



## TIMOTHY K. CLARK

### FABIAN & CLENDENIN

215 South State Street, Suite 1200

Salt Lake City, Utah 84111-2323

TEL: 801-323-2266

FAX: 801-531-1716

EMAIL: tclark@fabianlaw.com

### AREAS OF PRACTICE:

- Complex Litigation
- Energy & Utilities
- Environment/Natural Resources
- Real Property

### PRACTICE SUMMARY

Tim Clark is a shareholder at Fabian & Clendenin. Tim has broad experience in complex commercial litigation. He has represented clients in several substantial litigations and, in other circumstances, has worked with clients to resolve major disputes prior to litigation being filed. These matters have involved legal issues in anti-trust, bankruptcy, contract, energy and utilities, employment, intellectual property, natural resources and environmental, and real estate. Tim graduated from the S.J. Quinney College of Law at the University of Utah in 2005, where he was a member of the Order of the Coif. He earned an undergraduate degree, cum laude, at Princeton University in 1995.

### PROFESSIONAL

- Admitted to Utah State Bar, 2005
- Admitted to United States District Court for the District of Utah, 2005

### EDUCATION

- J.D., S.J. Quinney College of Law, University of Utah, 2005; Wallace Stegner Certificate in Environmental Law; William H. Leary Scholar; Staff Member, Utah Law Review, 2003-2004; Traynor Legal Writing Award, 2004, "Legal Viability of the Yellowstone to Yukon Initiative in the United States"
- A.B., History, Cum Laude, Princeton University, 1995; Senior Thesis, "Combat or Cooperation? A Comparison Between Northern Cheyenne and Crow Relations with the United States, 1825-1905"

### COMMUNITY SERVICE

- Member, Board of Directors for Christus Health Utah, a non-profit corporation which operates St. Joseph Villa in Salt Lake City

## REPRESENTATIVE PROJECTS

- Tim Clark has helped clients obtain favorable results in major litigations. For example, he represented a major university in protesting the NCAA's application of a policy regarding the use of Native American imagery, winning a preliminary injunction against the NCAA, allowing the university to participate in the Division II football playoffs. In another case, he helped obtain a temporary restraining order on behalf of the state's largest public utility, allowing construction to proceed on a pivotal electric transmission line project in northern Utah. He also helped obtain summary judgment for a Utah-based airline defending itself against a disability discrimination claim brought by an employee at facilities in California. Furthermore, Tim has contributed to multiple appellate proceeding, most notably in an effort where the Tenth Circuit Court of Appeals affirmed an award of summary judgment on liability issues in a case involving a multi-million dollar claim for breach of the duty to defend. Tim has handled a number of other litigations from start to finish, generally obtaining a favorable judgment or settlement agreement. Tim's experience makes him well-suited for any commercial litigation.