

UDALL LAW FIRM, LLP

Attorneys at Law



Practice Focus and Experience

Edward Moomjian II is a litigation attorney whose practice focuses on Complex Commercial and Employment Litigation (including advising companies on employment law issues), and Malpractice Litigation. Edward also has substantial experience in both prosecuting and defending class actions, and is a contributing author to the leading class action treatise, *NEWBERG ON CLASS ACTIONS* (4th ed. 2003). Edward is a former law clerk to Hon. Thomas C. Kleinschmidt of the Arizona Court of Appeals. Prior to becoming a lawyer, he practiced as a Mechanical Engineer in both the aerospace and electronic medical device industries.

Representative Matters

- Currently defending employment lawsuits alleging claims of harassment and discrimination, intentional infliction of emotional distress, breach of contract, and constructive discharge.
- Recently concluded defense of physician in lawsuit filed by nurse alleging battery, harassment and discrimination, and tortious interference with contract.
- Recently concluded lengthy internal investigation and analysis on behalf of large employer regarding potential employment-related claims resulting from termination of disabled employee.
- Currently defending class action alleging law firm committed malpractice in handling of underlying securities fraud class action.
- Obtained class action certification and \$28.8 million dollar judgment against major motion picture company for violations of Telephone Consumer Protection Act, and recently obtained class certification of lawsuit attacking purported bankruptcy discharge of such claims.
- Successfully defended environmental class action versus governmental entity, obtaining de minimus cost of defense settlement.
- Obtained dismissal of lawsuit alleging numerous statutory, fraud and related claims arising out of alleged wrongful corporate takeover.

Education and Experience

- University of Arizona (J.D. 1995, magna cum laude), Order of the Coif
 - Executive Notes Editor, University of Arizona Law Review (1994–1995)
- Arizona State University (B.S.M.E. Mechanical Engineering 1992, cum laude)
- Law Clerk to Hon. Thomas C. Kleinschmidt, Arizona Court of Appeals (1995–1996)

Admissions and Memberships

- Admitted: Arizona State Courts & Arizona Federal District Court
- Ninth Circuit and District of Columbia Circuit Courts of Appeals
- Pima County Bar Association
- Tucson Defense Bar

Community Involvement

- Primavera Foundation
- Volunteer Lawyers Program
- Former Hearing Officer for Marana Unified School District



Edward Moomjian II

Partner

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Areas of Practice

Class Action Litigation
Complex & Commercial
Litigation
Employment Law
Legal, Medical &
Professional Malpractice
Real Estate & Homeowners
Litigation
General Civil Litigation

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Publications & Decisions

- RAISING THE STAKES: CORPORATE LIABILITY FOR EMPLOYEES' PRIVATE ACTS, Edward Moomjian II, Esq. & Elizabeth Wolnick, USLAW Employment Law Section Update (2008)
- Contributing Author – NEWBERG ON CLASS ACTIONS (4th ed. 2003)
- In re United Artists Theatre Co., 406 B.R. 643 (Bankr. D. Del. 2009)
- In re United Artists Theatre Co., 410 B.R. 385 (Bankr. D. Del. 2009)
- Barber v. Nelson, 2009 WL 449250 (Ariz. App. 2009)
- Biggerstaff v. F.C.C., 511 F.3d 178 (D.C. Cir. 2007)
- National Union Fire Ins. Co. of Pittsburg, PA v. ESI Ergonomic Solutions, LLC., 342 F.Supp.2d 853 (D.Ariz. 2004)
- ESI Ergonomic Solutions, LLC v. United Artists Theatre Circuit, Inc., 203 Ariz. 94, 50 P.3d 844 (Ariz. App. 2002)
- United Artists Theatre Circuit, Inc. v. F.C.C., 147 F.Supp.2d 965 (D.Ariz. 2000)
- State Compensation Fund v. Superior Court (EnergCorp, Inc.), 190 Ariz.371, 948 P.2d 499 (Ariz.App. 1997)