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#### Arizona Office

602-388-1262

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#### Related Practice Areas

- Antisemitism and Anti-Terrorism
- Appellate
- Commercial Litigation
- Constitutional Law

## Andrew W. Gould

### Partner

Andrew Gould is a partner at Holtzman Vogel and focuses his practice on Appellate, Commercial Litigation and Constitutional Law.

Prior to joining the firm, Andrew was a Justice to the Arizona Supreme Court from 2016 to 2021. After retiring from the bench in 2021, he worked as a Senior Counsel for First Liberty Institute litigating religious liberty cases throughout the United States. He also served as a Judge on Division One of the Arizona Court of Appeals from 2011 to 2016 where he authored over 400 opinions, and served as a Judge of the Superior Court in Yuma County for 11 years.

Andrew began his legal career, practicing in the field of civil litigation at two of the largest Phoenix law firms. After several years of private practice, he became a Deputy County Attorney, prosecuting major criminal cases for Yuma and Maricopa Counties. He served as Chief Civil Deputy for the Yuma County Attorney's Office from 1999-2001.

#### Education

- Northwestern University School of Law, J.D.
- University of Montana, B.A., Political Science

#### Bar & Court Admissions

- State Bar of Arizona
- Federal District Court of Arizona
- Minnesota (inactive)

#### Clerkship/Government Experience

- Justice, Arizona Supreme Court (2016-2021)
- Judge, Division One of the Arizona Court of Appeals (2011-2016)
- Judge, Superior Court in Yuma County (2001-2011)
- Chief Civil Deputy, Yuma County Attorney's Office (1999-2001)
- Deputy County Attorney, Yuma and Maricopa Counties

#### Representative Matters

##### Selected Opinions

- *Arizonans for Second Chances v. Hobbs*, 249 Ariz. 396 (2020) (holding that the Arizona Constitution requires in-person signatures for initiative petitions, and that, although there were difficulties in collecting such signatures during the COVID-19 pandemic, the First and Fourteenth Amendment rights of the subject political action committees were not violated by requiring in-person signatures).
- *Johnson Utilities, LLC, v. Arizona Corporation Commission*, 249 Ariz. 215 (2020) (holding that although the Arizona Corporation Commission has broad ratemaking authority under the Arizona Constitution, the legislature has the authority under its police powers to override the Commission's regulations regarding public safety and welfare).
- *Brush and Nib Studio, LC v. City of Phoenix*, 247 Ariz. 269 (2019) (holding that owners of a custom wedding invitation business had the right, based on their sincerely held religious beliefs, to refuse to create custom wedding invitations celebrating same-sex wedding ceremonies under the Free Speech protections of the First Amendment and the Arizona Constitution).
- *Quiroz v. Alcoa, Inc.*, 243 Ariz. 560 (2018) (holding that company that used materials containing asbestos before 1970 in its workplace owed no duty to protect the public from secondary, or "take-home" asbestos exposure allegedly caused by employees carrying asbestos fibers off-site on their work clothes).
- *State v. McKinney*, 245 Ariz. 225 (2018), *aff'd*, *McKinney v. Arizona*, 589 U.S. \_\_\_, 140 S.Ct. 702 (2020) (holding that independent review by the Court of mitigating and aggravating circumstances in capital case was warranted, and that *Ring v. Arizona* did not require a remand for a new sentencing trial).

## News & Insights

- Penn Professor's Fight for Free Speech Heads to Federal Court
- Petition seeks to limit role of State Bar of Arizona
- Petition Sent to Arizona Supreme Court to Dismantle Arizona's State Bar Association as Regulator of Arizona's Attorneys
- Andy Gould Appears on ABC and CBS Yuma to Discuss Water Law and Proposed Tax
- Andy Gould Appears on Fox News to Discuss Trump's Immigration Plan and Sanctuary Cities
- Andy Gould Appears on Fox News to Discuss Immigration Policy Under President-Elect Trump
- Andy Gould Debates Against Arizona's Prop 140
- In Compliance - Holtzman Vogel's September 2024 Round-Up
- Holtzman Vogel Attorneys Secure Legal Victory Finding Two Provisions in Arizona's Elections Procedures Manual Unconstitutional
- Arizona Office Hosts Pre-Election Event on Election Adjacent Policy, Litigation and Politics
- Andy Gould Appears on Fox News to Discuss Trump Illegal Migrant Plan
- Andrew Gould – a history student looking out for the little guy
- Andy Gould Quoted by Arizona Publications on Success for LD15 Candidate in Arizona Residency Challenge
- In Compliance: Holtzman Vogel's August 2024 Round-Up
- Andy Gould to Speak at Arizona Chamber Summer Policy Summit
- Holtzman Vogel Receives Favorable Decision from the Arizona Supreme Court Involving Tipped Workers Protection Act

- Holtzman Vogel Legal Victory Ensures Arizonians Will Decide on Proposition 138 in November Elections
- In Compliance: June 2024 Round-Up
- Andy Gould Appears on Fox News Regarding Border Crisis
- Andy Gould Appeared on NewsNation Regarding Border Crisis
- Andy Gould Appeared on NewsNation to Discuss Border Crisis and Policies
- Andy Gould Appeared on Fox News to Discuss the Border Crisis
- Holtzman Vogel Hosts Arizona RNLA CLE on "Challenges to the Elections Procedures Manual"
- In Compliance Newsletter: March 2024 Round-up
- Andy Gould Speaks on Future Legal Careers at GCU's Public Square Series
- Andy Gould Speaks at ASU Federalist Society
- In Compliance: Holtzman Vogel's Monthly Round-Up - January 2024
- Why Farmers Bear the Cost of a Rise in Border Crossings
- Andy Gould Quoted in The Center Square Article on Agriculture Industry in Arizona
- Former Arizona Supreme Court Justice Andrew W. Gould Joins Holtzman Vogel

### **Publications/Articles**

- Andrew W. Gould and Erica Leavitt, "Arizona's Duty Framework in Negligence Cases," *Arizona State Law Journal*, 805 (Fall 2021).
- Andrew Gould, "Bankruptcies Aren't The Real Problem In Mass Tort System," *Law360*, February 7, 2023 )

### **Presentations/Events**

- Speaker and Presenter, Arizona Judicial Conference and New Judge Orientations
- Speaker, "University Restrictions on Free Speech: Speech Codes and Free-Speech Zones," November 5, 2021, State Bar of Arizona (Webinar)
- Speaker, National Religious Leaders Summit, July 14, 2023
- Keynote Speaker, Fellowship of Companies for Christ International, Albuquerque, N.M., April 28, 2023
- Speaker, Religious Liberty Index in the States, Ciceronian Society, Belmont, N.C., March 10, 2023

### **Community Involvement**

- Past President, Arizona Judges' Association
- Past Chair, Arizona Supreme Court Committee on Judicial Education and Training
- Candidate for Arizona Attorney General, 2022
- Adjunct Professor, Arizona State University Law School (Torts and First Amendment)

### **Awards and Honors**

- Recipient of 2005 "Justice for a Better Arizona" Achievement Award for Protecting Children, Families and Communities - Yuma County Drug Court
- Recipient of 2007 Arizona Supreme Court Achievement Award for "Being Accountable," Yuma County Superior Court "CourTools" program