



## Jeffrey Pope

Partner

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**Jeff is a litigator who helps clients resolve complex disputes.**

Jeff's comprehensive approach to his practice provides support at each step of his clients' needs. He uses his deep understanding of his clients' industries to counsel them on how to avoid or resolve disputes before litigation begins. In situations where litigation is inevitable, Jeff provides seasoned litigation experience to guide them to favorable results.

His understanding of a client's industry allows him to provide innovative, focused litigation strategies. Jeff leverages his experience trying and arguing cases before the Wyoming Supreme Court and state trial courts to position his clients for the best possible outcome.

Jeff represents mining, oil and gas, refining, pipeline, construction, government contracting, and other businesses before state courts, federal courts, and domestic and international arbitration panels.

Before joining Holland & Hart, Jeff was Head of the Criminal Appeals Section of the Wyoming Attorney General's office, where he briefed and argued dozens of appeals before the Wyoming Supreme Court.

### EXPERIENCE

#### Dispute Resolution

Jeff helps clients in multiple industries, including energy generation, mining, oil and gas exploration, oil and gas development, refining, and construction, to resolve commercial, contract, property, and administrative disputes outside of the courtroom. Jeff:

- Negotiates and mediates disputes
- Develops strategies that allow clients to avoid or minimize disputes

#### Litigation

When a client needs an advocate before a court, arbitration panel, or government agency, Jeff's years of experience trying cases and arguing before the Wyoming Supreme Court allow him to:

- Project the needs and demands of a case from start to finish
- Develop strategies to fit a client's goals
- Lead the development of the case from the initial pleading stage through trial

### PRACTICES

Environmental Litigation  
Environmental  
Business Litigation  
Appellate  
Zoning and Land Use

### INDUSTRIES

Energy and Resources  
Renewable Energy and Storage  
Mining  
Oil and Gas Litigation

### EDUCATION

University of Kansas School of Law, J.D.,  
2011

Order of the Coif  
*Kansas Law Review*, Editor

The Catholic University of America, B.A.,  
2006

*magna cum laude*

### BAR ADMISSIONS

Wyoming  
Colorado

### COURT ADMISSIONS

U.S. District Court for the District of  
Wyoming

U.S. District Court for the District of  
Colorado

U.S. Court of Appeals for the Tenth  
Circuit

- Serve as the lead advocate for clients at hearings and trials
- Represent clients before appellate panels

### Industrial Project Development

Jeff assists companies in navigating the industrial siting process in Wyoming. He helps them plan their project from the jurisdictional meeting phase to contested case hearings before Wyoming's Industrial Siting Council. Jeff has assisted clients in a variety of industries navigate this process, securing permits for carbon capture projects, large commercial wind facilities, and refining operations.

### CLIENT RESULTS

- Won case of first impression in the nation to resolve development dispute between mining and oil and gas interests, allowing the world's largest surface coal mine to protect the viability of its operations. *BTU Western Resources et. al v. Berenergy Corp.*, 2019 WY 57 (2019).
- Won first order in lieu of consent case litigated in over 30 years and secured affirmance on appeal, allowing first coal mine permit application in over 40 years to proceed.
- Secured reversal of Environmental Quality Council's denial of coal mine permit in a case of first impression about Wyoming's Environmental Quality Act.
- Won the renewal of coal mine permit in litigation before Wyoming's Environmental Quality Council.
- Secured reversal of \$31 million judgment in royalty dispute before the Wyoming Supreme Court.
- Led team that acquired industrial siting permit for Fortune 100 company's state of the art carbon capture project.
- Led team that acquired first-ever industrial siting permit awarded to a commercial solar and battery storage facility in Wyoming.
- Secured possession of a critical pipeline corridor through the use of Wyoming's Eminent Domain Act.
- Secured possession of pipeline and road corridor to develop dozens of new wells through use of Wyoming's Eminent Domain Act.
- Led litigation team that secured victory to uphold and enforce important covenants not to compete related to the sale of an accounting firm, recovering hundreds of thousands in damages

### PUBLICATIONS

"Wyoming Courts Raise the Stakes for Former Operators Allowing Surface Owners to Recover Double Damages," *Holland & Hart News Update*, 07/29/2021

"Survey on Oil & Gas," *Texas A&M Journal of Property Law, Wyoming*

*Chapter, Co-Author, 2021*

"Wyoming Industrial Siting: Navigating the Path for Industrial Growth,"  
11/17/2020

### **SPEAKING ENGAGEMENTS**

"Legacy Asset Litigation: Wyoming's Perpetual Liability Problem and How to Avoid it," *Petroleum Association of Wyoming Annual Meeting*, August 2021

### **PROFESSIONAL AND CIVIC AFFILIATIONS**

- Wyoming College of Law Prosecution Assistance Clinic, Guest Lecturer, 2013-present
- Cheyenne East High School, Debate Coach, 2011-present
- Board of Directors, Cheyenne LEADs, 2021-present
- Wyoming College of Law, Adjunct Professor of Law, 2015-2016
- Wyoming Blockchain Coalition, Founding Member, 2018