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Nathan D. Alder

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Christensen & Jensen, PC
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 Salt Lake City, UT 84101

Nate Alder is a seasoned, AV-rated litigator and leader in resolving complex legal disputes. He represents both individuals and corporations in preparing claims and defenses for settlement, mediation, arbitration and trial. He has been recognized by his peers for his work in the areas of products liability, personal injury, insurance, civil trial, and dispute resolution.

PROFESSIONAL EXPERIENCE

Christensen & Jensen, P.C., 1996 to present

- Shareholder and Director, 2001 to present
- Associate, 1996 to 2000

Hon. J. Thomas Greene, United States District Court for the District of Utah

- Judicial Clerk, 1995 to 1996

EDUCATION

Indiana University-Bloomington

School of Law, Doctor of Jurisprudence, 1995

Articles Editor, Indiana Journal of Global Legal Studies

School of Public and Environmental Affairs, Master of Public Affairs, 1995

Utah State University, Bachelor of Arts, University Honors, cum laude, Phi Kappa Phi, 1991

Dixie State College, Associate of Arts, summa cum laude, Phi Theta Kappa, 1989

AREAS OF PRACTICE

Products Liability: Handles cases involving manufacturers, designers, suppliers, and retailers of a variety of products automobiles, brakes, cylinders, component parts, restraints, household appliances, chemicals, tools, machinery, exercise equipment, furniture, and retail consumer goods, and other related issues manufacturing processes, design, warnings, packaging. Representative matters include:

- Defended automaker in various claims, including rollover protection, roof crush, safety restraint, air bag deployment, stability handling, sudden acceleration, among others.
- Defended fertilizer companies - multi-million dollar crop destruction claims.
- Defended product manufacturer in asbestos litigation.
- Defended national furniture manufacturer in alleged defect cases.
- Defended tool manufacturer in alleged defect claim arising from eye injury.
- Defended parts manufacturer in multi-million dollar brain injury claim
- Defended recreation equipment maker in spine injury case.

Catastrophic Personal Injury: Handles cases involving catastrophic personal injury, including traumatic brain injury, spinal cord injury, wrongful death, eye injuries and other significant injury claims. Representative matters include:

- Resolved mild to moderate traumatic brain injury case, seven figure settlement for plaintiff who returned to work and received promotions.
- Resolved severe traumatic brain injury case for plaintiff involved in auto pedestrian accident; court approved seven figure settlement.
- Resolved claims for entire family, including two minors, in vehicle rollover, multiple policy limit settlements.
- Defended insured driver in multi-vehicle freeway pile up, with plaintiff suffering quadriplegia and asserting eight figure damage claim.
- Resolved two significant cases for plaintiffs with traumatic brain injury from motorcycle accidents.
- Resolved concussive syndrome injury claim for plaintiff, two policy limit settlements.
- Resolved hand injury claim, six figure settlement for plaintiff, arising from horse accident.
- Resolved eye injury claims for plaintiffs; multiple policy limit settlements.

Professional Liability: Handles cases regarding professional liability, D&O, E&O, including claims against insurance brokers and insurance executives, engineers, medical providers, design professionals, financial executives, and corporate leaders. Representative matters include:

- Defended engineers in soils testing / construction case.
- Assisted executives with development of new insurance products in Utah.
- Resolved dispute between insured and broker regarding broker's alleged representations about coverage.
- Resolved claims against medical providers relating to misunderstanding patient's symptoms and misapplying prescription medications, resulting in patient's death.

Since 2007, Nate has been recognized as a Super Lawyer.

Nate was President of the Utah State Bar from 2008 - 2009.

Nate will present to the 2010 Brain Injury Conference on March 5th.

Since 2004, Nate has been named "Utah Legal Elite" by Utah Business magazine.

PRACTICE AREAS

[Dispute Resolution](#)

*Scheduled through Utah ADR Services, 801-943-3730, www.utahadrservices.com.

[Commercial and Business Litigation](#)

[Bad Faith and Insurance Coverage Disputes](#)

[Personal Injury](#)

[Products Liability](#)

[Plaintiff's Practice Group](#)



[Nathan D. Alder](#)

online at

SuperLawyers.com

[visit superlawyers.com](http://visit.superlawyers.com)

- Counsel to several insurance brokers regarding best practices.
- Defended professional in defamation case.

Complex Insurance Disputes: Handling complex insurance cases, including claim denials, coverage and bad faith. Recent representative matters include:

- Resolved several disability insurance denials on own occupation policies for claimants in dispute with their disability insurers.
- Established large lien for health insurance company using ERISA and statutory compliance arguments.
- Defended a mortgage insurance company in dispute arising from condemnation of apartment building.
- Defended an international insurer related to claims of failing to settle underlying claim, escalating damages, failure to accept tender of defense, failure to insure.
- Defended insurer that had recently entered Utah regarding claims of bad faith.
- Resolved several cases for plaintiffs involving claims and settlements above policy limits.
- Served as "over the shoulder" counsel to several insureds who were exposed beyond their policy limits.
- Served as counsel to persons who were denied benefits, including disability and life insurance.
- Counsel to several insurers on a consultation basis.

Complex Commercial Litigation: Handling commercial disputes, including contractual obligations, good faith and implied duties in relationships, and infringement, misuse, misrepresentation and damage claims arising from various circumstances. Recent representative matters include:

- Defended prominent Utah company in commercial case involving breach of contract, specific performance, and consequential damages.
- Defended large multinational communication company in commercial dispute involving multiple parties, contracts and indemnification agreements relating to lease space, control of common areas, and consequential damages from alleged breaches.
- Served as counsel to several corporations in disputes with other business entities including joint venture partnerships, asset purchase, trademark, trade dress, service mark, intellectual property claims, theft, proprietary information compromise, product infringement, contract disputes, and other claims.
- Defended national software company prosecuted by the State of Utah for antitrust violations.
- Served as Special Master in a major commercial dispute.
- Handled case against the State of Utah regarding claims of protected documents.
- Resolved major conflict between principals, fiduciaries and officers of large corporation.

Dispute Resolution: Mediations with Mr. Alder are scheduled through Utah ADR Services, 801-943-3730, www.utahadrservices.com. Mr. Alder was trained to be a mediator at the Straus Institute for Dispute Resolution at Pepperdine University's School of Law in Malibu, California.

AWARDS, HONORS, RECOGNITION

- AV Rated, Martindale-Hubbell, 2005 to present
- Irene Fisher Engaged Citizen Award, 2005, Utah Campus Compact
- "Utah Legal Elite" recognition by Utah Business magazine
- Civil Trial, 2006; Personal Injury, 2004, 2005, 2007, 2008, 2009-2010; Pro Bono, 2005
- "Super Lawyer" recognition by Law & Politics, 2007, 2008, 2009
- Merit Citation Award, Utah State University, 2007
- Distinguished Section of the Year, 2002, Utah State Bar President of Young Lawyers Division
- Heart and Hands Award, 2000, Utah Nonprofits Association
- Man of the Year, 1991, Utah State University

PROFESSIONAL ASSOCIATIONS

- Co-Chair, Utah Council on Conflict Resolution, 2010-2011
- President, Utah State Bar, 2008-2009
- President-Elect, Utah State Bar, 2007-2008
- Board of Bar Commissioners, Utah State Bar, elected July 2003-July 2006 and July 2006-July 2008
- Executive Committee, Board of Bar Commissioners, Utah State Bar, appointed to four terms, 2004-2006, 2007-2009
- Utah Supreme Court Advisory Committee on Professionalism, 2001 to present
- Utah Supreme Court Committee on New Lawyer Training, 2010
- Utah State Bar, member of Litigation Section, Dispute Resolution Section, Antitrust Section
- Co-founder, Dispute Resolution Section, Utah State Bar
- Board, Utah Access to Justice Council, 2007-2008
- Chair, Dispute Resolution Section, Utah State Bar, 2003-2004
- President, Young Lawyers Division, Utah State Bar, 2001-2002
- Utah Bar Examiner, 2003 to 2007
- American Bar Association, Tort Trial and Insurance Practice Section
- ABA's Automobile Law Committee, 2005 to present
- Aldon J. Anderson American Inns of Court
- Salt Lake County Bar Association
- Brain Injury Association of Utah, Professional Member
- Board, Utah Council on Conflict Resolution, Inc., 2004 to present
- Admitted to practice in all Utah state and federal courts, U.S. Court of Appeals, Tenth Circuit, U.S. Supreme Court
- Judge Pro Tem, Salt Lake City Justice Court, 2002 to 2008
- Federal Bar Association, Utah Chapter

- Board, Thayne Center for Service & Learning, 2000-2005
- Advisory Board, Utah Minority Bar Association, 2005 to present

LECTURES AND PUBLICATIONS

- Presenter: "Brain Injury, A View from Both Sides of the Fence," Brain Injury Conference, 2010.
- Presenter: "Professionalism in Practice," J. Reuben Clark Law Society Annual Conference, 2010.
- Presenter: "Judicial Selection in Utah," 2009, Utah State Bar Constitutional Law Section.
- Presenter: "Running Your Bar Organization During a Financial Crisis," 2009, Western States Bar Conference.
- Presenter: "Model Dispute Resolution," Utah Council on Conflict Resolution Annual Symposium, 2010.
- Presenter: "ADR Systems for Institutions," Utah Council on Conflict Resolution, November Forum.
- Presenter: "Traumatic Brain Injury Litigation: Defense Counsel Considerations," 2009, Brain Injury Conference, Utah Association of Justice.
- Presenter: "Legal Writing," 2009, Utah State Bar.
- Presenter: "Defense Perspectives on Brain Injury Litigation," Brain Injury Conference, Utah, 2009.
- Presenter: "Prospects and Issues for Utah's Lawyers," Utah Defense Lawyers Association, Annual Conference, September 2009.
- Presenter: "State Bar Challenges in Tough Economic Times," Western States Bar Conference, 2009.
- Presenter: "Keeping Professionalism and Civility in Your Practice," 2008, Utah Association of Justice Annual Meeting.
- Presenter: "State of the Bar," 2008, Utah Judicial Institute
- Author: "Professional Relationships," Utah Bar Journal, September 2008.
- Presenter: "Wills for Heroes," National Council of Bar Presidents, 2008
- Presenter: "The \$\$\$ and Sense of Utilizing Paralegals," 2008, Utah State Bar Annual Convention/
- Author, "Standards of Professionalism and Civility: Standard #10," Utah Bar Journal, Mar/Apr 2007, Vol. 20, No. 2 [Click here](#)
- Presenter: "Mediation Musings: Stories, Tips, Trends," 2007, Utah State Bar Annual Convention.
- Author, "Are 'Peace of Mind' Letters Discoverable After Green v. Louder" Utah Trial Journal, Fall 2005, Vol. 28, No. 4
- Presenter: "Arbitrating Auto Accident Injury Cases," 2005, 2006
- Presenter: "Fundamentals of a Personal Injury Case," 2006
- Presenter: "New Professionalism Standards," 2005, 2006
- Presenter: "Ethical Issues in Mediation," 2004
- Lecturer: "Rule 35 Medical Exams," 2003, Utah Association of Justice.
- Lecturer: "Direct Examination of a Neuropsychologist," 2003, Utah Brain Injury Conference.
- Lecturer: "Nonprofit Risk Management," 2003
- Faculty: "ADR Academy," 2002, 2004, 2006
- Presenter: "Preparing Your Client for Mediation," 2002
- Lecturer: "Utah Public Charities," 2001
- Lecturer: "Utah Nonprofit Law," 2000
- Lecturer: "Nonprofit Risk Management Through Strategic Action," 1998, 1999, 2001
- Lecturer: "Do Volunteer Immunity Laws Really Immunize Volunteers and Nonprofits from Liability" 1998

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