



## Jonathan A. Dibble

Of Counsel

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## Practice Areas

Antitrust and Trade Regulation Law and  
Litigation  
Appellate Practice  
Healthcare Law  
Litigation

### Trade Regulation and Antitrust

Mr. Dibble counsels businesses on antitrust and trade regulation issues. He has conducted compliance programs and assisted corporations in avoiding antitrust violations. He has also analyzed potential litigation and alternative solutions for both defendants and plaintiffs. In addition, he has defended companies in various industries against federal and state investigations.

He has represented plaintiffs and defendants in numerous antitrust matters involving universities and the petroleum, natural gas, mining, manufacturing, ski, chemical, urethane, bicycle, figure skating, food catering, phosphate, mortuary, optical, banking, insurance, hospital, physician services, medical device, pharmaceutical, grocery, explosives, sports, tourist, airport, waste collection, credit card, retail sale of motor fuel, railroad, newspaper and sugar beet industries.

### Commercial Litigation

Mr. Dibble has represented companies as plaintiffs and as defendants in commercial litigation, he has litigated contract, employment, real estate, banking, lease, sale of aircraft, leasing of long wall equipment and company ownership disputes.

### Recent Litigation

- Dismissal of shareholder derivative action against officers and directors of a bank holding company resulting from bank failure. Decision was affirmed on appeal making new circuit law. *Barnes v. Harris*, 783 F.3d 1185 (2015).
- Dismissal of *NG Roth Investments, LLC, et al., v. FJ Management*, Civil No. 3:14-CV-0411B, United States District Court for the Northern District of Texas (2015).



### Healthcare Law

Mr. Dibble has represented plaintiffs and defendants in antitrust matters involving hospitals, universities, physician services, medical devices, insurance and pharmaceuticals. He has represented the acquired company in an acquisition involving a medical device manufacturer. He has litigated physician recruitment agreements, various commercial disputes involving hospitals, physician practices, health care contracts and other commercial health care related matters.

He has represented hospitals in Utah and Idaho on a broad range of matters. He currently represents Iasis' Davis Medical Center, Salt Lake Regional Medical Center, and Jordan Valley Medical Center and its West Valley campus. He has represented the University of Utah Hospital, Holy Cross Hospital, Champion and Paracelsus. He has also counseled the Utah Hospital Association.

Mr. Dibble has dealt with regulatory agencies in the health care area, including problems at the intersection of the antitrust and healthcare areas.

### Appellate Practice

He has argued cases in the Fifth, Seventh and Tenth Circuits and before the United States Judicial Panel on Multidistrict Litigation. He successfully opposed an MDL consolidation.

Mr. Dibble was selected by his peers for inclusion on the list of The Best Lawyers in America® in the category of Antitrust Litigation (2003-2020) and was recognized by Best Lawyers as the 2015 Antitrust Law "Lawyer of the Year". He maintains an AV Preeminent (5.0) rating with Martindale-Hubbell, which is the highest rating awarded to attorneys for professional competence and ethics. He has been selected for inclusion in Mountain States Super Lawyers (2007-2018) in the category of Antitrust Litigation. Mr. Dibble has also been voted by his peers throughout the state as one of Utah's "Legal Elite," as published in Utah Business Magazine (2010-11, 2014).

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## EDUCATION

Stanford University, J.D., 1973

- Note Editor, STANFORD LAW REVIEW

University of Utah, Honors B.A., German Literature, 1970

- magna cum laude
- Phi Beta Kappa, Phi Kappa Phi, Phi Delta Alpha



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## **PRIOR PROFESSIONAL EXPERIENCE**

- Former Adjunct Professor, Antitrust Law, J. Reuben Clark School of Law, BYU
- Graduate of NITA, Boulder CO
- Law Clerk to Honorable Aldon J. Anderson, United States District Judge
- Member, Committee to Draft Utah Antitrust Laws and Committee to Review Proposed Amendments, Utah State Bar

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## **ADMITTED TO PRACTICE**

- United States Supreme Court
- United States Courts of Appeal, Fifth, Seventh, Ninth and Tenth Circuits
- United States District Court, District of Utah and Central District of California, Eastern District of Wisconsin
- Utah Supreme Court

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## **PUBLICATIONS / PRESENTATIONS**

- 1979 Utah Antitrust Act, UTAH LAW REVIEW (1980)
- Certification: Early Screening of Spurious Antitrust Litigation, BYU LAW REVIEW 299, (1978) (cited by Justice Burger in *Reiter v. Sonotone*, 442 U.S. 330)
- Class Actions and the Robinson-Patman Act, 25 STANFORD LAW REVIEW 764 (1973)