



Brent Johnson

Partner

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Brent Johnson guides clients through the complex litigation process, representing corporations in litigation matters in both the federal and state courts of California and Utah. His work includes representing corporate defendants in class actions.

Prior to joining Holland & Hart LLP, Brent was an attorney with Latham & Watkins in that firm's Los Angeles and San Francisco offices where he was elected to the partnership in 1996. He served a judicial clerkship with the Honorable Bailey Brown, United States Court of Appeals for the Sixth Circuit.

PRACTICES

Advertising, Marketing, and Sponsorships
IP Litigation
Legal Professional Liability
Commercial Litigation
Class Actions
Product Liability
Advertising, Labeling, and Consumer Class Actions

INDUSTRIES

Energy and Resources

EDUCATION

University of Michigan Law School, J.D., 1987
Editor, *Michigan Law Review*, 1985-1987
Brigham Young University, B.A., 1984

BAR ADMISSIONS

California
Utah

EXPERIENCE

Brent helps corporations in a variety of industries and public utilities with matters concerning:

- Contract negotiations
- Advertising, labeling and e-commerce compliance and litigation
- False Claims Act defense
- Complex commercial litigation
- Professional liability defense
- Insurance coverage
- Products liability
- Government contracts
- Intellectual property litigation

CLIENT RESULTS

Represented the Los Angeles Department of Water and Power in breach of contract case involving a Utah-based power project.

Defended a major sporting goods manufacturer in a false advertising class action in Los Angeles.

Defended a consumer products manufacturer in a mislabeling class action in San Diego.

Represented Chrysler Group LLC in several dealer arbitrations stemming from 2010 federal legislation.

Representation of auto dealers in claims relating to unfair trade practices involving state statutes that impose detailed rules on how dealers can

market their inventory, including vehicle pricing, MSRP statements, mileage reporting, material fact disclosure, and leasing terms.

Representation of automobile manufactures with legal issues pertaining to dealer profitability and performance, service and parts, franchise agreements, inventory allocation, and issues arising under state auto dealer franchise law.

Represented a major energy concern in Robinson-Patman Act claim.

Represented the SEC-appointed receiver of Merrill Scott & Associates in multi-faceted federal litigation.

Defended Computer Associates, Inc. in a multi-million dollar dispute with a web-based service provider.

Represented major pharmaceutical manufacturers in product liability actions.

Defended a major aerospace defense contractor in False Claims Act Qui Tam litigation.

Prosecuted on behalf of a large refinery operator a private cost recovery action for groundwater remediation.

Handled major insurance coverage action for environmental claims related to paper mills and wood treatment plants for International Paper Company.

PUBLICATIONS

"2018: Food Litigation Trends - Part 1," Co-Author, 01/23/2018

"California Strikes Again - The Consumer Privacy Act of 2018," *Holland & Hart Ad Law Defense Blog*, Co-Author, 07/17/18

"New California Proposition 65 Warning Requirements Apply to the Outdoor Recreation Industry," *Holland & Hart News Update*, Co-Author, 08/08/2018

"Selling Direct: Network Marketing Compliance and Practice," *Holland & Hart News Update*, Co-Author, 08/07/2018

"Selling Direct: Network Marketing Compliance and Practice," *Holland & Hart News Update*, Co-Author, 11/5/2018

"AdvoCare Reaches Settlement with FTC Banning it from Multi-Level Marketing and Requiring the Payment of a \$150 Million Fine," *Holland & Hart News Update*, Co-Author, 10/03/2019

SPEAKING ENGAGEMENTS

"Legal Aspects of FDA Regulatory Compliance: Preparing for an FDA Facility Inspection and Responding to a 483 Letter," *Regulatory Affairs Professionals Society: Utah Chapter*, Webcast, June 16, 2020

"Navigating the Rules for Manufacturing Medical and Safety Equipment in Response to COVID-19," *Holland & Hart Webinar*, April 16, 2020

"Selling Supplements Online: Legal Risks of Personalized Dietary Supplements," *15th Annual ACC Mountain West 2019 Nutritional Law Symposium*, September 2019

"Legal Ethics: The New Proposed Model Rule on Attorney Advertising," *National Business Institute*, October 2018

"Damages in Arbitration 2.0: EBITDA, Unicorns and More," *Co-presenter, American Arbitration Association West Coast Panelists' Roundtable*, September 21, 2018

"Cannabis Update," *Nutrition Law Symposium, Association of Corporate Counsel, Mountain West Chapter*, September 14, 2018

"Dirty Tricks That You Need to Look Out For," *NBI Lecturer*, May 24, 2018

"Advertising Law," *NBI Lecturer*, March 21, 2018

"Essential Legal Elements of Business Contracts," *NBI Lecturer*, November 30, 2017

"Structuring Claim Substantiation in the Face of New FTC and NAD Activities," *Co-presenter, American Conference Institute's Inaugural Food Law & Regulation Forum*, May 24, 2017

"LLC Ethical Traps," *NBI Lecturer*, May 22, 2017

"Breach of Fiduciary Duties in LLCs," *NBI Lecturer*, May 22, 2017

"Business Litigation," *NBI Lecturer*, February 14, 2017

"Accounting For Lawyers," *Practicing Law Institute Satellite Broadcast*

"Advanced Insurance Coverage Issues," *Lorman*

"e-discovery and Document Retention Issues," *Lorman*

"Dirty Litigation Tricks You Need to Look Out For," *NBI Lecturer*

"Believe It or Not Business Lawsuits," *NBI Lecturer*

"Electronic Records, Emails, Messages and Social Media in Litigation," *NBI Lecturer*

"Structuring Performance Obligations, Arbitration Provisions, Choice of Law/Forum Selection and Integration Clauses," *NBI Lecturer*

"Rock-Solid ADR and Integration Clauses," *NBI Lecturer*, May 20, 2016

"Structuring Performance of Obligations," *NBI Lecturer*, May 20, 2016

RECOGNITION

- Mountain States Super Lawyers® Rising Stars, Business Litigation, 2009-2011
- *The Best Lawyers in America*®, Commercial Litigation, 2013-2020
- *Utah Business Magazine*, Utah Legal Elite, Civil Litigation, 2019-2020

PROFESSIONAL AND CIVIC AFFILIATIONS

- Utah Bar Association, Member
- California Bar Association, Member
- American Bar Association, Member
Former Subcommittee Chair, Section of Litigation
Insurance Coverage Committee
Products Liability Subcommittee
- Federal Bar Association, Member