

## **TRANSCRIPT Episode 9 – Timothy B. Anderson**

**Jonathan Bench:** Welcome to another episode of Lawbalization. Today I'm joined by Timothy B. Anderson, a member of Kirton McConkie's International Section, affiliated with the Corporate Section, and based in St. George, Utah.

He focuses on international commercial law and international sales-related projects throughout the EU and parts of Asia. Tim is also passionately involved in matters that arise from and affect the economy and environs of southern and rural Utah, where he has resided for his entire legal career.

Tim, it is hard to summarize everything you've done, so I'm going to welcome you first, and then we'll dive into your history. Thank you so much for spending time with me today.

**Timothy B. Anderson:** It's a pleasure to be here. This looks like fun.

**Jonathan:** I want some of your personal history. Let's go back a few years. You've done interesting things with the Space Dynamics Lab at Utah State University, you've worked on DARPA-related projects, you've been a trustee of the University of Utah, you've worked with numerous nonprofits, you're on the St. George Area Chamber of Commerce Board of Governors—you have a long and illustrious career. And, as one of our coworkers said, you're the OG international lawyer. I'm excited. Give us some highlights: where you've been and what drove you into this career.

**Tim:** I actually wanted to be a fighter pilot like my dad. I tried to fake it on the eye test, and they didn't accept me—so I had to do something else.

I ended up in law school, and it's been great. I've been practicing law a long time—about 47 years now—and continuing on, with no plans to slow down.

I've been in southern Utah—St. George—for my entire legal career. I have the best of all worlds. I sit on the edge of the Red Hill overlooking the St. George Valley; I can see the sun come up over Zion National Park. And in my practice I've had the chance to do lots of interesting things and meet interesting people.

This is very much a crossroads in the world. From an international standpoint, if I'm working on a matter in China or in France or Germany and someone asks where I'm from, if I say "Utah," I get a skewed look—somewhere west of the Mississippi, east of California. But if I say "between the Grand Canyon and Las Vegas," everybody knows where that is. It's a very international location that way.

**Jonathan:** You really are.

**Tim:** It's been a great experience. Part of what I get to do.

**Jonathan:** That's amazing. Quick vignette: you're also a published author. Tell us what you've written, how you got into it, how you found time, and where your interests lie. I know you're fluent in German—any other languages?

**Tim:** I speak German, and I've always been a writer since I was a kid. I've written on the side for years. Related to international work, I ended up representing, of all things, a company called Technoserve, a subsidiary of the Soviet Ministry of Aviation. It was a Danish-American computer joint venture with a group of Russians who located in southern Utah in 1989.

Think about what was happening in the world then: the Berlin Wall coming down, the Iron Curtain dropping—and I had eight Russians downstairs in my building. I was brought in by a contact from Denmark who'd been here as a missionary years earlier. I was hired to represent this group. They were here during the Gorbachev coup—Yeltsin standing on the tank in Moscow—as the Soviet Union was breaking up.

After representing them—and after dealing with both the FBI and the KGB, which was...an experience—they left, but they'd told me a lot. I wrote a book called *The Reign of the Stavka*, an adventure-suspense thriller that followed up on that.

Years earlier, during my last year of law school, I was tracking missing people among polygamous groups in northern Arizona and southern Utah. I wrote a novel—unpublished—but sold it to Columbia Pictures. I didn't have to work during the end of law school and while studying for the bar because the option payment was pretty good.

Another fun one: if you research copyright cases, look up *Anderson v. Stallone*. I'm the Anderson in that case, related to the creation of *Rocky IV*. In a confidential settlement, I assigned my rights to Stallone. I can't say I created *Rocky IV*—I assigned my rights—but I am the Anderson in that case. Long story about how *Rocky IV* came about. I've written other books as well. Most recently, *Blue, Red, and Dead*—it's on Audible and Amazon, read by a great narrator. I write on the side, but I consider myself first and foremost a lawyer.

**Jonathan:** I'm working my way through *Blue, Red, and Dead*. I'll have to work backward now—and I'll never look at *Rocky IV* the same again. We might do a whole episode on that at some point.

**Tim:** I actually give a lecture at Oklahoma City University School of Law about every six months to an IP class that wants to talk about *Anderson v. Stallone*. There's interest, and it's fun to discuss that copyright case.

**Jonathan:** Let's pivot. You have such an interesting perspective. You're between the Grand Canyon and Vegas—an amazing place. Even this weekend my family was in southern Utah;

a German lawyer friend recognized Bryce Canyon immediately—apparently a lot of Europeans traveled there in the '90s.

**Tim:** If you want to practice your German, go to Bryce Canyon. In the '90s and early 2000s, the main languages there in summer were German, French, and—then—Japanese. You also see Bryce Canyon and southern Utah everywhere: travel stores, backdrops, and car commercials from Germany, Korea, Japan—you'll catch a snippet filmed near St. George or within 100 miles. It's almost a regular thing.

**Jonathan:** I'm impressed you built an international commercial practice from southern Utah—a place most wouldn't associate with international commercial law and rural economic development. How do you see those worlds intersecting today?

**Tim:** It goes back to the work I did for the Russians in 1989. I had my doubts about how KGB they were until the FBI showed up and proved it to me. Fortunately, my retainer said I was free to talk to the U.S. government if they wanted. I thought the Russians would never hire me with that clause—they did.

That baptized me into international work quickly—many facets at that time. After the Russians went home, things developed. I was at Jones Waldo then; we built correspondent relationships with larger firms in different parts of the world. I also had a client—a sales company based in Utah—that started in Kanab and still manufactures there but operates in 12 countries. I was very involved in expanding that company internationally. The work kept coming. The world of international practice is small: once you develop a network of lawyers and market-makers, the work comes back.

I say I specialize in Utah-based companies with international issues. The issues are extensive and varied. My wife reminds me to say: I reinvent myself about every six years.

**Jonathan:** That's fantastic. We talked about this at our firm retreat but not enough. In the age of AI, many worry about jobs. I don't. How did your reinventions work—seamless, rough transitions, or did opportunities just come and you embraced them?

**Tim:** To some degree, clients take you there. Law touches all sorts of industries. You have to spot the opportunities, decide what interests you, and match it up. I've been involved in health care; I served on the Board of Trustees of University of Utah Hospitals and Clinics for years and chaired the Health Law Section of the Utah State Bar. Health care law was a big deal in the early 2000s.

I grew up as a litigator—tried a number of jury trials. I was admitted to the bar on a Thursday and the following Monday gave an opening argument in a two-day jury trial. I began as a

litigator, then evolved into civil work, then transactional, and then international dropped in heavily.

During the writing chapter—my project related to *Rocky IV*—I was introduced to Stallone by Michael Deaver of the Reagan White House. He was at a meeting at Paramount to introduce me and facilitate the deal. A lot of this is putting people together and making things happen. I used to tell clients—maybe bragging—that I could reach almost anyone in the world with three phone calls. That was before the “hippie internet.”

The point is: be creative, solve problems, pull people together. Occasionally I’d pull myself into deals that turned into opportunities for new legal work in different arenas.

**Jonathan:** How many countries have you practiced around?

**Tim:** I’ve handled deals in China, Russia, the U.K., most of Western Europe, some of Eastern Europe, South Africa, parts of South America, Japan. Travel-wise: Japan, Korea, China—back when Hong Kong was under British control—and throughout Europe. Shenzhen was a one-horse town back then. In those days, you had to go there—break bread before negotiations opened up. That’s less the case now. Overall, probably around 20 countries.

**Jonathan:** Let’s talk about public land and environmental issues in Western states—conserving water, the fact that we don’t own all the land in our state—and how these shape the legal and business landscape for developers and entrepreneurs. What have you seen at that intersection?

**Tim:** Land ownership is a huge deal when the government is so involved. I focus on all things southern Utah—I love it here. It doesn’t take long, talking to an entrepreneur here, to show them they’re involved internationally, too.

On public lands, you have constants like the Endangered Species Act. It’s not just federal ownership and control; there are laws that coerce the direction you can advise your client—even if they don’t own the property in question, proximity to public lands matters.

National parks are “uber” public lands. Navigating this space depends a lot on the administration in power. During the Clinton era, for example, national monuments were created—and maybe some parks. Even small things matter: say you’re planning a convenience store on your property near public land because you expect nearby development. Then a withdrawal is placed on what looked like developable land—now the growth you expected doesn’t happen.

The level of cooperation depends on the administration, and on which environmental groups have influence. Land exchanges with the BLM—swapping private land trapped in,

say, a tortoise habitat preserve for other federal land—sometimes there’s appetite, other times environmental pressure slows it down, even if it’s legally feasible.

Valuation is another clash. The way the government values land isn’t consistent with private-market valuation, so we end up fighting over what it’s really worth. It’s ongoing and complicated—very different from working with land somewhere like West Virginia.

**Jonathan:** Let’s talk legal and regulatory trends at the intersection of rural economies and business/international business. Population growth, migration since COVID—what trends will impact entrepreneurs, homeowners, or second-home investors in rural areas?

**Tim:** In southern Utah, I grew up in Europe and then in the D.C. area, moved to Utah for my last year of high school. Back then it felt really “out there.” I enjoy people moving here—we should share this incredible place. There’s land available. Utah has become the sixth most expensive state for buying homes, as I understand it. Washington County has the largest residential square footage in the state—big homes are being built, and people are migrating here in large numbers.

Water is an issue and will continue to be. It doesn’t look like a Lake Powell pipeline will happen anytime soon. But there’s still room for several hundred thousand more people in this part of the state—some hate that thought.

Internationally, the big change is you can do international business from anywhere.

International business is local business done somewhere else. One trend I’ve seen: we used to hear, “We’ve got big investors in China coming to invest in our company in Utah.” I don’t see real Chinese investors anymore. More often I’m handling the corporate divorce when a Chinese partner becomes a big problem. During COVID, it was very complicated to resolve matters—like getting settlement funds out of the Bank of China—but we did it. Overall, foreign investment isn’t coming in like it used to.

On the other hand, as companies grow locally, they have more opportunity to run their own show. With the current administration, I think that opportunity will expand. Recruiting is hard. In today’s tech world, if someone loses a job on one side of the street, they don’t just cross to the other side—but with remote work, they can. That creates more opportunity to live here without fighting traffic. A 40-minute commute in Utah feels long, even if someone from L.A. shrugs at it. You can live here and work elsewhere. Our international networks still matter, and it tends to work out.

**Jonathan:** I want to turn to public service. You’ve served in a lot of leadership roles—higher ed, health care, economic development. Not just from a lawyer’s perspective—what’s your theory of public service?

**Tim:** When I joined Jones, Waldo, Holbrook & McDonough, Donald Holbrook—then head of the firm—sat me down and asked, “What are you going to do?” I started talking about practicing law. He said, “No—what are you really going to do?” Calvin Rampton, former governor of Utah and a partner at the firm, was in the room. Don said: pick where you’re going to serve. That’s important for our firm.

I wanted to be like him—he was chair of the State Board of Regents. Over time, I headed toward higher education. I served as a member of the University of Utah Board of Trustees—had to switch from BYU blue to Utah red—and served on the executive committee for six of eight years. Great experience.

It didn’t happen overnight. Lawyers are unique—you don’t come to a board because you’re a great donor; you come because you’re a problem-solver. You put in time and experience. I’ve been involved with the local university here, too.

One volunteer role turned into paid work: I served as outside counsel to the Space Dynamics Lab at Utah State for a number of years—a great experience when Kermit Hall was president. The joke was: how is our lawyer from three miles north of the Arizona line working where we are three miles south of the Idaho line? The answer: you have to be mobile when you practice from southern Utah.

I’ve been involved statewide and nationally. Realistically, at least a third of my time—maybe more—has been volunteer work over the years, based on things I’ve trained to do as a lawyer. It’s what we do.

**Jonathan:** Do you advise the rest of us to follow a similar path—find something we’re passionate about in the public sphere and get involved?

**Tim:** Being at Kirton McConkie is a great opportunity. We’re the largest firm in the state and involved all over the world. The firm promotes volunteerism. You don’t volunteer to get rewarded; you do it because it’s right. I encourage young lawyers to realize that if you’re going to be a real lawyer, you’re going to be a volunteer.

Another aspect: if you’re going to be a real lawyer, you’ll learn to deal with confrontation. In problem-solving—both volunteer and legal work—lawyers get accustomed to kind confrontation. We almost forget how accustomed we are. It’s a two-edged sword, but it’s a real benefit when others run from confrontation. We live in the middle of it—in volunteer work, religion, family. In my case, family are also clients sometimes. Apply those traits for your clients—that’s part of the benefit we provide.

**Jonathan:** Last curveball I didn’t prep you for: if you hadn’t become a lawyer and the fighter-pilot path didn’t work out either, what would you have chosen?

**Tim:** I had to choose at one point. When I interviewed with Jones Waldo, I was also flying back east. St. George was a one-horse town then; I was burned out after a couple of years—it's not the St. George of today.

I interviewed with Jack Anderson—the most famous syndicated columnist in the world at the time (no relation). His son-in-law was in my law school class. We connected because of things I'd written that Jack was interested in. He helped with the book I sold during law school—his agent did the Columbia Pictures deal. I really had the opportunity to work closely with him—maybe as an understudy.

Later in my career, in the late '90s, I was represented by a New York agency to continue writing. But I was in the middle of raising a family and practicing. Writing is great but somewhat insular. Being a lawyer is where you can provide the best service in what we do.

So I chose law. Also, writing is lonely. As a lawyer, you're not lonely—people around you all the time, whether you like it or not. Maybe I would've written the greatest novel—but this is what I do, and I love it.

**Jonathan:** Fantastic being with you today, Tim. Thank you so much for your time. I know what you could have charged me if you'd billed me for this. I appreciate you digging in and sharing these nuggets from your past.

**Tim:** Thanks so much, Jonathan. Appreciate it.