



## Keith Call

Partner

### Contact

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## Overview

**Keith Call is a full-service litigator who helps corporate and individual clients with all of their litigation needs so they can stay focused on their core business and personal interests. His expertise lies in handling complex commercial litigation and the defense of professional liability matters.**

Keith represents large and small businesses, as well as their leaders, in nearly every kind of business dispute, including significant “bet the company” cases. Examples include claims involving breaches of contract, interference with business relations, defamation, fraud, covenants-not-to-compete, and corporate and partnership disputes. He has represented many technology companies in software development disputes, licensing disputes, and other intellectual property matters. Keith knows trade secrets and trade secret law, having handled numerous high-stakes trade secret matters.

Utah’s lawyers and other professionals recognize Keith’s skills and effectiveness because they often turn to him when they find themselves in trouble. He has successfully defended many of Utah’s most prestigious law firms in legal malpractice and related matters. Keith also represents real estate agents, insurance agents, accountants, appraisers, engineers, and design professionals.

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. Since 2010, Keith has provided guidance to Utah lawyers through a regular column, Focus on Ethics and Civility, that publishes bimonthly in the *Utah Bar Journal*.

## Education

- Brigham Young University – J. Reuben Clark School of Law, 1993 (J.D.)
- Brigham Young University, 1990 (B.A.)

## Bar Admissions

- Utah, 1994

- Arizona, 1993

## Court Admissions

- U.S. District Court for the District of Utah
- U.S. District Court for the District of Arizona
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit

## Community Involvement

- BYU Management Society, Former President
- Reuben Clark Law Society, Salt Lake Chapter, Former Executive Board Member

## Distinctions

- *Best Lawyers in America*, Lawyer of the Year, Legal Malpractice Law – Defendants, 2017, 2025
- *Mountain States Super Lawyers*, Business Litigation, 2012–2024
- *Best Lawyers in America*, 2017–2025
  - Commercial Litigation
  - Legal Malpractice Law – Defendants
  - Litigation – Intellectual Property
  - Litigation – Patent
  - Trade Secrets Law
- *Utah Business Magazine*, Utah Legal Elite, Civil Litigation
- Federal Bar Association, Utah Chapter, Distinguished Service Award, 2014
- Martindale–Hubbell, AV Preeminent

## Memberships

- American Bar Foundation, Lifetime Fellow and Utah Chapter Chair
- Utah Bar Association
- Arizona Bar Association
- American Bar Association, Litigation and Business Law Sections; Center for Professional Responsibility

## Presentations and Publications

- “Avoiding Imputed Disqualification with Prospective Clients,” *Utah Bar Journal*, July/August 2024
- “Focus on Ethics and Civility,” *Utah Bar Journal*, 2010–present (a recurring bi-monthly column)
- “Legal Ethics,” Utah Defense Lawyers Association Annual Meeting, May 2024
- “Utah Business Law for Entrepreneurs and Managers,” Editorial Board, 2016
- “Causation Requirement Strengthened in Legal Malpractice Case,” *Bloomberg ABA/BNA Lawyers’ Manual on Professional Conduct*, Vol. 32 No. 12 June 15, 2016
- “Iron-clad Noncompetes: Will Your Agreement Hold Up in Court?” *Utah Business Magazine*, September 2010

- *Technology Law Client Strategies, Trial Preparation Strategies: Winning Your Case from the Start*, Chapter 2, Aspertore, 2007
- "Ethics for In-house Counsel," Utah Bar Corporate Counsel Section, 2023
- "Tips for Avoiding Legal Malpractice," Utah Bar Business Law Section, 2022
- "Ethical and Discovery Considerations for Preserving Messaging Application Data," Utah Bar Litigation Section, 2018
- "Tips for Avoiding Legal Malpractice," Utah State Bar, 2018
- "Avoiding Trouble with the Bar," Federal Bar Association, Utah Chapter, 2018
- "Ethics for the State and Local Government Lawyer," Brigham Young University Government & Politics Legal Society, 2018
- "Litigation Privilege, Defense Research Institute," National Business Litigation and IP Seminar, 2013
- "Electronic Discovery: The Recent Amendments to the Federal Rules of Civil Procedure," Utah Defense Lawyers Association, 2007
- "Business Law," Guest Lecturer, Brigham Young University, 2007

## Related Experience

- Represented a plaintiff in an action brought against a large technology company for breach of contract, violation of the Lanham Act and other tort claims. After the jury was selected, the case settled in favor of plaintiff for an amount reported in the press to be \$40 million.
- Participated as a trial attorney in the trial of a multibillion 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.
- Obtained favorable settlement in patent infringement and business tort case involving zipline manufacturers; the client obtained patent inventorship rights in disputed patent and favorable license agreement for another patent owned by client.
- Brought claims for copyright and misappropriation of source code on behalf of a small software development firm against a huge technology conglomerate. Successfully negotiated the settlement and license agreement that was enormously beneficial to client, the terms of which are confidential.
- Represented a company that brought claims for trademark infringement. The case settled on appeal after successful preliminary injunction trial; opposing party ceased use of infringing trademark on infringing product.
- Represented the buyer of a car dealership who was sued for breach of contract by seller. Successfully defended the buyer and prevailed on counterclaim for fraud at trial; successfully defended appeal. The seller eventually paid full amount of judgment on counterclaim.
- 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.
- Won summary judgment and obtained favorable attorneys' fee award in defense of an eight-figure lawsuit against real estate brokerage and its agents.
- Prevailed on a motion to dismiss a \$8 million claim against a lawyer alleging they engaged in civil conspiracy with client to breach contract.
- Served as the lead attorney in case involving separation of two members of a limited liability company. Obtained a \$1.1 million arbitration award for client, including more than \$400,000 in punitive damages.
- Served as lead trial attorney in bankruptcy trial in which client contested amounts owed in legal fees to law firm due to, among other things, breaches of fiduciary duty. Case settled favorably after cross-examination of opposing law firm's lead witness.
- Obtained dismissal of claims against nationwide retailer. Retailer had been accused of fraud and breaches of a complex licensing and clothing supply agreement.