

**Ross C. “Rocky” Anderson**  
**Law Offices of Rocky Anderson**  
**8 East Broadway #450**  
**Salt Lake City, Utah 84111**  
**rocky@andersonlawoffices.org**  
**www.rockyanderson.org**

**Practice Areas:**

Trial and Appellate Practice, Civil Rights, Human Rights, Antitrust, Securities Fraud, Professional Malpractice, Wrongful Death and Personal Injury, Product Liability,

**Admitted:**

Utah (1978); U.S. District Court, District of Utah (1978); United States Court of Appeals, Tenth Circuit (1983)

**Law School:**

George Washington University Law School, J.D. (with honors) (1978)

**College:**

University of Utah, B.S. (magna cum laude), Philosophy (1973)

**Biography:**

- Law Offices of Rocky Anderson (2016-present)
- Lewis Hansen, LLC/Ross C. “Rocky” Anderson, PLLC (2016-August 2017)
- Of Counsel, Winder & Counsel (2014-16)
- Adjunct Professor, University of Utah (2013-14)
- Justice Party presidential candidate (2012)
- Co-founder, Justice Party (2011)
- Founder and Executive Director, High Road for Human Rights (2008-2011)
- Mayor, Salt Lake City, Utah (2000-2008)
- Practiced law (primarily litigation on behalf of plaintiffs in civil rights, antitrust, securities fraud, professional malpractice, and catastrophic injury cases, as well as complex commercial disputes) (1978-1999)
  - Anderson & Karrenberg
  - Anderson & Watkins
  - Hansen & Anderson
  - Berman & Anderson
  - Berman & Giauque

- Chair, Utah State Bar Litigation Section Chair, (1994-1995) (The Litigation Section received the Distinguished Section Award in 1995)
- Member, Model Utah Jury Instructions Committee
- Editor-in-Chief, *Voir Dire*, Utah State Bar Litigation Section journal (1995-96)
- Listed in *Best Lawyers in America*
- Top-rated (AV, Preeminent) in Martindale-Hubbell Legal Directory
- Who's Who in America; Who's Who Lifetime Achievement
- Democratic candidate for Congress, Utah Second Congressional District (1996)
- Prior to receipt of law degree, worked at many jobs, including cab driver, aide at methadone clinic, dishwasher, fence builder at Idaho ranch, restaurant waiter, billing clerk, temporary secretary, substitute teacher, bartender, truck driver, lumber yard laborer, roofer
- Civic engagement: Member and President of Boards: ACLU (American Civil Liberties Union) of Utah; Guadalupe Educational Programs; Utahns for Penal Reform. Member of Boards of Haitian Orchestra Institute; Planned Parenthood Association of Utah; Common Cause of Utah

#### **Legal Counsel in Select Reported Cases:**

- *Cinema Pub, LLC v. Petilos*, Case No. 2:16-cv-00318-DN, 2017 WL 3836049 (D. Utah August 31, 2017) (successful First Amendment challenge to Utah statute prohibiting constitutionally protected depictions in premises of Utah liquor licensees)
- *Kendall v. Olsen*, 237 F. Supp. 3d 1156 (D. Utah 2017); 727 Fed. App'x 970 (10th Cir. March 13, 2018) (Fourth Amendment challenge to officer entering backyard and killing dog without any cause to believe person searched for was on the premises)
- *Valdez v. National Security Agency*, 228 F. Supp. 3d 1271 (D. Utah 2017) (successful opposition to NSA's motion to dismiss in action challenging illegal surveillance)
- *Andersen v. McCotter*, 100 F.3d 723 (10th Cir. 1996); 205 F. 3d 1214 (10th Cir. 2000) (First Amendment claim for terminating intern in retaliation for speaking publicly about her criticisms of the Utah Department of Corrections)
- *SLW/Utah, L.C. v. Griffiths*, 967 P. 2d 534 (Utah Ct. App. 1998) (successful assertion of rights under real estate lease agreement)
- *Bauchman, By and Through Bauchman v. West High School*, 132 F.3d 542 (10th Cir. 1997) (2-1 decision refusing to require allowance for plaintiff to amend complaint challenging requirement by high school music director that Orthodox Jewish student sing exclusively Christian devotional music)
- *Bott v. Deland*, 922 P.2d 732 (Utah 1996) (successful assertion of inmate protections under the Utah constitution that far exceed those under the U.S. constitution; established the right to recover monetary damages for violations of state constitutional protections, without regard to limits set by statute for recoveries against the state)
- *Ross v. Schackel*, 920 P.2d 1159 (Utah 1996) (lawsuit on behalf of incarcerated person for medical malpractice)

- *Salt Lake Child and Family Therapy Clinic v. Frederick*, 890 P. 2d 1017 (Utah 1995) (successful challenge to trial court's order to disclose privileged communications)
- *Scott v. Hammock*, 133 F.R.D. 610 (D. Utah 1990); 870 P.2d 947 (Utah 1994) (challenge to church's refusal to produce documents relating to church member who committed sexual and other physical abuse of adoptive daughter)
- *Walker v. Huie*, 142 F.R.D. 497 (D. Utah 1992) (successful challenge to motion for protective order relating to communications between police officer and police association representatives)
- *Bradford v. Moench*, 670 F. Supp. 920 (D. Utah 1987); 809 F. Supp.1473 (D. Utah 1992) (successful argument that deposits in underinsured thrift and loan financial institutions have federal protections as "securities")
- *Webb v. R.O.A. General, Inc.*, 773 P.2d 834 (Utah Ct. App. 1989); 804 P.2d 547 (Utah Ct. App. 1991) (successful claim for breach of commercial contract and successful defense against breach of fiduciary duty claims)
- *Naugle v. Witney*, 755 F. Supp. 1504 (D. Utah 1990) (successful assertion of Fourth Amendment claims against law enforcement officers)
- *Carter v. Utah Power & Light Company*, 800 P.2d 1095 (Utah 1990) (representing Society of Professional Journalists and various media companies in successfully obtaining media access to depositions in Wilberg Mine litigation)
- *University of Utah Students Against Apartheid v. Peterson*, 649 F. Supp. 1200 (1986) (amicus brief in successful First Amendment challenge to a prohibition against symbolic speech opposing apartheid in South Africa and a university's related investment policies)
- *Goddard v. Hickman*, 685 P.2d 530 (Utah 1984) (challenge of trial judge's unilateral granting of a new trial after a substantial jury verdict in a medical malpractice case)
- *State v. Strand*, 674 P.2d 109 (Utah 1983) (the statute of limitations was held to be tolled notwithstanding a successful challenge to the validity of the initial criminal information)
- *Frampton v. Wilson*, 605 P.2d 771 (Utah 1980) (concerning recoverable costs following successful jury verdict in wrongful death case)

#### **Legal Counsel in Select Significant Unreported Cases and Other Matters:**

- *Ostler v. Harris* (pending civil rights case for death of female inmate deprived of medical attention)
- *Mitchell v. Roberts* (pending case for sexual abuse of a 16-year-old witness testifying in a case in which the perpetrator was the prosecutor; before the Utah Supreme Court on the question of whether the legislature can revive claims previously time-barred by a prior statute of limitations)
- *Epilepsy Association of Utah v. Herbert* (pending case challenging the legislative undermining of a medical cannabis initiative passed by majority of voters)
- *Armstrong v. McCotter* (successful settlement involving a mentally ill man who died in prison as a result of a lack of psychiatric treatment and use of restraint chair)
- *Stoker v. Salt Lake County* (successful jury trial involving the death of a pretrial detainee, whose serious medical condition was ignored by jail personnel)

- *Prettyman v. Salt Lake City* (successful settlement involving the excessive use of force by police officer, resulting in a broken rod in the plaintiff's back)
- *Hale v. Loader* (successful settlement involving sexual abuse of a female prison inmate by prison personnel)
- *Harding v. Walles* (successful settlement involving the sexual abuse of a male prison inmate by a prison guard)
- *Regan v. Salt Lake County* (successful consent decree in class action involving invasive searches of women held in jail on minor violations)
- Successfully advocated on behalf of family members and friends for prosecutions in two long-ignored "cold" homicide cases
- *Planned Parenthood Association of Utah v. City of West Jordan* (successful challenge to denial of occupancy certificate for family planning clinic)
- *Jones v. Rasmussen* (successful settlement of medical malpractice claim of failure to diagnose fatal cancer)
- *Stifel v. Jacobson, et al.* (successful antitrust challenge to boycott of radiologists in Wyoming)
- *Decaria v. I.H.C. Hospitals, Inc.* (successful settlement involving death resulting from medical malpractice)
- *Neel v. Decker* (successful settlement involving death from medical malpractice in Idaho)
- *Miller v. Logan Hospital* (successful settlement involving major brain damage from medical malpractice)
- *Hyman v. Salvation Army* (successful settlement following several days of trial for negligent supervision leading to repeated sexual abuse of boy with intellectual disabilities)
- *Archer v. Continental Bank* (successful settlement of shareholder's derivative lawsuit for breach of fiduciary duty)
- *Geyser Products, L.L.C. v. Workman, Nydegger & Seeley* (successful settlement of legal malpractice claims involving intellectual property matters)

#### **Awards and Other Recognitions:**

- American Association for Justice Leonard Weinglass in Defense of Civil Liberties Award
- Bill of Rights Defense Committee Patriot Award
- League of United Latin American Citizens Profile in Courage Award
- National Association of Hispanic Publications Presidential Award
- Human Rights Campaign recognition as one of top ten straight advocates in the U.S. for LGBT equality
- Gandhi, King, Ikeda Award, Morehouse College
- Universalist Unitarian United Nations Office Human Rights Advocacy Award
- Sierra Club Distinguished Service Award
- Environmental Leadership Award, Terra Firma (University of Utah Environmental organization)
- World Leadership Award, World Leadership Forum (environment category)

- U.S. Environmental Protection Agency Climate Protection Award
- Respect the Earth Planet Defender Award
- Air & Waste Management Association Richard Beatty Mellon Stewardship Award
- Named by *Business Week* as one of top twenty climate protection activists in the world
- Appointment to *Newsweek* Global Environmental Leadership Advisory Committee
- *Salt Lake City Weekly* “Best Utahn” Award (2004)
- *Salt Lake City Weekly* “Best Elected Official” Awards (3 successive years)
- *Salt Lake City Weekly* “Best Democrat” Awards (3 successive years)
- *Salt Lake City Weekly* “Best Activist” Award
- Drug Policy Alliance Richard J. Dennis Drugpeace Award
- Spine Award, Progressive Democrats of America
- Distinguished Alumnus Award, College of Humanities, University of Utah (2006)
- Utahn of the Year, *The Salt Lake Tribune* (2000)

## Articles

Anderson, R. and Mason, W., 5 TIPS TO EXPOSE SPOILIATION IN PRISON & JAIL CASES, *Trial* (American Association of Justice) September 2020.

Anderson, R., and Thronson, P., ACHIEVING CLIMATE PROTECTION: FOSTERING AN ESSENTIAL FOCUS ON HUMAN RIGHTS AND HUMAN IMPACTS, *Notre Dame Journal of Law, Ethics, and Public Policy*, Vol. 27, Issue 1 (2013)

Anderson, R., “A Call for Compassion,” *Dialogue: A Journal of Mormon Thought* (Volume 42, No. 2, Summer 2009)

Anderson, R., “Bill Richardson,” *The Nation*, November 26, 2007

Anderson, R., “Climate Change: Sloppy Media Coverage Keeps the Public Out in the Cold,” *Catalyst*, May 2005

Anderson, R., “Media: Just Find and Tell the Truth,” *Catalyst*, August 2003

Anderson, R., “The Application of Ethical Principles to Vital (and Not-So-Vital) Issues: Keeping One’s Promises,” *Catalyst*, December 2002

Anderson, R., “Tyranny in Utah: Breaking the Rules of Law,” *Catalyst* November 2002

Anderson, R., “A Tribute to Inspiring Lives and Great Friendships,” *Catalyst*, October 2002

Anderson, R., “‘But They Didn’t Win’: Politics and Integrity,” *Dialogue: A Journal of Mormon Thought* (Vol. 31, No. 1, Spring 1998)

Anderson, R., “Crime and Punishment: Treating the Cancer on Utah’s Corrections System,” *Event Magazine*, July 3, 1997

For approximately a year, Mr. Anderson wrote a weekly column in a Utah business newspaper, *The Enterprise*. The columns covered many topics, including tax policy, campaign finance, drug education, the so-called “war on drugs,” the news media, and the environment. Among the articles were the following:

Anderson, R., “Clinton in China: Constructive Engagement, Not Appeasement,” *The Enterprise*, July 20, 1998

Anderson, R., “Character Does Count,” *The Enterprise*, June 8, 1998

Anderson, R., "Challenging the Threat of Racial Hatred and Violence," *The Enterprise*, April 20, 1998

Anderson, R., "Regressive Taxation: 'Flat' Wrong," *The Enterprise*, March 23, 1998

Anderson, R., "Rising Above the News Media's Salaciousness," *The Enterprise*, March 16, 1998

Anderson, R., "Restorative Justice: Beneficial to Victims, Offenders, Families, and Taxpayers," *The Enterprise*, March 2, 1998

Anderson, R., "The Mining Law of 1872: The Mother Lode of All Corporate Welfare," *The Enterprise*, February 16, 1998

Anderson, R., "Global Warming: Science vs. Propaganda," *The Enterprise*, January 19, 1998

Anderson, R., "English-as-Official-Language – Divisive, Unwarranted and Disrespectful," *The Enterprise*, January 5, 1998

Anderson, R., "Do We Want the Best Government Money Can Buy?" *The Enterprise*, December 22, 1997

Anderson, R., "A Rare and Wonderful Event: Elected Officials Acting in the Public Interest," *The Enterprise*, December 8, 1997

Anderson, R., "Gays and Lesbians Are Entitled to Equal Treatment Under the Law," *The Enterprise*, December 1, 1997

Anderson, R., "Beyond the Paradoxes of Affirmative Action," *The Enterprise*, November 17, 1997

Anderson, R., "Criticism Isn't Precluded by Party Loyalty," *The Enterprise*, October 20, 1997

Anderson, R., "The Bigotry du Jour – Arabs, Muslims and Terrorism," *The Enterprise*, September 15, 1997

Anderson, R., "Mandatory Minimum Sentencing Laws: Maximum Cost, Maximum Injustice," *The Enterprise*, (date unknown)

Anderson, R., "Reform, Not Privatization, is Needed for Our Corrections System," *The Enterprise*, (date unknown)

Anderson, R., "Prison Privatization: An Abdication of Responsibility to Reform an Outdated, Over-Priced Corrections System," *The Enterprise*, (date unknown)

Anderson, R., "Just Say No to DARE," *The Enterprise* (date unknown)

Anderson, R., "The Application of Religious Principles to Our Criminal Justice System," *The Enterprise*, (date unknown)

Anderson, R., "Not Much 'Christian' About Our Criminal Justice System," *The Enterprise*, (date unknown)

Anderson, R., "Democracy Clearance Sale," *The Enterprise* (date unknown)

## **Presentations**

The following are among speeches Mr. Anderson has written and presented during the past few years:

"The War on Women: Equality and Justice Are Not Just Catch-Phrases," War on Women Rally, Utah State Capitol Building, April 28, 2012

"Restoring Our Republic by Rejecting Duopoly," Hammer Foundation, University of California, Los Angeles, April 19, 2012

"An End to Authoritarianism and Plutocracy in the United States: It's Up to Us," Hinckley Institute of Politics, University of Utah, March 26, 2012

Response to Presentation by Steve Vanderheiden, "Climate Justice and the Challenge of Development," Democracy in South Asia Forum, University of Utah, April 6, 2011

"Keynote Speech, Immigration Rally," Washington Square, Salt Lake City, Utah, March 5, 2011

"Perpetrator, Bystander, or Upstander: Which Will You Be?," Commencement Address, Realms of Inquiry, Salt Lake City, June 2, 2010

"Human Rights and Climate Change: Taking the High Road," Bioneers Conference, Westminster College, Salt Lake City, Utah, November 6, 2009

"Truth and Accountability for War Crimes," Rally for War Crimes Accountability, Salt Lake City, June 25, 2009

"Peace, Justice, and Community: Our Responsibility, Our Opportunity," Morehouse College Award Ceremony, Salt Lake City, Utah, May 3, 2009

"Effective Action on Climate Change: Responsible, Radical, and Relentless," Keynote Address, Power Shift 2009, Washington, D.C., February 27, 2009

"An Urgent Human Rights Imperative: Combat Climate Change," Winter Conference for Activists, Healthy Planet Mobilization Committee, University of Utah, February 14, 2009

"The Law and the Moral Imperative to Act: What Course Do We Take When They Clash?" First Unitarian Church, Salt Lake City, January 16, 2009

"Voices of Conscience During Times of War," Utah Valley University, January 14, 2009

"Bigotry Toward Members of the GLBT Community: Unfortunately, An Old Religious Tradition," Rally at City Creek Park, Salt Lake City, November 7, 2008

"Breaking the Cycle of Complacency," Humanities Happy Hour, Salt Lake City, September 15, 2008

"Climate Change Leadership and Legacy," Regional Mayors' Institute on Climate Change, Regional Plan Association, New York City, September 4, 2008

Written and Oral Testimony before the US House of Representatives Committee on the Judiciary, Hearing on Executive Power and its Constitutional Limitations, July 25, 2008

"Combating Climate Change: A Human Rights Imperative," International Human Rights Funders Group, New York City, July 21, 2008

"Leadership and Legacy - Upstanding in a Time of Crisis: Leadership Toward Solutions and Embracing Opportunities," ICLEI Local Action Summit, Albuquerque, New Mexico, May 15, 2008

"The Imperative for Climate Change Leadership," United Nations Climate Change Conference (COP 13, MOP 3), Bali, Indonesia, December 11, 2007

"Strength Through Diversity," Diversity Best Practices Conference, Washington, D.C., July 18, 2007

"A Compelling Case for Impeachment of President George W. Bush," Washington State Senate, March 1, 2007

“Reveling in Responsibility – Or, Resisting the Rhinos,” Humanities Happy Hour, University of Utah College of Humanities, January 18, 2007

“Blind Faith in Bad Leadership is Not Patriotism,” Rally on the Occasion of President Bush, Condoleezza Rice, and Donald Rumsfeld’s visit to Salt Lake City, August 30, 2006

“A Call for Compassion and Reason in US Immigration Policies,” Dignity March, Salt Lake City, April 9, 2006

“Wrong Strategy, Wrong War, Wretched Results,” Drug Policy Alliance Conference, Award Ceremony, November 12, 2005

“Climate Change and Municipal Energy Innovations,” United Nations Climate Change Conference (COP 10), Buenos Aires, Argentina, December 2004

“Climate Change Leadership by Municipalities,” United Nations Climate Change Conference (COP 8), New Delhi, India, October 2002