



Tomas J. Garcia Shareholder

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Related Practices

- Government Relations
- Labor, Employment and Benefits
- Litigation
 - Appellate
 - Class Actions and Mass Torts
 - Product Liability
 - Torts / Personal Injury

Related Industries

- Educational Services and Institutions
- Healthcare / Senior Care Facilities
- Railroads

Case Stories

Absence of successor liability following series of acquisitions yields defense win

OVERVIEW

Tomas Garcia is a shareholder in the firm’s Litigation group. His practice includes a variety of commercial, healthcare, torts/personal injury, and transportation litigation, as well as lobbying. As a litigator, he has experience representing business professionals in corporate disputes, health care facilities and medical professionals in negligence and regulatory matters, manufacturers and distributors in product defect cases, and commercial transportation companies in actions in state and federal court. As a lobbyist, Tomas represents businesses and nonprofit organizations with public policy issues before the New Mexico Legislature.

Tomas is an elected commissioner on the State Bar of New Mexico Board of Bar Commissioners, the governing body for the State Bar. He is a former chair of the State Bar of New Mexico Young Lawyers Division. Tomas serves on the New Mexico Supreme Court’s Uniform Jury Instructions-Civil Committee and he has previously served on the Rules of Civil Procedure Committee. Tomas has achieved an AV® rating from *Martindale-Hubbell* based on a peer review and has been recognized by *Southwest Super Lawyers®* as a Southwest Rising Star. He was named “Young Lawyer of the Year” in 2015 by the New Mexico Defense Lawyers Association. Tomas is a member of the American Bar Association Section of Litigation and the International Association of Defense Counsel. Outside of his law practice, Tomas serves as chair of the board for Albuquerque Collegiate Charter School, an elementary school he helped establish as a founding board member.

An Albuquerque native, Tomas received his law degree from the Georgetown University Law Center. While attending law school, Tomas practiced as a student attorney in the Georgetown Federal Legislation and Administrative Clinic, where he assisted in the representation of a client with a legislative proposal pending before the United States Congress. Tomas received a bachelor’s degree from Yale University, and a master’s degree in public policy from the John F. Kenney School of Government at Harvard University. Prior to joining Modrall Sperling, Tomas clerked for the Honorable Charles W. Daniels of the New Mexico Supreme Court.

Education

Georgetown University Law Center, J.D., 2011, Notes Editor, Georgetown Journal of Legal Ethics

Harvard University, M.P.P., 2008, Editor-in-Chief, Harvard Journal of Hispanic Policy

Yale University, B.A. in Political Science, 2005, Frank M. Patterson Research Prize in Political Science



Bar Admissions

New Mexico

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

U.S. Court of Appeals for the Tenth Circuit

EXPERIENCE

- In a product liability case involving an alleged defect of a table saw, was a member of the team that obtained a ruling from the Tenth Circuit Court of Appeals affirming the district court's summary judgment for the defense. The summary judgment interpreted a series of corporate acquisitions. Plaintiff argued under New Mexico law that the corporations that had acquired the saw's manufacturer were liable based on the product-line exception to the general rule of successor non-liability. The appellate court determined that Texas law applied and that defendants were not responsible for the design, manufacture or marketing of the table saw at issue. Motions dealt with evolving issues of personal jurisdiction, choice of law and important questions of successor liability.
- Following a week-long trial brought against one of the nation's largest retail pharmacy chains, Alex C. Walker, Tiffany Roach Martin, and Tomas Garcia obtained a defense verdict in a wrongful death case alleging its pharmacists had improperly filled excessive levels of prescriptions for pain medications.
- Law Clerk for the Honorable Justice Charles W. Daniels, New Mexico Supreme Court, 2012-13

ACTIVITIES

- American Bar Foundation, Fellow
- State Bar of New Mexico, Young Lawyers Division
- State Bar of New Mexico, Board of Bar Commissioners, 2020
- American Bar Association, Litigation Section, Young Lawyers Division
- Hispanic National Bar Association
- Albuquerque Collegiate Charter School, Chair of Governing Board

NEWS & ARTICLES

News

Tomas Garcia Sworn-In As State Bar of New Mexico Board of Bar Commissioner

Posted on [February 7, 2020](#) By [Daniel Schueler](#)

Modrall Sperling Announces Two New Shareholders

Posted on [January 1, 2020](#) By [Daniel Schueler](#)

Tomas Garcia Named to ABA Position

Posted on [August 16, 2019](#) By [Modrall Sperling](#)

Tomas Garcia Receives ABA Award

Posted on [July 2, 2019](#) By [Modrall Sperling](#)



Super Lawyers® Names 31 Modrall Sperling Attorneys to 2019 List; Four Named Top 25 New Mexico Super Lawyers

Posted on April 15, 2019 By Daniel Schueler

Tomas Garcia Named Young Lawyer of the Year

Posted on October 1, 2015 By Modrall Sperling

Tomas Garcia Named ABA Business Law Fellow

Posted on August 17, 2015 By Modrall Sperling

Modrall Sperling Obtains Defense Verdict in Wrongful Death Case

Posted on April 28, 2015 By Modrall Sperling

Articles

Scientific Opinions: Differences Between Federal and New Mexico Law

April 13, 2016

By Tomas J. Garcia

Best Practices for Outside Counsel

TYL In Focus: In-House Counsel (Young Lawyers Division, American Bar Association),

April 21, 2015

By Tomas J. Garcia

DISCOURSE

Presentations

- “How to Choose Outside Counsel,” a webinar by the American Bar Association Young Lawyers Division Corporate Counsel Committee, June 23, 2015, (co-presented with Courtney Fong and Pervin R. Taleyarkhan, and moderated by Manasi Raveendran)
- “After the JD: Perspectives in Diversity in the Legal Profession,” CLE presented as part of *The American Bar Association Young Lawyers Division 2015 Midyear Meeting*, Houston, TX, February 6, 2015, (co-presented with Ireneo A. Reus III, Makalika Destarte Naholowaa, Jerome Crawford, and Robert L. Nelson)
- “Common Ethical Dilemmas,” *Oliver Seth American Inn of Court*, Santa Fe, NM, January 16, 2013, (co-presented with Anthony R. Burchell, Janet E. Clow, Jon J. Indall, Eric R. Miller, Ernest L. Padilla, Carol J. Ritchie and the Honorable Judge James J. Wechsler)

Publications

- “2013 Legislative Update,” *Vista (State Bar of New Mexico Natural Resources, Energy, and Environmental Law Section Newsletter)*, Summer 2013, pp. 1-5

Discourse

- “**Best Practices for Outside Counsel**,” *TYL In Focus: In-House Counsel (Young Lawyers Division, American Bar Association)*, April 2015

HONORS

- *American Bar Association*, On the Rise – Top 40 Young Lawyers, 2019



- *Hispanic National Bar Association*, Top Lawyers Under 40, 2018
- *Albuquerque Business First*, 40 Under Forty, 2016
- *Martindale-Hubbell AV®* Preeminent Peer Review Rated
- *New Mexico Defense Lawyers Association* Young Lawyer of the Year, 2015
- *Southwest Super Lawyers®*, selected as a Southwest Rising Star, 2015-present