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Areas of Practice

- Telecom, Internet & Media
- Media Law
- Entertainment
- Litigation
- Appellate & Supreme Court
- Intellectual Property
- Trademark
- Trademark Litigation
- Copyright
- Trade Secrets
- Government Affairs & Public Policy
- American Indian Affairs
- Worldwide Arbitration & Dispute Resolution

Education

University of Virginia
School of Law, J.D., 1979;
M.A., Foreign Affairs,
1979; Senior Editor,
*Virginia Journal of
International Law*

Yale University, B.A.,
Political Science, *cum
laude*, 1976

Bar & Court Admissions
Arizona

David J. Bodney

David J. Bodney is the Managing Partner of the Phoenix office of Steptoe & Johnson LLP. Mr. Bodney’s practice areas include media and constitutional law, commercial and intellectual property litigation, American Indian law and government affairs. He is listed in the current editions of *Who’s Who in American Law*, *The Best Lawyers in America*, and *Southwest Super Lawyers*.

Media and Constitutional Law

Over the years, Mr. Bodney has successfully defended print, broadcast and electronic media in defamation, privacy and related First Amendment litigation. Mr. Bodney’s practice covers a wide range of constitutional law issues, including prosecuting actions to secure open government, blocking prior restraints and subpoenas of reporters by government and third parties, handling advertising, commercial speech, and intellectual property law issues.

Mr. Bodney serves as adjunct faculty at Arizona State University's Sandra Day O'Connor College of Law and the Walter Cronkite School of Journalism and Mass Communication, where he teaches media law. Mr. Bodney has served as the co-author of the Arizona sections of the Media Law Resource Center’s *50-State Surveys* on privacy and employment privacy law since their inception. He has lectured on media law and litigation at conferences internationally, including presentations on extreme speech, libel and mass media law in Cambridge, London and Moscow, respectively.

For over 30 years, he has worked to secure open government legislation on behalf of the publishing industry. In 1999, together with *The Arizona Republic*, he earned the Arizona Newspapers Association’s Freedom of Information Award for his work in federal court on behalf of Phoenix Newspapers, Inc. He co-authored a monograph on freedom-of-information laws for the ABA’s Central and East European Law Initiative to assist emerging democracies in the former Soviet Union with the enactment of FOI laws. Mr. Bodney is a former legislative aid to US Sen. John V. Tunney.

Commercial Litigation

Mr. Bodney has litigated numerous complex commercial disputes in the banking, education, publishing, retail, and high-technology industries. He has handled securities, trademark, trade secrets, copyright, product liability, and contract actions, including AAA and other arbitrations. In addition, Mr. Bodney has argued a wide variety of appellate cases, both state and federal, and briefed several high-profile cases in the United States Supreme Court.

American Indian Law and Government Affairs

Mr. Bodney’s practice of constitutional law extends to Indian and gaming law matters, and he advises clients on a wide range of such issues, including tribal governance, membership, sovereignty, taxation, voting and water rights. On behalf of one Arizona tribe, he worked with US Sen. John McCain to secure

US Court of Appeals (9th Circuit)

US District Court, Eastern District of Michigan

US Supreme Court

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passage of a landmark Indian water rights settlement act. His work on Indian law involves a host of legal services, from government relations to litigation in federal, state and tribal courts. In addition, Mr. Bodney regularly represents clients on legislative and related public-policy matters before governmental bodies, ranging from the US Congress to local municipalities.

Pro Bono and Community Activities

For the Lawyer's Committee for Civil Rights Under Law, Mr. Bodney serves as a member of the national Board of Directors and oversees its "Election Protection" efforts in Arizona. He also serves on the National Commission of the Anti-Defamation League, and is a prior Chairman of the Board of the ADL's Arizona Region. He is a member of the Endowment Board of ASU's Walter Cronkite School of Journalism and Mass Communication. Mr. Bodney serves as a delegate to the Assembly of the Association of Yale Alumni, and has participated abroad for the Yale Global Alumni Leadership Exchange.

On behalf of the City of Phoenix, Mr. Bodney negotiated the City's acquisition of an historic school building in downtown Phoenix to house the Children's Museum of Phoenix, and currently serves on the Museum's Board of Directors. He has served as Chairman of the Board of the Children's Action Alliance and President of the Board of the Arizona Center for Law in the Public Interest. In 2008, for his community service, Mr. Bodney received the prestigious Judge Learned Hand Award. Most recently, Valle del Sol, one of Arizona's largest nonprofit, community-based organizations, announced that Mr. Bodney is the recipient of the 2011 Arizona Public Service Peacemaker Award.

Noteworthy

- *Best Lawyers in America*, First Amendment Law, 1996-2012
- *Southwest Super Lawyers*, First Amendment Law, 2007-2011
- *Arizona's Finest Lawyers*, 2011
- *Who's Who in American Law* and *Who's Who in America*, 1995-2011
- *Legal 500 US*, Media and Entertainment: Defamation and Libel, 2007

Select Seminars & Events

"Higher Education and Creating a Culture of Philanthropy", Yale Global Alumni Leadership Exchange, New Asia College, Hong Kong, July 30, 2011

From The Social Network to the Corporate Network - How to Protect Your Company in the Social Media World, February 22, 2011, *Presented by Steptoe & Johnson LLP and The Arizona Technology Council*

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Wikileaks, Free Speech and National Security (Center for Law and Global Affairs, ASU's Sandra Day O'Connor College of Law, February 11, 2011)

Free Press: The First Amendment in the Digital Age (in connection with the 25th Anniversary of the Walter Cronkite School of Journalism and Mass Communication, Phoenix, Arizona, November 18, 2008)

International Conference on Extreme Speech and Democracy at Cambridge University (Cambridge, UK; April 22, 2007) ("Extreme Speech and American Press Freedoms")

Key Employees in Transition Workshop, February 8, 2006, (*A Steptoe-Sponsored Event*)

Selected Publications

Extreme Speech and Democracy, Oxford University Press 2009 (co-author)

A Persuasive Colloquy: A Review of *Making Your Case* (Antonin Scalia and Bryan A. Garner) (*Arizona Attorney*)
July/August 2008

War, Wisdom, and Freedom of the Press (*Communications Lawyer*)
December 1, 2002

Professional Affiliations

Member, Board of Directors, Children's Museum of Phoenix

Arizona Bar Association (Member, Professionalism Committee)

American Bar Association (Member, Governing Board, Forum Committee on Communications Law)

American Bar Association's Communications Lawyer (Editorial Board)

Arizona Chief Justice's Commission on Juvenile Justice (Former Member)

Arizona Judicial Council's Committee to Study Public Access to Electronic Records (Former Member)

Civil Liberties Adviser to the White House Commission on Aviation Safety and Security (appointed by Vice President Al Gore, 1997)