

TIMOTHY D. HAWKES



27 January 2015

The Honorable Laura Scott  
Special Master Application  
Matheson Court House  
P.O. Box 1860  
Salt Lake City, UT 84114-1860

Re: Application of Timothy Hawkes for Appointment as Special Master in the Utah Lake and Jordan River General Adjudication, Third District Court, Salt Lake County, Case No. 360057298

Dear Judge Scott:

This letter responds to the Invitation for Applications distributed in connection with your November 13, 2015 Order in the above-referenced action. With long experience in water law, litigation, and conflict resolution, I ask you to consider appointing me as the part-time Special Master in this case.

Relevant Experience

My background is varied and fairly unique. While in law school at Columbia University, I qualified as a mediator in New York State, helping to resolve a wide variety of community and small business disputes. In 1998-1999, I clerked for Judge Alexander Harvey III in the United States District Court for the District of Maryland. This taught me how to work closely with a judge to efficiently reduce his immense work load. Thereafter, I spent six years as an appellate and litigation lawyer at Sidley & Austin in Washington, D.C., and Tokyo, Japan, which exposed me to extensive motions practice and complex litigation. In a green acres move, I left that in 2004 to take a position in Salt Lake City as an attorney for Trout Unlimited, a non-profit conservation group that works heavily in water law and policy. Other than a short break in 2007-2008, I've held that position ever since. My work for Trout Unlimited requires not only a working familiarity with water law, but an ability to navigate tricky political waters, work with federal and state agencies including the State Engineer's Office, and broker compromises in conflicts related to water issues. I believe those experiences would serve me well as a Special Master.

The application stated that I could hire an associate attorney. If selected, I intend to fill this role with a fellow Columbia law school graduate, Victor Sipos, a solo practitioner in the South Jordan area with 18 years of experience in contested civil litigation of all stripes. Over the years, Mr. Sipos has shown a mastery of complex litigation as well as a commitment to dispute resolution and the highest standards of professional practice. He also has completed an intensive 32-hour mediator training course. Working together, I believe we could efficiently and effectively accomplish the required tasks.

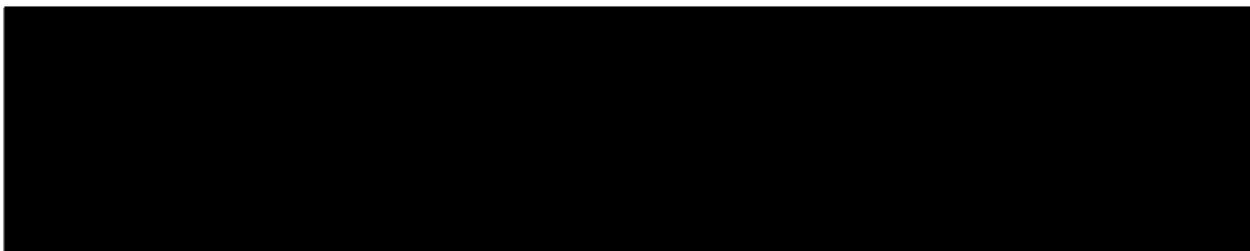
Potential Conflicts of Interest

Neither Mr. Sipos nor I have any economic interest implicated by these proceedings. As a representative of Trout Unlimited, I have engaged in administrative proceedings involving the proposed Gooseberry Narrows Dam in Sanpete County, a project proposed by that County, but I plan to resign my employment with Trout Unlimited if selected as Special Master. I also serve in the Utah House of Representatives, representing District 18 in Davis County, but that should not raise any conflict of interest concern outside of additional requests for funding if this position extends beyond one year—a potential conflict I would have to disclose and declare.

Moreover, the part time nature of this appointment works well with the demands of legislative service, as the bulk of that commitment is concentrated in the legislative session, which runs from late January to mid-March. Mr. Sipos is eminently qualified to take the laboring oar during that narrow window and beyond, and we envision he would do so as necessary during the session.

Mr. Sipos has litigated one case before your Honor in recent years. The case is Cannon v. Holmes, et al., Utah Supreme Court case no. 20150238, currently stayed pending appeal on a dispositive issue. We believe that case should not pose a conflict of interest as the substance and parties have nothing to do with water rights or the General Adjudication.

Proposed Billing Structure

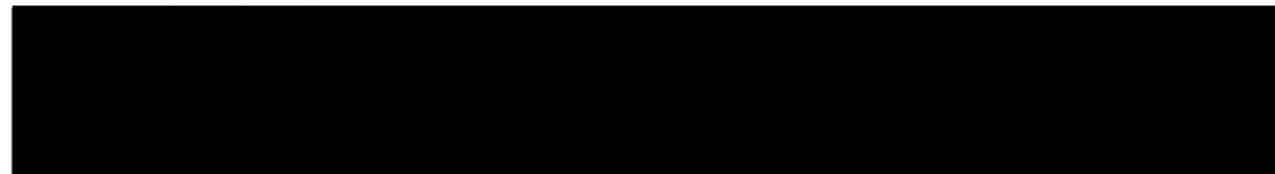


Please find my resume attached. I welcome questions about this application and would be happy to provide references, letters of recommendation, or any additional information you may require. Thank you for your consideration.

Sincerely yours,

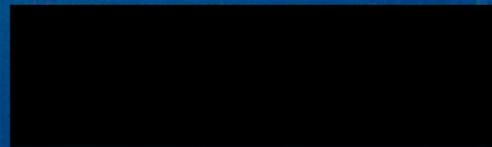
A handwritten signature in blue ink, appearing to read "Timothy D. Hawkes".

Timothy D. Hawkes



# Timothy Hawkes

*jack of all trades, master of some*



## About

A mediator and bridge-builder with exceptional oral and written communication skills, I relish challenges and adapt well to changing circumstances. Experienced in law (litigation and appellate) and policy, particularly natural resources and water, non-profits, public relations, communications of all stripes, and governmental affairs. I have the vision to see and understand the big picture and solve tough problems using open and collaborative processes. A self-starter, I also work well with others and look for ways to create synergies and share credit.

## Work Experience

- **2008-present**  
2004-2007

**Western Ag and Water Policy Counsel, Trout Unlimited**  
Centerville, Utah

Run a program designed to shape water law and policy in positive and collaborative ways so as to restore coldwater resources in the State of Utah and around the West. Developed and pushed through groundbreaking water law reform legislation in 2008 and 2013; extensive public speaking, grant writing, grassroots organizing, and public interest lobbying experience; work extensively with agency staff, agricultural groups, irrigation companies, and individual farmers and ranchers; supervise staff; help plan, implement, and fund cooperative on-the-ground conservation projects. Position requires (and has refined) strong oral and written communications and public relations skills.

*Over a period of years, moved the organization from marginal voice to key player on matters of water law and policy.*
- **2015-present**

**Representative, Utah House of Representatives**  
Salt Lake City, Utah

Represent House District 18 (central Davis County) in the Utah Legislature. Standing Committees: Natural Resources, Ag and the Environment; Workforce Services, Economic Development. Health and Human Services Interim Committee. Salt Lake Chamber Business Champion Award 2015.
- **2013-present**  
(periodic)

**Adjunct Professor, Brigham Young University**  
Provo, Utah

Teach Comms 300, an undergraduate (evening) course that covers professional ethics as well as legal concepts that apply to Communications fields (journalism, public relations, and advertising).

# Timothy Hawkes

*jack of all trades, master of some*

- **2007-2008**      **Associate, Brown Rudnick LLP**  
Washington, D.C.  

Engaged in a specialized regulatory practice addressing all aspects of postal law and policy. Advised an industry trade association and the Postal Service on a range of issues, drafted congressional testimony, and negotiated postal contracts on behalf of Fortune 500 companies.
- **1999-2004**      **Associate, Sidley Austin LLP**  
Washington, D.C., and Tokyo, Japan  

Worked on an array of general litigation and appellate matters including constitutional law, insurance bad faith, product liability, contract disputes, and wrongful discharge; took and defended depositions; took the lead in settlement negotiations; drafted petitions for certiorari, amicus briefs, and a merits brief before the U.S. Supreme Court (*Apprendi v. New Jersey*); assisted Japanese clients with litigation in the U.S. involving bad faith denial of insurance, breach of contract, and product liability; organized and help present seminars on litigation in the U.S. generally and defending product liability suits in particular.
- **1998-1999**      **Law Clerk, Judge Alexander Harvey III, U.S. District Court**  
Baltimore, Maryland  

Researched and drafted opinions and memoranda in civil suits addressing product liability, employment discrimination, civil procedure, class certification, and Medicare fraud.

## Education

### J.D., Columbia Law School (1998)

- ◆ Greenbaum Prize (best oral argument)
- ◆ Dewey Prize (best written argument)
- ◆ Harlan Fiske Stone Scholar
- ◆ Columbia Business Law Review

## Skills

- Public speaking and advocacy
- Political and communications strategy
- Legal, technical, and other writing
- Mediation and collaborative processes
- Teaching

## Other

- ◆ Co-chair, State Water Strategy Advisory Team
- ◆ Admitted to practice: Maryland (1998, inactive); Washington, D.C. (2000, inactive); Utah (2005)
- ◆ Board Member, Envision Utah
- ◆ Freelance writer and photographer, published poet
- ◆ Other interests: *artisanal breadmaking, gardening, hiking, fly fishing ... and more*