HUSCH BLACKWELL

Donna V. Pryor

PARTNER

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OVERVIEW

When serious safety or health mishaps strike for Donna's multinational mining, manufacturing and heavy-industry clients, she is on the scene within 24 hours, immediately available to assist.

Donna efficiently gathers evidence, works with federal regulators and directs public relations efforts. Her high-level 24/7 client service, deep knowledge of federal regulations and previous public relations experience provide great value for clients dealing with unexpected and potentially costly matters.

In addition to providing guidance and reassurance in times of crisis, Donna offers training and regulatory insights that help the firm's clients — many of whom she considers close friends — avoid problems.

"I have worked with Donna for the past 15 years. During that time, Donna's experience and expertise have been an asset to our company to minimize our risk and liabilities with MSHA. Her professionalism and willingness to be there for us is well appreciated by our management team."

— Corporate Safety Manager, Mining Company

Industry

Energy & Natural Resources

Services

Cannabis
HR Consultation & Training
Labor & Employment
Mining & Minerals
Workplace Safety & Health

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An accomplished litigator, Donna also represents clients in defending whistleblower complaints and contesting safety citations from the Occupational Safety and Health Administration (OSHA) and Mine Safety and Health Administration (MSHA).

Donna's focus on clients is also a perfect fit for the firm's experienced Cannabis team, where she guides those in the cannabis and industrial hemp industry through the fast pace of new opportunities and changing regulations.

Featured Experience

Whistleblower Complaint Dismissed Against Mining Company

Donna successfully challenged a discrimination complaint that the Mine Safety and Health Administration (MSHA) filed against a mining company on behalf of an employee who claimed he was dismissed because of whistleblowing activities. Donna presented evidence that the miner's termination was not motivated by his "protected activity" and that he was rightfully dismissed after violating company safety rules. As a result, the administrative law judge denied the complaint and dismissed the proceeding. The decision was important because it supported the mining company's rights to enforce its safety and employment policies.

Experience

- Advised and counseled on MSHA matters; challenged citations, which led to a hearing. Responsibilities included written discovery and depositions, hearing preparation, settlement negotiations, trial, and post-hearing briefing.
- Assisted with an OSHA investigation following a fatality on property; negotiated reduced citations with OSHA.
- Provided ongoing advice and counsel on MSHA matters.
- Served as key member of the firm's COVID-19 response team, tracking rapidly changing state-by-state rules, restrictions and orders, and developing guidance on, among other matters, essential business designations.
- Successfully defended a client at hearing, getting an MSHA impeding citation vacated in an enforcement action.
- After a one day hearing, successfully got MSHA citation vacated by Administrative Law Judge.

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Experience

- Negotiated reduced citations and penalties in numerous settlements in MSHA and OSHA matters.
- Successfully defended mining clients in 110c investigations, where managers are investigated for personal liability under the Mine Act.
- Defended Arizona-based mine in costly and repeated MSHA citations alleging defective steering linkage on a haul truck. MSHA vacated citation after truck manufacturer representative presented expert testimony.

Recognition

- Who's Who in Energy, *Denver Business Journal*, 2017-2018
- *Colorado Super Lawyers,* Rising Star, 2012

Education

- J.D., Tulane University Law School
  - *cum laude*
- B.A., Hofstra University

Admissions

- Colorado
- U.S. District Court, District of Colorado
- New York

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Community Leadership

Donna volunteers for the Colorado Lawyers Committee, working with the Hate Crimes Education Task Force to open conversations at local schools through the use of mock trials.

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