

**PARKER DOUGLAS**  
Office of the Utah Attorney General

**EMPLOYMENT & EXPERIENCE**

**Utah Federal Solicitor & Chief of Staff to the Utah Attorney General.** Office of the Utah Attorney General. Salt Lake City, Utah. January, 2014-Present.

Responsibilities: Litigate Utah's Legal Matters in all Federal Courts, including Amicus Matters; Manage Office Policy and Staffing Functions; Prosecute High-Profile Cases.

Significant matters include: Appeal of *Kitchen et al. v. Herbert et al.* (handled the case from Tenth Circuit Proceedings to Petition for Writ of Certiorari); *Evans et al. v. Herbert et al.* (litigated to conclusion trial court and appellate proceedings regarding marriages solemnized after denial of stay in *Kitchen* and before Supreme Court stay); *Utah Republican Party et al. v. Herbert et al.* (defending Utah's "Count My Vote Legislation"); *Brown et al. v. Buhman*, (litigating appeal of Utah's bigamy/polygamy laws in "Sister Wives Case"); *Johnson & Johnson et al. v. Reyes*, (defending Commerce Clause Challenge to Utah laws regarding contact lens price-fixing and discrimination against Utah businesses).

**Assistant Federal Defender.** Federal Public Defender Office, District of Utah. Salt Lake City, Utah. 2008 – January, 2014.

Federal Trial and Appellate Litigation. Lead counsel in over 200 matters, including 14 jury trials, 11 Tenth Circuit Appeals, and 62 evidentiary hearings; Litigated the majority of the office's *Daubert* and Competency hearings over a six year period.

Significant matters include: *United States v. Brian David Mitchell* (Lead counsel: two week Competency Hearing; six week Jury Trial); *United States v. Mohapatra* (Lead counsel: Utah's First Federal Trade Secret Prosecution; after one week Expert Evidentiary Hearing, the Court determined no chemical trade secrets at issue); *United States v. Engstrum* (Acquired only Second Amendment Jury Instruction ever granted by any court); *United States v. Frownfelter* (Leading Tenth Circuit Plea Bargain Case).

**Lawyer.** Hatch, James & Dodge, P.C. Salt Lake City, Utah. 2006 – 2008.  
Associate then Shareholder in Litigation Practice, with emphasis in Constitutional Law.

Significant matters include: *Free Speech Coalition v. Shurtleff*, (successfully defended in federal court Utah's Child Protection Registry against First Amendment, dormant Commerce Clause, and Preemption challenges); *OLP, LLC v. Burningham*, (briefed and prevailed on appeal in Utah Supreme Court in case regarding scope of Utah's LLC statute). *SCO Group, Inc. v. International Business Machines, Inc.* and *SCO Group Inc. v. Novell, Inc.* (part of team litigating multi-million dollar copyright, licensing and contract matters in federal court).

**Lawyer.** Latham & Watkins. Washington, D.C. 2004 – 2006.  
Associate in Appellate, Constitutional, Mass Tort, and White Collar Litigation.

Significant matters include: *In re World Trade Center Disaster Site Litigation* (Brief writer in proceedings regarding sovereign immunity and preemption; prevailed on appeal); *In re “Agent Orange” Product Liability Litigation* (Brief writer in suit brought by Vietnam under Alien Tort Statute and Customary International Law alleging War Crimes for Use of Agent Orange; prevailed); *Arthur Andersen, LLP v. United States* (SCOTUS briefing team).

**Law Clerk to the Honorable Michael W. McConnell, United States Court of Appeals, Tenth Circuit.** Salt Lake City, Utah. 2002 – 2004.

**Law Clerk to Honorable Tena Campbell, United States District Court, District of Utah.** Salt Lake City, Utah. 2001 – 2002.

**Lawyer.** Parsons Behle and Latimer. Salt Lake City, Utah. Associate: Constitutional, White Collar, and Environmental Sections. 2000 – 2002.

Significant matters include: *Skull Valley Band of Goshutes v. Leavitt et al.* (Lead brief writer in case striking for unconstitutionality Utah’s nuclear waste ban, transport and storage laws).

## EDUCATION

**J.D.** University of Utah, S. J. Quinney College of Law. 2000.

### **Awards and Recognitions**

Order of the Coif. Editor-in-Chief, UTAH LAW REVIEW.

Outstanding Achievement Awards: Constitutional Law and Federal Jurisdiction.

Stephen Pierre Traynor Writing Award. Best Student Research Paper, 2000.

Traynor Scholarship for Writing Excellence. 1999 – 2000.

**Ph.D.** English. 1997. University of California, Santa Barbara.

**Awards and Recognitions:** Degree Granted “High Honors”.

University of California Regents’ Fellow. Graduate Merit Fellowship, 1990-97.

Mellon Foundation Fellow. The Claremont Graduate School. Summer, 1995.

**Dissertation:** WHAT WE TALK ABOUT WHEN WE TALK ABOUT THE MEDIA:

AMERICAN LITERARY CULTURE AND THE PUBLIC SPHERE. (U. of California, 1997).

### **Areas of Expertise**

Specialized in the formation and use of mass media in the United States from the early Republic to the Present; Early Republic Era Literature and Political Theory.

**B.A.** English & History, Double Major. 1988. Pitzer College of the Claremont Colleges.

**Awards and Recognitions:** Named Claremont Colleges’ “Distinguished Scholar in English” upon Graduation.

Elias Pitzer Fellow. 1989. Post-Graduate for Fellowship to Study Abroad.

Attended University of Freiburg, Germany.

## **SELECTED PUBLICATIONS, PAPERS & PRESENTATIONS**

### ***Selected Law Reviews and Legal Publications***

- *Judicial Profile: Judge Dale A. Kimball*, FEDERAL BAR ASSOCIATION QUARTERLY, Spring 2014 (also forthcoming in THE FEDERAL LAWYER).
- *The Ethics, Perils and Necessities of Making a Statement: Ethical Considerations for Lawyers Commenting Publicly on Pending Criminal Matters*. 2012:2 DISSENTING OPINION 7.
- Note, *The Violence Against Women Act and Contemporary Commerce Power: Principled Regulation and the Concerns of Federalism*. 1999 UTAH LAW REVIEW 703.

### ***Selected Recent Solicited Humanities Peer-Reviewed Publications***

- “That’s for the Church to Say’: Catholicism in Joyce” in Albert Wachtel ed., *JAMES JOYCE*. Salem Press, 2014.
- “The Reception of Joyce by Professional Readers” in Albert Wachtel ed., *CRITICAL INSIGHTS: A PORTRAIT OF THE ARTIST AS A YOUNG MAN*. Salem Press, 2012.

### ***Selected Articles Currently Writing or Submitted to Law Reviews***

- *Standing Up for the Law: Attorneys General and the Duty to Defend* (submitted).
- *Publicity, Venue and the Right to a Fair Trial After Skilling*.
- *Equal Protection, Fundamental Rights and the Reconstruction Congress*.
- “You May not Speak Against the King”: *Gag Orders and Their Common Law History*.
- *The Law of Deific Decrees: The Voice(s) of God and Criminal Justice*.

### ***Selected Presentations***

- *Best Practices and Actual Requirements: Ethical Use of Expert Testimony in Federal Criminal Proceedings*. 2012 Annual Symposium of the Criminal Law Section of the Utah Federal Bar Association. Salt Lake City, Utah.
- Invited Presenter. Historical Society for the Tenth Circuit Court of Appeals’ Symposium: *Public Access and the Courts: Ethical and Insights from Participants in the Brian David Mitchell/Elizabeth Smart Case*. Salt Lake City, Utah. October 12, 2011.  
Symposium may be accessed at: <https://www.youtube.com/watch?v=gTWO0L8V-IQ>

## **VOLUNTEER WORK AND MEMBERSHIPS**

- Member, Local Rules Committee of the United State District Court, Utah, 2008 – Present.
- Board Member, Utah Chapter of the American Federal Bar Association, 2008 – Present.
- Legal Advisory Board, ACLU of Utah. October 2012 – December 2013.
- Amicus Committee, Utah Association of Criminal Defense Lawyers. 2011 – December 2013.
- Board of Trustees, Public Lands Solutions, 2012 – 2014.

## **ACTIVE BAR MEMBERSHIPS**

Utah State Bar

Supreme Court of the United States

United States Courts of Appeal for the Tenth, Ninth, Sixth, Fifth, Eleventh, and Second Circuits