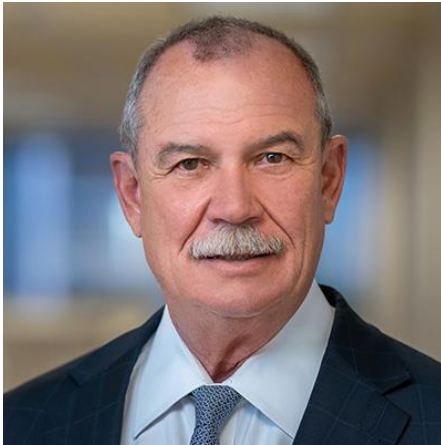


*Mr. Snow has engaged in a litigation practice for over 45 years, and has handled a wide variety of matters such as business disputes, professional malpractice, construction, insurance, real estate and others. Accordingly, he brings a broad background to the matters he handles. He also provides expert testimony and mediator services.*



## John A. Snow

Shareholder | Salt Lake City

### Biography

John Snow has been engaged in general commercial and business litigation in Utah for over 45 years, as well as maintaining an active professional practice in Nevada. In addition to general commercial litigation, Mr. Snow's litigation practice includes extensive experience in the following areas:

- Contract and business disputes
- Construction claims, including construction defect 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

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 Insights heading below.

### Contact information

801.536.6772

[jsnow@parsonsbehle.com](mailto:jsnow@parsonsbehle.com)

### Capabilities

Business & Commercial Litigation  
Environmental Litigation &  
Administrative Appeals  
Insurance Litigation  
Financial Institution Litigation  
Real Estate Litigation

### 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

## Experience

### Fintech Lending Fees

Represented client in a master service agreement with a major national bank for bank liability to client for fees.

### Defended Real Estate Company from Fraud Allegations

Represented a real estate agency of Keller Williams being sued by a purported purchaser of real estate for breach of the duty of care and fraud in the handling of a transaction with a claim in excess of \$800,000. Damages against the client were reduced to \$12,500 – less than the settlement offer, while the seller was assessed damages and punitive damages in excess of \$750,000, some portion of which will be trebled.

### 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 Rannd Resources, Inc., 175 B.R. 393 (D. Nev. 1994); In re Andersen's Ford, 1991 Lexis Bankr. 1986 (D. Utah Bankr. 1991).

## Accomplishments

### Professional

2021-2024 - 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

2024 - Designated “Lawyer of the Year” by The Best Lawyers in America in Legal Malpractice Law-Defendants, Litigation-Real Estate

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.

### Academic

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

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

Brigham Young University (B.A.,1970)

## 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

## Articles

"Red Paddle-Blue Paddle: Clean Water Act Ping Pong," (March 9, 2021)

*The Advocate* (Idaho State Bar), Vol. 64, No. 3

Clean Water Act Case Review: Glaser and the Future of the Irrigation Return Flow Exemption," (October 1, 2020)

*The Advocate* (Idaho State Bar), Vol. 63, No. 10

## Presentations

"Legal Ethics In the Practice of Water Law," (January 19, 2023)

Idaho Water Users Association

"A Deep Look into Idaho's Domestic Well Exemption," (September 13, 2022)

Idaho State Bar CLE Workshop

"NBI Idaho Water Law," (July 30, 2021)

"Red Paddle - Blue Paddle: WOTUS Ping Pong," (July 29, 2021)

2021 National Water Resources Association Western Water Table Talk

“Multi-Party Representation in Water Law Matters,” (January 26, 2021)

Idaho Water Users Association Annual Convention

Natural Resources Industry Liquidity, Compliance and Operational Challenges,” (April 1, 2020)