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## Milo Steven Marsden

Partner

Mr. Marsden is a partner and head of the Trial department in Salt Lake City. His practice focuses on commercial litigation, and emphasizes matters involving securities, corporate control, and civil fraud.

Mr. Marsden has represented clients from a wide variety of industries (securities, defense, banking and financial services, health care, and telecommunications) in civil fraud cases. He has defended corporations, officers and directors, investment advisors, brokers and securities brokerages in class actions, and in investigations by the Securities and Exchange Commission, the Federal Trade Commission, and other regulatory agencies. He has also defended individuals in criminal securities fraud and tax fraud cases.

Mr. Marsden's practice also focuses on a broad range of commercial litigation matters. He has successfully represented clients in business ownership and valuation disputes involving partnerships, closely-held corporations, and limited liability companies. He has also successfully represented clients in commercial contract disputes and intellectual property matters.

Mr. Marsden maintains an "AV" rating with Martindale-Hubbell, which is the highest rating awarded to attorneys for professional competence and ethics. He has been recognized in The Best Lawyers in America (2010) in the Commercial Litigation specialty and is recognized by Chambers USA for General Commercial Litigation (Band 3).

### Representative Litigation

- ✦ *PrizeWise v. Oppenheimer*, (D. Utah April 5, 2010) (No. 2:07-CV-792) (summary judgment granted)
- ✦ *U.S. v. Strohm*, (D. Utah) (No. 2:07-CR-00485)
- ✦ *Strohm, et al., v. ClearOne Communications, Inc.* (Third District, Utah) Case No. 080917500)
- ✦ *3 Mark Entertainment, LLC v. Abrams-Schiller Living Trust, et al.*, (D. Utah Feb. 4, 2011) (No. 2:09-CV-780) (summary judgment granted)
- ✦ *Salt Lake Tribune Publishing Co., LLC v. Management Planning, Inc.*, 454 F.3d 1128 (10<sup>th</sup> Cir. July 19, 2006) (No. 05-4316)
- ✦ *Salt Lake Tribune Pub. Co., LLC v. AT & T Corp.*, 320 F.3d 1081 (10<sup>th</sup> Cir. February 24, 2003 (Nos. 02-4126, 02-4165)
- ✦ *Bower v. Stein Eriksen Lodge Owners Ass'n, Inc.*, 201 F.Supp.2d 1134 (D. Utah May 3, 2002) (No. 2:99-CV-155C)

- ✦ *Jones v. Loosle*, 2001 WL 311195, 2001 UT App 15 (Utah App. January 11, 2001) (No. 990843-CA)
- ✦ *Talbot v. Aerotrans Corp.*, 2000 WL 33250555, 2000 UT App 39 (Utah App. February 17, 2000) (No. 981754-CA)
- ✦ *Cheves v. Williams*, 993 P.2d 191 (Utah September 10, 1999) (No. 950404)
- ✦ *F.T.C. v. Freecom Communications, Inc.*, 966 F.Supp. 1066 (D. Utah June 03, 1997) (No. 96-C-492 S)
- ✦ *Adams v. Royal Indem. Co.*, 99 F.3d 964, 1996 WL 620655, Fed. Carr. Cas. P 84,031, , C.A.10 (Utah), October 28, 1996(No. 95-4091.)
- ✦ *DOIT, Inc. v. Touche, Ross & Co.*, 926 P.2d 835, 1996 WL 439278, , Utah, August 02, 1996(No. 930512.)
- ✦ *Sanchez v. KPMG Peat Marwick*, 1996 WL 104259 (D.N.M. January 05, 1996) (No. CIV. 93-0406 JP/LFG)

#### Admissions

- ✦ Utah
- ✦ United States Court of Appeals for the Tenth Circuit
- ✦ United States District Courts for the Districts of Utah and the District of Columbia

#### Honors



- ✦ Ranked as a General Commercial Litigation lawyer by Chambers USA, 2010-2011 (Band 2)
- ✦ Listed in *Best Lawyers in America*, 2010-2012, Commercial Litigation and Litigation - Securities
- ✦ [AV Peer Review Rated by Lexis-Nexis Martindale Hubbell](#)
- ✦ Super Lawyers, Corporate Counsel Edition, 2008, 2009
- ✦ Named Mountain States Super Lawyer, 2007, 2009, 2011
- ✦ Utah Business Magazine, Legal Elite, 2006-2010

#### Education

- ✦ University of Utah College of Law  
J.D., 1986, Order of the Coif  
Utah Law Review, Articles Editor
- ✦ University of Utah  
M.A., English, 1983, cum laude
- ✦ University of Utah  
B.A., 1982, magna cum laude  
Phi Beta Kappa  
Phi Kappa Phi

#### Professional Activities

- ✦ Adjunct Professor, Securities Regulation and Litigation, University of Utah S.J. Quinney College of Law
- ✦ Utah Supreme Court Advisory Committee on Rules of Civil Procedure, 2006 to present

- ✦ Master of the Bench, American Inns of Court, David K. Watkiss - Sutherland Inn of Court
- ✦ Salt Lake County Bar Association
- ✦ Utah Bar Association
- ✦ American Bar Association

#### Civic and Community Activities

- ✦ President-Elect, Valley Mental Health Board of Directors
- ✦ Board of Trustees, Carmen B. Pingree School for Children with Autism

#### Presentations

- ✦ Presentation, "Document Retention and the New Federal Rules," November 2006
- ✦ Presentation, "Well, How Much Trouble Are They In?" Risk Management Association Meeting, February 2005
- ✦ Presentation, Techniques for Organizing Complex Litigation, Utah State Bar Annual Meeting,

#### Attorney Articles

- ✦ "The Utah Supreme Court and the Utah State Constitution," Utah Law Review, Vol 1. 1986 No.2

#### Languages

Dutch