



Michael D. Mayfield

Shareholder

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Practice Areas

Banking and Financial Institutions
Bankruptcy and Creditors' Rights
Equipment Leasing
Litigation
COVID-19 Response Team

Mr. Mayfield joined Ray Quinney & Nebeker in 1999 and is a shareholder and director of the firm. He is currently the chair of the firm's Banking and Finance Section and the former chair of the Utah State Bar Banking and Finance Law Section. Licensed in Utah and Idaho, his practice focuses on commercial litigation with an emphasis on representing banks, financial institutions, non-traditional creditors, and equipment leasing companies.

Mr. Mayfield is an experienced defense lawyer who litigates matters to protect and defend creditors' rights, resolve or modify troubled loans, achieve judicial and non-judicial foreclosures, and enforce commercial leases. Mr. Mayfield also has substantial experience representing creditors in bankruptcy-related litigation.

Mr. Mayfield maintains an AV Preeminent rating with Martindale-Hubbell, which is the highest rating awarded to attorneys for professional competence and ethics. For years, his peers throughout the state have voted him as one of Utah's "Legal Elite," as published by Utah Business Magazine (2006-2014, 2016-2020). Mr. Mayfield was also recognized by Mountain States Super Lawyers (2020) in the category Banking. In 2010, the National Institute for Trial Advocacy (NITA) conferred Mr. Mayfield the NITA Advocate designation.

Representative Cases Include

- Successfully defended judgment on appeal before the Tenth Circuit Court of Appeals upholding a lender's ability to foreclose residential mortgages in Utah that were securitized and then tracked by Mortgage Electronic Registration Systems, Inc. The decision is believed to be the first such decision from the Tenth Circuit on this issue. Commonwealth Property Advocates, LLC v. Mortgage Electronic Registration Systems, Inc., et al., 680 F.3d 1194 (10th Cir. 2011).



- Obtained dismissal of unlawful foreclosure claims against a successor trustee. *Clark v. Chevy Chase Bank*, 2012 U.S. Dist. Lexis 51926.
- Obtained dismissal of claims against bank for alleged wrongful foreclosure, and violations of TILA and RESPA. *Sorensen v. First Horizon Home Loan Corp. et al.*, Case No. 2:10-cv-192.
- Obtained dismissal of claims against bank and its employees for alleged violations of TILA, RESPA and ECOA. *Croxford v. Sutherland Title*, 2011 U.S. Dist. Lexis 1687.
- Successfully defended bank for alleged violation of TILA and RESPA. *Weekes v. First Horizon Home Loan Corp., et al.* Case No. 2-10-cv-1020.
- Obtained summary judgment on behalf of a large regional bank dismissing multi-million dollar, lender liability claims arising from bank's collection efforts.
- Obtained, with other RQ&N partners, a multi-million dollar jury verdict for client in a case involving the alleged breach of a patent license agreement. *ACTI v. EdiZONE*. Case No. 060910483.
- Defended bank against claims of discrimination and predatory lending practices. *Nazarinia v. Washington Mutual Bank, Inc.* 152 Fed.Appx. 711, 2005 WL 2600627 (C.A.10 (Utah)) (unpublished decision).
- Successfully represented a national bank in several cases arising from bank's check processing practices.
- Successfully obtained a large administrative claim on behalf of a regional mining equipment company against a Chapter 11 debtor.
- Protected and enforced a judgment creditor's lien in real property against a third party purchaser of the property. *Chase Manhattan Bank v. Principal Funding Corp.*, 89 P.3d 109 (Utah 2004).
- Obtained a complete dismissal of claims brought against a national bank arising from bank's money wiring practices.
- Obtained a seven figure summary judgment on behalf of regional oil company for breach of contract.
- Successfully defended local bank against claim brought by insurance underwriter alleging the bank's check processing procedures violated the Utah Uniform Fiduciaries Act. *Attorneys Title Guar. Fund v. Goodman*, 179 F.Supp.2d 1268 (D. Utah 2001).
- Successfully defended a regional bank against claims brought by the employer of a dishonest bookkeeper.
- Represented automobile dealers in real estate, contract and tort litigation.
- Successfully defended judgment on appeal related to Chapter 7 Trustee's preference claim against creditor. *Rushton v. E&S International Enterprises, Inc. (In re Eleva, Inc.)* 235 B.R. 486 (10th Cir.BAP 1999).



EDUCATION

University of Utah, J.D., 1998

- Member, UTAH LAW REVIEW
- Traynor Moot Court Competition, semi-finalist

University of Utah, B.A., Communications, 1995

- Phi Kappa Phi
 - Communications Department Honors and Scholarships
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PRIOR PROFESSIONAL EXPERIENCE

- Attorney, Jardine, Linebaugh & Dunn, Salt Lake City, Utah, 1998-1999
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ADMITTED TO PRACTICE

- Utah State Bar
 - Idaho State Bar
 - United States Court of Appeals, Ninth and Tenth Circuits
 - United States District Court, Districts of Utah and Idaho
 - Supreme Courts of Utah and Idaho
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AFFILIATIONS / MEMBERSHIPS

- Utah State Bar, Banking and Finance Section
 - Salt Lake Chamber of Commerce
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PROFESSIONAL AND CIVIC ACTIVITY

- Chair of Utah State Bar Banking and Finance Section (2018-present)
- Utah State Bar Banking and Finance Section, Vice Chair (2017-2018)
- Utah State Bar Banking and Finance Section, Treasurer (2016-2017)
- Utah State Bar Banking and Finance Section, CLE Coordinator (2015-2016)



RAY QUINNEY
& NEBEKER

80 YEARS
1940-2020

PUBLICATIONS / PRESENTATIONS

- Revisiting Expungement: Concealing Information In the Information Age, UTAH LAW REVIEW 1057 (1997).