



# SMITH|HARTVIGSEN<sup>PLLC</sup>

*Attorneys at Law*

## **DANIEL J. McDONALD**

*Partner*

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### **PROFESSIONAL BIOGRAPHY**

Dan McDonald is, first and foremost, a litigation specialist. He has more than a decade of trial and appellate experience in both state and federal court. Prior to joining Smith|HartvigsenPLLC, he was a shareholder at Kirton & McConkie where he served as personal litigation counsel to some of Utah's most prominent citizens and was a member of the firm's Business Litigation and Constitutional and Appellate practice groups. He has successfully litigated hundreds of business and real-estate-related disputes to favorable judgments and settlements for his clients, which include religious associations, individual landowners, title companies, banks, lenders, real estate brokerages, real estate developers and various other businesses and individuals. He has also been successfully called upon to lend his expertise to clients in the area of state and federal constitutional law and civil rights cases, including the Fair Housing Act, the Americans with Disabilities Act and the Rehabilitation Act.

Mr. McDonald has owned several companies and small businesses, including a title company and a real estate investment and development business. He has also personally acquired, developed and/or subdivided his own land projects.

### **PRACTICE AREAS**

Litigation relating to or arising out of real estate, land or land use  
Civil rights and constitutional law (particularly with regard to land use)  
Business litigation

### **PROFESSIONAL MEMBERSHIPS**

Mr. McDonald is admitted to practice in all Utah state and federal courts. He has also been admitted to practice before the United States Court of Appeals for the Tenth Circuit and the United States Supreme Court.

### **LICENSES**

Utah Department of Insurance  
Utah Division of Real Estate

Mr. McDonald is licensed in both title and escrow.  
Mr. McDonald is licensed as a Continuing Education Instructor for real estate agents, brokers and mortgage brokers.

## **AWARDS AND DISTINCTIONS**

2008 *Utah Business Magazine*, Utah Legal Elite, Business Litigation

2005 *Utah Business Magazine*, Utah Legal Elite, Trial Lawyers

Douglas H. Parker Award for *Outstanding Performance in Jurisprudence*

Foundation Press Award for *Expertise in Constitutional Law*

Code-Co. Publishing Award for *Outstanding Accomplishments in Legal Research and Writing*

## **PUBLICATIONS**

*A Primer on 42 U.S.C. § 1983*, 12 Utah Bar J. 29, May 1999

*Regulating Sexually-Oriented Businesses: The Regulatory Uncertainties of a Regime of Prohibition by Indirection and the Obscenity Doctrine's Communal Solution*, 1997 B.Y.U. L. Rev. 339

## **EDUCATION**

*Juris Doctorate, cum laude*,

J. Reuben Clark Law School at Brigham Young University, 1997

Bachelor of Science, *maga cum laude*

University of Utah, 1994