



## MASARYKOVA UNIVERZITA PRÁVNICKÁ FAKULTA

### David O. Nuffer

#### Curriculum Vitae

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#### Higher Education

B.A., cum laude, Humanities, 1975, Brigham Young University

J.D., cum laude, 1978, J. Reuben Clark Law School

#### Employment

2003-present United States Magistrate Judge, District of Utah

2001-present Adjunct Professor of Law, J. Reuben Clark Law School at Brigham Young University

1995-2003 United States Magistrate Judge (part time)

1979-2002 Member, Snow Nuffer (formerly Snow, Nuffer, Engstrom, Drake, Wade & Smart, now merged into Durham, Jones & Pinegar). Practicing in Real Estate, Alternative Dispute Resolution and Litigation.

1977-1978 Law Clerk and Associate (Practicing Attorney) Allen, Thompson & Hughes, St. George, Utah

1976-1978 Law Clerk; Howard, Lewis & Peterson; Provo, Utah

#### Current Professional Activity

Member, IT Advisory Council, U. S. Courts, 2009-present

Member, Federal Judicial Center Judges IT Training Advisory Group, 2007-present

Board Member, Leavitt Institute for International Development, 2007-present

Member, Utah District Court Disciplinary Panel, 2003-present

Member (ex officio), Utah District Court Civil Procedure Rules Advisory Committee, 2003-present

Member, Utah State Supreme Court Advisory Committee on Rules of Civil Procedure, 2003-present

Member, Utah District Court Technology Committee, 2001-present (Vice-chair, 2003-present)





## Continuing Education Presentations

Practical Electronic Discovery, Southern Utah Bar Association, December 2, 2011, St. George, Utah  
Making the E-Brief, Utah Federal Bar Association, October 28, 2011, Salt Lake City, Utah  
Training for Chambers IT Trainers, Federal Judicial Center, August 9-10, San Diego, California  
IT Training Skills for Court Librarians, Federal Judicial Center, July 21-22, 2011, Philadelphia, Pennsylvania  
IT Orientation for District Judges, Federal Judicial Center, June 27-28, 2011, Salt Lake City, Utah  
Training for Chambers IT Trainers, Federal Judicial Center, June 7-8, Cincinnati, Ohio  
The Effective Advocate, Utah Federal Bar Association, May 13, 2011, St. George, Utah  
The Lawyer as Citizen, Utah Federal Bar Association, May 12, 2011, St. George, Utah  
Co Mediation, Utah Law and Justice Center, March 24, 2011, Salt Lake City, Utah  
Judicial Discretion, Delegating Judicial Duties and the Vanishing Trial, Judicial Process course, University of Utah College of Law, February 24, 2011, Salt Lake City, Utah  
Sixty Tips in Sixty Minutes (Panel Member), Utah State Bar Fall Forum, November 19, 2010, Salt Lake City, Utah  
Deposition Boot Camp (Panel Member), Utah State Bar Fall Forum, November 19, 2010, Salt Lake City, Utah  
The World of U. S. Magistrate Judges, New Social Security Administrative Law Judge Orientation, October 7 and 20, 2010, Fairfax, Virginia  
E-Discovery Best Practices: Pointers, Pitfalls & Ethical Dilemmas (Panel Member), Federal Bar Association Utah Chapter Tri-State Seminar, September 11, 2010, Park City, Utah  
Tools for Case Management, District CM/ECF Operational Practices Forum, August 11, 2010, Washington, DC  
Training for Chambers IT Trainers, Federal Judicial Center, July 13-15, 2010, Seattle, Washington  
JIT: Judges' Hands on Training, Automation Trainers Community of Practice, May 12, 2010, San Antonio, Texas  
Judges IT Training: Local Strategies, Automation Trainers Community of Practice, May 11, 2010, San Antonio, Texas  
Ethical Issues for Defense Lawyers, April 30, 2010, Salt Lake City, Utah  
New Magistrate Judge IT Orientation, March 11-12 and August 5-6, 2010, San Antonio Texas  
Professionalism and Civility in Society, Utah State Bar, January 20, 2010, Salt Lake City, Utah  
Advanced Legal Writing (Panel Member), Litigation Section of the Utah State Bar, December 9, 2009, Salt Lake City, Utah  
Cooperative Discovery and Understanding Muslims, Utah Federal Bar Seminar, November 6, 2009, Salt Lake City, Utah  
The Present and Future of the Federal Courts in Southern Utah (panelist) and Best Practices in Federal Court Discovery (panelist), Federal Bar Association Utah Chapter, October 23, 2009, St. George, Utah  
Training for Chambers IT Trainers, Federal Judicial Center, September 22-25, 2009, Denver, Colorado and October 19-22, 2009, Baltimore, Maryland  
The Work of Judges, 5th and 10th Circuit IT Conference, June 22, 2009, Denver, Colorado  
Civility and Stress, Utah State Bar, April 24, 2009, Salt Lake City, Utah  
New Magistrate Judge IT Orientation, March 5-6 and August 13-14, 2009 San Antonio, Texas





The Work of Judges, 5th and 10th Circuit IT Conference, June 22, 2009, Denver, Colorado  
Civility and Stress, Utah State Bar, April 24, 2009, Salt Lake City, Utah  
Federal Court Update, Federal Bar Association, September 26, 2008, St. George, Utah  
Judges' IT Awareness and Training Program, Automation Trainers Conference, August 12, 2008, San Antonio, Texas  
New Magistrate Judge Automation Orientation, May 22-23, 2008; August 7-8, 2008, San Antonio Texas  
Best Practices for Judges & Attorneys Working with Electronic Case Files, Third Circuit Judicial Conference, April 30, 2008  
IT Issues in Federal Courts, University of Utah IT Class, January 30, 2008, Salt Lake City, Utah  
A Practical Guide to Practice under the New Federal and State E-Discovery Rules, January 10, 2008, Logan, Utah  
E-Ethics, Manexa WebCast, December 20, 2007  
Expert Reports and Discovery, Utah State Bar Fall Forum, November 16, 2007, Salt Lake City, Utah  
Expert Discovery: How to Get What You Want, Manexa WebCast, November 2, 2007  
World Jury Systems, Utah Federal Bar Association, October 19, 2007, Salt Lake City, Utah  
Ethics of Electronic Discovery Panel Discussion, University of Utah College of Law and Utah State Bar, October 13, 2007, Salt Lake City, Utah  
Discovery in the Electronic Age, Federal Bar Association Tri-State CLE Program, September 15, 2007, Park City, Utah  
IT Tips for Judges, Tenth Circuit Judicial Conference, July 13, 2007, Vail, Colorado  
Expert Witness Discovery Issues, Utah State Bar Annual Meeting, July 2007, Sun Valley, Idaho  
IT Tips for Judges, Tenth Circuit Judicial Conference, July 13, 2007, Vail, Colorado  
A Practical Guide to E-Discovery, Arkansas Bar Annual Meeting, June 8, 2007, Hot Springs, Arkansas  
E-Ethics, Arkansas Bar Annual Meeting, June 8, 2007, Hot Springs, Arkansas  
Basic Federal Court Practice, April 9, 2007, St. George, Utah  
Constitutional Law Primer for New Utah State Legislators, January 4, 2007, Salt Lake City, Utah  
IT Tips for Judges, Federal Judicial Center Workshop for District Judges of the 11th Circuit, December 5, 2006, Key West Florida  
Electronic Discovery Panel, Utah State Bar Fall Forum, November 3, 2006, Salt Lake City, Utah  
Ethical Issues in Complex Criminal Cases (Panel Member), Utah Federal Defender Seminar, November 3, 2006, Salt Lake City, Utah  
15 Tech Tips in 15 Minutes, Utah State Bar Fall Forum, November 3, 2006, Salt Lake City, Utah  
Advanced Tips for CM/ECF Users, Federal Bar Association Seminar, October 27, 2006, Salt Lake City, Utah  
New Magistrate Judge Automation Orientation, August 17-18, 2006, San Antonio, Texas  
IT Tips for Judges, Federal Judicial Center National Workshop for District Judges, August 8, 2006, Denver, Colorado  
IT Tips for Judges, Federal Judicial Center National Workshop for Magistrate Judges, July 26, 2006, New York City, New York  
IT Tips for Judges, Federal Judicial Center National Workshop for District Judges, May 3, 2006, Arlington, Virginia





IT Tips for Judges, Federal Judicial Center National Workshop for Magistrate Judges, April 5, 2006, San Francisco, California  
Electronic Discovery, Utah State Bar (Panel Member), December 2005, Salt Lake City, Utah  
Choosing Civility, Utah Federal Bar Association, November 2005, Salt Lake City, Utah  
IT Tips for Judges, Federal Judicial Center Workshop for Judges of the 1st and 7th Circuits, September 29, 2005, Chicago, Illinois  
Attorney Document Retention and Destruction (Panel Member), Utah State Bar, July 2005, Sun Valley, Idaho  
Motions to Compel, Utah State Bar (Panel Member), July 2005, Sun Valley, Idaho  
Administrative Law Presentation – Social Security Mock Hearing, Section of Administrative Law and Practice, American Bar Association, February 2005 (Panel Member), Salt Lake City  
The Perils of Electronic Filing, Tort Trial and Insurance Practice Section, American Bar Association, February 2005 (Panel Member), Salt Lake City  
The Proposed Federal Rules and ABA Standards for Electronic Discovery, Federal Bar Association, October 2004, Salt Lake City  
CM/ECF (Case Management/ Electronic Case Files) Utah State Bar, March 2004, St. George, Utah, and July 2004 Sun Valley; September 2004, Salt Lake City  
CM/ECF (Case Management/Electronic Case Files), Utah State Bar, July 2004, Sun Valley, Idaho  
A Judge's View of ADR, Utah Dispute Resolution Summit, April 2004, Salt Lake City  
CM/ECF (Case Management/Electronic Case Files), Utah State Bar, March 12, 2004, St. George, Utah  
A Practical Introduction to Electronic Discovery, Utah State Bar, March 12, 2004, St. George, Utah  
Electronic Filing, National Conference of Bar Presidents (Panel Member), February 2004, San Antonio, Texas  
Utah Standards of Professionalism and Civility, Federal Bar Association, October 2003, Salt Lake City  
Electronic Discovery, Federal Bar Association, Salt Lake City, October 2002, and Utah State Bar, March 2004, Saint George, Utah  
Making a Federal Magistrate Judge Happy, Utah State Bar, March 2002, St. George, Utah  
How to Act not React to Technology, Utah State Bar, Annual Convention, July 7, 2001, Sun Valley, Idaho  
Useful Technology, Broadcast International (Internet broadcast-on-demand) April 2001  
Managing Change, National Conference of Bar Presidents (Panel Member), February 2001, San Diego  
Making Technology Relevant, National Conference of Bar Presidents, February 2001, San Diego  
The Future of the Legal Profession, Utah State Bar, Fall 2000 and Winter 2001, various locations across Utah  
The Future of the Legal Profession, Utah State Bar, Winter 2001 and Fall 2000, various locations across Utah  
Multidisciplinary Practice (Panel Member), Utah State Bar, July 20, 2000, San Diego  
The Challenge of Multidisciplinary Practice, Utah State Bar, July 3, 1999, Sun Valley  
Fifty Ways to Use the Internet Today, Utah State Bar, July 3, 1999, Sun Valley  
Advocacy in Mediation, April 1999, Salt Lake City and July 2, 1999, Sun Valley,  
Leading Your State to the (Paperless) Future, National Conference of Bar Presidents, July 31, 1998, Toronto  
Utah Electronic Law and Commerce Partnership Update, July 4, 1998, Sun Valley





Fifty Internet Sites in 50 Minutes, Utah State Bar, July 2, 1998, Sun Valley  
Leveraging with Legal Assistants, Utah State Bar, November 4, 1997, Salt Lake City  
Bar Association Web Sites, National Conference of Bar Presidents, August 1, 1997, San Francisco  
Utah Electronic Law Project, Utah State Bar Annual Meeting, July 4, 1997, Sun Valley  
Leveraging with Legal Assistants, Utah State Bar Annual Meeting, July 3, 1997, Sun Valley  
Connecting to the World, Utah State Bar Annual Meeting, July 4, 1996; Cedar City, St. George, August 16, 1996; Price, Vernal, Utah, August 19, 1996  
Utah's 1995 Impact Fee Legislation, Utah Public Works Association, March 15, 1996  
How Small Firm/Solo Practitioner Can Use The Internet To Level The Field With Larger Firms, Utah State Bar Mid Year Bar Meeting, March 8, 1996, Panel Member  
Utah State Bar Internet Seminar, February 16, 1996, Co-presenter with Howard Roberts and Blake Miller  
Utilization of Legal Assistants, Legal Assistants Association of Utah, January 24, 1996  
Mediation Advocacy, Administrative Office of the Utah Courts, November 17, 1995, Co-presenter with Jim Holbrook  
Mediation Advocacy, Administrative Office of the Utah Courts, October 18, 1995 Co-presenter with Jim Holbrook  
Alternative Dispute Resolution Overview, June 12, 1995, Co-presenter with Diane Hamilton

### International Activities

Principles of Judicial Education, Iraq Judicial Development Institute, October 31 – November 4, 2011, Washington, DC  
Judge and Coach, Mock Trial Competition, BUILD Initiative, April 11-22, 2011, Kyiv, Lviv and Chernivtsi, Ukraine  
American Legal Education, Dokuz Eylul University in Izmir and the Law Center in Izmir (Hukuk Merkezi), March 31 and April 1, 2011, Izmir, Turkey  
Presenter (Legal Ethics, Computers in the Law Office) and Panel Member (Gender in the Law), Baçeşehir University Law Practice Management Seminar for Iranian Lawyers, November 8-11, 2010, Antalya, Turkey  
Panel Member and Moderator, International Courts and Society Summit, April 18-22, 2010, Kyiv, Ukraine  
Judge, Mock Trial Competition, BUILD Initiative, April 12-14, 2010, Kyiv, Ukraine  
Creating and Administering a Continual Legal Education Program (Law Practice Management), November 1-5, 2009, Cairo  
Designing and Delivering Judicial Education, October 28-29, 2009, United Arab Emirates  
Institute of Training and Judicial Studies, Sharjah  
Judicial Performance Evaluation (Interviews and discussions with legal community and government officials), May 28-June 1, 2009, Bahrain  
Best Practices in Continuing Legal Education for Judges (Judicial Education for New Judges in the United States; Methods of Distance Education; Teaching Judicial Ethics: Why and How; Introduction to Advanced Education Techniques; Mentoring Programs and Peer Evaluations for Members of the Judicial Authority) (Co-presenter with Mira-GurArie and Valerie Armand), April 2009, Abu Dhabi, UAE  
Visiting Professor with the Leavitt Institute for International Development at National Economics University College of International Law, National Aviation University College of International Law, Academy of Advocates; International School; University of Law and







Economics; Kyiv, Ukraine, September 17-28, 2007; February 11-February 22 and March 24-April 4, 2008

Consultant, Ukraine Rule of Law Project (USAID-Chemonics International), March 2008

Lay Participation in Criminal Justice, Ukraine National Law Academy, March 15, 2007, Kharkiv, Ukraine

Visiting Professor with the Leavitt Institute for International Development at Academy of Advocates; International School; University of Law and Economics; Kyiv, Ukraine, March 9 - 22, 2007

"O Sistema Jurídico nos Estados Unidos – A Competência do U.S. Magistrate Judge" 21 Direito Federal 39 (2003)

O Sistema Jurídico nos Estados Unidos – A Competência do U.S. Magistrate Judge (The Jurisdiction of the Magistrate Judge in the United States' Judicial System), Ribeirão Preto, SP, Brasil, June 2002

#### Projects

Chambers Online Automation Training (40 CBT modules), 2007-2008

Host, Delegation of Ukrainian Court Administrators, Open World/Administrative Office of the Courts, November 8-17, 2007; Delegations of Ukrainian Judges, November 12-22, 2008; November 11-22, 2009; September 22 – October 1, 2010, Salt Lake City

Curriculum Developer, The Leavitt Institute for International Development "Foundations of a Free Society" (practical course in American citizenship, ethics, democracy and the rule of law in the context of the American Jury Trial), 2007-present

Curriculum Developer, New Magistrate Judge Automation Training (one day hands-on computer class) 2006 - present

Electric Generation Project, Hildale, Utah, 1995

Electric Distribution System Establishment, Colorado City, Arizona, and Hildale, Utah, 1993-1994

Electric System Study, Panguitch, Utah, 1988

Electric Distribution System Establishment, Kanab City, Utah, 1986-1988

#### Publications

"The View from the Electronic Bench," June/July 2004 Utah Bar Journal

"Preparing for the Practice of Law in 2010" June-July 2001 Utah Bar Journal

"Choosing the Future of the Utah State Bar" May 2001 Utah Bar Journal

"Do I Need A Compact Disk Reader for My Computer?" April 1994 Utah Bar Journal

"The Future of Legal Systems, The Legal Profession and the Rule of Law: A New Paradigm for A Season of Change" May 2000 Utah Bar Journal

"Is Electronic Court Filing in Your Future?" April 1997 Utah Bar Journal

"Workflow and Groupware" December 1996 Utah Bar Journal

"Imaging for Attorneys" October 1996 Utah Bar Journal

"Adversarial or Conciliatory?: What Litigators Should Know About Mediation" 51 Dispute Resolution Journal of the American Arbitration Association No 1, 24 (January - March 1996)

"Qualifying Senior Communities Under the Fair Housing Act's New Rules" 12 Practical Real Estate Lawyer No 2, 41 (March 1996)

"E Mail for the Office and the World" March 1996 Utah Bar Journal

"Utah's 1995 Impact Fee Legislation" August/September 1995 Utah Bar Journal

"Brief Notice - Rocky Mountain Divide: Selling and Saving the West by John B. Wright" 35 BYU Studies 251 (1995)

"The Second Computer Revolution" December 1994 Utah Bar Journal

"Non-Lawyer Legal Technicians" October 1994 Utah Bar Journal





## "An Introduction to Land Trusts and Conservation Easements" August/September 1994 Utah Bar Journal

### Licenses and Professional Associations

Admitted, 1995, U.S. District Court, Arizona (resigned 2004)  
Admitted, 1978, U.S. District Court, Utah  
Admitted, 1978, Utah State Bar (inactive status 2003)  
Admitted, 1989, Arizona State Bar  
Former Member, U.S. District Court Arbitration and Mediation Panel, Utah  
Former Member and Mediation Panel Member, American Arbitration Association  
Former Member, Utah Court Annexed Alternative Dispute Resolution Panel (Arbitrator and Mediator)  
Former Professional Positions  
Special Master, US District Court, Novell v. NTC, 1998  
Colorado City Municipal Attorney, Arizona 1991-2003  
Springdale, Utah, Town Attorney, 1990  
Special Counsel, 1988. Electric System Study, Panguitch, Utah  
Special Counsel, 1985-88. Town of Toquerville, Utah  
Kanab City, Utah, Attorney, 1981-1992  
Civic and Professional Activity (past)  
Member, Chambers Functional Requirements Working Group for Future Case Management System, Administrative Office of the U. S. Courts, 2009-2011  
Program Developer and Lecturer, New Magistrate Judge IT Orientation, Federal Judicial Center and U.S. Courts, 2006-2010  
Member, IT Security and Network Management Working Group, U. S. Courts, 2008 - 2009  
Member, Magistrate Judges Advisory Group, U. S. Courts, 2006-2009  
Member, Utah State Supreme Court Study Committee on Delivery of Legal Services, 2001-2002  
President, Utah State Bar, 2000-2001  
Board Member, SmartUtah, 2000-2002  
President – Elect, Utah State Bar, 1999-2000  
Chair, Utah State Bar Long Range Planning Committee, 1997-1998  
Member, Utah Judicial Conduct Commission, 1997-2000; Vice Chair 1998-99; Chair 1999-2000  
Chair, Utah Electronic Law Project and Utah Electronic Law and Commerce Partnership, 1996-2000  
Chair, Utah State Bar Internet Services Committee, 1995-2000  
Member, Governor's Impact Fee Resolution Group, 1995  
Member, Judicial Council Ad Hoc Committee Access to Electronic Court Records, 1995  
Commissioner, Utah State Bar, 1994-2000; Member of Executive Committee, 1996-2001  
Secretary, Washington County Democratic Party, 1994-1995  
Founding Board Member, Virgin River Land Preservation Association, 1993-1994; Chair and President, 1995-1996  
Team Co-Leader, Utah Attorney General's Safe At Home Program, 1995-1998  
Team Leader, Utah Attorney General's Regional Exchange Effort ("AGREE"), 1993-1995  
Member, Utah Supreme Court Special Task Force on the Management and Regulation of the Practice of Law, 1990-1991  
Member, Fifth District Court Judicial Nominating Commission, 1984-1988; 1992-1994





Chair, Utah State Bar Computer Advisory Committee, 1989  
Chair, Taxpayers for Washington County, 1988  
Candidate, St. George City Council, 1979; Washington County Attorney, 1982; Utah Senate District 29, 1992  
Member, St. George Chamber of Commerce; Board Member, 1982-1986; President, 1985  
Reported Cases as Attorney  
Hall v. NACM Intermountain, Inc., 988 P.2d 942 (Utah 1999)  
Jacobs v. Hafen, 917 P.2d 1078 (Utah 1996)  
Matter of Estate of Beesley, 883 P.2d 1343 (Utah 1994)  
Matter of Estate of Scarritt, 845 P.2d 938 (Utah App. 1992)  
Hales Sand & Gravel, Inc. v. Audit Div. of State Tax Com'n of Utah, 842 P.2d 887, 20 UCC Rep.Serv.2d 136 (Utah 1992)  
Matter of Adoption of W.A.T., 808 P.2d 1083 (Utah 1991)  
Progressive Acquisition, Inc. v. Lytle, 806 P.2d 239 (Utah App. 1991)  
Canyon Country Store v. Bracey, 781 P.2d 414 (Utah 1989)  
Robert Langston, Ltd. v. McQuarrie, 741 P.2d 554 (Utah Ap

