



Maria E. Windham

Shareholder

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Practice Areas

Appellate Practice
Direct Selling
Litigation
Natural Resources, Water, Environmental
and Local Government Law
Receivership Practice Group
Securities Litigation
Whistleblower, Qui Tam and False Claims
Act Practice Group
Women Lawyers Group
COVID-19 Response Team

Ms. Windham is a trial attorney with extensive experience in a variety of administrative law fields. She handles matters involving securities law, environmental/historic preservation law, and immigration law proceedings. She regularly represents her clients in trial courts, in arbitration, and before state and federal government agencies.

Ms. Windham has 15 years of experience in litigating financial fraud and advising clients concerning federal and state governmental investigations of alleged securities laws violations. She has obtained multi-million dollar awards and settlements for injured investors. She is the court-appointed federal equity receiver in a case filed by the United States Securities & Exchange Commission (SEC) to halt a \$16 million Ponzi scheme. She has also successfully defended clients accused of insider trading and other securities law violations. She is presently Chair of the Securities Law Section of the Utah State Bar.

Ms. Windham also litigates and advises clients concerning compliance with environmental, historic preservation and tribal consultation requirements. She regularly assists her clients with tribal consultation concerning installation of antenna and cellular communications towers that require licensure by the Federal Communications Commission (FCC).

Ms. Windham heads RQN's immigration law practice. She provides advice and assistance with non-immigrant employment visas and employment-based green cards. She advises and defends employers in I-9 compliance matters. She also handles federal litigation of immigration matters.



Ms. Windham maintains an AV Preeminent (4.9) rating with Martindale Hubbel. She has been recognized as a "Rising Star" in Securities Litigation by Mountain States Super Lawyers (2012-2018), and Utah's "Legal Elite", as published in Utah Business Magazine (2012-2014, 2017).

REPRESENTATIVE CASES:

- *Lakkaraju v. Pompeo*, 2:19-cv-00235-TC (D. Utah 2019). Favorably settled complaint for federal recognition of state court's nunc pro tunc adoption decree.
- *City of West Jordan v. Utah Department of Health*, 190900245 (3rd Dist. Court 2019). Represented City in filing Writ of Mandamus concerning Department's administration of ambulance provider licensure statutes.
- *Sankis v. City of North Salt Lake*, 150700392 (2nd Dist. Court 2019). Represented Questar Gas Company in consolidated litigation of landslide liabilities.
- *SEC v. Marquis Properties, LLC.*, Case No 2:16-cv-00040-JNP (pending). Appointed as federal equity receiver of company operated as \$16 million Ponzi scheme.
- *Phillips v. Dep't of Commerce*, 2017 UT App 84, 397 P.3d 863. Overturned \$413,750 civil penalty on appeal to Utah Court of Appeals
- *Harriman v. Galbraith*, 2:14-CV-00482. Obtained federal jury verdict and award of all damages arising from breach of verbal contract to pay commissions.
- *United States ex rel. Lemmon v. Envirocare of Utah, Inc.*, 614 F.3d 1163 (10th Cir. 2010). Briefed qui tam relator's appeal to Tenth Circuit Court of Appeals, which held that relator successfully pleaded that concealment of hazardous waste disposal violations violated the False Claims Act.
- *United States v. Clarkson*, 551 F.3d 1196 (10th Cir. 2009). Briefed successful appeal of criminal conviction where police-dog-in-training was unqualified to perform drug search.

EDUCATION

S.J. Quinney College of Law, University of Utah, J.D., 2005

- Order of the Coif
- Managing Editor, UTAH LAW REVIEW
- Graduate Certificate in Natural Resources and Environmental Law
- William H. Leary Scholar

University of Utah, B.S., Geography, 2002

- summa cum laude
- Certificate in Urban Planning



PRIOR PROFESSIONAL EXPERIENCE

- Law Clerk to Justice Matthew B. Durrant, Utah Supreme Court
- Law Clerk, U.S. Securities & Exchange Commission, Summer 2003

ADMITTED TO PRACTICE

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

AFFILIATIONS / MEMBERSHIPS

- Chair, Securities Section of the Utah State Bar
- Member, Women's Energy Network
- Full Member, National Association of Federal Equity Receivers (NAFER)
- Member, American Immigration Lawyers Association (AILA)
- Women Lawyers of Utah

PROFESSIONAL AND CIVIC ACTIVITY

- Board of Directors, English Skills Learning Center (2020-Present)
- Project Leader, RQN Signature Pro Bono Project (2014-2018) (representing indigent defendants at Office of Recovery Services' Order to Show Cause calendar in Utah's Third District Court)

PUBLICATIONS / PRESENTATIONS

- Speaker, Could This Real Estate Investment be a Ponzi Scheme? - Views on Ponzi Fraud in Utah, Utah State Bar Spring Convention, March 9, 2018
- Speaker, Case Study: The Conviction of Shkreli Attorney Evan Greebel, Utah State Bar Business Law & Securities Law CLE, February 7, 2018



RAY QUINNEY
& NEBEKER

80 YEARS
1940-2020

- Speaker, The Art of Civil Trial Objections (and Responses), National Business Institute, June 24, 2016
- Statutes of Limitations: Utah, Practical Law (2015, 2016)
- Note, Finding the Line Between Action and Inaction, *SUWA v. Norton* and Judicial Review of Statutory Land Management Standards, *Utah Law Review* (2004)
- Development, Multipurpose Vehicle Checkpoints Are Unreasonable Seizures under the Utah Constitution, *Utah Law Review* (2004)