

MICHAEL A. ZODY

*Environmental & Natural Resources Chair
Shareholder*

BIOGRAPHY

Mike Zody currently the chair of Parsons Behle & Latimer's Energy, Environmental and Natural Resources practice groups. He is also a member of the Litigation, Trials and Appeals and Employment and Labor practice groups.

Environmental Practice:

With more than 25 years of experience, Mr. Zody's environmental practice spans the full range of environmental and natural resources litigation and covers state and local administrative proceedings, federal administrative proceedings and state and federal court actions. Mr. Zody's practice focuses on defending civil and criminal enforcement actions, toxic tort defense, environmental property damage litigation, citizens' suits, permit defense actions, administrative agency litigation and other aspects of environmental litigation. His recent areas of focus have included complex Clean Air Act litigation and defense of permit appeals, defense of several complex environmental criminal enforcement matters, NEPA cases, multiple rulemaking and permit challenge hearings before administrative agencies and defending IBLA appeals. His practice also includes EPA rulemaking challenges in the federal circuit courts of appeal, including the D.C. Circuit where he is admitted and has argued.

Employment Practice:

Mr. Zody's employment practice focuses on litigation and defense of employers in lawsuits before administrative agencies and state and federal courts. His areas of practice include ADA, ADEA, Title VII, OSHA and MSHA. Mr. Zody has developed a specialty in whistleblower and retaliation cases. He also handles internal investigations and independent investigations.

Mr. Zody has been heavily involved in the Labor and Employment Law Section of the Utah State Bar, serving in every position and ultimately holding the title of chair of the Section for 1999 - 2000.

Mr. Zody is listed in *Best Lawyers in America* and *Chambers USA*.



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PRACTICE AREAS

Environmental & Natural Resources
Appeals & Litigation
Environmental Crimes
OSHA & MSHA
Employment Litigation
Employment & Labor
Air Quality
NEPA
Public Lands
Water Rights

LICENSED/ADMITTED

U.S. Court of Appeals, District of
Columbia Circuit

U.S. Court of Appeals, 10th Circuit
Utah

U.S. Dist. Court, Dist. of Utah

ACCOMPLISHMENTS

Academic

Indiana University (J.D., cum laude, 1990)

Purdue University, (B.A., 1987)

Professional

United Way of Salt Lake 2010 Young Leaders Member of the Year

Extensive Pro Bono work, past Salt Lake County Bar

Association Pro Bono Lawyer of the Year

2007 Child Advocate of the Year, awarded by Voices for Utah Children

2008 Outstanding Domestic Violence Service Partner, awarded by Legal Aid Society of Salt Lake

Listed in *Best Lawyers in America* and *Chambers USA*

Best Lawyers in America 2019 "Lawyer of the Year" for Labor Law - Management, Salt Lake City

ASSOCIATIONS

Professional

American Bar Association, Environment, Energy and Resources, and Litigation Sections, Member

Community

Member, Board of Directors, Voices for Utah Children - 2018-present

United Way of Salt Lake, Board of Directors, Past Member

Impact Council, Past Co-Chair

Public Policy Committee, Past Chair

Young Leaders, Past Chair

PRESENTATIONS

Co-Presenter: "What You May Have Missed While Focusing on COVID-19: Facilities That Discharge to Groundwater Need to Assess Whether They Need NPDES Permits," Parsons Behle & Latimer and Barr Engineering Webinar (May 14, 2020)

"Natural Resources Industry Liquidity, Compliance and Operational Challenges" Parsons Behle & Latimer Webinar (April 1, 2020)

"Changes in Administrative Litigation at Utah DEQ," Utah State Bar Spring Convention, March 12 - 14, 2015

"Your Environmental Permit to Operate: Recent Developments in Utah Legislation," Parsons Behle & Latimer Breakfast Briefing, May 30, 2012

"Investigating, Prosecuting & Defending Environmental Crimes: What You Need to Know," ENREL Section Luncheon, May 04, 2012

"Utah OSHA: Workplace Accidents, Investigations and Citations," Parsons Behle & Latimer 23rd Annual Employment Law Seminar, Spring 2011

"Climate Change Law Update," Council of Petroleum Accountants Societies, 2010 Fall Conference, September 23, 2010

"Climate Change Law Update," Utah Association of Professional Landmen, October 01, 2009

"Climate Change Law Update," Rocky Mountain Petroleum Accountants Society, September 16, 2009

"Climate Change Law: Learn the State of Play in this Rapidly Developing Area of Environmental and Energy Law," Utah State Bar Summer Convention, July 17, 2009

"GHG Regulation in the United States: Where are we, where are we going?" Coal Combustion Products Conference, July 23-24, 2008

"Update on Climate Change Law in Utah: Energy Resource & Carbon Emission Initiative of 2008," Parsons Behle & Latimer Breakfast Briefing, March 26, 2008

"Litigating Employment Disputes: Reducing Your Exposure," Parsons Behle & Latimer 20th Annual Employment Law Seminar, March 18, 2008

"Responding to Environmental Whistleblowers," 51st Annual Institute of the Rocky Mountain Mineral Law Foundation, July 21, 2005

"Whistleblowing and Retaliation Claims," Parsons Behle & Latimer 16th Annual Employment Law Seminar, April 2004

"Termination Update," January 23, 2004

"Contractual Obligations to Employees; Recognizing and Managing Retaliation Risks, Including Whistleblowing; and Dealing with a Charge of Discrimination," Lorman Education Services, Utah State and Federal Personnel Laws, May 7-8, 2003

"Whistleblowing and Retaliation Claims," Parsons Behle & Latimer 15th Annual Employment Law Seminar, April 2003

"Recognizing and Managing Retaliation Risk, Including Whistleblowing," Lorman Education Services, May 2002

"Handling Charges of Discrimination at the Utah Antidiscrimination and Labor Division," Lorman Education Services, May 2002

"OSHA Update: New Recordkeeping Requirements and Other Developments," Parsons Behle & Latimer 14th Annual Employment Law Seminar, April 2002

"Responding to a Charge of Discrimination: What You Need to Know About the Administrative Process in Order to Effectively Defend Against Discrimination Claims at the Agency Level," Parsons Behle & Latimer 13th Annual Employment Law Seminar, April 2001

"Responding to a Charge of Discrimination: What You Need to Know About the Administrative Process in Order to Effectively Defend Against Discrimination Claims at the Agency Level," Parsons Behle & Latimer 12th Annual Employment Law Seminar, April 2000

"Managing the Whistleblowing Employee," Parsons Behle & Latimer Breakfast Briefing, February 2000

"Environmental Compliance Litigation Review and Update: Private Cost Recovery Actions," Government Institutes, March 15-16, 1999

"Hiring: Identifying and Minimizing the Risk," Parsons Behle & Latimer 9th Annual Employment Law Seminar, April 1997

"Balancing Employer's Management and Production Needs with Injured Employee's Rights," Council on Education in Management Seminar, April 1996

"Legal Aspects of Workplace Violence," Parsons Behle & Latimer 7th Annual Employment Law Seminar, April 1995

"Employment Law Overview for Managers," University of Phoenix, 1995

"Responding to a Charge of Discrimination: What You Need to Know About the Administrative Process in Order to Effectively Defend Against Discrimination Claims at the Agency Level," Parsons Behle & Latimer 6th Annual Employment Law Seminar, April 1994

"Utah Employment Law Update: Much Has Happened Since Berube," Parsons Behle & Latimer 5th Annual Employment Law Seminar, April 1993

PUBLICATIONS

"EPA Announces August 31, 2020 Terminations of Temporary Enforcement Relief Policy," Parsons Behle & Latimer COVID-19 Response Resources (July 1, 2020)

"OSHA Issues Guidance for Preparing Workplaces for COVID-19," Parsons Behle & Latimer COVID-19 Response Resources (March 24, 2020)

"Environmental Health and Safety Client Alert: Keep Regulators Apprised, Review Permit and Regulatory Language on Temporary Closures and Unavoidable Delays," Parsons Behle & Latimer Client Alert (March 17, 2020)

"Responding to Environmental Whistleblowers," *51 Rocky Mt. Min. L. Inst.*, 6-1, 2005

Co-Author, "Resolution Conferences Conducted by the Utah Anti-Discrimination Division: The Elements of a Successful Administrative Mediation Program," *University of Utah Journal of Contemporary Law*, Vol. 21, No. 1, 1995

REPRESENTATIVE MATTERS

Obtained first-ever variance from an OSHA standard for client Orbital ATK.

Successfully represented Rio Tinto in clean air lawsuit.