



✉ kcall@scmlaw.com ☎ 801.322.9144

PRACTICE AREAS

- Commercial Litigation
- Intellectual Property Litigation
- Professional Liability Defense
- Real Estate Professional Defense
- Trials

EDUCATION

- J.D., Brigham Young University, J. Reuben Clark School of Law, magna cum laude, 1993
- B.A., Brigham Young University, American and Asian Studies, cum laude, 1990

ADMISSIONS

- Utah State Bar
- Arizona State Bar
- U.S. District Court, District of Utah
- 10th Circuit Court of Appeals
- 9th Circuit Court of Appeals
- 6th Circuit Court of Appeals

ABOUT

Keith Call focuses his practice on trials and appeals in commercial litigation and the defense of professional liability matters. His prominent professional liability defense practice has earned him the reputation of being a true lawyer's lawyer as he has successfully defended many of Utah's most prestigious law firms. He also skillfully represents real estate agents, insurance agents, accountants, appraisers, engineers, and design professionals.

Keith represents large and small businesses, and business-people, in nearly every kind of business dispute, including significant "bet the company" cases. Examples include misappropriation of trade secrets, software development and licensing disputes, non-compete agreements, breaches of contract, interference with business relations, defamation, fraud and corporate and partnership disputes.

While Keith is well-known for his representation of lawyers, law firms, and other professionals, he also spends a significant amount of time representing technology companies, startups, insurance companies, and a wide variety of other businesses and businesspeople. He thrives on advocating for people and businesses facing their most challenging problems.

Keith is well-regarded by his peers in the legal profession. In 2014, he received a Distinguished Service Award from the Utah Chapter of the Federal Bar Association. He has assisted with the Utah Bar Litigation Section's efforts to recruit and train more lawyers to assist with criminal expungements and to serve as guardians ad litem — attorneys appointed by the court to represent the best interests of children in highly contentious family litigation. He has also served as a guardian ad litem himself.

Keith regularly publishes in the Utah Bar Journal, and his articles in the "Focus on Ethics and Civility" section has been a popular and guiding feature for lawyers since 2010.

Keith is Chair of the firm's Commercial Litigation Practice Group.

HONORS / AWARDS / UNIQUE RECOGNITION

- Recognized as Utah Legal Elite in Civil and Business Litigation, by Utah Business Magazine
- Martindale-Hubbell® Peer review as AV® Preeminent™ 4.9 out of 5.0*
- Recognized as a Utah Super Lawyer by Super Lawyers Magazine 2012-2022
- Best Lawyers® 2017 Legal Malpractice Law - Defendants "Lawyer of the Year" in Salt Lake City

- Listed in Best Lawyers in America® for Intellectual Property Litigation and Patent Litigation, 2013-2023

PROFESSIONAL AND CIVIC INVOLVEMENT

- American Bar Association - Litigation and Business Law Sections; Center for Professional Responsibility
- BYU Management Society - Former Chapter President

REPRESENTATIVE MATTERS / TRIALS

- Former Trustee v. Law Firm and Lawyer - Prevailed on motion for summary judgment, obtaining complete dismissal of seven-figure claim against lawyer and law firm based on alleged breach of fiduciary duty and negligent conduct. Decision was affirmed on appeal in the Utah Court of Appeals.
- Individual v. Real Estate Brokerage and Agents - Won summary judgment in alleged \$10 million claim asserting breaches of fiduciary duty in connection with sale of luxury home.
- Partnership Dispute - Lead attorney in case involving separation of two members of a limited liability company. Obtained \$1.1 million arbitration award for client, including over \$400,000 in punitive damages
- Zip Line Manufacturer v. Zip Line Manufacturer - Obtained favorable settlement in patent infringement and business tort case. Client obtained patent inventorship rights in disputed patent and favorable license agreement for another patent owned by client.
- Trade Secret Dispute - Obtained seven-figure settlement for client in lawsuit alleging misappropriation of business plans and formulas.
- Individual v. Lawyer and Law Firm - Prevailed on motion to dismiss claim against lawyer based on alleged violations of Federal Fair Housing Act, defamation, and other claims. Decision was affirmed by the 10th Circuit Court of Appeals.
- Property Maintenance Company vs. Lawyer - Prevailed on motion to dismiss \$8 million claim against lawyer alleging that lawyer engaged in civil conspiracy with client to breach contract.
- Patent Infringement - Favorably settled patent infringement case for fraction of demand. Plaintiff alleged violation of software patent.
- Failed Merger Agreement - Participated as a trial attorney in the trial of a multi-billion failed merger agreement. The case was tried in the Delaware Chancery Court and was one of the most discussed cases of 2008 among the Wall Street community.
- Small technology Firm v. Huge Technology Conglomerate - Brought claims for copyright infringement and misappropriation of source code on behalf of a small software development firm against a huge technology conglomerate. Successfully negotiated settlement and license agreement that was enormously beneficial to client, the terms of which are confidential.
- Trademark Infringement - Represented company that brought claims for trademark infringement. Case settled on appeal after successful preliminary injunction trial. Opposing party ceased use of infringing trademark on infringing product.
- Registered Dietitian Firm v. Registered Dietitian Firm - Successfully defended a national registered dietitian firm against claims of misappropriation of trade secrets, including menu and nutritional programs used in nursing homes. The case settled with no payment by the client after an evidentiary hearing.