

Brook brings 30-plus years of experience as a commercial litigator and years of experience managing litigation involving complex discovery and complex facts and many years of experience advising businesses and individuals regarding legal issues associated with business.



Brook B. Bond

Shareholder | Boise

Biography

Brook's legal practice focuses on complex business, insurance, environmental and commercial litigation and counseling. He actively advises mining companies and others on a variety of subjects and secures and manages the provision of legal services in a variety of ways as outside general counsel. He also focuses on behalf of corporations and individuals in a variety of industries, including mining, science, energy, construction, agriculture, transportation, insurance, direct selling and multi-level marketing (MLM).

During the past 30-plus years of his practice, Mr. Bond has handled massive cases involving multiple parties, millions of documents and complex legal and scientific issues. Many of these cases involved environmental contamination and various environmental issues. Mr. Bond has routinely represented companies and individuals in direct selling and multi-level marketing business litigation; environmental litigation relating to pollution and remediation; and insurance companies or insureds in environmental insurance coverage actions. Additionally, he has handled cases representing individuals and smaller companies in various types of business litigation.

Mr. Bond has litigated a wide range of cases involving business torts, environmental contamination, real estate disputes, contract disputes, intellectual property and public entity law. His educational background includes training in genetics, seed science, biology, agronomy, microbiology, biochemistry and analytical chemistry.

Contact information

208.562.4903

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Capabilities

Business & Commercial Litigation
Environmental Litigation &
Administrative Appeals
Insurance Litigation
Direct Sales and Multi-Level Marketing
Appeals

Licensed/Admitted

California
Idaho
Utah
U.S. Dist. Court, Dist. Of Utah
U.S. Dist. Court, Dist. of Idaho
U.S. Dist. Court, Northern Dist. of CA
U.S. Dist. Court, Southern Dist. of CA
U.S. Dist. Court, Eastern Dist. of CA
U.S. Dist. Court, Central Dist. of CA
U.S. Court of Appeals, 9th Circuit
U.S. Court of Appeals, Federal Circuit

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Experience

Advise Mining Companies Regarding Various Issues

Routinely advise and represent mining companies regarding business, regulatory compliance, environmental issues, strategies and other needs in Idaho and Utah.

Represented a variety of businesses in business litigation associated with construction payments, employment disputes, property damage, business interference

Advised Business on a Variety of Issues

Thoroughly advised a variety of businesses on contract and property issues and disputes.

Defended Software Vendor

Successfully represented a medical software company over alleged medical calculation errors.

Represented Companies and Individuals in Litigation on Employment and Related Contract Issues

Represented employers and employees regarding termination agreements, non-disclosure agreements, non-compete agreements and other issues

Defended Ohio Corporation in Idaho for Business Torts

Successfully defended an Idaho corporation against litigation from another Idaho corporation for alleged business torts relating to a real estate transaction. We successfully obtained summary judgment and attorneys' fees related thereto.

Represented a real estate developer regarding construction contract issues and associated litigation

Represented a general contractor regarding contract issues and related litigation

Represented a corporate owner regarding corporate dissolution

Represented a famous astronaut regarding image and likeness licensing and related disputes

Counseled Nevada Multi-Level Marketing Company

Routinely advised a Nevada multi-level marketing company regarding a variety of issues including management, regulatory compliance, strategy and contractual structures.

Defense of a Delaware Direct Sales Company for Alleged Business Torts and Misappropriation of Trade Secrets

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Successfully defended a Delaware direct sales company against litigation from another direct selling company for alleged business torts and misappropriation of trade secrets. Successfully and actively participated in extensive factual and motion practice related to international employment.

Represented MLM Companies in Suits by Competitors

Successfully defended an MLM company sued by another direct selling company for alleged business torts, and misappropriation of trade secrets. Successfully managed extensive factual and expert discovery and motion practice.

Successfully defended a Nevada MLM company against litigation from an independent contractor for another direct selling company for alleged business torts, misappropriation of trade secrets and other claims.

Successfully defended a Nevada multi-level marketing company against litigation from another direct selling company for alleged business torts and misappropriation of trade secrets. Successfully managed extensive factual and expert discovery and motion practice.

Advised Individual MLM Distributors

Successfully advised individual distributors and employees regarding issues associated with their relationships with multi-level marketing and direct selling companies.

Successfully defended individual distributors against litigation from a direct selling company with which they had previously been acting as independent contractors and which sued the individuals for alleged business torts, breach of contract and misappropriation of trade secrets. The Federal Court determined that provisions of the direct selling company's contract were overbroad and unenforceable.

Represented Insurance Companies in Complex Environmental Insurance Coverage Litigation

Successfully defended insurance companies against complex environmental insurance coverage litigation from a former mining company relating to contamination allegedly emanating from a large phosphate mine in Eastern Idaho. Evaluated and litigated long-tail claims, time-on-the-risk issues as well as allocation issues to various parties. Successfully managed extensive factual and expert discovery and motion practice.

Defended Massachusetts Insurance Company Against Competitor in Western Region Environmental Insurance Coverage Litigation

Successfully defended a Massachusetts insurance company against environmental insurance coverage litigation from another insurance company relating to alleged contamination at a former dry cleaning facilities in Idaho and Washington. Evaluated and litigated long-tail claims, time-on-the-risk issues as well as allocation issues to various parties.

Defended Utah Multi-level Marketing Company

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Successfully defended a Utah MLM company against litigation from another direct selling company for alleged business torts and misappropriation of trade secrets.

Argued Before Idaho Supreme Court re: the Use of Public Funds to Influence Elections

Successfully briefed and argued before the Idaho Supreme Court that a public entity cannot use public funds to influence elections. The resulting Idaho Supreme Court opinion held that it is illegal to so use public funds and resources to favor one side of an election.

Litigated for California Company in Transportation Related Personal Injury Matter - 9th Circuit Court of Appeals

Successfully defended a California company engaged in the transportation business from litigation from an injured individual alleging strict product liability for alleged distribution of a commercial machine. An injured user of the machine sued for strict product liability alleging in excess of \$3 million. Successfully managed extensive factual and expert discovery and motion practice. Secured complete summary judgment for the defendant at the trial court level and affirmed, after oral argument, before the Ninth Circuit Court of Appeals.

Defended Environmental Insurance Company in Case Related to Contamination at Cement Manufacturing Plant

Successfully defended an insurance company in environmental insurance coverage litigation related to environmental contamination at a cement manufacturing plant in Southern California. Successfully lead the team of experts to investigate and create a theory for the characterization of the fate and transport of contamination which had confused many experts, consultants and regulators for many years.

Represented Multiple Insurance Companies Against Claims Alleging Over \$3 Billion in Damages Relating to Environmental Contamination

Successfully defended multiple insurance companies against environmental insurance coverage litigation from a large petroleum and chemical company for alleged environmental contamination alleging damages in excess of \$3 billion and relating to claims throughout the United States, Canada and the Virgin Islands. The litigation was at one time one of the largest and most complex cases in the United States and related to thousands of contaminated sites.

Defended Insurance Company Against Claims Relating to Chemical and Mining Facilities

Successfully defended an insurance company in complex environmental insurance coverage litigation against claims seeking damages of tens of millions of dollars related to chemical facilities and mining operations throughout the United States.

Represented Multiple Insurance Companies And Defended Against Contamination Claims Brought by a Large Utility Company

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Successfully defended multiple insurance companies against environmental insurance coverage litigation from a large utility company relating to contamination from former manufactured gas plant sites and alleging damages in the hundreds of millions of dollars.

Defended Insurance Company From Drum Storage and Recycling Company

Successfully defending an insurance company against environmental insurance coverage litigation from a drum storage and recycling company for alleged damages of tens of millions of dollars and alleged contamination at a California drum storage and recycling facility.

Defended Insurance Companies in Retrial of \$3 Billion Environmental Insurance Case

Successfully defended multiple insurance companies in the retrial of a large and complex environmental insurance coverage case. The total damages sought were in excess of \$3 billion and related to contamination at a large pesticide manufacturing facility in Colorado. Litigation continued through about five months of trial before a successful resolution for our clients.

Attorney-Client Privilege and Work Product Doctrine Counsel

Advised multiple clients and attorneys regarding specific areas of attorney-client privilege and work product doctrine issues.

Accomplishments

Professional

Ranked in *Mountain States Super Lawyers*, IP Litigation

Academic

University of San Diego (J.D., 1989)

University of California - Davis (B.S., Genetics, 1986)

Articles

“Commencing an Action: Idaho,” *Practical Law*, November 17, 2023

“Responding to a Complaint: Idaho,” *Practical Law*, September 6, 2023

“Drafting and Issuing Discovery Subpoenas: Idaho,” *Practical Law*, August 9, 2023

“Statutes of Limitations: Idaho,” *Practical Law*, April 19, 2022

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