

UTAH

Local litigation firms

Highly recommended

Burbidge Mitchell & Gross

Holland & Hart

Parsons Behle & Latimer

Snell & Wilmer

Recommended

Ater Wynne

Holme Roberts & Owen

Howrey

Manning Curtis Bradshaw & Bednar

Parr Brown Gee & Loveless

Ray Quinney & Nebeker

Stoel Rives

Local litigation stars

Lois Baar

Holland & Hart
Employment Litigation

Gary Bendinger

Howrey
Complex Commercial Litigation

John Bogart

Howrey
Antitrust, Commercial Litigation, Securities

Richard Burbidge

Burbidge Mitchell & Gross
Antitrust, Complex Commercial Litigation, Products
Liability, Securities

Robert Clark

Parr Brown Gee & Loveless
Antitrust, Appellate, Commercial Litigation

Brett Foster

Holland & Hart
Intellectual Property

Craig Galli

Holland & Hart
Energy Litigation, Environmental Litigation

George Haley

Holme Roberts & Owen
Complex Commercial Litigation

John Harrington

Holland & Hart
Commercial Litigation

Jathan Janove

Ater Wynne
Employment Litigation

James Jardine

Ray Quinney & Nebeker
Antitrust, Intellectual Property, Securities

David Mangum

Parsons Behle & Latimer
Antitrust, Intellectual Property

Brent Manning

Manning Curtis Bradshaw & Bednar
Complex Commercial Litigation

Michael O'Brien

Jones Waldo
Employment Litigation, Insurance

Alan Sullivan

Snell & Wilmer
Commercial Litigation, Health Law, Intellectual
Property, Securities

Francis Wikstrom

Parsons Behle & Latimer
Complex Civil Litigation, White Collar Crime

David Zimmerman

Holland & Hart
Construction Litigation, Energy Litigation

Future stars

James Ahlstrom
Parr Brown Gee & Loveless

Erik Christiansen
Parsons Behle & Latimer

John Delaney
Parsons Behle & Latimer

Jonathan Hafen
Parr Brown Gee & Loveless

Matthew Lalli
Snell & Wilmer

Michael Petrogeorge
Parsons Behle & Latimer

Justin Toth
Ray Quinney & Nebeker



Utah

Utah litigators have noted a marked rise in intellectual property litigation, due to an influx of information technology companies into the state. Salt Lake City continues to be the state's litigation hub.

Highly recommended firms

Burbidge Mitchell & Gross

Burbidge Mitchell & Gross is praised for its commercial and business litigation work, including representing plaintiffs in large class actions. One competitor notes that the firm has “a very effective and aggressive litigation team that gets results.” Indeed, clients have turned to the firm for its impressive track record of obtaining multi-million dollar settlements and its willingness to go to trial. The firm also handles antitrust matters for pharmaceutical companies, automobile companies, and oil and gas enterprises. Tobacco class action litigation remains a lucrative part of the firm’s practice. A competitor calls **Richard Burbidge’s** personal injury practice “one of the strongest in the state.” He serves as managing partner of the firm and also

been commended for his construction litigation practice.

Craig Galli is noted for his success in litigating environmental and natural resources issues. He received press for his role as primary outside counsel with respect to environmental matters for the 2002 Olympic Winter Games. With 30 years of experience, **John Harrington** has litigated commercial cases in Utah, California, Nevada, New York, Texas and the Ute Indian Tribal Court.

Parsons Behle & Latimer

With offices in Las Vegas and Reno, Nevada and well as Salt Lake City, Parsons Behle & Latimer houses an exceptional litigation team. The Utah office alone contains 58 litigators adept at handling natural resources, personal injury and patent work. The firm is not limited to practicing in the

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handles complex commercial, patent, and securities matters. He also earns notice for his triumphs in bet-the-company litigation.

Holland & Hart

Although Holland & Hart maintains numerous offices throughout the western United States, the firm’s Utah offices have not been neglected. The Salt Lake City office receives accolades for its work in the areas of banking, environmental, intellectual property, labor and real estate litigation. The Utah office was first established in 1994 and has expanded to include notable attorneys like **Lois Barr**. Formerly of Janove Barr, Barr is described as a “terrific employment litigator” by a peer and has over 20 years of experience representing clients in labor and employment matters. **Brett Foster** is an esteemed member of the firm’s intellectual property group. He served as lead counsel in a variety of patent infringement cases involving firearms and cartridges, compound archery bows, cable protectors, medical products and other technologies. **David Zimmerman** has also

West; its partners have represented clients as far south as Texas and as far east as Maryland. Major clients include Stericycle, Invitrogen, US Magnesium, and Baer Hughes. **Francis Wikstrom** is a generalist who tackles high-profile and high-visibility complex commercial and white-collar criminal cases. He has experience arguing appeals before the Court of Appeals for the Tenth Circuit and the Federal Circuit, as well as the Supreme and Appellate courts of Utah and Minnesota. **David Mangum** is recognized for his work in antitrust and intellectual property litigation.

Snell & Wilmer

Snell & Wilmer enjoys a strong multistate practice and has an important presence in the Utah litigation market. Its Salt Lake City office first opened in 1991 and continues to serve clients with regards to products liability and commercial litigation. Clients include the University of Utah, T-Mobile, Gap, and the Children’s Miracle Network. Partner **Alan Sullivan** has been practicing in Utah for more than 30 years and focuses on

health care, intellectual property and securities. He is also known for representing title insurance companies and their policy holders in access agreements, boundary disputes, title defects and other related issues.

Recommended firms

Ater Wynne

Headquartered in Portland, Oregon, Ater Wynne also enjoys a good reputation in Utah. The firm boasts a significant environmental and energy litigation practice and successfully serves clients in the Rocky Mountain Region. **Jathan Janove** is a highly respected attorney concentrating in employment law. Cited as a “genuinely nice guy” by a peer, he runs numerous employer training programs and maintains a high-profile blog proffering tips on avoiding workplace claims.

Holme Roberts & Owen

Based in Salt Lake City, **Holme Roberts & Owen** has a litigation team of 45 attorneys who are experienced in handling trial and appellate work in state and federal courts. A majority of the firm’s work is in litigation, specifically intellectual property, insurance, construction and class action cases. The firm is also known for its close relationships with established businesses, nonprofit organizations, trade groups and individuals. The recent addition of partners **Cliff Stricklin** and **Michael R. MacPhail** from Holland & Hart has enhanced its securities and white-collar practices. Managing partner **George Haley** is highly skilled in matters of complex commercial litigation, with representative clients including Questar Corporation and the Roman Catholic School District of Salt Lake City.

Howrey

The Utah branch of the international firm Howrey is equipped to handle matters of antitrust, commercial, securities and white-collar criminal litigation. The 18 litigators in the Salt Lake City office are able to access the firm’s global resources and as such enjoy a unique advantage in the Utah legal market. Clients include Boston Scientific, Caterpillar, Nestle, Proctor & Gamble and Union Pacific.

Possessing over 30 years of experience, **Gary Bendinger** is co-chair of the firm’s global litigation practice and manages the Utah office. Bendinger has expertise litigating in several jurisdictions including New York, California, and the District of Columbia in matters of antitrust and securities.

John Bogart stands out for his antitrust, accountant liability, mass torts, and securities work. He represents clients in the healthcare, transportation, and information management service industries.

Manning Curtis Bradshaw & Bednar

Manning Curtis Bradshaw & Bednar is a highly regarded Salt Lake City firm that provides quality representation to local, regional, and national clients, including Fortune 500 companies and modest enterprises. The firm primarily deals with employment, insurance and medical malpractice litigation. A peer describes partner **Brent Manning** as “a very bright and capable attorney.” Manning represents clients in the areas of fraud, title claims, contract disputes and trademark litigation. Clients include Intermountain Power Agency, Attorneys Title Guaranty Fund, and Basic Research and affiliate Arch Coal, Inc.

Parr Brown Gee & Loveless

Parr Brown Gee & Loveless boasts a comprehensive commercial litigation practice providing representation in the areas of antitrust, insurance coverage,

employment, and securities work. The firm has successfully represented insurance agencies, mining companies, pharmaceutical and chemical manufacturers, and marketing groups. Recent clients include Altair Nanotechnologies and SkyWest.

Robert Clark represents local and national businesses in antitrust, class action, intellectual property, and securities litigation. **James Ahlstrom** represents clients in construction, contract, and real estate disputes. Peers praise **Jonathan Hafen** for his employment, intellectual property and securities practice.

Ray Quinney & Nebeker

For over 70 years Ray Quinney & Nebeker has maintained offices in Salt Lake City and Provo. Litigation remains the primary focus of the 100-lawyer firm, which is recognized for its outstanding work representing plaintiffs in antitrust, construction,

employment, personal injury, securities, and patent and trademark disputes. Firm president **James Jardine** practices in complex business, antitrust, securities and intellectual property litigation. He is a former Chairman of the Litigation Section of the Utah State Bar and is well regarded for his counsel to the Salt Lake Olympic Organizing Committee.

Stoel Rives

The Utah office of Stoel Rives works closely with its Portland and Denver teams to effectively serve clients in the Rocky Mountain region. The bulk of the firm’s litigation practice is focused on commercial work, but the firm also shines in employment, environmental, natural resources, intellectual property and technology litigation. Prominent clients include 3M, Qwest Communications, and McDonald’s.



JOHN BOGART**HOWREY LLP**

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John Bogart is a partner in Howrey's Salt Lake City office, where he is a member of Howrey's antitrust and global litigation groups. His practice has focused on private antitrust litigation and other complex civil litigation, including securities and accountant liability cases, security, consumer, and antitrust class actions, mass torts and MDL proceedings, commercial litigation, and civil appellate work. Since 1998, Mr Bogart has predominantly practiced private antitrust litigation, where he has represented clients in a variety of industries and markets. He has defended cases concerning genetically modified seeds, health care and insurance, transportation services, credit and information management services industries in Section 1 and Section 2 litigation. In recent years, he has also represented the largest master planned community development in Utah in connection with land use, contract, and related real property litigation; he has also defended securities and professional liability cases. Before joining Howrey, Mr Bogart was a partner in the firm of Bendinger, Crockett, Peterson, Greenwood & Casey in Salt Lake City.

Mr Bogart graduated from Stanford Law School in 1993. He received his PhD in Philosophy from the University of Illinois at Chicago in 1985, and his BA with Honors (Philosophy) from the University of California at Santa Cruz in 1978.

Prior to entering private practice in 1993, Mr Bogart held post-graduate research appointments in philosophy at a number of universities, including Mellon Post-Graduate Fellow at Stanford and New York University.

Mr Bogart is admitted to practice in California and Utah, before the United States Supreme Court, the Ninth and Tenth Circuit Courts of Appeal, and the United States District Courts for the all districts of California, Utah, and Arizona.

Professional Affiliations:

ABA, Litigation Section, Antitrust Committee, Publications Subcommittee Chair

ABA, Litigation Section, Expert Witness Committee, Website Co-Editor
Utah Bar, Antitrust and Unfair Competition Section, Chair 2008-09

Utah Bar, Appellate Practice Section, Secretary 2009-2010, Treasurer 2008-09

Utah Bar, Governmental Relations Committee, Member

Selected Recent Publications:

1. CIRCUIT CONFLICTS IN ANTITRUST LITIGATION, General Editor and Contributor, Antitrust Committee of the Litigation Section of the ABA, 2009.
2. *Living With Twombly*, 21 Utah Bar Journal 2 (Mar/Apr 2008): 23-26.
3. *Interpreting Rules and Constitutional Provisions*, (ed. of panel remarks for publication) 21 Utah Bar Journal 2 (Mar/Apr 2008): 29-35.
4. *Twombly: A New Standard for Conspiracy Claims*, Antitrust Litigator, Vol 6 No 2 Summer 2007
5. *Unsworn Declarations in Lieu of Affidavits: Increasing Efficiency of Practice Under the Utah Rules of Criminal and Civil Procedure and Rules of Evidence*, co-authored with Scott McCoy (Howrey), Utah Bar Journal vol 20 no 4 July/Aug 2007.

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EDUCATION

University of San Francisco, School of Law (JD, 1975), *cum laude*, *University of San Francisco Law Review*, assistant editor, Hastings College (BS, 1972), *cum laude*

Gary Bendinger is co-chair of Howrey's global litigation practice and a member of the management committee in the New York office. He has devoted more than 30 years to complex commercial litigation in courts across the nation. Mr Bendinger is a Fellow in the American College of Trial Lawyers, has been recognized for over 10 years in Best Lawyers in America (in business litigation), and is recognized by Chambers USA in the area of business litigation.

Mr Bendinger has been brought in as lead trial counsel in matters in many jurisdictions, including California, New York and Washington DC. He has tried antitrust, securities and other complex commercial litigation matters in numerous courts. Among his successes, he was hired to act as lead trial counsel in a significant securities case after it had been litigated by another firm for a number of years. Following completion of a five-week trial, judgment was entered in favor of Mr Bendinger's client on all claims. Mr Bendinger also recently successfully defeated claims brought by the SEC following a two-week trial before an Administrative Law Judge.

In addition to his extensive trial experience, Mr Bendinger has served as lead counsel in numerous antitrust, securities, fraud, breach of contract, consumer fraud class actions and intellectual property cases involving billions of dollars in damage claims in federal and state courts. Mr Bendinger also represents clients in regulatory matters and investigations by the SEC, the Department of Justice, the Public Company Accounting Oversight Board and various state boards.

REPRESENTATIVE MATTERS

- *Peshkin v Tremont*. Lead trial counsel for audit firm.
- *Melissa Lee v Carter-Reed LLC, et al*. Lead trial counsel for Carter-Reed in class action alleging numerous consumer claims under New Jersey state law. Successfully opposed class certification in the lower court and on appeal.
- *Forlenza, et al v Dynakor Pharamcal, LLC*. Lead counsel for most defendants in a purported class action alleging violation of the California Consumers Legal Remedies Act, California Business and Professions Code, common law fraud and other asserted claims.
- *King & King Enterprises v Champlin Petroleum Company*. Represented plaintiff in a price-fixing antitrust suit against Champlin. After a multiweek trial, the jury returned a verdict awarding more damages than had been requested. The Tenth Circuit affirmed and certiorari was denied. In addition to the result itself, this case is significant because the court found—and the Tenth Circuit affirmed—that as a matter of law the defendant had fraudulently concealed their unlawful conduct.
- *In re Imrgent Securities Litigation*. Lead trial counsel for Grant Thornton in defense of a purported securities class action.

PROFESSIONAL AFFILIATIONS

- Fellow, American College of Trial Lawyers