



## Tina Van Bockern

Of Counsel

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**Tina guides clients through administrative and civil appeals, developing strategies to build and preserve the record and continuing through briefing and oral argument.**

### PRACTICES

Appellate  
 American Indian Law  
 Environmental and Natural Resources  
 Litigation  
 NEPA, Public Lands, and Cultural  
 Resources  
 Environmental and Natural Resources

### INDUSTRIES

Oil and Gas  
 Mining  
 Energy and Resources

### EDUCATION

University of Denver Sturm College of  
 Law, J.D.

Order of St. Ives  
 Morrison & Foerster/Steve Dunham  
 Diversity Annual Scholarship  
 Robert B. Yegge Hispanic Annual  
 Scholarship

University of Arizona, B.S. in Veterinary  
 Science, Minor in Chemistry  
*cum laude*

President's Award for Excellence  
 Scholarship

University of Arizona Provost Scholarship

### BAR ADMISSIONS

Colorado

### COURT ADMISSIONS

U.S. District Court for the District of  
 Colorado

U.S. District Court for the District of North  
 Dakota

U.S. District Court for the District of  
 Columbia

Drawing on years of experience representing oil and gas and mining clients on all aspects of project development and environmental compliance, Tina regularly litigates and appeals agency regulations, decisions, and orders affecting these industries. She also assists clients in appealing trial court decisions involving a variety of substantive areas including public land use and development, oil and gas and mining law, environmental law, royalties, class actions, Indian law, family law, and administrative law and procedure.

Prior to joining Holland & Hart, Tina served as a judicial law clerk for Judge Anne M. Mansfield, and as a judicial fellow for Judge Ann B. Frick, both in the Denver District Court.

### EXPERIENCE

**Depth of Experience:** Tina specializes in administrative and civil litigation and appeals in a broad array of substantive areas, including:

- Oil and gas and mining law
- Environmental law
- Public Lands and National Environmental Policy Act (NEPA)
- Indian law
- Family law
- Administrative law and procedure

**Broad Range of Experience:** In addition to litigating in Colorado state courts, Tina has litigated in Federal Courts across the country, including:

- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the D.C. Circuit
- U.S. District Court for the Northern District of California
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Columbia

U.S. Court of Appeals for the District of  
Columbia  
U.S. Court of Appeals for the Tenth  
Circuit  
U.S. Supreme Court

- U.S. District Court for the Eastern District of Kentucky
- U.S. District Court for the District of New Mexico
- U.S. District Court for the District of North Dakota
- U.S. District Court for the District of Montana
- U.S. District Court for the District of Wyoming

She has also brought numerous appeals before the U.S. Department of Interior's Office of Hearings and Appeals, Interior Board of Land Appeals, Interior Board of Indian Appeals, and various federal agencies.

## CLIENT RESULTS

- Successfully litigated and defended on appeal a challenge to permitting decision under Surface Mining Control and Reclamation Act. *M.L. Johnson Family Properties, LLC v. Bernhardt*, 924 F.3d 842 (6th Cir. 2019).
- Successfully appealed trial court order precluding husband from raising the defense of laches to former wife's claim for interest on child support arrears. *In re Marriage of Johnson & Johnson*, 380 P.3d 150 (Colo. 2016).
- Successfully appealed trial court's entry of default permanent orders where husband had participated in proceedings. *In re Marriage of Zhang & Li*, 19CA0605 (Colo. App. 2020).
- Defeated requests for injunctive relief in administrative appeals challenging federal leasing and permitting decisions under NEPA.
- Successfully appealed and settled civil penalties issued by the U.S. Office of Natural Resource Revenue (ONRR).

## PUBLICATIONS

"Tenth Circuit Rules That Religious Employers May Not Use the Collateral Order Doctrine To Immediately Appeal Rulings on the Ministerial Exception to Title VII Claims," *Law.com*, Co-Author, 07/25/2022

"The Future of Federal Agency Rulemakings After *West Virginia v. Environmental Protection Agency*," *Holland & Hart News Update*, Co-Author, 07/15/2022

"Supreme Court Strips EPA of Key Weapon to Combat Climate Change," *Daily Journal*, 07/11/2022

"Tenth Circuit Reverses Denial of Asylum to Transgender Woman Under the Compulsion Standard," *Law.com*, Co-Author, 05/16/2022

"Tenth Circuit Allows Government Officials To Assert Qualified Immunity Defense To RFRA Damages Claims," *Law.com*, Co-Author, 03/21/2022

"Tenth Circuit Holds That COVID Closure Orders Do Not Trigger Business Interruption Coverage," *Law.com*, Co-Author, 01/20/2022

"Tenth Circuit Confirms That Time Devoted To Booting Up Work Computer and Launching Software Is Compensable Under the Fair Labor Standards Act," *Law.com*, Co-Author, 11/17/2021

"Biden Administration Announces First Round of Revisions to CEQ's NEPA Rules," *Holland & Hart News Update*, Co-Author, 10/22/2021

"Civil Interlocutory Appeals in Colorado State Courts," *Colorado Lawyer*, Co-Author, October 2020

"Civil Interlocutory Appeals In Colorado State Courts ," *The Colorado Lawyer*, Co-Author, October 2020

"Answers to Key Questions about the Revised CEQ NEPA Regulations ," *Holland & Hart News Update*, Co-Author, 08/19/2020

"Preserving Appellate Complaints in Federal Courts," *American Bar Association*, Co-Author, 2020

"Council on Environmental Quality Issues Final NEPA Rule," *Holland & Hart News Update*, Co-Author, 07/17/2020

"Agency Works to Streamline Surface Coal Mine Regulation," *Bloomberg Law*, Co-Author, 06/10/2020

"Surface Management and Reclamation: Coal Mining," *Environmental Regulation, excerpted from the Second Edition of the American Law of Mining, Chapter 172*, Co-Author, 2018 and 2020

"Federal Court Brings Back Obama-Era Royalty Rules," *Holland & Hart News Update*, 04/19/2019

"Interior Department Not Obligated to Update NEPA Analysis for Coal Leasing Program," *Holland & Hart News Update*, Co-Author, 06/21/2018

"New Royalty Valuation Recommendations," *Holland & Hart News Update*, Co-Author, 03/02/2018

"Analyzing Climate Change Impacts in the NEPA Process: What impact will Executive Order 13783 have on federal agencies' NEPA reviews?," *Rocky Mountain Mineral Law Foundation Special Institute on Air Quality Issues Affecting Oil and Gas and Mining Development*, Co-Author, February 2018

## **SPEAKING ENGAGEMENTS**

"Full Steam Ahead: Understanding the Proposed New NEPA Regulations," *Holland & Hart Insights*, Co-Presenter, February 2020

"Litigation Trends: How Regulatory and Market Forces are Playing Out in the Courtroom," *Holland & Hart Environment & Natural Resources Summit*, Co-Presenter, October 2019

"How to Appeal ONRR Orders and Civil Penalties: Timelines, Procedures, and Practical Tips," *Rocky Mountain Mineral Law Foundation*, Presenter,

October 2018

"Royalty Part II: Relationship Between Transportation, Marketing, and the Royalty Clause," *Rocky Mountain Mineral Law Foundation Special Institute on Drafting and Negotiating the Modern Oil & Gas Lease*, Co-Presenter, May 2018

## RECOGNITION

- Best Lawyers: Ones To Watch, Environmental Law, 2021, 2022; Oil and Gas Law, 2022

## PROFESSIONAL AND CIVIC AFFILIATIONS

- Colorado Bar Association
  - Civil Appeals Clinic, Volunteer, 2020
  - Federal Pro Se Clinic, Volunteer, 2019-present
  - Litigation Section, Appellate Subcommittee, Member, 2019-present
  - Appellate Pro Bono Program, Volunteer, 2014-present
- Women's Energy Network, Member, 2017-present
- Colorado Pledge to Diversity, Steering Committee Member and Holland & Hart Representative, 2016-present
- American Bar Association, Section of Environment, Energy, and Resources, Member, 2011-2020
- The Foundation for Natural Resources and Energy Law, Member, 2011-present
- Metro Volunteer Lawyers, Denver Post Decree Consultation Clinics, Volunteer, 2008-present