



# R. E. Thompson Shareholder

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## Related Practices

Government Relations

Litigation

Alternative Dispute Resolution

Class Actions and Mass Torts

Commercial

Insurance

Product Liability

Professional Liability

Torts / Personal Injury

## Related Industries

Construction and Design

Healthcare / Senior Care Facilities

## Case Stories

Overlapping insurance coverage policies untangled

## OVERVIEW

R. E. Thompson is an experienced practitioner in the area of civil litigation, primarily involving commercial disputes, products liability, class actions, malpractice, negligence, and insurance. R. E.’s experience also includes administrative law hearings, government relations and lobbying.

In addition to his legal practice, R. E. has a long history of public service. He has served as a United States Attorney for the District of New Mexico, a New Mexico State Senator, a member of the National Conference of Commissioners on Uniform State Laws and the U. S. Attorney General’s Advisory Committee of U.S. Attorneys. He has also served on New Mexico Supreme Court Committees, including the Rules of Evidence and the Rules of Civil Procedure. He is a Hearing Officer for the Disciplinary Board. Additionally, R. E. has served as out-of-state liaison for the Board of Directors of the State Bar of Texas.

Recognized by *Chambers USA Directories of America’s Leading Lawyers for Business* as a Senior Statesman for General Commercial Litigation, R. E. enjoys widespread respect among interviewees as “a gracious and humble man, and one of the deans of the litigation Bar.” Named Outstanding Civil Defense Lawyer by the New Mexico Defense Lawyers Association in 2010, R. E. has also received recognition as one of the Top 25 New Mexico *Southwest Super Lawyers*. He is listed in *Best Lawyers of America®* and was named Lawyer of the Year in Albuquerque for Government Relations in 2013 and for Litigation – Construction in 2014. R. E. has achieved an AV® Preeminent rating from *Martindale-Hubbell*, based on a peer review. In addition, *New Mexico Business Weekly* honored him as Best of the Bar in Litigation in 2009.

R. E. serves as Chair of the firm’s Tort, Product Liability and Class Actions Group, is Chair of the Insurance Industry Service Group, Vice-Chair of the Construction and Design Industry Service Group, and previously served as President and Chair of the firm’s Executive Committee.

## Education

University of Texas School of Law, J.D., 1968

University of Texas, B.B.A., 1965

## Bar Admissions

New Mexico



Texas

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

U.S. Court of Appeals for the Tenth Circuit

United States Supreme Court

## EXPERIENCE

R. E. Thompson is a Board Certified Civil Trial Specialist in New Mexico. He has been responsible for a variety of personal injury and commercial litigation matters, including:

- Plaintiff sued Wal-Mart Stores, Inc., in New Mexico for a serious personal injury which occurred in Texas during construction of a new Walmart store. In 2016, the New Mexico district court dismissed the suit because of lack of jurisdiction under New Mexico's long arm statute, even though Wal-Mart Stores, Inc., had a registered agent in New Mexico. (2016)
- Successful appeal for nursing home, the New Mexico Court of Appeals overturned what had been New Mexico's largest personal injury verdict of \$53.2 Million (\$3.2 in compensatory, and \$50 Million in punitive) in a case involving a woman who died in a nursing home. *See Keith v. ManorCare, Inc.*, 218 P.3d 1257 (2009).
- Appeal of a motion to dismiss for failure to state a claim upon which relief can be granted. Several campers were killed when a pipeline exploded. Professional rescuers sued El Paso Natural Gas Company, contending that they suffered severe emotional distress from having performed rescue services to the campers. The case reformulated the firefighters rule. *See Baldonado v. El Paso Natural Gas Co.*, 176 P.3d 277 (2007).
- Successful appeal for oil company which had operated an oil and gas lease since 1927. Plaintiff contended that she had not joined in an operating agreement signed by her husband and that she was therefore entitled to part of the production of oil and gas from the leases. The trial court granted summary judgment in favor of the oil company based upon the doctrine of laches. The New Mexico Supreme Court affirmed. *See Skaggs v. Conoco, Inc.*, 957 P.2d 526.
- Plaintiffs alleged that a homebuilder acted in concert with an interim lender and permanent financing institutions on a construction project and violated the state Racketeering Act. The trial court dismissed the plaintiffs' claims and the New Mexico Supreme Court affirmed that dismissal, holding that the financial institutions had not engaged in a pattern of racketeering activity and had not committed predicate acts as defined in the Racketeering Act. *See Maxwell v. Wilson*, 766 P.2d 909 (1988).
- A city councilman brought a defamation suit against a newspaper following publication of an editorial that referred to the "Mexican mafia." The trial court refused to grant a motion for summary judgment and the Court of Appeals reversed, holding that the statement was an expression of opinion that was protected from a defamation suit under the First Amendment. *See Mendoza v. Gallup Independent Co.*, 764 P.2d 492 (1988).

## ACTIVITIES

### Professional Activities

- President, Modrall Sperling and Chair of Executive Committee, 2007-2012
- Member, Board of Directors of Mountain States Mutual Casualty Company, 1992-2015



- American Bar Association
- International Association of Defense Counsel
- National Association of Former United States Attorneys
- American Board of Trial Advocates
- New Mexico Defense Lawyers Association
- Defense Research Institute
- Chair, firm Litigation Practice Group, 1993-1998
- Chair, Modrall Sperling's Tort, Product Liability and Class Actions Group, 2013-present

### Public Service

- Hearing Committee Chair for The Disciplinary Board, an agency of the Supreme Court of the State of New Mexico, 1984 to present
- New Mexico Supreme Court Committee on the Rules of Civil Procedure, Member, 2005-2010
- State Bar of Texas Board of Directors, Out-of-State Liaison, 2006-2009
- New Mexico Supreme Court Committee on Rules of Evidence, Chair 1972-1993
- United States Attorney for the District of New Mexico, 1978-1982
- United States Attorney General's Advisory Committee of United States Attorneys, 1980-1981, Chair 1981
- New Mexico State Senator 1973-1978, Member, Senate Judiciary Committee, 1973-1978, Vice-Chair 1973-1978; Member, Senate Finance Committee, 1973-1978
- National Conference of Commissioners on Uniform State Laws, 1975-1978

## NEWS & ARTICLES

### News

#### **Chambers USA Honors 19 Modrall Sperling Attorneys**

Posted on [April 25, 2019](#) By [Daniel Schueler](#)

#### **Modrall Sperling Attorneys Recognized by Best Lawyers® 2019**

Posted on [August 15, 2018](#) By [Daniel Schueler](#)

#### **Modrall Sperling Attorneys Honored by State Bar**

Posted on [March 7, 2018](#) By [Alexandra Schexnayder](#)

#### **Modrall Sperling Wins on Directed Verdict**

Posted on [October 10, 2017](#) By [Nicole Creaturo](#)

### Articles

#### **Religious Freedom v. The Blaine Amendment: Current Challenges to a Discriminatory Remnant of the Nineteenth Century**

*U.S. Law Magazine,*

Spring/Summer 2018, May 30, 2018

By [R. E. Thompson](#)

## DISCOURSE

### Presentations



- Is Federal Court the Right Court? Jurisdiction, Venue and Local Court Procedure; Developing a Successful Trial Strategy; and Case Management, Three presentations at CLE seminar *Representing Your Client in Federal Court*, Sponsored by National Business Institute, March 2013

## HONORS

- *Chambers USA Directories of America's Leading Lawyers for Business* in Litigation: General Commercial, 2016-present
- *Southwest Super Lawyers*® (derived from a lawyer survey), 2007-2017; Top 25 New Mexico Super Lawyers, 2013-2016
- *Best Lawyers*, Lawyer of the Year in Litigation-Construction – Albuquerque, 2014
- *Best Lawyers*, Lawyer of the Year in Government Relations Practice – Albuquerque, 2013
- *Best Lawyers in America*® in Commercial Litigation, Governmental Relations Practice and Litigation-Construction, 2007-present
- *Martindale-Hubbell AV*® Preeminent, Peer Review Rated
- *New Mexico Business Weekly*, Power Broker, 2010
- *New Mexico Business Weekly*, Best of the Bar in Litigation, 2009
- New Mexico Defense Lawyers Association, Outstanding Civil Defense Lawyer, 2010