

John is a self-described efficiency fanatic, who employs a deep work philosophy in his practice. John is driven to understand his clients' needs and to deliver timely, cost-effective solutions to clients' toughest legal challenges.



John E. Cutler

Shareholder | Idaho Falls

Biography

Although John's practice runs the gamut—including a wide range of transactional and litigation matters—John has a passion for appellate litigation. To every case, John brings a unique approach to legal problem solving. Three things set John apart.

First, at a law firm with dozens of seasoned attorneys whose expertise spans nearly every area of law, John knows the value of a team approach to legal problem solving. He leverages the extensive experience at his firm to bring cost-effective solutions to his clients' pressing legal questions. John so believes in this collaborative approach that he rarely spends his "in-office" time holed up by himself. Instead, he spends the bulk of his "in-office" time meeting with clients, experts and his colleagues. To John, the office is a crucible for testing ideas and collaborating on next steps to achieve desired client outcomes.

Second, John knows the value of deep work. Solving hard problems requires a depth of focus that is rare in a world of endless email inboxes, incessant text messaging and constantly ringing phones—to say nothing of the beck and call of social media or the 24-hour news cycle. John shuns these distractions and starts his days early—deeply focused on solving his clients' hardest problems. Whenever possible, John dedicates the morning hours to deep tasks that deliver the highest value to his clients. Much of an attorney's job is written communication—whether that be a transactional document, like a contract or merger, or a litigation brief. Well-crafted communication requires sharp thinking and careful framing, honed through concentrated effort. John's deliberate deep work practices help him promptly deliver high quality work to his clients and sets him apart from many of his peers.

Contact information

208.528.5223

jcutler@parsonsbehle.com

Capabilities

Appeals

Business & Commercial Litigation

Environmental Litigation &
Administrative Appeals

Real Estate Litigation

Real Estate

Employment Litigation

Employment & Labor

Insurance Litigation

Divorce & Family Law

Licensed/Admitted

Utah

Idaho

Wyoming

Montana

U.S. Court of Appeals, 9th Circuit

U.S. Dist. Court, Dist. of Idaho

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

U.S. Dist. Court, Dist. of Wyoming

A Different
**LEGAL
PERSPECTIVE**

**PARSONS
BEHLE &
LATIMER**

Third, John understands how judges see cases. Before private practice, he gained a wealth of experience working with three distinguished jurists. Evaluating issues from a neutral perspective sharpened John's legal vision. He sees both the strengths and weaknesses of his clients' positions. And this knowledge allows John to help clients address risks before problems arise. John's work with judges afforded him another benefit as well. Judges handle hundreds of cases, and John did too, in his time as a law clerk. Each case has distinct factual and legal issues, so John learned to waste no time getting to the heart of what's important. One of John's most important skills is his ability to quickly add value to a legal team—without endless hours “getting up to speed.”

Recommended Reading on John's Deep Work Philosophy

Any of Cal Newport's books, including *Deep Work*, *So Good They Can't Ignore You*, *Digital Minimalism*, and *A World Without Email*

The Power of Habit, by Charles Duhigg

Range, by David Epstein

Laura Vanderkam's work, including *The New Corner Office* and *Off The Clock*

If you prefer listening to reading, John recommends Cal Newport's “Deep Questions” podcast.

Experience

Ocampo v. Corizon L.L.C., No. 20-35990, 2022 WL 229093 (9th Cir. 2022)

Secured unanimous decision affirming summary judgment decision dismissing plaintiff's Eighth Amendment deliberate indifference claims.

Allen v. Campbell, 492 P.3d 1084 (Idaho 2021)

Secured unanimous decision recognizing client's rights as prevailing party and entitlement to attorney fees, including attorney fees on appeal, and vacating opposing party's award of fees granted before the district court.

Papin v. Papin, 454 P.3d 1092 (Idaho 2019)

Successfully argued in *Papin v. Papin*, 454 P.3d 1092 (Idaho 2019) for affirmance confirming wife's community property interest in husband's business and invalidating alleged post-nuptial agreement.

Maria Moncerrat Luna-Alcazar v. William P. Barr, No. 18-71979 (9th Cir.) (pro bono)

Obtained a stipulated remand and attorney fees under the Equal Access to Justice Act in *Maria Moncerrat Luna-Alcazar v. William P. Barr*, No. 18-71979 (9th Cir.) (pro bono), on behalf of client seeking withholding of removal after opening brief convinced government of its error.

Allen v. Campbell, 499 P.3d 1103 (Idaho 2021)

Secured unanimous decision reversing district court's dismissal of claims against trustees for self-dealing and breach of fiduciary duties.

Medical Recovery Services, LLC v. Gepford, 468 P.3d 312 (Idaho Ct. App. 2020)

Represented collection agency in attorney fee appeal that threatened to create precedent jeopardizing the company's business interests in other cases, and successfully avoided adverse legal precedent on core statutory interpretation issue, even though the client was unsuccessful in securing attorney fees in the instant case.

Franklin v. Franklin, No. 47219, 2019 WL 6248014 (Idaho Ct. App. Nov. 22, 2019)

Represented mother in challenge to order divesting mother of shared custody based solely on her temporary employment status during the divorce.

Accomplishments

Professional

United States Court of Appeals for the Ninth Circuit

- Law Clerk to the Honorable N. Randy Smith

Utah Supreme Court

- Law Clerk to the Honorable Thomas R. Lee

United States District Court for the District of Utah

- Law Clerk to the Honorable Jill N. Parrish

Best Lawyers in America™ "Ones to Watch," Appellate Practice 2023-2024

Super Lawyers Rising Star, 2023

Academic

- *Utah Law Review*, Editor-in-Chief
- Order of the Coif
- College Award for 3rd highest GPA in graduating class
- CALI Excellence Awards (Administrative Law; Constitutional Law I; Contracts; Evidence; Judicial Process; Sexuality, Gender, & the Law; and Torts)
- College of Law Outstanding Achievement Awards (Civil Procedure, Criminal Procedure, Federal Courts, Legal Methods, Property and Statutory Interpretation)
- Quinney Fellow 2013-2014

Articles

"One Less Option for Employers Managing FLSA Risk," *Employment Law Update*, Apr. 13, 2021

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