



## MICHAEL D. JOHNSTON

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### VICE PRESIDENT AND SHAREHOLDER

Michael Johnston is a member of the firm's Labor and Employment section and Litigation section. He has represented clients in all stages of litigation, including through trial. His litigation practice includes employment litigation (representing clients in discrimination, harassment, noncompetition, and other related suits), construction defect litigation, general tort litigation, and a broad range of other commercial litigation. Mr. Johnston's experience in litigation makes him effective in counseling clients regarding sensitive employment matters and other litigation strategy. Mr. Johnston frequently provides trainings related to harassment, discrimination, claim investigation, and related issues.

Mr. Johnston has been recognized as one of Utah's legal elite for civil litigation and a rising star in employment.

## EXPERIENCE

### Reported Cases

- C&A Construction, Inc. v. Fire Services Inc., 2007 WL 3298908 (Utah App. 2007)
- N653CT v. Players Air, Inc., 2010 WL 520528 (D. Utah 2010)
- C.R. Bard Inc. v. Smiths Medical ASD, Inc., 2012 WL 4867439 (D. Utah 2012)
- Ball v. Division of Child and Family Services, 2012 WL 137781 (D. Utah 2012)
- Jorgensen v. Trees Acquisition, Inc., 2013 WL 3936926 (D. Utah 2013)
- Hart v. Salois, 2014 WL 1350232 (D. Utah 2014)
- St. Joer v. Kerr Corp., 353 P.3d 137 (Utah 2015)

## EDUCATION

Brigham Young University, J.Reuben Clark Law School, *cum laude*, JD, 2006

Associate Editor, Brigham Young University Journal of Public Law

Research Assistant Professor Stanley Neeleman

Research Assistant Professor Steven Huefner (The Ohio State University)

Brigham Young University, BA, Marketing, 2003

Merit Scholarship Recipient

## CLERKSHIPS

- Law Clerk, Kirton McConkie, 2005
- Law Clerk, Alverson, Taylor, Mortensen & Sanders, Las Vegas, Nevada, 2004
- Judicial Clerk, Judge David Sam, United States District Court for the District of Utah, 2003

## ADMISSIONS & AFFILIATIONS

*Bar Admissions:* Utah

### PRACTICE AREAS

CONSTRUCTION,  
SURETY, AND DESIGN  
PROFESSIONALS

DISCRIMINATION AND  
HARASSMENT

EMPLOYEE HANDBOOKS  
AND POLICIES

EMPLOYMENT AUDITS

EMPLOYMENT CONTRACTS  
AND AGREEMENTS

LABOR AND EMPLOYMENT  
LITIGATION

TERMINATIONS, LAYOFFS,  
AND PLANT CLOSURES

### INDUSTRIES

INSURANCE

### LANGUAGES

ITALIAN

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## **HONORS & AWARDS**

Mountain States Super Lawyers: Rising Star in Employment and Labor

Utah Legal Elite: Up & Coming in Civil Litigation

Utah Legal Elite: Civil Litigation