

JOHN A. SNOW

Shareholder

BIOGRAPHY

John Snow has been practicing law in Salt Lake City since 1973 as well as maintaining an active professional practice in Nevada since 1990. Mr. Snow focuses his practice in general civil litigation, with extensive experience in the following areas:

- Construction litigation
- Professional malpractice defense
- Insurance defense and insurance coverage
- Real estate and real estate development litigation defending developers, owners, lenders and contractors
- Probate, Trust and Tax litigation including the validity of wills and codicils
- Bankruptcy litigation

During the past decade, Mr. Snow has been repeatedly recognized in *The Best Lawyers in America*, *Utah Business Magazine* and by *Mountain States Super Lawyers*. (See detailed rankings below under Professional Accomplishments.)

Mr. Snow is a faculty member of Lorman Education Services (<https://www.lorman.com>), the National Business Institute (<https://www.nbi-sems.com>) and also works with Strafford (<https://www.sp-04.com/r.php?products/txgnpbhlra>) to provide CLE webinars, educational and training materials for attorneys. His upcoming webinars and latest educational products can be found under the Presentations tab above.

ACCOMPLISHMENTS

Academic

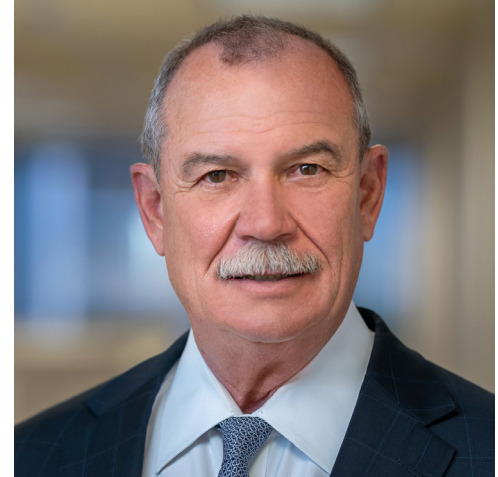
Arizona State University (J.D., cum laude, 1973)

Comment Editor, *Arizona State Law Journal* (1971-73)

Brigham Young University (B.A., 1970)

Professional

2021 - Designated by the *Best Lawyers in America* for Commercial Litigation, Construction Law, Legal Malpractice Law - Defendants, Litigation - Banking and Finance, Litigation - Construction, Litigation - Real Estate



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PRACTICE AREAS

Litigation, Trials & Appeals
Financial Institution Litigation
Estate Litigation
Insurance
Real Estate Litigation
Business & Commercial Litigation
Mediation
Litigation & Administrative Appeals

LICENSED/ADMITTED

Utah
Nevada
U.S. Court of Appeals, 9th Circuit
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, Federal Circuit

2020 – Designated by *The Best Lawyers in America* in the area of Legal Malpractice Law – Defendants

2019 – Designated “Lawyer of the Year” by *The Best Lawyers in America* in Construction Law

2018 – Designated “Lawyer of the Year” by *The Best Lawyers in America* in Legal Malpractice Law – Defendants

2017 – Designated “Lawyer of the Year” by *The Best Lawyers in America* in Litigation – Banking and Finance

2016 – Designated “Lawyer of the Year” by *The Best Lawyers in America* in Legal Malpractice Law – Defendants

2013 – Designated by *The Best Lawyers in America* in the area of Legal Malpractice Law – Defendants

2012 – Designated by *The Best Lawyers in America* as “Lawyer of the Year” in Litigation, Real Estate

2011 – Designated “Lawyer of the Year” by *The Best Lawyers in America* in Construction Law

Designated in *Utah Business Magazine’s* “Utah Legal Elite” in the specialties of Civil Litigation and Construction Law.

Designated as a “Super Lawyer” and a “Top Lawyer” in *Mountain States in Super Lawyer Magazine* in the areas of Professional Liability Defense.

ASSOCIATIONS

Professional

Member, Utah State Bar

Member, Litigation Section of the Utah State Bar

Member, Construction Law Section of the Utah State Bar

Member, State Bar of Nevada

Member, American Bar Association

Member, Litigation Section

Member, Character and Fitness Committee of the Utah State Bar (2001-2011)

Member, Ethics Advisory Opinion Committee, Utah State Bar (2009-Present)

Chair, Ethics Advisory Opinion Committee, Utah State Bar (August 2011–Present)

Member, Ethics & Discipline Committee of the Utah Supreme Court (2004)

Member, Model Jury Instruction Committee for the State of Utah, Commercial Transactions Subcommittee

Member, United States District Court for Utah, Technology Advisory Committee

Member (as a practicing attorney), 1975 Board of Editors, Brigham Young University Law Review

Community

Member, Professional Services Credentials Committee, Urban Central Region, Intermountain Health Care (Hospital System, 2006-2012)

Member, Board of Trustees of the Urban Central Region, Intermountain Health Care (2006-2012)

General Counsel and Member of the Board of Directors for Hot August Nights, Inc., Reno, Nevada, from 1995-1999

Member, Board of Directors of Hidden Valley Country Club, Salt Lake City, 1988-1990, 2001-2002, 2005-2007, President 2007

PRESENTATIONS

“Drafting and Reviewing Business Contracts, May 2020,” National Business Institute (May 20, 2020)

“How to Lay a Foundation to Get Your Evidence Introduced, May 2020,” National Business Institute (May 4, 2020)

“Legal Ethics: New Rules and Trends You Need to Know,” National Business Institute (February 28, 2020)

- “Insurance Coverage Litigation Boot Camp,” National Business Institute (February 26, 2020)
- “Facebook, Twitter, Instagram, Email and Smartphone Evidence: The Ultimate Guide,” National Business Institute (February 21, 2020)
- “Ethical Implications for Attorneys Transitioning to New Firms,” Lorman Education Services (2020)
- “Using Hearsay as Evidence,” Lorman Education Services (2020)
- “Protect Your Practice – Know the Ins and Outs of Solving Ethical Dilemmas,” Lorman Training (December 30, 2019)
- “Legal Ethics: Hot Topics and Current Events,” National Business Institute (November 25, 2019)
- “Construction Insurance Bootcamp,” National Business Institute (November 20, 2019)
- “Advanced Construction Contracts,” National Business Institute (November 6, 2019)
- “Authenticating and Admitting Evidence in Personal Injury,” National Business Institute (August 23, 2019)
- “Strategically Using Indemnification Provisions in Contracts,” National Business Institute (August 20, 2019)
- “How to Lay a Foundation to Get Your Evidence Introduced,” National Business Institute (August 14, 2019)
- “Legal Ethics: Hot Topics and Current Events,” National Business Institute (June 26, 2019)
- “Legal Ethics: Your Toughest Questions Answered,” National Business Institute (June 12, 2019)
- “Advanced Civil Litigation Skills in Utah,” National Business Institute (June 11, 2019)
- “Legal Ethics: Top Mistakes That Lead to Malpractice,” National Business Institute (April 29, 2019)
- “Indemnification Provisions in Construction Contracts,” National Business Institute (April 17, 2019)
- “Legal Ethics: New Case Law and Changed Rules,” National Business Institute (March 29, 2019)
- “Legal Ethics: Top Challenges,” National Business Institute (March 28 and 29, 2019)
- “Alternative Fee Agreements: Types and Ethical Considerations,” Clear Law Institute (March 7, 2019)
- “Construction Law: Advanced Issues and Answers,” National Business Institute (March 1, 2019)
- “Legal Ethics: Top 10 Challenges,” National Business Institute (February 28, 2019)
- “Insurance Coverage Litigation A-Z,” National Business Institute (February 19, 2019)
- “Indemnification Clause Strategies,” National Business Institute (February 13, 2019)
- “Legal Ethical Issues,” Lorman Education Services (December 17, 2018)
- “Implied Warranties and Provisions in Construction Contracts,” ProEdTech (December 10, 2018)
- “Legal Ethics: Smartphones and Other Mobile Devices” (November 14, 2018)
- “Strategically Using Indemnification Provisions in Contracts” (November 9, 2018)
- “Conflicts of Interest: Identification and Waivers,” Lorman Education Services – live webinar (October 12, 2018)
- “Ethical and Financial Implications of Ignoring Conflicts of Interest,” Lorman Education Services – live webinar (October 8, 2018)
- “How to Lay a Foundation to Get Your Evidence Introduced,” National Business Institute (July 31, 2018)
- “Understanding Subcontract Notices and Consents,” Lorman Education Services (July 27, 2018)
- “The Rules of Evidence: A Practical Toolkit,” National Business Institute (June 29, 2018)
- “Legal Ethics: Top Mistakes That Lead to Malpractice,” National Business Institute (June 11, 2018)
- “Legal Ethical Issues,” Lorman Education Services (June 8, 2018)
- “Dirty Litigation Tactics: How to Deal with the ‘Rambo’ Litigator,” National Business Institute (May 24, 2018)
- “Going Paperless and Beyond: Attorneys’ Guide to A Mobile Law Practice (Legal Ethics Update),” National Business Institute (May 22, 2018)
- “Change Orders and Extra Work: Making Sure You’re Paid,” Audio Solutions (May 17, 2018)
- “Indemnification Clause Strategies,” National Business Institute (May 14, 2018)

“Attorney-Client Privilege and Work Product Limitations: Federal Rule 502 And Waiver,” Clear Law Institute (May 7, 2018)

“Commercial Real Estate Litigation and Depositions,” Lorman Education Services (May 3, 2018)

“Insuring Provisions for the Contractor,” Audio Solutions (April 26, 2018)

“Ethics for the Transactional Attorney,” Clear Law Institute (April 16, 2018)

“Conflicts of Interest, Identification and Waiver,” Lorman Education Services (April 13, 2018)

“Negotiating Indemnification, Reps, Warranties and More in Business Contracts,” National Business Institute (March 27, 2018)

“Rights of Termination and Compensation Under a Construction Contract,” Audio Solutions (March 8, 2018)

“Construction Law from Start to Finish,” National Business Institute (March 6, 2018)

“Civil Trial from Start to Finish,” National Business Institute (February 22, 2018)

“Legal Ethics – Utah Rules of Professional Conduct,” Lorman Education Services (February 1, 2018)

“Legal Ethical Issues,” Lorman Education Services (December 1, 2017)

“Business Contracts A to Z,” National Business Institute (November 30, 2017)

“Ethics: The Impact on Engineers,” Lorman Education Services (November 14, 2017)

“Using Hearsay as Evidence,” Lorman Education Services (September 29, 2017)

“Tips for Fending Off Scope Creep,” Audio Solutions (September 28, 2017)

“How to Lay a Foundation to Get Your Evidence Introduced,” National Business Institute (September 18, 2017)

“Ethics of ESI & Electronic Communications,” National Business Institute (September 18, 2017)

“Preventing Legal Malpractice,” National Business Institute (September 5, 2017)

“Indemnification Provisions in Construction Contracts,” National Business Institute (September 1, 2017)

“Liabilities for Design Defects in Construction,” Audio Solutions (August 1, 2017)

“Legal Ethics: Top Mistakes That Lead to Malpractice,” National Business Institute (June 28, 2017)

“Understanding Subcontracting Notices and Consents,” Lorman Education Services (June 27, 2017)

“Ultimate Guide to Evidence,” National Business Institute (June 22 and 23, 2017)

“Legal Ethics Issues,” Lorman Education Services (June 21, 2017)

“Legal Ethics: Hot Topics and Current Events,” National Business Institute (June 16, 2017)

“Ethical Traps for a Lying Client,” Lorman Education Services (June 12, 2017)

“Shifting the Risk in Construction Contracts,” Audio Solutions (May 18, 2017)

“Avoid Conflicts of Interest and Stay Out of Court,” Lorman Education Services (April 24, 2017)

“Public Works: Identification, Avoidance and Disclosure,” Lorman Education Services (April 24, 2017)

“Conflicts of Interest: Identification and Waivers,” Lorman Education Services (April 11, 2017)

“Construction Law: Advanced Issues and Answers,” National Business Institute (April 6, 2017)

“Rule 502: Attorney-Client Privilege and Work Product Limitations,” Lorman Education Services (February 23, 2017)

“Attorney Client Privilege and Work Product-Limitations And Waivers,” Clear Law Institute (June 27, 2016)

“Cross-Examination Preparation and Techniques,” Clear Law Institute (May 23, 2016)

“Alternative Fee Agreements,” Clear Law Institute (May 5, 2016)

“Depositions: Sharpening Your Techniques and Strategies,” Clear Law Institut (May 2, 2016)

“Construction Law: What Do You Do When...,” National Business Institute (March 4, 2016)

“Ethical Traps of a Lying and Dishonest Client,” Lorman Education Services (December 29, 2015)

“Legal Ethical Issues,” Lorman Education Services (December 21, 2015)

“Understanding the Subcontractors Contractual Issues,” Lorman Education Services (December 15, 2015)

“Cross-Examination Strategies,” Clear Law Institute (November 16, 2015)

“Ethics for Transactional Attorneys,” Clear Law Institute (November 6, 2015)

“Legal Fee Considerations: Are Your Billing Practices Ethical,” Lorman Education Services (September 24, 2015)

“Rule 502: Attorney-Client Privilege and Work Product Limitations on Waiver,” Lorman Education Services (August 13, 2015)

“Deposition Techniques,” Clear Law Institute (August 10, 2015)

“Cross-Examination Strategies,” Clear Law Institute (August 05, 2015)

“Legal Ethics: Solutions to the Most Common Challenges,” National Business Institute (June 30, 2015)

“The Rules of Evidence: A Practical Tool Kit,” National Business Institute (June 26, 2015)

“Legal Ethics: Guidance from Utah Legal Ethics Committees,” National Business Institute (June 17, 2015)

“Legal Ethical Issues,” Lorman Education Services (June 11, 2015)

“Legal Ethical for the Transactional Attorney,” Lorman Education Services (May 14, 2015)

“Legal Ethics for Everyday Practice,” National Business Institute (May 12, 2015)

“Construction: Changes, Delays and Defects,” Lorman Education Services (May 11, 2015)

“Ethics for Municipal Attorneys,” Utah Municipal Attorneys Association (May 6, 2015)

“Legal Ethics of Email, Metadata and Social Media,” National Business Institute (May 1, 2015)

“Construction Defect Litigation: From A to Z,” National Business Institute (April 8, 2015)

“Ethics Issues Created by Dishonest Clients,” Clear Law Institute (March 30, 2015)

“Ethics and Litigation,” Utah Association for Justice (March 17, 2015)

“Legal Fee Considerations: Are Your Billing Practices Ethical,” Clear Law Institute (February 22, 2015)

“Ethics in Negotiation,” Clear Law Institute (February 3, 2015)

“Claiming Work Product Privilege in Discovery,” National Business Institute (January 15, 2015)

“Designing Alternative Fee Arrangements for Your Clients,” Lorman Education Services (January 13, 2015)

“Ethics for Estate Planners,” Clear Law Institute (January 6, 2015)

“Legal Ethical Issues,” Lorman Education Services (December 9, 2014)

“Legal Ethics: Hot Topics and Current Trends,” National Business Institute (December 3, 2014)

“Depositions,” Clear Law Institute (November 14, 2014)

“Avoiding, Identifying and Resolving Ethical Issues in Land Transactions and Disputes,” Half Moon Education Inc. (November 11, 2014)

“Commercial Business Disputes and Litigation,” National Business Institute (November 10, 2014)

“Cross Examination Preparation and Techniques,” Clear Law Institute (October 9, 2014)

“Cross Examination Preparation and Techniques,” Lorman Education Services (September 30, 2014)

“Ethical Traps of a Lying Client,” Clear Law Institute (September 11, 2014)

“Designing Alternative Fee Arrangements for Your Clients,” Lorman Education Services (July 15, 2014)

“Ethical Traps of a Lying Client,” Clear Law Institute (July 8, 2014)

“When is a Misrepresentation of Fact an Ethical Violation,” National Business Institute (June 18, 2014)

“Legal Ethics: Hot Topics and Current Events,” National Business Institute (June 13, 2014)

“Ethical Traps of a Lying and Dishonest Client,” Lorman Education Services (June 12, 2014)

- “Ethical Considerations for Personal Injury Attorneys,” National Business Institute (May 22, 2014)
- “Taking and Defending Effective Depositions,” CLE International (March 26, 2014)
- “Legal Ethics: Solutions to the Most Common Challenges,” National Business Institute (March 25, 2014)
- “Imputation of Conflicts: Ethical Walls,” National Business Institute (February 6, 2014)
- “Native American Ethics,” San Francisco, California, CLE International (February 3, 2014)
- “Ethics of Co-Counsel Relationships,” National Business Institute (January 30, 2014)
- “Illustrated Ethics: Case Studies to Avoid Legal Malpractice,” Boise, Idaho, National Business Institute (December 19, 2013)
- “Nevada Legal Ethics for Every Question,” Las Vegas, Nevada, National Business Institute (December 18, 2013)
- “Ethical Traps of a Lying and Dishonest Client,” Lorman Education Services (December 12, 2013)
- “New Rule 502: Attorney-Client Privilege and Work Product Limitations on Waiver,” Lorman Education Services (October 3, 2013)
- “Legal Ethics: Solutions to the Most Common Challenges,” National Business Institute (September 26, 2013)
- “Ethics: What to do When Your Client Lies,” National Business Institute (September 19, 2013)
- “Legal Ethics: Hot Topics and Current Events,” National Business Institute (June 19, 2013)
- “Legal Ethical Issues,” Lorman Education Services (June 13, 2013)
- “Conflicts of Interest: Identification and Waivers,” Lorman Education Services (May 9, 2013)
- “Construction Defect Litigation,” National Business Institute (April 30, 2013)
- “Ethics the World of Water, Conflicts, Communications and Other Potential Conflicts,” CLE International, Water Law Institute (March 15, 2013)
- “Cross Examination Preparation and Techniques,” Lorman Education Services (February 19, 2013)

PUBLICATIONS

- “Two Things to Remember When Representing Entities,” *Paradigm*, Spring 2018
- “Construction Site Conditions – Who is at Risk,” *Enterprise*, January 21, 2008
- “Should You (Or Should You Not) Include an Attorney’s Fees Provision in Your Contracts,” *Enterprise*, September 17, 2007
- “Attorney Ethics and Civility – Not an Oxymoron,” *Enterprise*, May 21, 2007
- “Be Aware of Informal Modifications of Contracts,” *Enterprise*, August 13, 2004
- “Can You Be Guaranteed Payment? Will Your Signature Hold You Personally Liable? Issues and Uncertainties with the Simple Form of Continuing Guaranty,” *Enterprise*, August 18, 2003

REPRESENTATIVE MATTERS

Commercial

Mr. Snow has actively represented parties in litigation involving real estate and real estate development. An example of cases handled by Mr. Snow include: *DeMarco v. LaPay*, 2009 U.S. Dist. Lexis 107282 (D. Utah 2009); *Prosper Inc. v Innovative Software Technologies*, 2006 U.S. App. Lexis 16650; *Sierra Wholesale Supply v. Radiant Technologies, Inc.*, 2005 Ut. App. 540, cert. den. 2006 Utah Lexis 113; *Prosper, Inc. v. Innovative Software Techs.*, 188 Fed. Appx 703 (10th Cir. 2006); *Strotek Corp. v. Airline Transportation Association*, 2002 Lexis U.S. App. 17730 (9th Cir. 2002), *Kelley v. Leucadia Financial Corp.*, 846 P.2d 1238 (Utah 1992); *Richardson v. Schaub*, 796 P.2d 1304 (Wyo. 1990).

Professional Malpractice Litigation

Mr. Snow is regularly involved in litigation involving malpractice of various professionals, including legal and medical malpractice. *Wood-Federowicz v. Yengich*, 2009 U.S. Dist. Lexis 111010 (D. Utah 2009); *United States Fid. & Guar. Co. v. United States Sports Specialty Ass'n*, 2012 UT 3 (Utah 2012).

Insurance Litigation

Mr. Snow has represented clients regarding insurance coverage issues under various types of policies. An example of cases handled by Mr. Snow include *Bean v. United States*, 2009 U.S. Dist. Lexis 61159 (D. Utah 2009); *Berger v. Minnesota Mutual Life Ins. Co. of St. Paul, Minnesota*, 723 P.2d 388 (Utah 1986); *Larson v. Wycoff Company*, 624 P.2d 1151 (Utah 1981); and, *Vestin Mortgage, Inc., v. First American Title Insurance Company*, 101 P.3d 398 (Utah Ct. App. 2004); *United States Fid. & Guar. Co. v. United States Sports Specialty Ass'n*, 2012 UT 3 (Utah 2012).

Construction Litigation

During his entire career, Mr. Snow has represented developers, owners, lenders and contractors in various aspects of construction litigation. An example of cases handled by Mr. Snow include *Stevensen v. Goodson*, 924 P.2d 339 (Utah 1996), *Masonry Equipment & Supply v. Willco Assoc., Inc.*, 755 P.2d 756, Utah Ct. App. 1988) and *Gardiner and Gardiner Builders v. Swapp, et al.*, 656 P.2d 429 (Utah 1982).

Natural Resources, Mining and Environmental Litigation

Mr. Snow has worked with natural resource companies in a variety of areas, including operations, environmental, construction, acquisition, leasing and royalty matters. He has also defended actions involving environmental cost recovery, the Clean Air Act, and the Clean Water Act. An example of cases handled by Mr. Snow include *Valley Camp of Utah, Inc. v. Babbitt*, 24 F.3d 1263 (10th Cir. 1994); *Andalex Resources, Inc. v. Myers*, 871 P.2d 1041 (Utah Ct. App. 1994); and *Trail Mountain Coal Company v. ARCO Coal Sales Co.*, 749 P.2d 637 (Utah 1988).

Trademark and Intellectual Property Litigation

Mr. Snow has actively involved in litigation in the area of trademark and intellectual property. The cases have included matters involving name, trademark and trade dress similarities and infringement, and patent infringement actions. For example, *Promega Corp. v. Lifecodes Corp.*, D. Utah, 1999 U.S. Dist. Lexis 21094.

Lender Liability Litigation

During his entire practice, Mr. Snow has actively represented bank and other lenders in various types of litigation, including what is commonly referred to as lender liability claims. Mr. Snow has also had extensive experience representing banks in connection with operational matters. An example of a cases handled by Mr. Snow include *Stevensen v. Goodson*, 924 P.2d 339 (Utah 1996); *Solomon v. Security Pacific Bank Nevada*, 138 B.R. 608 (D. Nev. 1992); *Ream v. Fitzen*, 581 P.2D 185 (Utah 1978); and *Murray First Thrift & Loan Co. v. Benson*, 563 P.2d 185 (Utah 1977).

Probate, Trust and Tax Litigation

Mr. Snow is experienced in litigation involving probate and trust matters. Mr. Snow has handled several cases regarding the validity of wills or codicils. An example of a case handled by Mr. Snow is *Parks v. Zions First National Bank*, 673 P.2d 590 (Utah 1983); *In re Andersen's Ford*, 1991 Lexis Bankr. 1986 (D. Utah Bankr. 1991); and, *Wisniewski v. Conti*, 1999 U.S. App. Lexis 16226 (9th Cir. 1999). Employment Litigation.

Employment

Mr. Snow has represented primarily employers in connection with litigation involving employment matters, including specifically wrongful termination and the enforcement of covenants not to compete and other restrictive covenants. An example of a case handled by Mr. Snow is *Danielson v. CalEnergy Company, Inc.*, 9th Cir. 2000 U.S. App. Lexis 2806.

Real Estate

Mr. Snow is experienced in real estate litigation. An example of cases handled by Mr. Snow are *James Demarco, et al., v. Michael Lapay, et al.*, Case No. 2:09-CV-190 TS, 2010 U.S. Dist. Lexis 109738; *Kelley v. Leucadia Financial Corp.*, 846 P.2d 1238 (Utah 1992).

Bankruptcy Litigation

Mr. Snow is experienced in bankruptcy litigation. For example, litigation handled by Mr. Snow in bankruptcy court included *In re Ricci Investment Co., Inc.*, 217 B.R. 901 (D. Utah 1998); *In re Rann Resources, Inc.*, 175 B.R. 393 (D. Nev. 1994); *In re Andersen's Ford*, 1991 Lexis Bankr. 1986 (D. Utah Bankr. 1991).