



SpencerFane®

Brent R. Baker

Partner

Contact

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Overview

Brent Baker advises global companies, board committees, executives, and registered entities in complex criminal and civil investigations and litigation related to public and private securities regulation and compliance, employing previous experience as senior special counsel for the U.S. Securities and Exchange Commission to form robust defense strategies and curate a track record of success. He vigorously represents clients navigating all stages of securities disputes, from responding to regulatory and criminal subpoenas to preparing clients for investigative testimony to defending SEC Wells Notices of projected charges.

After almost 14 years prosecuting securities violations at the SEC, where Brent also served as a special assistant U.S. attorney for the U.S. Department of Justice, he concentrates his practice on SEC enforcement and regulatory defense, complex private securities litigation, and government and independent investigations, including corporate internal investigations. He not only represents clients before the SEC and DOJ but also provides routine defense before the Public Company Accounting Oversight Board, the Financial Industry Regulatory Authority, and other federal and state securities and commerce agencies.

Brent regularly advises registered entities regarding general compliance issues and often counsels clients navigating investment and financial services matters as well as during regulatory examinations. His guidance ranges from managing anti-money laundering matters to providing proactive compliance and remediation advice.

Throughout the course of his private practice, Brent has represented public and private securities issuers, company officers and directors, investment funds, analysts, brokers, and advisors in connection with SEC and FINRA investigations; public companies, funds, and broker-dealers on securities compliance corporate governance and complex cryptocurrency issues; and boards and audit committees in internal investigations of industries spanning nutraceuticals/pharmaceuticals, financial services, and real estate.

Notably, Brent has served as in-house counsel for a NASDAQ-listed public company and has been retained as an expert witness several times by both the government / prosecution and defense in civil and criminal cases.

Education

- University of Oregon School of Law, 1989 (J.D.)
- University of Utah, 1987 (B.A.)

Bar Admissions

- Utah
- New York

Court Admissions

- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Utah
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the District of Nevada
- U.S. District Court for the Northern District of Alabama
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the District of Maryland
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Southern District of Florida

Community Involvement

- University of Utah Marriott Library Advisory Board, Board Member and Former Chair
- Utah State Securities Commission, Chair and Commissioner, 2017-2020

Distinctions

- *Securities Docket*, Enforcement Elite, 2024
- *Utah Business Magazine*, Legal Elite
 - Government, 2021
 - Securities Law, 2018-2019
 - Civil Litigation, 2013
- *Mountain States Super Lawyers*, Securities Litigation; Criminal Defense: White Collar, 2013-2014
- SEC Chairman's Award for Excellence, 2002

Memberships

- Digital Currency Ledger Defense Coalition

Presentations and Publications

- "Father Knows Best," *ABA Litigation*, April 2022

- "Privilege and the Use of Compliance Consultants," *ABA Journal of Securities Litigation*, January 2020

Related Experience

- Defending client against the SEC and determining if the SEC has authority to bring enforcement cases for violations of the Bank Secrecy Act / anti-money laundering provisions typically left to FinCEN as the primary regulator under the BSA.