Timothy L. Fields Shareholder

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OVERVIEW

Tim Fields is an experienced practitioner in litigation and insurance defense. For more than thirty years, Tim has represented clients in their civil litigation matters including medical malpractice, personal injury defense, railroad, transportation/trucking, insurance coverage/bad faith, construction defects, products liability, toxic exposure and environmental, and FELA. Tim represents multiple hospitals and physicians throughout New Mexico. In addition his practice includes nursing home defense, complex multi-party litigation, commercial, and intellectual property disputes.

Tim serves as lead trial counsel for a number of national companies, and he has successfully tried to verdict numerous jury and bench trials. His undergraduate degree in engineering provides a useful background for litigating lawsuits involving technical or engineering issues including products liability, construction cases, accident reconstruction, and environmental/soil contamination issues.

Tim has achieved an AV® Preeminent rating from *Martindale-Hubbell*, the highest rating possible based on peer review. He has been continuously recognized by *Best Lawyers in America*® since 2007. *Best Lawyers* named Tim the 2024 Albuquerque "Lawyer of the Year" in Litigation – Health Care, and has also also named him Albuquerque "Lawyer of the Year" in Railroad Law four times, in 2021, 2019, 2017 and 2012. Benchmark Litigation has selected Tim as a Litigation Star in New Mexico and *Southwest Super Lawyers*® has named him one of the Top 25 New Mexico Super Lawyers three times. In 2023, The New Mexico Defense Lawyers Association named Tim the Outstanding Defense Lawyer of the Year.

Tim currently serves as President of Modrall Sperling and is a member of the Executive Committee. He has served as the firm's Vice President, and Chair of the Litigation Department, the Tort/Product Liability/Railroad Practice Group, and the Recruiting Committee.

Education

Georgetown University, J.D., 1986, *cum laude*

United States Coast Guard Academy, B.S. Civil Engineering, 1980, with honors

Bar Admissions

New Mexico

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

U.S. Court of Appeals for the Tenth Circuit

U.S. District Court for the Western District of Texas

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EXPERIENCE

- Successful summary judgment for St. Vincent Hospital. *Helene Tapia v. St. Vincent Hospital d/b/a CHRISTUS St. Vincent Regional Medical Center*, Case No. D-101-CV-2013-01492.
- Successful summary judgment for Gila Regional Medical Center. *Connie Shivner v. Gila Regional Medical Center et al.,* case no. CIV-20-0497-RB/CG.
- Successful summary judgment for Sierra Vista Hospital. *Trisha Conklin v. Sierra Vista Hospital at el.* case no. D-721-CV-2020-00010.
- 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. The Court of Appeals decision was appealed to the Supreme Court and the case settled after the Court granted a writ of certiorari. One of the lead counsel for the Modrall Sperling defense team representing nursing home. *See Keith v. Manorcare, Inc.*, 218 P.3d 1257 (2009).
- Represented trucking company and landfill operator in administrative permitting compliance action before the New Mexico Environment Department and in negotiations of future permitting for hazardous and non-hazardous waste disposal. *See NMED v. Lea Land, Inc., et al.*, No. SWB 08-18 (CO).
- Represented out-of-state corporations in successfully challenging personal jurisdiction. *See Dingle v. Crane Care, Inc., et al.*, No. 1:09-cv-00388; *Fireman's Fund Ins. Co. et al. Thyssen Mining Construction of Canada, Ltd., et al.*, Case No. 10-cv-00401; and *Willis v. Government Employees Insurance Company, et al.,* Case No. 13-cv-00280.
- Represented insurance companies in bad faith and commercial general liability coverage lawsuits. *See Mountain States Mutual Casualty Company v. Southern Colorado Construction et al.*, Case No. 09-cv-314; *Mountain States Indemnity Co. v. Advantage Asphalt & Seal Coating*, LLCI, CV-2009-02107; *Cincinnati Specialty Underwriters Insurance Company v. Albuquerque Navajo Lodge, et al.*, Case No. 15-cv-00572; and *Carl Kelley Construction, LLC v. Village of Cloudcroft, et al.*, Case No. D-1215-CV-2010, 00926.
- Three consecutive defense verdicts in Santa Fe District Court. *William P. Gladwell v. BNSF Railway Company,* Case No. D-101-CV-2010-02799; *Manual Acosta v. BNSF Railway Company,* Case No. D-101-CV-2011-02741; and *Clifford E. Gladwell v. BNSF Railway Company*, Case No. D-101-CV-2010-03660.
- Three summary judgments in personal injury cases. *Robert E. Martinez v. BNSF Railway Company,* Case No. D-1314-CV-2013-00658; *Clinton Plant v. BNSF Railway Company*, Case No. D-1314-CV-2014-00457; and *Helen Lopez, Personal Representative of the Estate of Andrew Philip Vigil v. Union Pacific Railroad Company*, Case No. D-101-CV-2015-02691.

ACTIVITIES

Professional Activities

- International Association of Defense Counsel
- American Bar Association, Sections of Litigation and Tort & Insurance
- Defense Research Institute
- Albuquerque Bar Association
- New Mexico Defense Association

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- National Association of Railroad Trial Counsel

Public Service

- Lieutenant, U.S. Coast Guard 1980-1985

Firm Leadership

- President and member of Executive Committee
- Past Vice President
- Past Litigation Department Chair
- Past Recruiting Chair
- Past Tort/Product Liability Group Chair
- Past Railroad Group Chair

DISCOURSE

Presentations

- Numerous presentations to client groups on multiple litigation topics.

HONORS

- New Mexico Defense Lawyers Association, 2023 Outstanding Defense Lawyer of the Year
- *Best Lawyers in America*® in Litigation- Health Care, Insurance Law, Personal Injury Litigation – Defendants, Product Liability Litigation – Defendants, and Railroad Law, 2007-present
- *Best Lawyers*® Litigation – Health Care "Lawyer of the Year" in Albuquerque, 2024
- *Best Lawyers*® Railroad Law "Lawyer of the Year" in Albuquerque, 2012, 2017, 2019, 2021
- *Martindale-Hubbell* AV® Preeminent Peer Review Rated
- *Southwest Super Lawyers*® (derived from a lawyer survey), 2013-present; Top 25 Super Lawyers in New Mexico, 2014, 2015, 2016
- *Benchmark Litigation, The Definitive Guide to America's Leading Litigation Firms and Attorneys*, Litigation Star, 2012-present

RELATED PRACTICES

Corporate, Business and Finance
- Banking and Lending

Energy, Environment and Natural Resources
- Environment

Litigation
- Alternative Dispute Resolution
- Appellate

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- Class Actions and Mass Torts
- Commercial
- Insurance
- Product Liability
- Professional Liability
- Torts / Personal Injury

RELATED INDUSTRIES

Construction and Design
Energy
Healthcare / Senior Care Facilities
Manufacturing
Railroads

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