

# Snell & Wilmer

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## Ed J. Hermes

Partner | Phoenix

Tel. 602.382.6529

[ehermes@swlaw.com](mailto:ehermes@swlaw.com)

### Main Bio

Ed Hermes is a commercial litigator who is committed to serving as a trusted advisor to his clients and community. His practice is focused on complex commercial, tax, property, construction disputes, and disputes involving Federal Indian Law. Ed appears on behalf of his clients in state, federal, tribal courts, and administrative tribunals throughout the Southwest.

Ed litigates breach of contract and tort claims, commercial and residential construction disputes, and tax disputes and appeals. He also represents clients through garnishment matters, subpoena responses, lending matters, LLC disputes, tort claims, and other general litigation issues. Ed represents clients across numerous industries such as representing companies in state-and-local tax matters, representing contractors, subcontractors, and owners in construction disputes, representing property owners in complex property disputes, and representing manufacturers and employers in disputes and compliance matters operating on Native American Reservations.

Having previously lived and worked in Indian Country, Ed also advises companies and economic development entities in conducting business and creating job opportunities in Indian Country. Ed represents tribes, tribal entities and businesses who engage in commercial transactions in Indian Country, including leasing, compacting, economic development, and governmental matters.

Ed is an active member of the community, and involved in numerous local and education-based organizations including, currently serving as the President of the Osborn School District Governing Board, where he works to improve public education in Phoenix. Ed also serves as co-chair of the City of Phoenix Vision Zero Street Transportation Committee, where he works to make the streets safer for children and families.

Within Snell & Wilmer, Ed is the co-chair of the firm's Committee on Diversity, Equity, and Inclusion.

### Representative Experience

- Represent contractors, subcontractors, and owners in complex construction disputes, including delay, defect, wrongful termination, change order, defect, breach of contract, and other disputes
- Represent taxpayers against the Arizona Department of Revenue and tribal taxing authorities in tax audits and tax appeals
- Handle complex and commercial and residential landlord-tenant disputes, including advising clients regarding lockout and eviction remedies and procedures

- Represent financial institutions in loan defaults, foreclosures, lender liability claims, lien priority disputes and other loan-related litigation in state and tribal courts
- Represent clients in complex breach of contract and other commercial disputes in state, federal, and tribal courts
- Defend employers in litigation regarding compliance with tribal employment laws
- Represent contractors and owners in disputes before the Arizona Registrar of Contractors (ROC)

## Education

- Arizona State University, Sandra Day O'Connor School of Law (J.D.)
  - Associate Editor, Arizona State Law Journal
  - Order of the Coif
  - Order of the Barristers
  - Dean's Scholar
  - Teaching Assistant, Ninth Circuit Judge Andrew Hurwitz (Civil Procedure I)
  - Teaching Assistant, Professor Zachary Kramer (Property)
- University of Puerto Rico School of Law (Exchange Student)
- Arizona State University (B.S., Public Policy Advocacy; B.A., History)

## Languages

- Spanish

## Professional Memberships & Activities

- State Bar of Arizona Leadership Institute (2020)
- Arizona Bar Association, Indian Law Section
- Native American Bar Association of Arizona

## Representative Presentations & Publications

- "[Recent Developments in Tribal Court Litigation 2024](#)," Author, Business Law Section of the American Bar Association (March 20, 2024)
- "[Clear for Takeoff: Arizona Court of Appeals Upholds Sky Harbor's Customer Facility Charge](#)," Co-Author, Snell & Wilmer Legal Alert (June 27, 2023)
- "[Arizona-Tribal 2021 Gaming Compact Amendments – What You Need to Know](#)," Co-Author, Arizona Attorney Magazine (July/August 2021)
- "[Arizona Changes Its Laws Regarding Contractor Advertising](#)," Author, Snell & Wilmer Under Construction Newsletter (July 2021)
- "[Can Schools Require Teachers to Get the COVID-19 Vaccine? Probably, But Most Aren't – Yet](#)," Quoted, USA Today (February 23, 2021)
- "[Betting the Opening Line Is Sports Betting in the Cards for Arizona?](#)" Co-Author, Special Indian Law Edition, Arizona Attorney Magazine (July/August 2020)
- "[Delay and Disruption Claims in the Time of COVID-19](#)," Co-Author, The Contractor's Compass (July 2020)

- "[Delay and Disruption Claims in the Time of COVID-19](#)," Co-Author, Snell & Wilmer Under Construction Newsletter (July 2020)
- "[The Increasing Use of Drones in Construction and Related Legal Issues](#)," Co-Author, The Contractor's Compass (June 2019)
- "Post-Judgment Remedies and Domesticating Tribal Court Judgments," CLE Presentation, Navajo Bar Association Annual Conference (June 2018)
- "The Future of Native American Reserved Water Rights," Co-Author, Journal of Water Law (2017)
- "Commercial and Residential Landlord-Tenant Litigation on the Navajo Nation," CLE Presentation, Navajo Bar Association Annual Conference (June 2017)
- "Law & Order Tribal Edition: How the Tribal Law and Order Act has Failed to Increase Tribal Court Sentencing Authority," Author, Arizona State Law Journal (Summer 2013)

## Professional Recognition & Awards

- Snell & Wilmer Pro Bono Award (2024)
- The Best Lawyers in America®: Ones to Watch, Commercial Litigation, Native American Law (2021-2024)
- Snell & Wilmer COACH Award (2023)
- Southwest Super Lawyers®, Rising Stars Edition, Native American Law (2018-2021)
- 20 People to Know in Law, Phoenix Business Journal (2016)
- Top 50 Pro Bono Attorney, Arizona Foundation for Legal Services & Education (2017, 2024)
- Outstanding Young Man of the Year Award, Tempe Rotary Club (2012)

## Community Involvement

- City of Phoenix Vision Zero Street Transportation Committee, Co-Chair (2023-present)
- St. Michael Indian School, School Board Chairman (2017-present)
- Kino Border Initiative, Development Board Member (2016-present)
- Osborn School District Education Foundation, Governing Board (2020)
  - President (2023-Present)
  - Board Member (2018-2023)
- Opportunity Arizona (2020-present)
- Move Osborn Forward, Treasurer (2017-2018)
- Carnation Association of Neighbors (2016 - Present)
- Arizona Board of Regents, Student Regent (2005-2007)
- Sparky the Sundevil, Official ASU Mascot (2003-2005)
- Opportunity Arizona

## Previous Professional Experience

- Quarles & Brady LLP, Attorney (2013-2018), Summer Associate (2011, 2012)
- Pascua Yaqui Tribe, Attorney General's Office, Summer Associate (2011)
- Ninth Circuit Court of Appeals, Legal Extern for Judge Mary Murguia (2012)

- Day Kavanaugh PC, Legal Assistant (2009, 2010)
- St. Michael Indian School, Dean of Students/Government Teacher (2008-2010)
- Arizona Department of Agriculture, Director of External Affairs (2007-2008)
- Office of the Governor of Arizona, Legislative Analyst (2005)

## **Bar Admissions**

- Arizona
- Navajo Nation

## **Court Admissions**

- Tribal Court of the White Mountain Apache Tribe
- Gila River Indian Community Court
- Navajo Nation Supreme Court
- Oglala Sioux Nation Court
- San Felipe Pueblo Tribal Court
- Supreme Court of Arizona
- United States District Court, District of Arizona