



Brett L. Tolman

Shareholder

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Practice Areas

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

Mr. Tolman is a shareholder and Chair of the Firm's White Collar, Corporate Compliance, and Government Investigations Section. Mr. Tolman is the former United States Attorney for the District of Utah, and his practice involves assisting large and small companies and individuals in complying with state and federal criminal and civil laws. These matters include investigations alleging simple and complex financial fraud, corporate immigration violations, and other administrative and regulatory compliance issues. Mr. Tolman also serves as outside general counsel to numerous clients by providing guidance on legal issues confronting businesses and non-profit organizations ranging from contracts and agreements to the structuring of corporate transactions and business formations.

Prior to serving as US Attorney, Mr. Tolman served as Legal Counsel to the United States Senate Judiciary Committee in Washington, DC. Mr. Tolman has extensive experience navigating complex issues from drafting to enactment into law through Congress. Mr. Tolman is uniquely qualified having worked at the highest levels in both the Executive and Legislative branches of government to assist clients with government relation and lobbying issues at both the state and federal level.

Mr. Tolman maintains an AV Preeminent (4.7) rating with Martindale-Hubbell, which is the highest rating awarded to attorneys for professional competence and ethics. He has been included on the list of *The Best Lawyers in America* in Commercial Litigation and in Criminal Defense: White Collar. He has also been selected for inclusion in *Mountain States Super Lawyers* (2014-2018) in the category of Criminal Defense: White Collar and has been voted by his peers throughout the state as one of Utah's "Legal Elite," as published in *Utah Business Magazine* (2011, 2014-2018).

Twitter: [@tolmanbrett](https://twitter.com/tolmanbrett)

RECENT REPRESENTATIVE HIGHLIGHTS



- Selected by the Vera Institute of Justice as one of the most influential people in the criminal justice movement (2018).
- In 2012, represented client charged with four second degree felonies in a criminal securities fraud case and obtained a dismissal of all charges in the Third Judicial District Court, State of Utah. Such a result is very rare in the criminal system.

Education

J. Reuben Clark Law School, Brigham Young University, J.D., 1998

- *cum laude*
- BYU Law Review Board, Lead Note and Comment Editor (1997-1998)
- BYU Law Review Editor (1996-1997)

Brigham Young University, B.A., English, 1994

Prior Professional Experience

- United States Attorney, District of Utah. Appointed by President Bush and confirmed by the United States Senate on July 23, 2006 (2006-2009)
- Chief Counsel for Crime and Terrorism, United States Senate, Judiciary Committee, Chairman Arlen Specter (2005-2006)
- Counsel, United States Senate, Judiciary Committee, Chairman Orrin Hatch (2004-2005)
- Assistant United States Attorney, United States Attorney's Office, District of Utah, US Department of Justice (2000-2004)
- Law Clerk, Honorable Chief Judge Dee Benson, United States District Court, Utah (1998-2000)

Admitted to Practice

- United States Supreme Court



- Utah State Bar
- Arizona State Bar
- United States District Court, District of Utah
- United States Court of Appeals for the Tenth Circuit
- United States Court of Appeals for the Ninth Circuit

Affiliations / Memberships

- National Association of Former U.S. Attorneys (NAFUSA)
- National Association of Criminal Defense Lawyers
- Utah Association of Criminal Defense Lawyers
- Utah State Bar, Constitutional Law Section
- Utah Bar Association
- Arizona Bar Association
- Federal Bar Association
- Attorney General's Advisory Committee (2008-2009)

Professional and Civic Activities

- Co-Chair, 2015 Interlaw Corporate Compliance, Fraud & Asset Recovery Special Business Team
- Co-Chair, Utah Unites for Marriage
- Adjunct Professor of Criminal Law, SJ Quinney College of Law, University of Utah (2010-2011)

Publications / Presentations

- [*New Pretrial Release Rules are Positive Step*, David Iglesias and Brett Tolman, Op-Ed, Albuquerque Journal, October 4, 2018](#)
- [Bill O'Reilly: Brett Tolman Brings Clarity to FBI Leaks, September 13, 2018](#)
- [Brett Tolman talks with Fox & Friends about the 'devastating gap in the law' amid the the pending release of Elizabeth Smart kidnapper, Wanda Barzee, September 12, 2018](#)
- [Brett Tolman, attorney for Elizabeth Smart, Discusses Why Kidnapper's Release is a Tragedy, KSL News, September 12, 2018](#)



- [Bill O'Reilly: Former U.S. Attorney Brett Tolman on the White House Counsel and the Russian Investigation, August 20, 2018](#)
- [Why It's Not 'Soft On Crime' to Support Criminal Justice Reform, The Daily Signal, August 20, 2018](#)
- [Bill O'Reilly: Brett Tolman Gives Expertise on Supreme Court Nominee, July 10, 2018](#)
- [He used to be Utah's top federal prosecutor. Now, Brett Tolman is trying to change the system he was a part of., Salt Lake Tribune, July 9, 2018](#)
- [Bill O'Reilly: No Spin News Excerpt – Brett Tolman is Back to Give His Expertise on Peter Strzoks Testimony, June 27, 2018](#)
- [Bill O'Reilly: No Spin News Excerpt – More on the Inspector Generals Report, June 19, 2018](#)
- [Bill O'Reilly: No Spin News Excerpt – The Inspector Generals Report is Released, Now What?, June 14, 2018](#)
- [Bill O'Reilly: No Spin News Excerpt – Brett Tolman is Back to Discuss Delayed IG Report, May 7, 2018](#)
- [Bill O'Reilly: No Spin News Excerpt – Breaking News in the Justice Department, April 19, 2018](#)
- Ingraham Angle, Fox News, Former U.S. Attorneys Debate Credibility of The Russia Probe, April 11, 2018
- [Bill O'Reilly: No Spin News Excerpt – Continued Investigations into the FBI, March 19, 2018](#)
- [Newsmax TV, Brett Tolman to Bill O'Reilly: Special Counsel Needed for FBI on FISA Abuses, February 8, 2018](#)
- [Justice Dept., Under Siege From Trump, Plows Ahead With His Agenda, NY Times, August 3, 2017](#)
- [Indictment dismissed against Utahn accused of exporting F-16 aircraft parts to Indonesia, Salt Lake Tribune, August 1, 2017](#)
- [Trump Should Reject Sessions' Stance on Sentencing Reform, Op-Ed, Real Clear Politics, June 28, 2017](#)
- [It's Not Soft on Crime to Improve Public Safety Outcomes in the Justice System, Op-Ed, Washington Examiner, May 20, 2017](#)
- Attorney General Sessions Interviewing FBI Director Candidates, CNN, May 15, 2017 (Interview begins at 2:14)
- [Reyes' Office Justified in Not Charging Federal Judge in 35-Year Old Case, Op-Ed, Salt Lake Tribune, March 22, 2016](#)
- *Fairness for All: Criminal Justice Reforms would Improve Law Enforcement and Public Safety, Op-Ed, Washington Times, December 1, 2015*
- Presenter, 2015 Interlaw Annual Global Meeting, Barcelona, Spain, October 21, 2015



- Hearing, Full Judiciary Committee, S. 2123, Sentencing Reform and Corrections Act of 2015, October 19, 2015
- Presenter, “Enforcing State and Federal Laws Against Mortgage Fraud,” 2015 Recorder Summer Workshop Cache County, July 16, 2015
- Hearing, House Committee on Oversight and Government Reform, “Criminal Justice Reform – Part II,” July 15, 2015
- Panelist, “Smarter Prosecution & Better Police-Community Relations: Keys To Alternatives to Incarceration,” Bipartisan Summit on Criminal Justice Reform, March 26, 2015
- Panelist, “The Political Economies of Change: Setting Agendas,” Seventeenth Annual Liman Colloquium, Isolation and Reintegration: Punishment Circa 2014, Yale Law School, April 3-4, 2014
- Panelist, “How the Competing Purposes of Sentencing Influence Sentencing Policy for Economic Crime,” United States Sentencing Commission’s Symposium on Economic Crime, New York, NY, September 19, 2013
- Hearing, Senate Committee on the Judiciary, “Reevaluating the Effectiveness of Federal Mandatory Minimum Sentences,” September 18, 2013
- Hearing, Senate Committee on the Judiciary, “Rising Prison Costs: Restricting Budgets and Crime Prevention Options,” August 1, 2012
- *That Ain’t Kosher*, Robert Steinbuch and Brett Tolman, University of Arkansas at Little Rock Law Review (Fall 2010)
- *Justice Denied*, National Law Journal, Robert Steinbuch and Brett Tolman (August 2010)
- *Reducing Legal and Compliance Risks in the Sales and Marketing of Medical Devices* – Panelist, The Enforcers Speak: Government Guidance and Clarity of Positions on Recent Investigative and Enforcement Initiatives in the Medical Device Industry, Chicago, Illinois (2009)
- Open World Program at the Library of Congress, Meeting with Open World Delegation from Kyrgyzstan, presentation on copyright laws, illegal immigration, and human trafficking, Salt Lake City, Utah (2009)
- Civics Workshop for Teachers, Executive Branch Day – Panelist, *Utah and US. Law Enforcement and Prosecution Issues*, Civil Engagement Conference for Utah Educators, Salt Lake City, Utah (2009)
- *Application of the Adam Walsh Act in Indian County, Serving Crime Victims: Embracing our Differences*, Four Corners Indian Country Conference, Albuquerque, New Mexico (2008)
- *Using Prosecutorial Discretion to Help Balance the Scales of Justice*, Hinckley Institute of Politics, University of Utah, Salt Lake City, Utah (2008)
- *Adversity Shaping our Destiny*, Public Safety and Crime Prevention, International Summer Festival and Education Fair, Utah Cultural Celebration Center, West Valley City, Utah (2008)



- Statement, *Crimes Associated with Polygamy: The Need for a Coordinated State and Federal Response*, Committee on the Judiciary, United States Senate, Washington DC (2008)
- *The USA PATRIOT Act: What Does and Does Not Apply to Bankers*, Utah Bankers Association Security Committee, Salt Lake City, Utah (2008)
- Opening Remarks on Current Civil Rights Efforts, NAACP Martin Luther King Jr. Celebration Banquet (2008)
- *Current Trends in White Collar Crime*, Larry H. Miller Annual General Manager Meeting, Larry H. Miller Automotive Group, Salt Lake City, Utah (2007)
- *Law Enforcement Partnerships—Getting along with the Feds*, West Valley City 26th Annual Police Awards Banquet, Utah Cultural Celebration Center, West Valley City, Utah (2007)
- *Liberty Under Law: Empowering Youth; Assuring Democracy*, Law Day at Little America Hotel, Utah State Bar Young Lawyers Division, Salt Lake City, Utah (2007)
- *Panelist America at a Crossroads: Jihad: The Men and Ideas Behind Al Qaeda*, Special Screening and Panel Discussion and Thoughtful Dialogue surrounding the World after 9/11 and the role of Leaders in that World, Utah NOW, KUED, Salt Lake City, Utah (2007)
- *Modern Legislative and Executive Branch Responses to Human Trafficking*, Human Trafficking Section of the Women of the Mountains Conference, Utah Valley State University, Orem, Utah (2007)
- *The PATRIOT Act and Beyond: Behind the Scenes of the National Security Debate*, Utah Bar Military Law Section Luncheon and Lecture Series, Salt Lake City, Utah (2007)
- *Embracing Diversity and Civil Liberties—the Aftermath of the USA PATRIOT Act*, speech given to Utah’s Islamic population, sponsored by Utah’s Islamic Community Mosque Administration, Salt Lake City, Utah (2007)
- *USA PATRIOT Act Reauthorization*, University of Denver College of Law, Denver, Colorado (2006)