



Mark A. Nickel

PARTNER

Salt Lake City

801.204.9990

mnickel@grsm.com

RELATED SERVICES

- Commercial Litigation
- Product Liability
- Professional Liability Defense
- Environmental & Toxic Tort
- Business Transactions
- Construction
- Employment

OFFICES

- Salt Lake City
- Phoenix

OVERVIEW

Mark Nickel is the Office Managing Partner of GRSM's Salt Lake City office. His practice is focused primarily on general and complex commercial litigation, professional negligence litigation, legal malpractice defense, product liability litigation, construction litigation, employment matters, business tort litigation, securities fraud, corporate and partner disputes, real estate disputes, landlord and tenant disputes, common interest developments, FHA and ADA matters, and creditors' rights litigation. He has represented clients in contract negotiations and enforcement in a wide range of matters involving real estate, securities, asset purchases, partnerships, and other business transactions.

Some of the insurance related allegations that Mark has defends against include negligently procuring insurance, failure to properly advise on coverage issues, failure to obtain requested coverage, negligent

misrepresentation, and various bad faith issues. Mark has substantial experience defending insurance brokers and agents against professional negligence and malpractice claims.

He actively represents clients in state and federal courts and before state and federal agencies in Utah and Arizona, including the EEOC, the Utah Antidiscrimination and Labor Division (UALD), and various professional boards. He serves as outside corporate counsel for several small businesses located in Utah and Arizona. Mark has extensive knowledge of and experience in electronic discovery (e-discovery) and data management. He also has experience in pre- and post-judgment remedies, and he has pursued and defended claims involving fraudulent transfers and alter ego- and successor-liability.

Mark received his Bachelor of Science degree in Economics from Brigham Young University, while working as a technical program manager for an Internet startup company. He directed engineering, programming, sales and marketing teams in developing, manufacturing and launching several early Internet devices, including a telephone-based email manager, an Internet-browsing device and an Internet set-top TV device. In 2006, Mark graduated from the Arizona State University College of Law, cum laude. While in law school, Mark served as a judicial extern at the United States Bankruptcy Court for the District of Arizona, and also in the United States Court of Appeals for The Ninth Circuit.

REPRESENTATIVE EXPERIENCE

- Won a motion to dismiss a declaratory action seeking the early termination of a franchise in the United States District Court for the District of Utah.

PRESENTATIONS

- Co-Author, "When Parties Arbitrate: The Powers and Limitations of Discovery in Arbitration under the Federal Arbitration Act" (August 2021)

CREDENTIALS

Admissions

- Utah
- Arizona
- U.S. District Court, District of Utah
- U.S. District Court, District of Arizona
- U.S. Court of Appeals, Ninth Circuit

Education

- J.D., *cum laude*, Arizona State University College of Law
- B.S., Economics, Brigham Young University