmental liability, medical and legal malpractice, employment law, civil rights, insurance defense and bad faith, product liability, school law, prison liability, administrative law, commercial law, construction law, airline liability, criminal law, workers' compensation, and family law. She also assists with critical motions and provides appellate guidance to trial attorneys from the pleading stage through the trial and post-trial stages.

Before joining Jones Skelton & Hochuli, Lori practiced primarily in the area of criminal appeals and trials. After earning her J.D., Lori served as a judicial clerk for the Hon. Thomas A. Zlaket of the Arizona Supreme Court and for the Hon. Cecil B. Patterson of the Arizona Court of Appeals, Division One.

Lori is a member of the Arizona State Bar Appellate Practice Section, has served since 2003 on the Maricopa Chapter Steering Committee for the Arizona Women Lawyers Association, and was a longtime board member of A New Leaf Organization. She has presented numerous seminars on appellate advocacy and has served as editor for the firm's resource publication, [The JSH Reporter](#), since 2007.

REPRESENTATIVE CASES

- [Angulo-Murrieta v. City of Yuma, et al.](#) (Arizona Court of Appeals, March 30, 2021) Affirmed trial court's decision that challenged Arizona's civil asset forfeiture statutes.
- [Jackson v. Eagle KMC L.L.C.](#), ___ P.3d ___, 2019 WL 73631 (Ariz. Supreme Ct. Jan. 2, 2019) Holding that the law of the state where workers compensation benefits were paid determines the assignment rights of employers and employees in third-party actions.
- [Twin City Fire Ins. Co. v. Leija](#), 422 P.3d 1033 (Ariz. 2018) Holding that claimants who settle third-party claims are not entitled to post-settlement trials to determine percentage of employer fault solely to reduce or extinguish a workers' compensation carrier's lien.
- [Soto v. Sacco](#), 398 P.3d 90 (Ariz. 2017) Clarifying standard for granting remittitur or additur and extending specificity requirement applicable to orders granting new trial to orders granting remittitur or additur.
- [Nat. Title Ins. Co. v. Centerpoint Mech. Lien Claims, LLC](#), 357 P.3d 170 (Ariz. App. 2015), as amended (Dec. 30, 2016) Won reversal of \$38 million "Morris" Judgment against title company, which fell outside the permitted parameters of Morris and did not represent an arm's length settlement because it was entered by parties whose interests were wholly aligned.
- [Watts v. Medicis](#), 365 P.2d 944 (Ariz. 2016) Case of first impression adopting learned intermediary doctrine and rejecting direct-to-consumer marketing exception.
- [Boruch v. State ex rel. Halikowski](#), 399 P.3d 686 (Ariz. App. 2017) Addressing scope of trial court's authority to enjoin governmental entities when exercising their statutory authority in managing emergencies.
- [In Re Twelve Grand Jury Subpoenas](#), ___ F.3d ___, 2018 WL 5905238 (9th Cir. 2018) Addressing challenge to collective entity doctrine for closely-held corporations and LLC's based on *Citizens United* and *Hobby Lobby* and under exception to collective entity doctrine.
- [Fernandez v. City of Phoenix](#) (Ariz. 2015) – A motion for summary judgment was granted in favor of the City of Phoenix invalidating a stipulated judgment against the City for \$8.5 million in a Morris-type of agreement.
- [Milke v. Mroz](#), 339 P.3d 659 (Ariz. App. 2014), review denied. Dismissal of capital case on double jeopardy grounds.

- *Milke v. Ryan*, 711 F.3d 998 (9th Cir. 2013) Obtained reversal of capital conviction where state failed to disclose Brady evidence concerning a police detective's record of misconduct and dishonesty.
- *Santee v. Mesa Airlines*, 270 P.3d 915 (Ariz. App. 2012) Won dismissal of appeal as premature where notice filed while Rule 68(g) motion was pending.
- *Indep. Redistricting Comm'n v. Brewer*, 275 P.3d 1267 (Ariz. 2012) Represented state senate in?supreme court challenge to removal of redistricting commission chair.
- *The Best Choice Fund, LLC v. Low & Childers*,?269 P.3d 678 (Ariz. App. 2011) Won on appeal regarding accrual of legal malpractice claim.
- *Phoenix Children's Hospital v. Grant*, 265 P.3d 417 (Ariz. App. 2011) Amicus counsel in case upholding a defendant hospital and counsel's right to speak informally with treating physician employed by hospital.
- *Bank One Corp. v. Indus. Comm'n of Arizona*, 244 P.3d 571 (Ariz. App. 2010) Won in workers' compensation case involving supportive care benefits outlined in terms of settlement agreement.
- *State v. City of Kingman*, 176 P.3d 53 (Ariz. App. 2009) Won on ?issue involving joint control of a roadway by ADOT and the City.
- *Alvarado v. Cajun Operating Co.*, 588 F.3d 1261(9th Cir. 2009) Won case of first impression, making punitive and compensatory damages unavailable for ADEA retaliation claims.

CIVIC & COMMUNITY ASSOCIATIONS

- A New Leaf (formerly PREHAB), Member, Government Affairs Committee; Board of Directors, 2000-2013

PROFESSIONAL ASSOCIATIONS & MEMBERSHIPS

- AADC Ladder Down Program, Graduate 2013
- State Bar of Arizona, Appellate Practice Section, Member
- Arizona Women Lawyers Association, Maricopa Chapter Steering Committee, 2003-Current; Executive Committee, 2006-2010; State Board, 2004-2007; Membership Chair, 2003-2005
- Horace Rumpole Inn of Court, Program Chair
- Defense Research Institute, Member
- Arizona Supreme Court, Criminal Rules Committee Member, 2001-2003

PROFESSIONAL RECOGNITION & AWARDS

- *The Best Lawyers in America*®, Appellate Practice, 2018-2021
- *Southwest Super Lawyers*, 2015-2021
- Arizona's Finest Lawyers
- AV® Preeminent™ Rated by Martindale-Hubbell

PRESENTATIONS & PUBLICATIONS

Since 2007, Lori has served as the editor of the firm's resource publication, [The JSH Reporter](#). Additional publications include:

- "Dispositive Motions," Presenter, Diversity Legal Writing Program, March 2021
- "[Public Service Announcement: If You Own a Closely Held Business Entity, You Have Waived Fifth Amendment Rights](#)", Co-Author, USLAW Magazine+ Winter 2019-2020 Issue
- "[Appellate Tip: Supersedeas Bond Rule Changes](#)," Author, The JSH Reporter Fall 2019
- "[Public Service Announcement: If You Own a Closely Held Business Entity, You Have Waived Fifth Amendment Rights](#)", Co-Author, The JSH Reporter Fall 2019
- "[Defendants Should Preserve 'No Duty' Arguments in Negligence Cases with Pre-trial and Post-trial Motions](#)", Author, The JSH Reporter Fall 2019
- "[Appellate Tip: Supersedeas Bond Rule Changes](#)," Author, The JSH Reporter Fall 2019
- "[Watch & Learn: The Art and Science of Oral Argument](#)," Co-Presenter, State Bar of Arizona Convention, June 2019
- "Judgment Day: Tips for Terminating Trial Court Proceedings and Shaping the Issues on Appeal," Co-Presenter, Tucson Defense Bar, April 2019
- "[Appellate Tip: Supersedeas Bond Rule Changes](#)," Author, February 2019
- "Before and After the Appeal: Bonds, Mandates and Attorneys' Fees," Co-Presenter, State Bar of Arizona CLE "Working with the Arizona Court of Appeals," November 2018
- "[Defendants Should Preserve 'No-Duty' Arguments in Negligence Cases with Pretrial and Post-Trial Motions](#)," Author, The JSH Reporter, Fall 2018
- "[Civil Litigation and Case Progression Under the New 'Tier System'](#)," Co-Author, The JSH Reporter, Fall 2018
- "[Ladder Up Profile: Finding Your Balance](#)," *Attorney at Law Magazine*, October 2018
- "I Got a Lousy Verdict! Now What?" Co-Presenter, Twenty-First Annual Public Practice Legal Seminar/HR Summit, May 2018
- "[Appellate Tip: Preserving the Record: Tips for Objecting to Jury Instructions](#)," Co-Author, November 2017
- "Judgment Day: Tips for Terminating Trial Court Proceedings and Shaping the Issues on Appeal," Co-Presenter, 2017 AADC Annual Meeting, June 2017
- "[Appellate Tip: Special Actions – To File Or Not To File?](#)" Author, December 2016

- “[Appellate Tip: At What Point is a Certification of Rule 54\(B\) Appropriate?](#)” Author, September 2016
- “[Appellate Tip: Decision On Filing Special Action Hinges On Several Factors,](#)” Author, September 2016
- “Anatomy of a Lawsuit,” Co-Presenter, PRIMA Summer Education Series, July 2016
- “You Have the Right to Remain Silent: Exploring the 50th Anniversary of Miranda v. Arizona,” Co-Presenter, State Bar of Arizona Convention, June 2016
- “Appellate Advocacy,” Presenter, AADC Advocacy Luncheon, May 2016
- “Case Law Update,” Co-Presenter, West Valley Cities, March 2015
- “Taking The Bite Out Of Damages: Recoverability, Legal Defenses and Current Trends,” Presenter, JSH Annual Seminar: It’s All Fun and Games Until Someone Gets Hurt, November 2014
- “Arizona Appellate Update,” Co-Presenter, ACIC’s General Counsel Seminar, July 2013
- “Current Issues/Case Law Update,” Co-Presenter, Arizona Counties Insurance Pool’s 16th Annual Public Practice Legal Seminar, May 2013
- “Appellate Practice,” Co-Presenter with Judge Patricia Orozco, Arizona Counties Insurance Pool’s 16th Annual Public Practice Legal Seminar, May 2013
- “Current Issues/Case Law Update,” Co-Presenter, JSH Current Issues in Government Liability Seminar, November 2012
- “Notice of Claims and Other Hot Topics,” Presenter, Arizona Counties Insurance Pool and the Arizona Civil Attorneys Legal Seminar, May 2012
- “The Importance of Preserving the Record During Motions, Oral Argument and Trial,” Presenter, AADC Litigation Basics II Seminar, April 2012

EDUCATION

University of Arizona College of Law J.D., *magna cum laude*, 1993

Order of the Coif

Order of the Barristers

Moot Court Team and Board

Northern Arizona University B.S., *summa cum laude*, 1990

BAR ADMISSIONS

Arizona

U.S. Supreme Court

U.S. Court of Appeals for the Fourth, Sixth, Ninth and D.C. Circuits

U.S. District Court, District of Arizona