



Mark W. Pugsley

Shareholder

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Practice Areas

Receivership Practice Group
Securities Litigation
Whistleblower, Qui Tam and False Claims
Act Practice Group
White Collar, Corporate Compliance, and
Government Investigations

Mark Pugsley is a trial attorney whose practice is focused on commercial disputes involving financial products and institutions. He has been helping fraud victims and investors recover their losses for over twenty five years, and has successfully recovered millions of dollars for his clients. He accepts FINRA arbitrations, SEC, CFTC and IRS whistleblower cases, and FIRREA (bank fraud) cases on a contingency fee or on an hourly basis, depending on the case.

Mr. Pugsley also frequently defends civil enforcement actions and regulatory investigations brought by the U.S. Securities and Exchange Commission (SEC), the Utah Division of Securities, the Commodity Futures Trading Commission (CFTC) and the Financial Industry Regulatory Authority (FINRA) involving individuals, brokers, brokerage firms and investment advisors. He also handles receivership litigation, clawback cases, shareholder disputes, class actions, internal investigations and shareholder derivative actions involving private and publicly-traded companies.

Mr. Pugsley was elected as a Commissioner of the Utah State Bar (Third District) in 2018 and is the chair of the Securities Litigation Group at Ray Quinney & Nebeker. He holds active licenses to practice law in Utah and California.

Mr. Pugsley has been recognized as one of the preeminent litigators in Utah by the following rating publications:

- The Best Lawyers in America®: Tier 1 Utah for Securities Law since 2008 in the following categories:
- Litigation - Securities (Lawyer of the Year, Utah in 2016)
- Securities Regulation (Lawyer of the Year, Utah in 2013)
- Corporate Law



- Super Lawyers
- Highly recommended for Securities Litigation (2010-2019)
- Top 100 in Mountain States Region (2012)
- Benchmark Plaintiff: Rated as "Highly Recommended" for Securities Litigation
- Utah Business Magazine: Listed as one of Utah's "Legal Elite" in the category of Civil Litigation every year since the list's inception in 2004.
- Martindale-Hubbell: AV Preeminent (5.0) rating.

Mr. Pugsley has been writing and speaking on affinity fraud and Ponzi schemes for many years. He maintains a blog relating to securities fraud issues here in Utah and nationally:

UtahSecuritiesFraud.com

Twitter: @UtahSecurities

EDUCATION

Duke University School of Law, J.D., 1994

- Duke Law Journal, Editorial Board
- Jessup Cup International Moot Court Team

Sanford Institute of Public Policy at Duke University, M.A., Public Policy, 1994

University of Utah, B.S., Political Science, 1991

PRIOR PROFESSIONAL EXPERIENCE

- Morgan Lewis & Bockius LLP
 - Jones, Bell, Simpson & Abbott, LLP
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ADMITTED TO PRACTICE

- Utah State and Federal Courts
 - California State and Federal Courts
 - Colorado Federal Courts
 - United States Supreme Court
 - Tenth Circuit Court of Appeals
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- Fourth Circuit Court of Appeals
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AFFILIATIONS / MEMBERSHIPS

- Utah State Bar
 - California State Bar
 - Federal Bar Association
 - American Bar Association
 - Salt Lake County Bar Association
 - Taxpayers Against Fraud
 - National Association of Federal Equity Receivers
 - National Society of Compliance Professionals
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PROFESSIONAL AND CIVIC ACTIVITY

- Commissioner, Utah State Bar (elected in 2018 for a three-year term)
- Member of the National Association of Federal Equity Receivers (2014-present)
- Member of the National Society of Compliance Professionals (2011-present)
- Member of the Securities Advisory Board for the State of Utah (2006-2009)
- Utah Securities Association, Founder
- Chair of the Securities Section of the Utah State Bar (2006-2007)
- Executive Committee Member of the Salt Lake County Bar Association (2005-2010)
- Advisory Board Member to the Utah Division of Securities on the Uniform Securities Act of 2002
- Arbitrator with the Financial Industry Regulatory Authority (FINRA) (formerly NASD) (1999-2012)
- Executive Board Member, Globus Relief (formerly the Humanitarian Resource Center of North America) (2001-2006)
- Utah State Bar Young Lawyers' Division Board Member (1999-2001)
- Salt Lake City Citizens Review Board member (1999-2002)
- Board of Directors of the United Way of the Great Salt Lake Area (1989-1990)



PUBLICATIONS / PRESENTATIONS

- Speaker: "How to Spot Ponzi Schemes and Affinity Fraud – And What You Can Do About It" at RQN's 30th Annual Tax & Business Seminar (October 2019)
- Panel Moderator: "How Receiverships Can Create Additional Recoveries for Victims of Fraud" at the Annual Meeting of the Public Investors Advocate Bar Association (October 2019)
- Panelist: "Building Your Own Book of Business: Marketing Yourself and Your Firm" to the Litigation Section of the Utah State Bar (January 2019)
- Panel Moderator: "Law Firm Marketing: What Works and What Doesn't" at the Annual Meeting of the Public Investor Arbitration Bar Association (October 2017)
- Presentation on whistleblower cases with Jane Norberg, Chief, Office of Whistleblower for the U.S. Securities and Exchange Commission, Summer Convention of the of the Utah State Bar (July 2017)
- Presentation: Recent Developments in FINRA Arbitration, Utah Securities Section's Annual Securities Law Workshop (August 2016)
- Panelist with the Chief of the Office of Whistleblower for the U.S. Securities and Exchange Commission on the Dodd-Frank Whistleblower Program, sponsored by the Federal Bar Association and the Securities Section of the Utah State Bar (November 2015)
- Presentation on the SEC's Whistleblower Program at the 2015 White Collar Crime Conference sponsored by the Association of Certified Fraud Examiners (October 2015)
- Panelist: Civil Penalties in SEC Enforcement Actions - What Practitioners and Corporate Counsel Need to Know, sponsored by the Federal Bar Association and the Securities Section of the Utah State Bar (April 2015)
- Authored an article titled "Top Ten Ways to Avoid Losing Money in an Financial Scam" For The Enterprise Magazine (July 2014)
- Presentation to the Utah Financial Planners Association: Affinity Fraud; How to Help Your Clients Avoid Being a Victim (January 2013)
- Presentation: Update on Significant Decisions, Utah Securities Section's Annual Securities Law Workshop (August 2012)
- Workshop Instructor on How to Draft a Securities Complaint, Utah Securities Section's Annual Securities Law Workshop (August 2012)
- Panelist: Litigation Risk in Today's Economy at the Annual Conference of the Real Estate Investors



Securities Association (October 2010)

- Author of article in Utah CEO Magazine: The Price of Neglecting Corporate Compliance in the Post-Madoff World (April 2010)
- Speaker: Private Causes of Action under the Utah Uniform Securities Act, CLE sponsored by the Securities Section of the Utah State Bar (March 2010)
- Panelist: Investment Adviser Workshop sponsored by the Utah Division of Securities (June 2009)
- Editorial: Perils of Investing with Friends and Ward Members as published in the Salt Lake Tribune (December 2008)
- Moderator: Panel Discussion on Regulatory Enforcement Issues at the 2006 Securities Law Workshop, sponsored by the Securities Section of the Utah State Bar (August 2006)
- Presentation: "The Regulators are Watching: How to Survive Increasing Securities Regulation and Litigation" before the Salt Lake Estate Planning Council's 2005 Fall Institute
- Presentation: "Recent 9th and 10th Circuit Securities Decisions" at the Utah Securities Section's Securities Law Workshop (August 2004 and August 2005)
- Presentation: "NASD Arbitration" at CLE seminar on Securities Practice sponsored by the Utah State Bar (October 2003)
- Moderator of Panel Discussion on Ethical Issues for Securities Attorneys under SEC Rule 205 at the 26th Annual Securities Law Workshop, sponsored by the Securities Section of the Utah State Bar (August 2003)
- Speaker at CLE seminar "Stockbroker Fraud in Utah," sponsored by the National Business Institute (October 1999)
- Article: "Ninth Circuit Confirms the CFTC Does Not Have Jurisdiction Over Off-Exchange Foreign Currency Transactions," Securities Law Roundup, Winter 1997
- Article: "Brokerage Firm Policies Governing the Use of Internet and E-mail by Associated Persons," Compliance Reporter, Institutional Investor, Inc., March 31, 1997
- Law Journal Note: "Nonsmoking Hiring Policies: Examining the Status of Smokers Under Title I of the Americans With Disabilities Act of 1990", 43 Duke Law Journal 1089