



## Elizabeth A. Martinez Shareholder

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### OVERVIEW

Betsy focuses her practice on appeals and complex briefing. She has handled appeals and dispositive briefing in state and federal courts in a wide range of areas, including torts, contracts, employment, medical malpractice, and workers' compensation. She enjoys analyzing complex issues on nearly any topic and translating them into simple, persuasive language. Betsy also serves as local counsel on appellate matters and frequently advises clients on appellate trends in New Mexico. She has been recognized by *Best Lawyers in America*® in Appellate Practice, as a Southwest Rising Star by Southwest Super Lawyers®, and as a Litigation Star by *Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms and Attorneys*.

Prior to joining Modrall Sperling, Betsy served as a law clerk to the Honorable Raymond M. Kethledge on the United States Court of Appeals for the Sixth Circuit. She graduated from the University of Michigan Law School, where she was a Clarence Darrow Scholar and a contributing editor for the Michigan Law Review.

Betsy received her undergraduate degree in English, *magna cum laude* with highest honors, from Harvard University. Before attending law school, she received an M.F.A. in poetry and taught undergraduate writing classes at the University of Michigan.

### Education

University of Michigan Law School, J.D., 2010, Contributing Editor, Michigan Law Review, Clarence Darrow Scholarship, Scholarly Writing Award

University of Michigan, M.F.A., 2006, Hopwood Award-Roethke Prize

Harvard University, A.B. in English Language and Literature, 2003, *magna cum laude* with highest honors in field, 2003; Thomas T. Hoopes Thesis Prize; Briggs Literary Fellowship; Director, Harvard Ballet Folklórico de Aztlán

### Bar Admissions

New Mexico

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the District of New Mexico

U.S. Court of Appeals for the Tenth Circuit

U. S. Supreme Court

### EXPERIENCE

- As appellate counsel for insurance company, provided post-judgment strategy and arguments leading to favorable pre-appeal



resolution.

- As counsel for mining company in workplace personal injury case, obtained dismissal of novel claims under Workers' Compensation Act, preserved ruling in New Mexico Court of Appeals, and successfully opposed petition for certiorari in New Mexico Supreme Court.
- As appellate counsel for financial institution, preserved summary judgment on contract and tort claims in New Mexico Court of Appeals.
- As appellate counsel for public school system, preserved summary judgment on handcuffing-related tort claims in New Mexico Court of Appeals and successfully opposed petition for certiorari in New Mexico Supreme Court.
- As appellate counsel for public school system, preserved summary judgment on workplace discrimination claims in New Mexico Court of Appeals.
- As appellate counsel for hospital, successfully opposed petition for writ of certiorari on medical malpractice claims following favorable decision from New Mexico Court of Appeals.
- Obtained directed verdict for client on malicious abuse of process claims in New Mexico state court.
- Obtained judgment on the pleadings for national laboratory in New Mexico federal district court on ERISA claims by former employee.
- Drafted successful motion to reduce supersedeas bond requirements in New Mexico state court based on novel constitutional arguments relating to client's ability to pay.
- Drafted appellate briefs for insurance company regarding interpretation of New Mexico Anti-Indemnity Statute, leading to preservation of summary judgment in Tenth Circuit Court of Appeals.
- Assisted in strategy, research, and drafting of amicus brief in support of a petition for certiorari to the United States Supreme Court in a case involving questions of land use and Federal Indian law.

## HONORS

- *Best Lawyers in America*<sup>®</sup> in Appellate Practice, 2023-present
- *Southwest Super Lawyers*<sup>®</sup>, selected as a Southwest Rising Star, 2016-2021
- *Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms and Attorneys*, Litigation Star

## RELATED PRACTICES

Labor, Employment and Benefits

Litigation

Appellate

Torts / Personal Injury

## RELATED INDUSTRIES

Educational Services and Institutions

Healthcare / Senior Care Facilities