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## PRACTICE AREAS

- Business Law
- Commercial Litigation
- Insurance Defense
- Personal Injury Defense
- Trials and Litigation

## EDUCATION

- J.D., University of Utah S.J. Quinney College of Law, 2016
- B.A., Vanderbilt University, 2011

## ADMISSIONS

- Utah State Bar
- Missouri State Bar
- Tenth Circuit Court of Appeals

## ABOUT

Brenda Weinberg practices in all areas of complex civil and commercial litigation, guiding clients through disputes involving partnership and business dissolutions, trade secret misappropriation, real property and real estate, construction, employment, non-competition and non-solicitation agreements, breach of contract, receiverships, commercial collections, insurance defense, professional malpractice, and securities. She takes a strategic approach to each matter and is vigilant in detecting and resisting opponents' litigation tactics. Her experience includes jury trials, expedited relief proceedings for temporary restraining orders and preliminary injunctions, oral arguments at the Tenth Circuit Court of Appeals, and numerous motion hearings in both federal and state district courts.

Brenda is an active member of the local community as well as the legal community. She sits on the board of the Young Lawyers Division, the Litigation Section Executive Committee, and the Gina Bachauer International Piano Foundation. She is also a member of the Federal Bar Association, the Salt Lake County Bar Association, Women Lawyers of Utah, and the David K. Watkiss – Sutherland II Inn of Court. Additionally, Brenda plays the clarinet with the Salt Lake Symphonic Winds and the Offbeats Jazz Ensemble and presents regularly at bar conventions and CLEs. Past presentation topics include valuation in small business litigation, attorney ethics, and working with the DOJ, and SEC, and forensic accountants on securities fraud cases.

Originally from California's farm country and St. Louis, Missouri, Brenda went to Vanderbilt University in Nashville, Tennessee where she studied European history, learned German while living abroad in Austria, and was a member of the rowing club. She moved to Utah to work in the ski industry and stayed to attend the University of Utah S.J. Quinney College of Law. Brenda continues to work in the ski industry with companies and skiers in disputes originating both on- and off-piste and still skis as much as she can. During the summer months, she hikes with her dogs and catches a Cardinals game or two with her family in St. Louis.

## HONORS / AWARDS / UNIQUE RECOGNITION

- Rated by Martindale-Hubbell® Peer review as AV® Preeminent™ 4.9 out of 5

## PROFESSIONAL AND CIVIC INVOLVEMENT

- Salt Lake Symphonic Winds, clarinet player
- Southern Utah Bar Association
- Board Member, Community for Children's Justice (2017-2018)
- Vanderbilt CoRPs Volunteer

- Litigation Section Executive Committee
- David K. Watkiss – Sutherland II Inn of Court
- Securities Law Section
- Women Lawyers of Utah, Young Lawyers Division
- Salt Lake County Bar Association
- Federal Bar Association

## REPRESENTATIVE MATTERS

- Obtained favorable jury verdicts in professional malpractice and complex commercial disputes.
- Obtained emergency stay from the Tenth Circuit Court of Appeals pending appeal of district court order to liquidate property for collection of judgment.
- Obtained summary judgment for individual sued to pay the debts of his company based on the economic loss rule.
- Defended international defendant against allegations of patent and trademark infringement.
- Settled highly contentious multi-million-dollar trade secret misappropriation and contract dispute.
- Obtained prejudgment writ on securities fraud claims across multiple states exceeding \$50 million.
- Obtained temporary restraining order prohibiting former joint venture partner from doing business with certain entities or using client's confidential information.
- Obtained temporary restraining order and preliminary injunction restricting access to company's bank accounts and warehouse and prohibiting former business partner from communicating with vendors.
- Defended individual against allegations of \$200 million securities fraud and Ponzi scheme by the Securities and Exchange Commission, Commodity Futures Trading Commission, and Department of Justice.
- Defended individual against allegations of causing tens of millions of dollars in damage to property.
- Defended individual in multi-million-dollar trade secret and copyright case involving computer code for automobiles nationwide.
- Defended medical professionals in Division of Occupational and Professional Licensing proceedings and claims filed under the Medical Malpractice Act.
- Defended law firm against multi-million-dollar claim involving allegations of real estate fraud and other fraudulent investments.
- *Ditucci v. Bowser*, 985 F.3d 804 (10th Cir. 2021)
- *Erickson v. Canyons School District*, 2020 UT App 91
- *IBC Advanced Techs., Inc. v. Ucore Rare Metals, Inc.*, 415 F. Supp. 3d 1028 (D. Utah 2019)
- *DiTucci v. Ashby*, No. 2:19-cv-277-TC, 2019 U.S. Dist. LEXIS 106144, at \*2 (D. Utah June 24, 2019)
- *Rosenthal v. Morris*, No. 2:17-cv-01196-RJS-PMW, 2019 U.S. Dist. LEXIS 11262, at \*2 (D. Utah Jan. 23, 2019)

## PRESENTATIONS AND PUBLICATIONS

- Speaker, Nuts and Bolts Judicial Panel, Utah State Bar Summer Convention, 2019
- Speaker, Building Your Own Book of Business: Ethically Marketing Yourself and Your Firm, Litigation Section Quarterly CLE, 2019
- Speaker, Current Trends in Business Valuation Case Law, National Association of Certified Valuers and Analysts Conference, 2016
- Author, The Rule of Law in a Time of Lawlessness, Global Justice Blog, 2014