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Practice Areas

- Medical Malpractice
- Professional Liability
- Administrative Regulatory
- Construction
- Construction and Real Estate Liability
- Insurance
- Labor and Employment
- Land Use
- Litigation
- Municipal and Government Law
- Public Utility and Telecommunications Regulation

Overview

Mr. Bartell's practice is focused on the litigation of matters in the areas of transportation law, public entity tort and civil rights claims, land use and zoning, construction law, commercial litigation and employment law. Mr. Bartell's clients include companies and individuals involved in administrative proceedings before the Transportation Division of the New Mexico Public Regulation Commission and other regulatory agencies.

Background

Loyola University of Los Angeles

Juris Doctor, with honors, 1982

- *Received the Scott Moot Court Best Brief Award and the West Publishing Company Outstanding Brief Award*

Occidental College

Bachelor of Arts, with honors, in English, 1975

Experience

Representative Cases and Transactions

Bernalillo County Health Care Corp. v. New Mexico Public Regulation Commission; 2014 – NMSC – 008, ___ N.M. ___, 319 P.3d 1284 (2014), challenge to certificate of authority to provide ambulance transportation sustained by New Mexico Supreme Court.

Protest of contract awards in 2013 under the Centennial Care Program for Amerigroup.

Completion of application for change in rates and charges for ambulance transportation services before the New Mexico Public Regulation Commission in Case No. 13-00272-TR-R.

Lens Crafters Inc. v. Kehoe, O.D.; 2012 – NMSC – 020, ___ N.M. ___ 282 P.3d 758 counterclaims for malicious abuse of contract and tortious interference in breach of contract litigation properly dismissed.

City of Rio Rancho v Amrep Southwest, Inc., 2011 – NMSC – 037, 150 N.M. 428, 260 P.3d 414 Appeal of decisions on quiet title and land use claims.

Hindi v. Prime Production, New Mexico Athletic Commission; USDC Cause No. 94-CV-00684, summary judgment dismissing all 42 U.S.C. § 1983 claims; on remand, Bernalillo County District Court Cause No. CV-94-4191, directed verdict on all state law claims.

Harris v. Crespín, Santa Fe County Sheriff's Dept.; USDC Cause No. 99-CV-00748, all claims against Sheriff's Department and Sheriff dismissed after trial on merits, liability only against individual deputy.

Armand Hammer United World College of the American West v. Cost Quality Schedule Management, et al.; San Miguel County District Court Cause No. 2003-225-CV, obtained judgment for plaintiff on claims of defective construction and supervision.

JAMA Investments, L.L.C., et al. v. Incorporated County of Los Alamos, et al.; USDC Cause No. CIV-04-1173 JB/ACT, verdict for defense on claims of violation of the Federal Fair Housing Amendments Act.

La Resolana Architects, P.A., v. Reno, Inc., et al.; USDC Cause No. Civ. 05-01071 PJK/RHS, judgment for defense on all claims of copyright infringement, Unfair Trade Practices Act violations, etc.

Representative Clients

- Albuquerque Ambulance Service
- New Mexico Self Insurer's Fund
- New Mexico Association of Counties
- City of Rio Rancho

Professional Memberships and Activities

American Bar Association (Health Law Section)
State Bar of New Mexico (Code of Professional Conduct Committee)
Oliver Seth Chapter of the American Inns of Court
Member of Tenth Circuit Judicial Conference

Publications

Continuing legal education programs have been prepared and presented by Mr. Bartell for several years in the area of construction law, employment law and insurance coverage. Program topics in the construction law area have included the New Mexico Mechanics Lien law, the New Mexico Subcontractors Fair Practices Act, the selection of construction contracts and the preparation and defense of construction claims. Mr. Bartell has also prepared and presented on insurance coverage issues, employment issues and civil rights claims.

Honors

Martindale-Hubbell AV® Preeminent Peer Review Rating

Best Lawyers in America, Commercial Litigation

